

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE - *Appellant*

TE136/2011

for implementation of the recommendation of the Rights Commissioner  
in the case of:

EMPLOYER - *Respondent*

under

### TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr T. Taaffe  
Members: Mr. A. O'Mara  
Mr N. Dowling

heard this appeal at Trim on 21st March 2012

#### **Representation:**

Appellant(s) :Mr. Richard Grogan, Richard Grogan & Associates, Solicitors,  
16 & 17 College Green, Dublin 2

Respondent(s) : No appearance by or on behalf of the respondent

#### **Determination**

The implementation came before the Tribunal by way of a Rights  
Commissioner's recommendation dated the 8<sup>th</sup> March 2011.

“(6)(a) Where a recommendation of a rights commissioner in relation to a complaint under this Act has not been carried out by the employer concerned in accordance with its terms, the time for bringing an appeal against the recommendation has expired and no such appeal has been brought the employee concerned may bring the complaint before the Tribunal and the Tribunal shall, without hearing the employer concerned or any evidence other than in relation to the matters aforesaid), make a determination to the like effect as the recommendation.”

Accordingly, the Tribunal orders that the Rights Commissioner's recommendation (reference r-098632-te-10/EH) to make an award of €1250 to the appellant under the Terms of Employment (Information) Act, 1994 to 2001, be implemented on receipt of this determination.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)