

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

EMPLOYEE

TE137/2011
UD1036/2011

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

EMPLOYEE

and

EMPLOYER
EMPLOYER

under

**TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T. Taaffe

Members: Mr M. Noone
Mr J. Maher

heard this claim at Dublin on 17th February 2012

Representation:

Claimant(s): Noel G McArdle & Company, Solicitors, Shankill Business
Centre, Station Road, Dublin 18

Respondent(s) Mr. Pat Reynolds BL instructed by Mr Philip Moroney, Trayors & Co.
Solicitors, 29/30 Ushers Quay, Dublin 8

The determination of the Tribunal was as follows:-

This case came before the Tribunal where the appellant was seeking implementation of the recommendations of the Rights Commissioner under the Terms of Employment (Information) Acts, 1994 and 2001 reference number r-080246-te-09 JOC and the Unfair Dismissals Acts, 1977 to 2007 reference r-080969-ud-09 JOC

Determination

The Tribunal has carefully considered the written submissions made. The application before it is clearly not an appeal against the recommendation of the rights commissioner and is therefore not a hearing “de novo”.

The Tribunal therefore determines that it has no jurisdiction to validate the respondent’s application and as the recommendation of the Rights Commissioner has not been carried out, the time for bringing an appeal having expired and no such appeal having been brought, makes a determination to the like effect as the recommendation and awards €3,000.00 under the Unfair Dismissals Acts, 1977 to 2007 and €1,000.00 under the Terms of Employment (Information) Act, 1994 and 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd) _____
(CHAIRMAN)

