

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

EMPLOYEE

- *Claimant*

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

CASE NO.

UD1425/2011

EMPLOYER

- respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. Wallace

Members: Mr G. Andrews
Mr F. Dorgan

heard this claim at Limerick on 16th February 2012

Representation:

Claimant: Ms Karen Fitzgerald, O'Callaghan Daly, Solicitors, Chandler House, Henry
Street, Limerick

Respondent: No appearance by or on behalf of the respondent

This case came before the Tribunal by way of an employee seeking implementation of the
recommendation of the Rights Commissioner ref:(r-094661-ud-10)

The determination of the Tribunal was as follows:

The Tribunal was satisfied the time delimited by section 9 (2) of the Unfair Dismissals Acts,
1977 to 2007 to appeal a recommendation of a Rights Commissioner had expired without an
appeal having been brought. That time having expired, the claimant has brought a claim for
enforcement of the Rights Commissioner's recommendation. As the first time for appeal has
expired, the only evidence that the Tribunal can hear is in relation to the performance. The
Tribunal cannot at this stage reopen the merits of the case before the Rights Commissioner.

The Tribunal is satisfied that the recommendation has not been performed in any way. On the
basis of the Rights Commissioner's recommendation the Tribunal awards the
claimant compensation in the amount of €8000.00.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)