

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

EMPLOYEE

- *Claimant*

CASE NO.

UD2185/2011

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

EMPLOYER

- *Respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr C. Corcoran B.L.

Members: Mr J. Horan
Mr. J. Dorney

heard this claim at Naas on 23rd April 2012

Representation:

Claimant: In Person

Respondent: No appearance

The determination of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent at the hearing on 23rd April 2012. The claimant told the Tribunal that she was seeking implementation of the recommendation of the Rights Commissioner ref r-099644-ud-10/JW.

Section 7 (4) (a) of the Unfair Dismissals Act, 1977 to 1993, states:

“Where a recommendation of a rights commissioner in relation to a claim for redress 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 claim before the Tribunal and the Tribunal shall, notwithstanding subsection (5) of this section, 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 makes a determination to the like effect as Right Commissioner Recommendation ref: r-099644-ud-10/JW that the respondent pay the claimant the sum of €2,500.00 under the Unfair Dismissals Acts, 1977 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)