

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

EMPLOYEE

- claimant

CASE NO.

UD1893/2011

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

EMPLOYER

- respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms O. Madden B.L.

Members: Mr J. Browne
Ms S. Kelly

heard this claim at Portlaoise on 11th April 2012

Representation:

Claimant: Mr. Pat Nash McDermott, Nash McDermott & Co, Solicitors, Templemore, Co
Tipperary

Respondent: No appearance

The determination of the Tribunal was as follows:-

Section 7 (4) (a) of the Unfair Dismissals Act, 1977 to 2007, 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 r-101158-ud-10-/TB that the respondent pay the claimant the sum of €7,500.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

