

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

CASE NO.
UD1929/2011

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

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms K. T. O'Mahony B.L.

Members: Mr D. Hegarty
Mr O. Wills

heard this claim at Cork on 30th April 2012

Representation:

Claimant : Mr P. Lyne, Daly Derham Donnelly, Solicitors, Florence Buildings,
1A Washington Street West, 3 & 4 Hanover Place, Cork

Respondent : No representation listed

The determination of the Tribunal was as follows:

Section 7 (4) of the Unfair Dismissals Act, 1977 to 1993 reads as follows:

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 recommendation to the like effect as the recommendation.

The Tribunal, having satisfied itself that no appeal has been lodged in the case and that the former employer has not discharged the Rights Commissioner's award, orders that the award of five thousand euro (€5,000.00) be implemented under the Under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

