

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF: CASE NO.

EMPLOYEE 1st named claimant UD915/2011

EMPLOYEE 2nd named claimant UD916/2011

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

EMPLOYEE 1st named claimant UD915/2011

EMPLOYEE 2nd named claimant UD916/2011

-v-

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms J. McGovern B.L.
Members: Mr. N. Ormond
Mr J. Flannery

heard this claim at Dublin on 27th April 2012

Representation:

Claimants: Ms Bernadette Thornton, Siptu, Membership
Information &, Support Centre, Liberty Hall, Dublin 1

Respondent: Mr. David Carson, Deloitte & Touche, Deloitte & Touche
House, 29 Earlsfort Terrace, Dublin 2
Mr. John Barry, Management Support Services (Ireland)
Limited, The Courtyard, Hill Street, Dublin 1

Determination:

These cases are before the Tribunal by way of employees implementing the Rights Commissioner's Recommendations ref: r-083899-ud-09JOC, r-083900-ud-09JOC, UD915/201, UD916/201.

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, for the first named claimant ref: UD915/2011, the Tribunal makes a Determination to the like effect as the Rights Commissioner Recommendation ref: r-083899-ud-09JOC, that the respondent pays the claimant the sum of €3,000.00 under the Unfair Dismissals Acts, 1977 to 2007.

Accordingly, for the second named claimant ref: UD916/2011, the Tribunal makes a Determination to the like effect as the Rights Commissioner Recommendation ref: r-083900-ud-09JOC, that the respondent pays the claimant the sum of €1,500.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

