

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.
UD43/2012

EMPLOYEE -*claimant*

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

EMPLOYEE -*claimant*

-v-

EMPLOYER -*respondent*

EMPLOYER -*respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. J. Lucey

Members: Mr. J. Hennessy
 Mr. F. Dorgan

heard this claim at Clonmel on 29th May 2012

Representation:

Appellant: In person

Respondent: No appearance or representation

Background:

This case is before the Tribunal by way of an employee implementing a Recommendation of a Rights Commissioner ref: r-108424-ud-11/GC.

Determination:

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 ref: r-108424-ud-11/GC that the respondent pay the appellant 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)

