

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

(The appellant)

UD667/2011

against the recommendation of the Rights Commissioner in the case of:

EMPLOYER (The respondent)

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. P. McGrath B.L.

Members: Mr. J. Goulding
Mr. N. Dowling

heard this appeal at Dublin on 30th August 2012

Representation:

Appellant:

Respondent:

The respondent in person

This case came to the Tribunal by way of an appeal by the employer against the decision of the Rights Commissioner Ref: r-096081-ud-10/RG.

Preliminary issue

The appellant made a preliminary application to have the decision of the Rights Commissioner over turned on the basis that the claim before her had been withdrawn by the employee on the day of the hearing.

However, the employee told the Tribunal that she wanted the terms of the Rights Commissioner's decision honoured.

Preliminary Determination

The Tribunal is satisfied that the Rights Commissioner made a decision in relation to the claim before her under the Unfair Dismissals Acts, 1977 to 2007 and awarded the employee €5,000.00. This decision was appealed by the employer and therefore the Tribunal is obliged to hear this appeal.

Appellant's case

The appellant told the Tribunal that they had compromised the proceedings with the respondent and proposed that the decision of the Rights Commissioner be affirmed by the Tribunal. Furthermore, the appellant undertook to pay the respondent €5,000.00 within two weeks of the hearing.

Determination

The Tribunal affirms the decision of the Rights Commissioner Ref: r-096081-ud-10/RG and awards the respondent €5,000.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)