

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE
- *appellant*

TE49/2011

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

- *respondent*

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

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

Members: Mr D. Hegarty
Mr J. Flavin

heard this appeal at Cork on 20th July 2012

Representation:

Appellant : In person

Respondent :

Determination

This is an application for the implementation of a Rights Commissioner's recommendation dated 27 March 2009. Section 6 (a) of the Terms of Employment (Information Act) as amended provides:

“Where a recommendation of a rights commissioner in relation to a complaint 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 complaint before the Tribunal and the Tribunal shall, 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.”

As the time for bringing an appeal has expired and no appeal having being brought the Tribunal orders that the Rights Commissioner’s recommendation (reference r-069954-TE-08/JOC) to make an award of €800 to the appellant under the Terms of Employment (Information) Act, 1994 to 2001, be implemented.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)