

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYER

- *appellant*

TE48/2011

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

EMPLOYEE

- *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 20 July 2012

Representation:

Appellant(s) : Managing Director

Respondent(s) : no appearance by or on behalf of the respondent

This case came before the Tribunal by way of an employer appealing against the decision of a Rights Commissioner Ref: R-094254-TE-10 JOC. As this is an appeal by the employer the appellant will be referred to as the employer and the respondent the employee.

Determination

The Tribunal is satisfied that the employee was on notice of the hearing. The Tribunal accepts the evidence of the employer that the original claim by the employee was not lodged within the statutory time limit. Accordingly, the appeal under the Terms of Employment (Information) Act, 1994 and 2001 succeeds and the Tribunal sets aside the recommendation of the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)