

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

– **Appellant (The Employer)**

TE155/2011

against the recommendation of the Rights Commissioner R-089102-TE-09/SR  
in the case of:

– **Respondent (The Employee)**

under

### **TERMS OF EMPLOYMENT (INFORMATION) ACTS, 1994 TO 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms B. Glynn

Members: Mr B. O'Carroll  
Ms H. Henry

heard this appeal at Roscommon on 16 November 2012

#### **Representation:**

Appellant (The Employer):

Respondent (The Employee):

No appearance by or representation on behalf of the employee

This case came before the Tribunal by way of an appeal by the employer against the recommendation of a Rights Commissioner **R-089102-TE-09/SR**

The determination of the Tribunal was as follows: -

#### **Determination**

An appeal of a Rights Commissioner's recommendation to the Tribunal is a de novo hearing of the complaint. Accordingly, it fell to the employee to make his complaint to the Tribunal and,

eing satisfied that the employee was properly on notice of the hearing, and on application in this regard on behalf of the employer, the Tribunal upsets the recommendation of the Rights Commissioner under the Terms Of Employment (Information) Acts, 1994 to 2001 and finds that the complaint was not well founded.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)