

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
TE180/2012

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

EMPLOYER

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Fahy B.L.

Members: Mr T. Gill
Ms H. Henry

heard this appeal at Galway on 21st November 2012

Representation:

Appellant : Mr. Richard Grogan, Richard Grogan & Associates,
Solicitors, 16 & 17 College Green, Dublin 2

Respondent : No representation listed

The decision of the Tribunal was as follows:

The implementation came before the Tribunal by way of a Rights Commissioner's recommendation dated 14 March 2012, reference r-090931-te-10/GC:

Section 8 (6) (a) of the Terms of Employment (Information) Act reads:

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."

The Tribunal being satisfied that neither an appeal nor a payment has been made in this case determines that the Rights Commissioner's recommendation, referred to above, be implemented on receipt of this Order and awards the appellant €1000.00 under the Terms of Employment (Information) Acts, 1994 to 2001.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)