

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE 1- *appellant 1*

TE177/2012

EMPLOYEE 2 - *appellant 2*

TE178/2012

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: Mr J. Revington S.C.

Members: Mr. J. Reid  
Mr N. Dowling

heard this appeal at Dublin on 12th December 2012

Representation:

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

Respondent(s) : no appearance

### Determination

This is an application for the implementation of a Rights Commissioner's  
recommendation dated 28 February 2012. 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.”

### Appellant 1

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-083573-te-11/DI) to make an award of €2480 to the appellant under the Terms of Employment (Information) Act, 1994 to 2001, be implemented.

## **Appellant 2**

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-083569-te-11/DI) to make an award of €3000 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)