

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE

CASE NO.
UD413/2012

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

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony BL

Members: Mr. D. Hegarty
Ms. H. Kelleher

heard this case in Cork on 14th December 2012

Representation:

Claimant(s):

Mr. Edmond Smyth on behalf of Mr Noel Murphy,
Independent Workers Union, 55 North Main Street, Cork

Respondent(s):

No legal representation

The determination of the Tribunal was as follows:-

This case came to the Tribunal as an appeal for implementation of Rights Commissioner Recommendation r-108855-ud-11JOC under the Unfair Dismissals Acts, 1977 to 2007, in which it was ordered that the employer pay the employee the sum of four thousand euro.

The Tribunal was told at the 14 December 2012 hearing that there had been an appeal of Rights Commissioner Recommendation r-108855-ud-11JOC to the Tribunal. The Tribunal gave the respondent until 9 January 2013 to provide the Tribunal with documentary evidence of such an appeal having been made to the Tribunal within the required timeframe but no such evidence was received by 9 January 2013.

Determination:

As there was no evidence that the Rights Commissioner Recommendation had been appealed within the required timeframe which has now expired or that the payment ordered had been made to the employee concerned, the Tribunal, in applying section 8 (4) of the Principal Act as substituted by section 7 of the 1993 Act, makes a determination to the like effect as the Rights Commissioner Recommendation r-099868-ud-10/RG under the Unfair Dismissals Acts, 1977 to 2007, in which it was ordered that the employer pay the employee the sum of €4,000.00 (four thousand euro).

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)