

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE – *appellant*

TE82/2012

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

EMPLOYER 1 – *respondent 1*

EMPLOYER 2 – *respondent 2*

EMPLOYER 3 – *respondent 3*

under

### TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. B. Kealy  
Mr J. Flannery

heard this appeal at Dublin on 11th December 2012

Representation:

Appellant(s) : Ms Oonagh McCormack, O'Connor McCormack, Solicitors,  
16 South Main Street, Naas, Co Kildare

Respondent(s) : Mr. Peter Dempsey, Dempsey Solicitors, Suite 107, The Capel Building,  
Mary's Abbey, Dublin 7

### Determination

This is an application for the implementation of a Rights Commissioner's  
recommendation dated the 30 September 2010. 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.”

As the time for bringing an appeal has expired and no appeal having being brought the Tribunal orders that the Rights Commissioner’s recommendation references R-091012-TE-10/RG, R-091300-TE-10/RG and R-091310-TE-10/RG to make an award of €2000 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)