

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

TE26/2012

appellant

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

EMPLOYEE

appellant

And

EMPLOYER

respondent

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr G. Mc Auliffe
Mr A. Butler

heard this appeal at Dublin on 26th February 2013

Representation:

Appellant(s):

Respondent(s): No representation or attendance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

The implementation came before the Tribunal by way of a Rights Commissioner's recommendation dated 15th December 2011 reference r-114634-te-11/TB.

Determination

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, €1,000.00 under the Terms of Employment (Information) Acts, 1994 to 2001.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

