

## **EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL(S) OF:**

Employee

TE54/2007

**CASE NO.**

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: Ms. E. Kearney BL

Members: Mr. J. Redmond

Ms H. Henry

heard this appeal at Galway on 21st January 2008

#### **Representation:**

Appellant(s) : Mr. Michael Kilcoyne, Branch Secretary, Siptu, Galway No. 1 Branch,  
Forster Court, Galway

Respondent(s) : In person

The decision of the Tribunal was as follows:-

This implementation of a recommendation comes before the Tribunal after the hearing by the Rights Commissioner of a claim under the Terms of Employment Act, 1994 heard on April 18<sup>th</sup> 2007 (r-043776-te-06-JH).

#### **Determination:**

The Tribunal is satisfied that the time delimited by Section 9 (1) of the Terms of Employment Act, 1994 To appeal the recommendation of the Rights Commissioner has expired without an appeal has been brought.

As the time for the appeal has expired the only evidence the Tribunal can hear is in relation to the performance of the respondent or otherwise of the recommendation. The Tribunal cannot, at this stage, re-open the merits of the case before the Rights Commissioner.

The Tribunal is satisfied that the recommendation has not been preformed in any way and accordingly, the Tribunal makes a determination to the like affect as the Rights Commissioner recommendation, r-043776-te-06-JH, that the respondent pay the claimant under the Terms

f Employment Act, 1994 (r-043776-te-06-JH) the sum of € 960.00.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)