

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

2 Employees

TE69/2008

TE70/2008

against the recommendations of the Rights Commissioner R-056410-TE-07/EH
and R-056403-TE-07/EH in the case of:

Employer

under

TERMS OF EMPLOYMENT (INFORMATION) ACTS, 1994 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. MacCarthy S.C.

Members: Mr. D. Moore
Mr. G. Whyte

heard these appeals at Dublin on 17 September 2008

Representation:

Appellants:

Mr. Richard Grogan, P.C. Moore & Co. Solicitors,
17 South Great Georges Street, Dublin 2

Respondent:

Mr. David Farrell, IBEC, Confederation House,
84/86 Lower Baggot Street, Dublin 2

The determination of the Tribunal was as follows: -

This case came before the Tribunal as a result of an appeal by the employees (the appellants) against two recommendations of the Rights Commissioner R-056410-TE-07/EH and R-056403-TE-07/EH under the Terms Of Employment (Information) Acts, 1994 To 2001 in the case of an employer (the respondent).

Determination

The first named appellant was initially employed from November 2005 for a period of approximately one month. She was then employed from December 2006 until March 2007. It being conceded by the respondent that the first named appellant was not in receipt of a written statement of terms of employment as required under section 3 (1) of the Terms of Employment (Information) Acts, 1994 to 2001 the Tribunal varies the recommendation of the Rights commissioner and awards the first named appellant the sum of €1,099-94, being four weeks' pay, under those Acts.

The second named appellant was employed from April 2006 until April 2007. It being accepted by the second named appellant's representative that she was in receipt of a written statement of terms of employment which complied with eleven of the thirteen requirements under section 3 (1) of the Terms of Employment (Information) Acts, 1994 to 2001 the Tribunal affirms the recommendation of the Rights Commissioner and awards the second named appellant the sum of €700-00 under those Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)