

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

Employee

TE11/2009

against 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: Mr M. O'Connell B.L.

Members: Ms J. Winters
Mr F. Barry

heard this appeal at Dublin on 24th June 2009

Representation:

Appellant: Mr. Blazej Nowak, Polish Consultancy Enterprise,
19 Talbot Street, Dublin 1

Respondent: No appearance or representation

The decision of the Tribunal was as follows:

This case came before the Tribunal by way of an appeal by the employee against the recommendation of a Rights Commissioner, ref: r-067613-te-08/EH dated 25 November 2008

The appellant gave evidence that he did not receive a contract, although he asked the foreman/supervisor (S) for one. He was told that he didn't need a contract. His pay rose to €526.50 per week in 2008.

He said that the reason he failed to attend the Rights Commissioner hearing was that he had made a mistake about the date.

Determination:

The respondent wrote to the Tribunal declaring their inability to appear at the hearing.

Based on the uncontested evidence of the appellant, the Tribunal upsets the decision of the Rights Commissioner and awards him €2106.00 (being the equivalent of four weeks gross pay) under the Terms of Employment (Information) Act, 1994 and 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

