

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE – *appellant*

CASE NO.
TE25/2009

against the recommendation of the Rights Commissioner in the case of:

EMPLOYER - *respondent*

Under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr. D. Morrison
Mr M. McGarry

heard this appeal at Castlebar on 8th September 2009

Representation

Appellant: In person

Respondent: No appearance or representation on behalf of

The decision of the Tribunal was as follows: -

This case comes before the Tribunal as an appeal of the recommendation of the Rights Commissioner of a claim under the Terms of Employment Act, 1994 heard on 22nd of July 2008 (r-060553-te-08/JT).

The appellant appealed the recommendation of the Right's Commissioner because he didn't receive a copy of his written terms and conditions as contained in his contract.

On commencement of employment the appellant received and signed a Contract of Employment from the Respondent. The Contract was given to him with a number of other documents, which he did not read. A copy of the Contract was not issued to the appellant. The appellant requested a copy of his Contract on numerous occasions with no response from the respondent.

The respondent is now in receivership but faxed a copy of the appellants signed contract to the Tribunal Secretariat. The appellant viewed the Contract and agrees that the signature belonged to him.

Determination

Having heard the uncontested evidence of the appellant, the Tribunal uphold the decision of the Rights Commissioners.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)