

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYER  
- *appellant*

CASE NO.

TE286/2009

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

EMPLOYEE  
- *respondent*

under

### TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms C. Gleeson B.L.

Members: Mr E. Handley  
Ms M. Maher

heard this appeal at Dublin on 22nd February 2010

Representation:

\_\_\_\_\_

Appellant(s) : Mr. John Barry, Management Support Services (Ireland)  
Limited, The Courtyard, Hill Street, Dublin 1

Respondent(s) : In Person

This case came before the Tribunal by way of an employer appealing against the recommendation of a Rights Commissioner under the Terms of Employment Information Acts 1994 and 2001 ref r-079180-te-09/TB

### Determination

The respondent accepted that he had read and signed his terms and conditions of employment which were provided to him by his employer. These terms and conditions were held by the employer on the respondent's personal file and were available to the respondent on request.

Accordingly the Tribunal finds in favour of the appellant and upsets the recommendation of the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

