

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE – *appellant*

CASE NO.
TE163/2009

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

EMPLOYER – *respondent*

under

TERMS OF EMPLOYMENT (INFORMATION) ACTS, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Taaffe

Members: Ms. J. Winters
Ms. N. Greene

heard this appeal at Dublin on 26th August 2010

Representation:

Appellant: Mr. Richard Grogan of Richard Grogan & Associates Solicitors,
16 & 17 College Green, Dublin 2

Respondent: Ms. Caoimhe Scolard of IBEC, Confederation House,
84/86 Lower Baggot Street, Dublin 2

This case came before the Tribunal by way of an employee appealing a recommendation of a Rights Commissioner ref: (r-065260-te-08/RG).

The decision of the Tribunal was as follows:

The Tribunal heard submissions from the representatives of both parties. It was common case that the appellant was given a starter card at the commencement of his employment. An issue arose over whether the appellant was issued with a copy of the Employee Terms & Conditions Hand book. No copy of the relevant handbook was produced before the Tribunal.

The Tribunal is not satisfied that the respondent has complied with all the requirements of the Acts and accordingly upsets the decision of the Rights Commissioner, ref: (r-065260-te-08/RG), and awards the appellant €150.00 under the Terms of Employment (Information) Acts, 1994 and 2001.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)