

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL(S) OF:**

**CASE NO.**

EMPLOYER

TE183/2010

*- appellant*

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: Mr. D. Mac Carthy S C

Members: Mr M. Murphy  
Ms M. Finnerty

heard this appeal at Navan on 24th January 2011

**Representation:**

Appellant(s) : Mr Conor O'Toole, Coughlan White O'Toole, Solicitors, Moorefield Road,  
Newbridge, Co Kildare

Respondent(s) : Richard Grogan & Associates, Solicitors, 16 & 17 College Green, Dublin 2

The decision of the Tribunal was as follows:-

**This case came to the Tribunal by way of an appeal by the employer against the recommendation of the Rights Commissioner r-069774-te-08/JW.**

The Rights Commissioner had concluded that the appellant (company) had not given the respondent (employee) a contract of employment within two months from the time he had commenced employment with the company.

**Determination**

Having carefully considered the evidence adduced the Tribunal are satisfied the appellant was in breach of the Act.

Therefore this appeal fails and the Tribunal upholds the recommendation of the Rights

Commissioner awarding the respondent (employee) € 900.00 in this case r-069774-te-08/JW.

Sealed with the Seal of the  
Employment Appeals Tribunal

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