

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE - *appellant*

TE292/2009

against the decision 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 P. Hurley

Members: Mr G. Andrews
Ms H. Henry

heard this appeal at Galway on 26th May 2011

Representation:

Appellant(s) : In Person

Respondent(s) : In Person

This case came before the Tribunal by way of an employee (the appellant) appealing against the decision of a Rights Commissioner under the Terms of Employment (Information) Act, 1994 and 2001 ref r-074732-te-09.

Determination

There was a clear conflict of evidence between the parties as to whether or not the appellant was furnished with his terms and conditions of employment. The Tribunal heard evidence from the appellant that he was never provided with terms and conditions of employment by the respondent. The respondent gave evidence that the appellant was given his terms and conditions of employment and produced a signed copy of the appellant's contract of employment. The appellant denied that the signature on the document was his signature.

The Tribunal is satisfied having deliberated on the matter and considered the evidence of both parties that the appellant was provided with a contract of employment incorporating his terms and conditions of employment. Accordingly the Tribunal dismisses the appeal under the Terms of Employment (Information) Act 1994 and 2001 and upholds the decision of the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

