

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.
TE132/2010

EMPLOYEE

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

EMPLOYEE

appellant

EMPLOYER

respondent

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath BL

Members: Mr. J. Reid
Mr. S. O'Donnell

heard this appeal at Dublin on 14th October 2011

Representation:

Appellant(s): Ms. Julienne Paye, Richard Grogan & Associates, Solicitors, 16 & 17 College Green, Dublin 2

Respondent(s): Mr Gareth Kyne, John Barry Management Support Services (Irl) Ltd, The Courtyard, Hill Street, Dublin 1

The decision of the Tribunal was as follows:-

This case came before the Tribunal by way of an employee appealing against the recommendation of the Rights Commissioner reference r-086824-te-09/JW

Determination

The appellant alleges that his employer did not comply with Section 3 of the Terms and Conditions of Employment Act 1994 and 2001. The appellant disputed that he received a copy of the employer's handbook. The respondent gave the appellant a company handbook on 26th May 2009 and he signed it indicating that he had read the contents. The appellant maintained that he did not sign it on the 26th May 2009 but he did not have definitive evidence of this.

On the evidence presented the Tribunal upholds the recommendation of the Rights Commissioner and the appeal under The Terms of Employment (Information) Act, 1994 and 2001 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

