

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF: CASE NO.

EMPLOYEE TE99/2010

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

EMPLOYER

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms M. McAveety

Members: Mr M. Carr
Mr O. Nulty

heard this appeal at Monaghan on 20th October 2011

Representation:

Appellant: In person

Respondent: Tiernans Solicitors, 15 Church Street, Dundalk, Co. Louth

The decision of the Tribunal was as follows:-

This case came before the Tribunal by way of an appeal by the employee against the recommendation of a Rights Commissioner r-066953-te-08/SR.

Determination:

The appellant alleges that he worked for the respondent company from March 2004 to 2008 and again for a further six months at a later date and that the employer did not comply with Section 3 of the Terms and Conditions of Employment Act 1994 and 2001. The respondent company disputed that the appellant worked for their company apart from 3 days when he appears on their records in February 2008. He was paid by cheque for those days and the cheque was cashed. The appellant did not show up for work after those 3 days when he was asked to provide details for the employer to register him for Tax and PRSI.

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)

