

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE
- *Appellant*

CASE NO.
TE22/2011

against the recommendation 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: Ms N. O'Carroll-Kelly BL

Members: Mr P. Pierce
Mr. S. O'Donnell

heard this appeal at Dublin on 14th March 2012

Representation:

Appellant: Mr. Blazej Nowak, Polish Consultancy Enterprise, 107 Amiens Street, Dublin 1

Respondent: No appearance

The decision of the Tribunal was as follows:-

This case came before the Tribunal by way of an employee appealing against the decision of the Rights Commissioner ref: r-095583-te-10/RG.

There was no appearance by or on behalf of the respondent. The appellant told the Tribunal that he worked for the respondent from October 2006 until November 2009. When he commenced employment he requested a written statement of his terms and conditions from the respondent, which he never received. At the Right's Commissioner's hearing the respondent produced a contract which the appellant had never seen before.

Determination

Based on the uncontested evidence of the appellant the Tribunal finds that, during his employment with the respondent, the appellant never received a written statement of his terms and conditions of employment in accordance with Section 3 of the Act. Accordingly the Tribunal varies the decision of the Rights Commissioner ref: r-095583-te-10-RG and awards the appellant

800.00 compensation under the Terms of Employment (Information) Act, 1994 and 2001

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)