

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
TE256/2011

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: Mr. D. Mac Carthy SC

Members: Mr. R. Murphy
Mr. J. Maher

heard this appeal in Dublin on 27 July 2012

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

No legal representation

The decision of the Tribunal was as follows:-

This case came to the Tribunal as an employee appeal against Rights Commissioner Recommendation r-105220-te-11/JC under the Terms of Employment (Information Acts), 1994 and 2001.

The background to this appeal was that, having worked for the respondent from the end of June 2010 to early November 2010, the appellant made a complaint to the rights commissioner service in February 2011.

The appellant contended that the respondent had not given him a written statement of his terms and conditions of employment. He denied that he had been given the document presented at the

hearing and said that he had not signed it.

The respondent contended that it had held a two-to-three hour induction course which the appellant had attended and at which he was given a number of documents (including a statement of main terms and conditions which was signed and dated by the appellant on 29 June 2010).

At the Tribunal hearing it was alleged that the appellant's signature had been forged.

Determination:

The Tribunal was presented with documentation which it carefully considered but the Tribunal was not satisfied that the claimant's signature had been forged. The Tribunal, therefore, finds that the claimant received documentation stating his terms and conditions of employment. The Tribunal upholds Rights Commissioner Recommendation r-105220-te-11/JC and the appeal against it under the Terms of Employment (Information Acts), 1994 and 2001, fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)