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**JUST WHAT IS THE MARKET LIKE?**

If I had a penny for every time someone has asked me this in the last six months, I'd be a rich lady! So what's the answer? It's true that there are fewer roles on the market and there has been a slow start to Q1 2009, however, there are still some good quality jobs to be filled which is very encouraging. Clients are taking advantage of the fact that for the first time in a number of years there are able to source high calibre candidates at a very good price. We expect to see this continue for some months.



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Contract accountants and credit controllers at all levels are in hot demand, the FMCG sector in marketing is bubbling away nicely and permanent IT recruits are on the increase - especially those who have specific niche skills. In the legal market, insurance, litigation, corporate insolvency, debt recovery and employment law are on the up, while in Financial Services the requirement for compliance and risk staff have never been greater.

The next question we're often asked is "are salaries coming down"? Well yes, they are in some areas where there is oversupply but equally there are areas where salaries are expected to increase by as much as 5%. **The Panel** recruits in the Accountancy, Finance, Legal, IT and Marketing fields and we're finding that some areas within these sectors are busier than others. We'd be more than happy to have a confidential chat with you over how we see your market panning out this half. Give myself or one of my experienced colleagues listed throughout this newsletter a call and we'd be delighted to offer our advice.

# PERFORMANCE MANAGEMENT IS THE ANSWER

With the ongoing discussions of recession there are a number of challenges facing all organisations at this time. Revenue is potentially decreasing, costs are increasing and the client is expecting more from their business relationship.

## So where do you start? Utilise the workforce!

There is a need to ensure all employees are focused on the critical business activities to maximise their contribution. Most people attend work to make a difference and be recognised for their achievements. If you can direct this willingness to achieve, you can create individuals more equipped to deliver a high level of performance.

It is astounding that 58% of companies do not have a performance management system. Therefore, less than half of the Irish workforce is working without agreed plans or priorities for their jobs. Are they making them up themselves?

## Who benefits?

The immediate benefits to the organisation implementing a Performance Management System are that they:

- Deliver the organisational strategy in a way everyone understands and can impact positively
- Define measurable milestones and goals of work targets
- Highlight the consequences of successes and failures and rewards high performance
- Promote teamwork
- Improve overall efficiency of the organisation
- Create a culture of outputs, results and not inputs or activities

## What do employees get from participation in such a system of performance review?

- They understand the strategy – they know what the company is trying to achieve and understand how they contribute to this
- It enables employees to plan and prioritise their workload – so they know what they have to do
- It clarifies when they are successful – they know how they will be evaluated and recognised

## The Devil is in the Detail

All objectives need to be clear and concise, realistic and not aspirational, set to agreed timelines, relevant and measureable. A key output to an effective performance management system is recognition for employees for achievement of objectives. The psychology is catching employees doing the right thing. If you do this, what are they likely to do? Repeat it!

Performance management is sometimes seen by leaders as a task itself but with good organisational planning and training of staff in the process you can ensure all are working towards the same goals, in different ways, adding value and getting excellent feedback in the process.

As Roy Keane once said “Fail to prepare, prepare to fail”.



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### Chief Legal Counsel - Technology

This candidate has 8 years' pqe. They have experience of drafting and negotiating IP procurement contracts, licensing agreements, employment contracts, professional services documentation and advising on a range of technology agreements.

Reference: SK 1  
 Location: Dublin  
 Expectation: € 120,000 + bonus + benefits  
 Availability: Immediate

### Contracts & Procurement Lawyer

A qualified commercial lawyer with 4 years' pqe and extensive contract and procurement experience. Responsible for negotiating and drafting of sales and procurement contracts, multi-jurisdictional bids and network roll-out projects, property law, employment law, intellectual property matters.

Reference: SK 2  
 Location: Dublin  
 Expectation: € 85,000 + bonus + benefits  
 Availability: 1 month

### Senior Company Secretary

ICSA qualified with over 15 years' experience as a company secretarial professional, this candidate has experience from the non-for-profit as well as the commercial sector. They can bring a wide range of experience to their next role.

Reference: SK 3  
 Location: Dublin  
 Expectation: € 70,000 + bonus + benefits  
 Availability: Immediate

### Experienced Corporate Solicitor

This candidate has 2 years' pqe in corporate law. They completed their traineeship with a Top 10 firm. This candidate has experience in M&A, joint ventures, MBOs, corporate finance, venture capital and corporate governance.

Reference: EOR 1  
 Location: Dublin  
 Expectation: € 70,000  
 Availability: 1 month

### Experienced Company Secretary

Experienced ICSA qualified Company Secretary with almost 3 years' experience. The candidate worked for a Big 4 firm for 2.5 years. They also have experience working in a company secretarial capacity in the trust industry.

Reference: EOR 2  
 Location: Dublin  
 Expectation: € 45,000  
 Availability: Immediate



**Sarah Kelly**  
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## IT CONTRACTORS

### Senior IT Executive/Programme Manager

An MBA candidate with over 10 solid years' global operations & senior management leadership experience. Excellent understanding in plan, design, build and scope techniques in project management/business analysis. Excellent record in achieving strategic and operational milestones.

Reference: FK 1  
Location: City Centre,  
South Dublin  
Expectation: € 800 - € 900 per day  
Availability: 1 month

### Business Analyst

An experienced business analyst with a particular interest in business process and workflow. They worked for 3 years as a process analyst, integration specialist, business architect in South Africa's second largest insurance company and finally in a process analyst role.

Reference: FK 2  
Location: Dublin  
Expectation: € 60,000 - € 65,000  
Availability: 1 month

### Test Engineer/Lead

This candidate has over 10 years' software/test engineering experience of complex enterprise-class system software to include globalisation analysis, production and test engineering with leading multi-national software vendors. They possess strong offshore test partner management experience also.

Reference: FK 3  
Location: City Centre  
Expectation: € 400 - € 500 per day  
Availability: Immediate

### J2EE Developer

Sun Certified web component developer for J2EE Platform and a Sun Certified java programmer. They have 9 years' programming experience in a range of technologies; including server-side J2EE (EJB), SOAP Web Services, XML, Web Components, Design Patterns, OOAD, UML, SQL, Oracle and more.

Reference: FK 4  
Location: Nationwide  
Expectation: € 375 - € 400 per day  
Availability: 2 weeks

### Graphic Designer

An experienced graphic designer with 12 years' industry and financial services experience. Experienced on web and digital media design. They are adept users of an array of design tools and Flash. Also possesses team leadership skills.

Reference: FK 5  
Location: Dublin  
Expectation: € 250 per day  
Availability: 1 week



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## IT PERMANENT

### Head of Development/Business Systems

Senior IT Management professional with 22 years' experience in solutions delivery, program & project management and infrastructure management within internet, telecoms and financial sectors. They have successfully led teams in design, systems development, business analysis, project and product management.

Reference: FK 6  
Location: Dublin  
Expectation: € 100k - €120k  
Availability: Immediate

### SAP Technology Consultant

Certified SAP technology consultant (Netweaver' 04 – SAP WEB AS for Oracle). This candidate has a great deal of commercial experience in the IT industry with 2 years in a C programmer role and 5 years as an SAP Basis administrator.

Reference: FK 7  
Location: South Dublin, Wicklow  
Expectation: € 70,000  
Availability: 1 month

### Software Developer

This candidate is a multi-platform software developer with experience in 3D visualisation applications and the telecoms industry. Experienced in full-systems development life cycle and the use of UML to develop processes. Currently, they are developing in J2ME, Java, and C++.

Reference: FK 8  
Location: Dublin  
Expectation: € 60,000 - € 70,000  
Availability: 1 month

### Business/Process Analyst

Our Prince II candidate is a business/process analyst with over 6 years' experience working within telecoms and government sectors. They have strong skills in process capture and analysis, requirements gathering and documentation within the framework of an SDLC.

Reference: FK 9  
Location: Dublin  
Expectation: € 55,000 - € 65,000  
Availability: Immediate

### Interactive Designer

This is a proactive candidate strong in web design. They have worked on numerous animation projects and have worked with leading entertainment companies on design and animation projects. They have excellent Flash and 3D tools experience.

Reference: FK 10  
Location: Dublin  
Expectation: € 50,000  
Availability: 2 months



**Fergal Keys**  
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### Finance Director – Interim or permanent

An ACA accountant, this candidate has been responsible for management and statutory reporting, long and short term business plans, mergers and acquisitions, actuarial and human resources departments, cost cutting exercises, SOX compliance and facilities and procurement.

Reference: SB 1  
Location: Dublin  
Expectation: € 130,000 + bonus  
Availability: Immediate

### Finance Director – Service

This qualified accountant has worked both in entrepreneurial and multinational environments. They have been responsible for monthly financial and management reporting, pan – European budgeting and tax planning & implementation of IT.

Reference: SB 2  
Location: Nth Dublin/City Centre  
Expectation: € 125,000 + car  
+ benefits + bonus  
Availability: 1 month

### Internal Audit Manager

Qualified ACA accountant with more than 8 years' ppe with international blue chip companies. Experience highlights include: staff management of 5, discovery of €300m fraud, risk management implementation and development of new internal control matrix.

Reference: SB 3  
Location: City Centre/West Dublin  
Expectation: € 85,000 + benefits  
Availability: 2 months

### Financial Controller – Manufacturing/Services

This candidate is a qualified ACA accountant, with a commercial background. They have been involved in business process implementation, cost reduction initiatives, staff management (a team of 9) and overall financial management.

Reference: SB 4  
Location: City Centre/Nth Dublin  
Expectation: € 85,000  
Availability: 1 month

### Finance Manager - Technology

A qualified CIMA accountant, experience highlights include: developing new business reporting systems, managing a team of 7, reporting and forecasting across EMEA, working with sales teams on targets and analysis, looking at business plans and key business KPIs.

Reference: SB 5  
Location: City Centre/Sth Dublin  
Expectation: € 85,000 + benefits  
Availability: 1 month



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## Financial Controller - FMCG

This candidate is Big 4 trained with 4 years' pqe. They have spent the last 2 years working as a Financial Controller of an FMCG subsidiary, with a turnover of €16m. Their key duties include month end, monthly management accounts, budgeting and supervising a finance team.

Reference: AG 1  
Location: City Centre/West Dublin/Kildare  
Expectation: € 70,000 + benefits  
Availability: 1 month

## Financial Accountant - Software

This candidate trained in industry and has over 4 years' pqe. They are currently working in a multinational where they are responsible for preparing financial accounts for a number of European countries. Previously this candidate mainly worked in management accounting roles.

Reference: AG 2  
Location: City Centre/Nth Dublin  
Expectation: € 65,000 + benefits  
Availability: 1 month

## Management Accountant

This candidate is Big 4 trained and has 4 years' pqe. They are currently working as a Management Accountant and their duties include preparing management accounts for a number of companies within the group, KPI reporting and budgeting & forecasting.

Reference: AG 3  
Location: South Dublin  
Expectation: € 65,000+ benefits  
Availability: Immediate

## Tax Accountant

This fluent German speaking 1st class Honours Big 4 candidate is both ACA and AITI qualified. Their clients included high profile MNC's and Plc's, where they carried out tax and due diligence work.

Reference: EB 1  
Location: City Centre/Sth Dublin  
Expectation: € 65,000 - €70,000 + benefits  
Availability: 1 month

## Financial/Management Accountant

Trained in a Top 20 firm, this candidate carried out accounts preparation, auditing, taxation and company secretarial work. They also worked as an interim group financial accountant for 3 months.

Reference: EB 2  
Location: City Centre/West Dublin  
Expectation: € 50,000 + benefits  
Availability: Immediate



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### Contract Finance Manager

This ACCA qualified accountant is available immediately. They have just finished a Financial Controller contract in a services organisation. Well versed in US and local GAAP and SOX. This is an excellent candidate.

Reference: AM 1  
Location: Flexible  
Expectation: € 75,000 - € 80,000  
Availability: Immediate

### Contract Financial Accountant

This ACA accountant, qualified since 2005, trained in a Big 4 organisation has recently completed a varied financial accounting contract with a multinational manufacturing organisation. This candidate is available immediately.

Reference: AM 2  
Location: Dublin Sth/City Centre  
Expectation: € 65,000 - € 70,000  
Availability: Immediate

### Credit Control Manager – Shared Services

This candidate has worked in shared services for 5 years', 3 of which were in a managerial capacity. Responsibilities included team co-ordination and development and timely escalation of complex accounts.

Reference: BP 1  
Location: City Centre/Nth Dublin  
Expectation: € 60,000 + benefits  
Availability: 1 month

### Management/Financial Accountant – IT/Communications

This candidate is an ACCA Finalist with 5+ years' accountancy experience, reporting directly to a Financial Controller. The candidate is responsible for the preparation and reporting of monthly management accounts.

Reference: BP 2  
Location: Sth Dublin/City Centre  
Expectation: € 45,000+  
Availability: 1 month

### Contract Accounts Payable – Services/ Industry

This candidate has 3 years' AP experience and strong academics. Having worked in the manufacturing and service industries, they have gained Oracle and SAP experience. This candidate is available immediately.

Reference: MC 1  
Location: City Centre/Nth Dublin  
Expectation: € 35,000  
Availability: Immediate



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## MARKETING CANDIDATES

### Marketing & Communications Manager

Having worked in a range of marketing and communication roles within multinationals and FMCG companies, this candidate has an impressive array of experience matched by a strong educational background.

Reference: OM 1  
Location: Dublin  
Expectation: € 70,000  
Availability: 1 month

### Marketing Manager - FMCG

This individual has been responsible for a number of high profile product launches across the European sector and has a vast knowledge NPD, PR, Event & Project Management.

Reference: OM 2  
Location: City Centre  
Expectation: € 60,000  
Availability: Immediate

### Global Brand Manager

Holding a Degree and a Masters, this candidate has international experience as a Trade Marketing Specialist. They were responsible for the development of trade marketing strategies for Northern European markets.

Reference: OM 3  
Location: Dublin  
Expectation: € 55,000  
Availability: 1 month

### Senior Account Manager - Marketing/PR

Excellent candidate with 5 years' experience in the areas of PR, Marketing Communications, Online Marketing and Client Management. This candidate is a bright, focused and a conscientious individual.

Reference: OM 4  
Location: City Centre  
Expectation: € 45,000  
Availability: 1 month

### FMCG Brand Manager

This experienced candidate has been involved in all areas of marketing from strategic planning, NPD, and the implementation of integrated high profile ATL and BTL marketing campaigns. They have excellent communication skills and a strong ability to multi-task.

Reference: OM 5  
Location: Dublin  
Expectation: € 45,000  
Availability: 1 month



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## NEWS & EVENTS

The Panel recently held our Annual Wine Tasting Evening. The night was a superb success with over 100 people in attendance - we were delighted to welcome so many of our clients. Our sincere thanks go to Barry Geoghegan, Febvre & Co., who once again delivered to his audience a highly informative speech on the merits of some choice wines!

**We look forward to inviting you all back again soon.**



Sarah Kelly (The Legal Panel) and Barbara Clancy, The International Rugby Board



Hang Zhao, Euro Commerce; Elaine Brady (The Accountants Panel) and Noreen Bergin, Colt Telecoms



Laura Keeshan, RBC Dexia and Anne Keys (The IFSC Panel)



Sarah Kelly (The Legal Panel); Paul Donnelly, Bank of Scotland; Padraig Hayes, Citco and Anne Donnelly, Bank of Ireland



Emma Dowling and Allison Watson, Google



Elaine Brady (The Accountants Panel), Marion Mulvey and Hugh Hanna, Citi Hedge Fund Services



Marie-Therese McKenna, S3 Group  
and Siofra Flood, Solicitor



Sonya McManus, HSBC and Adele  
Guiney (The Accountants Panel)



Emer O'Malley and Liz Burles, GE  
Money and Bridget Purcell (The  
Accountants Panel)

## SurvivingRedundancy.ie **NEW!**

We are in the process of setting up a separate company to provide career coaching, cv guidance and interview training to individuals who are being made redundant. Check out our website [www.survivingredundancy.ie](http://www.survivingredundancy.ie) where someone about to be made redundant can find out all they need to know in one place including:

- The taxation of redundancy payments
- Entitlement to Jobseekers Benefit
- Dealing with your mortgage provider
- Job hunting tips for senior executives
- Interview preparation checklist

Contact Maeve O'Meara or Sarah Kelly on (01) 6614 771 for further information

## Luxembourg

Our international team recently spent three days in the Grand Duchy meeting our clients' overseas offices to discuss their recruitment needs and meet with the country's top candidates. If you have any overseas requirements contact Emma Daly-Ronayne via email [emma@thepanel.com](mailto:emma@thepanel.com) or call her on (01) 6377 082

## Wedding bells

We'd like to congratulate our very own Adele Murray (or should we say Adele Guiney) who recently got married. We wish her a long and happy marriage.

# RECENT LAW DEVELOPMENTS AN OVERVIEW

## EMPLOYMENT LAW COMPLIANCE BILL 2008

The publication of The Employment Law Compliance Bill in March 2008 created a new focus on Employment Law compliance. Despite the fact that the Bill has not yet been enacted, the targeted inspection campaign of The National Employment Rights Authority (NERA), together with talk of criminal sanctions in the proposed new legislation has heightened interest in compliance generally.

It is anticipated that the Bill will be enacted in the coming months. In short the Bill is all about compliance. As currently drafted, it creates 23 new offences for breaches of employment law and creates personal liability for directors, managers and officers. Record Keeping is a major feature of the Bill. Records must now be maintained under 13 different pieces of legislation for each employee for the previous three years and for two years after an employee leaves.

## INJUNCTIONS

2008 saw the continuing trend for employment law injunctions as the remedy of choice for senior level employees/directors. The Injunction obtained in the Payzone case was of particular interest due to the impact the case had on the commercial dealings of the company, including the suspension of trading of the company's shares on the AIM. Ms. Justice Maureen Clark held that the company had clearly breached its own procedures in dismissing the CFO and CEO by email and announcing their departure to the London Stock Exchange. They had not held a board meeting as required under the Articles of Association and on foot of this the Directors claimed that they were not afforded fair procedures or due process.

## UPDATE ON EQUALITY LAW

Two of the fastest growing grounds of complaint of discriminatory treatment in the workplace are age and race and in 2008 we saw a number of interesting decisions in these areas.

In the case of 58 named complainants v Goode Concrete Limited, the Defendant company was ordered to pay nearly €300,000 by the Equality

Tribunal to the 58 claimants after the company was found guilty of racial discrimination. The company were found to have discriminated on grounds of race when they failed to translate their employees' contractual terms and conditions into a language which was understandable to them - in this case, Russian.

The issue of age discrimination and compulsory retirement clauses continues to remain topical in 2008. Recent European case-law, including the decision in *Palacios v- Cortefiel* and the recent opinion of the Advocate General in what is known as the "Heydey challenge" to the UK's mandatory retirement age of 65, has raised the question as to whether Irish employers may now need to justify mandatory retirement ages to avoid age discrimination.

Last July, the High Court dismissed the claim of an Assistant Garda Commissioner, who argued that the compulsory retirement age which had been reduced from 65 to 60 for his rank within the force was discriminatory, and found that the less favourable treatment was legal if it could be objectively justified.

## LEGISLATION COMING DOWN THE TRACKS.

The Transitional Agreement under Towards 2016 includes extensive legislative proposals including the enactment of the Employment Law Compliance Bill and the TUPE pension provisions; the publication of The Employment Agencies Regulation Bill; a framework on Equal Rights for Temporary Agency Workers, a prohibition on using agency workers to replace striking employees, and on offering incentives to staff to stay non-unionised; and talks on collective bargaining with a promise of new legislation by June 2009.

## So, a busy year ahead for employment lawyers and HR Professionals.



**Jacqueline Kelly**  
Solicitor  
A&L Goodbody

A&L Goodbody

