

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
Employee
PW60/2006

CASE NO.
UD899/2006

TE66/2006

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

Employee

-v-

Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001 PAYMENT OF WAGES ACT, 1991 TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms O. Brennan BL
Members: Mr R. Murphy
Mr. P. Woods

heard this appeal at Dublin on 8th June 2007

Representation:
Appellant: In person

Respondent: XXXX

The above appeals are before the Tribunal by way of an employee appealing the recommendations of a Rights Commissioner ref: (r-037526-ud-05/MMG, R-035780-PW-05/MMG, R-037529-te-05/MMG), under the above Acts.

The determination of the Tribunal was as follows:

Whilst the Tribunal appreciate the Appellant represented himself, which he did so ably, and are sympathetic to him, the Tribunal has to find on the Appellant's own evidence that there was no constructive dismissal. The appeal under the Unfair Dismissals Acts, 1977 to 2001, must fail.

There was no reduction in the Appellant's wages in recent times. The reduction was in the past, the appeal is out of time and therefore the appeal under the Payment Of Wages Act, 1991, must fail.

The Appellant accepted the award of €800.00 under the Terms Of Employment (Information) Act, 1994 and 2001. The Rights Commissioner's recommendation is upheld.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)