

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:  
Employee

CASE NO.  
PW97/2005

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

Employer

under

### **PAYMENT OF WAGES ACT, 1991**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms M. Petty

Members: Mr T. Gill  
Dr. A. Clune

heard this appeal at Galway on 2nd March and 5th July 2007

### **Representation:**

Appellant : Mr. Mairtin O'Ceidigh, Citizens Information Centre,  
Augustine House, Augustine Street, Galway

Respondent : No representation listed

**This case came before the Tribunal by way of an appeal from a rights Commissioner's recommendation ref: R-33101-PW-05/JH**

During the course of the hearing the respondent did not adduce any evidence and did not appear for the hearing on 5<sup>th</sup> July 2007.

The decision of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was properly notified of the hearing set down for 5<sup>th</sup> July 2007. Neither the company nor a representative on its behalf appeared for that hearing.

In the absence of evidence from the respondent the Tribunal accepts the uncontroverted evidence of the appellant. Accordingly the Tribunal upsets the Rights Commissioner's recommendation and awards the appellant €3,530.60 under the Payment of Wages Act, 1991.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

