

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

Employer

PW04/2007

against the decision of the Rights Commissioner **R-039493-PW-06/JH**
In the case of

Employee

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. J. Fahy B.L.

Members Mr. J. Redmond
Dr. A. Clune

heard this appeal at Galway on 10 January 2008

Representation:

Appellant: Director of the Employer

Respondent: Mr. Michael Kilcoyne, SIPTU, Forster Court, Galway

This case came before the Tribunal as a result of an appeal by an employer (the appellant) against a decision of the Rights Commissioner under the Payment of Wages Act, 1991, **R-039493-PW-06/JH**, in the case of the employee, XXXX (the respondent).

Determination

The employee was employed as production manager in the employer's factory from 1 January 2005 until his resignation on 12 December 2005. The employment was full time until 1 November 2005 and then part time. The Tribunal was shown both a written contract of employment and a statement of wages received by the employee. The figures, which are agreed between the parties, show a shortfall of €25,015-00 in wages paid to the employee. In such circumstances the appeal fails. The Tribunal varies the decision of the Rights Commissioner and awards €25,015-00 under the Payment of Wages Act, 1991.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)