

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

Employee

PW64/2008

against the decision of the Rights Commissioner R-056063-PW-07/DI  
In the case of

Employer

under

**PAYMENT OF WAGES ACT, 1991**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. M. Gilvarry

Members: Mr. B. O'Carroll  
Mr. P. Clarke

heard this claim at Roscommon on 25 November 2008

Representation:

Appellant:  
XXXX

Respondent:  
No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows: -

This case came before the Tribunal as a result of an appeal by an employee (the appellant) against a decision of the Rights Commissioner under the Payment of Wages Act, 1991, R-056063-PW-07/DI, in the case of XXXX (the respondents). The Tribunal, being satisfied that the respondents were properly on notice of the hearing; the appeal was heard in their absence.

**Determination**

The employee was employed from early June 2007 until mid September 2007 on the installation of PVC fascia, soffit and guttering. Based on the uncontroverted evidence of the employee the Tribunal is satisfied that he was not paid for the last seven weeks of his employment. In those circumstances The Tribunal upholds the appeal and sets aside the decision of the Rights Commissioner. The Tribunal awards €3,700-00 under the Payment of Wages Act, 1991

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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