

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

Employer

PW100/2008

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

Employee

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr L. Ó Catháin

Members: Mr. M. Forde
Mr. T. Kennelly

heard this appeal at Cork on 12th January 2009

Representation:

Appellant: Carmel Best & Co, Solicitors, Castletreasure, Douglas, Cork

Respondent: No appearance or representation

This case came before the Tribunal by way of an appeal by the employer against the decision of a Rights Commissioner under the Payment of Wages Act, 1991, r- 057040-pw-07JOC dated 12 May 2008.

The decision of the Tribunal was as follows:

The co-owner (JOS) gave evidence that the employee worked for the company from 7 October 2006 to 15 July 2007. He worked mostly as a door security officer, but also for about six weeks as a mobile patrol driver. He was paid the going rate as laid down by agreements within the industry. He worked in a nightclub for some time and was paid any extra entitlements he was due for unsocial hours etc.

Determination:

Having heard the clear evidence of the co-owner of the company, the Tribunal determined that the appeal should be allowed. It is also satisfied that the employee was correctly served with notice of the hearing.

Therefore, the Tribunal upsets the decision of the Rights Commissioner under the Payment of Wages Act, 1991.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

