

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

Employee – *appellant*

PW8/2009
TE5/2009

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

Employer
– *respondent*

Under

PAYMENT OF WAGES ACT, 1991 TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. M. O'Connell

Members: Mr. D. Moore
Mr. P. Trehy

heard this appeal at Dublin on 14th April 2009

Representation:

Appellant: In person

Respondent: In person

This case came before the Tribunal by way of an employee appealing against the recommendations of the Rights Commissioner in cases R – 061448-pw-08/RG and R – 061447-TE-08/RG.

The decision of the Tribunal was as follows:-

Determination

The appellant was unable to satisfy the Tribunal that he had served notice of his appeal on the respondent as required by Section 7 (2) of the Payment of Wages Act, 1991. Therefore the Tribunal did not have jurisdiction to hear the appeal. The recommendation of the Rights Commissioner is upheld.

The respondent satisfied the Tribunal that the appellant was furnished with a contract of

employment within the time specified by Section 3 (1) of the Terms of Employment Act, 1994.
The appeal fails and the recommendation of the Rights Commissioner is upheld.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)