

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE –Appellant

CASE NO.
PW27/2009
TE22/2009

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

EMPLOYER - Respondent

EMPLOYER -Respondent

under

PAYMENT OF WAGES ACT, 1991 TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. R. Prole
Mr. P. Woods

heard this appeal at Dublin on 8th February 2010

Representation:

Appellant: Mr. Blazej Nowak, Polish Consultancy Enterprise,
19 Talbot Street, Dublin 1

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

The decision of the Tribunal was as follows:

This case came before the Tribunal by way of an employee (the appellant) appealing against the decisions of the Rights Commissioner under the Payment of Wages Act, 1991 (reference r-061720-pw-08/JT) and under the Terms of Employment (Information) Act, 1994 and 2001 (reference r-061722-te-08/JT.) The Tribunal is satisfied that the respondent was duly notified of the hearing. Neither the respondent nor a representative on its behalf attended the hearing.

The appellant wished to appeal the sum of compensation awarded to him under the Terms of Employment (Information) Act, 1994.

In relation to the Payment of Wages Act 1991, the appellant stated in evidence that he was paid a gross hourly rate of €14.52.

Determination:

The Tribunal is satisfied that the award made to the appellant under the Terms of Employment (Information) Acts, 1994 and 2001, was an appropriate sum. The appeal fails, thus the Tribunal upholds Rights Commissioners Decision (reference r-061722-te-08/JT).

The appellant worked in the construction industry. During the course of his evidence the appellant confirmed that he had received a gross hourly rate of €14.52, which was in line with the REA for the construction industry at that time. The appeal under the Payment of Wages Act, fails, thus the Tribunal upholds Rights Commissioners Decision (reference r-061720-pw-08/JT).

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)