

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

PW147/2009

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

EMPLOYER

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr G. Hanlon
Members: Mr C. McHugh
Ms. A. Moore

heard this appeal at Dublin on 25th May 2010

Representation:

Appellant:

The appellant in person

Respondent:

The respondent in person

The decision of the Tribunal was as follows:-

This case came to the Tribunal by way of an appeal by the employer against the decision of the Rights Commissioner r-073708-pw-08/EH.

The appellant was not present for the hearing before the Rights Commissioner and stated that the information provided by the respondent at that hearing was erroneous. The appellant submitted copies of all the respondents pay slips for 2008 & 2009 along with other records and calculations of holiday pay entitlements. The respondent agreed that these pay slips were true copies of the originals and that he had received pay slips while he was employed by the appellant.

Based on these records the respondent was entitled to 101 hours holiday pay for the period in question but was only paid for 99 hours. The respondent agreed that he had been paid for 99 hours and that his hourly rate of pay at the time of termination of employment was €10.00.

Therefore the Tribunal varies the decision of the Rights Commissioner r-073708-pw-08/EH and awards the respondent €20.00 under the Payment Of Wages Act, 1991.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

