

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEALS OF:**  
EMPLOYER  
Dublin 6

*- appellant*

**CASE NO.**  
UD1713/2009  
PW180/2009  
TE177/2009

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

EMPLOYEE

*- respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007  
PAYMENT OF WAGES ACT, 1991  
TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994/2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy, S. C.

Members: Mr. T. O'Grady  
Ms. N. Greene

heard this appeal at Dublin on 4th October 2010

**Representation:**

Appellant: John R. Lynch, O'Conner & Bergin, Solicitors, 9, Upper Mount Street, Dublin 2

Respondent: Not Present or Represented

**This case came before the Tribunal as a result of an appeal by an employer against the decisions of the Rights Commissioner under the Unfair Dismissals Acts, 1977 to 2007 r-073597-ud-08/SR, the Payment of Wages Act, 1991 r-073244-08/SR and the Terms of Employment (Information) Act, 1994/2001 r-073242-te-08/SR in the case of the employee.**

The decision of the Tribunal was as follows:-

**Determination:**

The employee was not in attendance at the appeal hearing. The Tribunal determined that the appeals 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 Unfair Dismissals Acts, 1977 to 2007, the Payment of Wages Act, 1991 and the Terms of Employment Acts, 1994/2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

