

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
EMPLOYEE

CASE NO.
PW172/2009, TE156/2009
WT753/2009
PW173/2009, TE157/2009
WT754/2009

EMPLOYEE

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

under

PAYMENT OF WAGES ACT, 1991
TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms K. T. O'Mahony B.L.

Members: Mr J. Browne
Mr F. Dorgan

heard this appeal at Clonmel on 11th November 2010

Representation:

Appellant : Ms. Virginija Petrauskaite, Migrant Rights Centre Ireland,
55 Parnell Square West, Dublin 1

Respondent : Ms Sinead Mullins, IBEC, South-East Region, Confederation House,
Waterford Business Park, Cork Road, Waterford

This case came before the Tribunal by way of appeals against the decisions and recommendations of a Rights Commissioner reference numbers r-066289/066292-pw-08/POB; r-066287/066291-te-08/POB: r-066290/066291-wt-08/POB

The decision of the Tribunal was as follows:

The Tribunal considered the submissions and brief evidence in these cases. The Tribunal had no jurisdiction to hear the appeals under the Payment of Wages Act, 1991 as section 7 (2) (b) had not been compiled with by the appellants. The Tribunal had no jurisdiction to hear the appeals under the Organisation of Working Time Act, 1997 as they did not come within the provisions of section 40 of the Act, which confers jurisdiction under the Act in the Tribunal.

Having considered the evidence the Tribunal reaffirms the recommendations by the Rights

Commissioner under the Terms of Employment (Information) Act, 1994.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

