

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

PW202/2009

**-Appellant (Employee)**

against the decision of the Rights Commissioner **R-075797-PW-09/JT**  
In the case of

**-Respondent (Employer)**

under

### **PAYMENT OF WAGES ACT, 1991**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. P. McGrath

Members: Mr. E. Handley  
Mr. P. Trehy

heard this appeal at Dublin on 17 November 2010

Representation:

Appellant:

Mr. Graham Macken, SIPTU,  
Liberty Hall, Dublin 1

Respondent:

Mr. Eoin Martin, Lyons & Dermody Solicitors,  
49 Parnell Square West, Dublin 1

The determination of the Tribunal was as follows: -

This case came before the Tribunal as a result of an appeal by an employee (the appellant) against a decision of the Rights Commissioner under the Payment of Wages Act, 1991 **R-075797-PW-09/JT**, in the case of an employer (the respondent).

**Determination**

Following an application on behalf of the employer the Tribunal was not satisfied that the appellant had complied with section 7 (2) b of the Payment of Wages Act, 1991. In the circumstances the Tribunal finds that there is no jurisdiction to hear the appeal under that Act and the appeal is therefore dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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