

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYER
– *appellant*

PW232/2009

Against

the recommendation of the Rights Commissioner in the case of:
EMPLOYEE – *respondent*

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr F Cunneen
Mr P Trehy

heard this appeal at Dublin on 7th March 2011

Representation:

Appellant: No appearance or representation on behalf of the appellant.

Respondent: In person

The decision of the Tribunal was as follows: -

This case came before the Tribunal by way of an employer appealing the decision of a Rights Commissioner ref: **r-070414-pw-08/DI**

There was no appearance by or on behalf of the appellant company and the Tribunal is satisfied that the appellant had been properly put on notice of the hearing. The Tribunal notes that the solicitor for the appellant had come off record and that an application to postpone the hearing had been granted on 27th January 2011 and that this postponement had been made peremptory against the employer. It was indicated to the Tribunal that a liquidator or receiver was likely to be appointed to the appellant company soon, although the status of the appellant was stated to be normal at the Companies Registration Office at the date of the hearing.

The Tribunal notes the finding of the Rights Commissioner that the employee's gross monthly remuneration was €5000 per month.

Accordingly the Tribunal dismisses the appeal for want of prosecution and upholds the decision of the Rights Commissioner ref: **r-070414-pw-08/DI**.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)