

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYER

CASE NO.
PW98/2010
TE106/2010

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

PAYMENT OF WAGES ACT, 1991 TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. M. O'Connell BL

Members: Mr. B. Kealy
Ms. A. Moore

heard this case in Dublin on 22 August 2011

Representation:

Appellant(s):
No attendance or representation

Respondent(s):
Mr. Blazej Nowak, Polish Consultancy Enterprise,
107 Amiens Street, Dublin 1

The decision of the Tribunal was as follows:-

This case came to the Tribunal as employer appeals against Rights Commissioner Decision r-080971-pw-09 under the Payment of Wages Act, 1991, (by which the employee was awarded the net sum of €2,778.36) and against Rights Commissioner Recommendation r-080973-te-09 under the Terms of Employment (Information) Acts 1994 and 2001, (by which the employee was awarded the sum of €2,000.00).

The respondent employee and her representative attended the Tribunal hearing to contest the appeals but no-one from or on behalf of the appellant employer attended the hearing. The respondent employee's representative asked the Tribunal to award costs to the respondent on the grounds that the appellant company was guilty of frivolous and vexatious conduct by not attending the Tribunal hearing as the respondent had incurred flight costs of

some €250.00.

Determination:

Given that there was no attendance by or on behalf of the appellant employer at the Tribunal hearing, the Tribunal affirms Rights Commissioner Decision r-080971-pw-09 under the Payment of Wages Act, 1991,(by which the employee was awarded the net sum of €2,778.36) and Rights Commissioner Recommendation r-080973-te-09 under the Terms of Employment(Information) Acts 1994 and 2001, (by which the employee was awarded the sum of €2,000.00). The Tribunal declined to award costs to the respondent employee in respect of flights.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

