

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYER

-Appellant

CASE NO.
PW94/2010

EMPLOYER

-Appellant

PW94/2010

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 N. Russell

Members: Mr J. Hennessy
Ms S. Kelly

heard this appeal at Kilkenny on 25th November 2011

Representation:

Appellant: Mr Karl Johnston, David M Dunne & Company, Solicitors,
31 Rose Inn Street, Kilkenny

Respondent: No appearance or representation on behalf of the respondent.

The decision of the Tribunal was as follows:

This case came before the Tribunal by way of an employer (the appellant) appealing the decision of a Rights Commissioner reference: r-081489-pw-09/RG.

The basis for the employer's appeal was that the Rights Commissioner failed to take account of an extra week's wages paid to the employee upon the termination of his employment which discharged the employee's entitlement to minimum notice.

Determination:

Based on the employer's uncontested evidence the Tribunal finds that the employee was paid in lieu of notice. The Tribunal therefore varies the order of the Rights Commissioner under the Payment of Wages, 1991 (reference r-081489-pw-09/RG) by finding that the sum awarded to the employee should be €1,063.36.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)