

EMPLOYMENT APPEALS TRIBUNAL

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| APPEAL OF: | | CASE NO. |
| EMPLOYER | | PW309/10 |
| | - appellant | TE259/10 |
| | | WT960/10 |

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

EMPLOYEE
under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms F. Crawford B.L.

Members: Mr. J. Reid
Mr. J. Dorney

heard this appeal at Dublin on 16th March 2012.

Representation:

Appellant:

Respondent: Ms Julienne Paye, Richard Grogan & Associates,
Solicitors, 16 & 17 College Green, Dublin 2

The decision of the Tribunal was as follows:-

This case came before the Tribunal by way of appeal by the employer against the decisions of the Rights Commissioner under Payment of Wages, Act, 1991, the Terms of Employment Act 1994 and 2001 and the Organisation of Working Time Act, 1991 ref. r-089039-pw-09/JT, r-089040-te-09/JT and r-089042-wt-09/JT.

Determination:

The appellant lodged appeals under the Payment of Wages, Act, 1991, the Terms of Employment Act 1994 and 2001 and the Organisation of Working Time Act, 1991.

The Tribunal is satisfied that the appeals under the Payment of Wages, Act, 1991, and the Terms of Employment Act 1994 and 2001 were lodged outside the statutory time limits

required under each of these Acts. Further, both appeals were not in conformity with the statutory requirements for an Appeal under the Acts.

Accordingly, the Tribunal upholds the decisions under the Payment of Wages, Act, 1991 and the Terms of Employment Act 1994 and 2001.

The Tribunal declines jurisdiction in respect of the appeal under the Organisation of Working Act 1997 as the matter has been decided by another forum.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

