

EMPLOYMENT APPEALS TRIBUNAL

**APPEAL(S) OF:
EMPLOYER**

**CASE NO.
PW351/2010**

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

EMPLOYEE

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. N. O'Carroll-Kelly BL

Members: Mr. A. O'Mara
Mr. F. Barry

heard this appeal in Dublin on 25 April 2012 and 5 July 2012

Representation:

Appellant(s): Mr Dudley Potter, Malone & Potter, Solicitors,
7 Cope Street, Dublin 2

Respondent(s): Ms. Mary Fay BL instructed by Donal Taaffe & Co, Solicitors,
Malthouse Square, Smithfield Village, Dublin 7

This case came before the Tribunal as a result of an appeal by an employer (the appellant) against a decision of the Rights Commissioner under the Payment of Wages Act, 1991, (reference: r-089642-pw-10/DI) in the case of an employee (the respondent).

The decision of the Tribunal was as follows:-

During the hearing of this case the Tribunal was informed that the appellant trade union (as the employer of the respondent employee was withdrawing its appeal against the decision of the Rights Commissioner under the Payment of Wages Act, 1991, (reference: r-089642-pw-10/DI) but that the respondent employee wanted the said Rights Commissioner decision affirmed.

Determination:

The appeal by the employer (the appellant) against the decision of the Rights Commissioner under the Payment of Wages Act, 1991, (reference: r-089642-pw-10/DI) in the case of an employee (the respondent) having been withdrawn, the Tribunal upholds and affirms the said decision by which the employee was awarded the sum of €35,780.29 net of statutory deductions under the Payment of Wages Act, 1991.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)