

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYER

PW1/2011

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

EMPLOYEE

-v-

EMPLOYER

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms J. McGovern B.L.
Members: Mr. N. Ormond
Mr J. Flannery

heard this appeal at Dublin on 27th April 2012

Representation:

Appellant: No representation listed

Respondent: Hayes, Solicitors, Lavery House,
Earlsfort Terrace, Dublin 2

Determination:

The Tribunal cannot hear the appeal as it has no option but to decline jurisdiction. S. 7(2) of the Payment of Wages Act, 1991, provides:

“An appeal under this section shall be initiated by a party by his giving, within 6 weeks of the date on which the decision to which it relates was communicated to him-

(a) a notice in writing to the Tribunal containing such particulars (if any) as may be specified in regulations under subsection (3) and stating the intention of the party concerned to appeal against the decision, and

(b) a copy of the notice to the other party concerned.”

The Tribunal is not satisfied that s.7 (2) (a) above has been complied with and therefore has no alternative but to find that it does not have jurisdiction to hear the appeal under the Payment of Wages Act, 1991, against Rights Commissioner Decision ref: r-090844-pw-10/DI and the Decision must stand.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____

