

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
PW336/2011

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

EMPLOYER

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. O'Leary B L

Members: Mr E. Handley
Mr P. Trehy

heard this appeal at Dublin on 27th September 2012

Representation:

Appellant : Mr. Blazej Nowak, Polish Consultancy Enterprise, 107 Amiens Street, Dublin 1

Respondent : No representation listed

This case came before the Tribunal by way of an appeal by a former employee against a decision of a Rights Commissioner, reference number r-105145-pw-11/JT

The decision of the Tribunal was as follows:

Having heard and considered the submissions from both parties and in particular noting paragraph 6 of the appellant's contract of employment with the respondent the Tribunal upholds the decision of the Rights Commissioner in this case. Paragraph 6 states, *inter alia*, that unless otherwise agreed a temporary worker is not entitled to payment from the respondent in respect of time not spent on assignment. There was no such agreement between the parties in relation to that section.

The appeal under the Payment of Wages Act, 1991 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)