

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYER

-appellant

CASE NO.
PW69/2011

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: Ms P. Clancy

Members: Mr. W. O'Carroll
Ms H. Murphy

heard this appeal at Ennis on 21st September 2012

Representation:

Appellant: In Person

Respondent: In Person

This case came before the Tribunal by way of an employer appeal of the Rights Commissioner Recommendation ref: **r-094752-pw-10/pob**. The appellant will be hereinafter referred to as the employer and the respondent the employee.

Background

The employee worked for the employer for a long period. There was a history of the employer giving the employee loans and 'subs' on his wages. The employment relationship broke down in May 2010 and the employee decided to leave. At the time the employee was leaving his employment he was owed €330.00 for the current week and €500.00 from the previous week. The employer had given him a cheque for €500.00 but stopped the cheque when he discovered he was leaving his employment as he maintains he owed him €800.00 from a previous loan; the employee denies this loan exists.

Determination

The Tribunal find that the employer does owe the employee unpaid wages. Accordingly, the Tribunal affirms the Right Commissioner Decision **ref: r-094752-pw-10/pob** under the Payment of Wages Act, 1991 and makes a determination to the like effect as the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)