

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

-appellant

CASE NO.
PW444/2011
TE272/2011
WT805/2011

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

EMPLOYEE *-respondent*

EMPLOYER *-respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr E. Murray

Members: Mr. P. Casey
Ms. P. Doyle

heard this appeal at Cork on 18th April 2012
and 17th July 2012
and 18th July 2012
and 2nd October 2012
and 3rd October 2012

Representation:

Claimant: In Person

Respondent:

Background

This appeal of the Rights Commissioner Decision **ref: pw-100886/10/MR, wt-100888/10/MR** and **te-100889/10/MR** came before the Tribunal in conjunction with direct claims under the Unfair Dismissals Acts, 1977 to 2007, the Redundancy Payments Acts, 1967 to 2007, the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation Of Working Time Act, 1997. (Determination ref: UD2343/2010).

The respondent conceded the claim under the Organisation of Working Time Act, 1997, therefore the appeal of the Rights Commissioner Decision **wt-100888/10/MR** is withdrawn.

This case has already been the subject matter of an interim ruling in relation to jurisdiction. The Tribunal held that it had jurisdiction to proceed with the claim under the Unfair Dismissals Acts and the appeal against the recommendation of the Rights Commissioner.

Determination

The employer conceded that he owed the employee arrears of wages in the amount of €1560.00. The Tribunal upsets the Rights Commissioner Decision **ref: pw-100886/10/MR** and awards the appellant the sum of €1,560.00.

The appeal of the Rights Commissioner Decision **te-100889/10/MR** under the Terms of Employment (Information) Acts, is allowed and as the Tribunal is satisfied that the employee was not furnished with the required documentation in a timely fashion. The Tribunal makes an award of the equivalent of four weeks' pay amounting to €2,880.00

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)