

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYER - appellant

PW377/11

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: Mr. R. Maguire BL

Members: Mr M. Noone
Mr. N. Dowling

heard this appeal at Portlaoise on 19th December 2012.

Representation:

Appellant: In person

Respondent: No appearance by or on behalf of the respondent.

The decision of the Tribunal was as follows:-

This case came before the Tribunal as a result of an appeal by the employer (the appellant) against a decision of the Rights Commissioner under the Payment of Wages Act, 1991 ref. r-0927517-pw-10/TB.

Determination:

The Tribunal is satisfied that the respondent was duly notified of the hearing. Neither the respondent nor a representative appeared on his behalf at the hearing.

Having heard evidence from the appellant (the employer) in this case the Tribunal is satisfied that the appellant did not comply with the mandatory statutory requirements for the making of a valid appeal to the Tribunal pursuant to the provisions of Section 7(2) (b) of the Payment of Wages, Act, 1991. The Tribunal determines that it has no jurisdiction to determine any such appeal from the said recommendation of the Rights Commissioner.

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

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)