

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

EMPLOYEE 1 - Appellant 1

CASE NO.
PW188/2011

EMPLOYEE 2 - Appellant 2

PW189/2011

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

EMPLOYER - *Respondent*

under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath B.L.

Members: Mr. L. Tobin
Mr J. Jordan

heard this appeal at Wicklow on 13th November 2012

Representation:

Appellants: Ms. Ruth Lynch, Richard Grogan & Associates, Solicitors, 16 & 17 College Green, Dublin 2

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

This case came before the Tribunal by way of an appeal by the appellants against the decisions of the Rights Commissioner ref: r-093131-pw-10/MMG, r-093040-pw-10/MMG.

There was no appearance by or on behalf of the respondent at the hearing on 13th November 2012.

The Tribunal heard evidence from the appellants that they were placed on a period of lay off due to a shortage of work at the beginning of 2009. They were subsequently made redundant, at which time they received their statutory redundancy entitlements. The appellants were seeking payment of wages for the period of lay off. The appellants confirmed that while they were laid off from the respondent company they were in receipt of social welfare benefits.

Determination

Based on the uncontested evidence of the appellants the Tribunal dismiss the appeal under the Payment of Wages Act, 1991 and upholds the decisions of the Rights Commissioner ref: r-093131-pw-10/MMG and r-093040-pw-10/MMG.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)