

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE – *appellant*

PW369/2011

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. M. Levey B.L.

Members: Mr W. Power
Mr M. O'Reilly

heard this appeal at Dublin on 30 January 2013

Representation:

Appellant(s) :

Mr. Paul Henry, SIPTU, Membership Information &, Support Centre,
Liberty Hall, Dublin 1

Respondent(s) : no appearance by or on behalf of the respondent

This case came before the Tribunal by way of an employee appealing the decision of a Rights Commissioner under the Payment of Wages Act, 1991 reference R-100-221-PW-10/JT.

Determination

The appellant worked for thirty nine hours per week and for a period from September 2009 to June 2010 was paid for thirty five hours per week by the respondent. The respondent never approached or informed the appellant of the reduction from a thirty nine hour week to a thirty five hour week resulting in a deduction in pay of €50 per week for the ten month period.

The Tribunal is satisfied that all parties were on notice of the hearing including the liquidator. As there was no appearance by or on behalf of the respondent the Tribunal heard the uncontested evidence of the appellant. The Tribunal having considered the evidence find

the appeal succeeds and award the appellant the sum of €2100.00 under the Payment of Wages Act,1991.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)