

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYER,
-appellant

CASE NO.
PW548/2011

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: Mr P. Hurley

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

heard this appeal at Ennis on 26th June 2013

Representation:

Appellant:

Respondent: No appearance or representation on behalf of

This case came before the Tribunal by way of an employer appeal of the Rights Commissioner Decision **ref: r-113471-pw-11** under the Payment of Wages Act 1991.

Determination

Sec 7(2) of the Payment of Wages Act, 1991, provides:

“An appeal under this section shall be initiated by a party by his giving, within 6 weeks of the date on which the decision to which it relates was communicated to him-

(a) a notice in writing to the Tribunal containing such particulars (if any) as may be specified in regulations under subsection (3) and stating the intention of the party concerned to appeal against the decision, and

(b) a copy of the notice to the other party concerned.”

The appellant confirmed that Sec 7 2(a) was complied with but notice as per Sec 7 2(b) was served on the respondent outside of the 6 week time limit as specified in the Act. The Tribunal has no alternative but to find that it does not have jurisdiction to hear the appeal under the

Payment of Wages Act, 1991, against Decision **ref: r-113471-pw-11** under the Payment of Wages Act 1991.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)