

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
PW543/2011

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

EMPLOYER
under

PAYMENT OF WAGES ACT, 1991

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms S. McNally

Members: Ms M. Sweeney
Mr J. Flavin

heard this appeal at Cork on 27th June 2013

Representation:

Appellant: In person

Respondent:
The decision of the Tribunal was as follows:-

These appeals came before the Tribunal by way of an employee (the appellant) appealing against the decision of a Rights Commissioner under the Payment of Wages Act, 1991, Reference: (r-104461-pw-11/RG).

Determination:

Section 7.2 (b) 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 conceded that Section 7.2 (b) above has not been complied with and therefore 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 Rights Commissioner Decision ref: r-104461-pw-11/RG.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

