

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE – appellant

CASE NO.
UD755/2009
PW84/2009
TE72/2009

EMPLOYER – appellant

UD764/2009
PW103/2009
TE87/2009

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

EMPLOYEE
&
EMPLOYEE

V

EMPLOYER respondent

EMPLOYER – respondent

Under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
PAYMENT OF WAGES ACT, 1991
TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms M Levey BL

Members: Mr G Mc Auliffe
Ms N Greene

heard this appeal at Dublin on 18th February 2010

Representation:

Appellant(s): Ms Zainab Alamgir
MRCI, 55 Parnell Square West, Dublin 1

Respondent(s): Mr John Barry
Management Support Services, (Ireland) Limited
The Courtyard, Hill Street, Dublin 1

This case came by way of two employees appealing the recommendations of a Rights Commissioner, refs: first appellant (r-062692-ud-08/JT, r-062690-te-08/JT, r-062688-pw-08/JT) & second appellant (r-062411-ud-08/JT, r-062410-pw-08/JT, r-062408-te-08/JT).

The determination of the Tribunal was as follows:

The respondent's representative raised a preliminary point whereby he contended that the appeal had not been served within the required six weeks, which in this case was by March 24th 2009. The Rights Commissioner's decision was issued on February 11th 2009 and the respondent's representative contended that this was the date communicated. The appellant's representative contended that they received the Rights Commissioner's decisions on February 12th 2009. The Tribunal received both appeals on March 26th 2009 by hand.

The appellant's representative withdrew the appeals under the Payment of Wages Act 1991.

Determination:

The Tribunal finds that it has no jurisdiction to hear the appeals as they were lodged outside the six-week period allowed for such appeals.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)