

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE *(appellant)*

TE275/2009
PW259/2009

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

EMPLOYER *(respondent)*

under

PAYMENT OF WAGES ACT, 1991 TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms D. Donovan

Members: Mr J. Browne
Ms S. Kelly

heard this appeal at Wexford on 8th July 2011

Representation:

Appellant(s) : Mr Richard Grogan, Richard Grogan & Associates, Solicitors,
16 & 17 College Green, Dublin 2

Respondent(s) : No appearance or representation 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 employee appeal of a Rights Commissioner recommendation (r-070800-pw-08/MMG and r-070801-te-08/MMG).

The Tribunal is satisfied that the respondent was properly notified of the hearing. Neither he, nor a representative on his behalf appeared for this hearing.

On the uncontested evidence of the appellant, the Tribunal finds that the appellant is entitled to twenty-six weeks pay under the Payment of Wages Act, 1991. Accordingly, the appellant is entitled to €16,900.

Section 3 of the Terms of Employment (Information) Act, 1994 and 2001 provides that there is a mandatory obligation on an employer to provide a written statement of terms of employment to an employee, not later than 2 months after the commencement of an employee's employment with the employer. As no contract was issued to the claimant, the Tribunal makes an award of €1,000 under the Terms of Employment (Information) Act, 1994 and 2001.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)