

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE - *appellant*

PW204/2010

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: Mr P. Hurley

Members: Mr T. Gill

Ms H. Henry

heard this appeal at Galway on 27th May 2011

Representation:

Appellant(s) : In Person

Respondent(s) : In Person

This case 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 Ref: r-090160-pw-10/GC.

Determination

The Tribunal is satisfied having considered the oral and documentary evidence from both parties that the appellant's rate of pay varied from week to week. The Tribunal is satisfied that the appellant received an average rate of pay of €14.52 per hour. The correct rate of pay in respect of the appellant's employment should have been €14.88 per hour. Accordingly the Tribunal awards the appellant the sum of €345 and in so doing upholds the decision of the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

