

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

EMPLOYEE

– *appellant*

CASE NO.

RP1335/2009

MN1164/2009

Against

EMPLOYER

- *respondent*

Under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy, S C

Members: Mr J. Hennessy
Mr A. Butler

heard this appeal at Abbeylax on 1st April 2010

Representation:

Appellant: In Person

Respondent: In Person

The decision of the Tribunal was as follows:-

Determination

The appellant had been working for her father as an employee until 2006. In 2006 she informed the relevant authorities, i.e. Revenue and Social Welfare that her employment status had changed to self employed. Legally, she was no longer an employee of the respondent as she was then running the bar herself.

The appellant was not an employee of the respondent and therefore the claims under the Redundancy Payments Act 1967 to 2007 and Minimum Notice and Terms of Employment Acts, 1973 to 2005 must fail.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

