

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL OF:**  
EMPLOYEE

**CASE NO.**  
I11/2009

- *appellant*

against the decision of The Minister for Social Protection in the case of :

- EMPLOYER *respondent*

under

**PROTECTION OF EMPLOYEES (EMPLOYERS' INSOLVENCY) ACTS, 1984 TO 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. G. Hanlon

Members: Mr A. O'Mara  
Mr N. Dowling (*20 December 2010*)  
Mr. G. Whyte (*6 November 2012*)

heard this appeal at Drogheda on 20 December 2010  
and 6 November 2012

**Representation:**

Appellant: In person

Respondent :

The declaration of the Tribunal was as follows:

**Determination:**

The appellant was an employee, Director and shareholder in the company. His appeal concerned arrears in wages to the value of € 4,594.64, arrears in holiday pay to the value of € 1,722.96 and minimum notice to the value of € 229.73. It transpired, in evidence, that the appellant was paying a Class S stamp and therefore was not in insurable employment.

Having considered the circumstances of this case the Tribunal find the appeal under the Protection of Employees (Employers' Insolvency) Act 1984 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)