



THE LABOUR COURT
An Chúirt Oibreachais

Employment Rights Appeal Form - Guidelines

1. When should you use this form?

This form should be used when making an appeal/s to the Labour Court in relation to:

- a Decision of an Adjudication Officer (other than under the Industrial Relations Act, 1969)
- a Compliance Notice served by a Workplace Relations Commission Inspector
- a Dismissal of a Complaint/Dispute by an Adjudicator Officer under section 42 of the Workplace Relations Act 2015
- an Equality & Human Rights Commission Substantive Notice

You **MUST** include a copy of the Adjudication Officer's Decision/Inspection Compliance Notice(s)/HRC Substantive Notice(s) with your completed Appeal Form.

2. When should this form not be used?

This form should **NOT** be used when:

- Making a complaint to the Workplace Relations Commission in relation to alleged contravention of employment, equality, equal status and certain industrial relations legislation.
- Seeking the enforcement of a decision or determination made under employment rights and certain industrial relations legislation.
- Making an appeal of an Adjudication Officer decision made under the Industrial Relations Act, 1969

- Making an appeal in relation to a decision made on a complaint presented under the Equal Status Acts 2000 – 2015 (such appeals should be made to the Circuit Court).

3. How to make an appeal?

You must carefully complete all sections of the Appeal Form. It is vital to check that the correct documentation is attached i.e. a copy of the Adjudication Officer's Decision.

When you have completed all sections of the form, you must either:

Email the completed Form and Adjudication Officer's Decision / Compliance Notice(s) / Substantive Notice(s) (as applicable) to appeals@labourcourt.ie

OR

(a) Print the completed Form

(b) Enclose a copy of the Adjudication Officer Decision / Compliance Notice(s) / Substantive Notice(s) (as applicable)

(c) Post the Form to:

The Labour Court
Lansdowne House
Lansdowne Road
Dublin 4
D04 A3A8

4. How long do I have to submit an appeal to the Labour Court?

Appeals must be given to the Labour Court **within 42 days** of the date of the Adjudication Officer's Decision. The date of the decision of the Adjudication Officer will count as day one of the 42 days. Appeals sent by post can be given to the Court in the ordinary course of the Court's business and the day of receipt will be recorded using a date stamp manually applied during the ordinary course of business on the day the appeal is received. Appeals submitted by email at appeals@labourcourt.ie can be made up to 12 midnight on the 42nd day and the date of receipt will be the date and time automatically recorded on the email system.

5. Do I have to pay a fee?

If you **failed to appear at a first instance hearing of the Workplace Relations Commission (WRC), you will have to pay a fee of €300 when lodging your appeal.** If the Labour Court determines that you had good cause for failing to attend the first instance hearing, the fee may be refunded.

If you did attend the WRC Hearing, you do not have to pay a fee.

If applicable, payment of the fee of €300 must be made by Electronic Fund Transfer (EFT). The bank details are set out below:

Name of account	Danske EFT Receipts Public Bank Account
Address	Danske Bank International House 3 Harbourmaster Place IFSC Dublin 1
Account Number	IBAN 1E24 DABA 9519 9030 0104 13 BIC DABAIE2D
Reference No	Labour Court Appeal Fee

If you have paid a fee, please provide confirmation (proof of EFT) with your appeal form that it has been paid.

6. What will happen to my appeal?

Once this appeal has been registered by the Labour Court you will receive an acknowledgement of your appeal.

A Case Reference Number will be noted on the acknowledgement and is to be used in all subsequent correspondence or communications.

The Respondent to the appeal will be notified of the appeal and given a copy of the completed appeal form and any other relevant materials sent.

Following the acknowledgement of your appeal:

- A hearing date will be set.
- However, in the case of an appeal against the decision of an Adjudication Officer under the Unfair Dismissals Acts 1977 – 2015 and the Employment Equality Acts 1998 – 2015 no hearing date will normally be set until both parties have made written submissions.
- A hearing will take place.

- A Labour Court Determination/Decision will be sent to the parties.
- A copy of the Determination/Decision will be posted on the Court's website.

7. Where can I get more information on my rights and the legislation involved?

More information on the appeals process can be found on www.labourcourt.ie (Labour Court Rules 2020 and Labour Court User's Guide) or by telephoning the information line on 1890 80 80 90.