

Please read the notes supplied then complete this form in **BLOCK CAPITALS**.

Please sign and date

FOR OFFICIAL USE ONLY
Case No:

1. NOTICE OF CLAIM FOR IMPLEMENTATION OF A RIGHTS COMMISSIONER'S RECOMMENDATION (Please tick appropriate box or boxes)

<input type="checkbox"/>	(i) Unfair Dismissals Acts 1977 to 2007
<input type="checkbox"/>	(ii) Terms of Employment (Information) Acts 1994 to 2012
<input type="checkbox"/>	(iii) Protection of Young Persons (Employment) Act 1996
<input type="checkbox"/>	(iv) Protections for Persons Reporting Child Abuse Act 1998
<input type="checkbox"/>	(v) European Communities (Protection of Employment) Regulations 2000
<input type="checkbox"/>	(vi) Competition Acts 2002 to 2014
<input type="checkbox"/>	(vii) Consumer Protection Acts 2007 and 2014
<input type="checkbox"/>	(viii) Chemicals Acts 2008 and 2010

<p>2. NAME AND ADDRESS OF PARTY SEEKING THE IMPLEMENTATION:</p> <p>First Name:</p> <p>Surname:</p> <p>Address:</p> <p>.....</p> <p>.....</p> <p>Phone No</p> <p>Email Address:</p>	<p>3. NAME AND ADDRESS OF PARTY AGAINST WHOM THE CLAIM IS BEING BROUGHT:</p> <p>Name/Company:</p> <p>Address:</p> <p>.....</p> <p>.....</p> <p>Phone No</p> <p>Email Address:</p>
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PLEASE ADVISE THE TRIBUNAL SECRETARIAT OF ANY CHANGE OF ADDRESS.

4. WILL YOU HAVE A REPRESENTATIVE AT HEARING? (Trade Union Official, Solicitor, etc.)

Yes

6. TOWN OF EMPLOYMENT OR NEAREST TOWN:

If yes, please give:

Name:

Address:

.....

Phone No:

5. DATES (IF APPLICABLE)			
	Day	Month	Year
Date of Birth			
Employment Began			
Dismissal Notice Received			
Employment ended			

7. PAY (IF APPLICABLE)		€
Basic Weekly Pay		
Regular Bonus or Allowances		
Average Weekly Overtime		
Any other payments including payments in kind - specify		
Weekly Total	Gross	
	Net	

8. (i) NAME OF RIGHTS COMMISSIONER:

.....

8.(ii) DATE AND REF. NO. OF DECISION/RECOMMENDATION TO WHICH THIS CLAIM APPLIES (Please enclose a copy of this decision/recommendation with your application)

9. THE REASONS FOR MY APPEAL ARE: (You can attach additional sheets if necessary)

Important Note: Incomplete forms will be returned and may delay the processing of your appeal

10. DETERMINATIONS OF THE TRIBUNAL ARE PLACED ON A REGISTER OF APPEALS AND ALSO ON THE WORKPLACE RELATIONS'S WEBSITE WWW.WORKPLACERELATIONS.IE (Please refer to point (17) of Notes

SIGNED: _____

DATE: _____

Please note that where the Tribunal processes a claim for hearing, all correspondence (*forms, letters, enclosures etc.*) received in this office will be copied to, and exchanged between, the parties to the claim.

PLEASE ADVISE THE TRIBUNAL SECRETARIAT (01-6313006) IF YOU REQUIRE ANY SPECIAL FACILITIES WHEN ATTENDING A TRIBUNAL HEARING.

NOTICE FOR IMPLEMENTATION OF THE RIGHTS COMMISSIONERS RECOMMENDATION TO EMPLOYMENT APPEALS TRIBUNAL UNDER:

- (i) UNFAIR DISMISSALS ACTS 1977 to 2007
- (ii) TERMS OF EMPLOYMENT (INFORMATION) ACTS 1994 to 2012
- (iii) PROTECTION OF YOUNG PERSONS (EMPLOYMENT) ACT 1996
- (iv) PROTECTION FOR PERSONS REPORTING CHILD ABUSE ACT 1998
- (v) EUROPEAN COMMUNITIES (PROTECTION OF EMPLOYMENT) REGULATIONS 2003
- (vi) COMPETITION ACTS 2002 to 2014
- (vii) CONSUMER PROTECTION ACTS 2007 and 2014
- (viii) CHEMICALS ACTS 2008 and 2010

Notes for Persons Making Appeal

THIS FORM IS TO BE USED BY PERSONS WHO WISH TO BRING BEFORE THE TRIBUNAL A RECOMMENDATION / DECISION OF A RIGHTS COMMISSIONER WHICH HAS NOT BEEN CARRIED OUT

PART A – TIME LIMITS

TIME LIMITS FOR PERSONS SEEKING IMPLEMENTATION OF THE RIGHTS COMMISSIONER RECOMMENDATION:

UNFAIR DISMISSALS ACTS 1977 to 2007	After a period of 6 weeks to the Tribunal
TERMS OF EMPLOYMENT (INFORMATION) ACTS 1994 to 2012	After a period of 6 weeks to the Tribunal
PROTECTION OF YOUNG PERSONS (EMPLOYMENT) ACT 1996	After a period of 6 weeks to the Tribunal
PROTECTIONS FOR PERSONS REPORTING CHILD ABUSE ACT 1998	After a period of 6 weeks to the Tribunal
EUROPEAN COMMUNITIES (PROTECTION OF EMPLOYMENT) REGULATIONS 2003	After a period of 6 weeks to the Tribunal
COMPETITION ACTS 2002 to 2014	Within 6 weeks to the Tribunal
CONSUMER PROTECTION ACTS 2007 and 2014	Within 6 weeks to the Tribunal
CHEMICALS ACTS 2008 and 2010	Within 6 weeks to the Tribunal

PART B – NOTES

- (1) **TICK APPROPRIATE BOX OR BOXES:**
Tick box or boxes representing the Act or Acts under which you are seeking implementation.
- (2) **NAME AND ADDRESS OF PARTY SEEKING IMPLEMENTATION:**
If you change your address after lodging this form, be sure to notify the Secretary, Employment Appeals Tribunal, Davitt House, 65A Adelaide Road, Dublin 2. In order to enhance the processing of applications we will use email, where applicable, to all parties at any stage in the processing of an appeal.
- (3) **EMPLOYER'S FULL LEGAL NAME AND ADDRESS:**
Any Order made by the Tribunal may not be enforceable if incorrect information is given. For assistance, please consult your P45 or where appropriate, the Companies Registration Office (01-804 5200). The employer's Registered (PAYE) No. may be obtained from your P45, P60 and Tax Certificate P.6CL. If the name given on the Recommendation/Decision of the Rights Commissioner is different, please give both names. It is essential that the employer's full address be stated.
- (4) **Box 4 - NAME AND ADDRESS OF REPRESENTATIVE OF PARTY MAKING CLAIM:**
It is not necessary to have representation before the Tribunal. However, if you have arranged for a representative to attend on your behalf at the Tribunal, notification of the hearing of your appeal will be sent to that person as well as to yourself.
- (5) **Box 5 – Complete all dates**
- (6) **Box 6 – in this box please give the name of the town where you worked or the nearest town to this.**
- (7) **Box 7 - PAY:**
Basic Weekly Pay:
This means a basic pay before any deductions are made.

Average Weekly Overtime.

In unfair dismissal cases, overtime may be disregarded unless it is a normal feature of work. If it is a normal feature of work inasmuch as you are normally expected to work it, overtime pay is included in your normal weekly pay and overtime is included in normal weekly working hours.

Payments in Kind.

These would include the value of meals or board, use of company house, car or health insurance etc.

(8) Box 8 - RIGHTS COMMISSIONER

- (i) Please fill in the name of the Rights Commissioner that heard your case,
- (ii) Please fill in the date the recommendation or decision was issued and the reference no. that appears on the signed decision. **Please enclose a copy of this decision with this form.**

(9) REASON FOR APPLICATION:

Please give an outline of your case in space provided. If you wish to provide further details, please attach any separate sheets to the form.

(10) ACKNOWLEDGEMENT OF APPLICATION:

If you do not get an acknowledgement of your application within a reasonable time you should contact the Secretary to the Tribunal by letter, telephone or email (details below).

(11) HEARING OF CLAIM:

Once you have received an acknowledgement, your case will be listed for hearing as soon as possible at the nearest town to your place of employment. You will get at least 2 weeks notice of a date for hearing.

(12) POSTPONEMENTS:

Postponements may be granted only in **exceptional circumstances**. Otherwise, a case is expected to proceed at the time and place notified to the parties. When applications for postponements are made, they may be made to any sitting Division of the Tribunal at any venue.

The following conditions should at least be met when applying for a postponement. However, the existence of any one or all of these conditions should not be considered a guarantee for obtaining a postponement.

- Good cause should be shown as postponements are only granted for very grave reasons.
- The application should be made at the earliest opportunity after receipt of the notice of hearing, save where the Tribunal for just cause dispenses with this requirement.
- The application should be made by a party or his representative appearing in person.
- Proof of consent from the other party or their representative may be required. The application can be made without consent but the Tribunal may require proof that consent was at least sought.

(13) WITHDRAWAL OF APPLICATIONS:

If you are seeking to withdraw your application, the Secretary to the Tribunal should be notified either in writing or email at eat@djei.ie using the word 'withdraw' as soon as possible.

(14) COSTS:

Frivolous or vexatious applications may lead to an award of costs against the applicant.

(15) INFORMATION:

For general information regarding employment rights please contact the Workplace Relations Customer Service (WRCS) at Lo call No: 1890 80 80 90 or submit your query on www.workplacerelements.ie

(16) DATA PROTECTION

The Employment Appeals Tribunal holds data on all applications received. Data Protection is the safeguarding of the privacy rights of individuals in relation to the processing of personal data. The Data Protection Acts 1988 and 2003 confer rights on individuals as well as responsibilities on those persons processing personal data. Personal data, as covered by the Data Protection Acts, relates to the information on individuals and or sole traders only.

(17) DETERMINATIONS

In line with Statutory Instrument No. 24 of 1968, Redundancy (Redundancy Appeals Tribunal) Regulations a copy of all determinations are kept in a Register of Appeals. The Register, which is kept in Davitt House, is open to inspection by any person and a copy of any determination is available on request. The determinations in the Register include all party details.

Determinations, from 2007, are also available on www.workplacerelements.ie. From 1st April 2014 determinations are available on this site with party names. All queries in relation to searching determinations on the website should be forwarded to webmaster@workplacerelements.ie

(18) USE OF INTERPRETERS

If you feel that an interpreter is essential to the hearing of the claim, you can apply to the Tribunal secretariat by letter or email to the address or email address below for an interpreter, indicating the language required. It would be appreciated if you could apply at least two weeks in advance of the hearing date.

(19) FREEDOM OF INFORMATION

The FOI Act 2014 brings the Employment Appeals Tribunal within its remit from 14 April 2015. From that date, you can seek access to any records relating to you personally, no matter when they were created. You can ask for any other records created after 21 April 2008. Further information can be found on our website:

http://www.workplacerelations.ie/en/Workplace_Relations_Bodies/Employment_Appeals_Tribunal.

NOTE - DETACH FORM FROM NOTES AND SEND IT TO:

**Secretary
Employment Appeals Tribunal
Davitt House,
65A Adelaide Road,
Dublin 2
D02 TW27**

**Telephone: (01) 631 3006
1890 220222 Lo-Call service from outside (01) area***

**Website: www.workplacerelations.ie;
Email: eat@djei.ie**

**please note that the rates charged for the use of the 1890 (lo call) number s may vary among different service providers.*