



An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

Getting Ready for Your WRC Hearing

A Guide for Respondents

What to expect before, during and after the hearing

1. What this guide is for

Use this guide as a practical checklist when preparing to respond to a WRC complaint. It highlights the main steps to take before, during and after a hearing, and the key deadlines to keep in mind. **It is not legal advice.**

2. Quick checklist

- **On receipt of the complaint form:** review it immediately, identify the claims and legislation and quote the ADJ number in all WRC correspondence.
- **Internally:** check records, confirm your theory of the case, gather documents, identify witnesses and consider advice, mediation or settlement.
- **On receipt of the hearing date:** check witness availability and act quickly on postponement or remote-hearing issues.
- **Key deadlines:** postponement or remote-hearing objections should usually be made within 10 working days of the hearing letter date; submissions should be filed at least 15 working days before the hearing.
- **Fair procedure:** copy the other side on postponement applications, remote-hearing objections and submissions.

3. When you receive the complaint form

- ✓ Read the complaint form promptly. **Don't delay!**
- ✓ Read it critically: look for any obvious errors or procedural issues that are likely to arise.
- ✓ Identify the relevant legislation applicable to the claim.

- ✓ Check whether the narrative suggests any additional claim or legislation beyond what is expressly listed.
- ✓ If any of your witnesses require an interpreter or other additional supports, write to the WRC in advance and let them know.
- ✓ **Quote the ADJ number** in all correspondence to the WRC.

4. Prepare internally

- ✓ Check the personnel file and internal systems, if applicable.
- ✓ Confirm whether the claim is accurate. For example, check whether any holiday pay or bank holiday pay is outstanding.
- ✓ Review payslips and any other records relevant to the claim.
- ✓ Read the Complainant's contract of employment, if relevant.
- ✓ Identify what you say happened: this is your theory of the case.
- ✓ Gather the relevant documents in support of your theory of the case.
- ✓ Identify the witnesses you need to prove your theory of the case.
- ✓ Take advice, if appropriate.
- ✓ Remember that hearing length can vary considerably depending on the nature and complexity of the complaint.
 - **Consider:** Are we open to pre-adjudication mediation, if offered?
 - **Consider:** Should we settle this case? This is both a business decision and a legal one. Relevant factors include legal, HR or consultancy fees; time away from the business; reputational impact; public hearings; possible media coverage; and any potential appeal.

NOTE: The WRC has no jurisdiction in respect of costs. If you win your case, you still have to pay your own legal fees. This is different from the civil courts.

5. When you receive the hearing date letter

- ✓ **Engage immediately.** Time is of the essence.
- ✓ Go through the witness list you have already compiled and check availability for the hearing date and time.
- ✓ Postponements: If you are applying for a postponement, do so within the first 10 working days after receiving the hearing date letter, on consent if at all possible.

Contested applications, or applications made after the 10-day window, are granted only for “*substantial reasons and exceptional circumstances*”.

- ✓ Remote-hearing objections: apply within the first 10 working days after receiving the hearing date letter if you are requesting an in-person hearing or a hybrid format for a witness based abroad.
- ✓ Everything must be copied to the other side as a matter of fair procedure, including postponement applications, objections to remote hearings and submissions, so that they have an opportunity to consider the material and a right of reply.

6. Prepare your submissions

- ✓ Submissions should include:
 - an outline summary of the facts;
 - the law you rely on; and
 - relevant supporting documentation.
- ✓ Supporting documentation may include the contract, handbook, applicable policies, payslips and relevant correspondence, including emails.
- ✓ Submit them to the WRC at least 15 working days before the hearing.
- ✓ Copy them to the other side.
- ✓ The list of the most commonly cited authorities is on the WRC’s website.
- ✓ If you use AI tools to help create your submission, double-check the content. **You are responsible for what you submit**; you have a duty not to mislead, and you should beware of “phantom citations”. Check, check and check again.

7. At the hearing

- ✓ Arrive early and gather your people.
- ✓ Be on time for the hearing.
- ✓ Dress professionally.
- ✓ Speak and behave respectfully.
- ✓ If you intend to put a large number of documents to witnesses, consider bringing four printed copies, clearly organised and page-numbered. Provide one set for the Adjudication Officer, one for the other side, one for the witness and one for yourself.

- ✓ Generally, the order of events will be: preliminary issues, opening statements, examination-in-chief, cross-examination and closing statements/legal submissions.
- ✓ The case will be reserved and a written decision will issue in due course. Either or both sides may appeal the decision.

8. WRC procedure links

Decisions and Recommendations: [Search](#)

Core procedures: [WRC Procedures for All Cases - Workplace Relations Commission](#)

Hearing guidance: [Guidance Note for a WRC Adjudication Hearing - Workplace Relations Commission](#)

Witnesses: [WRC Witness Guidelines - Workplace Relations Commission](#)

Postponements: [Postponement Policy - Workplace Relations Commission](#)

Hearing arrangements: [Objections to Hearing Arrangements Guidelines - Workplace Relations Commission](#)

Authorities: [Frequently Cited Authorities - Workplace Relations Commission](#)

Remedies: [WRC Remedies Table - Workplace Relations Commission](#)

AI use: [Guidance for Parties on the Use of AI before WRC - Workplace Relations Commission](#)

Employment, labour and equality law: [WRC Guide to Employment Labour and Equality Law - Workplace Relations Commission](#)

Legislation: Irish Statute Book website www.irishstatutebook.ie or see ‘The Revised Acts’ on The Law Reform Commission’s website <https://revisedacts.lawreform.ie/revacts/intro>

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This guide is intended as general information only and may be updated periodically. Readers should check the WRC website for the most current procedural guidance.