

**AN BINSE ACHOMHAIRC
FOSTAÍOCHTA
THE EMPLOYMENT APPEALS
TRIBUNAL
THIRTY THIRD ANNUAL REPORT
2000**

**Submitted to the
Minister of State for Labour, Trade and Consumer Affairs
in pursuance of
Section 39(18) of the Redundancy Payments Act, 1967**

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Chairman's Submission to Mr. Tom Kitt, Minister of State for Labour, Trade & Consumer Affairs

Dear Minister,

I have pleasure in submitting the Annual Report of the Employment Appeals Tribunal to you, in accordance with Section 39 sub-section 18 of the Redundancy Acts 1967 to 1991.

This is my seventh report as Chairman of the Tribunal.

I am happy to state that the success the Tribunal has had over the past number of years in processing and hearing cases continues. In the past year a total of 3,199 claims and appeals were disposed of, an increase of 504 on 1999.

As was the case with previous years, much of the Tribunal's workload in 2000 was taken up with hearing cases under the Unfair Dismissals, Redundancy and Minimum Notice Legislation.

The trend apparent in last year's Report regarding holiday entitlement claims also continues, with the number of claims referred totalling 170, an increase of 35 on last year. As previously indicated by me the number of claims under the Organisation of Working Time Act, now being referred to the Tribunal in conjunction with other claims, justifies the decision of the Legislature to give the Tribunal jurisdiction in relation to holiday complaints.

I am happy to report that the Tribunal continues to be an effective and expeditious forum for employees and employers to litigate disputes. In this way the Tribunal is playing its part in making an effective contribution towards a stable industrial relations environment. The Tribunal acknowledges the support given by you Minister and the Department in ensuring that we can make this valuable contribution.


The Department's commitment in this regard will remain very important in the context of the expanding jurisdiction of the Tribunal.

As a forum for the resolution of employment disputes, the Tribunal is conscious of the fact that much of our more recent Employee Rights Legislation has had its origins in Europe. Consequently, the Tribunal recognises the benefits of liaising with Labour Courts and Tribunals across Europe.

Through the European Association of Labour Court Judges (E.A.L.C.J) the Tribunal has been able to do this and for the year 2000 I had the honour of serving as President of this Association.

In October, 2001 the Conference of the E.A.L.C.J takes place in Dublin Castle. That Ireland had been able to host this Conference has been made possible by your support and the support that your Department has given to the Association in providing the venue and conference facilities. We look forward to welcoming our European colleagues and to a stimulating and fruitful Conference.





I would like to express my thanks to all in the Department who have willingly agreed to assist in this event.

As Chairman, I wish to acknowledge the contribution made by the members to the work of the Tribunal in 2000 and I thank them for their commitment. I also wish to convey my sincere thanks to the Secretary and Tribunal staff for their excellent support and dedication throughout the past year.

Yours sincerely,



Mary Faherty
CHAIRMAN

INTRODUCTORY NOTE

The Tribunal, formerly known as the Redundancy Appeals Tribunal, was established under Section 39 of the Redundancy Payments Act, 1967. It was originally set up to adjudicate in disputes about redundancy between employees and employers and between employees or employers and the Minister for Labour (now Enterprise, Trade and Employment) or a Deciding Officer. The scope of the Tribunal was extended over the years and now, in addition to disputes under the Redundancy Payments Acts, 1967 to 1991, it also deals with disputes under:


Minimum Notice and Terms of Employment Acts, 1973 to 1991;
Unfair Dismissals Acts, 1977 to 1993;
Maternity Protection Act, 1994;
Protection of Employees (Employers' Insolvency) Acts, 1984 to 1991;
Worker Protection (Regular Part-Time Employees) Act, 1991;
Payment of Wages Act, 1991;
Terms of Employment (Information) Act, 1994;
Adoptive Leave Act, 1995;
Protection of Young Persons (Employment) Act, 1996;
Organisation of Working Time Act, 1997;
Parental Leave Act, 1998;
Protections for Persons Reporting Child Abuse Act, 1998.

Under Section 18 of the Unfair Dismissals Act, 1977 the name of the Tribunal was changed to the Employment Appeals Tribunal.

The Tribunal is an independent body bound to act judicially and was set up to provide a speedy, fair, inexpensive and informal means for individuals to seek remedies for alleged infringements of their statutory rights.

The Tribunal consists of a Chairman and **21** Vice-Chairmen and a panel of **60** other members, thirty nominated by the Irish Congress of Trade Unions and thirty by organisations representative of employers. The Redundancy Payments Act, 1979 provides for the appointment of additional Vice-Chairmen and members whenever the Minister for Enterprise, Trade and Employment is of the opinion that such appointments are necessary for the speedy dispatch of the business of the Tribunal.

The Tribunal acts in Divisions, each consisting of either the Chairman or a Vice-Chairman and two other members, one drawn from the employer's side of the panel and one from the trade union side. A Vice-Chairman of the Tribunal, when acting as Chairman (at the request of the Minister or the Chairman) has all the powers of the Chairman. More than one Division may sit



on the same day. Claims and appeals are heard in public unless the Tribunal, at its discretion, decides that the hearing be private.

The Tribunal secretariat is staffed by Civil Servants assigned by the Department of Enterprise, Trade and Employment. Officers of the secretariat process applications from the date of receipt and act as secretaries at hearings. Secretaries also draft determinations following Tribunal deliberations, for consideration by the Tribunal and notify the parties concerned of the decisions or determinations of the Tribunal.

The Membership of the Employment Appeals Tribunal on 31st December, 2000

Chairman:

Mary Faherty, Barrister-at-Law

Vice-Chairmen:

Sarah Berkeley, Barrister-at-Law

Conor Bowman, Barrister-at-Law

Gerard Brady, Solicitor

Anne Bunni, Barrister-at-Law

Dymphna Cusack, Barrister-at-Law

Emile Daly, Barrister-at-Law

Tony Halpin, Barrister-at-Law

Maureen Harewood, Barrister-at-Law

Dan Horan

Elva Kearney, Barrister-at-Law

Dermot MacCarthy, Senior Counsel

Declan McHugh, Barrister-at-Law

Michael Moloney, Barrister-at-Law

Michael Mulcahy, Barrister-at-Law

Rosemary O'Connell, Solicitor

Peter J. O'Leary, Barrister-at-Law

Kate T. O'Mahony, Barrister-at-Law

Moya Quinlan, Solicitor

Joe Revington, Barrister-at-Law

Patricia Ryan, Barrister-at-Law

Tom Ryan, Solicitor

Employers Panel:

Harry J. Baird, Patrick Bracken, Clare Carroll,
Mary Cromer, Anne Delahunt, Michael Dunne,
Carl Fay, T.P. Flood, Michael Forde,
Pat Harrington, Michael C. Hennigan,
Richard Keating, Ben Kealey,
Richard Keenan, Patrick McKeown, Desmond Morrison,
Billy O'Carroll, Paul O'Grady, Margaret O'Leary,
Paul O'Leary, James O'Neill, C. A. Ormond,
Jas A. Power, Robert Prole, Jim Redmond,
John Reid, Edmund Sheehy, Declan Winston.
(2 Vacancies)

Employees Panel:

Eveta Brezina, Nick Broughall, Edmund Browne,
Mary Burke, Paul Clarke, Anne Clune,
Eddie Cronin, Michael Crowe,
Jim Dorney, Breda Fell, Sean Galavan,
Noirin Greene, Phil Harrington, Michael Hayes,
Nuala Keher, Tony Kennelly, Aidan McCormack,
Michael McGarry, Lenore Mrkwicka, Tom Murphy,
Alice Moore, Sam Nolan, Clare O'Connor, Seamus O'Donnell,
Patrick O'Shaughnessy, Sean Redmond, Jerry Shanahan,
Catherine Warnock, Patrick Woods,
(1 Vacancy)

Secretary:

Breda Cody

Appeals and Claims referred to the Tribunal During 2000

Legislation	1999	2000
	No.	No.
Minimum Notice and Terms of Employment Acts	1308	1749
Unfair Dismissals Acts (including 36 Appeals against Rights Commissioners' Recommendations)	941	808
Redundancy Payments Acts	310	300
Protection of Employees (Employers' Insolvency) Acts	71	183
Worker Protection (Regular Part-Time Employees) Act	80	58
Maternity Protection Act	1	0
Payment of Wages Act (Appeals against Rights Commissioners' Decisions)	34	52
Terms of Employment (Information) Act (Appeals against Rights Commissioners' Recommendations)	86	51
Adoptive Leave Act (Appeals against Rights Commissioners' Recommendations)	0	0
Protection of Young Persons (Employment) Act (Appeals against Rights Commissioners' Recommendations)	0	0
Organisation of Working Time Act	135	170
Parental Leave Act (Appeals against Rights Commissioners' Decisions)	19	6
Protections for Persons Reporting Child Abuse (Appeals against Rights Commissioners' Decisions)	0	0
TOTAL	2,985	3,377

REDUNDANCY PAYMENTS ACTS, 1967 TO 1991

The majority of the claims disposed of by the Tribunal under these Acts were claims by employees for redundancy payments on the grounds that they were dismissed by reason of redundancy. Other areas of dispute relate to questions of whether alternative employment offered was suitable; associated companies; change of ownership of trade or business; continuity of employment; lay-off and short-time; calculation of amount of lump sums and normal weekly remuneration.

Of the **327** claims disposed of, **131** were allowed, **71** were dismissed, **64** were withdrawn during hearing and **61** were withdrawn prior to hearing.

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 1991

The claims disposed of by the Tribunal under these Acts were mainly claims by dismissed employees for compensation for loss sustained by them by reason of their employers' failure to give them the statutory period of notice (or payment in lieu of same).

Of the **1,637** claims disposed of, **1,097** were allowed, **169** were dismissed, **231** were withdrawn during hearing and **140** were withdrawn prior to hearing.

UNFAIR DISMISSALS ACTS, 1977 To 1993

Section 8 of the 1977 Act as amended by Section 7 of the 1993 Act provides for the bringing of claims for redress for unfair dismissal before a Rights Commissioner or the Tribunal within six months of the date of dismissal. Under the amending Act of 1993 the onus for the giving of a copy of the notice of claim to the employer concerned now rests on the Tribunal. The same Act provides that the Rights Commissioner or the Tribunal may extend this time limit to twelve months in exceptional circumstances. A claim under this section may only be brought to the Tribunal if either party objects in writing to a Rights Commissioner hearing the claim.

The Act also provides for the bringing of an appeal against a Rights Commissioner's Recommendation to the Tribunal within six weeks of the date the Recommendation was given to the parties concerned. Here again the amending Act now places the onus for the giving of a copy of the notice of appeal to the other party on the Tribunal.

Outcome of Claims and Appeals under the Unfair Dismissals Acts

Direct Claims

Of the total of **713** claims disposed of, **129** were allowed, **96** were dismissed, **349** were withdrawn during hearing and **139** were withdrawn prior to hearing.

Appeals against Recommendations of Rights Commissioners

Of the **32** appeals against the Recommendations of Rights Commissioners disposed of by the Tribunal, **12** were upheld, **3** were upset, **5** were varied and **12** were withdrawn.

Outcome of Claims Allowed

The Tribunal awarded compensation amounting to **£ 577,962.45** in **153** cases. The average compensation awarded by the Tribunal was **£3,777.53**. Re-instatement was ordered in **2** cases and re-engagement was ordered in **4** cases. The distribution of compensation awarded by the Tribunal is shown in **Annexe 2**.

MATERNITY PROTECTION ACT, 1994

Disputes concerning entitlements under the Act must be brought to a Rights Commissioner in the first instance and then to the Tribunal by way of an appeal against the Rights Commissioner's Recommendation.

No cases were appealed to the Tribunal.

PROTECTION OF EMPLOYEES (EMPLOYERS' INSOLVENCY) ACTS, 1984 TO 1991

Claims under these Acts take the form of complaints against decisions of the Minister for Enterprise, Trade and Employment to refuse all or part of a claim for payment in respect of arrears of wages, arrears of sick pay, arrears of holiday pay or payment of unpaid contributions to occupational pension schemes. Also, where a doubt exists as to whether a claim is allowable or not, the Minister may refer the claim to the Tribunal for decision.

Of the **183** complaints disposed of, **182** were allowed, and **1** was withdrawn prior to hearing.

WORKER PROTECTION (REGULAR PART-TIME EMPLOYEES) ACT, 1991

Under the terms of this Act the scope of the Redundancy Payments, Minimum Notice and Terms of Employment, Unfair Dismissals and the Protection of Employees (Employers' Insolvency) Acts was extended to regular part-time employees as defined under the Act. Disputes as to whether or not an employee can be designated as a regular part-time employee may be referred to the Tribunal for adjudication. During the year 2000 all the claims under the Worker Protection Act were brought in conjunction with claims under the aforementioned Acts. The Tribunal disposed of **58** claims of which **3** were allowed, **15** were dismissed, **23** were withdrawn during hearing and **17** were withdrawn prior to hearing.

PAYMENT OF WAGES ACT, 1991

The main purpose of this Act is to define the acceptable modes of payment of wages and to regulate for certain deductions from wages. The Act allows for appeals to be made to the Tribunal against the decisions of Rights Commissioners.

Of the **43** appeals disposed of by the Tribunal, **19** were upheld, **7** were upset, **4** were varied and **13** were withdrawn.

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994

The main purpose of this Act is to establish an employer's obligation to provide a written statement to employees setting out particulars of the employee's terms of employment.

A dispute under the Act must first be brought before a Rights Commissioner. It may then be brought before the Tribunal by way of an appeal against the Recommendation of the Rights Commissioner in the matter.

Of the **24** appeals disposed of by the Tribunal, **2** were upheld, **5** varied and **17** were withdrawn.

ADOPTIVE LEAVE ACT, 1995

The purpose of this Act is to entitle female employees, and in certain circumstances male employees, to employment leave for the purpose of child adoption. A dispute under the Act must first be brought before a Rights Commissioner. It may then be appealed to the Tribunal by way of an appeal against the decision of the Rights Commissioner in the matter.

There were no appeals to the Tribunal during the year ending 31st December, 2000.

PROTECTION OF YOUNG PERSONS (EMPLOYMENT) ACT, 1996

This Act provides that the parent or guardian of a child or a young person may present a complaint to a Rights Commissioner that an employer has contravened section 13 (preservation of existing rates of pay and conditions) or section 17 (refusal to co-operate with the employer in breaching the Act). An employer or an employee may appeal to the Tribunal from a Recommendation of a Rights Commissioner.

There were no appeals to the Tribunal during the year ending 31st December, 2000.

ORGANISATION OF WORKING TIME ACT, 1997

Section 39 of the Organisation of Working Time Act provides for a solution to difficulties encountered with the enforcement of decisions of, inter alia, the Employment Appeals Tribunal under the legislation administered by it where details relating to an employer are incorrectly set out in a Tribunal decision. Section 40 allows an employee or his/her trade union to include a referral of a holiday complaint along with any proceedings being taken to the Tribunal in respect of any legislation coming within its scope.

There were **146** claims disposed of by the Tribunal during the year ending 31st December, 2000. Of these **26** were allowed, **38** were dismissed, **53** were withdrawn during hearing and **29** were withdrawn prior to hearing.

PARENTAL LEAVE ACT, 1998

The Parental Leave Act, 1998 came into operation on 3rd December, 1998. The Act provides for an entitlement for men and women to avail of unpaid leave from employment to enable them to take care of their young children, and for limited paid leave (*force majeure* leave) to enable employees to deal with family emergencies resulting from injury or illness of certain family members.

Employees and employers are entitled to refer a dispute in relation to an entitlement under the Act to a Rights Commissioner. A reference to the Rights Commissioner concerning a dispute under the Act must be made in writing within 6 months of the occurrence of the dispute. However, disputes concerning the dismissal of an employee are dealt with under the provisions of the Unfair Dismissals Acts, 1977 to 1993.

The Tribunal disposed of **17** appeals in 2000. Of these **7** appeals were upheld, **1** varied, **3** were upset and **6** were withdrawn.

PROTECTIONS FOR PERSONS REPORTING CHILD ABUSE ACT, 1998

The purpose of this Act is to provide protection from penalisation by their employers of persons who report child abuse "reasonably and in good faith" to designated officers of health boards or any member of the Garda Síochána. The avenue of redress for such a person is by way of complaint to a Rights Commissioner. There is also provision for an appeal from the Rights Commissioner by either party to the Employment Appeals Tribunal. The Act came into operation on 23rd January, 1999.

There were no appeals in 2000.

AVERAGE WAITING PERIOD FOR UNFAIR DISMISSAL CASES TO COME FOR HEARING TO THE TRIBUNAL

The average waiting period for a case to come for hearing before the Tribunal is about **8** weeks in Dublin and **12** weeks in provincial areas. Annex 1(H).

CIRCUIT COURT APPEALS

Determinations by the Tribunal in cases under the Unfair Dismissals Acts may be appealed to the Circuit Court within six weeks of the date on which the determinations are communicated to the parties. The procedure for appealing Tribunal determinations is set out in regulations made under the Circuit Court Rules. The regulations also provide a means for the Tribunal to be informed of the referral and result of cases appealed to the Circuit Court.

The following information for 2000 was obtained from the various Circuit Court Offices:

59 Tribunal determinations were appealed to the Circuit Court; of these appeals **4** were upheld by the Court; **3** were upset; **2** were withdrawn; **7** were adjourned; **21** were struck out; and **22** have not yet been heard.

NUMBER OF TRIBUNAL SITTINGS

During the year under review, Divisions of the Tribunal sat (sometimes simultaneously) on **226** days at **59** different venues throughout the country. On **204** of these days, **2** or more Divisions of the Tribunal sat. The total number of sittings was **729** (**313** in Dublin and **416** in the Provinces). The number of sittings at each venue varied from a single sitting at a number of venues in the Provinces to **313** in Dublin.

Details of the venues and the number of sittings at each venue are shown in **Annexe 3(A)**.
Particulars of

Tribunal sittings in 2000 are shown at **Annexe 3(B)**.

NUMBER OF POSTPONEMENTS

Cases are set down for hearing and dates notified to the parties, on average three to four weeks in advance.

Postponements may be granted only in exceptional circumstances. If a postponement is sought at once, and with the consent of the other party concerned, it may be granted. If a postponement is sought later and/or without the consent of the other party it is likely to be refused. This setting down system, designed primarily for the convenience of parties, renders

some applications for postponements inevitable. Postponements, which are applied for too close to the date of hearing and are granted, result in the loss of scheduled Tribunal sitting time. This loss of time adversely affects the setting down system, and increases costs and the delay between the date of referral of a claim and the date of hearing for all claimants. There were **94.5** lost sittings of divisions due to postponements in 2000.

REPRESENTATION AT HEARINGS

A party to an application may appear and be heard in person or be represented by counsel or solicitor or by a representative of a trade union or of an employer's association or, with the leave of the Tribunal, by any other person. Any party to a case may have one or more representative(s) acting on its behalf.

Details of the representation at hearings are as follows:

The total number of cases heard by the Tribunal under the various Acts or combination of Acts in 2000 was **958**

- 796 employee parties (**83%**) were represented (**245** by trade unions, **523** by solicitors and/or counsel and **28** by other persons).
- **645** employer parties (**67.3%**) were represented (**91** by employers' associations, **439** by solicitor and/or counsel and **115** by other persons)

The total number of cases heard by the Tribunal involving claims under the Unfair Dismissals Acts, 1977 to 1993 was **636**:

- **566** employee parties (**89%**) were represented (**93** by trade unions, **463** by solicitor and/or counsel and **10** by other persons)
- **474** employer parties (**74.5%**) were represented (**61** by employers' associations, **375** by solicitor and/or counsel and **38** by other persons).

INFORMATION ON TRIBUNAL

An information booklet on the Tribunal as well as Guidelines for Practitioners appearing before the Tribunal are available free of charge from the **Information Unit, Department of Enterprise, Trade and Employment**. These are issued to all parties to unfair dismissal disputes prior to hearings.

A description of the service provided by the Tribunal and how to avail of it, as well as contact points, certain publications and frequently asked questions are available on the Department of Enterprise, Trade and Employment's website at www.entemp.ie. This Report is also available on the aforementioned website.

A Register of the Decisions and Determinations made by the Tribunal is kept at the office of the Secretariat which is housed in the **Department of Enterprise, Trade and Employment at 65A Adelaide Road, Dublin 2**. The Register is open for inspection there by any member of the public during normal office hours.

MARY FAHERTY B.A L.L.B B.L
CHAIRMAN

- ANNEXE 1(A)** Summary of Claims referred in 2000 and the Outcome of the claims disposed of in 2000.
- ANNEXE 1(B)** Summary Outcome of Appeals under the Unfair Dismissals Acts, 1977 to 1993 against the Recommendations of Rights Commissioners referred to the Tribunal in 2000 and the Outcome of the Appeals disposed of in 2000.
- ANNEXE 1(C)** Summary Outcome of Appeals under the Payment of Wages Act, 1991 against the Decisions of Rights Commissioners referred to the Tribunal in 2000 and the Outcome of the Appeals disposed of in 2000.
- ANNEXE 1(D)** Summary Outcome of Appeals under the Terms of Employment (Information) Act, 1994 against the Recommendations of Rights Commissioners referred to the Tribunal in 2000 and the Outcome of the Appeals disposed of in 2000.
- ANNEXE 1(E)** Summary Outcome of Appeals under the Parental Leave Act, 1998 against the Decisions of Rights Commissioners referred to the Tribunal in 2000 and the Outcome of the Appeals disposed of in 2000.
- ANNEXE 1(F)** Summary of outcome of claims referred and disposed of under the Unfair Dismissals Act where the Recommendation of the Rights Commissioner was not carried out.
- ANNEXE 1(G)** Summary of outcome of claims referred and disposed of in 2000 under the Terms of Employment (Information) Act 1994 where the recommendation of the Rights Commissioner was not carried out.
- ANNEXE 1(H)** Average waiting period between date of Receipt and date of Hearing for Unfair Dismissal Cases received in 2000 with comparative figures for 1997, 1998 and 1999.
- ANNEXE 2** Distribution of Compensation awarded by the Tribunal in Determinations of Unfair Dismissal
- ANNEXE 3(A)** Number of Sittings of the Tribunal at the various venues
- ANNEXE 3(B)** Particulars of Tribunal sittings in 2000.

Summary Of Claims Referred And The Outcome Of The Claims Disposed Of In 2000

Act	Number of Claims Referred*1	Allowed	Dismissed	Withdrawn during Hearing	Withdrawn prior to Hearing	Total No. of Appeals Disposed of*2
Redundancy Payments	300	131	71	64	61	327
Minimum Notice and Terms of Employment	1749	1097	169	231	140	1637
Unfair Dismissal (Direct Claims)	772	129	96	349	139	713
Protection of Employees (Employers' Insolvency)	183	182	-	-	1	183
Worker Protection (Regular Part-Time Employees) Act	58	3	15	23	17	58
Organisation of Working Time	170	26	38	53	29	146
TOTAL	3232	1568	389	720	387	3064

*1. Some claims referred in 2000 not yet disposed of

*2. Some claims disposed of in 2000 were referred in 1999

Unfair Dismissals appeals against the Recommendations of Rights Commissioners are excluded - See Annexe 1 (B)

Payment of Wages appeals against the Decisions of Rights Commissioners are excluded - See Annexe 1 (C)

Terms of Employment (Information) appeals against the Recommendations of Rights Commissioners are excluded - See Annexe 1(D)

Parental Leave Act, 1998 appeals against the Decisions of Rights Commissioners are excluded - See Annexe 1(E)

Unfair Dismissals Claims referred where the Decisions of the Rights Commissioner was not carried out are excluded – See Annexe 1(F)

Terms of Employment (Information) Claims referred where the Recommendations of the Rights Commissioner was not carried out are excluded – See Annexe 1(G)

SUMMARY OUTCOME OF APPEALS UNDER THE UNFAIR DISMISSALS ACTS 1977 TO 1993 AGAINST THE RECOMMENDATIONS OF RIGHTS COMMISSIONERS REFERRED TO THE TRIBUNAL IN 2000 AND THE OUTCOME OF THE APPEALS DISPOSED OF IN 2000

APPEALS BY EMPLOYEES

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
22	7	3	4	5	19*

APPEALS BY EMPLOYERS

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
14	5	0	1	7	13*

OUTCOME OF APPEALS

Total No. of Appeals Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
36	12	3	5	12	32*

*Some appeals referred in 2000 not yet disposed of

*Some appeals disposed of in 2000 were referred in 1999

SUMMARY OUTCOME OF APPEALS UNDER THE PAYMENT OF WAGES ACTS 1991 AGAINST THE DECISIONS OF RIGHTS COMMISSIONERS REFERRED TO THE TRIBUNAL IN 2000 AND THE OUTCOME OF THE APPEALS DISPOSED OF IN 2000

APPEALS BY EMPLOYEES

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
18	10	2	2	5	19*

APPEALS BY EMPLOYERS

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
34	9	5	2	8	24*

OUTCOME OF APPEALS

Total number of Appeals Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
52	19	7	4	13	43*

*Some appeals referred in 2000 not yet disposed of

*Some appeals disposed of in 2000 were referred in 1999

SUMMARY OUTCOME OF APPEALS UNDER THE TERMS OF EMPLOYMENT (INFORMATION) ACT 1994 AGAINST THE RECOMMENDATIONS OF RIGHTS COMMISSIONERS REFERRED TO THE TRIBUNAL IN 2000 AND THE OUTCOME OF THE APPEALS DISPOSED OF IN 2000

APPEALS BY EMPLOYEES

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
42	1	0	4	7	12*

APPEALS BY EMPLOYERS

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
9	1	0	1	10	12*

OUTCOME OF APPEALS

Total Number of Appeals Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
51	2	0	5	17	24*

*Some appeals referred in 2000 not yet disposed of

*Some appeals disposed of in 2000 were referred in 1999

SUMMARY OUTCOME OF APPEALS UNDER THE PARENTAL LEAVE ACT 1998 AGAINST THE DECISIONS OF RIGHTS COMMISSIONERS REFERRED TO THE TRIBUNAL IN 2000 AND THE OUTCOME OF THE APPEALS DISPOSED OF IN 2000

APPEALS BY EMPLOYEES

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
3	6	1	0	4	11*

APPEALS BY EMPLOYERS

Number Referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
3	1	2	1	2	6*

OUTCOME OF APPEALS

Total No. of Appeals referred	Rec. Upheld	Rec. Upset	Rec. Varied	Rec. Withdrawn	Total No. of Appeals disposed of
6	7	3	1	6	17*

*Some appeals disposed of in 2000 were referred in 1999

SUMMARY OUTCOME OF CLAIMS REFERRED AND DISPOSED OF IN 2000 UNDER THE UNFAIR DISMISSALS ACTS 1977 TO 1993 WHERE THE RECOMMENDATIONS OF THE RIGHTS COMMISSIONERS WERE NOT CARRIED OUT

NUMBER REFERRED	REC. UPHELD	WITHDRAWN	TOTAL NO. OF CLAIMS DISPOSED OF
15	11	6	17*

*Some claims disposed of in 2000 were referred in 1999

SUMMARY OUTCOME OF CLAIMS REFERRED AND DISPOSED OF IN 2000 UNDER THE TERMS OF EMPLOYMENT (INFORMATION) ACT 1994 WHERE THE RECOMMENDATIONS OF THE RIGHTS COMMISSIONERS WERE NOT CARRIED OUT

NUMBER REFERRED	REC. UPHELD	WITHDRAWN	TOTAL NO. OF CLAIMS DISPOSED OF
3	0	2	2

*Some claims disposed of in 2000 were referred in 1999

*Some claims referred in 2000 not yet disposed of

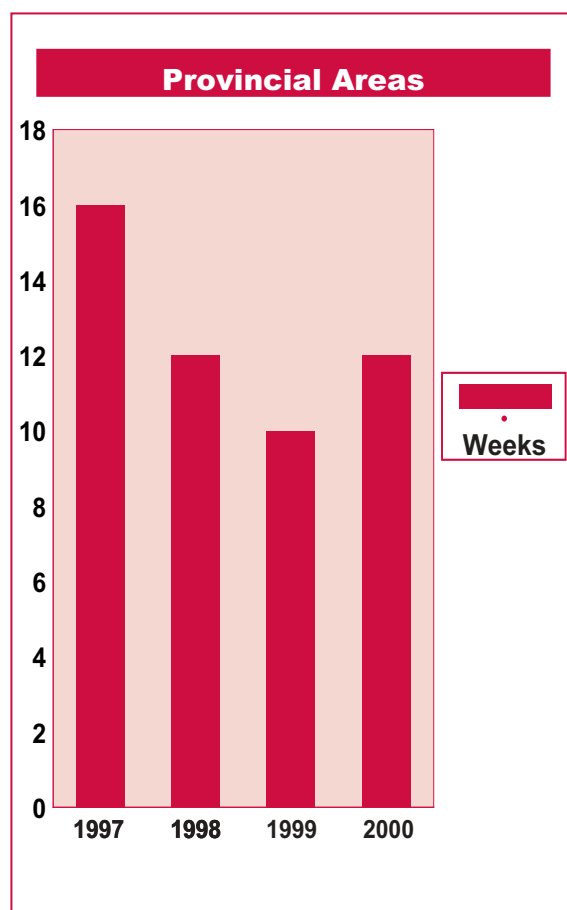
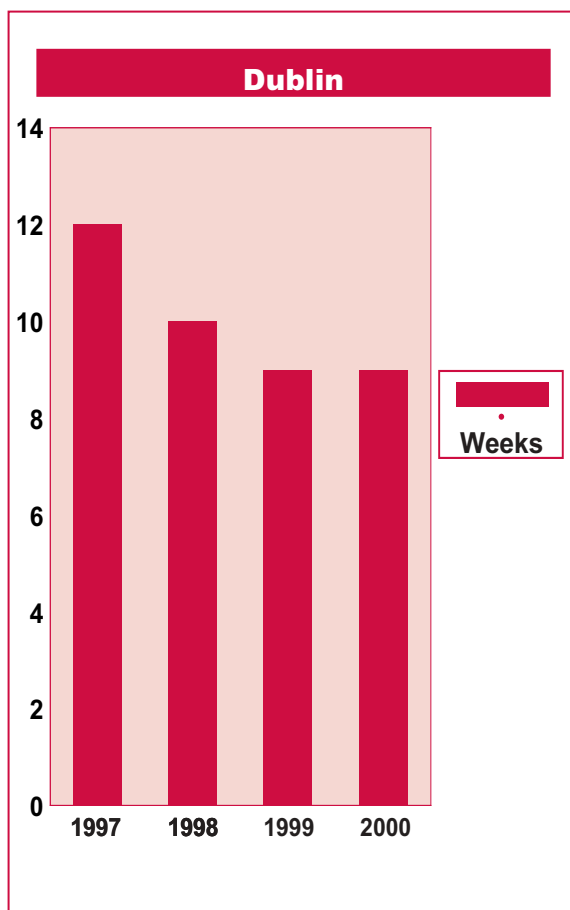
AVERAGE WAITING PERIOD BETWEEN DATE OF RECEIPT AND DATE OF HEARING FOR UNFAIR DISMISSALS CASES RECEIVED IN 2000 WITH COMPARATIVE FIGURES FOR 1997, 1998 AND 1999

AVERAGE WAITING PERIOD FOR DUBLIN

	1997	1998	1999	2000
Weeks	12	10	9	8

AVERAGE WAITING PERIOD FOR PROVINCIAL AREAS

	1997	1998	1999	2000
Weeks	16	12	10	12



DISTRIBUTION OF COMPENSATION AWARDED BY THE TRIBUNAL IN DETERMINATIONS OF UNFAIR DISMISSAL

Total Awarded = £ 577,962.45
 Average = £3,777.53

Compensation Award £	Number	Compensation Award £	Number
0	7	5001-6000	8
1 - 250	14	6001-7000	4
251 - 500	16	7001-8000	5
501 - 750	10	8001-9000	0
751 - 1000	4	9001-10000	5
1001 - 2000	29	10001-15000	6
2001 - 3000	20	15001-20000	3
3001 - 4000	11	20001-25000	0
4001 - 5000	9	> 25001	2

Re-instatement was ordered in 2 cases
 Re-engagement was ordered in 4 cases

NUMBER OF SITTINGS OF THE TRIBUNAL AT VARIOUS VENUES

LEINSTER		MUNSTER		CONNAUGHT		ULSTER	
VENUE	NO. OF SITTINGS AT EACH VENUE	VENUE	NO. OF SITTINGS AT EACH VENUE	VENUE	NO. OF SITTINGS AT EACH VENUE	VENUE	NO. OF SITTINGS AT EACH VENUE
Arklow	1	Bantry	2	Ballina	5	Ballybofey	1
Athlone	8	Cashel	3	Ballinasloe	2	Buncrana	7
Athy	3	Charleville	3	Carrick-on-		Carrickmacross	1
Birr	1	Clonmel	11	Shannon	3	Cavan	4
Carlow	9	Cork	56	Castlebar	9	Donegal	6
Drogheda	15	Dungarvan	2	Castlerea	2	Letterkenny	11
Dublin	313	Ennis	10	Galway	37	Lifford	1
Dundalk	9	Killarney	11	Loughrea	1	Monaghan	8
Enniscorthy	3	Limerick	34	Sligo	14		
Kells	5	Macroom	3	Tuam	1		
Kildare	1	Mallow	2				
Kilkenny	8	Midleton	1				
Longford	6	Nenagh	2				
Mullingar	3	Newcastlewest	2				
Naas	21	Roscrea	5				
Navan	9	Thurles	2				
Newbridge	1	Tipperary	7				
New Ross	2	Tralee	7				
Portlaoise	5	Waterford	13				
Tullamore	5	Youghal	1				
Wexford	6						
Wicklow	5						
TOTAL	439		177		74		39

PARTICULARS OF TRIBUNAL SITTINGS IN 2000

Qtr. Ended	No. of Sitting days	No. of days 1 Division sat	No. of days 2 Divisions sat	No. of days 3 Divisions sat	No. of days 4 Divisions sat	No. of days 5 Divisions sat	No. of days 6 Divisions sat
31/03/00	59	4	15	17	21	2	0
30/06/00	59	7	8	18	19	5	2
30/09/00	53	9	12	18	12	2	0
31/12/00	55	2	4	16	19	10	4
TOTALS	226	22	39	69	71	19	6

PARTICULARS OF TRIBUNAL SITTINGS IN 2000

Qtr. Ended	No. of Sittings		Total No. of Sittings	No. of days Tribunal sat at 2 venues same day
	Dublin	Provinces		
31/03/00	78	101	179	0
30/6/00	78	115	193	3
30/09/00	61	86	147	2
31/12/00	96	114	210	2
TOTALS	313	416	729	7