

WRC Postponement Guidelines – February 2020

- Applications should be made by submitting a request to dedicated email - postponements@workplacereleations.ie. Applicants will be required to submit relevant supporting documentation for the request at that time
- In the event that an application is made within five working days of the date of the hearing letter the application will be granted automatically, provided the written consent of the other party has been obtained and provided to PRU (Post Registration Unit) with the request.
- Applications submitted on this basis will be limited to one application per party. Any subsequent application(s) will have to be made through the normal process with relevant supporting documentation.
- Applications outside of the five working day period mentioned above will be processed under the current process. On receipt of such an application, PRU will advise the other party of the request, generally by email, setting out, in general, the reason for the request but will not provide the party with the supporting documentation – as this generally contains personal information and is subject to GDPR.
- That party will be given two days to furnish comments on the application – by email will suffice. PRU will process the request on receipt of this information. In the event that the party makes no comments on the application within the period indicated, the application will be decided on the basis of the applicant’s material when the period permitted to comment has expired.
- In the event that the application is approved both parties will be subsequently notified of the outcome in writing advising that the hearing is postponed. Similarly, both parties will be informed, in writing, if the application is refused and the hearing arrangements will be affirmed.
- The current test is “exceptional circumstances and substantial reasons”. This test will be adjusted the closer the application to postpone is to the date of hearing. Requests received within five working days of the Hearings will be assessed against a test of “exceptional and unforeseen circumstances and substantial reasons”.
- This initial decision will be subject to review as is the current practice. However, on a pilot basis, the review (in respect of hearings in Dublin) will be conducted by an Adjudication Officer at a postponement review hearing in Lansdowne House. Applicants will have to attend in person to advance the review application. Only cases that have been processed for the review process will be dealt with at the hearing. Parties cannot bring any requests for reviews of other cases.
- The WRC will advise the applicant in writing of the date, time and venue for the review hearing and the WRC will notify the other side of the review and they can either attend the Hearing in person or submit written observations. It is proposed that these review hearings will take place on a Tuesday morning. The process will be kept under constant review and a full evaluation will be conducted at end October 2020.