



An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

Information for Practitioners/Representatives

To date, online is the preferred method of referral of complaints to the Workplace Relations Commission. Approximately 84% of all complaints referred to date have been submitted online.

Where a complaint has been submitted online, it is not necessary to submit a hard copy or an electronic copy by e-mail. Duplicate referrals may result in delayed acknowledgement and processing of the complaint.

Where a valid e-mail address is included, an automated e-mail confirmation of receipt of the complaint by the Commission will issue. The e-mail confirmation includes the unique reference number allocated. Queries regarding receipt by the Commission of complaints, correspondence or requests for a case status update are most efficiently dealt with by contacting the Workplace Relations Customer Service Information Section at lo-call 0818 **80 80 90**.

When submitting complaints, practitioners should try to ensure that the complaint is referred in a single online or hard copy submission. Where possible, submission of piecemeal complaints should be avoided. It is appreciated that this may not always be possible, for example where the statutory deadline date for referral of a complaint is approaching.

Where there is more than one respondent, a separate complaint application should be referred for each respondent. This will enable the allocation of a unique reference number for each respondent.

Where more than one respondent is indicated, it may be necessary to return the referral to establish or clarify the specific complaints referred against each respondent.

If a single hearing involving several respondents is preferred, this should be indicated on the online referral or in the documentation accompanying a hard copy complaint referred.

Notification to the respondent that a complaint has been referred is issued to the address provided by the complainant under the "Respondent/Employer's Full Legal Details" on the referral. In the case of larger respondent organisations, practitioners might consider providing the mailing address

of the Human Resources Department / Head Office of the respondent for notification and correspondence purposes rather than the work address of the complainant. In such circumstances, it is not necessary to repeat the Head Office address later on in the referral.

When responding to complaint notifications, or informing the Commission of the appointment of representatives, where known, the name and contact details of the person responsible for handling the complaint in the firm or organisation should be included.

The complaint reference number and/or Adjudication file reference number should be quoted on all correspondence to the Commission and the party represented clearly identified.

When submitting written statements, practitioners should ensure that all relevant procedures for the submission of written statements and supporting documentation have been complied with. These are set out in the 'PROCEDURES IN THE INVESTIGATION AND ADJUDICATION OF EMPLOYMENT AND EQUALITY COMPLAINTS' available at www.workplacerelations.ie under 'Publications & Forms/Information Guides and Booklets'.

Where possible, the statement should be short and concise and contain

- a) A summary of the factual background to the complaint.
- b) A summary of the evidence to be adduced by, or on behalf of the parties.
- c) A summary of any legal arguments that may be relied upon in the course of the hearing, appending case law where appropriate.
- d) Where relevant, the number and details/names of witnesses that it is proposed to call at the hearing.

Supporting documentation attached as appendices should only include documents directly relevant to the complaint.

Where written statements have been requested but not received by the Commission within a reasonable timeframe, the complaint will proceed and be scheduled for hearing.

It is Commission policy to copy all relevant correspondence received from one party to a complaint to the other party. It is important, therefore, that correspondence does not include information regarding complaints against different respondents represented, unless the complaints are connected and for concurrent hearing.

In general, additional documentation, submissions or statements should also be copied to the other party to the complaint (or their representative) at the same time it is sent to the Commission.

Copies of all documentation submitted to the Commission and any documentation received from the other party via the Commission should be retained and brought to the hearing.

Statements and supporting documentation relating to complaints already referred to the Commission may be e-mailed to submissions@workplacerelations.ie. There is no requirement to re-submit the material in hard copy format.

Where a complaint is scheduled for hearing within the following 14 days and practitioners wish to amend or add further information that will be relied upon at the hearing, it should be copied to the other party (or their representative) in addition to the Commission. The material may be submitted to the Commission by email to pru@workplacerelations.ie. This will ensure that all parties are in possession of all the relevant material on the day of the hearing.

Finally, furnishing substantial hard copy documentation for the first time on the day of the hearing should be avoided as it is unfair to the adjudicator and the other party and impacts directly on the efficiency of the hearing. It may also give rise to delays and additional costs to both parties.

Workplace Relations Commission

Information and Customer Service

www.workplacerelations.ie

Lo-call 0818 80 80 90