FREE EMPLOYER CHECKLIST · IRELAND

HR Caseworx

Workplace Relations Commission Adjudication

Employer Preparation Checklist

From the complaint form to the Labour Court appeal deadline, step by step.

A complaint has been made against your business and a hearing is coming. This checklist takes you from the day the complaint form arrives to the day a decision is implemented. Work through it in order and tick each box as you go. Most cases are won or lost in the preparation, long before anyone walks into the hearing room.

1 When the complaint form arrives

- [ ] **Find the reference number.** Quote the adjudication reference number on every letter and email you send to the Workplace Relations Commission.
- [ ] **Check who has been named.** Make sure the respondent is your correct legal employer, for example the limited company and not a trading name or an individual manager. If it is wrong, write to the Commission, copy the other side and raise it again at the start of the hearing.
- [ ] **List every complaint.** Each complaint ticked on the form, under each Act, needs its own answer. Do not answer only the headline complaint.
- [ ] **Diary every deadline today.** The hearing date, the 10 working day window for postponement or remote hearing objections, and your written submission, due at least 15 working days before the hearing.
- [ ] **Protect the evidence.** Stop routine deletion of emails, messages, rosters, time records and any security camera footage linked to the complaint.
- [ ] **Name one person to run the file.** Human resources supports, organises and prepares. The managers who made the decisions give the evidence.

2 Check time limits and preliminary points

- [ ] **Check the six month rule.** A complaint must normally be made within six months of the date of the contravention (section 41, Workplace Relations Act 2015). Compare the dates on the form with your own records.
- [ ] **Be ready for an extension argument.** An adjudicator can extend the time to twelve months if the employee shows reasonable cause for the delay. Prepare your answer to any reason they give.
- [ ] **Check jurisdiction.** Was the person an employee of this business? Do they meet any service or other requirement in the Act they rely on? Is the complaint one the Commission can hear?
- [ ] **Put preliminary points first.** Preliminary issues are dealt with at the start of the hearing, before opening statements. Set them out clearly at the top of your written submission.
- [ ] **Prepare the full defence anyway.** Never rely on a preliminary point alone. If it does not succeed, you must be ready to answer the whole case on the day.

3 Consider mediation

- [ ] **Know what it is.** Mediation is offered under section 39 of the Workplace Relations Act 2015. It is voluntary and both sides must agree to take part.
- [ ] **Know how it works.** It takes place by telephone or face to face, and it is confidential.
- [ ] **Understand the outcome.** A signed mediation agreement is binding and can be enforced in a competent court. If mediation does not resolve the case, it goes on to adjudication.
- [ ] **Check it is available.** Pre-adjudication mediation is not available for every complaint, for example individual industrial relations disputes or redundancy payment complaints.
- [ ] **Send someone with authority.** The person who attends must be able to agree terms on the day, or reach the person who can.

4 Build the timeline

- [ ] **Write a one page chronology.** Every relevant date, what happened, who was involved and the page number of the document that proves it.
- [ ] **Start at the beginning.** Begin with the start of employment and the contract, then every event up to the complaint.
- [ ] **Match every date to a document.** A date with no document behind it is a weak point. Find the record or be honest that it does not exist.
- [ ] **Check fair procedures step by step.** Under the Code of Practice on Grievance and Disciplinary Procedures (S.I. No. 146 of 2000): did the employee know the allegations, get the evidence, have the chance to respond, have the right to be accompanied, get an impartial decision and the right to appeal?
- [ ] **Mark the disputed facts.** Compare your timeline with the complaint form and note every point where the stories differ. That is where your evidence must be strongest.

5 The document bundle

- [ ] **Make four printed copies.** Clearly organised and page numbered: one each for the adjudicator, the other side, the witness and you.
- [ ] **Put an index at the front.** List every document with its page number, in one consistent order, by date or by issue.
- [ ] **Include the core documents.** Contract and written terms, the relevant policies, every invitation letter, meeting minutes, investigation report, outcome letter, appeal letter and appeal outcome.
- [ ] **Add pay and time records where relevant.** Payslips, rosters, timesheets and leave records, if pay, hours or leave are in dispute.
- [ ] **Remove what is not needed.** Hearings are usually public. Leave out other employees' personal information that is not relevant to the case.

6 The written submission

- [ ] **Send it on time.** At least 15 working days before the hearing, to the Commission, with a copy to the other side, quoting the reference number.
- [ ] **Use a clear structure.** 1. The parties and reference. 2. Preliminary points. 3. A summary of the facts. 4. Your answer to each complaint. 5. The law you rely on. 6. Your conclusion. 7. A list of documents and witnesses.
- [ ] **Stick to facts.** Refer to bundle page numbers. Leave out opinion, emotion and comments about the employee's character.
- [ ] **Stay consistent.** What you say now must match what you wrote at the time. An adjudicator will notice a new reason that appears for the first time in the submission.
- [ ] **Check every legal reference.** If any part was drafted with an artificial intelligence tool, check each case and section yourself. Invented citations happen, and you have a duty not to mislead.

7 Witnesses

- [ ] **Bring the decision makers.** The person who investigated, the person who decided and the person who heard the appeal. Evidence from someone who was not there carries far less weight.
- [ ] **Check availability now.** Confirm each witness can attend on the date and at the time. If a key witness cannot, act within the 10 working day postponement window.
- [ ] **Write a short outline for each witness.** In their own words: what they did, when and why, with the bundle pages they will refer to.
- [ ] **Explain the oath or affirmation.** Evidence may be taken on oath or affirmation. Giving false evidence is a criminal offence, punishable by a fine, prison or both.

- [ ] **Prepare, never coach.** Explain the process and that they will be cross-examined. Never tell a witness what to say.
- [ ] **Arrange supports early.** If anyone needs an interpreter or other support, write to the Commission in advance (pru@workplacerelations.ie for interpreters).

8 Postponements and hearing format

- [ ] **Act within 10 working days.** Postponement requests and objections to a remote hearing should be made within 10 working days of the hearing letter.
- [ ] **Ask the other side first.** Apply on consent if at all possible. Late or contested requests are only granted for substantial reasons and exceptional circumstances.
- [ ] **Know the refusal route.** A refused postponement can be appealed within 2 working days.
- [ ] **Ask early for a hybrid hearing if needed.** For example, where a witness is based abroad. This also falls within the 10 working day window.
- [ ] **Copy everything.** Every request and objection must be copied to the other side as a matter of fair procedure.

9 On the day

- [ ] **Expect a public hearing.** Hearings are held in public unless the adjudicator decides special circumstances apply. Both sides agreeing is not enough, and concern about reputation alone is not enough.
- [ ] **Expect to be named.** The written decision names the parties and is published on the Commission's website, unless the adjudicator orders it anonymised.
- [ ] **Know the order.** Preliminary issues, opening statements, evidence from each witness, cross-examination, then closing statements and legal submissions.
- [ ] **Be ready for direct questions.** The adjudicator may question any witness. Be able to say plainly what happened, when, who decided and why.
- [ ] **Cross-examine on facts.** Keep questions short and about the evidence. Never argue with or belittle a witness.
- [ ] **Look and act professional.** Arrive early, dress professionally, speak respectfully and never interrupt.
- [ ] **Budget for your own costs.** The Commission cannot award legal costs. Each side pays its own fees, even if it wins.

10 After the hearing

- [ ] **Watch for the decision.** Decisions are targeted within six weeks of the hearing and are then published on the Commission's website.
- [ ] **Diary the appeal deadline the day it arrives.** An appeal to the Labour Court must be made not later than 42 days from the date of the decision (section 44, Workplace Relations Act 2015).
- [ ] **Do not count on an extension.** The Labour Court extends that time only for exceptional circumstances. In 2026 it refused to hear an appeal lodged just three days late.
- [ ] **If you do not appeal, implement it.** Pay, reinstate or re-engage as ordered. After 56 days from the date the decision issued, the employee can apply to the District Court to enforce it, or ask the Commission for help to do so.
- [ ] **Learn from it.** Whatever the outcome, review what the process got right and wrong, and fix the policy, training or letters before the next case.

11 Common employer mistakes

Leaving the letter in a drawer.	Weeks are lost and the 15 working day submission deadline is missed.
Not challenging the wrong employer name.	The wrong legal entity is left on the record.
Forgetting to copy the other side.	Fair procedure applies to the employer too.
A bundle with no index or page numbers.	The adjudicator cannot follow your story.
The decision maker stays at home.	Someone reads from a file they did not write.
A new reason appears at the hearing.	It was never in the letters, so it looks invented.
Human resources chaired the process.	Managers should decide. Human resources should support.
Assuming the hearing is private.	Most are public and the decision names you.
Missing the 42 day appeal deadline.	Three days late can mean no appeal at all.

RED FLAGS: get specialist help now if any of these apply

- ! Nobody has diarised the hearing date or the submission deadline.
- ! The person who made the decision has left, or cannot attend.
- ! There are no minutes for a key meeting.
- ! The dismissal or outcome letter offered no right of appeal.
- ! The employee was never shown the evidence against them.
- ! The dates on the complaint form fall outside six months and nobody has raised it.
- ! You cannot explain the decision, and why it was fair, in two sentences.
- ! The hearing is less than 15 working days away and there is no written submission.

Not sure your case is ready?

We have prepared employers for more than 100 Workplace Relations Commission and Labour Court hearings. We can review your timeline, bundle and submission, prepare your witnesses, and tell you honestly where the weak points are, while there is still time to deal with them.

WhatsApp: 087 438 9223

Book a call: www.hrcaseworx.com

Follow us on LinkedIn for a new free checklist every week: linkedin.com/company/hr-caseworx

Human resources supports. Managers decide. Fair procedures throughout.

Sources

1. **Workplace Relations Commission: Prepare for a hearing, respondent checklist**
https://www.workplacerelations.ie/en/complaints_disputes/adjudication/prepare-for-a-wrc-hearing-respondent-checklist.pdf

2. **Law Society of Ireland: Practice note on Workplace Relations Commission adjudication practice and procedures**
https://www.lawsociety.ie/Solicitors/knowledge-base/Practice-Notes/workplace-relations-commission--practice--procedures-for-adjudication-complaints-and-hearings/

3. **Workplace Relations Commission: Mediation for employment rights complaints**
https://www.workplacerelations.ie/en/what-we-do/industrial%20relations/mediation_services/mediation%20employment%20rights/mediation_er.html

4. **Workplace Relations Commission: Workplace Relations (Miscellaneous Provisions) Act 2021**
https://www.workplacerelations.ie/en/complaints_disputes/adjudication/workplace-relations-miscellaneous-provisions-act-2021

5. **Workplace Relations Commission: Enforcement of decisions**
https://www.workplacerelations.ie/en/complaints_disputes/enforcement

6. **Labour Court determination FTD266 (July 2026), time limit for appeals**
https://www.workplacerelations.ie/en/cases/2026/july/ftd266.html

7. **Workplace Relations Act 2015, Irish Statute Book**
https://www.irishstatutebook.ie/eli/2015/act/16/enacted/en/html

8. **Code of Practice on Grievance and Disciplinary Procedures, S.I. No. 146 of 2000**
https://www.irishstatutebook.ie/eli/2000/si/146/made/en/print

9. **Legal Island: How to meet time limits for complaints to the Workplace Relations Commission**
https://legal-island.ie/employment-law-hub/how-to-meet-time-limits-for-complaints-to-the-wrc

This checklist is general guidance for employers in Ireland and is not legal advice. Procedures can change, so always check the current Workplace Relations Commission guidance for your case. Checked October 2026.