



An Binse Achomhairc Fostaíochta
Employment Appeals Tribunal

Employment Appeals Tribunal

Annual Report

2025

Presented to the Minister for Enterprise, Tourism and Employment under
Section 39 (18) of the Redundancy Payments Acts 1967 to 2014

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Mission Statement

‘To provide an inexpensive and relatively informal means for the adjudication of disputes on employment rights under the body of legislation that comes within the scope of the Tribunal.’

Chairman's Foreword

Dear Minister

I am pleased to submit to you the 58th Annual Report of the Employment Appeals Tribunal for the year 2025, in accordance with Section 39 (18) of the Redundancy Payments Acts 1967 to 2014. The Redundancy Appeals Tribunal, established under that 1967 Act, became known as the Employment Appeals Tribunal under the Unfair Dismissals Act, 1977 and will hereinafter be referred to as the Tribunal.

The Tribunal is an independent quasi-judicial body which derives its jurisdiction from several employment protection statutes. The major part of the Tribunal's work is to adjudicate on employment law disputes arising on the termination of the employment relationship. It also has an appellant function with regard to disputes that arise during the course of the employment relationship. However, under the Unfair Dismissal Acts 1977 to 1993 a claimant could elect to have his/her case for unfair dismissal heard in private before a Rights Commissioner or in public before the Tribunal. In the former instance an appeal lay to the Tribunal. Each year a majority of claimants elected to have their unfair dismissal claim heard in public by the Tribunal. The Tribunal deals exclusively with individual employment rights disputes rather than disputes of interest.

The Tribunal's decisions, in general, are based on the sworn oral evidence, including cross examination, of the parties and their witnesses. All hearings before the Tribunal are in public, unless an application by either party to have their case heard in-camera, is granted.

As part of the reorganisation of the employment disputes resolution bodies under the Workplace Relations Act 2015 a two-tier adjudication system has replaced the original system. The reorganised system consists of the Workplace Relations Commission as the first instance body and the Labour Court as the appellate body. These two bodies now adjudicate on all employment disputes, whether disputes of rights or interests. Vesting day for the reorganised system was 1st October 2015.

All legacy cases have now been finalised by the Tribunal.

During 2025 the Tribunal lost two members who had given long and valued service to the Tribunal.

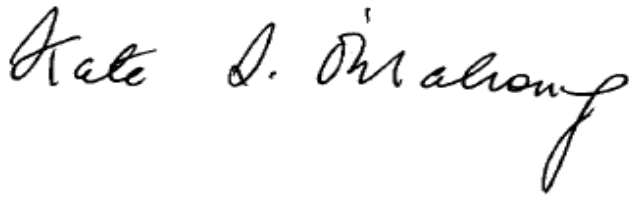
On behalf of the members of the Tribunal and myself I wish to extend our deep sympathy to the MacCarthy family on the death of Dermot MacCarthy SC whose extensive knowledge of the law and his vast experience made him a very valued member of the Tribunal.

I also extend our deep sympathy to the O'Donnell family on the death of Seamus O'Donnell who was a long standing and very valued member of the Tribunal.

I thank you Minister and the Department for providing the facilities and resources to enable the Tribunal to carry out its work in 2025.

Finally, I would like to thank Therese Hickey of the Secretariat for her outstanding and the invaluable support she continues to give to the Tribunal. Her experience and expertise in the administrative function of the Tribunal coupled with her invariable good humour make her a pleasure to work with. I would like to express my sincere gratitude to the members of the Tribunal for their continuing commitment. Their knowledge and expertise are an invaluable asset to the Tribunal.

Yours sincerely

A handwritten signature in black ink that reads "Kate T. O'Mahony". The signature is written in a cursive style with a large, prominent 'K' and 'O'.

Kate T O'Mahony BL
Chairman

Members of the Tribunal 2025

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|----------------------------------|-------------------------|-------------------------|----------------------------------|
| CHAIRMAN | | | |
| Kate T O'Mahony B.L. | | | |
| | | | |
| VICE-CHAIRMEN | EMPLOYERS' PANEL | EMPLOYEES' PANEL | Secretary to the Tribunal |
| Penelope McGrath B.L. | Joe Browne | Noel Dowling | Robert Furlong |
| Niamh O'Carroll Kelly B.L | James O'Neill | Suzanne Kelly | |
| | Neil Ormond | | |
| | | | |

1. Dissolution of the Employment Appeals Tribunal

1.1 Workplace Relations Act 2015

Under the Workplace Relations Act 2015 (No.16 of 2015), the functions of the Employment Appeals Tribunal ceased in relation to new claims or appeals and no such cases have been lodged with the Tribunal since 1st October 2015. The Workplace Relations Commission has assumed, inter alia, the first-instance functions of the Employment Appeals Tribunal. The Labour Court now has sole appellate jurisdiction in all disputes arising under employment rights legalisation. All new employment rights claims and appeals are being lodged with the Workplace Relations Commission and the Labour Court respectively since 1st October 2015.

The Tribunal retained its implementation function in respect of Rights Commissioners' Recommendations but this function remains to be transferred within the reformed system.

1.2 Dissolution of the EAT

All legacy cases lodged with the Tribunal before 1st October 2015 are now finalised before the Tribunal. However, in 2024, the Tribunal has been notified of one case which has been appealed to both the Circuit Court and the High Court.

2. Contact

The Secretariat can be contacted at:

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**Phone: 01 6313085
Email: eat@enterprise.gov.ie**

3. Case Statistics

3.1 Legacy Cases Disposed of in 2025

All legacy cases were finalised by the Tribunal by year end of 2024

3.2 Cases Referred in 2025

There were no applications to implement a decision or recommendation of the Rights Commissioners.

One decision of the Tribunal has been referred to the High Court. The EAT Residual Unit awaits the High Court judgment in that matter to ascertain whether it will be returned to the EAT for a De Novo hearing.

3.3 Cases remaining to be finalised

There are no legacy cases to be heard by the Tribunal.

4. Appeals to the Higher Courts

Determinations of the Tribunal may be judicially reviewed or appealed under some Acts on a point of law to the High Court.

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 Circuit Court Rules (www.courts.ie). The regulations also provide a means for the Tribunal to be informed of the referral and the result of cases appealed to the Circuit Court. From information supplied approximately two cases (both appeals and enforcements) progressed to the Circuit Court.

5. Determinations of the Tribunal

The Tribunal maintains a public register of its Determinations, in accordance with statute. The Register is open for inspection, free of charge, by any member of the public during normal business hours at its offices in Lansdowne House. A number of Determinations are also available on the website www.workplacerelations.ie. However, in 2026 the process of uploading all Determinations to the website will commence.