

Workplace Relations

Guidance Notes for Completion of Complaint Form

When should you use this Form?

This complaint form should be used to make complaints in relation to potential contraventions of employment, equality, equal status and certain industrial relations legislation.

How can I complete this Form?

This Form is available:

- 1) online at www.workplacerelations.ie. The Form can be opened, completed and then printed down and signed prior to submission, you may also save a copy for your own records
- 2) in hardcopy for completion in manuscript.

When should this Form not be used?

This Form should **not** be used when:

- 1) Appealing a decision or determination made under employment, equality, equal status and certain industrial relations legislation, (include link to relevant website page)
- 2) Referring a collective dispute for decision by the relevant authorities, or (include link to relevant website page)
- 3) Seeking the enforcement of a decision or determination made under employment, equality, equal status and certain industrial relations legislation. (include link to relevant website page).

How does the Form work?

The processes involved in completing this Form are as follows:

- A) Contact numbers and certain other details for the Complainant/Employee and the Respondent/Employer must be provided,
- B) You will be asked to indicate the general area within which the complaint falls (e.g. Pay, Hours of Work, Equality, Pensions, Redundancy, Industrial Relations etc.),
- C) In respect of each of the general areas chosen, you will be asked to select the nature of the Complaint (e.g. under Pay it may be non-receipt of a payslip, failure to pay the statutory minimum rate of pay, etc.). Information Notes are available to assist in your selection,



- D) You may be asked to provide additional details required to process certain complaints,
- E) You will then be asked to set out the complaint in your own words,
- F) You will then be given information in relation to the redress mechanisms (e.g. Rights Commissioner service, Labour Court , Equality Tribunal, investigation by an Inspector, etc.) available for each complaint and you will be asked to select one of these mechanisms for each complaint,
- G) The Complaint Form should then be printed, signed and submitted to:

Workplace Relations Customer Services
Department of Jobs, Enterprise and Innovation
O'Brien Road
Carlow

Please enclose copies of any relevant correspondence between you and the respondent in the matter.

What will happen to my Complaint?

You will receive an acknowledgement of your complaint on its receipt by the Workplace Relations Customer Services Unit with a case reference number which you should use in all subsequent correspondence.

In certain cases an officer of the Workplace Relations' *Early Resolution Service* may contact the Complainant and the Respondent with a view to attempting to encourage and facilitate both parties to resolve issues as an alternative to a formal hearing or an inspection.

If both parties are unwilling to engage in early resolution or if attempts at early resolution are unsuccessful, the complaint will be referred to the relevant redress forum (i.e. Rights Commissioner Service, Equality Tribunal, the Employment Appeals Tribunal, the National Employment Rights Authority's Inspection Services or the Labour Court).

Where can I get more information on my rights and the legislation involved?

More information in relation to employment, equality, equal status and industrial relations legislation can be found on www.workplacerelations.ie or by ringing the information line on 1890 80 80 90.

