8. Misconduct

The Acts do not affect the right of an employer or an employee to terminate a contract of employment without notice due to the misconduct of the other party.

9. Employment Appeals Tribunal

Disputes about such matters as the right to notice, length of notice, calculation of continuous service or dismissal due to misconduct may be referred to the Employment Appeals Tribunal, Davitt House, Adelaide Road, Dublin 2. The Tribunal, which includes representatives of employers' and workers' bodies, may investigate a dispute and give a decision on it. The Tribunal may award compensation to an employee whose employer has not given the employee proper notice or who has not paid the employee properly during his/her period of notice. A party to proceedings before the Tribunal may appeal to the High Court from a decision of the Tribunal on a point of law. The Minister, at the request of the Tribunal, may refer a question of law to the High Court for determination.

10. Enforcement of Decisions of Employment Appeals Tribunal

An employer must carry out a decision of the Tribunal within 6 weeks, unless the decision is under appeal to the High Court. If an employer fails to implement such a decision, the employee's trade union or the Minister may institute legal proceedings on behalf of the employee seeking payment of the award made by the Tribunal.

11. Repeal of Sections 9 and 10 of the Minimum Notice and Terms of Employment Act, 1973

Sections 9 and 10 of the 1973 Act, which relate to an employee's entitlement to information about terms of employment, have been repealed. These sections have been overtaken by the provisions of the Terms of Employment (Information) Act, 1994, on which a separate explanatory booklet is available from the Department.

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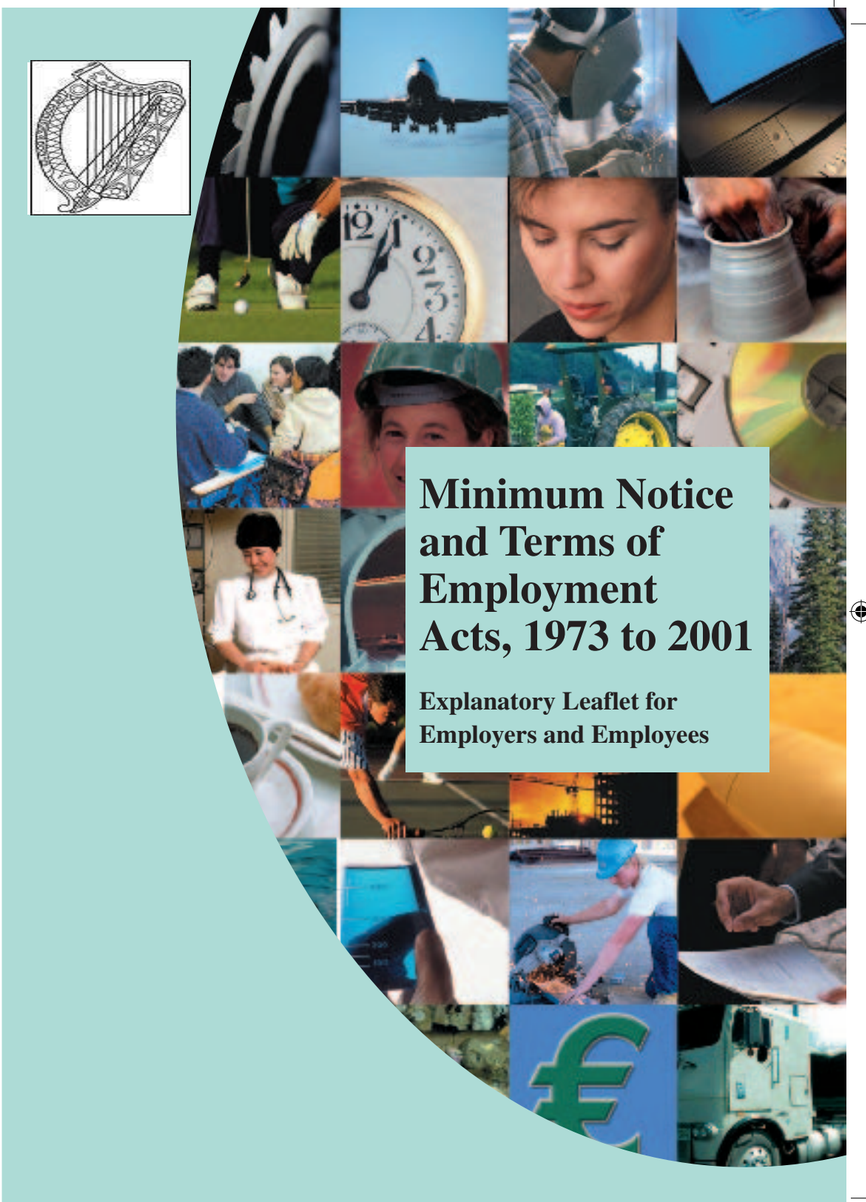

Minimum Notice and Terms of Employment Acts, 1973 to 2001

Explanatory Leaflet for Employers and Employees

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