



Unfair Dismissal and the case of Bank of Ireland –v- Reilly*

The case of Bank of Ireland –v- Reilly [2015] IEHC241 is a decision which anybody involved in employment law should look at carefully. Effectively it is that case decided that where one employee is treated differently from others who have acted similarly that dismissing one employee and not taking action against other employees can result in the dismissal being deemed unfair even if the actions of the employee if they had been the sole wrong doer would have grounded a defence to an unfair Dismissal claim.

The Adjudication Officer in this case also referred to the decision in Nurendale trading as Panda Waste and Burke UD/15/1 in the Labour Court decision. This matter has been appealed by Nurendale to the High Court by way of Judicial Review. That is a case where this office has been involved and is involved in the High Court proceedings.

In this case ADJ2402 the Adjudication Officer relying on those decisions awarded compensation to the employee of €6,000.

***Before acting or refraining from acting on anything in this guide, legal advice should be sought from a solicitor.**

****In contentious cases, a solicitor may not charge fees or expenses as a portion or percentage of any award of settlement.**