



## Ireland appeal court judgment restricts use of injunctions in dismissals

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The judgment effectively restricts the circumstances under which an injunction against dismissal can be granted to cases where an employee is threatened with dismissal for alleged misconduct, which law firm GQ Littler claims will make it easier for Irish employers to dismiss poor performers.

The firm says employee injunctions are a significant problem for Irish businesses. These orders force organisations to keep an employee on the payroll until a full hearing, which can take place as much as a year after the injunction granted

**Niall Pelly**, partner at GQ|Littler, described the case as “one of the most important employment law decisions in Ireland in years”.

He said: “It will considerably re-balance the power dynamic between employees and employers during contentious dismissals.

“Injunctions can cost businesses hundreds of thousands of euros to defend, and can take months if not years, to settle. But it’s not just the cost that concerns employers. Often the issue of greater concern is the uncertainty, instability, and managerial deadlock that results – particularly when it involves member of senior management.

“This case is particularly important in making it clear that injunctions should be limited only to cases where an employee is being dismissed for misconduct, and especially so where an employee is still in their probation period.”

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