

**Complaint under Section 77 of The Employment Equality Act, 1998**

**JOHN HAMILL**

**Complainant**

**– and –**

**DEPARTMENT OF DEFENCE**

**Respondent**

**Index of Authorities relied upon by the Respondent**

Irish statutory provisions:

1. Section 37(2), Employment Equality Act 1998 (as substituted by s.25, Equality Act 2004)

EU statutory provisions:

2. Recital 23 and Article 4, Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

Jurisprudence of the CJEU (including opinions of the Advocate General):

3. Case C-188/15 *Asma Bougnaoui and Association de défense des droits de l'homme (ADDH) v Micropole SA*, Opinion of Advocate General Sharpston delivered on 13 July 2016, ECLI:EU:C:2016:553 (in particular §§90-102)
4. Case C-188/15 *Asma Bougnaoui and Association de défense des droits de l'homme (ADDH) v Micropole SA*, Judgment of the Court (Grand Chamber) of 14 March 2017, ECLI:EU:C:2017:204 (in particular §§34-41)

Employment Equality Decisions:

5. DEC-E2010-150 *Isabella Lazar v. Dublin Bus* (Equality Tribunal)
6. DEC-E2011-184 *John Corbett v. Bus Eireann* (Equality Tribunal)
7. DEC-E2015-151 *Eugene Hogan v. The Young Women's Christian Association* (YWCA)

Relevant texts:

8. Employment Equality Law, Bolger, Bruton & Kimber, 2012 (in particular §3.24, §9.40, §§9.95-9.97)
9. *Equality Law in the Workplace*, Purdy, 2015 (in particular §§ 15.77-15.84)