

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in Meeting Room 2, Council Offices, Garshake Road, Dumbarton on Monday 29 November 2004 at 9.30 a.m.

Present: Councillors Margaret Bootland, James Bollan, Jackie Maceira and James McCallum.

Attending: Nigel Ettles, Principal Solicitor.

Apologies: Apologies for absence were intimated on behalf of Councillors Denis Agnew and Connie O'Sullivan.

Councillor Margaret Bootland in the Chair

EXCLUSION OF PRESS AND PUBLIC

4374 The Committee approved the following resolution:-

4375 "That under Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act".

GRIEVANCE APPEAL (REF: APP/04/01)

4376 There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a grievance. There was also submitted a Note of the procedure to be followed at the Hearing of the Appeal.

4377 The Appellant was present and was represented by Charlie McDonald of the Transport and General Workers Union. The Department in which the Appellant was employed was represented by Raymond Lynch, Solicitor.

4378 Mr McDonald presented the case for the Appellant and was then questioned by Mr Lynch and Members of the Committee.

4379 Mr Lynch called as witnesses John Brannigan, Area Manager - Catering and Cleaning, Pat Bradley, Personnel Officer and Bob Davidson, Section Head - Catering and Cleaning. The witnesses were questioned by Mr Lynch, Mr McDonald and Members of the Committee.

4380 Mr Lynch and then Mr McDonald summed up their respective cases and thereafter both parties withdrew from the Meeting. After the Committee had deliberated the matter in private, both parties were re-admitted to the Meeting and advised that the grounds of the Appeal had been substantiated and the Appeal had been upheld. The Appellant was therefore to be paid mileage in relation to the overtime worked by him, backdated to the date when payment of his mileage had ceased.

The meeting closed at 11.57 a.m.