

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in the Council Offices, Garshake Road, Dumbarton on Thursday 2 February 2006 at 9.40 a.m.

Present: Councillors Joe Pilkington, George Black, Margaret Bootland, Jackie Maceira, James McCallum and Martin Rooney.

Attending: Nigel Ettles, Principal Solicitor.

Apology: An apology for absence was intimated on behalf of Councillor James Bollan

Councillor Joe Pilkington in the Chair

EXCLUSION OF PRESS AND PUBLIC

8066 The Committee approved the following resolution:-

8067 "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/05/03)

8068 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.

8069 The Appellant was present and was represented by Brian Courtney of the TGWU. The department in which the Appellant was employed was represented by Raymond Lynch, Solicitor.

8070 Mr Courtney presented the case for the Appellant and was then questioned by Mr Lynch and Members of the Committee.

8071 Mr Lynch called as witnesses Bob Davidson, Section Head - Facilities Management and Alex Thomson, Section Head - Operations. The witnesses were questioned by Mr Lynch, Mr Courtney and Members of the Committee.

8072 Mr Lynch and then Mr Courtney 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 Committee found that Management had acted correctly in their treatment of the initial twelve month period of absence but the Committee recommended that the Appellant be awarded full remuneration for the certificated period of sickness immediately following that twelve month period.

The meeting closed at 11.55 am.