

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in Meeting Room 2, Council Offices, Garshake Road, Dumbarton on Thursday, 10 November 2011 at 9.45 a.m.

Present: Councillors George Black, Jim Bollan, Jim Brown and Jonathan McColl.

Attending: Nigel Ettles, Principal Solicitor, and Geraldine Lyden, HR Business Partner, Educational Services.

Apology: An apology for absence was intimated on behalf of Councillor Ronnie McColl.

Councillor George Black in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

EXCLUSION OF PRESS AND PUBLIC

The Committee approved the following resolution:-

“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 APPEALS (REF: APP/10/02 AND APP/10/03)

There were submitted background papers relating to Appeals which had been submitted to the Council in relation to grievances. There was also submitted a note of the procedure to be followed at the Hearing of the Appeals.

The Appellants were present and were represented by Brian Johnstone of the GMB. Management was represented by Raymond Lynch, Solicitor.

Mr Johnstone presented the case for the Appellants and was then questioned by Mr Lynch and members of the Committee.

Mr Lynch called A.R. as a witness. The witness was questioned by Mr Lynch, Mr Johnstone and members of the Committee.

At the request of members of the Committee, Mr Lynch called A.T. as a witness. The witness was questioned by members of the Committee and Mr Johnstone.

Mr Lynch and then Mr Johnstone summed up their respective cases and thereafter both parties withdrew from the meeting. At the request of the Committee, Ms Lyden remained at the meeting.

After the Committee had deliberated the matter in private, both parties were re-admitted to the meeting and advised that the Committee had found that the grievance was justified and the Appeal had been upheld.

The Committee's decision applied to the period from 8 April 2004 to the date of implementation of Single Status. For any shift within that period which had been paid at the rate of three additional spinal column points, the Appellants were now to be paid the difference between the amount that had actually been paid and the amount that would have been paid if the rate had been time and a third.

The meeting closed at 12.18 p.m.