

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in Meeting Room 2, Council Offices, Garshake Road, Dumbarton on Thursday, 17 March 2011 at 2.00 p.m.

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

Attending: Nigel Ettles, Principal Solicitor and Linda McAlister, Section Head, Policy and Employee Relations.

Apologies: Apologies for absence were intimated on behalf of Councillors Martin Rooney and 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 APPEAL (REF: APP/09/03)

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.

The Appellant was present and was represented by Charlie McDonald of Unite. Management were represented by Raymond Lynch, Solicitor.

The Appellant confirmed that the overtime payments being sought by him were being sought for each of 15 days.

Mr McDonald and the Appellant presented the case for the Appellant and were then questioned by Mr Lynch and members of the Committee.

Mr Lynch called as a witness Lynda McLaughlin, Leisure and Facilities Manager. Ms McLaughlin was questioned by Mr Lynch, Mr McDonald and members of the Committee.

Mr Lynch and then Mr McDonald summed up their respective cases and thereafter both parties withdrew from the meeting. At the request of the Committee, Ms McAlister 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 Appellant was therefore to be paid two hours overtime per day for each of the 15 days specified in his claim.

The meeting closed at 4.28 p.m.