

EMPLOYMENT APPEALS SUB-COMMITTEE HELD: 20 DECEMBER 2005

Start: 9.30am

Finish: 6.30pm

PRESENT:

Councillors Mrs. Taylor (Chairman) Carson
 Forshaw M. Pendleton
 Swiffen

Officers: Assistant Solicitor (JB)
 Human Resources Consultant (HT)
 Member Services Officer (JAJ)

Parties to the : Management Representatives:-
Appeal - Executive Manager Housing Services

 Management Adviser
 - Assistant Human Resources Manager

 Appellants Representative – Les Asher – GMB
 Appellant – Employee Payroll Reference 003367

1. APOLOGIES

There were no apologies for absence.

2. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

3. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. CLARIFICATION OF HUMAN RESOURCES MANAGER'S ROLE

At the commencement of the meeting, the Appellant's representative asked for clarification as to what role the Human Resources Manager would be taking at this hearing as his understanding was that the Human Resources Manager was to act as a witness for the Management's Case.

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After clarification by the Human Resources Manager of what his role would be, the Sub-Committee asked for an adjournment to consider this matter.

RESOLVED That the Human Resources Manager be required to withdraw from the meeting as an advisor to the Management, as he would be called as a witness to give evidence on behalf of the Management during the course of this meeting.

7. LOCAL GOVERNMENT ACT 1972 – SECTION 100 – EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.

8. GRIEVANCE HEARING IN RESPECT OF EMPLOYEE/PAYROLL REFERENCE 003367

The Chairman welcomed both parties to the meeting.

Members were advised that the Sub-Committee was to consider a grievance appeal by an employee of the Council;

Before proceeding to hear and determine the case Members noted the advice circulated prior to the meeting in relation to the role of the Sub-Committee in such a case and to the procedure to be followed as contained on pages 89 and 90 of the Book of Reports, and papers relating to the hearing contained on pages 91 to 377 of the Book of Reports.

In considering the grievance appeal the Sub-Committee had before it the following documents:-

- A. the Appellant's and Management's statements of case containing details of the history/background to the case.
- B. The further bundle of documents that had been circulated containing additional information from the Appellant and the Management.

The Sub-Committee, in accordance with the procedural notes circulated prior to the meeting and noted at its commencement, then heard the following aspect of the appeal.

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- i) an oral submission by and/on behalf of the Appellant;
- ii) questions from the Management and Members of the Sub-Committee to the Appellant
- iii) an oral submission by the Management representative
- iv) questions from the Sub-Committee and the Appellant's representative to the Management
- v) a summing up by the Management representative and the Appellant's representative.

During the hearing the employee was represented by Les Asher from the GMB and the Executive Manager Housing Services was assisted by the Assistant Human Resources Manager.

Because of the length of time it had taken for this grievance to be heard it was :-

RESOLVED: That the Employment Sub-Committee would reconvene at 1pm on Thursday 22nd December 2005 to make their decision, and that the Appellant would receive a letter giving the decision of the Sub-Committee the same day.

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CHAIRMAN