

## **EMPLOYMENT APPEALS COMMITTEE**

Meeting: 7 August 2006  
At: 9.30 am

PRESENT

Councillors Stuart Bodsworth, Chris Murphy and Wendy Meikle.

### **1. ELECTION OF CHAIR**

RESOLVED - That Councillor Wendy Meikle be elected Chair of the Committee for the duration of the meeting.

### **2. DECLARATIONS OF INTEREST**

No declarations were made.

### **3. PUBLIC QUESTION TIME**

No public questions were submitted.

### **4. EXCLUSION OF THE PUBLIC**

RESOLVED - That the public be excluded from the meeting during consideration of agenda item 5 to prevent the disclosure of information relating to an individual. It would not, on balance, be in the public interest to disclose this information to the public because disclosure of the personal information would not be fair to the appellant and therefore be in breach of Data Protection.

Item not for publication

### **5. APPEAL A224**

The Committee considered an appeal against dismissal from an employee of the Environment & Economy Directorate. The Committee heard an appeal from the Appellant that he had been disadvantaged by failure to award a merit increment and access to an NVQ qualification and that the Appellant believed that this was on the grounds of racial discrimination. The Committee read all the evidence and listened carefully to all that was said.

It was then

RESOLVED - (1) That the Committee accepted Management's assertion that the Appellant did not meet the established criteria for the award of a merit increment but they did not believe that this had been denied on racial grounds.

(2) That with regard to the access to the NVQ qualification the Committee were satisfied with the Appellant's assertion that he did not know the correct process to follow to obtain training and they heard no evidence from Management of the procedure to be followed in obtaining that training. The Committee did not believe,

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however, that this failure was on racial grounds.

The Committee therefore requested that Management ensure that all employees within their service and in particular the Appellant, were made aware and given the opportunity and procedure to enable them to apply for any relevant training that was available. Accordingly, the Committee reached the decision that the appeal should be dismissed.

The meeting closed at 12.25 pm.

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