

## **EMPLOYMENT APPEALS COMMITTEE**

Meeting: 27 June 2005

At: 2.00 pm

PRESENT

Councillor Paul Carter (Chair) in the chair; Councillors Chris Gordon and Chris Murphy.

### **1. MINUTES**

The minutes (copies of which had been circulated) of the meeting held on 7 March 2005 were approved as a correct record and signed by the Chair.

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

No declarations were made.

### **3. EXCLUSION OF THE PUBLIC**

RESOLVED - That in order to prevent the disclosure of information not for publication relating to a particular employee, former employee or applicant to become an employee or a particular office holder, former office holder or an applicant to become an office holder under the Council, the public be excluded from the meeting during consideration of agenda item 4 (Minute 4).

Item not for publication

### **4. APPEAL A211**

The Committee considered an appeal against dismissal from an employee of Environment and Economic Development Services. The employee attended the meeting and presented his case.

It was then

RESOLVED –

- The Panel was satisfied that the appellant had been off work on long-term sickness since November 2003, with exception of a short period of time from February 2004.
- The Panel was satisfied that management had followed the medical advice of both the appellant's doctor and that of Company Health.
- The Panel was satisfied that management were unable to find alternative employment suitable for the appellant given his medical condition.
- The appellant suggested that he was fit to work, but had not submitted any evidence since receiving his dismissal letter of his fitness to work, and nor had the appellant sought to notify management of any change in his medical circumstances.

In light of the fact that the appellant had not submitted any further evidence in relation to his medical condition, and that management had been unable to find any alternative work for the appellant suited to his medical circumstances, the Panel found that it was reasonable in the circumstances to dismiss.

Therefore, the Committee upheld the decision of management to dismiss the appellant.

The meeting closed at 3.05 pm.