



CSAC Appeal 001/2019 – Record of Decision

Appeal 001/2019 was received on 21 January 2019 from an Appellant alleging that the Respondent acted unfairly and/or acted in a manner inconsistent with the requirements of Part VII of the PSML during the process in which the Appellant was ultimately dismissed.

Following receipt of submissions from the Respondent and further supporting documents from the Appellant, an Appeal Hearing was held on 19 September 2019. It is noted that Chairman Huw Moses along with members Stacey Vandeveld and Shomari Scott participated in the Appeal Hearing.

The Commission subsequently considered the submissions, witness testimony and relevant legislation. The Commission found that there was a failure of the part of the Appointing Officer to adequately investigate the allegations against the Appellant and in particular to collect evidence of the alleged wrong-doing. The Commission also found that the acts of misconduct did not amount to gross misconduct. The Commission noted that when a dismissal is made by an Appointing Officer the civil servant should be advised of their right of appeal to the Chief Officer and that the civil servant should not be invited to appeal to CSAC directly until their right of appeal to the Chief Office has been determined.

The Commission concluded that the Respondent acted in an unfair manner and as a consequence the Appellant was wrongfully dismissed.

An award in the sum of CI\$3,500 was granted to the Appellant (to be paid within 28 days of the date of the Decision).

The Commission's decision was duly issued on 1 October 2019 to the legal representatives of both the Appellant and Respondent.

Huw St. J. Moses OBE
CHAIRMAN
CIVIL SERVICE APPEALS COMMISSION