



Record of members present and business transacted at meeting held on 1 September 2015 at 12:30pm in the Commissions Secretariat Conference Room, Artemis House.

Members Present

Mr. Donovan Ebanks	-	Chairman
Mr. Lemuel Hurlston	-	Member (in part)
Mrs. Stacey van Develde	-	Member
Mr. Colin Ross	-	Member

Apologies

Ms. Deanna Look Loy	-	Member
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Absent

Mrs. Dorothy Crumbley	-	Member
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Others Present

Ms. Deborah Bodden	-	Manager, Commissions Secretariat
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Confirmation of Previous Minutes

The minutes of 1 July 2015 were confirmed.

Outstanding Appeals

- **Appeal 004/2015**

The Decision in this appeal was previously finalised and released to the Appellant and Respondent. It was also forwarded to the Deputy Governor for his information, along with correspondence requesting further information on broader matters which had arisen during the course of this appeal. The Commission has received an initial response from the Deputy Governor, to which it followed up. The Commission will review this matter again in three months' time.

- **Appeal 005/2015**

Following the granting of a second extension due to the Appellant remaining on extended medical leave, the Commission has now received the Appeal Form and supporting documents in this matter. Following a review of the documents submitted by the Legal Representative for the Appellant, the Commission decided it was necessary, prior to deciding whether or not to accept the Appeal, to request additional information from the Chief

Officer whose decision was being appealed in order to establish whether or not the material demonstrates that the actions of the Chief Officer pass the threshold tests as set out in sections 54(1) and (2) of the PSML. The appellant will be duly notified.

For the record it is noted that member Lemuel Hurlston recused himself from this matter due to his role on the Labour Appeals Tribunal. Mr. Hurlston therefore did not give any input into the process.

- Appeal 006/2015

Having previously accepted this appeal, the Commission has now received a response from the Respondent Chief Officer whose decision is being appealed and a submission from the Appellant's Legal Advisor responding to any new information that was raised by the Chief Officer. After carefully reviewing the appeal submission, the response from the Chief Officer and the follow-up response from the Appellant, the Commission considered the appeal and agreed that there was no evidence to suggest that:

- the Chief Officer acted in an unfair or biased manner; or
- the processes and procedures specified in the Law or Regulations for a dismissal were not followed; or
- the substantive requirements of the Public Service Management Law or Regulations were not complied with.

The Appeal has now been concluded and as such, the Commission's preliminary order to reinstate the employee has expired. The parties will be duly informed.

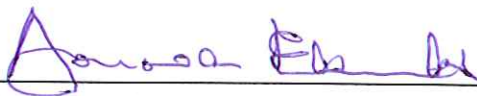
Any Other Business

- Appeal 003/2015

The Acting Chairman in this matter enquired whether the Secretariat had received any follow-up correspondence from the Respondent as requested in the Decision. Having received one verbal update the Secretariat confirmed it has not received copies of any correspondence. The Acting Chairman asked that this be followed up.

Actions

- Secretariat to draft correspondence, for the Chairman's review, in Appeal 005/2015 requesting further information; and
- Secretariat to draft correspondence, for the Chairman's review, in Appeal 006/2015 regarding the outcome of the Appeal.



Donovan Ebanks
CHAIRMAN
CIVIL SERVICE APPEALS COMMISSION