

**Highly qualified candidates with diplomas not relevant to the post cannot be called for interview.**

**Experience cannot compensate for lack of the basic qualification**

The Appellant challenged the decision of Respondent not to consider her for the post of... The two vacancies were filled by two Co-Respondents. Appellant felt aggrieved that she had never been called for interview for the filling of the post. She had been in the service as ...since 1980. In spite of vacancies that occurred in the grade in the past years, her applications were never considered and she was never called for interview. In the present appointment exercise, she was again excluded from the interview.

She was holder of a Certificate in ..., a Certificate in another field of study and even a Diploma in.... According to Appellant, she was an experienced ... and she ranked first in the seniority list. From the year 1980 to 1989, there was no new recruitment in the grade of ... and during the past years, she worked alone with the.... .

Appellant averred that her motivation and her contribution to the progress of the relevant field had not been taken into account in the appointment exercise. She felt that she had the experience and she should have been considered for the post.

Respondent did not deny that Appellant was an experienced person. However, the Scheme of Service for the post required a Diploma in a particular field. Appellant only had a Certificate in ... and had therefore a lower qualification than required. Counsel for Respondent also stated that the Diploma was in a different field which was not related to the sphere and could not be considered as equivalent to a Diploma in the relevant field. Counsel for Respondent disagreed with the suggestion that the syllabus for the Certificate course in the relevant field covered the same subjects as the one leading to the Diploma. If they did, the Diploma Course would be more advanced and in-depth than a Certificate course.

Counsel further submitted that even if Appellant had wide experience, there was a requirement in the Scheme of Service for a Diploma in the specific field which she did not have. She was therefore not eligible for consideration for the post and was not called for interview.

The fact that Appellant had acquired a lot of experience was not disputed. She has also studied and obtained the qualifications she mentioned in her Statement of Case. Unfortunately, she fell short of the requirement of the Scheme of Service. Her long work experience was not enough to compensate for the higher qualification required for the post. She has a Certificate and the Scheme of Service is clear that a Diploma is required and can in no way be considered as an equivalent qualification.

Counsel for Appellant suggested that the Diploma in another field which Appellant held could be considered as equivalent to the Diploma in the relevant field of study. However, it was clear that these two qualifications could not be equated.

The fact that Appellant was assigned the duties on three occasions did not give her a claim to permanent employment as this is always for administrative convenience and does not entitle anyone who is assigned duty any claim for a substantive post. Further, while she was assigned the duties, she was paid a reduced responsibility allowance instead of a full allowance which she would have drawn had she been doing the job in an acting capacity. The reason for this is, of course, because Appellant was not eligible for the post.

The Appellant had not gone over the first hurdle of eligibility, namely that she does not have the required qualifications. All the qualities which she claimed she had could not replace a requirement of the Scheme of Service which is binding which explained why she was not called for an interview.

The Tribunal therefore found no merit in Appellant's case and the appeal was set aside.