

Det 5 of 2012

**When appointment is by promotion, no advertisement is required. Seniority ranking is available in the staff list.**

These are 3 consolidated appeals against the decision of the LGSC to appoint Co-respondent to the detriment of Appellants, on the grounds that Co-respondent did not possess the CPE as minimum qualification, did not have an overall technical knowledge, was not able to train and supervise tradesmen and that the appointment was based on seniority. The Appellants pointed out that there was a lack of transparency in the appointment exercise as they claimed that no vacancy had been advertised. They found out that their seniority ranking had been changed by a notification circular on the board on the last day for making the appeal.

Respondent averred that appointment was made on the basis of promotion and not by selection. Further, Respondent pointed out that notification of appointment was communicated to potential applicants for the post and Appellant had the opportunity to be informed via the notice board at their work place and the website of the concerned authority.

The Tribunal concluded that the grounds of appeal were unfounded as Appellants were wrong concerning the qualifications and experience of Co-Respondent. The Tribunal also drew the attention of the Appellants that they could have consulted their seniority ranking by asking for the staff list. The appeal was set aside since the Appellants did not furnish relevant information and had not understood that the appointment was by promotion and that no advertisement was therefore required.