



# Office of the Castries Constituency

Council

P.O. Box 628  
Castries, St. Lucia,  
West Indies  
Tel: (758) 452-2121/2/3  
Fax: (758) 453-7294  
Email: [admin@cccslu.com](mailto:admin@cccslu.com)

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## OFFICE OF THE MAYOR RESPONSE TO VICTIMIZATION CLAIMS

Castries, April 3, 2017 - On 24th March, 2017 Mr. Mac Stephen Aubertin, the Acting General Secretary of the Civil Service Association, provided HTS News Force with an interview during which he made a number of remarks regarding the Castries Constituency Council's recent dismissal of two of its members.

The Constituency Council is deeply concerned by Mr. Aubertin's remarks and as such, feels compelled to provide the following clarifications.

### **The first disciplinary matter**

On 23rd September, 2016 the Constituency Council held a disciplinary hearing arising from Mr. Camble Deterville's failure to comply with management's instructions requiring him to assume night shift duties during his weekly roster.

Mr. Deterville and his representatives were on this occasion unable to demonstrate that his contract of employment required him to undertake day shift duties only. Mr. Deterville was accordingly unable to avail himself of the provisions of section 35 of the Labour Act that would have required the Constituency Council's management to seek his consent to the proposed roster arrangement.

The Constituency Council determined that the disciplinary complaints against Mr. Deterville had been satisfactorily established. Mr. Deterville was issued with a letter of reprimand on 10th October, 2016.

Mr. Aubertin was accordingly incorrect when he stated that Mr. Deterville had prevailed in this disciplinary matter.

### **The second disciplinary matter**

On 7th November, 2016 Mr. Deterville was asked to answer further disciplinary complaints arising from his refusal to comply with management's instructions to wear uniform attire that was consistent with his rank in the City Constabulary.

These further disciplinary complaints against Mr. Deterville had arisen less than one month after he was issued the letter of reprimand.

This disciplinary complaint was heard on 10th March, 2017 after several adjournments. Mr. Deterville was also made to proceed on 64 days vacation leave prior to the hearing date. Mr. Aubertin was incorrect when he stated that Mr. Deterville had been indefinitely suspended by the Constituency Council prior to his second disciplinary matter.

Mr. Deterville and his attorney were informed of the hearing date for his second disciplinary matter. They however refused to attend. Mr. Aubertin during his interview however wrongly conveyed the impression that Mr. Deterville and his attorney had not been informed of the hearing date for his second disciplinary matter.

Mr. Aubertin during his interview further asserted that the Constituency Council had refused to attend a conciliation meeting with the Labour Department. The Constituency Council was however of the opinion that Mr. Deterville was incapable of seeking the Labour Department's intervention during his disciplinary matter. The Constituency Council's position was communicated to the Labour Department on 6th February, 2017.

The Constituency Council determined that the disciplinary complaints against Mr. Deterville had been satisfactorily established. Mr. Deterville's employment was terminated on 24th March, 2017.

### **The CSA shop steward**

Finally, Mr. Aubertin during his interview alleged that the Constituency Council had recently terminated one of its shop stewards on frivolous grounds. This is incorrect as the employee was terminated for failing to comply with management's instructions as well as for displaying acts of gross insubordination towards the Mayor.

The Constituency Council wishes to emphasize that it continues to abide by the island's labour laws on disciplinary matters involving its employees. The Constituency Council moreover remains strongly committed to building a harmonious relationship with the Civil Service Association.

Ends.