



OFFICE OF THE SERVICES COMMISSIONS
(CENTRAL GOVERNMENT)
MINISTRY OF FINANCE AND THE PUBLIC SERVICE BUILDING
30 NATIONAL HEROES CIRCLE, KINGSTON 4
JAMAICA, WEST INDIES
TEL: 876-922-8600
FAX: 876-924-9764
EMAIL: communications@osc.gov.jm
WEBSITE: www.osc.gov.jm

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Retirement under the Pensions (Public Service) Act, 2017

The attention of Permanent Secretaries, Heads of Department and Chief Executive Officers is again invited to the Pensions (Public Service) Act, 2017, which became operational on the 1st April, 2018. Permanently appointed officers may be granted **normal retirement** from the Public Service pursuant to Section 14(2) of the Pensions (Public Service) Act, 2017, upon attaining their respective retirement age, corresponding with the transition period, as set out in the First Schedule of the Act.

Consequently, the dates of retirement for officers who were born in the **Year 1960** will be as follows:-

RETIREMENT SCHEDULE		
DATES OF BIRTH	RETIREMENT AGE	DATES OF RETIREMENT
January 1 – 31, 1960	61 years 10 months	November 1 – 30, 2021
February 1 – 29, 1960	61 years 11 months	January 1 – 31, 2022
March 1 – 31, 1960	62 years	March 1 – 31, 2022
April 1 – 30, 1960	62 years 1 month	May 1 – 31, 2022
May 1 – 31, 1960	62 years 2 months	July 1 – 31, 2022
June 1 – 30, 1960	62 years 3 months	September 1 – 30, 2022
July 1 – 31, 1960	62 years 4 months	November 1 – 30, 2022
August 1 – 31, 1960	62 years 5 months	January 1 – 31, 2023
September 1 – 30, 1960	62 years 6 months	March 1 – 31, 2023
October 1 – 31, 1960	62 years 7 months	May 1 – 31, 2023
November 1 – 30, 1960	62 years 8 months	July 1 – 31, 2023
December 1 – 31, 1960	62 years 9 months	September 1 – 30, 2023

The approval for retirement should be processed one (1) year in advance of the retirement date. The retirement for ALL categories of employees who were born **August 1959 to January 1960 should, therefore, be processed in the year 2020. In this regard, the Office of the Services Commissions' Circular No. 8 dated the 7th January, 2019, is still relevant.**

Departments that have **not** yet been granted Delegation of Functions should take the necessary steps to ensure that the returns are submitted to this Office by **Friday, the 28th February, 2020**, together with certified copies of the Birth Certificates and Statutory Declarations in support of the Birth Certificate, where necessary, for the officers/employees concerned. Where the documents are not readily available, they should be submitted as early as possible thereafter. It should also be made clear to the officers concerned that the non-submission of these documents will result in delays in the approval for retirement and subsequently, the processing of their retiring benefits.

It is to be noted that a Statutory Declaration is not a substitute for the Birth Certificate.

Steps should be taken to ensure that the returns are accurate and in addition, that all the officers concerned are granted the pre-retirement leave for which they are eligible so that the expiration of the leave will coincide with their dates of retirement.

2. Temporary, Casual, Daily-Paid and Part-Time Employees/Officers

The Government Employees' (Compassionate Gratuities) Resolution, 1947 shall continue to be applicable to Temporary, Casual, Daily-Paid and Part-Time Employees/Officers.

Notwithstanding the above categories of employees should also be granted **normal retirement** from the Public Service during the transition period, as indicated in the First Schedule (**that is, Column 1 and Column 2**) of the Pensions (Public Service) Act, 2017. Paragraphs 2 and 3 on Page 1 of this Circular, are, therefore, applicable to those officers, as well.

Request for Early Retirement from the Public Service is not applicable to Temporary, Casual, Daily-Paid and Part-Time Employees/Officers.

These officers may, however, be retired from the Public Service on Medical Grounds prior to attaining the normal retirement age. In that regard, they would have to be examined by a Medical Board appointed by the Chief Medical Officer, Ministry of Health and Wellness. Accordingly, a report from the Medical Board and/or Chief Medical Officer indicating that the officer is incapable of discharging his/her duties efficiently by reason of any infirmity of body or mind and that the infirmity is likely to be permanent. Staff Order Nos. 7.13.10 and 14.7.5 of the Staff Orders for the Public Service (2004), are relevant.

3. Ministries and Departments with Delegation of Functions should:-

- Ensure that the appropriate action is taken to retire officers in keeping with the requirements of the Pensions (Public Service) Act, 2017/Government Employees' (Compassionate Gratuities) Resolution, 1947;
- Submit to this Office, copies of the letters approving the retirement of these officers; and
- Forward recommendations to this Office for officers to be retired from the Public Service where the expiration of their pre-retirement leave does **not** coincide with their normal retirement age.

4. Executive Agencies

Officers in Executive Agencies who opted to remain on the Government Pension Scheme are also required to retire pursuant to Section 14(2) of the Pensions (Public Service) Act, 2017. The Executive Agencies Pension Scheme, 2002 provides guidance in this regard. Executive Agencies should, therefore, submit the names and particulars to the Office of the Services Commissions for the necessary approval. The officers' Election Forms, as well as their current appointment letters, should be attached to the submission.

5. Early Retirement

In light of the Pensions (Public Service) Act, 2017, officers can no longer request to retire from the Public Service upon attaining the age of 50 – 54 years. Regulation 24 (3) of the Public Service Regulations, 1961 has been deleted and the following substitution made, as stated in the Third Schedule of the Pensions (Public Service) Act, dealing with the Amendments under *"The Constitution of Jamaica The Public Service Regulations"*:

- “(3) An officer may at any time after he attains-**
- (a) the corresponding age during the transition period, pursuant to section 15(a) of the Pensions (Public Service) Act, or**
 - (b) the age of sixty years, pursuant to section 15 (b) of the Pensions (Public Service) Act,**

apply to the Governor General for permission for early retirement, and shall in his application state the grounds on which it is based.”

Section 15 of the Pensions (Public Service) Act, 2017 states:-

“Subject to section 21, a pensionable officer may be granted early retirement from the public service by the Governor-General and be eligible to receive pension, gratuity or other allowance if-

- (a) being an existing public officer, he has, during any of the months during the transition period, specified in Column I of the First Schedule, attained the corresponding age specified in Column III thereof;
- (b) he is a new public officer and has attained the age of sixty years; or
- (c) on medical evidence to the satisfaction of the Governor-General, he is incapable by reason of any infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent.”

Section 21 states:-

“The Governor-General may require a pensionable officer to compulsorily retire from the public service at any time after he attains the age of sixty years.”

6. Succession Planning

The Pensions (Public Service) Act, 2017, with the provisions for the extension of the age for retirement, has automatically resulted in officers remaining in the Public Service for longer periods. In light of that fact, the Ministries, Departments and Agencies should use this additional period to adequately prepare for a successor.

It is expected that there will be minimal requests for retention beyond the (now) normal age of retirement.

The following will assist in the smooth transition:-

- i. Development of a Succession Plan in the respective areas;
- ii. Development of Standard Operational Procedures for each Unit and the respective positions;
- iii. Transfer/documentation of institutional knowledge;
- iv. Preparation of officers for retirement by exposing them to beneficial seminars, etc;
- v. Officers fifty-five (55) years and over are specifically targeted in respect of retirement planning.

7. Operation of Posts as a result of Retirement

Every effort should be made by entities to process all retirement transactions in a timely manner. This will not only allow officers to receive their retiring benefits in good time but will, also, ensure the continued operation of the posts, which will become vacant, upon their retirements. This is critical in light of the fact that the Post Operations Committee (POC) of the Ministry of Finance and the Public Service is not mindful to grant retroactive approval for the operations of posts.

Accordingly, Permanent Secretaries, Heads of Departments and Chief Executive Officers should ensure that the responsible officers in their respective entities manage the retirement process in an efficient and timely manner, bearing in mind that the preparation of the retirement should commence one (1) year in advance.

Please ensure that a copy of this circular is placed at a strategic position on the Notice Board of the Ministry/Department/Agency and brought to the attention of all eligible officers.



Jacqueline Mendez (Mrs.), JP
Chief Personnel Officer