

# **STAFF ORDERS**

FOR THE

# **PUBLIC SERVICE**



GOVERNMENT OF JAMAICA

2004

## PREFACE

The Staff Orders were last revised in 1976. During this decade the rising tide of human expectations has continued unabated and the rate of change in technology as well as in economic, political and social structures has continued to accelerate.

In a social milieu where governments are committed both to initiate and manage social change, the challenge facing public administration, and the Civil Service in particular, is to acquire the techniques and ethics of modern administration which will make it possible to narrow the gap between the promise and realization of economic betterment and social equality.

Perhaps the most urgent demand being made on the Civil Service is to achieve greater effectiveness in the implementation of programmes and policies and by the same token the achievement of levels of technical competence so that the public administration will not serve to inhibit or frustrate the activities of the private sector.

One way of revitalizing the Civil Service is to build a service which defines the jobs and tasks to be done, the qualifications and skills required to do them and then to establish a system of rewards incentives and advancement based on actual performance. To this end, new personnel policies and procedures have and are being introduced into the Civil Service to give effect to Government's decision to bring the merit system to fruition.

The revised Staff Orders are intended therefore to point the way towards more flexible operational procedures and to give effect to continuing improvement in conditions of service. They are also intended to reflect some of the changes which have taken place in the administrative milieu as well as in organisational theory and practice. At the same time, they embody features of the previous regulations which have proved useful.

The revised Orders are to take effect from August 1, 2004.

OMAR DAVIES

Minister of Finance and Planning

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## INTRODUCTION

- (1) The Staff Orders of the Public Service of Jamaica governs the Conditions of Service for Public Officers. It comprises provisions from relevant legislation, regulations, policies, directives and the results of collective bargaining agreements between the Government and the respective unions and staff associations. For the purpose of these Orders the terms Public Officers, Public Employees, Officers and Employees are used interchangeably and refer to persons employed in the Central Government Service, in accordance with the Public Service Regulations.
- (2) In these Staff Orders except where the context otherwise requires:
  - (a) A Permanent Secretary is responsible for the overall management of a Ministry under the general direction and control of the Minister.
  - (b) A Head of Department is responsible for the overall management of a Department, reports to a Permanent Secretary or may have some other autonomous reporting relationship.
  - (c) The expression "Appropriate Authority" means the Permanent Secretary of the Ministry or the Head of Department where the Department does not fall under a Ministry.
- (3) It is the responsibility of each Permanent Secretary/Head of Department to ensure that the Staff Orders and all Government notifications and instructions issued from time to time are brought to the attention of employees, and made readily available and easily accessible.
- (4) Any or all the provisions of the Staff Orders may be adopted for use by any other entity within the wider Public Service.





## CHAPTER I

### I. APPOINTMENTS

#### I.1 HOW THEY ARE MADE

All appointments into and within the Central Government Service are made in accordance with the provisions of the Public Service Regulations.

#### I.2 AUTHORITY TO MAKE APPOINTMENTS

- (i) Appointments to the Central Government Service are generally made under the Authority of the Governor-General acting on the recommendation of the appropriate Service Commission.
- (ii) The Governor-General may delegate any of the functions under his authority to Permanent Secretaries or to any other authorized public officer as may be specified;
- (iii) Appointments to Municipal and Parish Council positions are made by the respective Councils acting on the recommendation of the Municipal and Parish Council Services Commissions.
- (iv) Where there are exceptions to the above, the appointment will be made by the appropriate constituted authority.

#### I.3 ELIGIBILITY

- (i) Any suitably qualified Jamaican/Caricom national is eligible for appointment in the Public Service.
- (ii) If extensive recruitment activities do not yield a suitably qualified candidate of Jamaican/CARICOM nationality, then others may be considered.

#### I.4 ENTRY INTO THE SERVICE

Persons entering the Public Service may be appointed on a temporary or permanent basis, at the discretion of the appointing authority.

##### I.4.1 Temporary Appointment

In instances where the appointment is to a position which is on the Public Service Establishment, is clearly vacant and the candidate **has met all the requirements of the position**, the temporary appointment should not normally exceed six (6) months.

##### I.4.2 Permanent Appointment

Upon permanent appointment persons will receive a letter of appointment from the appointing authority setting out the terms and conditions of the appointment, which may include the requirement for probation and medical certification.

#### I.5 PROBATION

- (i) Persons who are appointed to the Service for the first time may be required to serve a probationary period of six (6) months:

- (ii) Any period served in a temporary capacity may be considered, in whole or in part, in the determination of the probationary period;
- (iii) It is the responsibility of the supervisor to assess the performance of an employee on probation and the employee must be formally advised of his/her status at least one (1) month prior to the expiration of the probationary period;
- (iv) The probationary period may be extended, with the approval of the appointing authority, for a period not exceeding six (6) months, on the basis of the supervisor's assessment.

## **I.6 MEDICAL CERTIFICATION**

Employees entering the public service for the first time are required to pass a medical examination conducted by a registered medical practitioner, prior to the confirmation of permanent appointment.

### **I.6.1 Medical Reports**

- (i) Medical Reports are to be completed using Form(s) prescribed by the Ministry with responsibility for the Public Service;
- (ii) The appointing authority may seek a second opinion from a medical practitioner of choice;
- (iii) Where a second opinion is sought, the medical practitioner may consult a medical specialist at public expense. The Report is not forwarded to the employee's physician, but must be communicated to the employee at the earliest possible date;
- (iv) Where a second opinion is sought, the employee may have his/her physician present at his/her own expense.

## **I.7 CONFIRMATION OF APPOINTMENT**

The permanent appointment of a new employee is to be confirmed in writing by the appointing authority and may be done at any time once the requirements of probation are met and proof of satisfactory medical examination is provided.

## **I.8 PROMOTION**

- (i) As a general rule, selection processes for promotion opportunities should be through competition duly conducted, and should provide fair and equitable access and opportunity to all candidates across the public service who may be interested in, and eligible to apply for the position.
- (ii) In exceptional circumstances, Permanent Secretaries/Heads of Departments may make a case for a promotion without competition, e.g. where the talent pool is limited and known, or where the decision relates to the training and development strategy in the Human Resource Management Plan. In such cases, the appointment decision should be posted, so that anyone who may have had an interest may exercise the right of appeal.
- (iii) If two or more candidates are assessed to be equally suitable, then seniority may be used to determine the most suitable candidate.

## **1.9 OTHER APPOINTMENTS**

### **1.9.1 Transfer**

- (i) A transfer is a permanent appointment from one position within the service to another that is equivalent in level, emoluments and benefits;
- (ii) Within a Ministry, or between the Ministry and a Department of the Ministry, the transfer must be authorized by the Permanent Secretary;
- (iii) Transfers between Ministries or between Departments of different Ministries requires the consent of the Permanent Secretary of the Ministry **from** which the employee is being transferred and the appointment must be authorized by the Permanent Secretary of the Ministry to which the employee is being transferred, where the functions have been delegated;
- (iv) Where the functions have not been delegated transfers between Ministries or between Departments of different Ministries or between a Ministry and a Department of another Ministry must be authorized by the Chief Personnel Officer;
- (v) In the event of an objection to a transfer, any of the parties involved may lodge an appeal in writing to the Public Service Commission.

### **1.9.2 Acting Appointments**

- (i) An acting assignment is an appointment for a specified period, wherein an individual in one position is required to perform the duties of another position at a higher level;
- (ii) An acting appointment does not confer an automatic right of permanent appointment to the position.
- (iii) Opportunities for acting assignments should be managed in such a manner that they do not result in an unfair advantage to anyone, in any subsequent competitive process.

### **1.9.3 Deployment**

- (i) A deployment is an assignment from one position to another that is equivalent in level, emoluments and benefits;
- (ii) A deployment is normally at the discretion of the Permanent Secretary/ Head of Department to satisfy operational requirements or to resolve job-related difficulties;
- (iii) A deployment may be temporary in the first instance and could lead to a transfer;
- (iv) A deployment may be within a Ministry, between Departments within a Ministry or between Ministries.

#### **I.9.4 Secondment**

- (i) A secondment is the assignment of a public officer, usually from the Central Government Service to another part of the wider public service or to other organizations, with the approval of the appropriate authority;
- (ii) A secondment may be either for a fixed term with a guarantee to return, or it may be an interim arrangement for a specified period leading to a permanent change in employment;
- (iii) During the period of secondment, the officer's position within the Central Government Service must be protected;

#### **I.9.5 Fixed Term Appointment**

- (i) A fixed term appointment is a contractual arrangement for the performance of specific functions for a pre-determined period under terms and conditions specified under the contract.
- (ii) Any such contract must be consistent with existing guidelines issued by the appropriate authority.



## CHAPTER 2

### 2. EMPLOYEE RECORDS

#### 2.1 EMPLOYEE FILE

A file shall be created when an employee starts working within the Public Service regardless of the type of employment. Standard documentation to be placed on the file includes:

- (a) The letter of application and/or completed application form;
- (b) Record of employee's performance in the selection process;
- (c) Proof of age, qualification, marital status;
- (d) Report of medical examination(s);
- (e) Documentation of reference checks;
- (f) Letter(s) of appointment
- (g) Personal information (next of kin, emergency contact numbers, special needs and/or circumstances, etc);
- (h) Leave application and permission letters;
- (i) Copies of performance evaluation
- (j) Copies of training and development plans;
- (k) Copies of certificates, results of training and development activities, citations, awards, etc;
- (l) Record of changes in salary, benefits and allowances.
- (m) Copies of any disciplinary actions against the employee;

#### 2.2 MAINTENANCE OF RECORDS

- (i) All employee records are to be kept in the Human Resource Division of the Ministry or Department under conditions which ensure security and protection from hazards (water, fire, etc).
- (ii) Any change in the employee's status must be duly noted in a timely manner and added to the employee's file. Supervisors shall ensure that all letters, memoranda, and documents related to an employee are sent to the Human Resource Division for inclusion in the employee's file;
- (iii) Employees are to be notified of the addition of any and all new information/ documents to their files.
- (iv) Employees shall ensure that their records are kept current by notifying the Human Resource Division, in writing of any changes in circumstances such as academic achievements, change of address, marital status, next of kin, beneficiary, etc;
- (v) Any addition of information/documentation to the file by an employee must be done through the appropriate authority in the Human Resource Division;
- (vi) The removal of any information/documentation from the file, by an employee, can only be done through, and with the permission of the appropriate authority in the Human Resource Division;

- (vii) An employee's file shall not be removed from the Human Resource Division except by authorized officers and with the permission of the Permanent Secretary/ Head of Department.

### **2.3 SERVICE RECORD**

- (i) In addition to the other information on the employee file, a service record is to be kept, which shall note relevant changes to an employee's status (promotions, transfers, salary changes, etc);
- (ii) Upon any movement of the employee within the Civil Service, the original of the employee's Service Record with entries properly completed and certified must be forwarded to the Head of the Human Resource Division in the new organization, and a copy provided to the employee.

### **2.4 ACCESS TO PERSONAL FILE**

- (i) An employee shall have the right to access and view his/her own personal file, and make copies of any document upon request to the Head of the Human Resource Division.
- (ii) Any access, viewing or copying shall be done in the presence of suitably authorized personnel within the Human Resource Division.

### **2.5 CERTIFICATE OF SERVICE**

- (i) Upon leaving the public service, an employee, regardless of status, shall be provided with a formal certificate of service;
- (ii) Such a certificate shall indicate details of years of service, changes in status during the period of employment and a summary of any entitlements;
- (iii) If an officer has been dismissed for any reason, the certificate shall indicate that a reference should be made to the Permanent Secretary of the Ministry or to the Head of the Department;

### **2.6 REFERENCE CHECKS**

Response to requests for references relating to an employee's career shall be based on the documentation contained in the employee's personal file.



## **CHAPTER 3**

### **3. HOURS OF WORK**

#### **3.1 DETERMINATION**

- (i) The hours of work for each category of staff employed in the Central Government Service shall be as determined by the Minister with responsibility for the Public Service;
- (ii) Permanent Secretaries/Heads of Departments may propose work schedules for the approval of the Minister responsible for the Public Service, based upon the nature of the operation, the exigencies of the service, and in order to ensure quality service to the public;
- (iii) Any hours of work or work schedules established must allow for scheduled breaks which shall be arranged between managers and employees. Any such arrangement must ensure an appropriate level of service to the public at all times;

#### **3.2 ATTENDANCE**

- (i) Public Officers are required to observe the established hours of work (work schedules), to arrive punctually and to be in attendance during the hours prescribed. Failure to comply could lead to disciplinary measures;
- (ii) Managers and supervisors shall establish mechanisms and procedures to monitor and record the punctuality and attendance of employees within their jurisdiction;

#### **3.3 ALTERNATIVE WORK ARRANGEMENTS**

A variety of alternative work arrangements may be applied, subject to the approval of the Minister responsible for the Public Service, in order to improve productivity, improve the working conditions of employees, and especially to improve the quality of service to the public.

##### **3.3.1 Compressed Work Week**

Employees may be allowed to work the required number of hours within a compressed period, thereby allowing for additional periods of continuous time for personal activities.

##### **3.3.2 Flexible Work Schedule**

The hours of operation may be extended to respond to service demands and the hours of work for employees may be staggered within the extended period, such that the entire period is adequately staffed and each employee works the required number of hours.

#### **3.4 EXCESS HOURS OF WORK**

Any time worked in excess of the required hours of work is to be recorded and dealt with in accordance with established provisions/procedures.

## CHAPTER 4

### 4. CODE OF CONDUCT

#### 4.1 THE FRAMEWORK

- (i) The Public Service is governed by established Statutes, Regulations, Orders and Procedures. These are translated into a list of behaviour expectations deemed to be acceptable which may be considered as a Code of Conduct for all public officers, including those in managerial positions.
- (ii) The expectations listed in these Orders apply generally to all members of the public service. In addition, based on the nature of the organization other operational and/or professional requirements might apply.
- (iii) Taken together, the combined list of expectations establishes the framework for equity and fairness within the organization; outlines the rights, privileges and obligations of individuals; and becomes the standard or benchmark against which the conduct of both managers and employees will be assessed.
- (iv) It is the responsibility of each Permanent Secretary/Head of Department to ensure that the complete set of behaviour expectations is formulated, communicated to everyone within the Ministry/ Department and posted at convenient locations as a constant reminder.
- (v) Violation of any of the behaviour expectations could lead to disciplinary measures being taken.

#### 4.2 BEHAVIOUR EXPECTATIONS

##### 4.2.1 Absence From Duty

- (i) Absence from duty due to illness or other emergencies must be communicated to the appropriate authority within the organization as soon as possible, but no later than the end of the first day of absence.
- (ii) Absence from duty for other reasons should be pre-arranged and authorized by the appropriate authority within the Ministry or Department.
- (iii) Permanent Secretaries are required to notify their respective Ministers and the designated Head of the Civil Service of any absence from duty.

##### 4.2.2 Dress Code

Officers should be appropriately dressed for work at all times, in a manner which demonstrates professionalism, decency and a respect for colleagues, clients and members of the general public. In certain circumstances, specific attire (e.g. uniform) may be required.

##### 4.2.3 Standard of Behaviour

All officers are expected to demonstrate the highest level of professional conduct and personal integrity in the performance of their duties and in serving the public. The following are some examples of behaviour which are unacceptable:—

- (a) Excessive noise which disturbs others - colleagues, clients, or customers;
- (b) Illegal possession and/or use of firearm, weapons or explosives;

- (c) Fighting or other forms of physical disturbance;
- (d) Any act of sabotage;
- (e) Careless abuse or theft of government property;
- (f) Larceny or theft from others - colleagues, clients, customers;
- (g) Use of obscene or threatening language;
- (h) Insubordination (failure to obey a reasonable order from a supervisor).

#### **4.2.4 Service Standards**

- (i) Officers are expected to treat everyone, including other public officers, clients and members of the general public with courtesy, respect, fairness and objectivity;
- (ii) Officers should display a positive attitude and be pro-active in the exercise of their duties, seeking to understand and to satisfy the real needs of clients, volunteering information and services as appropriate;
- (iii) In the exercise of official duties, no officer shall confer any special benefit and/or give preferential treatment to anyone on the basis of any special relationship;
- (iv) Requests for services must be dealt with in a manner which is timely, accurate and complete;
- (v) The standards established in Citizens Charters must be adhered to.

#### **4.2.5 Display and Decorations**

- (i) Any item of display or decoration should be presented in a manner which is tidy and in good taste;
- (ii) Care must be exercised to avoid the display of items which may be offensive to good taste and public morals or which may reflect bias or discrimination on the grounds of race, religion or gender.

#### **4.2.6 Political Activity**

- (i) Officers are expressly forbidden to engage in any type of partisan political activity in any elections at any level;
- (ii) In the exercise of official duties, no service or benefit should be denied or provided to anyone on the basis of partisan political affiliation;
- (iii) In the exercise of official duties, officers may be required to provide factual information to explain or clarify government policy.

#### **4.2.7 Substance Abuse**

- (i) The use of alcohol, intoxicants, or any illegal substance is prohibited at the work place;
- (ii) Arriving at work under the influence of any of the substances noted above is also prohibited.



#### **4.2.8 Engagement in Private Work**

Officers may engage in private work, only under specified conditions and with prior permission from the appropriate authority/Services Commissions, based upon an assessment of potential for conflict of interest.

#### **4.2.9 Conflict of Interest**

- (i) A conflict of interest may be deemed to exist under any of the following circumstances:
  - (a) Engagement in private activity similar to official functions;
  - (b) Using information and/or any material gained from official position for private gain;
  - (c) Exploiting the status and privilege of one's position for private gain;
  - (d) Soliciting and/or accepting payment and/or any other consideration relating to the performance of or neglect of official duties;
  - (e) Conducting private business during work hours and/or on government property;
  - (f) Engaging in transactions with relatives or family members, or an organization in which relatives or family members have interest.
  - (g) Ownership of investment or shares in any company or undertaking.
  - (h) Acting as auditors or directors of companies or societies.
- (ii) In order to address the potential for conflict of interest, officers should in all instances inform the appropriate authority of any such undertaking, seek clarification and get permission. Any such permission would be subject to periodic review.

#### **4.2.10 Engagement in Work for Statutory Bodies and Public Companies**

- (i) Officers may engage in work for Statutory Bodies and Government-owned Companies only with the written permission of the appropriate authority;
- (ii) The Ministry or Department shall seek to recover the reasonable costs associated with the task, including an honorarium which may be paid to the officer executing the task.

#### **4.2.11 Exercise of Managerial Authority**

- (i) Managers are expected to exercise their authority fairly, and even-handedly;
- (ii) The exercise of authority must be to achieve the goals of the organization (results, outputs, etc.) consistent with the committed resources;
- (iii) The exercise of authority should be consistent with sound human resource management practices;
- (iv) Managers who are found to be abusive or vindictive in the exercise of authority shall be subject to disciplinary measures;

#### **4.3 GIFTS AND EXCHANGES**

- (i) Officers, in their official capacity are forbidden to solicit or accept gifts or gratuities for the performance or neglect of official duties and responsibilities; Officers, may however accept small tokens of appreciation from customers or clients, subject to the Conflict of Interest provisions under Sections 4.2.9(i) (c) and (d) of these Orders. Officers are advised to act with prudence and if in doubt to seek the advice and approval of the appropriate authority.
- (ii) Where the refusal of such offers may offend international or cultural sensitivities, the matter should be reported immediately to the Permanent Secretary or Head of Department and the object transferred to the Crown.

#### **4.4 PUBLIC EMPLOYEES AND THE MEDIA**

- (i) Permanent Secretaries/Heads of Departments must ensure that mechanisms and procedures are in place to facilitate transparency and access to information consistent with government policy;
- (ii) Permanent Secretaries/Heads of Departments must appoint designated spokesperson(s) within the Ministry/Department to respond to public enquiries and requests for information;
- (iii) Any material, statement, documentation or other forms of communication for publication in any media must be approved by the Permanent Secretary/Head of Department or other authorized personnel;
- (iv) Where an officer is called upon to respond to the media or participate in interviews on public policy, care must be exercised to provide only factual information for explanation and clarification.
- (v) Subject to the provision of the Access to Information Act, employees must obtain written approval and clearance from the appropriate authority to make public or communicate with the media or to any private individual, organization or entity any documents, papers or information, not in the public domain which may come into the employee's possession in an official or unofficial capacity.

#### **4.5 CONFIDENTIALITY**

- (i) All employees shall adhere to the provisions of the relevant legislation pertaining to the utilization and dissemination of public information;
- (ii) Employees who are required to produce into evidence, in any court of law, any official document of a confidential nature, shall inform the Minister, and Permanent Secretary/Head of Department of the nature of the document;
- (iii) Other Ministries, Departments/Agencies that may be involved and/or affected shall be consulted;
- (iv) The advice of the Attorney General should be obtained prior to any such disclosure.

#### **4.6 LEGAL ADVICE**

##### **4.6.1 The advice of the Attorney General shall be sought where:**

- (i) in the execution of official duties and responsibilities, a public officer is in doubt of the legal implications of any matter; or
- (ii) the interests of the Government may be compromised or jeopardized; or
- (iii) there are indications that legal proceedings may need to be instituted against anyone; or
- (iv) other legal services are not readily available to the Ministry or Department.

##### **4.6.2 Submissions to the Attorney General should include:**

- (i) the points on which the advice is required;
- (ii) the precise statements of the relevant facts;
- (iii) the appropriate cross references to any attachments.

#### **4.7 LEGAL PROCEEDINGS AGAINST PUBLIC OFFICERS**

- (i) The Government, further to the advice of the Attorney General, shall defend public employees against whom proceedings are threatened or brought in respect of acts done or liabilities incurred in the exercise of their duties;
- (ii) In instances where such proceedings are threatened or brought the facts shall be reported to the Attorney General. Subject to paragraph (v) below, the officer against whom the proceedings have been threatened or brought, shall incur no legal or other expenses. No other action shall be taken in connection with any proceedings until the advice of the Attorney General has been obtained;
- (iii) Where the Government defends proceedings against a public officer and the Attorney General decides to settle, the cost shall be indicated to the Financial Secretary and also the amount if any, which the Government shall contribute towards such a settlement;
- (iv) Upon receipt of the decision, the Attorney General shall advise the public employee of the amount which he will be asked to contribute towards such settlement. His/her written agreement shall be obtained for the Attorney General to settle the proceedings.
- (v) If the public employee does not agree to contribute the amount decided upon, the Government may refuse to continue to afford legal assistance to him/her.

#### **4.8 LEGAL PROCEEDINGS AGAINST THE GOVERNMENT CAUSED BY THE ACTIONS OF PUBLIC OFFICERS**

Where as a result of the act of a Public Officer, legal proceedings are successfully brought against the Government or another public officer and the Government deems it desirable to settle such proceedings out of court, disciplinary action may be instituted against the employee. In such an instance, the public officer shall have the right to own counsel.



The public officer may be required to bear some of the costs of a successful action against the Government or another public officer.

#### **4.9 LEGAL PROCEEDINGS BY PUBLIC OFFICERS**

Officers may not institute civil proceedings in any Court in connection with matters arising out of the performance/discharge of their public duties or against a Minister or any other public officer for anything done in the performance of his/her duties, without the permission of the appropriate Service Commissions.

#### **4.10 GOVERNMENT COPYRIGHT POLICY**

##### **4.10.1 Ownership**

- (i) The right of ownership is vested in the Government for any work, documents, reports, where:
  - (a) the work is produced within the scope of employment, using facilities, personnel, resources of the government; or
  - (b) the work results from a contractual arrangement between a Ministry, Department or Agency and a contractor, in which the ownership is not specified;
- (ii) The right of ownership is vested in employees for any work created at their own initiative, outside the scope of employment not using facilities, personnel or other resources of the Government.

##### **4.10.2 Use**

Employees are required to take the following steps in the use of works of others in whom copyright is vested:

- (a) seek permission, where necessary;
- (b) credit source with appropriate reference.

##### **4.10.3 Royalties**

- (i) The use of works, which are subject to copyright, may require the payment of royalties to the author or to the authority in which the copyright is vested.
- (ii) Where there is any doubt as to whether copyright exists in a work as to who is entitled to it, the advice of the Attorney General should be sought.



## CHAPTER 5

### 5. TRAINING AND DEVELOPMENT

#### 5.1 PURPOSE

All employees should be provided the opportunity and support to be trained and developed to enable them to perform efficiently and contribute to the achievement of the mission and goals of the organization.

#### 5.2 AUTHORITY

The Authority for the responsibility for the establishment of training policy, the setting of training standards and the administration of scholarships and fellowships rests in the Cabinet Office.

#### 5.3 RESPONSIBILITIES

- (i) The Permanent Secretary/Head of Department is responsible for determining the training needs of the Ministry and its Departments and for providing for their achievement;
- (ii) Each employee within the organization is responsible for his/her personal growth and development for the enhancement of his/her career. The improvement of skills and qualifications to achieve organizational goals and objectives may be met from public funds (ref. Study leave);
- (iii) The role of management is to encourage and support the training and development aspirations of employees and to facilitate their personal growth and career advancement.

#### 5.4 ORIENTATION

Orientation sessions should be conducted for new employees during their first week of employment and should include the following:—

- (a) an overview of the government service;
- (b) an overview of the Ministry/Department; its structure, values, strategic direction, goals and objectives;
- (c) introduction to co-workers and management team;
- (d) a description of benefits and services available to employees;
- (e) general description of job functions and how they fit into the overall plan for the organization;
- (f) some general statements about expectations;
- (g) information on logistical issues;
- (h) an opportunity for questions.

#### 5.5 SELECTION FOR TRAINING

- (i) Responsibility for the selection of persons for training for the Public Service is vested in the appropriate Service Commission;

- (ii) Responsibility for the selection of officers to undertake local training courses of less than ninety (90) days is delegated to Permanent Secretaries and Heads of Departments;
- (iii) The selection of officers to undertake local training courses of ninety (90) days duration and over, should be referred to the Chief Personnel Officer;
- (iv) Permanent Secretaries/Heads of Departments who have entered into agreements for the delegation of functions under the Public Service Regulations have the authority to select persons for training where the course content is directly linked to the mandate of the Ministry and/or where eligibility is restricted to only those public officers within the Ministry.

## 5.6 MEDICAL FITNESS

The selection of a candidate to attend a course of training may be dependent upon his/her passing a medical examination as to his/her fitness.

## 5.7 FINANCIAL SUPPORT FOR TRAINING

- (i) The Ministry with responsibility for the Public Service shall, from time to time, determine the expenses which may be paid from public funds in connection with the training of personnel for the Public Service;
- (ii) Where the Government determines a need for training and the course of training is held outside of Jamaica the entire cost of economy-class passages for the officer by a direct route to and from the country in which the training is to be undertaken may be met from public funds.
- (iii) In some circumstances, at the discretion of the Ministry with responsibility for the Public Service, persons selected for training may be required to enter into a loan agreement before the start of the training programme;
- (iv) The loan agreement may require that the recipient gives an undertaking to resume duties, or take up employment in the civil service immediately following completion of the course of study, for a period of up to five (5) years.
- (v) Persons who enter into loan agreements will be required to provide two (2) guarantors who reside in Jamaica to co-sign on their behalf. Guarantors must have demonstrable financial resources, be at least twenty-one (21) years and should not be serving a bond or be undertaking a course of study for which they are bonded.

## 5.8 OBLIGATIONS OF TRAINEES

Persons to whom awards have been made to attend a course of training will be required:

### 5.8.1 Prior to Commencement of Course

To ensure that the loan agreement is executed by himself/herself and guarantors.

### **5.8.2 While on Course**

- (i) To devote the full time required to following the course for which the award was made;
- (ii) Not to change their course of study without prior permission;
- (iii) To sit any examination which may be set or to write such papers or reports as may be required by the training authorities;
- (iv) To provide progress reports, at the end of each semester or at the end of short courses.

### **5.8.3 Upon Completion of Course**

- (i) If a loan agreement is in place, to resume duty or take up employment in the Government Service immediately upon completion of the course of study, after any approved period of leave
- (ii) In the event of failure to honour the terms of the loan agreement, to repay such sum, with interest, as determined by the Ministry with responsibility for the Public Service. The calculation of any sum repayable shall be on a sliding scale, with credits awarded for any period served. Where the training course includes a period of internship, such period will be regarded as service under the loan agreement.

## **5.9 SUSPENSION OR TERMINATION OF TRAINING AWARDS**

A scholarship or training award may be suspended or terminated by the appropriate authority if:

- (i) the officer fails to complete the loan agreement by the end of the period of vacation leave;
- (ii) the officer changes the approved course of study without prior approval from the appropriate authority;
- (iii) reports on the officer's performance or conduct are consistently unsatisfactory;
- (iv) the officer, without reasonable cause, fails to pass a prescribed examination within the time fixed by the authorities of the institution which he/she is attending;
- (v) the officer engages in any occupation which is considered detrimental to his/her progress in the prescribed course of study;
- (vi) the officer becomes unfit to complete his studies owing to illness;
- (vii) the appropriate authority has reason to believe that it is unlikely that the officer will return to Jamaica on completion of the course;
- (viii) the officer is convicted of a criminal offence; and
- (ix) the officer fails to submit progress reports in accordance with 5.8.2 (iv) of this Order.

#### 5.10 TRAINING REPORTS

- (i) Every candidate who attends a course should submit a written report to the Permanent Secretary or the Head of Department outlining the special features and quality of the course especially in cases where the training involves new or additional techniques of a professional or technical nature;
- (ii) The report should be submitted within six (6) weeks of his/her return and copies sent to the Ministry with responsibility for training in the Public Service and to the Office of the Services Commissions;
- (iii) Every candidate who is the recipient of a training award may be required to disseminate the knowledge acquired during the course through presentations, or other means that may be specified;



## CHAPTER 6

### 6. COMPENSATION

#### 6.1 AUTHORITY

The authority for the administration of the government's compensation policy is vested in the Ministry with responsibility for the Public Service.

#### 6.2 DEFINITIONS

Compensation includes any salary, wages, and all benefits to which employees are entitled as a result of employment in the Public Service and is determined by a combination of factors, including:

##### 6.2.1 Job Classification

A systematic method of appraising the worth of each job in relation to other jobs in the organization.

##### 6.2.2 Occupational Category

A general grouping of posts falling into groups and subgroups, whose similarities of characteristics and requirements are broad and generic.

##### 6.2.3 Occupational Group

A specific grouping of posts each with similar characteristics and requirements in terms of knowledge, skill and experience.

##### 6.2.4 Post

A package of duties assigned by competent authority to one employee which when taken with all the other posts in the organization, make up its establishment.

##### 6.2.5 Duty

A collection of related tasks forming a distinct and significant portion of the total work of one post.

##### 6.2.6 Position/Classification

The level/grade or class assigned a post in a particular field of work.

##### 6.2.7 Series

A set of related posts requiring graduated knowledge and experience in a particular discipline e.g. accounting.

##### 6.2.8 Level/Grade

Position assigned a post indicating its hierarchical worth within a particular group, subgroup or series.

#### **6.2.9 Pay**

Any salary and/or allowances (pensionable or non-pensionable) excepting travelling and subsistence allowances.

#### **6.2.10 Salary**

The element of pay or amount of money that is related to the classification/grade of a post and is payment in consideration of the duties, responsibilities and nature of the job.

#### **6.2.11 Salary Scale/Scaler Salary**

The salary attached to a grade beginning with a minimum and advancing by an incremental rate to a maximum.

#### **6.2.12 Allowances**

That element of pay which is payable separately in addition to salary, is attached to a post where required and takes into account such considerations as attire, tools of trade and extraneous duties.

#### **6.2.13 Increments**

A sum of money within a salary scale by which salary is increased annually.

### **6.3 SALARY ON APPOINTMENT**

- (i) Upon first appointment, an employee is normally paid at the minimum point of the salary scale for the position in which he/she is employed;
- (ii) In special circumstances, a higher point in the salary scale may be approved by the appropriate authority.

### **6.4 PAYMENT OF INCREMENTS**

#### **6.4.1 Anniversary of Appointment**

- (i) Increments are normally paid on the anniversary date of appointment, to permanent employees who demonstrate fully satisfactory performance on the job during the previous year.
- (ii) Increments may be paid to employees who are employed on a temporary basis in positions which are on the establishment and are not vacant, subject to fully satisfactory job performance;
- (iii) Increments may be withheld as a result of unsatisfactory job performance or as a penalty following a disciplinary procedure;
- (iv) Where increments are to be withheld, notification must be made to the employee(s) and to the Auditor General at least two (2) months before the increments fall due. Departments that are non-self accounting must also notify the Accountant General.

#### **6.4.2 Additional Qualifications**

Permanent Secretaries and Heads of Departments are authorized to grant one (1) increment for each year of study based on the time established for the completion of the course of study on a full time basis, up to a maximum of three (3) increments to Officers who, after entering the Public Service, successfully complete a degree programme relevant to the needs of the Public Service, at an accredited institution based upon the terms and conditions established by the Ministry with responsibility for the Public Service.

#### **6.5 QUALIFICATION OR PROFICIENCY BAR**

Where a qualification or proficiency bar exists, an employee may advance beyond that point and the employee's salary adjusted to the higher level only upon the presentation of evidence that the requirements of the qualification or proficiency bar have been met.

#### **6.6 SALARY CONVERSION**

##### **6.6.1 Salary On Promotion**

- (i) Promotions are effective from the date specified in the letter of appointment which should include the salary scale for the new position and the point within the scale at which the employee will be paid;
- (ii) Upon promotion, all employees are to receive an increase in salary, which is no less than the value of an increment in the new scale;
- (iii) If the new salary of the employee following promotion falls between two (2) points in the new scale when the appropriate increment has been added to the old salary, the employee is to be paid at the higher of the two (2) points in the new scale.

##### **6.6.2 Lengthened Salary Scales**

Subject to Staff Orders 6.4.1 and 6.7.2 the following conversion principles are to be applied when a salary scale is lengthened.

- (i) Conversion to the new scale should be on a point to point basis starting with the minimum of the old or existing scale to the minimum of the new or revised scale.
- (ii) Where an officer is being paid at the maximum of a salary scale for at least one (1) year that officer's salary should advance by one point in the new scale. In such instances the officer will be eligible for a further increment at his/her next incremental date or to commence qualifying for a seniority allowance,
- (iii) Where an officer is in receipt of one (1) seniority allowance that seniority allowance should be absorbed by a movement of salary to the next point in a lengthened scale. The officer should consequently continue to qualify for a further increment or seniority allowance from his/her last incremental date,



- (iv) Where an officer is in receipt of two (2) seniority allowances and the salary scale is lengthened by one point the allowance should be absorbed by progression to the additional point in the lengthened salary scale. The officer should then retain the other seniority allowance and resume qualifying for further seniority allowance from his/her last incremental date.
- (v) When an officer is in receipt of two (2) seniority allowances and the salary scale is lengthened by more than one (1) point the seniority allowances should be absorbed in two (2) additional points in the lengthened scale. In this instance the officer should resume qualifying for a further increment or seniority allowance from his/her last incremental date.

#### 6.6.3 Shortened Salary Scales

When salary scales are shortened, old salary points and new salary points should be converted on a maximum-to-maximum basis. In such instances increments and seniority allowances should be paid in the normal way.

#### 6.6.4 Upgradings

When the classification of a post is upgrading (eg. From GMG/AM 2 to GMG/AM 3 or GMG/AM 4 to GMG/SEG 1) the rules set out in Staff Order 6.6.1 are applicable.

### 6.7 ALLOWANCES

#### 6.7.1 Acting Allowances

- (i) An employee who is appointed to act in a higher grade than his/her own for a continuous period **exceeding twenty (20) working days** is entitled to be paid an acting allowance in addition to his/her substantive salary;
- (ii) The acting allowance is to be calculated from the date of the working day on which the acting duties are assumed to the last working day preceding the date on which the employee resumes normal duties.
- (iii) A weekly paid employee acting in a classified position at a higher grade in another occupational group for a period of five (5) or more continuous working days shall be entitled to an acting allowance.
- (iv) A weekly paid employee acting in the same occupational group at a higher grade for ten (10) or more continuous working days shall be entitled to an acting allowance.
- (v) An acting allowance should be calculated on the basis of the difference between the officer's salary and the minimum salary of the post in which the officer is acting
- (vi) The acting allowance to be paid should be equivalent to at least one increment in the salary scale of the higher post. If the calculation falls between, the allowance to be paid will move to the higher point.

### 6.7.2 Seniority Allowance

- (i) An Officer who holds a post to which an annual scalar salary is attached, and who has served at the maximum salary of the scale for three (3) years or more will be eligible to receive a seniority allowance at a rate equivalent to the highest incremental rate of his/her salary scale, subject to paragraph (iii) of this section, except where there is established evidence that he/she is not performing satisfactorily.
- (ii) A weekly-paid officer who holds a post to which a scalar salary is attached, and who has served at a maximum salary of the scale for a period of two (2) years or more, will be eligible to receive a seniority allowance at a rate equivalent to the highest incremental rate of his/her salary scale, subject to paragraph (iii) of this section, except where there is established evidence that he/she is not performing satisfactorily.
- (iii) The grant of any seniority allowance will be made only if there is no increase in the number of increments attached to the particular scale.
- (iv) All officers who have been granted seniority allowance will be considered for the grant of one (1) further increment if, in the absence of promotional opportunity, he/she serves three (3) more years in the same post, except where there is established evidence that he/she is not performing satisfactorily.
- (v) Seniority Allowances are personal to the officers who have earned them and are taken into account in the calculation of retiring benefits.

### 6.7.3 Duty Allowance

- (i) A duty allowance may be payable to officers who are required to work beyond established working hours on a regular basis.
- (ii) To be eligible for duty allowance, the duties performed must be related directly to the regular duties of the officer.
- (iii) Such a duty allowance may only be paid to the officer who actually performs the duties in respect of which the allowance is granted.
- (iv) Duty allowance rates and other eligibility criteria are determined by the Ministry with responsibility for the Public Service.
- (v) The allowance may be paid to the substantive holder of the position to which the duties are attached, during any period of leave of absence not exceeding twenty (20) working days at any one time.
- (vi) In the event of an officer who is in receipt of a duty allowance being granted a leave of absence in excess of twenty (20) working days, the officer acting in the position and performing the duties will be paid the allowance for the duration of the acting appointment and the substantive holder of the position will receive the duty allowance for the first twenty (20) working days only.

- (vii) Officers who receive overtime payment for working excess hours are not eligible for duty allowance.

#### **6.7.4 Honorarium**

- (i) Honorarium may be paid to an officer who is assigned special duties which are extraneous to his/her normal duties and which necessitate the performance of official duties beyond normal working hours, for a period of not less than one (1) month;
- (ii) The request for the performance of such duties should be made to the Permanent Secretary/Head of Department well in advance of the commencement date and should include a statement of the particulars of the work to be done, a workplan, the reason for the exercise, the proposed duration the number and categories of staff to be involved as well as an estimate of the cost;
- (iii) The officer should not be relieved of his/her normal duties for the duration of the assignment;
- (iv) The existing rate of payment is determined by the Ministry responsible for the Public Service and to be eligible for such payment the officer is required to work not less than ten (10) hours per week or an average of ten (10) hours per week over the period;
- (v) Persons who qualify for the payment of overtime or are in receipt of a Duty Allowance should not be paid honorarium. Supper allowance is also not payable;

#### **6.7.5 Official Quarters**

- (i) Officers who are required by nature of their duties to reside in some particular location shall occupy such Government quarters as are available, subject to applicable rental arrangements.
- (ii) Officers who are eligible for Government quarters may make their own arrangements, at their own expense, provided that the arrangement in no way impairs the efficient and effective performance of their official duties.
- (iii) Officers who are not entitled to free quarters and who occupy Government quarters are required to pay such rental as may be fixed from time to time.
- (iv) If an officer occupying official quarters is transferred with less than one (1) month's notice, the Permanent Secretary/Head of Department may authorize the continued occupation by the officer's family for a period not exceeding one (1) month from the date on which the officer received the notification of transfer.
- (v) Officers who are eligible to be provided and who occupy official quarters, shall continue to occupy such quarters during periods of absence on sick, departmental, vacation, pre-retirement or maternity leave.



#### **6.7.6 House Allowance**

- (i) Officers who are entitled to be provided with official quarters as a condition of their appointment, but for whom no quarters are available, may be paid a rent or house allowance in lieu, at such rates as may be established by the Ministry with responsibility for the Public Service.
- (ii) Officers who are in receipt of house or rent allowance may be called upon to occupy such Government quarters as become available. Failure to comply may result in the withdrawal of the allowance.
- (iii) Officers acting in a position to which a house or rent allowance is attached, shall receive the applicable allowance if the acting appointment exceeds twenty (20) consecutive working days.

#### **6.7.7 Utility Allowance**

- (i) The Ministry with responsibility for the Public Service may authorize the payment of utility allowance to certain grades of Officers within the Public Service.
- (ii) An Officer acting in a position to which a utility allowance is attached shall receive the applicable allowance, if the acting appointment exceeds twenty (20) consecutive working days.

#### **6.7.8 Uniform Allowance**

- (i) Officers who are in positions where uniforms are considered necessary for organization, protective or identification purposes shall be provided with such uniform subject to the applicable conditions determined from time to time by the Ministry with responsibility for the Public Service.
- (ii) Temporary weekly-paid employees should have at least two (2) years continuous service in order to qualify for the grant of uniform.
- (iii) Where uniforms are considered necessary but not issued, employees who are eligible for the grant of uniform may receive payment in lieu of such uniform at the rate specified from time to time by the Ministry with responsibility for the Public Service. Such allowance would cover finished garments and shoes, or the cost of material and tailoring.

#### **6.7.9 Laundry Allowance**

Officers who are eligible for a uniform allowance may also receive an allowance for laundry at the rate established from time to time by the Ministry with responsibility for the Public Service.

#### **6.7.10 Entertainment Allowance**

- (i) The Ministry with responsibility for the Public Service may authorize the payment of entertainment allowance to certain officers whose duties make them particularly liable to substantial expenditure for entertaining on government business, other public officials, private individuals or representatives of other governments.

(ii) Such allowance should cover:

- (a) all entertainment in the officer's home.
- (b) all entertainment of persons who are not visitors to the island.
- (c) entertainment of visitors to the island at small luncheon, cocktail party, dinner party, or any other appropriate occasion.

(iii) Officers on acting appointments in-positions, which require them to entertain, will be eligible to receive entertainment allowance, if the acting appointment exceeds twenty (20) consecutive working days.

#### **6.7.11 Allowances During Leave**

- (i) An employee who is acting for a continuous period of at least one (1) year in a position which is not vacant shall be entitled to continue receiving an acting allowance during absence on vacation leave of up to ten (10) working days.
- (ii) Officers who are on acting appointments will continue to be eligible to receive an acting allowance during periods of absence on medical grounds up to twenty (20) working days. The acting allowance will cease if the period of absence exceeds twenty (20) working days.
- (iii) An officer who satisfies all the eligibility criteria for a duty allowance may continue to be paid such allowance during any period of leave of absence not exceeding twenty (20) working days at any one time.
- (iv) Officers who are eligible to be provided with official quarters and receive a house allowance in lieu, should continue to receive such allowance during periods of absence on sick, departmental, vacation, pre-retirement or maternity leave.
- (v) Officers who are eligible to receive utility allowance may be permitted to draw this allowance during any period of absence on sick, departmental, vacation, pre-retirement or maternity leave.
- (vi) Uniform allowance is payable during any period of full pay leave except in cases of vacation leave prior to resignation or dismissal from the service.
- (vii) An officer who, in addition to his/her substantive salary receives a personal allowance which is not attached to his/her position may receive one half of such allowance while on half-pay leave.
- (viii) An officer who is eligible to receive a laundry allowance may continue to be paid such an allowance for a combined total of up to one hundred and five (105) working days during any period of absence on vacation, departmental, sick, pre-retirement, maternity or special sick leave.
- (ix) Officers should continue to be eligible for entertainment allowance during any period of sick, departmental, vacation, pre-retirement or maternity leave.

## 6.8 OFFICERS ON MILITARY SERVICE

The payment of salary, wages and allowances to public officers, while absent on military service, annual training or actual service when mobilized under the Defence Act, is governed by the following rules—

- (i) When the military service or any portion of it is carried out in any period other than during vacation leave, the public officer concerned will receive his full civil pay and allowances and his full military pay and allowances during the first week of the period of such service, and thereafter, he shall receive for the remainder of that period, either his military pay if it is greater than his civil pay or, if his military pay be less than his civil pay he shall receive, in addition to the former, the difference between his military pay and his civil pay.
- (ii) When the military service, or any portion thereof, is carried out during the course of vacation leave, such officer shall be paid his full civil pay and any allowances for which he may be eligible under Staff Order 6.7.6, 6.7.9 and 6.7.10 in addition to his full military pay and allowances;
- (iii) In the foregoing Orders the term "military pay" shall include additional pay, proficiency pay, long-service and good-conduct pay, family pay, family and dependents allowances, but shall not include field allowances, or any allowances or issues made in kind.

## **CHAPTER 7**

### **7. LEAVE**

#### **7.1 AUTHORITY**

The authority for the determination of leave entitlements and eligibility is vested in the Ministry with responsibility for the Public Service.

#### **7.2 DETERMINATION AND CALCULATION**

All types of leave for all public officers shall be determined and calculated on the basis of working days.

#### **7.3 ADMINISTRATION**

- (i) The authority for the administration of leave is vested in the Permanent Secretary in the Ministry with responsibility for the Public Service.
- (ii) General authority has been delegated to Permanent Secretaries in other Ministries and to Heads of Departments subject to established terms and conditions.
- (iii) Public officers are not entitled to earn and accumulate vacation leave and to be paid salary in lieu of vacation leave in relation to the period during which they are on interdiction.
- (iv) No officer should be granted vacation leave before he/she has completed twelve (12) consecutive months of service from the date of first appointment, except on the ground of urgent private affairs or ill-health.
- (v) Leave cannot be earned while on vacation or sick leave in excess of fourteen (14) days.
- (vi) The Auditor General, Minister with responsibility for the Public Service and the Chief Personnel Officer should be notified of the grant of leave to officers, except departmental leave and short periods of sick leave.
- (vii) The Accountant General should be informed where Departments are not self-accounting.
- (viii) Permanent Secretaries and Heads of Departments are required to administer the granting of leave in a manner which balances employee well-being with the provision of quality service to the public.

#### **7.4 VACATION LEAVE**

##### **7.4.1 Definition**

Vacation leave is a period of scheduled absence on full salary for the purpose of recreation and/or rejuvenation.



#### **7.4.2 Rate of Leave**

The rates of vacation leave to which the various grades of officers are entitled, are established by the Ministry with responsibility for the Public Service and are set out in Schedule A at the end of this Chapter

#### **7.4.3 Grant of Vacation Leave**

While employees are entitled to vacation leave as set out in the schedule, the granting of such leave is at the discretion of the Permanent Secretary or Head of Department, subject to the exigencies of the service.

#### **7.4.4 Directive to Proceed on Leave**

A Permanent Secretary/Head of Department may direct an officer to take vacation leave at any time.

#### **7.4.5 Application for Vacation Leave**

Employees wishing to take vacation leave must make a formal application either in writing or by completing a form prescribed for that purpose, at least one (1) month before the date on which the leave is to begin.

#### **7.4.6 Leave Period**

The period of leave begins on the first working day following that on which an officer has handed over his/her duties until the working day immediately preceding that on which he/she resumes duties.

#### **7.4.7 Extension of Leave**

An employee on vacation leave who wishes to have his/her leave extended must apply in writing in sufficient time for a reply to be received before the current period of leave expires.

#### **7.4.8 Accumulation of Leave**

- (i) Permanent Secretaries and Heads of Departments should encourage and facilitate employees to take vacation leave on a regular basis, as soon as possible in the year after it has been earned.
- (ii) Employees may accumulate leave to a maximum not exceeding the leave entitlement for three (3) years only with the permission of the Permanent Secretary or Head of Department.

#### **7.4.9 Accumulation Beyond the Maximum**

Permanent Employees shall be allowed to earn and accumulate additional full-pay vacation leave for a further period not exceeding two (2) years if applications for all or any portion of their accumulated leave cannot be granted due to the exigencies of the service.

#### **7.4.10 Recalled Leave**

Any leave granted may be cancelled by the Permanent Secretary or Head of Department based on the exigencies of the service:

- (i) Where an employee's leave is cancelled, the remaining portion is considered Recalled Leave and is treated separately.
- (ii) Recalled Leave shall not be counted in the calculation of the maximum leave the employee may accumulate.
- (iii) Recalled Leave may be taken at the employee's convenience, subject to the exigencies of the service, or it may be included in the pre-retirement leave to which the employee may be entitled.

#### **7.4.11 Resumption Following Leave**

- (i) Officers are required to report in writing their resumption of duty to the appropriate authority following the expiration of vacation leave.
- (ii) If an officer fails to resume duty following the expiration of any period of leave, steps should be taken immediately by the Permanent Secretary or Head of Department to ensure the officer is not paid beyond the date of the expiration of leave.

### **7.5 DEPARTMENTAL LEAVE**

#### **7.5.1 Definition**

- (i) Departmental Leave is a provision whereby public officers may be granted short periods of absence to attend to personal or family matters.
- (ii) Departmental Leave is not intended to be used for vacation purposes or in lieu of vacation leave.

#### **7.5.2 Rate**

The rates of Departmental Leave to which the various grades of officers may be eligible, are established by the Ministry with responsibility for the Public Service and are set out in Schedule A at the end of this Chapter.

#### **7.5.3 Grant of Departmental Leave**

- (i) While employees may be eligible for Departmental Leave as set out in Schedule A, the granting is at the discretion of the Permanent Secretary or Head of Department, subject to the exigencies of the service.
- (ii) Departmental Leave will not normally be granted to run consecutively with vacation leave, or vice-versa, except when such leave is granted on medical grounds or for urgent private affairs.

#### **7.5.4 Application for Departmental Leave**

Employees wishing to take Departmental Leave should, under normal circumstances, make a formal application in writing or by completing a form prescribed for such purposes, at least forty-eight (48) hours before the leave is to begin.

#### **7.5.5 Period of Departmental Leave**

The period of leave will be based on the number of working days during which the employee was absent.

#### **7.5.6 Accumulation of Departmental Leave**

- (i) Permanent employees may carry forward any departmental leave not taken in one year into subsequent years up to a maximum accumulation of the department leave entitlement/eligibility for two (2) years.
- (ii) Any departmental leave accumulated may be used during periods of prolonged illnesses, on the basis of medical certificate from a duly registered medical practitioner, once the sick/departamental leave entitlement/eligibility for the current year has been exhausted.

### **7.6 CASUAL LEAVE**

Casual Leave may be granted to part-time workers and employees who are on Fixed Term Appointments in positions, which are not on the Public Service Establishment.

### **7.7 MATERNITY LEAVE**

Maternity Leave shall be granted to female employees on no more than three (3) occasions consistent with the provisions of The Maternity Leave Act (1979).

- (i) Officers who have completed not less than twelve (12) months of continuous service may be granted leave for maternity purposes upon presentation of appropriate medical certification.
- (ii) The grant of maternity leave shall be based on the following schedule:
  - (a) special maternity leave on full salary for a period not exceeding forty (40) working days.
  - (b) all the vacation leave for which he/she may be entitled.
  - (c) leave without pay for an additional period not exceeding sixty-five (65) working days.
- (iii) Permanent Secretaries and Heads of Departments may, in particular cases, authorize the grant of leave, without pay, for maternity purposes for periods in excess of sixty-five (65) working days.
- (iv) Sick leave may be granted to run consecutively with leave granted for maternity purposes, on the presentation of satisfactory medical evidence that the illness does not result directly, indirectly or specifically from the pregnancy.

## **7.8 STUDY LEAVE**

### **7.8.1 Definition**

Study Leave is a period of absence granted to public employees to pursue courses of study which may fall into any of the following categories.

#### **Category 1 Government Mandated**

Programme of study initiated or mandated by the Government and therefore deemed to be in the national interest, e.g. government scholarships and awards to fill critical skill shortage areas, courses to meet future strategic needs, etc.

#### **Category 2 Job Related**

Programme of study undertaken voluntarily by individual public officers to improve their qualifications and skills in areas directly related to current functions.

#### **Category 3 Future Advancement**

- (i) Programmes of study undertaken voluntarily by individual officers to improve their qualifications and/or skills for future career advancement and employability in areas directly related to the mandate of the Ministry/Department.
- (ii) Programme of study undertaken voluntarily by individual public officers to improve their qualifications and/or skills for future career advancement and employability in areas not necessarily related to current Ministry/Department but may be applicable to other Ministries/Departments.

#### **Category 4 Personal Interest**

Programme of study undertaken voluntarily by individual public officers for personal interest or for growth and development.

### **7.8.2 Support for Study Leave**

- (i) Officers who are granted Study Leave may be eligible for financial support depending on the category within which the course of study falls.
- (ii) Officers who are selected to pursue Government mandated courses of study (Category 1) would qualify for full financial support from public funds with no forfeiture of any accumulated vacation leave.
- (iii) Officers who are selected to pursue job-related or future advancement courses of study Category 2 or 3 may receive the equivalent of up to two (2) years fully-paid leave. The officer would be required to forfeit leave or salary equivalent to his/her maximum leave accumulation. Any additional leave required to complete the course of study shall be without pay.
- (iv) Officers who are granted study leave to pursue courses of study under Category 4 may be granted vacation leave followed by leave without pay, at the discretion of the Permanent Secretary or Head of Department.



### **7.8.3 Bonding**

Officers who are granted study leave and receive support from public funds may be required to execute a loan agreement as outlined in sections 5.7 (iii – v), of these Orders.

### **7.8.4 Day Release**

Officers may be granted a combination of day release during the academic year and full time study leave during the summer period to attend any approved tertiary institution. This will only be considered where evening classes are not available for the particular course. The following conditions will apply:

- (i) The officer will cease to earn vacation leave at the commencement of the course until its completion.
- (ii) The officer is expected to attend classes 1 or 2 days a week and where necessary on full time for 2 to 4 weeks during the summer period if required by the institution.
- (iii) The day(s) and full time period utilized for the course will be charged to his/her vacation. After the vacation leave has been exhausted, the officer will enter into a period of study leave which may be granted on full salary for a total period of up to 180 days, to be utilized as at (ii).
- (iv) On completion of the course the officer will be credited with vacation leave for the number of days on which he was not in attendance at classes, subject to the provision that vacation leave will not exceed the maximum prescribed.
- (v) Officers granted study leave as above are not entitled to recreational leave.
- (vi) Officers who are granted full time study leave Categories 2 or 3 to run consecutively with the day release should be credited with the vacation leave earned at (iv) prior to the commencement of the full time study leave.

### **7.8.5 Part-time Study Courses**

- (i) Officers may be granted time-off by the appropriate authority to pursue courses of study at approved institutions, on a part-time basis, during established working hours.
- (ii) The application for, and grant of such leave are subject to the conditions established from time to time by the Ministry with responsibility for the Public Service.

### **7.8.6 Recreational Leave**

- (i) Officers who have been granted study leave and who have had to forfeit vacation leave and/or salary may be granted a period of absence on full pay upon the successful completion of the course of study.



- (ii) The period of leave granted for this purpose shall in no instance be in excess of fifteen (15) working days.
- (iii) Any leave granted for these purposes must be taken immediately following the completion of the course of study, before resumption of duties and cannot be accumulated.

#### 7.9 HALF PAY LEAVE

- (i) Permanent Secretaries and Heads of Departments may grant half-pay leave to permanent employees on the ground of urgent private affairs, where the full-pay leave for which the employee is entitled has been exhausted.
- (ii) In order to qualify, employees should have a minimum of six (6) years continuous service from the date of first permanent appointment.
- (iii) Employees with less than six (6) years continuous service may be granted half-pay leave by the Permanent Secretary in the Ministry with responsibility for the Public Service.
- (iv) The combined total of full pay leave and half-pay leave for permanent annually paid employees should not exceed the maximum amount of leave which may be accumulated by the employee.
- (v) The amount of half-pay leave which may be granted to permanent weekly-paid employees, together with any full pay leave should not exceed ninety (90) days at any time.
- (vi) Payment for half-pay leave to any employee will only be made after the employee resumes duties.

#### 7.10 NO-PAY LEAVE

- (i) Permanent Secretaries and Heads of Departments may grant no-pay leave up to a maximum of one hundred and eighty (180) days in any one calendar year to employees on the ground of urgent private affairs or for study purposes.
- (ii) Any request for no-pay leave beyond one hundred and eighty (180) days should be submitted to the Permanent Secretary in the Ministry with responsibility for the Public Service.
- (iii) Urgent private affairs relate to death in the family, illness in the family and business of such a nature which, in the discretion of the Permanent Secretary or Head of Department, necessitates the officers absence from duty.
- (iv) All requests for no-pay leave should, be supported by documentary evidence and should, in the case of urgent private affairs or study purposes, be submitted in time for the matter to be examined and approval granted before the officer proceeds on leave.
- (vi) Where an officer applies for no-pay leave beyond one hundred and eighty (180) days, while on leave, the respective Permanent Secretary or Head of Department should examine the application and submit it only if it is supported. In cases where the leave is not approved the Permanent Secretary/Head of Department should request the officer to resume duties within a specified time, failing which the employee will be considered to be absent without permission and subject to dismissal.

## **7.11 SPECIAL LEAVE**

Upon presentation of the relevant documentary evidence, special leave on full salary shall be granted by a Permanent Secretary or Head of Department in the following circumstances:

### **7.11.1 Military Service**

Officers belonging to the Jamaica National Reserve or the Jamaica Combined Cadet Force who are called out to duty or are required to attend Annual Training.

### **7.11.2 National Representation**

- (a) Employees who are selected to represent Jamaica or the West Indies in a national or international event;
- (b) Employees who belong to civic organizations and who are selected to represent their organization at a national or international event.

### **7.11.3 Court Duties**

Employees who are summoned for jury duty.

## **7.12 ACCESSIBILITY WHILE ON LEAVE ABROAD**

- (i) Employees who hold positions that are critical to the national interest or who are employed in essential services must inform their Permanent Secretary or Head of Department of their intention to travel overseas while on leave and must make arrangements to be accessible at all times.
- (ii) Permanent Secretaries and Heads of Department must designate those employees who fall within the categories above.

## **7.13 SICK LEAVE**

### **7.13.1 Definition**

Sick leave is any period of absence from duty on the ground of ill health.

### **7.13.2 Rate**

The amount of sick leave for which permanent employees are eligible is set out in Schedule A at the end of this Chapter.

### **7.13.3 Accumulation of Sick Leave**

- (i) Permanent employees may carry forward any sick leave not taken in one year into subsequent years up to a maximum accumulation of the sick leave entitlement/eligibility for two (2) years.
- (ii) Any sick leave accumulated may be used during periods of prolonged illness, on the basis of a medical certificate from a duly registered medical practitioner, once the sick/departmental leave entitlement/eligibility for the current year has been exhausted.

#### **7.13.4 Grant of Sick Leave**

- (i) Permanent Secretaries and Heads of Departments may grant sick leave to cover absence from duty owing to illness.
- (ii) The granting of such leave may not under normal circumstances, affect vacation or departmental leave.

#### **7.13.5 Length of Leave**

Sick leave may be taken in short periods or for more extended periods, depending on the nature of the illness.

#### **7.13.6 Notification of Leave**

Officers needing to be absent from duty on the ground of ill-health must ensure that the Permanent Secretary/Head of Department is notified as soon as possible, but not later than the end of the first day of absence.

#### **7.13.7 Medical Certificate**

- (i) Periods of absence from duty on the ground of ill health must be supported by a medical certificate signed by a duly registered medical practitioner.
- (ii) The certificate should be submitted within five (5) working days from the first day of absence and should cover the entire period of absence.
- (iii) Where medical certificates are submitted in support of applications for leave of absence on the ground of illness, officers are required to ensure that the certificates (whether issued in Jamaica or elsewhere) contain the following information:
  - (a) Date of issue
  - (b) Date of onset of illness
  - (c) A statement as to whether or not the officer is unable to perform his duties because of the nature of his illness and also the likely duration of such illness.
- (iv) Medical certificates should be regarded as being effective from the date of issue, unless otherwise specified by the medical practitioner.
- (v) The period of leave recommended in the medical certificate should be regarded as being additional to any period of absence on the ground of ill health for which the officer may already have been authorized on that occasion.

#### **7.13.8 Leave For Prolonged Illness or Leave on the Ground of Prolonged Ill-Health or Prolonged Sick Leave**

- (i) Where the sick and departmental leave to which an officer is entitled in the current year has been exhausted the officer will be required to use any accumulated sick leave under 7.13.3 of these Orders.



- (ii) Where an officer has exhausted all sick leave for the current year, plus all accumulated sick leave, the officer will be required to utilize any departmental leave that has been accumulated for medical purposes under 7.5.6 of these Orders.
- (iii) If the amount of the current sick and departmental leave and the accumulated sick and departmental leave at credit is insufficient to cover the amount of sick leave required, the officer will be required to utilize vacation leave, not exceeding fifty percent (50%) of the vacation leave entitlement at credit on the date of the onset of the illness.

#### **7.13.9 Special Sick Leave**

- (i) Should the illness of an employee necessitate a continuous absence such that all accumulated sick leave and departmental leave plus fifty percent (50%) of vacation leave have been exhausted, the Permanent Secretary or Head of Department may grant the employee special sick leave on the advice of the appropriate medical authority.
- (ii) The Permanent Secretary or Head of Department may require an employee to forward to the Chief Medical Officer, under confidential cover, a further medical certificate stating the nature of his/her illness.
- (iii) The Chief Medical Officer will examine the certificate and make a recommendation to the Permanent Secretary or Head of Department without disclosing the nature of the illness.

#### **7.13.10 Medical Boards**

- (i) An officer may, at any time, be required by the Permanent Secretary/Head of Department to submit to an examination by a Medical Board appointed by the Chief Medical Officer, if it appears to the Permanent Secretary/Head of Department that the officer's state of health warrants such an examination.
- (ii) If an employee has been absent from duty on the ground of ill-health and the total period of continuous absence is to exceed ninety (90) calendar days the Permanent Secretary/Head of Department should request the Chief Medical Officer to consider the appointment of a Medical Board to examine the employee.
- (iii) The Chief Medical Officer shall, unless he/she is satisfied that a Medical Board is unnecessary forthwith appoint the Board.
- (iv) The Medical Board should be made up of at least two (2) registered medical practitioners to be selected from a panel.
- (v) When asking that a Medical Board be convened to examine an employee, the Permanent Secretary/Head of Department should inform the Chief Medical Officer of the reason(s) which prompted the request.
- (vi) In the case of disability, its nature, when and how incurred, and all relevant circumstances, should be stated.

- (vii) In all cases where the appointment of a Medical Board is being requested, the Permanent Secretary/Head of Department should furnish a report indicating the amount of sick leave taken by the officer and the effect of the illness on performance. Medical Certificates should be attached, where applicable.

#### **7.14 ILLNESS WHILE ON LEAVE ABROAD**

- (i) An employee who becomes ill while on leave abroad and remains ill beyond the period of leave granted shall immediately make a report to the Permanent Secretary/Head of Department and the nearest Overseas Mission of the Government of Jamaica, in the country in which he is spending his leave.
- (ii) As far as is practical he/she shall send, at his/her own expense, periodic reports from his/her medical practitioner while he/she remains under medical care.

#### **7.15 LEAVE PRIOR TO RETIREMENT**

- (i) An employee who is retiring or is being retired from the Public Service may be granted, immediately prior to the effective date of retirement, the accumulated leave to which he/she is entitled on full salary.
- (ii) In no case shall an employee be granted leave in excess of twelve (12) months prior to retirement.

#### **7.16 LEAVE IN RESPECT OF INJURY IN THE DISCHARGE OF DUTY**

The Permanent Secretary/Head of Department shall consider public employees who are injured in the discharge of their duties, for the grant of leave of absence on full salary without affecting their normal leave entitlement.

#### **7.17 PAYMENT FOR LEAVE**

##### **7.17.1 Salary In-Lieu of Leave**

- (i) A permanent officer, who has been allowed to accumulate additional vacation leave beyond the normal maximum accumulable for his/her grade, in accordance with sub-paragraph (7.4.9) of this Chapter and has attained the maximum additional leave accumulable, applies for vacation leave and is denied any leave whatsoever, such officer may be given the option to accept salary in lieu of the additional leave, or any portion thereof earned beyond the maximum accumulable for his/her grade, subject to the approval of the Permanent Secretary/Head of Department.
- (ii) Where an officer has been paid salary in lieu of vacation leave earned beyond the maximum accumulable for his grade, in accordance with paragraph 7.17.1 of these orders, that officer may, on application, receive permission to commence to earn leave again from the date on which he/she would have resumed duty, had he/she been granted the additional leave for which he/she was paid. Such further leave should be for a period not exceeding two years.



#### **7.17.2 Leave on Secondment**

- (i) When an officer is seconded to a Public Agency the vacation leave already earned by the officer with Central Government will be frozen.
- (ii) If the officer is appointed to the Public Agency and is released/ transferred from Central Government to take up duties with that Agency, then the officer must be paid by the Ministry/Department for the vacation leave for which he/she was eligible at the time of his/her secondment. Payment should be at the rate of salary which was payable at the time of his/her secondment to the Public Agency.
- (iii) If the officer is returning to Central Government from an assignment to a Public Agency, he/she should be paid by the Agency for the vacation leave earned with the Agency and which was not granted to him/her, when his/her assignment ended.

#### **7.17.3 Prior to Dismissal**

- (i) An employee who is being dismissed from the Public service shall be paid for all the accumulated vacation leave to which he/she is entitled immediately prior to his/her dismissal.
- (ii) Payment shall be at the rates prevailing at the date of dismissal.

#### **7.17.4 Prior to Resignation**

- (i) An employee who resigns from the Public Service shall be paid for all accumulated vacation leave and any recalled leave to which he/she is entitled on the effective date of resignation.
- (ii) Payment shall be at the rates prevailing on the date of resignation.

#### **7.17.5 Upon Death of Employee**

- (i) Upon the death of an employee while in service, a sum equivalent to the salary, allowances all accumulated vacation and recalled leave to which he/she would have been entitled shall be paid to his/her legal representative.
- (ii) Payment shall be at the rates prevailing at the date of death.

## SCHEDULE A

(OLD RATES)

### ANNUAL RATE OF VACATION, SICK AND DEPARTMENTAL LEAVE

- (1) Employees in the service prior to January 1, 2002 and who were earning leave at the rates below should continue to earn as follows:

	<u>Vacation</u>	<u>Sick</u>	<u>Departmental</u>
(a)	35 working days p.a. accumulative to 105 days	14 calendar days	14 working days
(b)	28 working days p.a. accumulative to 84 days	14 calendar days	14 working days
(c)	21 working days p.a. accumulative to 63 days	14 calendar days	10 working days
(d)	14 working days p.a. accumulative to 42 days	14 calendar days	10 working days

- (2) Daily-Paid Employees:

- (e) Employees who work for 250 days or more in each year of service

<u>Vacation</u>	<u>Sick</u>	<u>Departmental</u>
14 working days p.a. accumulative to 42 days	14 calendar days	7 working days

- (f) Employees who work 221 to 249 days a year:

<u>Vacation</u>	<u>Sick</u>	<u>Departmental</u>
14 working days p.a. accumulative to 42 days	14 calendar days	4 working days

- (g) Employees who work 220 days or less (but not less than 110 days) a year:

<u>Vacation</u>	<u>Sick</u>
At the end of each year of service One (1) day for each 22 days worked. Any fraction of a day shall be counted as one day.	A maximum of 10 days earned at The rate of one (1) day for every 22 days worked.

(h) Part-Time employees who work for not less than 220 days a year:

Vacation

Seven (7) working days at the end of  
Each working year.

Casual

Seven (7) days private affairs and illness.

(NEW RATES)

ANNUAL RATE OF VACATION, SICK AND DEPARTMENTAL LEAVE

- (1) Employees who joined in the service on or after January 1, 2002 shall earn at the rates stated below:

No. of Years Service	Vacation (Working Days)	Sick (Working Days)	Departmental (Working Days)
Under 15 years	14 days per annum accumulative to 42 days	10 days per annum	10 days per annum
15 – 25 years	21 days per annum accumulative to 63 days	10 days per annum	10 days per annum
Over 25 years	25 days per annum accumulative to 75 days	10 days per annum	10 days per annum

- (2) The rates for Daily-Paid and Part-time employees have now been revised and they should earn as follows with effect from July 1, 2003.

- (a) Employees who work for 221 to 250 a year

Vacation (Working Days)	Sick (Working Days)	Departmental (Working Days)
10 days per annum accumulative to 30 days	10 days per annum	5 days per annum

- (b) Employees who work 220 days or less (but not less than 110 days) a year:

Vacation (Working Days)	Casual (Working Days)
At the end of each year of service one (1) day for every thirty-one (31) days worked during the preceding year, any fraction of a day shall be counted as one (1) day.	During the course of each year a maximum of seven (7) days earned at the rate of one (1) day every thirty-one (31) days worked.

- (c) Part-Time employees who work for not less than 220 days a year:

Vacation (Working Days)	Casual (Working Days)
Five (5) days at the end of each working year.	Five (5) days for private affairs and illness during each year.

- (3) All temporary officers should be granted sick, departmental and casual leave on a pro-rata basis during the first year of service.

## CHAPTER 8

### 8. COMMUNICATION

#### 8.1 AUTHORITY

Responsibility for government-wide Communication Policy is vested in the Minister with responsibility for Communication.

#### 8.2 ADMINISTRATION

- (i) Permanent Secretaries/Heads of Departments are required to ensure that a Communication Policy is developed for the Ministry/Department, consistent with the government's overall policy on communication.
- (ii) Permanent Secretaries and Heads of Departments should designate an officer at a senior level to be responsible for the Communication Policy and Strategies of the Ministry or Department.

#### 8.3 INTERNAL COMMUNICATIONS

- (i) Permanent Secretaries/Heads of Departments are expected to establish procedures and provide the tools to encourage and facilitate open communications across the Ministry/Department.
- (ii) Every opportunity should be taken to use modern information technology.

#### 8.4 STAFF MEETINGS

##### 8.4.1 Annual General Meetings

- (i) Permanent Secretaries and Heads of Departments should hold at least one General Staff Meeting each year to communicate and review the strategic direction, the major challenges and the objectives and goals for the upcoming period.
- (ii) In large complex organizations this may be done with Senior Managers, with a requirement that they in turn hold similar sessions within their areas of responsibility.

##### 8.4.2 Quarterly Meetings

Managers should hold meetings quarterly with staff in their area of responsibility to communicate new developments in the organization and review performance against the established goals and objectives.

##### 8.4.3 Monthly Meetings

Divisional Heads and Supervisors should meet at least on a monthly basis with Staff to provide a forum for discussion and feedback, to review the units objectives and resolve any performance issues.



## **8.5 NEWSLETTERS**

A regular staff newsletter may be produced with contribution from staff members, as one medium to update staff on developments within the organization and provide feedback on matters of mutual interest.

## **8.6 CIRCULARS AND NOTICES**

- (i) All circulars and notices for official communication throughout the organization must be vetted and approved by the manager responsible for communication. General notices for all employees should be copied to all managers for communication to staff. Such notices should also be posted on Staff Notice Boards, which should be located prominently throughout the organization.
- (ii) Notices and circulars which are sensitive should not be posted but should be communicated to all managers for immediate dissemination to staff. In such instances the manager responsible for communication shall guide managers on the implementation of such communication exercises.
- (iii) The manager responsible for communication is responsible for approving and placing pieces of communication on notice boards. These notices should be clearly dated with a clear indication of the expiry date for notices to be removed. An appropriate medium is to be utilized for personal messages.
- (iv) Notices with specific time limits must be posted and circulated to ensure timely awareness and action, where necessary, by relevant members of staff.
- (v) Internal notices should be copied to all members of the relevant section, and to the manager of other Division/Units who may be involved or affected. The latter must ensure that copies are circulated to the relevant employees.
- (vi) Employees shall not alter and/or deface notice boards, or the form and content of circulars and notices. Such behaviour is liable for disciplinary action.

## **8.7 STAFF SUGGESTION SCHEME**

- (i) The Permanent Secretary/Head of Department should operate a staff suggestion scheme to generate and encourage new ideas and action in order to encourage and foster a team approach to organizational management and improvement.
- (ii) The manager with responsibility for communication should review suggestions, which are submitted and relay them to the relevant manager(s) for discussion and implementation where feasible. Every effort should be made to honour commitments for action and/or feedback in the shortest possible time.
- (iii) Staff shall not be compelled to indicate their names on suggestions, which are submitted. However, where identification is possible, staff involvement and initiative in this exercise should be acknowledged.
- (iv) Where cost recovery and/or savings result, or overall organizational improvement result, the staff member should receive an appropriate token. The nature of such commendation whether in cash or kind shall be determined by the Permanent Secretary/Head of Department.

- (v) Employee surveys among all levels of staff to monitor perception and expectations of the organization should be conducted. The Permanent Secretary/Head of Department shall determine the frequency of this exercise in consultation with managers and general staff.

## 8.8 EXTERNAL COMMUNICATION

- (i) Permanent Secretaries and Heads of Departments should ensure that procedures and mechanisms are in place to communicate effectively with the public, in keeping with the policy of the Government on the dissemination of public information.
- (ii) Permanent Secretaries and Heads of Departments are encouraged to adopt an attitude of transparency and inclusiveness in relating to clients and stakeholders.
- (iii) The assistance and guidance of the Ministry or Agency responsible for government communication may be sought, as necessary.

## **CHAPTER 9**

### **9. PERFORMANCE MANAGEMENT**

#### **9.1 DEFINITION**

Performance Management is a system which ensures that individuals within an organization know and understand the overall purpose of the organization, its strategic direction and goals, how they contribute and accept to be held accountable individually and collectively for the achievement of the stated goals and objectives.

#### **9.2 AUTHORITY**

The Performance Management System for the Government of Jamaica falls under the general direction of the Head of the Civil Service.

#### **9.3 ADMINISTRATION**

- (i) The responsibility for monitoring the overall operation of the Performance Management System is vested in the Officer designated by the Head of the Civil Service.
- (ii) Permanent Secretaries and Heads of Departments are required to implement the Performance Management System within their respective Ministries and Departments.

#### **9.4 OBJECTIVES**

The objectives of a Performance Management System are:

- (a) the optimum utilization of human and other resources;
- (b) the improvement of efficiency, effectiveness and economy within the organization;
- (c) the improvement of the quality of programmes and services delivered to the public.

#### **9.5 ESSENTIAL REQUIREMENTS FOR AN EFFECTIVE PERFORMANCE MANAGEMENT SYSTEM**

- (i) General awareness of the overall context/environment within which the organization operates.
- (ii) General knowledge of the mandate, mission, vision, values, etc., of the organization.
- (iii) In-depth knowledge of the specific goals and performance objectives of the organizational unit (Ministry, Department, Division, Region, etc) within which the individual is located and functions.
- (iv) Thorough knowledge of the duties of the position which the person holds (Job Description, Position or Project Description, Terms of Reference)
- (v) Agreement reached through dialogue and negotiation on specific performance expectations and performance assessment criteria, for the period under consideration

- (vi) Agreement on the timing of fixed periodic reviews and feedback sessions.
- (vii) Commitment to regular on-going feedback.
- (viii) Commitment to pursue follow-up measures resulting from reviews and feedback sessions, in particular training and development actions.

## **9.6 ROLES AND RESPONSIBILITIES**

### **9.6.1 Managers**

- (a) Ensure knowledge of operating environment.
- (b) Ensure knowledge of mandate, mission and values of organization.
- (c) Ensure work is defined and organized to achieve stated goals and objectives.
- (d) Ensure each individual within the organization has up-to-date job description showing scope of responsibilities and specific duties.
- (e) Provide effective leadership, give clear consistent direction, provide necessary resources and relevant tools to get job done.
- (f) Provide/facilitate opportunities for training and development to enhance performance.
- (g) Prepare and present for discussion performance expectations and performance assessment criteria.
- (h) Conduct assessment based on the performance assessment criteria and prepare performance report;
- (i) Sign the Performance Management Report

### **9.6.2 Employees**

- (a) Maintain/improve knowledge, skill, etc.
- (b) Maintain awareness of operating environment.
- (c) Maintain knowledge of mandate, mission, values, etc.
- (d) Know and understand scope of responsibilities and duties to be performed
- (e) Know and agree to performance expectations and performance assessment criteria.
- (f) Discuss performance assessment with manager/supervisor.
- (g) Know and understand consequences for consistent unsatisfactory performance.
- (h) Sign the Performance Management Report

### **9.6.3 Reviewing Officers**

- (a) Ensure equitable treatment.
- (b) Resolve any disagreement, which may result from the assessment process.
- (c) Sign the Performance Management Report.

### **9.6.4 Human Resource Managers**

- (a) Ensure knowledge of system.
- (b) Facilitate exercise of managers' responsibilities.
- (c) Act as resource persons to both managers and employees.
- (d) Organize orientation session.
- (e) Ensure records are kept.
- (f) Monitor and review system.
- (g) Receive employee complaints and offer guidance and counselling.

## **9.7 RECOURSE AND REDRESS**

- (i) If an employee disagrees with the Manager's assessment he/she may seek the intervention of the Human Resource Manager or the Reviewing Officer.
- (ii) If the matter remains unresolved the employee may refuse to sign the assessment and/or seek the assistance of the employee representative body.
- (iii) The Manager may still place the evaluation on the employee's file, without the employee's signature, but must include appropriate documentation on attempt(s) at resolution.



## CHAPTER 10

### 10. DISCIPLINE

#### 10.1 AUTHORITY

- (i) The authority to impose disciplinary measures is vested in the Governor-General acting on the advice of the appropriate Service Commission.
- (ii) The procedures to be followed are in accordance with the Public Service Regulations.

#### 10.2 ADMINISTRATION

The Governor-General may delegate any or all of the functions under the Public Service Regulations to Permanent Secretaries or to such other authority or Public Officer as may be specified.

#### 10.3 BREACH OF DISCIPLINE

A breach of discipline or an infraction may be deemed to have occurred if an employee violates any of the behaviour expectations established in the code of conduct (Chapter 4).

#### 10.4 DISCIPLINARY PROCEDURE

- (i) Where an infraction is deemed to have occurred and it is felt that disciplinary measures may be necessary, a procedure must be established and communicated to all relevant parties.
- (ii) Any such procedure must ensure that the right of all parties is protected and nothing is done that might prejudice the outcome.
- (iii) No arbitrary judgement shall be made about the likely outcome of any proceedings.
- (iv) Any disciplinary procedure should adhere to the following criteria:
  - (a) Be consistent with the conditions of employment;
  - (b) Begin with a thorough investigation;
  - (c) Follow due process;
  - (d) Guarantee all parties the right to be heard and the right to representation;
  - (e) Guarantee the right of appeal;
  - (f) Be conducted as quickly as possible.

#### 10.5 STEPS IN DISCIPLINARY PROCEDURE

##### 10.5.1 Reporting an Infraction

Anyone reporting an infraction should specify the nature of the infraction, the time, location and any other initial information to facilitate an appropriate reaction/action in a timely manner.

### **10.5.2 Recording an Infraction**

Where an infraction is deemed to be serious enough to warrant formal documentation, care should be exercised to capture all the relevant details from all who may have been involved, including any witnesses.

### **10.5.3 Investigations**

- (i) The scope and depth of investigations would depend on the nature of the infraction, and must seek to establish the relevant facts.
- (ii) Depending on the nature of the infraction and the level at which it occurs, the Permanent Secretary may establish an internal procedure, using Senior Officers within the Ministry to conduct the investigation and recommend an appropriate response.

### **10.5.4 Committee of Inquiry**

- (i) Where an infraction is felt to be serious, it may be necessary for the Governor-General or any appropriate authority with delegated functions to establish a committee of inquiry, with clear terms of reference specific to the case.
- (ii) Any such committee should be so constituted as to guarantee objectivity, impartiality and timeliness.
- (iii) The committee should be comprised of no fewer than three (3) members.
- (iv) The chair of the committee should be a member of the legal profession with the appropriate expertise.

## **10.6 PENALTIES**

- (i) Where, based on the outcome of an investigation or the findings of a committee of inquiry, an infraction is found to have occurred, the penalty imposed should be consistent with the nature and gravity of the infraction and should be progressive.
- (ii) The following progression may be considered:
  - (a) Verbal warning
  - (b) Written reprimand
  - (c) A fine
  - (d) Deferment or withholding of increment
  - (e) Suspension without pay for a period not exceeding three (3) months
  - (f) Reduction in rank
  - (g) Dismissal

## **10.7 INTERDICTION**

- (i) Where an infraction is considered to be serious, and pending the outcome of disciplinary proceedings, the accused officer may be interdicted from duty on half, quarter or no salary.

- (ii) Where an officer has been, or is about to be charged with a criminal offence, he/she may be interdicted from duty on half, quarter or no salary, pending the outcome of the criminal proceedings.

#### 10.8 RIGHT OF APPEAL

- (i) Employees who have reason to believe that a disciplinary process was unfair, or who are displeased with the disciplinary penalty imposed, may appeal to the Privy Council through the Public Service Commission.
- (ii) If, following a ruling by the Public Service Commission the employee is still displeased he/she may make a reference to the Privy Council.

## CHAPTER 11

### 11. TRAVEL AND SUBSISTENCE

#### 11.1 AUTHORITY

The authority for the administration of the Government's travelling and subsistence policy, including the setting of rates, is vested in the Ministry with the responsibility for the Public Service.

#### 11.2 PURPOSE

Travelling and substance allowances are granted to meet expenses actually incurred in the performance of official duties. Holders of posts requiring travel should neither be out of pocket, nor should they derive financial benefits beyond their direct costs.

#### 11.3 TRAVELLING ALLOWANCES

##### 11.3.1 Eligibility

When the functions of a post include travel as an essential requirement, the holder of the post may, subject to the applicable provisions, be eligible for either one or a combination of travelling allowances.

##### 11.3.2 Upkeep Allowance

When the functions of a post make it essential for the holder to possess his/her own means of transport, an allowance for its upkeep may be paid. In addition, he/she will be paid for the actual distance (kilos) at the rate prescribed.

##### 11.3.3 Commuted Allowance

In cases where it may be expedient and desirable that the officer possess his/her own means of transport, he/she may be granted a contribution toward the upkeep and running expenses in the form of a commuted travelling allowance. In addition, he/she will be paid for the actual distance (kilos) for travel outside a radius of ten (10) kilometers from his/her place of work.

##### 11.3.4 Allowance In-Lieu

An officer holding a post to which a motorcar upkeep or commuted allowance is attached but who has no motorcar may be eligible for an allowance at the prescribed rate. An officer in receipt of this allowance will not be eligible for reimbursement of taxi fares or bus fares.

##### 11.3.5 Casual Allowance

When an officer to whom neither an upkeep allowance nor a commuted allowance has been granted uses his own means of transport while travelling in the performance of duties, he/she will be paid fully for the actual distance (kilos) at the rate prescribed.



### **11.3.6 Incidental Allowance**

An officer who is not in receipt of travelling allowance and who uses the service of a taxi in the performance of his/her duties may be refunded expenses incurred, provided the rates are fair.

### **11.3.7 Alternate Travelling Allowance**

- (i) Permanent Secretaries/Heads of Departments may approve the reimbursement of the cost of hiring alternate transportation for public officers who are eligible for an upkeep or a commuted allowance and whose personal motor vehicle is out of service.
- (ii) The period of entitlement will begin after five (5) working days of the loss of use of the personal vehicle and the maximum period of the allowance shall not exceed twenty-five (25) working days.
- (iii) In exceptional circumstances the Permanent Secretaries/Heads of Department may authorize the allowance for a further period, not exceeding an additional twenty-five (25) working days.

### **11.3.8 Fully Maintained Motor Vehicle**

Certain categories of public officers are entitled to fully maintained motor vehicles as determined by the motor vehicle policy:—

- (i) An officer may elect to operate his/her own vehicle and will be eligible for the prescribed allowance;
- (ii) An officer may elect to operate a partially maintained vehicle and will be eligible for a percentage of the allowance prescribed;
- (iii) Officers to whom Government Vehicles are assigned on a full-time basis should not be paid a travelling allowance.

### **11.3.9 Motor Vehicle Purchase Advance**

Officers who are eligible for an upkeep or a commuted allowance may, subject to the conditions specified in the Financial Instructions, be considered for an advance from public funds to assist with the acquisition of a motor vehicle.

## **11.4 PAYMENT OF TRAVELLING CLAIMS**

### **11.4.1 Submission of Claims**

- (i) Travelling claims should normally be submitted monthly for payment, but may be accumulated for a period not exceeding three (3) months;
- (ii) The specific approval of the Permanent Secretary with responsibility for the respective Ministry/Department will be required for any claim exceeding three (3) months;
- (iii) The officer should be required to state the reasons for the late submission of the claims in excess of three (3) months.

#### **11.4.2 Assessment of Claims**

- (i) Heads of Department should ensure that official travelling by officers is restricted to the minimum consistent with the efficient discharge of their duties. When determining itinerary and mode of conveyance, it should be borne in mind that the governing principle is the need for economy of public funds, taking into account transportation expenses, subsistence allowances and saving of time.
- (ii) Travelling allowance is not paid between the officer's home and his/her place of business except as provided in subsection (iii) below.
- (iii) Where an officer is required to occupy quarters provided by the Government at a distance in excess of ten (10) kilometres from his/her office or place of business, he/she may be paid travelling expenses at the prescribed rate for the mileage travelled in excess of ten (10) kilometres in respect of his/her journey to attend office and to return home each day. Only expenses incurred on one such round trip daily will be reimbursed. (This means that in case of an officer whose official residence is located nineteen (19) kilometres away from his/her office, he/she would be eligible for reimbursement of travelling expenses for eighteen (18) kilometres a day in respect of those days on which he/she attends office). Subsistence allowance will not be paid to an officer who qualifies for the benefits under this sub-section in respect of his attendance at office.

#### **11.4.3 Claims Involving Others**

- (i) Where it is necessary for more than one officer to proceed to any point on a particular duty, the officers shall travel in one car, provided the arrangement is agreeable to all parties and in such case the vehicle to be used will, whenever possible, be one for which an upkeep allowance is paid.
- (ii) Where an officer conveys in his/her own motor vehicle other persons who would otherwise have to be transported at Government's expense he/she will be paid, in addition to any other transport allowance, a rate per kilometre per person at the prescribed rate.
- (iii) When it is necessary for more than one officer of a Department to hire transportation for the purpose of travelling on duty from and to the same place on the same date, those officers should arrange to travel by the same conveyance and payment for motor vehicle hire will not be made for separate conveyance unless it can be clearly shown that travelling separately was justifiable in view of special circumstances.

#### **11.5 ACCOMMODATION WHILE TRAVELLING ON DUTY**

Officers travelling on duty should try to obtain accommodation as close as possible, in the area to which they have travelled.

## **11.6 CONTINUATION OF ALLOWANCES**

### **11.6.1 Officers Removed from Travelling Duties**

- (i) When an officer who is in receipt of a motor vehicle upkeep/commuted allowance is transferred permanently to a post where such allowance is not payable, he/she will continue to receive the full allowances for a period not exceeding three (3) months.
- (ii) When an officer in receipt of an upkeep/commuted allowance is seconded or appointed to act in a post to which a lower or no travelling allowance is attached, he/she may be paid the full allowance attached to his/her substantive post, during the period of his/her secondment or acting appointment, subject to review of the position at the expiration of six (6) months.

### **11.6.2 Allowance During Leave**

- (i) An upkeep/commuted allowance shall be payable during all periods of sick, departmental, vacation, pre-retirement, maternity and approved training courses including full pay study leave taken locally.
- (ii) The provisions of this Order shall not apply in cases where an officer is granted leave prior to resignation or separation from the Service in any circumstances or prior to permanent transfer out of Jamaica, except as specified in sub-section (i) above.
- (iii) The allowance will also not be payable during the period of pre-retirement leave where the officer has been employed during such leave by an agency financed from public funds on terms which include the payment of travelling allowance.
- (iv) If the travelling allowance attached to the substantive office from which he/she is retiring is higher than that payable in relation to the person's re-employment, then the higher rate of allowance may be paid up to the date of the expiration of pre-retirement leave. This payment shall be in lieu of the allowance payable in respect of the re-employed position. The allowance in relation to his/her re-employment will become payable when the person's retirement becomes effective.
- (v) Where the study is undertaken overseas, the allowance should be paid only for the period of vacation leave utilized in connection with the study.
- (vi) Where an officer attains the maximum vacation leave accumulable and is paid salary in lieu of vacation leave, the travelling allowance should be paid for the entire period in respect of which salary in lieu of leave is paid.

## **11.7 SUBSISTENCE ALLOWANCE**

### **11.7.1 Eligibility**

- (i) When travelling on official duty, public officers are eligible to be paid a subsistence allowance at the appropriate rate prescribed from time to time.



- (ii) To be eligible, the public officer must have travelled a distance which exceeds eighteen (18) kilometres from his/her official place of work and must have been absent for a period of at least six (6) hours.

#### **11.7.2 Calculation of (Subsistence) Allowance**

- (i) The subsistence allowance will be calculated on the basis of the 24-hour day and will be pro-rated for the number of hours of absence.
- (ii) Public officers who overnight, will be eligible for a full day's allowance, irrespective of the number of hours of absence.
- (iii) If the public officer travels on official duty for a period which exceeds twenty-four (24) hours, the calculation will be 1/24th of the daily rate for each completed hour from the beginning to the end of the tour.

#### **11.7.3 Reimbursement for Actual Expenses**

Permanent Secretaries and Heads of Departments may reimburse officers actual expenses in lieu of subsistence on the presentation of bona fide vouchers reflecting reasonable rates, where the actual expenditure exceeds the current rates of subsistence.

### **11.8 BUSH ALLOWANCE**

An officer who, on account of the nature of his/her duties, is compelled to live in a forest or other similar area, remote from ordinary living conveniences and regarded for the purpose of these Orders as his headquarters, and is not entitled to subsistence allowance under these Orders, may be granted a "Bush Allowance" as prescribed from time to time.

### **11.9 CHAUFFEURS' ALLOWANCE**

- (i) Travelling officers who are specially authorised to employ chauffeurs will be eligible for a chauffeur's allowance as prescribed from time to time to meet the cost of wages and subsistence. The officers who normally qualify are those officers who are learning to operate a motor vehicle or are unable to drive for medical reasons.
- (ii) Claims for payment of these allowances must be supported by a certificate that a paid chauffeur was employed for the whole period in respect of which the claim is made.

### **11.10 TRANSFER ALLOWANCE**

#### **11.10.1 Temporary Transfer**

- (i) Public officers who are transferred from their substantive station will be eligible for subsistence allowance in order to ensure that they are not rendered out of pocket by reason of the transfer.
- (ii) The eligibility for, and the duration of such payments may be authorized by the Permanent Secretary or Head of Department and should be reviewed continually.



- (iii) In conducting such reviews, consideration should be given to whether the public interest would be best served by continuation of the assignment on a temporary basis taking into account factors such as:
  - (a) the circumstances which makes the continuation of the assignment necessary;
  - (b) its likely duration;
  - (c) the relative costs involved in the payment of the subsistence allowance as against other appropriate alternative arrangements.

#### 11.10.2 Basis of Payments

- (i) In the case of an officer who has to maintain an established home at his substantive station, the allowance may be paid for a period of twenty (20) days at the rate prescribed from time to time. An officer should be regarded as maintaining an established home if he/she can show that he/she must necessarily continue to meet reasonable expenses over and above rental relating to a house previously occupied by him/her at his/her substantive station which has not been let or sublet during his/her absence. After the expiration of twenty (20) days the allowance should be reduced to a rate not exceeding 75% of the rates prescribed.
- (ii) In the case of an officer who has no established home but lives in lodgings in his/her substantive area, subsistence allowance at the rate prescribed from time to time may be paid for the first seven (7) days of the temporary assignment. Thereafter, only such reasonable payments should be made as may be required to reserve the officer's lodgings at his/her substantive station and vouchers should be produced in support of any such claim.

#### 11.10.3 Visiting Allowances for Extended or Permanent Transfer

- (i) Public officers on temporary or permanent transfer or on prolonged tours of duty involving separation from their families, should be reimbursed travelling expenses (at rates approved for travelling on duty) paid either in respect of a journey to the officers' normal residence for a weekend visit, or for the spouses to visit officers at their location away from home.
- (ii) Family visits by, or with officers should be so arranged as not to prevent officers from carrying out their official duties and to ensure on-going service to the public.
- (iii) Reimbursement in respect of journeys made by an officer's spouse should be limited to the actual expenses incurred on the following basis:
  - (a) in the case of the spouse of a travelling officer a sum not exceeding the amount which would have been payable had the officer himself/herself paid the visit, calculated on the basis of the distance covered for the purpose of the journey both ways, and the rate applicable to the officer himself/herself for travelling on official duty;

- (b) in the case of the spouse of an officer who has not his/her own means of transport, a sum not exceeding the cost of travel by means as economical as possible and when feasible by public transport;
- (iii) Reimbursement of expenses may be claimed in respect of not more than twelve (12) visits in any one (1) year by either spouse; and not more than one (1) in any one (1) month.
- (iv) In the case of permanent transfers, the reimbursement of expenses should not be allowed for a period of more than six (6) months.
- (v) The Permanent Secretary/Head of Department must certify that he/she is satisfied that the officer has made every effort and has been unsuccessful in obtaining at reasonable cost, accommodation for his/her family at the station to which he/she has been transferred.
- (vi) The subsistence allowance paid to officers on temporary or on prolonged tours of duty should continue while they are on visit to their families.

#### **11.10.4 Allowances for Assignment Abroad**

Where an officer is required to proceed abroad on an assignment for a period exceeding three (3) months, there shall be paid the travelling expenses in respect of a return journey undertaken by the officer's spouse to visit him/her abroad for a period of not less than five (5) days.

### **11.11 REMOVAL EXPENSE ALLOWANCES**

#### **11.11.1 Removal Expenses**

When an officer is transferred from one station to another for a period in excess of six (6) months, the following expenditure in connection with his removal will be met from public funds:

- (i) travelling expenses in accordance with these Orders as if the officer were travelling on duty, for the officer and his/her legal dependents living within the household;
- (ii) subsistence allowance in accordance with these Orders for the officer himself/herself only in respect of the period reasonably required to perform the journey;
- (iii) cost of transporting his/her baggage, including household furniture, not exceeding 3.00 tonnes (3,000 kg) lorry loads. Any additional baggage will be the responsibility of the officer.

#### **11.12.2 Eligible Period for Family-Related Expenses**

- (i) If an officer's family does not accompany him/her at the time of his/her transfer, the expenses for removal subsequently will only be allowed if the family follows within six (6) months of the date of transfer.

- (ii) Permanent Secretaries/Heads of Departments may approve an extension if they are satisfied that special reasons warrant an exception.
- (iii) The maximum baggage specified in 11.11.1 above will still apply for both removals.

#### **11.11.3 Reimbursement for Damage to Baggage**

- (i) If damage occurs during transit, the officer will be reimbursed reasonable costs following inspection and report by an authorised official from the officer's Ministry or Department.
- (ii) Where the removal and transportation is arranged by the officer through a private or commercial contract, the conditions for reimbursement for any damage must be provided for in the contract, and failing that the officer will bear full responsibility.

#### **11.11.4 Advance Against Allowances**

The conditions on which officers travelling on duty locally or overseas may be advanced such sums as may be considered necessary to meet reimbursable expenses, are specified in the Financial Instructions.

## **CHAPTER 12**

### **12. HEALTH, SAFETY AND WELFARE**

#### **12.1 AUTHORITY**

The Ministry with responsibility for the Public Service has the authority for establishing the policies and standards to ensure the health, safety and well-being of employees at the workplace.

#### **12.2 ADMINISTRATION**

- (i) Permanent Secretaries/Heads of Departments are required to implement the established policies and procedures to enhance productivity, improve customer service and safeguard the well-being of employees.
- (ii) Permanent Secretaries/Heads of Departments should take steps to provide a working environment, which is safe, environmentally friendly and accessible to persons who might be physically challenged.
- (iii) Permanent Secretaries/Heads of Departments should designate a senior member of management with responsibility for health and safety matters in the Ministry and its Departments.

#### **12.3 HEALTH AND SAFETY MEASURES**

##### **12.3.1 Health Education and Counselling Services**

Permanent Secretaries/Heads of Departments should seek to access and make available to employees, services in consultation, referral and counselling on a range of health and life style issues such as:

- (a) Occupational Health
- (b) Physical fitness
- (c) Sexually Transmitted Diseases
- (d) Domestic Violence
- (e) Mental Health
- (f) Stress Management
- (g) Depression
- (h) Substance Abuse
- (i) Violence in the Workplace
- (j) Parenting Skills
- (k) Life Skills
- (l) Personal Hygiene

##### **12.3.2 Staff Welfare**

- (i) The Ministry with responsibility for the Public Service should continue to explore and expand the services it provides for the welfare and well-being of employees such as:
  - a. Commuting Assistance
  - b. Lunch rooms and canteens



- c. Child care facilities, including facilities for breast-feeding mothers
- d. Flexible work arrangements (ref. Hours of Work)
- (ii) Permanent Secretaries/Heads of Departments should encourage and support activities which contribute to employee well-being and welfare, such as:
  - a. Organized social activities
  - b. Self-learning centres

#### **12.3.3 Disaster Preparedness**

- (i) Permanent Secretaries/Heads of Departments should ensure that information and training exercises are provided to employees periodically, based upon the plans and procedures developed by the Office of Disaster Preparedness and Emergency Management (ODPEM).
- (ii) Regular drills should be conducted to ensure that employees become familiar with the procedures and remain alert in the event of a disaster or an emergency.
- (iii) The plans and procedures should be posted at prominent locations as constant reminders.

#### **12.4 INJURY ON THE JOB**

Employees who sustain any injury in the course of their official duties shall be eligible to receive medical treatment in any Public Health Facility at public expense.

#### **12.5 INJURY BENEFITS**

- (i) Public employees may be eligible for injury benefits under the National Insurance Scheme Act, except in cases where the employee is under eighteen (18) years or over sixty-five (65) years in the case of women and over seventy (70) years in the case of men.
- (ii) If an employee sustains injury that is likely to lead to a claim for benefits under the Pensions Act or any other claim against the Government, the Permanent Secretary/Head of Department shall appoint a Board of Enquiry immediately to enquire into the circumstances and prepare a Report.
- (iii) The Board of Enquiry should seek to ascertain:
  - (a) Whether the injury was sustained in the actual discharge of the employee's duties.
  - (b) Whether it was due to the fault or negligence of the injured or any other employee.
  - (c) Whether the injury was directly attributable to the nature of the duties.

## **I 2.6 EMPLOYEE ASSISTANCE PROGRAM (EAP)**

- (i) An Employee Assistance Program is a worksite-based programme to provide to employees, within a confidential framework, assistance in dealing with a range of personal problems which may be having a negative impact on their performance on the job.
- (ii) Permanent Secretaries and Heads of Department should ensure that employees are provided with appropriate information on the availability of these services and how they may be accessed.

## **CHAPTER 13**

### **13. EQUAL OPPORTUNITY**

#### **13.1 POLICY STATEMENT**

Employees shall be treated fairly and equitably without discrimination based on any of the following grounds:

1. Age
2. Gender
3. National Origin
4. Race
5. Colour
6. Religious Beliefs
7. Political Affiliation
8. Disability
9. Sexual Orientation

#### **13.2 AUTHORITY**

The Ministry with responsibility for the Public Service is the authority for the establishment and monitoring of equal opportunity policies and procedures.

#### **13.3 ADMINISTRATION**

Permanent Secretaries/Heads of Departments are responsible for the implementation of the established policies and procedures.

#### **13.4 EQUALITY MEASURES**

- (i) Employees who have reason to believe they are being treated unfairly or denied opportunity on the basis of any of the grounds stated above (13.1) may file a complaint to the Permanent Secretary or Head of Department.
- (ii) The Permanent Secretary/Head of Department shall have the matter investigated and appropriate remedial measures applied.

#### **13.5 HARASSMENT AT THE WORKPLACE**

Subject to development and approval of policy.

## **CHAPTER 14**

### **14. SEPARATION**

#### **14.1 DEFINITION**

Any action, voluntary or involuntary which results in the discontinuation of an employee's service is an act of separation.

#### **14.2 AUTHORITY**

The authority for all acts of separation is vested in the Governor-General acting on the advice of the appropriate Service Commission or delegated authority.

#### **14.3 ADMINISTRATION**

- (i) The Governor-General may delegate any or all of the functions under his authority in respect of separation to Permanent Secretaries or to such other authority or Public Officer as may be specified.
- (ii) The terms and conditions under which an employee may leave, or be made to leave the Public Service are governed by the Public Service Regulations and the applicable Pensions Act.
- (iii) Employees may leave or be made to leave the Public Service for various reasons.

#### **14.4 SEPARATION FOR CAUSE**

Due process must be followed for all cases of separation for cause:

##### **14.4.1 Absence Without Permission**

An employee may be dismissed if he/she is proven to be absent from duty without permission for five (5) consecutive working days from the first day of absence.

##### **14.4.2 Misconduct**

The services of an employee may be terminated for misconduct if, following due process, he/she is found to have contravened any of the stated provisions of the established code of conduct.

##### **14.4.3 Poor Performance**

Following confirmation of permanent employment, an employee may have his/her services terminated if his/her performance on the job is assessed over two (2) consecutive years to be consistently below established performance standards or expectations.

##### **14.4.4 Conviction For Criminal Offence**

An employee who has been convicted of a criminal offence may have his/her services terminated.



#### **14.4.5 In the Public Interest**

- (i) An employee may be retired in the public interest under the relevant Section of the Public Service Regulations.
- (ii) The decision to retire an employee in the public interest may result from recommendation made to the appropriate Service Commission, or the Commission may make the consideration in its own right.
- (iii) Before an employee is retired in the public interest the Commission shall call for a full report on the employee from the Permanent Secretary/Head of Department of every Ministry/Department in which the employee has served during the last five (5) years immediately preceding the decision.
- (iv) The employee must be given an opportunity to submit a response to the grounds on which the retirement is contemplated.
- (v) The decision to retire the employee is made by the Governor General on the recommendation of the appropriate Service Commission.
- (vi) Any pension benefits accruing to the employee shall be dealt with in accordance with the provisions of the applicable Pensions Act.

#### **14.5 TERMINATION OF TEMPORARY APPOINTMENT**

An employee who is serving in a temporary capacity may have his/her temporary appointment terminated at any time, in accordance with the terms and conditions of the temporary appointment.

#### **14.6 TERMINATION ON PROBATION**

An employee may have his/her services terminated at any time during the probationary period.

#### **14.7 RETIREMENT**

##### **14.7.1 Abolition of Post**

Where a function, or a set of duties are deemed to be no longer necessary, the position to which the function or duties are attached may be abolished from the establishment. In such a case, the incumbent or holder of the position may be retired on the ground of abolition of post.

##### **4.7.2 Re-organization**

Where a Ministry/Department undertakes changes for the purpose of facilitating improvements leading to increased efficiency, effectiveness and economy, persons whose positions are affected by such changes may be retired on the ground of re-organization.

##### **14.7.3 Mandatory Age**

- (i) Officers are expected to retire from the public service upon reaching the mandatory retirement age of sixty (60) years. Pre-retirement

arrangements should commence at least one (1) year in advance of the mandatory retirement (i.e. no later than fifty-nine (59) years).

- (ii) At any time during the five-year period prior to reaching the age of mandatory retirement; i.e. any time from age fifty-five (55) onward, an officer may exercise the option to retire.
- (iii) Officers may be permitted by the appropriate Service Commission to remain in the service after the age of sixty (60) years subject to the exigencies of the service.

#### **14.7.4 Premature Retirement**

- (i) An employee who has reached the minimum age of fifty (50) years may apply in writing to the Governor General for early retirement. He/She must have at least ten (10) years of service in order to qualify for a pension.
- (ii) An employee who has reached the age of fifty (50) years may be called upon by the Permanent Secretary or Head of Department to retire.
- (iii) The reasons for such a decision must be disclosed to the employee and a recommendation made to the appropriate Service Commission.
- (iv) The employee shall be afforded the opportunity to make representation in writing to the Commission.
- (v) The Service Commission shall advise the Governor-General whether the recommendation should be approved.

#### **14.7.5 Retirement on Medical Grounds**

- (i) An employee may be retired on the ground of ill health on the basis of a medical report from a Medical Board constituted in accordance with the provisions of Staff Order 7.13.10 or from the Chief Medical Officer on the prescribed form.
- (ii) The Report should certify clearly that the employee is incapable of discharging the duties of his office efficiently by reason of an infirmity of mind or body and that the infirmity is likely to be permanent.

#### **14.8 RESIGNATION**

Officers may decide to leave the public service on a voluntary basis and tender their resignation. In such cases, notice should be given in keeping with the terms of appointment.

#### **14.9 EXIT INTERVIEW**

Where an officer leaves, or is about to leave the public service for any reason, an exit interview should be conducted by the appropriate authority within the Ministry or Department.

## CHAPTER 15

### 15. PENSION, GRATUITIES AND OTHER RETIRING ALLOWANCES

#### 15.1 AUTHORITY

Pensions, gratuities and other retiring benefits for public officers shall be determined in accordance with the relevant provisions of the Applicable Pensions Act.

#### 15.2 SUBMISSION OF CLAIMS

- (i) All claims for pensions, gratuities and other retiring benefits should be made by completing the appropriate Pension Particulars Form, as soon as the question of an officer's retirement has been settled.
- (ii) The completed form must be certified by the officers' Permanent Secretary or Head of Department to the effect that all the particulars contained therein are correct.
- (iii) Once certified, the form must be submitted to the Ministry with responsibility for the Public Service (Pensions Branch).

#### 15.3 SUPPORTING DOCUMENTATION

All completed and certified Pension Particulars Forms should be accompanied by relevant supporting documentation, which must include the following:

- (i) Birth Certificate or Statutory Declaration of Proof of Age where there are discrepancies in the Birth Certificate or where the Birth Certificate is not available;
- (ii) Period of Service Record duly completed and signed by the Permanent Secretary or Head of Department; or Statutory Declaration to substantiate service where the relevant records are not available;
- (iii) The officer's election to receive either a full pension or a reduced pension and gratuity; and election to continue to contribute to the Family Benefits Scheme either on the basis of the officer's salary at retirement or full pension.
- (iv) A statement of the officer's indebtedness (if any) to Government;
- (v) Statutory Declaration in support of daily-paid service if applicable.

#### 15.4 TIMING FOR SUBMISSIONS

The submission of pension papers must not await the date on which retirement is due to take effect but should be made as soon as possible after approval has been given for retirement. When the date of retirement has been determined the Ministry/Department concerned should immediately inform the Ministry responsible for the Public Service (Pensions Branch) whether or not there have been any changes in the particulars submitted in the original application. A copy of such information should be forwarded to the Auditor General.



## **15.5 COMPUTATION OF RETIRING BENEFITS**

If there is any doubt whatever on any point which is likely to affect the computation and award of the officer's retiring benefits, the Ministry responsible for the Public Service (Pensions Branch) should be consulted as early as possible with a view to ensuring the correctness of the particulars prior to submission.

## **15.6 STATUTORY DECLARATIONS**

Where Statutory Declarations become necessary, they should conform with the requirements of the Voluntary Declarations Act.

### **15.6.1 Declaration for Proof of Age**

- (i) The officer's Birth Certificate should always be furnished as satisfactory evidence of his/her age. Where, however, this is not possible, and the relevant Service Commission does not have one in its possession or any other reliable record of date of birth, a Statutory Declaration by the officer or any other reliable person or persons attesting to date of the officer's birth may be submitted.
- (ii) In cases where the officer's name does not appear on the Certificate or when the name on the Certificate differs from that by which the officer is generally known, a Statutory Declaration in support of the Birth Certificate should be furnished by the officer himself/herself or any other reliable person.

### **15.6.2 Declarations for Period of Service**

- (i) In cases where it is not possible to locate the necessary records in relation to an officer's service, a Statutory Declaration or Statutory Declarations should be submitted by one or more reliable persons attesting to the periods of such service.
- (ii) The status of the declarant should be stated and he should also give the basis of his knowledge of the facts contained in the declaration.

### **15.6.3 Declaration For Proof of Identity**

- (i) In cases where questions may arise as to the true identity of a person seeking pensions, gratuities or other retiring benefits, a Statutory Declaration or Statutory Declarations should be submitted from one or more reliable persons who can attest to the true identity of the individual.
- (ii) The status of the declarant should be stated and he/she should also give the basis of his/her knowledge of the facts contained in the declaration.

## **15.7 RETIREMENT ON MEDICAL GROUNDS**

In cases of retirement on the grounds of ill-health, a medical report from a duly constituted Medical Board comprising not less than two Medical Officers should be submitted on the prescribed form. The report should state clearly that the officer is incapable by reason of an infirmity of mind or body or both of discharging the duties of his/her office efficiently and that such infirmity is likely to be permanent.



## 15.8 DEATH GRATUITIES

In cases of application for death gratuities, the Death Certificate as well as the Birth Certificate of the deceased should be submitted. If the Death Certificate is not immediately available, the original Order for Burial Form may be submitted.

## 15.9 CERTIFICATE OF PERFORMANCE AND CONDUCT

- (i) Permanent Secretaries or Heads of Departments must certify that an officer who is due to retire has discharged his/her duties with diligence and fidelity in a fully satisfactory manner.
- (ii) Where a Permanent Secretary or Head of Department is unable to give a certificate of diligence because of unsatisfactory service or conduct, and where the officer is not being retired in the public interest, the Permanent Secretary or Head of Department should:
  - (a) give a brief history of the officer's shortcomings;
  - (b) state whether the officer was ever warned about the quality of his/her service and whether any charges were ever preferred and established against him/her, and, where charges have been established, furnish the Ministry responsible for the Public Service (Pensions Branch) with the results of such charges and the penalty imposed; and
  - (c) state whether any reduction is recommended in the amount of benefits for which the officer is normally eligible and, if so, what reduction is recommended.

## 15.10 SERVICE IN MORE THAN ONE PART OF THE PUBLIC SECTOR

In cases where an officer had service under one or more employing body e.g. other Central Government and a Parish Council (including the K.S.A.C.), or several Parish Councils, a detailed statement of the aggregate pensionable emoluments in respect of his/her service with each employing body should be forwarded to the Pensions Branch of the Ministry responsible for the Public Service. In preparing the statement of aggregate pensionable emoluments, the following conditions shall apply:

- (i) during any period when the officer is on leave other than leave on full salary, he/she should be deemed to be on duty on full salary in respect of his/her substantive appointment;
- (ii) during any period that he/she is acting in a higher office, his/her aggregate emoluments shall be related to the salary payable in respect of his substantive office;
- (iii) during any period of secondment, his/her emoluments shall be those payable in respect of his/her substantive office and shall be reflected in the statement of the lending employing body.

### **15.11 CLAIMS FOR DEFERRED PENSIONS**

Officers who, having served for ten (10) or more years, resign from the Service since 1st April, 1972 are eligible for pension on attaining the age of sixty (60) years. In such cases, the following procedure should be followed:

- (i) the officer's Period of Service Form should be properly completed and signed at the time of resignation;
- (ii) the rate of salary paid to the officer during the last three (3) years of his/her service should be documented on the Period of Service Form;
- (iii) a copy of the Period of Service Form should be given to the officer on his/her resignation. This will facilitate the preparation of the Pension Particulars when the officer applies for a pension on attaining the age of sixty (60) years; and
- (iv) the officer's Birth Certificate or Statutory Declaration of age, election to receive a full pension or a reduced pension and gratuity, should be submitted along with the Pensions Particulars, to the Ministry responsible for the Public Service (Pensions Branch), when the officer applies for a pension.

### **15.12 CLAIMS UNDER THE FAMILY BENEFITS ACT**

The Pensions Civil Service (Family Benefits) Act provides for the payment of pensions to the spouse and children, under nineteen (19) years of age, in the event of the death of a pensionable officer who contributed to the Family Benefits Scheme. Officers should ensure that on their appointment their Marriage Certificate, spouse's Birth Certificate and the Birth Certificates of their children are submitted to the Ministry responsible for the Public Service (Pensions Branch) to be recorded. This will facilitate early payment of pension in the event of death.

### **15.13 PENSION OFFICERS**

All officers who are in any way involved with the preparation of Pension Particulars, the computation, award and payment of pensions and other retiring benefits, should ensure that the preceding instructions are strictly observed as failure to do so may lead to disciplinary action.

## CHAPTER 16

### 16. EMPLOYER—EMPLOYEE RELATIONS

#### 16.1 AUTHORITY

The authority for employer-employee relations is vested in the Ministry with responsibility for the Public Service.

#### 16.2 ADMINISTRATION

- (i) The administration of the policies and procedures related to employer—employee relations is vested in the Permanent Secretary in the Ministry with responsibility for the Public Service.
- (ii) Permanent Secretaries/Heads of Departments may exercise such functions as may be determined by the Permanent Secretary in the Ministry with responsibility for the Public Service.

#### 16.3 PROTOCOL

The development of good management practices and industrial relations policies is the joint responsibility of the Ministry with responsibility for the Public Service, employees, and the entities representing employee interests (Staff Associations, Trade Unions, etc).

#### 16.4 ROLES AND RESPONSIBILITIES

##### 16.4.1 The Employer

Permanent Secretaries and Heads of Departments in their capacity as agents of the employer should:

- (a) recognize the rights of trade unions and staff associations to represent their members and to advocate on their behalf;
- (b) respect the rights of employees to belong to staff associations and trade unions and to take part in the activities of these bodies;
- (c) ensure that effective relations and adequate procedures are maintained with employees and their representatives for communication and consultation and for the settlement of disputes and grievances;
- (d) ensure that the established procedures are known, understood and implemented by all members of the management and supervisory team;
- (e) ensure that all supervisory staff have clearly defined responsibilities in the organizational structure, are in charge of manageable work groups, understand their responsibilities and have the necessary qualities and industrial relations training and exposure to do the job;
- (f) ensure that supervisors are cognizant of management policies as they affect their individual work groups and that they maintain an effective link between management and members of their work groups;
- (g) adopt policies and practices for the social and educational improvement of employees, in addition to discharging obligations in respect of the terms and conditions of employment;
- (h) keep in focus the public interest at all times.



#### **16.4.2 The Employee**

Each employee should:

- (a) know, understand and familiarize himself/herself with the terms and conditions of his/her employment;
- (b) perform his/her duties to the best of his/her abilities with due regard to the performance and behaviour expectations established by the organization;
- (c) ensure that his/her actions and behaviour do not prejudice the health, safety or well-being of clients customers or fellow employees;
- (d) exercise his/her right to belong or not to belong to a staff association or trade union, to support it financially and to vest in it the necessary authority to represent his/her interests;
- (e) know understand and abide by the established procedures for dealing with disputes and grievances;
- (f) keep in focus the public interest at all times.

#### **16.4.3 The Employee Representative**

Staff associations and trade unions representing employee interests should:

- (a) represent the interests of their members judiciously.
- (b) maintain jointly with management and other trade unions effective arrangements at all levels for consultation and communication and for settling grievances and disputes;
- (c) take all reasonable steps to ensure that their officials and members observe all arrangements;
- (d) provide for the training of delegates in the scope of their powers and duties and the day-to-day operation of the union;
- (e) provide adequate educational opportunities for the advancement of their members;
- (f) be properly staffed to serve the needs of its members, and allow for effective lines of communication between such staff and the rank and file membership;
- (g) encourage members to take part in its activities;
- (h) make information pertaining to the rules and policies of the unions available;
- (i) provide adequate advisory services for their members and assist them to understand the terms and conditions of their employment;
- (j) identify trends in Industrial Relations to help their members to anticipate and keep abreast of change;
- (k) keep in focus public interest at all times.

### **16.5 PROCEDURE FOR RESOLUTION OF DISPUTES**

#### **16.5.1 Types of Disputes**

Disputes are usually of two types:

- (i) Disputes of right—involve the application and interpretation of existing agreement or rights;



- (ii) Disputes of interest—relates to claims by workers or proposal by management as to the terms and conditions of employment.

#### 16.5.2 Settlement of Disputes

For the settlement of disputes, management and workers' representatives should adopt an approach which:

- (a) should be in writing;
- (b) states the level at which an issue should first be raised;
- (c) sets time limits for each stage of the procedure and provide for extension by agreement;
- (d) precludes industrial action until all stages of the procedure have been exhausted without success;
- (e) have recourse to the Ministry of Labour conciliation and arbitration services.

#### 16.6 GRIEVANCE PROCEDURE

- (i) All employees have a right to seek redress for grievances relating to their employment.
- (ii) Management, in consultation with workers or their representatives should establish and publicize arrangements for the settling of such grievances.
- (iii) The procedure should be in writing and should specify the number of levels and ranks in the hierarchy at which grievances will be heard.

#### 16.7 INDUSTRIAL ACTION

- (i) Industrial disputes include any lock-out, strike or any course of conduct by one or more employees with the intention of preventing or reducing the provision of services.
- (ii) Disputes in the Public Service, which may involve or give rise to industrial action shall be determined in accordance with any law, policies or procedures existing for such purpose.
- (iii) Public Officers shall not be paid for any day, or part of any day during which they are engaged in industrial action.

#### 16.8 TIME-OFF FOR UNION BUSINESS

- (i) Permanent Secretaries and Heads of Departments should make every effort, subject only to the exigencies of the service to grant employees time-off with full pay to attend union meetings or to participate in other activities organized by the union, except activities involving industrial action.
- (ii) The request for time-off should be in writing and accompanied by documentation to certify the nature of the meeting/activity.

## **16.9 LEAVE TO ATTEND COURSES**

- (i) Employees who are selected by their staff association or trade union to attend courses related to union affairs may be granted vacation leave for which they are entitled, plus additional leave on full salary equivalent to the vacation leave taken.
- (ii) An additional period of leave without pay may also be granted.

## CHAPTER 17

### 17. MISCELLANEOUS

#### 17.1 COMMUNICATION FROM PUBLIC OFFICERS—PROCEDURES

Every officer who wishes to make any presentations relating to conditions of service to any person or authority, except the accredited Union representative, outside the Department shall advise the Permanent Secretary/Head of that Department.

#### 17.2 OFFICIAL SEAL

Impressions of official seals must not be supplied to private persons.

#### 17.3 PETITIONS BY PUBLIC OFFICERS

- (i) Every memorial or petition by any public officer, or by any member of the public, should be acknowledged without delay by the Permanent Secretary/Head of Department concerned, with intimation, if the memorial or petition is in order and couched in proper terms, that it is receiving attention.
- (ii) Where the Permanent Secretary/Head of Department is requested by a public officer in the Department to forward a communication which is addressed to any person or authority outside of that Department, the Permanent Secretary/Head of Department shall do so forthwith, and advise the officer when this has been done. In every such case the Permanent Secretary/Head of Department should state his/her own views together with any supporting documents on the representations made and where appropriate should make a definite recommendation.

#### 17.4 EARTHQUAKES, FIRES AND HURRICANES

- (i) Permanent Secretary/Head of Department should ensure that all public buildings, documents and equipment under their charge are as far as practicable made secure on receipt of a warning.
- (ii) Public buildings shall be equipped with fire extinguishers. Permanent Secretary/Head of Department are responsible for the safe custody and regular maintenance of such equipment.

#### 17.5 LOSS OF PRIVATE PROPERTY

An officer may be entitled to claim compensation in respect of losses of or damage to private property incurred through fire, theft, riot or otherwise in the course of his/her service. No payment shall be made in respect of losses which in the opinion of the Ministry responsible for the Public Service, were due to negligence for which the officer was responsible or could reasonably have been covered by Insurance.

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