



THE BAHAMAS GOVERNMENT HUMAN RESOURCES POLICIES

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POLICIES ON ENTRY

APPOINTMENTS

The Policy on new appointments is in accordance with the Public Service Act, 1969, Part II 5 (1) which states:

“Every Public Officer appointed to an office for which a scale of salary is provided shall enter that scale at the lowest point thereof unless the Governor General, acting in accordance with the advice of the appropriate Commission, approves of such persons entering such scale at an incremental point above that point.”

Applicants must meet the minimum requirements for the recommended post. All new entrants to the public service are to be placed at the minimum of the salary scale **OR** at the salary point equal to the relevant post qualification(s), if that entry point is a high value.

For example: Persons appointed in Scale M6:

POST	MINIMUM QUALIFICATION	SALARY
Janitress Scale, M6	Basic Education – up to ninth (9th) grade; OR A minimum of one (1) year work experience.	Minimum of the Scale - \$11,450 (August 2014 Scales)
Filing Assistant, Scale, M6	Five (5) BJC's including English Language	Entry point for post qualification - \$12,900 on point \$13,050 (July 2012 Scales)

Note: Ministries/Departments should not allow an officer to assume duty until the actual appointment letter from the Ministry of the Public Service is in hand.

FORMULA FOR ASSESSING SALARY

The formula for assessing salary is based on the minimum of the salary scale or at the salary point equal to the relevant post requirements plus post qualification experience (i.e. experience after the officer meets the minimum requirement for the post) for the post recommended as indicated below with effect from 1 October 2009:-

The formula for assessing salary based on experience:

- ***Experience outside the Public Service***
 - i. One (1) increment will be awarded for every two (2) years of relevant experience;
 - ii. One (1) increment will be awarded for every four (4) years of partially relevant experience;
 - iii. One (1) increment will be awarded for every six (6) years of non-relevant experience.
- ***Experience inside the Public Service***
 - i. One (1) increment will be awarded for each year of relevant experience;
 - ii. One (1) increment will be awarded for every two (2) years of partially relevant experience;
 - iii. One (1) increment will be awarded for every three (3) years of non-relevant experience.

Applicants may obtain incremental credit for all of their years of post-qualifications experience (i.e. experience after obtaining the requisite qualification for the post) but teachers are only given incremental credit for a maximum of ten (10) years (i.e. post qualification teaching experience). **Qualifications and documented experience (with specific dates of employment) must be submitted with the application.**

Note: In determining the salary on appointment the years of experience needed for the post is first deducted and the officer would be given incremental credit for the remaining years (if any).

DOCUMENTS REQUIRED FOR APPOINTMENT

See Check List for Appointment at **ANNEX I** for documents to be submitted with the recommendation from Ministry/Department.

TERMS OF APPOINTMENT TO THE PUBLIC SERVICE

Appointment to the Public Service can be on one of the following terms:

- a. Twelve (12) months probation
 - b. Temporary month-to-month
 - c. Temporary weekly
 - d. Contract
- a. **Appointment on Twelve (12) Months Probation**
An applicant appointed on twelve (12) months probation, must be a Bahamian citizen who has **not** attained the age of sixty (60). An officer is not eligible for appointment on twelve (12) months probation if he cannot serve a minimum of five (5) years before reaching the mandatory age of retirement (age 65 – 2001 Pensions Act).

Bahamians who would have been appointed **outside** the Public Service (i.e. other than appointed under the Delegation of Powers Order, Public Service Commission Regulations or Public Service Act) salary scales on weekly/contractual terms, upon entering the Public Service

may be appointed on twelve (12) months probation. This would be considered a new appointment.

NOTE

Please see policy for Extension of Probationary Period Due to Unsatisfactory Performance under Policies on Entry.

b. Appointment on Temporary month-to-month terms

A **Bahamian** may be appointed to the Public Service on temporary month-to-month terms, for one year in the first instance, after which he may be considered for appointment to the permanent and pensionable establishment.

A **Bahamian** who would have been appointed **outside** the Public Service (i.e. other than appointed under the Delegation of Powers Order, Public Service Commission Regulations or Public Service Act) salary scales on weekly/contractual terms, upon entering the Public Service may first be appointed on temporary month-to-month terms for at least one year in the first instance, after which he may be considered for appointment to the permanent and pensionable establishment. This would be considered a new appointment.

Non-Bahamians may be appointed to the Public Service on temporary month-to-month terms. They will remain on temporary month-to-month terms, until they obtain Bahamian Citizenship, which would enable them to be appointed to the permanent and pensionable establishment. Non-Bahamians who have served the maximum nine (9) years on contract may be re-employed on temporary month-to-month terms.

c. Appointment on Weekly Terms

The policy on temporary weekly appointments is in accordance with the Public Service (Delegation of Power) Order 1974 [paragraph 2 (a) and 3 (a) (c)], and General Order 273.

General Order 273:

“Temporary non-pensionable appointments may be on a daily, weekly or monthly basis and should not be for more than twelve months.”

Applicants appointed on temporary weekly terms must be Bahamian citizens, who have not attained the age of sixty - five (65) years.

d. Appointment on Contract

i. Contractual Appointment Approved by the Governor General (Inside the Public Service Salary Structure)

Contractual appointments inside the Public Service are approved by the Governor General, acting on the advice of the relevant Service Commission in accordance with the Public Service Act, at a specific post and salary scale. The salary on appointment is **fixed** (no increments and general/special increases are awarded) for the entire period of the contract. These appointments

are made by formal agreements for a specified period and do not provide for the payment of a pension.

Every contracted officer who is employed for a continuous period of not less than two years in any **public office** shall upon satisfactory completion of contractual service be entitled to receive a gratuity equal to 15% of the total salary paid over the period of the contract.¹

Officers may be appointed on contract for a minimum of two (2) years at any one time, up to a maximum of nine (9) years. For example, an officer might enjoy:

- three (3) contracts of two years each and one (1) for three (3) years;
- three (3) contracts for three (3) years each; or
- four (4) contracts of two (2) years each and may be considered for an extension of one (1) year.

At the end of the tour of duty on contract the officer may be considered for appointment on temporary month-to-month terms.

Appointments on contract approved by the Governor General are usually awarded to non-Bahamians as specified by the Ministry/Department. The appointment of a non-Bahamian must be approved by the Minister of the Public Service. In certain circumstances, Bahamians are appointed on contracts as specified by the Ministry/Department.

The conditions of service of an officer on contract are provided in the Memorandum on Conditions of Service (See Annex II), General Orders or the relevant Industrial Agreement.

Contract officers are not to be retained in employment unless contracts of employment are renewed prior to expiration.

No officer appointed on contract **inside the Public Service** should be granted a contract beyond the mandatory retirement age of 65.

Persons must meet the minimum requirements for the post.
See Check List for Appointment at **ANNEX I**.

ii. Contractual Appointment Approved by the Cabinet (Outside the Public Service Salary Structure - i.e. other than appointed under the Delegation of Powers Order, Public Service Commission Regulations or Public Service Act)

Contractual appointments outside the Public Service are approved by the Cabinet and signed by the Permanent Secretary, Ministry of the Public Service (generally the salaries are not listed in the Public Service Scales). The appointments are at **fixed** salaries (no increments and general/special increases are awarded) for the entire period of the contract.

¹ In accordance with Section 15 (1) of the Public Service Act

Every contracted officer who is employed for a continuous period of not less than two years in any **public office** shall upon satisfactory completion of contractual service be entitled to receive a gratuity equal to 15% of the total salary paid over the period of the contract.²

Contractual appointments are made by formal agreements for a specified period and do not provide for the payment of a pension.

Note: These appointments are not referred to the relevant Service Commission.

The conditions of service of an officer on contract are provided in the Memorandum on Conditions of Service (See Annex II), General Orders or the relevant Industrial Agreement (where applicable).

Contract officers are not to be retained in employment unless contracts of employment are renewed prior to expiration.

Persons appointed on contract outside the Public Service are governed by the rules and regulations of the Public Service.

Contract officers are normally appointed on contract for a minimum of two (2) years at any one time, up to a maximum of nine (9) years. For example, an officer might enjoy:

- three (3) contracts of two years each and one (1) for three (3) years;
- three (3) contracts for three (3) years each; or
- four (4) contracts of two (2) years each and may be considered for an extension of one (1) year.

After completing nine (9) years on contract the officer may be re-appointed on temporary month-to-month terms and at the expiration of their tour of duty in the Service (providing it is ten years or more), may be awarded a gratuity in accordance with the Pensions Act – Section 25.

Appointment of Non-Bahamians Married to Bahamians

Married non-Bahamian men or women, whose spouses are Bahamian nationals, may be appointed on contractual terms (up to a maximum of nine (9) years) or on temporary month to month terms until they obtain Bahamian citizenship³.

Appointment of Husband and Wife on Contract⁴

Husbands and wives are appointed as individuals. Each should be considered for contract independently on his or her own merit.

² In accordance with Section 15 (1) of the Public Service Act

³ In accordance with Unnumbered Circular of 1995 dated, 11th October, 1995. File reference no. DPS/61/29 Vol II

⁴ Cabinet Conclusion ICO 34 (95) 18

RENEWAL OF CONTRACTS

Contract Employees are required to take their vacation during the stipulated life of their employment **or forfeit such leave entitlement**, as the authority to pay salaries will cease at the last date of their employment (i.e. expiration of contract or effective resignation date).⁵

Unless contracts of employment are renewed prior to expiration, payment under expired contracts are to cease effective the date of expiration. In any case, contract officers are not to be retained in employment unless the relevant approval and appropriate financial clearance are in hand.⁶

An officer serving on contract, who desires re-engagement, must notify the Permanent Secretary or Head of Department, six (6) months before the expiration of his current contract. In the absence of such notification, it will be assumed that the officer does not desire re-engagement, and the Ministry of the Public Service is to be informed accordingly.⁷

No officer appointed on contract **inside** the Public Service should be granted a contract beyond the mandatory retirement age of 65.

Salary - Contract Officers (Inside & Outside the Public Service)⁸

All contractual appointments and renewals are at **fixed** salaries.

Inside the Public Service

Upon renewal of contract, if the officer's overall performance appraisal rating is above average, he may be granted one (1) increment, if the scale allows. Further, in the case of a general salary

increase the officer's salary will also be adjusted to include the value of the general increase and placed on point in the scale.

Outside the Public Service

Upon renewal of contract, if the officer's overall performance appraisal rating is above average, he may be granted an increase in salary equivalent to one (1) increment that correlates with the Public Service salary scales and his salary.

Note:

The award of the one (1) increment is only applicable if recommended.

Salary of Re-Employed Retired Persons

A re-employed retired person who is in receipt of a pension will be re-employed at a fixed salary throughout the periods of his employment rather than receiving increments (whether on contract or temporary terms) at the end of each contractual period.

⁵ In accordance with Circular #4 of 2011 dated 11th March, 2011

⁶ Cabinet Office Circular C.O. 587, dated 22 April, 2008

⁷ In accordance with General Order 257

⁸ Department of Public Service Circular No: 24 of 2009 (File No. DPS/61/29), dated 16 October, 2009

APPOINTMENT OF OFFICERS IN THE ADMINISTRATIVE CAREER PATH⁹

Applicants with a Bachelor's degree or above, in the Administrative Career Path, will enter the Public Service at the level of Administrative Cadet, Scale X2, by reason of the required qualifications for the post of Administrative Cadet.

APPOINTMENTS ON SPECIAL PROGRAMMES

Persons appointed to special programmes in the Public Service are **not** public officers and therefore their years of service are non-pensionable, nor are they entitled to any benefits under the Pensions Act. These include but are not limited to the following categories:

- i. Unemployment Work Assistance Programme
- ii. Casual Relief Workers
- iii. Special Project Workers
- iv. Sundry Workers
- v. Bahamix Employees
- vi. Appointments by Local Council
- vii. Contract Workers (Bahamians)

If the individuals are considered for appointment to the Public Service it will be on twelve (12) months probation or temporary month-to-month terms in the first instance.

The processing of appointments of the above listed categories of workers would be treated like new appointments and given incremental credit for years of experience up to a maximum of ten (10) years as follows:¹⁰

- ***Experience outside the Public Service***
 - i. One (1) increment will be awarded for every two (2) years of relevant experience;
 - ii. One (1) increment will be awarded for every four (4) years of partially relevant experience;
 - iii. One (1) increment will be awarded for every six (6) years of non-relevant experience.

APOSTILLATION AND/OR NOTARIZATION OF DOCUMENTS

Persons recommended for new appointment, confirmation, re-employment and appointment to the permanent and pensionable establishment, whose documents were issued in a foreign jurisdiction, i.e. birth certificate, marriage certificate, adoption certificate, etc., must be apostilled

⁹ Department of Public Service Policy – effective 1st February 2010

¹⁰ In accordance with the judgment between the Commonwealth and Equity Division No. FP-00095 of 2014 - Marilyn Charlton et al. vs. City of Freeport District Council, Ministry of the Public Service and Ministry of Agriculture and Local Government

and/or notarized. Persons should be advised (in writing) that they may contact their relevant consular or embassy for additional information.¹¹

However, for persons being considered for pensionable appointments and confirmations, the following will be accepted as the principle documents for the confirmation of a person's name, birth date and nationality:¹²

- a. A Bahamian e-Passport (no birth certificate or affidavit would be required).
- b. In the absence of a Bahamian e-Passport, a voter's card along with the birth certificate and if necessary an affidavit will be required. This would include persons with the regular passports and no passports. (Kindly note – the affidavit must be properly executed, duly registered and recorded in the Registrar General's Department).
- c. Persons who were born in a foreign jurisdiction and in possession of a valid Bahamian e-Passport would not be required to have their birth certificate or adoption certificate apostilled/notarized.

See **ANNEX III** for additional information on Apostillation and/or Notarization of Documents.

DATE OF ASSUMPTION OF DUTY OF TEACHING PERSONNEL

The date of assumption of duty of newly appointed Teaching Personnel should be with effect from the actual date the officer reports for duty as opposed to the Orientation date. This does not apply to teachers who were recruited overseas, whose effective date of appointment will be the date of arrival in The Bahamas.

Adherence to this policy will avoid the overpayment of salary and the need to recover.¹³

RE-APPOINTMENT TO PUBLIC SERVICE AFTER A BREAK IN SERVICE (EXCLUDING PERSONS WHO WOULD HAVE RETIRED)

- a. A person who is re-appointed to the Public Service after a break in service of two (2) years or less may return in the same post and salary at which he left or the nearest point upward.
- b. A person who is re-appointed to the Public Service after a break in service of more than two (2) years **may** return in the same post at which he left. He will be appointed at the minimum of the scale and his salary may be assessed based on experience in the post and/or any additional experience gained during the break in service.

¹¹ See Circular No. 23 of 2014, File No. MPS/1/27, dated 3rd September, 2014

¹² See Circular No.38 of 2015, File No. MPS/1/24, dated 4th November, 2015

¹³Effective date: 22nd May, 2015 - Reference: MPS/1/24

NOTE:

~Both 'a' and 'b' would be new appointments.

~See the Bridging of Service Policy.

VETTING PROCEDURE FOR APPOINTMENTS AND TRANSFERS TO SENSITIVE MINISTRIES AND DEPARTMENTS

Security vetting must accompany all recommendations for appointments or transfers to the following sensitive Ministries and Departments:

1. Auditor-General's Department
2. Cabinet Office
3. Court of Appeal
4. Customs Department
5. Department of Civil Aviation
6. Department of Education - (All School Personnel)
7. Department of Housing
8. Department of Immigration
9. Department of Information Technology
10. Department of Inland Revenue (CRA)
11. Department of Lands & Surveys
12. Department of Local Government
13. Department of Meteorology
14. Department of Public Health
15. Department of Public Prosecutions
16. Department of Rehabilitative Welfare Services
17. Department of Road Traffic
18. Department of Statistics
19. Department of Social Services
20. House of Assembly
21. Industrial Tribunal
22. Judicial Department
23. Ministry of Finance
24. Ministry of Financial Services
25. Ministry of Foreign Affairs & Immigration
26. Ministry of Health
27. Ministry of National Security
28. Ministry of the Public Service
29. Ministry of Youth, Sports & Culture
30. Office of the Attorney General & Ministry of Legal Affairs
31. Office of the Governor General
32. Office of the Prime Minister
33. Parliamentary Registration Department
34. Passport Office Department
35. Port Department

36. Post Office Department
37. Registrar General's Department
38. Royal Bahamas Defence Force
39. Royal Bahamas Police Force
40. The Bahamas Department of Correctional Services
41. The Simpson Penn Centre for Boys
42. The Williemae Pratt Centre for Girls
43. Treasury Department
44. All Ministries – Cashiers/Officers who collect revenue and provide accounting functions
45. All Ministries - Security Personnel

Applicants/Officers being recommended must complete all questions on the Security Questionnaire and the relevant Ministry must in turn forward the forms directly to the Security and Intelligence Branch of the Royal Bahamas Police Force with a request that the vetting results be referred to the Secretary of the relevant Service Commission.¹⁴

See **ANNEX IV** for additional information.

VALIDITY OF SECURITY VETTING

a. New appointment

- Security vetting results for new appointments would be considered valid within two (2) years from the date it was issued by the Security Intelligence Branch (SIB). Non-Bahamians are required to provide finger prints which must accompany the security vetting form.
- If the two (2) year period has expired, a new Security Vetting is required.

b. Transfer

Security Vetting is required for persons transferring to a sensitive Ministry/Department as follows:

- Officers who transfer from a sensitive Ministry/Department to another sensitive Ministry/Department who were not previously vetted.
- Officers who transfer from a non-sensitive Ministry/Department to a sensitive Ministry/Department, provided they were never vetted.
- Officers who transfer from an Approved Authority to the Public Service in a sensitive Ministry/Department, provided they were never vetted.

NOTE: Sensitive Ministries/Departments may request a Security Vetting should they require current information on an officer.

¹⁴ See Circular No. 22 of 2015 dated 9th July, 2015 - Reference: **FILE NO.** MPS/3/14

c. Re-employment (Teachers appointed after August 2009)

- Non-Bahamian Teachers who were hired before August 2009 and recommended for re-employment in the Department of Education would require a security vetting (provided they were never vetted). They are required to provide an original finger print card which must accompany the security vetting form.

NOTE: Any Ministry/Department may request a Security Vetting on an officer at any time.

APPOINTMENT OF AN OFFICER WITH A CRIMINAL RECORD

All recommendations for employment of persons who have served a prison sentence following a criminal conviction must be accompanied by a **probation report** from the Department of Social Services (Rehabilitative Section) and forwarded with supporting documents to the Ministry of The Public Service.

Employment of a person with a criminal conviction may only be on temporary month-to-month terms in the first instance.¹⁵

CONFIRMATION IN APPOINTMENTS

An officer becomes eligible for confirmation in appointment with effect from the date he assumed duty, upon satisfactory completion of his probationary period (one (1) year).¹⁶

The grant of the normal increment is one (1) year later, with effect from the first (1st) day of the month the officer assumed duty.

For example: An officer who was appointed on the 14th January, 2014, would be confirmed in appointment with effect from 14th January, 2014, and granted the normal increment, with effect from 1st January, 2015.

See Check List for Confirmation at **ANNEX V** for documents to be submitted with recommendation from Ministry/Department.

Extension of Probationary Period Due to Unsatisfactory Performance

During the probationary period an employee is to be monitored (i.e. performance, attendance and punctuality) and periodically advised, verbally and in writing, of any shortcomings/infractions/misconduct.

The employee may have his probationary period extended if his performance, attendance or punctuality is unsatisfactory during the period of probation.

¹⁵ In accordance with General Order 216

¹⁶ See Public Service Commission Regulation 28

Four (4) months prior to the end of the probationary period, the officer should be advised in writing of his shortcomings by the Permanent Secretary and requested to **show cause** in writing, within fourteen (14) days of receipt of the letter, why his probationary period should not be extended **or** his services terminated.

Whether or not a response is received, the officer is to be advised in writing of the recommendation that is to be forwarded to the Ministry of the Public Service.

NOTE: See Public Service Commission Regulations 28 for additional information. See Section on Disciplinary Matters for termination of service due to unsatisfactory performance during probationary period.

Confirmation in Appointment after Extension of Probationary Period

An officer whose probationary period was extended for one (1) year, after satisfactory performance will be confirmed in appointment with effect from one (1) year after the date of assumption of duty and will be granted the normal increment one (1) year after date of confirmation.

For example: An officer who was appointed on 15th January, 2013 and whose probationary period was extended for one (1) year would be confirmed in appointment, with effect from the 15th January, 2014, and granted the normal increment, with effect from the 1st January, 2015.

Confirmation in Appointment of Officers Who Obtain Unpaid Leave during Probationary Period

An officer who enjoys **unpaid leave** during his probationary period is confirmed with effect from the date of his initial appointment and granted the **normal increment** at the **end of the twelve (12) working months**.

*For example: An officer was appointed on 9 June 2014 but was granted three (3) months **unpaid leave** during his probationary period, would be confirmed in appointment with effect from 9 June 2014 and granted the normal increment with effect from 1 September 2015.*

Confirmation of Officers Appointed at the Maximum of the Scale

An officer appointed at the maximum of the scale, upon satisfactory completion of one (1) year of service, may be considered for confirmation in appointment with effect from the date he assumed duty. He would not be eligible for the award of a normal increment as no increments are available to be granted.

Confirmation of Officers who are Promoted during the Probationary Period

If an officer is promoted before completing his one (1) year probationary period, he will be confirmed in appointment with effect from the date he assumed duty and granted the normal increment one (1) year from the date of promotion.

No increment is granted on confirmation due to the promotion.

For Example: If an officer was appointed on twelve (12) months probation as a Trainee Technician, Scale T14, with effect from 5th August, 2014 and was promoted to Assistant Engineer, Scale E16, with effect from 15th December, 2014, he will be confirmed in appointment as Trainee Technician, Scale T14, with effect from 5th August, 2014, and granted an increment in Scale E16, with effect from 1st December, 2015 (Change of incremental month due to promotion).

Appointment to the Permanent and Pensionable Establishment and Confirmation in Appointment

Persons appointed to the Permanent and Pensionable Establishment and confirmed in such appointment can be:

- a. Bahamian Citizen¹⁷
 - i. Officers who were initially appointed under the Delegation of Powers Order on temporary weekly terms who have worked a minimum of forty (40) hours per week and who have served a minimum of one (1) year;
 - ii. Officers who were initially appointed under the Delegation of Powers Order *or by the Public Service Commission* on temporary monthly terms and who have served at least one (1) year.

OR

- b. A Non-Bahamian who has been naturalized as a Citizen of The Commonwealth of The Bahamas.

NOTE: There is no law or regulation requiring the establishment of an officer after attaining Bahamian Citizenship. However, if the officer is appointed to the permanent and pensionable establishment the **entire continuous period** of prior non-pensionable service becomes pensionable (**excluding** periods of unpaid leave and periods served on contract).

¹⁷Reference: DPP/81/01, Volume 2, dated 13th January, 1984

Effective Date of Appointment to the Permanent and Pensionable Establishment for Bahamians

The effective date of appointment to the Permanent and Pensionable Establishment would be with effect from the first day of the month that the recommendation reaches the Ministry of the Public Service. In the case of officers who are retiring, the effective date would be the first day of the month prior to the retirement date.

NOTE: It is virtually impossible for the date of appointment to the permanent and pensionable establishment of a non-pensionable officer to be “incorrect”. Therefore, it is the **appointment** to the permanent and pensionable establishment **that is important** and **not the date**.

See check list for Appointment to the Permanent and Pensionable Establishment at **ANNEX VI** for documents to be submitted with the recommendation from Ministry/Department.

Effective Date of Appointment to the Permanent and Pensionable Establishment for Officers Who Obtain Bahamian Citizenship

An officer who obtains Bahamian citizenship may be appointed to the permanent and pensionable establishment without change in status, salary or incremental date provided he has served for more than a year.

The date of appointment may be with effect from:

- a. the date on the naturalization certificate (If the officer does not submit the certificate within one (1) year of receipt, the effective date would be the first day of the month that the recommendation reaches the Ministry of the Public Service); or
- b. the day after the contract or the re-employment period expires.

NOTE: An officer who obtains Bahamian citizenship prior to completing one (1) year of service may be considered for appointment to the permanent and pensionable establishment on the day after his anniversary.

NOTE: There is no law or regulation requiring the establishment of an officer after attaining Bahamian Citizenship. However, if the officer is appointed to the permanent and pensionable establishment the **entire continuous period** of prior non-pensionable service becomes pensionable (**excluding** periods of unpaid leave and periods served on contract).

Pensionable Establishment – Untrained Teachers and Assistant Teachers Prior to 1 July 1997¹⁸

Bahamian Untrained Teachers and Assistant Teachers became eligible for appointment to the permanent and pensionable establishment on 1 July 1997 provided they had not reached the

¹⁸ Department of Public Service Memorandum to Ministry of Education, dated 12 November, 1997 (DPS/12/03)

mandatory age of retirement by that date. **The policy came into effect on 1 July 1997 and was not retroactive.**

Prior to 1 July 1997 Untrained Teachers and Assistant Teachers were appointed on temporary non-pensionable terms and on retirement received gratuities for their years of service.

Permanent Residents (With the Right to Work) and Appointment to the Permanent and Pensionable Establishment of Non-Bahamians

A non-Bahamian holding the Certificate of Permanent Residence **would not** qualify to be appointed to the Permanent and Pensionable Establishment.

Under the present policy, only a non-Bahamian employed in the Public Service who receives a **Certificate of Registration as a Citizen of the Bahamas would be** eligible for consideration for appointment to the Permanent and Pensionable Establishment. In other words, the **policy does not** permit the placement of non-Bahamians on the permanent and pensionable establishment.

POLICIES ON PROMOTION

PROMOTION

Promotion is defined in The Public Service Commission Regulations as conferment of a post to which is attached a higher salary or salary scale.

Promotion of an officer is not given solely on account of an excellence of performance of the duties of the present post but also in recognition of an ability to meet satisfactorily the requirements of the higher office (*i.e. post*).¹⁹

Promotion should not be confused with reclassification which is generally a lateral move. If the scale for which an officer is being considered is more than two increments above the maximum of the officer's present post then the officer is promoted.

An officer may be eligible for promotion if:

- (a) He meets the requisite qualifications and experience for the post and there is the need for his services at that level; and
- (b) He has performed consistently at an above average level in his current post for the last three (3) consecutive years prior to the recommended promotion date and has demonstrated the ability to assume greater responsibility. Above average performance (as indicated on his Employee Performance Appraisal Report) must include reference to an officer's record of attendance and punctuality over the same period.

¹⁹ Reference to General Order 507

In the case of teachers the following applies:

- The same promotion policy that applies to other officers applies to teachers, that is: “Promotion should not be confused with reclassification which is generally a lateral move. If the scale for which an officer is being considered is more than two increments above the maximum of the officer’s present post then he cannot be reclassified instead he must be **promoted**”.
 - i. Therefore, any officer not in Scale S12 or S12A who obtains a Bachelor’s degree in Education, a Bachelor’s Degree and/or a Teacher’s Certificate/Diploma in Education can be **promoted** to a Trained Teacher. For example: Untrained Teacher, Teachers Aide, Teacher Trainee, Craft Instructor, Clerical Personnel, etc.
 - ii. An officer in Scale S12A who obtains a Bachelor’s degree in Education, a Bachelor’s Degree, or a Teacher’s Certificate/Diploma in Education may be granted a 7(a) increment in Scale S12A where applicable and be **reclassified** as a Trained Teacher, Scale S12.
 - iii. Prior to October 2009, an officer who obtained the above qualifications as at ii, would have his salary reassessed or granted a 7(a) increment where applicable and reclassified as a Trained Teacher, Scale S12.

Note

In considering the claim of any officer in the Public Service for promotion, merit and ability shall be taken into account as well as seniority, experience and formal qualifications.²⁰

Officers who are being superseded should be advised in writing of the reason(s) and given the opportunity to respond.²¹

See Check List for Promotion at **ANNEX VII** for documents to be submitted with the recommendation from Ministry/Department.

INCREMENTS ON PROMOTION

All persons promoted shall receive a minimum of one (1) increment within his present scale and placed on point or at the next highest point in the new scale.

If the officer has worked nine (9) months or more towards his next increment (provided he is not at the scale maximum) he is also entitled to this increment. Therefore, he would receive two (2) increments within his present scale on promotion and placed on point or at the next highest point in the new scale. However, if the officer is at the scale maximum then he would only receive one (1) increment on promotion.

²⁰ In accordance with Section 18(1) of the Public Service Commission Regulations

²¹ Reference Public Service Commission Regulation Section 18 (2)

SUPER SCALE

A super scale is any scale where the maximum is **higher** than the maximum of the First Assistant Secretary's scale (Scale A1).

INCREMENTS ON PROMOTION TO A SUPER SCALE

An officer on promotion from any scale to a super scale would receive a minimum of two (2) increments. If the officer has worked nine (9) months or more towards his next increment (provided he is not at his scale maximum) he is also entitled to this increment. Therefore, he would receive three (3) increments within his present scale and placed on point or at the next highest point in the new scale.

TRANSITIONAL POST ON PROMOTION

If an Officer is recommended for promotion from one career path to another which requires a retroactive reclassification, before effecting the promotion, the need for the transitional post is not required.

For example;

A Mason II, Scale T14, who meets the requirement and is recommended for promotion to Welder I, Scale T13, will first be retroactively reclassified as a Welder II, Scale T14 and promoted to Welder I, Scale T13.

The Ministry **will not** be required to provide proof of the vacant post of Welder II (which is the transitional post).

OR

A Filing Assistant, Scale M6, who met the requirements for Clerk and was not reclassified at that time and is recommended for promotion to Senior Clerk, Scale C3, will first be retroactively reclassified as a Clerk, Scale C4, and promoted to Senior Clerk, Scale C3.

The Ministry **will not** be required to provide proof of the vacant post of Clerk (which is the transitional post).

PROMOTION OF EXPATRIATE PERSONNEL²²

Expatriate personnel would only be considered for promotion in areas where there is a lack of skilled Bahamians at the various levels. Whenever suitably qualified Bahamians are available

²² Department of Public Service Circular No. 16 of 1980, dated 18 June 1980

for vacant positions, expatriate staff would not be considered for those posts, unless they have obtained Bahamian Citizenship status.

Expatriates who **had been appointed to the Pensionable Establishment prior to 10 July 1973** would continue to be employed in their respective posts, with full eligibility for retiring benefits specified in the Pensions Act.

PROMOTION OF CONTRACT WORKERS

Contract Workers will not ordinarily be promoted during their contractual period; however, upon renewal of contract consideration may be given to their re-employment to a higher post.

PROMOTION OF OFFICERS ON TEMPORARY MONTH-TO-MONTH TERMS

An officer on temporary month-to-month terms may be eligible for promotion to a higher post provided he meets the requirements.

PROMOTION OF OFFICERS AGE FIFTY-FIVE (55) OR OLDER WHO DO NOT MEET ACADEMIC REQUIREMENTS²³

Consideration would be given to the promotion of officers age fifty-five (55) or older who might not satisfy the established academic criteria for promotion for posts requiring BGCSE or equivalents as follows:

a) Service Wide Exercise

Persons age fifty-five (55) years or older must meet the required years of experience and possess a minimum of two (2) BGCSE subjects (at grade C or above or equivalents) of the three (3) BGCSE subjects required and be successful in the relevant assessment exercise, where applicable, for consideration in the Service Wide Promotion Exercise.

However, persons age sixty (60) years or older will only be required to **monitor** the relevant assessment exercise (**i.e. participate but not sit the final exam**).

Note:

This only applies to service-wide promotion exercise posts above the level of Chief Clerk, Senior Private Secretary and Chief Registry Clerk, Scale C2.

b) Other Promotions

In cases where the officer is fifty-five (55) years or older and is short by one (1) BGCSE subject and where no assessment is required, he will have to serve an additional two (2) years in the post before being eligible for promotion.

²³ Department of Public Service Circular No. 10 of 2005, dated 7 June 2005

NOTE: This concession only applies to officers who have a minimum of two (2) BGCSE subjects or equivalents; e.g. General Foreman, Scale M4, requires that the officer possesses three (3) BGCSE subjects, two (2) of which must be English Language and Mathematics, plus ten (10) years experience in the field. If the officer has two (2) subjects, then he would be required to serve an additional two (2) years in post for a total of twelve (12) years, in lieu of the third subject, in order to be considered for promotion to this post

PROMOTION AND AWARD OF 7(A) INCREMENTS FOR SAME QUALIFICATIONS

The grant of a 7(a) increment and promotion will not be awarded for the same qualification within a twelve (12) month period.

Note: If the officer is promoted based on the additional qualification in the first instance, he is not eligible for the award of a 7(a) increment.

PROMOTION WHILE ON UNPAID LEAVE/UNPAID STUDY LEAVE/IN SERVICE TRAINING AWARD/SECONDMENT (OUTSIDE THE PUBLIC SERVICE – i.e. QUASI-GOVERNMENT, PRIVATE COMPANIES, INTERNATIONAL ORGANIZATION, NON-GOVERNMENTAL ORGANIZATION, ETC.)

An officer cannot qualify for a promotion while he is absent from active duty on any of the above subject leave/postings. However, if he qualified for promotion and was recommended prior to the commencement of leave then he is eligible - i.e. if the effective date of the promotion is prior to commencement of the leave, the officer will be considered.

If the officer qualified for promotion and was recommended prior to the commencement of leave/postings, and the effective date was while he was on any of the above leave, the date of promotion would be when he resumes active duty.

RECLASSIFICATION vs. PROMOTION

Reclassification is not automatic; the officer must meet the academic qualifications and/or be performing the duties of the recommended post. Furthermore, there must be a vacancy.

Reclassification can take place under the following conditions:

- a) in scales which are basically “on par” with each other (**on par* means that the salary in both posts/scales begins and ends basically at the same point).
- b) if the maximum of the reclassification scale is two (2) increments or less than the maximum of his present scale.
- c) if the officer is moving to a scale which has fewer increments than his present scale. (Currently he is “appointed” to the post).

- d) if the officer is moving to a scale that is considered lower than his present scale.

Exceptions to this policy are officers being reclassified from the M6 Scale (July 2014) to C4 Scale (July 2014).

For example: Filing Assistant/Janitress/General Service Worker, Scale M6, reclassification to Clerk, Scale C4.

NOTE: If the officer is moving to a scale which has fewer increments but the maximum is higher than his present post (**more than two (2) increments**) he must be promoted (see policy on Promotion).

For 'b' and 'c' above the officer must be advised in writing and give his written consent before he can be reclassified. If his salary cannot be placed on point in the scale then he may be reclassified at a salary personal to self.

REQUIREMENT FOR RECLASSIFICATION OF OFFICERS FROM THE SECRETARIAL OR REGISTRY CADRE TO THE EXECUTIVE CADRE

An officer in the Secretarial or Registry Career Path who wishes to be reclassified to the Executive Career Path, must meet the following requirements²⁴:

- a) proof of having performed executive type duties for a minimum of one (1) year prior to the reclassification date
- b) the minimum academic qualifications of at least three (3) BGCSE or equivalent including English Language;
- c) be successful in the relevant Assessment Exercise; **and**
- d) above average Employee Performance Appraisal Reports for the preceding three (3) years, with supporting detailed Job Descriptions.

Effective 1 July 2010

Note: If an officer is successful in the Assistant Secretary Assessment (formerly the Administrative Competition) and wishes to be reclassified into the Executive Career Path, he would not be required to take the Executive Level Supervisory Assessment.

TRANSFER BETWEEN GRADES

An officer who wishes to transfer from one career path to another:

- i. must state his request in writing and the career path he wishes to pursue;
- ii. must meet the requirements for the post.

²⁴ Extract from Public Service Commission Minute dated 26 July 2010. Reference DPS/PF/24930

1. Number of years an officer must serve in a given post before transferring and advancing to another post:

a) Reclassified/Transferred

Serve a minimum of one (1) year in the current post before being eligible for reclassification/transfer between grades. This is in accordance with the policy for Requirement for Reclassification of officers from the Secretarial or Registry Cadre to the Executive Cadre.

In the case of technical officers they would be required to serve a minimum of one (1) year in the current post before being eligible for reclassification/transfer between grades. The salary of the officer must be taken into consideration when determining the post to which he is to be reclassified.

If an officer requests a reclassification in the Administrative or Executive career path, he would be reclassified to one of the following post:

- i. Senior Executive Officer, Scale X2
- ii. Chief Executive Officer/Secretary/Registry Supervisor, Scale X1 (i.e. if the officer's salary is beyond the maximum of the Senior Executive Officer's scale).

NOTE: If the officer does not possess a Bachelor's degree and his present salary is beyond the maximum of the Chief Executive Officer/Secretary/Registry Supervisor Scale, he may be reclassified at a salary personal to oneself.

- iii. Administrative Officer, Scale A16 (i.e. if the officer's salary is beyond the maximum of the Chief Executive Officer's scale).

NOTE: If the officer's present salary is beyond the maximum of the Administrative Officer's Scale he may be reclassified at a salary personal to oneself.

NOTE: Officers reclassified as Chief Executive Officer/Secretary/Registry Supervisor or Administrative Officer must serve the recommended years in post and pass the relevant assessment exercise for further advancement.

b) Promoted

Serve a minimum of two (2) years in the current post before being eligible for promotion. An exception to this policy would be the case of Trainees where such Officers may advance to a higher level after one (1) year.

2. Transitional Post

If an Officer is recommended for promotion from one career path to another which requires a reclassification or appointment, before effecting the promotion, the need for the **transitional post** is not required.

For example; A Mason II, Scale T14, who meets the requirement and is recommended for promotion to Welder I, Scale T13, will first be retroactively reclassified as a Welder II, Scale T14 and promoted to Welder I, Scale T13.

The Ministry **will not** be required to provide proof of the vacant post of Welder II (which is the transitional post). **OR**

A Filing Assistant, Scale M6, who meets the requirement and is recommended for promotion to Senior Clerk, Scale C3, will first be retroactively reclassified as a Clerk, Scale C4 and promoted to Senior Clerk, Scale C3.

NOTE: The promotion of an officer to Senior Clerk, Scale C3, can only be processed via the Service-Wide Promotion Exercise.

The Ministry **will not** be required to provide proof of the vacant post of Clerk (which is the transitional post).

See Guidelines for Transfer between Grades under Policies on Staff Movement.

ROTATION FOR PROMOTION²⁵

Rotation is no longer a requirement for promotion with effect from 23rd September, 2009.

PROMOTION OF OFFICERS WITH ADVERSE VETTING REPORTS OR OTHER ADVERSE REPORTS²⁶

a. No New Adverse Vetting Over Seven (7) Years Old

An officer who is recommended for promotion, or who was promoted following the disclosure in a vetting by the Police of adverse information, should not be prevented by reason of that prior information from being promoted if his Ministry is aware of the prior information and so certifies and that Ministry still supports the promotion and further Police vetting does not reveal any new relevant information and the Ministry of the Public Service has no new relevant information that would cause a refusal of the promotion.

Where the person has not been promoted because of an adverse vetting, misconduct or serious indiscretion in the performance of duties and the officer's Ministry has recommended his

²⁵ Department of Public Service Circular No: 22 of 2009, dated 23 September 2009

²⁶ Department of Public Service Circular No: 13 of 2004, dated 9 July 2004

promotion, if the information is **over seven (7) years old**, then unless there is new relevant information from the Police or the Ministry of the Public Service which is adverse to the officer, the information shall not be the basis of the refusal of a promotion for that officer.

For any officer, who has an adverse vetting report by the Police which is **older than seven (7) years** and has not led to disciplinary or criminal proceedings it shall not form the basis of the refusal of a recommendation for promotion.

b. **New Adverse Vetting Within the Last Seven (7) Years**

In the case of an officer who has adverse Police vetting or the Ministry of the Public Service has information on that officer's file that is **older than seven (7) years**, and where there is relevant **new adverse** information from a Police vetting or the Ministry of the Public Service on an officer who has been recommended for promotion, that information should be put to the officer and his Ministry in writing for their comments forthwith in detail by the Ministry of the Public Service, and the officer and the officer's Ministry given an opportunity to respond within fourteen (14) days of the date of receipt of the allegation on the officer.

If there is no response from the officer or his Ministry within six (6) weeks of the receipt of the allegation by the officer and his Ministry, the decision shall be made on the promotion without further inquiry. If the officer and the Ministry respond to the information it shall be taken into account in deciding the promotion. The promotion shall be placed in abeyance if the adverse information requires further inquiry or a disciplinary or criminal investigation. The Ministry or Department (where there is no Permanent Secretary) shall be informed forthwith if the recommendation for promotion is to be held in abeyance. A decision shall ordinarily be concluded on the inquiry, disciplinary or criminal investigation within six (6) months of the matter being received by the officer. If it is taking longer than six (6) months, the Ministry or Department (where there is no Permanent Secretary) shall be informed by the Ministry of the Public Service every thirty (30) days and it shall disclose the reason for the delay. In every case, the matter shall be concluded within one (1) year as to whether the promotion can be advanced or whether by reason of the adverse finding, the officer's promotion is refused, and the Ministry or Department (where there is no Permanent Secretary) shall be so informed.

No officer suspected of participation or facilitation of illegal or improper activity ought to be recommended for promotion. In all such cases the investigation into the matter ought to be conducted and completed in the shortest period possible and the appropriate disciplinary action taken. Where an officer is being denied a promotion on grounds herein stated, the officer must be informed and allowed to put his case to his Department.

These policies should be applied purposely, meaning that in borderline cases (e.g. just under seven (7) years) the discretion ought to be exercised in favor of the officer.

The procedure as outlined above shall be adapted *mutatis mutandis* [i.e. used when comparing two or more cases or situations, making necessary alterations while not affecting the main point

at issue] in the case of an officer who is being recommended for promotion and requires vetting and information is found adverse to his interest.

PROMOTION OF OFFICERS DURING PROBATIONARY PERIOD

If an officer is promoted before completing his one (1) year probationary period, he will be confirmed in appointment with effect from the date he assumed duty and granted the normal increment one (1) year from the date of promotion.

No increment is granted on confirmation due to the promotion.

For Example: If an officer was appointed on twelve (12) months probation as a Trainee Technician, Scale T14, with effect from 5th August, 2014 and was promoted to Assistant Engineer, Scale E16, with effect from 15th December, 2014, he will be confirmed in appointment as Trainee Technician, Scale T14, with effect from 5th August, 2014, and granted an increment in Scale E16, with effect from 1st December, 2015 (Change of incremental month due to promotion).

ACTING APPOINTMENT WITH A VIEW TO SUBSTANTIVE PROMOTION²⁷

The authority to appoint an officer to act with the view to substantive promotion rests with the relevant Service Commission on the recommendation from the respective Ministry and the Ministry of the Public Service.

PROMOTION - SKIPPING POSTS

Officers recommended for promotion should progress through the career path without skipping post(s).

Skipping of post will only be considered in exceptional cases where:

- a) an officer obtains additional qualifications, where applicable;
- b) an officer applies for an advertised position; **or**
- c) the maximum of the officer's present scale, exceeds or is equal to the maximum of the next promotion post.

²⁷ Department of Public Service Circular No: 9 of 2003, dated 2 April 2003. DPS/89/02

POLICIES ON STAFF MOVEMENT

TRANSFER

Transfer is the movement of staff between ministries, departments and approved authorities (i.e. from one budget head to another).

The transfer of monthly paid staff must be approved by the Public Service Commission on the recommendation of the Ministry of The Public Service.

Please see Policies on Staff Movement for the Deployment of officers who are paid on Weekly Paid terms.

Unofficial Postings and Transfers²⁸

Officers are not to be unofficially posted or transferred to different areas of duties other than those designated by their formal appointments, without prior consultation with the Ministry of the Public Service on the effects of such actions.

Security Vetting Requirements for Transfer to Sensitive Ministries

Security Vetting is required for persons transferring to a sensitive Ministry/Department as follows:

- Officers who transfer from a sensitive Ministry/Department to another sensitive Ministry/Department who were not previously vetted.
- Officers who transfer from a non-sensitive Ministry/Department to a sensitive Ministry/Department, provided they were never vetted.
- Officers who transfer from an Approved Authority to the Public Service in a sensitive Ministry/Department, provided they were never vetted.

NOTE: Sensitive Ministries/Departments may request a Security Vetting, should they require current information on an officer.

NOTE: See section on Entry for list of sensitive Ministries and Departments.

Transfer from the Public Service to an Approved Authority

Under Section 22 of the Pensions Act, Chapter 43, **only Pensionable Officers**, can transfer from the Public Service to an Approved Authority. In accordance with the terms and conditions laid down in the Act, the transferred officer would preserve his years of Pensionable Public Service.

²⁸ Department of Public Service Circular No: 8 of 1986, dated 24 June 1986

Pensionable employees of the Bahamas Government are Public Officers up to the date they accept permanent employment with an approved authority. Upon assumption of the permanent employment (i.e. date of transfer) they are deemed to have ceased to be in the service of the Government and to have entered into service with the Authority. They are, therefore, governed by the rules and regulations applicable to the Authority.

In accordance with Section 22 of the Pensions Act, Chapter 43, the Government would **only be responsible for pension benefit**, calculated on their last Public Service salary, **in respect of service rendered by them up to the date they accepted the offer of appointment** with the Authority. As an employee of the Authority they would have to participate in the Authority's Pension Plan as by Law the Government would only be responsible to make a contribution towards the pension for the **years served in the Public Service**. The Act states that:

“There shall be payable out of the Consolidated Fund upon the Warrant of the Minister of Finance to an approved authority as a contribution to every pension paid in accordance with sub-section (2) of this section, such amounts as would have been payable to the person concerned by way of pension under the Act, if such person had retired from the Public Service and if he had been granted a pension under this Act upon the date of his ceasing to hold a public office.”

SEE PAGES 45-46 FOR THE LIST OF APPROVED AUTHORITIES

Transfer to the Public Service from an Approved Authority

The Pensions Act, Chapter 43, provides that where an Approved Authority has established or will establish a pension scheme, persons **appointed by them in a pensionable post (confirmed in appointment)** may transfer to the Public Service. However, a transfer cannot take place unless the Approved Authority satisfies the requirements of Section 23 of the Pensions Act. This section provides that the Governor General shall not consent to the transfer unless and until the Approved Authority has made satisfactory arrangements with the Treasurer for the reimbursement to the Consolidated Fund of the cost of any pension and/or gratuity to be granted to the officer under the Pensions Act. This is due to the fact that the length of service with the Approved Authority bears to the total length of the officer's continuous service under that body and the Government of The Bahamas taken together. The section further provides that the grant of a pension under the Pensions Act is in full satisfaction of and discharges any right to pension which a pensionable officer might otherwise have received if he/she had not been transferred to the Public Service.

Therefore, in view of the above, before a transfer can take place, the Approved Authority must confirm (agree) in writing that it will make satisfactory arrangements with the Treasurer for the reimbursement to the Consolidated Fund of such proportion of the cost of any pension and/or gratuity to be awarded to the transferred officer when he/she retires/resigns from the Public Service.

SEE PAGES 45-46 FOR THE LIST OF APPROVED AUTHORITIES

Procedure When Persons Request Transfer from an Approved Authority to the Public Service

To satisfy the requirements of the Pensions Act with respect to persons seeking transfers to the Public Service from Approved Authorities, the following letters (*that were drafted by The Office of the Attorney General*) are to be issued whenever there is a request for transfer:

a) Letter that is to be issued to approved Authority with respect to persons requesting transfer to the Public Service

(Date)

(The Approved Authority)

(Address)

Dear Sir:

RE: (NAME OF EMPLOYEE)

The above captioned individual refers.

As you are aware the above named individual has requested a transfer from yourselves to the Public Service pursuant to section 23 of the Pensions Act, Statute Law of The Bahamas.

Section 23(2) of the said Act provides as follows:

“The Governor General shall not consent to the transfer of any person to Pensionable Public Service under the provisions of this section unless and until the Approved Authority from which he is transferred has made satisfactory arrangements with the Treasurer for the reimbursement to the Consolidated Fund of such proportion of the cost of any pension or other benefit granted to that person under the provisions of this Act as the length of his service with that Approved Authority shall bear to the total length of his continuous service with such authority and under the Government of the Bahamas taken together.”

Kindly confirm in writing that (insert Name of Employee) is employed in pensionable circumstances and whether all pension contributions are current as of the date hereof.

Further, we have informed (insert Name of Employee) that a prerequisite of approval of the transfer is that satisfactory arrangements must be made with the Treasurer for the reimbursement to the Consolidated Fund of such proportion of the cost of any pension or other benefits due to (insert Name of Employee) under the Pensions Act. To that end, we have asked (insert Name of Employee) to not seek any withdrawals or cancellation from your Pension Plan, while this matter is being processed and seek your cooperation in that regard.

Your anticipated cooperation is appreciated.

Kindly acknowledge receipt of this letter by signing and returning the enclosed copy.

Sincerely,

Permanent Secretary

b) Letter that is to be issued to persons approved for transfer from an Approved Authority

(Date)

(Name of Employee)

(Address)

Dear (Name of Employee),

RE: APPROVAL OF TRANSFER

The above captioned refers.

Please be advised that in order to process your request for transfer from the (Name of Approved Authority) to the Public Service, we must ensure that the provisions of Section 23(2) of the Pensions Act are satisfied. The same provides as follows:-

“The Governor General shall not consent to the transfer of any person to Pensionable Public Service under the provisions of this section unless and until the Approved Authority from which he is transferred has made satisfactory arrangements with the Treasurer for the reimbursement to the Consolidated Fund of such proportion of the cost of any pension or other benefit granted to that person under the provisions of this Act as the length of his service with that Approved Authority shall bear to the total length of his continuous service with such authority and under the Government of The Bahamas taken together.”

In that regard we hereby request that no action to withdraw any sums from your Pension Plan or remove yourself from the same until this matter has been finalized.

Further, please be advised that once the Public Service Commission has provided its approval for your transfer you shall be asked to authorized (insert Name of Approved Authority) to transfer the necessary sums to the Treasurer for the reimbursement to the Consolidated Fund before the matter can be referred to His Excellency the Governor General. Any action in contravention of the foregoing may hinder the processing of your transfer or result in your years of service with (insert Name of Approved Authority) not being taken into account in the computation of your future benefits under the Pensions Act.

Your anticipated cooperation is appreciated.

Kindly acknowledge receipt of this letter by signing and returning the enclosed copy.

Sincerely,

Permanent Secretary

- c) **Letter that is to be issued to Approved Authority by person whose transfer from an Approved Authority has been approved. NOTE: This letter is to be issued along with letter (b) above.**

(Date)

(The Approved Authority)

(Address)

Dear Sir:

RE: TRANSFER OF (NAME OF EMPLOYEE) TO THE PUBLIC SERVICE

Please accept this as your authorization to transfer the amount of _____ Bahamian Dollars (B\$_____) from the Pension Plan to the Treasurer of The Commonwealth of The Bahamas so that the same may be applied to the Consolidated Fund pursuant to section 23(2) of the Pensions Act, Statute Law of The Bahamas.

Finally, kindly copy the Department of Public Service in your communication to the Treasurer.

Yours truly,

(Name of Employee)

cc: Permanent Secretary, Department of Public Service

SECONDMENT²⁹

A pensionable officer may be **seconded** to or from any Approved Authority in accordance with Section 32 or 33 of the Pensions Act.

Secondment to the Public Service from an Approved Authority

Section 33 (Secondment to the Public Service) of the Pensions Act, provides for secondments from an Approved Authority to the Public Service for a period of two (2) years at a time to a person holding a pensionable office and that the:

“.....Minister of Finance shall by warrant under his hand pay to the relevant approved authority’s pension fund monthly during the period of secondment a contribution towards the

²⁹ Reference Pensions Act 2001

prospective pension entitlement of the person concern calculated at the rate of twenty-five per centum (25%) of the pensionable emoluments of the person concern immediately before the date of his secondment.”

SEE PAGES 45-46 FOR THE LIST OF APPROVED AUTHORITIES

Secondment from the Public Service to Approved Authority

The conditions of Section 32 of the Pensions Act must be complied with before a pensionable officer can be seconded from the Public Service to an Approved Authority. The Section read as follows: -

*“The Governor General may, with the agreement of any approved authority and the consent of the officer concerned, second any officer holding any pensionable office under the Government of The Bahamas for service with that authority upon such terms and conditions and for such period **not exceeding two (2) years** at a time as he may think fit.”*

Therefore, before a secondment can proceed the Approved Authority must agree, in writing, to pay into the Consolidated Fund a contribution towards the prospective pension entitlement of the officer calculated at the rate of twenty-five per centum (25%) of the pensionable emoluments.”

Note: The officer who is seconded, on his return to The Public Service, his salary should be allowed to progress as though the period of secondment had not occurred. No arrears are to be paid during the period of secondment.

SEE PAGES 45-46 FOR THE LIST OF APPROVED AUTHORITIES

Maximum period of Secondment

The **maximum period** that is allowed for an officer to be seconded to an approved authority is **six (6) years** for two (2) years at a time. An extension of the secondment must be requested at the end of each period. When the officer reaches the maximum six (6) year period he **must return** to the Public Service **or** request in writing, a **transfer** to the approved authority. However, the officer may resign or retire at the end of his secondment if he so desires.

Special Attachment to International Agencies (Overseas)

There is no provision in the Pensions Act that allows for the secondment or transfer of public officers to International Agencies (Overseas). The norm has been to grant **unpaid leave** to public officers who request permission to take an appointment with such agencies.

However, if the Government sends the officer on special attachment to such agency, the officer would be granted special leave without pay during the period of the attachment, and on his return his salary is allowed to progress as if the attachment had not occurred. No arrears are to be paid during the period of attachment.

This policy does not apply to public officers attached to International Agencies and whose salaries are borne by the Bahamas Government.

Special Attachment to Non-Governmental Agencies (Local)

There is no provision in the Pensions Act that allows for the secondment or transfer of public officers to Non-Governmental Agencies (local). Such officers may be redeployed/transferred to the relevant Ministry who has an affiliation/oversight with the agency and posted to the non-governmental agency – Salary will be borne by the Government.

In the case where a Ministry does not have an affiliation/oversight with the non-governmental agency, he may be considered for unpaid leave up to five (5) years (two (2) years at a time) and if he wishes to remain after the expiration of the five (5) years, he will be required to resign.

APPROVED AUTHORITIES

An Approved Authority is any Public Authority, Board, or Corporation designated by the Governor General by Order under the Pensions Act.

A pensionable officer may be **transferred** to or from any Approved Authority in accordance with Section 22 or 23 of the Pensions Act (see list below). The transferred officer would preserve his years of pensionable service.

A pensionable officer may also be **seconded** to or from any Approved Authority in accordance with Section 32 or 33 of the Pensions Act.

<i>Authority</i>	<i>Date of Order taking effect</i>
The Bahamas Broadcasting and Television Corporation	Not Available
The Bahamas Development Corporation	Not Available
The Bahamas Electricity Corporation	Not Available
The Bahamas Information Services (BIS)	1 st December, 1974
The Bahamas Telecommunications Corporation	Not Available
The Central Bank of The Bahamas	1 st June, 1974
The College of The Bahamas	26 th May, 1976
The Department of Tourism	Not Available
The Gaming Board of The Bahamas	Not Available
The Hotel Training Council	29 th November, 1972
The National Insurance Board	7 th October, 1974
The Racing Commission	Not Available

<i>Authority</i>	<i>Date of Order taking effect</i>
The Bahamas Agricultural & Industrial Corporation	21 st April, 1977
The Hotel Corporation of The Bahamas	1 st April, 1977
The Water and Sewerage Corporation	1 st July, 1977
The Bahamas Development Bank	1 st January, 1979
Bahamasair Holdings Limited	1 st January, 1980
Royal Bahamas Defence Force	28 th July, 1994
Bahamas Maritime Authority	16 th February, 1996
Each town committee and Council established under the Local Government Act	29 th January, 1999
Public Hospitals Authority	22 nd April, 1999
Public Utilities Commission (now Utilities Regulations Commission Authority [URCA])	3 rd August, 2000
Hospitals and Health Care Facilities Licensing Board	3 rd August, 2000
National Museum of The Bahamas	5 th February, 2001
The Bahamas Antiquities, Museums and Monuments Corporation	29 th December, 2000
Airport Authority	11 th May, 2001
The National Art Gallery of The Bahamas	28 th August, 2006
Nassau Airport Development Company Limited	1 st April, 2007
The Bahamas Mortgage Corporation	Not Available
The Insurance Commission of the Bahamas	2 nd June, 2014
The Bahamas Public Parks and Beaches Authority	Not Available
Grant-In-Aid Schools	Not Available

Transfer of Vacation Leave to or from an Approved Authority

Officers requesting to be transferred to or from the Public Service or an Approved Authority must utilize all accumulated vacation leave prior to the transfer date.

TRANSFER OF PUBLIC SERVICE ACCUMULATED LEAVE – JUSTICES³⁰

Whenever a Public Officer transfers from the Public Service and is appointed to the service of the Judiciary, they would be eligible for payment in lieu of vacation leave, up to the approved maximum.

TRANSFER OF OFFICERS ON PROBATION

Officers on probation should not be transferred.

ADMINISTRATIVE POSTING

Where there is a need for the movement of senior officers at the level of First Assistant Secretary (or equivalent officers) and above, the Cabinet Office will approve the posting and the Ministry of The Public Service will facilitate same.

DEPLOYMENT

Where there is a need for staff movement within a Ministry and/or Department(s), the Permanent Secretary may deploy staff members.

For example: The posting of an officer from the Post Office Department to the Port Department - both of which fall under the purview of the Ministry of Transport and Aviation.

Deployment of Officers Who Are Paid on Weekly Terms

The deployment of officers who are paid on weekly terms can be made with the agreement between the Permanent Secretaries in the relevant ministries.

Such movement of weekly paid officers is in accordance with paragraph 2(a) of The Public Service (Delegation of Powers) Order 1974.

REDEPLOYMENT

Where there is a need for additional staff or staff movement, the Ministry of the Public Service may redeploy officers to various Ministries/Departments.

Redeployment is also used in cases pending official transfers.

NOTE: No staff should be redeployed without the written approval of The Ministry of the Public Service.

³⁰ Cabinet Conclusion ICN 27 (85) 2

GUIDELINES FOR TRANSFERS BETWEEN GRADES

Transfers between Grades came into effect on 1 March 2004.

General Guidelines³¹

- i. Officers would be offered transfers into lateral scales provided they have the relevant qualifications and salaries would be pegged at the nearest point on the scale.
- ii. Officers requesting transfers should be informed in writing of the conditions attached to the transfer.
- iii. Officers must agree, in writing, to the conditions of a transfer prior to it coming into effect.
- iv. No transfers to lower scales would be permitted where the officer requesting a transfer does not agree to the reduction in pay, if applicable.

Officers transferring to the Executive or Administrative grades must be successful in the relevant assessment exercise (where applicable) in order to be reclassified and/or promoted in the relevant grouping.

See policy on Transfer between Grades mentioned under Policies on Promotion.

Executive

In addition to the criteria under General Guidelines, officers with a Bachelor's Degree (from an accredited institution, approved for the Bahamas Government's purpose) must gain a minimum of one (1) year experience in the executive/administrative field before being allowed to participate in the requisite assessment exercise. Officers without relevant qualifications must obtain at least two years pertinent experience.

Note:

If an officer is successful in the Assistant Secretary Assessment (formerly the Administrative Competition) and wishes to be reclassified into the Executive Career Path, he would not be required to take the Assessment (i.e. Executive Level Supervisors' Assessment).

Administrative

In addition to the criteria under General Guidelines, officers at the levels of Assistant Secretary or Senior Assistant Secretary who have not yet participated in the relevant assessment may be

³¹ (Refer to Department of Public Service Circulars for list of Assessment Exercises and levels of officers who qualify)

reclassified to the post of Administrative Officer at a salary personal to oneself (if applicable) until successful in the requisite assessment exercise.

Technical officers whose salaries are above the maximum Senior Assistant Secretary scale and who have not yet obtained success in the requisite assessment may be appointed at the level of First Assistant Secretary until successful in the requisite assessment.

(Technical Officer means any officer not in an Administrative, Executive or (clerical post).

Persons Who Request Transfers and Who Do Not Have the Requirements for the Post³²

Persons who request transfers for their own personal reasons or because of illness and who do not have the requirements for the relevant post would be offered a post and a salary commensurate with the level of their qualifications. (This means that the officer will probably have to accept a reduction in salary. He should be advised in writing and give his written consent before action is taken.).

Effective on 1 March 2004

POLICIES ON LEAVE

VACATION LEAVE ELIGIBILITY

Vacation leave will be granted to employees after completion of one year's service. Vacation may be granted after completion of six (6) months service. In such cases, the entitlement period of vacation must not exceed the employee's accrual.³³

A week's leave shall be a period of five (5) working days; a day's leave means a working day's leave. The period of any vacation leave granted shall be extended by one (1) day for each public holiday that occurs during that vacation. Days off in lieu of holidays shall be granted to officers who are required to perform shift duty on Public Holidays and such days would normally be added to approve vacation leave.

LEAVE FOR SHIFT WORKERS WHEN WORKING ON PUBLIC HOLIDAYS

Refer to the respective Industrial Agreements.

³²Department of Public Service Circular No: 2 of 2004, dated 25 March, 2004

³³In accordance with the 2013-2018 BPSU Agreement Article 26.1 & 26.3.

Vacation Leave Eligibility-Effective 1st July 2014 (To Be Granted On the Officer's Anniversary Date)³⁴

Officers on the Permanent and Pensionable Establishment (Confirmed in Appointment) who served continuously for at least 25 years would be eligible for vacation leave of five (5) weeks a year, with effect from 1st July, 2014

Note: Continuous service includes employment on weekly and monthly terms (this excludes casual relief workers, persons appointed on special contract, the work assistance programme and special project workers).

An officer's anniversary date remains constant; it is always with effect from the date of first appointment to the Public Service.

Monthly Paid Employees

Salary points amendment effective 1st July, 2008:

- a) In the case of an officer whose salary is \$30,450 per annum or above; five (5) weeks a year
- b) Officers earning \$21,250 to \$30,449 per annum; four (4) weeks a year
- c) Officers earning \$10,700 to \$21,249 per annum; three (3) weeks a year.

Salary point amended effective 1st August, 2014:

- d) Officers earning \$11,450 to \$21,249 per annum; three (3) weeks a year.(To be granted on the Officer's Anniversary Date).³⁵

NOTE: The salary points are subject to change on conversion of salary.

Vacation Leave – All Public Officers

As of 1 January 1994 the vacation leave entitlement was increased to four (4) weeks per annum for all officers serving on the Permanent and Pensionable Establishment and who would have **completed seven (7) years combined continuous service.** There are officers who are presently in receipt of salaries which fall between \$10,700 to \$21,249 (July 2008) and based on the established policy qualify for three (3) weeks per annum. However, the new policy which took effect on 1 January, 1994 provides for the grant of **four (4) weeks vacation leave to all officers on the Permanent and Pensionable Establishment who have served continuously (on weekly and monthly terms) for at least seven (7) years.** Officers with less than seven (7)

³⁴ In accordance with the 2013-2018 BPSU Agreement Article 26.4 and Circulars # 17 & 19 dated 14th August 2014

³⁵ In accordance with the 2013-2018 BPSU Agreement Article 26.4 and Circulars # 17 & 19 dated 14th August 2014

years service and whose salaries fall between \$10,700 - \$21,249 (July 2008) will continue to be entitled to three (3) weeks annual leave.³⁶

NOTE: Officers will be eligible for the increase in vacation leave where applicable as of the eighth (8th) year anniversary when he would have completed seven (7) years combined continuous service.

For example: If the officer was appointed 1st July, 2007 his leave would progress as follows:

<i>Yr.</i>	<i>Anniversary Date</i>	<i>#Wks</i>
1	1 st July, 2008	3 wks
2	1 st July, 2009	3 wks
3	1 st July, 2010	3 wks
4	1 st July, 2011	3 wks
5	1 st July, 2012	3 wks
6	1 st July, 2013	3 wks
7	1 st July, 2014	3 wks
8	1 st July, 2015	4 wks

Weekly Paid Employees³⁷

The vacation leave eligibility of employees on hourly, daily or weekly rates of pay and whose employment is of a casual nature, but whose whole time is employed in The Public Service, is:

- a) two (2) weeks per annum, or
- b) three (3) weeks per annum after seven (7) years service.

Contract Employees (Monthly)³⁸

Contract Employees are eligible for vacation leave on the same terms as monthly paid officers.

LEAVE ELIGIBILITY FOR TEACHERS

Institutional Leave

Teachers shall be entitled to institutional leave in lieu of vacation leave. Institutional leave includes, Summer, Christmas, Easter and Mid-Term breaks, each of which shall commence not earlier than, and not later than the dates fixed in each school year by the employer.³⁹

All teaching staff appointed during the summer term (which commences after the Easter Term to the end of the school term - June), should remain at work during the summer break of the year hired and will be eligible for institutional leave during the next academic school year.

³⁶ Department of Public Service Circular No: 17 of 2006, dated 31 May 2006.

³⁷ In accordance with General Order 1539

³⁸ In accordance with Circular #4 of 2011 dated 11th March, 2011

³⁹ In accordance with 2013-2018 BUT Industrial Agreement Article 22.21

ADMINISTRATIVELY POSTED TEACHERS – (DEPLOYMENT)

Teachers who are administratively posted/deployed (**i.e. outside the classroom**) are entitled to the same vacation leave as regular monthly paid employees.

LEAVE FOR TEACHERS WHO ARE ACTING WITH A VIEW TO SUBSTANTIVE PROMOTION

Teachers who are acting in an administrative post with a view to substantive promotion may be eligible for vacation leave after serving a minimum of six (6) months in the new post. In such cases, the vacation leave entitlement must not exceed the officer's accrual.

ACCUMULATED VACATION LEAVE

Monthly Workers Only⁴⁰

Vacation leave may be accumulated in respect of any period not exceeding three (3) years as follows:

Leave Eligibility Per Annum	Maximum accumulation of Vacation Leave
5 weeks	15 weeks
4 weeks	12 weeks
3 weeks	9 weeks

Contract Employees (Monthly)⁴¹

Contract Employees **must** take all of their vacation leave during the stipulated life of their contractual period of employment **or forfeit such leave entitlement**, as the authority to pay salaries will cease at the last date of their employment (i.e. expiration of contract or effective resignation date).

Weekly Paid Officers

Weekly paid employees are not eligible to accumulate vacation leave.

Retiring Officers⁴²

Officers are required to take **all** vacation leave prior to retiring. Failure to do so will result in the forfeiture of any accumulated leave that takes them beyond their retirement date.

⁴⁰ In accordance with Circular #17 of 2014 dated 14th August, 2014

⁴¹ In accordance with Circular #4 of 2011 dated 11th March, 2011

⁴² In accordance with MPS Circular #14 of 2015 dated 30th April, 2015

Same applies to officers who resign from the Public Service.

Officers who fall ill during Pre-Retirement Leave

An officer who falls ill while on pre-retirement leave, subject to production of medical certificates will be eligible for payment of salary (i.e. in the case of mandatory retirement) or extension of vacation leave and change of retirement date (i.e. in the case of early retirement).

Note: Sick leave policy will apply.

VACATION LEAVE IS EARNED WHILE ON PAID SICK LEAVE⁴³

An officer, for every year in which his employment continues, earns vacation leave. Since the officer's employment continued throughout the sick leave period and in fact was being **remunerated**, then for so long as that remuneration continued the officer is regarded as being employed and earns leave on the basis of that period.

VACATION LEAVE WHILE ON IN-SERVICE TRAINING AWARD

An officer does not earn vacation leave while on In-Service Training Award.

THE PAYMENT OF INSTITUTIONAL LEAVE TO RETIRING TEACHERS (MANDATORY RETIREMENT)

According to current policy, teachers are not eligible for vacation leave but receive institutional leave instead.

Teachers who have reached the mandatory retirement age just prior to Easter break, summer and Christmas holiday will be paid salary for institutional leave. **Effective 1st December, 2014**, the Ministry of Education, Science and Technology was granted authority to process payments to retiring teachers (i.e. mandatory age) for earned institutional leave.

PRO-RATION OF VACATION LEAVE

Vacation leave may be prorated in the following cases:

- a) On first appointment after serving a minimum of six (6) months;
- b) Retirement/resignation from the Public Service;
- c) Unpaid Study Leave/Unpaid Leave;
- d) Extended Sick Leave; and
- e) Death of an Officer.

⁴³ Extract from memorandum dated 11 March 1993. Reference File DPS/89/24

For example:

Vacation Leave Entitlement

5weeksp.a.
4 weeks p.a.
3 weeks p.a.

Pro-rated

1 week 1 day **every 3 months**
1 week 0 days **every 3 months**
1 week 0 days **every 4 months**

LEAVE OF ABSENCE

Leave of absence is leave on half (1/2) pay and may be granted on the same scale and in respect of the same period as vacation leave.⁴⁴ Half (1/2) pay leave will not be granted to any officer who has not completed one (1) year of continuous services.⁴⁵

Leave of absence on half pay may be accumulated in respect of any period not exceeding six (6) years. The total amount of accumulated vacation leave and leave of absence which may be taken at any one time shall **not exceed twenty-four (24) weeks**.

Leave Eligibility Per Annum	Maximum Eligibility for Leave of Absence on Half Pay (6 years)
5 weeks	24 weeks
4 weeks	24 weeks
3 weeks	18 weeks

Note:

- Leave of absence on half pay cannot exceed twenty-four (24) weeks despite officers being eligible for five (5) weeks vacation leave per annum, which amounts to thirty (30) weeks.

Example

a) An officer who has served for six (6) years and is entitled to vacation leave of four (4) or five (5) weeks per annum and has:

- accumulated twelve (12) weeks vacation will only be eligible for twelve (12) weeks leave of absence on half pay;

OR

- no accumulated vacation leave will be eligible for the full twenty-four (24) weeks on half pay.
(Provided he has not taken any leave of absence within the period)

b) An officer who has served for six (6) years and is entitled to vacation leave of three (3) weeks per annum and has:

⁴⁴ In accordance with General Order 1503

⁴⁵ In accordance with General Order 1505

- accumulated nine (9) weeks vacation will only be eligible for nine (9) weeks leave of absence on half pay;

OR

- no accumulated vacation leave will be eligible for the full eighteen (18) weeks on half pay.
(Provided he has not taken any leave of absence within the period)

SICK LEAVE

Sick Leave entitlement begins the day an officer assumes duty.

Heads of Departments may grant up to **two (2) working days** sick leave on any one occasion without the submission of a Medical Certificate up to an aggregate of six (6) working days (call in days) in a **calendar year**. Any leave taken under this Order will be deducted from the total sick leave eligibility.⁴⁶

In calculating periods of sick leave and determining when an officer will resume duty, Saturdays, Sundays and public holidays falling within a period of sick leave, will count as days of sick leave but, will not, be deducted from the total amount of sick leave eligibility of twenty (20) working days per annum.⁴⁷

In calculating extended sick leave, if the period of the sick leave is broken, a thirty (30) day month, inclusive of Saturday, Sunday and holidays is to be used.

An officer who falls ill while on vacation leave will be eligible for sick leave with effect from the beginning of the certificated incapacity. He will not, however, be permitted to continue vacation leave, on the termination of the sick leave, unless he obtains approval.⁴⁸

Examples:

1. *If an officer calls in sick on a Friday and the Monday of the following week and reports to work on Tuesday, both days will count as call in days and will be deducted from the aggregate six (6) working days. A medical certificate will **not** be required*
2. *A shift worker who is scheduled to work on the weekend and his normal days off are Tuesday and Wednesday, if he calls in sick on the Monday and Thursday both days would be deducted from the aggregate six (6) working days, provided he reports to work on the Friday. A medical certificate will **not** be required.*

⁴⁶ In accordance with General Order 1561

⁴⁷ In accordance with General Order 1561 (A)

⁴⁸ Amendment to General Order 1578

3. *If an officer is on sick leave (or extended sick leave) with a medical certificate that expires on the day prior to a holiday or weekend and the officer resumes duty on the next working day a further medical certificate will not be required. If the officer does not resume duty on his next scheduled working day, a medical certificate will be required to cover all of the additional days.*

Sick Leave Entitlement

a. **Monthly Employees** – twenty (20) working days per annum on full pay

- Six (6) working days (call in days) of the twenty (20) working days may be utilized without a medical certificate – a maximum of two (2) working days can be utilized on any one occasion
- The remaining fourteen (14) working days must be covered with a medical certificate

Extended Sick Leave for Monthly Employees (with medical certificates) – General Order 1573

After an officer has exhausted the sick leave eligibility of twenty (20) working days and provided there is a reasonable prospect of eventual recovery, supported by Medical Certificates, he may be granted additional sick leave as follows:

- Five (5) months - 7/8ths pay
- Six (6) months – 1/2 pay
- Unpaid Leave/Medically Boarded (**Salary to be Coded**)

An officer may opt to utilize any accrued vacation leave before being granted extended sick leave.

b. **Weekly Employees** – **General Order 1580**

The sick leave eligibility of such employees whose employment is of a casual nature and whose whole time is employed in The Public Service is, however, at the following rates:

- During the first three (3) years of service - one (1) week/five (5) working days a year. Two (2) working days (call in days) without a medical certificate and three (3) working days with a medical certificate.
- After three (3) years of service - two (2) weeks/ten (10) working days a year. Four (4) working days (call in days) without a medical certificate – a maximum of two (2) working days (call in days) can be utilized on any one occasion and six (6) working days with a medical certificate.
- After five (5) years of service - three (3) weeks/fifteen (15) working days a year. Six (6) working days (call in days) without a medical certificate – a maximum of two (2) working days (call in days) can be utilized on any one occasion and nine (9) working days with medical certificate.

Extended Sick Leave for Weekly Employees (with medical certificates)

Weekly paid officers can be granted further sick leave, up to a maximum of six (6) months, on three quarters (3/4th) pay. The extended sick leave, with supporting medical certificate must be approved by the Permanent Secretary of the respective Ministries.

c) **Part –Time Workers**⁴⁹

Part-time staff is eligible for paid sick leave as follows, provided they work at least twenty (20) hours a week:

- Monthly paid staff, two (2) weeks/ten (10) working days a year, with a grant of further sick leave depending on the individual's case;

Hourly and weekly paid staff half (1/2) the rate accorded to such staff working full-time (General Order 1580). These staff will however, not be granted extended sick leave as provided under General Order 1580, and they will not be eligible for sick leave during the first year of service.

RESUMPTION OF DUTY AFTER EXTENDED SICK LEAVE

Any officer who exhausts his entire eligibility for sick leave on full, seven eighths (7/8) and half (1/2) pay will be required to produce a letter from his medical doctor verifying that he is fit to resume active duty.

RESUMPTION OF DUTY ON PART-TIME TERMS (FOLLOWING ABSENCE ON SICK LEAVE)⁵⁰

An officer deemed by the physician to be well enough to resume duty following sick leave and is recommended to work half days instead of full days, will be placed on reduced salary for the days worked. The officer can avoid the reduced salary by utilizing vacation leave or leave of absence to offset the remaining hours of the days worked.

The maximum time allotted to work half days for sickness is one (1) year. Thereafter, the officer is expected to return to full days or will be required to appear before the Medical Board to determine their suitability to return to work.

Note:

- If an officer is working half days and has vacation leave available, the Permanent Secretary/Head of Department may approve that the other half day(s) be deducted from his vacation leave available so that he becomes eligible for full pay.

⁴⁹ In accordance with General Order 1581

⁵⁰ Reference DPS/PF/3812 dated 22 October 2009

If an officer has no vacation leave available a recommendation should be forwarded to the Ministry of the Public Service for approval for the period on half pay leave (i.e. Part time terms and/or Leave of absence on half pay).

CALCULATING SICK LEAVE AT THE END OF THE CALENDAR YEAR

Where an officer is on extended sick leave at the end of the calendar year, he will not be eligible for the four (4) weeks (20 days) full pay sick leave in respect of the ensuing year unless and until he first returns to **active duty**.⁵¹

Note - In the context of General Order 1575 (A) Extended Sick Leave is leave on 7/8ths and ½ pay for monthly paid staff and 3/4ths pay for weekly paid staff.

Where an officer is on any of the following leave at the end of the year, he will be eligible for full pay for the four (4) weeks (20 days) sick leave in respect of the ensuing year, whether or not he returns to active duty:

- a. Full Pay Sick Leave
- b. Vacation Leave
- c. Institutional Leave

Example

An officer who has not utilized his four (4) weeks (20 days) full pay sick leave and is granted sick leave for the period from 19th December, 2016 to 4th January, 2017, the sick leave will be calculated as follows:

Sick Leave balance for 2016.....	15 days
Less sick leave for the period 19 th – 31 st December, 2016.....	8 days
Sick Leave balance for 2017.....	20 days
Less remaining sick leave for the period 1 st – 4 th January, 2017	2 days

Note - In accordance with General Order 1561 (A), in calculating periods of sick leave and determining when an officer will resume duty, Saturdays, Sundays and public holidays falling within a period of sick leave will count as days of sick leave, but will not be deducted from the total amount of sick leave eligibility of 20 working days per annum.

Example

An officer who is on vacation/institutional leave for the period from 19th December, 2016 to 2nd January, 2017, and submits a medical certificate for the period 3rd – 5th January, 2017, the sick leave will be calculated as follows:

⁵¹ In accordance with General Order 1575 (A)

Sick Leave eligibility for 2017.....	20 days
Less sick leave for the period 3 rd – 5 th January, 2017.....	3 days
Balance available for 2017	17 days

Officers will be required to produce a medical certificate/document to support their absence (where applicable).

SELF INFLICTED ILLNESSES/PSYCHOLOGICAL COUNSELING

To be treated as sick leave and the normal sick leave eligibility will apply.

Note: Refer to the relevant Industrial Agreement.

LEAVE DURING NATIONAL DISASTERS⁵²

Officers who are at work **at the time** of a National Disaster will benefit from the leave approved by the Government (for example, office closure). Officers on vacation leave or casual leave or shift workers, who are not scheduled to work will not benefit.

CASUAL LEAVE⁵³

In accordance with General Order 1624(A), all eligible officers may receive Casual Leave at the rate of ten (10) days per year. Officers should not be granted more than the maximum of two (2) days at any given time and in any given month.

For example: An officer would not be granted Casual Leave on the last two (2) working days in the month and the first working day of the next month. They will be required to apply for three (3) days' Vacation Leave.

Casual Leave is granted to hard-working senior officers as occasional periods of respite. Casual Leave is not granted to compensate for overtime, but officers who are eligible for payment in respect of overtime may be compensated.

Casual leave cannot be added to vacation leave nor may it be accumulated. It is granted at the discretion of the Permanent Secretary subject to the exigencies of the Service.

Officers Eligible for Casual Leave⁵⁴

Officers in the X3 Scale or on salary scales which start above \$22,300 per annum (July 2008 Scales) are not eligible for payment of overtime may subject to the exigencies of the Service be

⁵²Department of Public Service Circular No: 16 of 2011, dated 27 September 2011 (DPS/11/01).

⁵³ Department of Public Service Circular No: 8 of 2006, dated 17 March 2006

⁵⁴ In accordance with General Order 1624 (A)

granted casual leave at the rate of ten (10) working days a year. Casual leave may not be added to vacation leave, or half pay leave, nor may it be accumulated.

Casual Leave for Contract Officers

Contract Officers are granted Casual Leave at the same rate and condition as monthly staff.

Casual Leave - Newly Appointed Officers⁵⁵

Casual leave may be granted to newly appointed officers, who are eligible for such leave, after they would have completed five (5) weeks of work.

MATERNITY LEAVE

“**Confinement**” - means labour resulting in the issue of a living child;

OR

labour after twenty-four (24) weeks of pregnancy resulting in the issue of a child whether alive or dead.

“**Parent**” – includes a person with whom a child is placed for adoption or a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own.

Eligibility

All female employees after completion of one (1) year’s service will be eligible for **twelve (12)** calendar weeks Maternity Leave (which shall be for a continuous period including the period of confinement) and shall be at full pay. Maternity Leave will not be granted more than once every three (3) years. Leave (i.e. vacation leave, leave of absence on half pay and unpaid leave) may be added to Maternity Leave but not so that the total period away from work would exceed twenty four (24) weeks. If the officer takes leave under General Order 1590 the total period away from work should not exceed twenty-four (24) weeks. (**Amendment to General Order 1585**)

It is recommended that General Order 1586 be deleted.

A pregnant officer with five (5) years service, or more, may be granted half pay leave in addition to the maternity leave of twelve (12) weeks plus, the full pay vacation leave mentioned in General Order 1585, but not so that the total period away from work would exceed **sixteen (16) weeks;**

i.e. if less than **four (4) weeks** vacation leave is available the officer may enjoy vacation and half pay leave up to a total of **four (4) weeks** in addition to the twelve (12) weeks maternity leave. This is without prejudice to General Order 1590.⁵⁶

⁵⁵ Extract from memorandum dated 23rd February, 2005. DPS/11/01

⁵⁶ In accordance with General Order 1586

Any illness resulting in an officer's absence from duty **prior to confinement** will be considered as sick leave rather than maternity leave (effective 9th September, 2015).⁵⁷ Application for leave under this amended General Order (i.e.1589) must be supported by medical certificates.

The application for maternity leave should be forwarded by the officer to the Permanent Secretary through the Head of Department three (3) months before the expected date of confinement and must be accompanied by a Medical Certificate stating that the officer is pregnant and requires leave and giving the expected date of confinement. Where, by reason of geographical, or other circumstances beyond the officer's control she is unable to produce such certificate, she may produce such other evidence as she considers to be reasonable proof of her entitlement to maternity leave.⁵⁸

A female employee who, after confinement, **suffers any illness arising out of such confinement** shall be granted, in addition to the maternity leave to which she is entitled, such additional leave **without pay**, not exceeding six (6) weeks as a medical doctor recommends. The employee can utilize vacation leave instead of unpaid leave; however, the total period away from work should not exceed the twenty-four (24) weeks in accordance with General Order 1585. **(Insertion to General Order 1590)**

If a female employee at the end of the maternity leave (i.e. 12 weeks) suffers an illness that is **not related** to the confinement and upon production of a medical certificate, may be granted sick leave. The medical certificate must state the nature of the illness. In the absence of producing a medical certificate the officer will be placed on unpaid leave.

If an officer dies during the period of the maternity leave awarded in General Order 1585, the guardian of the child shall be paid salary for any unused maternity leave due to the officer.⁵⁹

Leave Granted to Officers Who Do Not Qualify For Maternity Leave

Officers who would have served for less than one (1) year will be granted unpaid leave for maternity purposes. The officer **must** be off from duty for a minimum of eight (8) weeks (in accordance with the Employment Act, 2001, Part 5, Section 18 [1], [b]) and produce a letter from her medical doctor indicating her fitness to resume duty.

Officers who would have enjoyed maternity leave more than once within the three (3) year period will be granted vacation leave, leave of absence on half pay and unpaid leave (where applicable) for maternity purposes up to a maximum of **twenty four (24) weeks**.

⁵⁷ In accordance with Circular No. 31 of 2015 dated 11th September, 2015, MPS/11/01 and Part V of the Employment Act 2001

⁵⁸ In accordance with General Order 1588

⁵⁹ In accordance with General Order 1591

Maternity Leave (Teachers) While on Institutional Leave

A teacher, whose baby is born during Institutional Leave, is not entitled to both Institutional and Maternity Leave. The Institutional Leave will cease and the Maternity Leave will commence with effect from the date of confinement.

LOSS OF A CHILD BEFORE CONFINEMENT

An officer who suffers the loss of a child **before** confinement (i.e. prior to twenty four (24) weeks of pregnancy), the time off from work will be treated as Sick Leave (in accordance with General Orders 1563, 1573 and 1574).

The officer must produce a medical certificate to cover her absence.

LOSS OF A CHILD AFTER CONFINEMENT

An officer who suffers the loss of a child after confinement (i.e. delivery) may opt to utilize one of the following she is **eligible for**, or **has available**:

- a. ***Maternity Leave**
- b. **Vacation Leave**
- c. **Leave of absence on half pay**
- d. **Unpaid Leave**

The officer **must** be off from duty for a minimum of **eight (8) weeks** after confinement (in accordance with the Employment Act, 2001, Part 5, Section 18 [1], [b]) and produce a letter from her medical doctor indicating her fitness to resume duty.

*The officer can utilize the full 12 weeks or 8 of the 12 weeks. The remaining 4 weeks can be used if she has another child before the 3 year period expires.

If the officer uses the full 12 weeks maternity leave, she will not be eligible for this leave for another three (3) years.

COMPASSIONATE LEAVE⁶⁰

The Employer will grant Compassionate Leave with pay for a total of eight (8) days per year on the grounds of urgent personal affairs and in circumstances such as accidents, deaths and serious illness of immediate family (parents, spouse, children and siblings) and emergencies caused by fire or flooding etc. Such leave is approved by Permanent Secretaries and Heads of Department.

⁶⁰ In accordance with 2013-2018 BPSU Industrial Agreement Article 23 and 2013 - 2018 BUT Industrial Agreement Article 22.20

Applications for the grant of such leave must be accompanied by a written request outlining the reason(s) for the application (along with supporting documentation where applicable) which will be treated as confidential.

NOTE: The Permanent Secretary or Head of Department (where there is no Permanent Secretary) may use his discretion in granting Compassionate Leave in circumstances that do not fall under the categories mentioned above.

UNION LEAVE

Refer to the respective Industrial Agreements.

SPECIAL LEAVE FOR FINAL EXAMINATION PURPOSES (LOCAL COLLEGES AND UNIVERSITY)⁶¹

Officers are eligible for leave to prepare for **final examination** at Colleges and University approved for Government purposes as follows:

- Two (2) days per semester (the day prior to and the day of the examination)
- One (1) additional day may be considered if the officer has documentary proof of two (2) or more examinations in one (1) semester so that the maximum days does not exceed three (3) days.

This will also **include** approved online courses that are invigilated.

Approval for such leave can be granted by the Permanent Secretary or Head of Department. Officers requiring this leave should present a written request which must be accompanied by the original schedule of his/her examination(s).

SPECIAL LEAVE FOR LOCAL EXAMINATIONS

Officers will be granted a maximum **one (1) day** off from work to study for local examination(s) (i.e. **BJC, BGCSE, Pitman, City & Guilds and General Education Diploma (GED)** or equivalent) and time off to sit each examination paper.

Note: If more than one day is required to study for examination(s) the officer can apply for leave (e.g. vacation leave, casual leave, etc.).

SPECIAL LEAVE FOR PROFESSIONAL EXAMINATIONS

Where an employee is pursuing professional certification in the interest of the Public Service, a maximum period of two (2) weeks with pay, for the specified period of the review course prior to the examination, may be granted.

⁶¹ In accordance with 2013-2018 BPSU Industrial Agreement Article 28.15 (paragraph 2)

The Employer shall grant only one such paid leave for the professional certification course review, any subsequent review course leave may be granted without pay.

SPECIAL LEAVE TO ATTEND CONFERENCES/ SEMINARS⁶²

Special leave may be granted for attendance at conferences/seminars related to the officer's duties (but not necessarily conferences/seminars organized by governments or international bodies), cultural and sporting events (employee must be selected by the Government or a recognized National Body to represent the country locally/abroad) of national/international significance.

Note: The application for such leave must be accompanied by the recognized National Body's notification of selection.

An officer may be granted leave in addition to vacation leave for the purpose of taking part in a sporting event of international significance, the length of which will be determined by taking into account the number of days required for the actual sporting event and the number of days required for travelling to and from the place arranged for the sporting event. Any extra days will be deducted from vacation leave.⁶³

Leave may be granted by the Permanent Secretary in the relevant Ministry on the ground of public policy as far as it relates to General Orders 1624, 1625, and 1626. Such leave will be with full salary for a maximum period of up to six (6) days within a calendar year.

All other requests for leave on full pay, or recommendations for leave on full pay under General Orders 1624, 1625 and 1626 in excess of consecutive six (6) days in a calendar year must be submitted to the Ministry of the Public Service for consideration.

Members of Philanthropic Organizations such as Boys' and Girls' Brigade, Scouts and Girl Guides, the Federation of Youth Clubs and The Red Cross, Governor General's Youth Award (GGYA), may be granted Special Leave up to two (2) days per year with pay, (limited to one (1) organization per year) to attend Conferences and Leadership Courses held by their organization⁶⁴. Such leave may be approved by the Permanent Secretary in the relevant Ministry and should be accompanied with supporting documents.

LEAVE FOR INTERNSHIP/TEACHING PRACTICUM

Officers, who are pursuing a degree (at an institution approved for government purposes) and are required to complete an internship or teaching practicum **within the Public Service**, may be

⁶² In accordance with Circular 8 of 1993 dated 22nd June, 1993 (File No: DPP/1/07)

⁶³ In accordance with General Order 1624

⁶⁴ In accordance with General Order 1627

redeployed up to a maximum of six (6) months, to the relevant Ministry/Department by the Ministry of The Public Service.

Officers, who are pursuing a degree (at an institution approved for government purposes) and are required to complete an internship or teaching practicum **outside the Public Service**, will be granted **unpaid leave** up to a maximum of six (6) months, by the Ministry of The Public Service.

Note: Any approval of unpaid leave may be preceded by any vacation leave and leave of absence on half pay that the officer is entitled.

TRAVEL LEAVE

Any officer who travels on behalf of the Government to attend conferences/seminars, recruitments or other government business, will be eligible for leave as follows, upon his return:

If he travels on his off day(s) (i.e. weekends, scheduled off day(s) {shift workers} or holidays), that/those day(s) will be credited to him and he will be required to take it/them within one (1) week of his return or forfeit same. **Kindly note – such leave cannot be accumulated.**

Effective date 18th April, 2016.⁶⁵

Note:

- If the trip involves travelling between time zones the officer may be granted an additional working day.
- The leave should be taken within one (1) week of return or be forfeited.

REGULAR UNPAID LEAVE

In accordance with General Order 1623 reference is made to the grant of Unpaid Leave. The practice has been to grant Unpaid Leave to officers who do not qualify for any other type of paid leave (i.e. vacation and leave of absence on half pay).

The maximum amount of Unpaid Leave that may be granted to an officer is five (5) years. In the event an officer needs more than five (5) years, he will be invited to resign his employment. **Only** in exceptional circumstances, may an officer be considered for a further extension not exceeding one (1) year.

Officers must submit a written request, along with supporting documents to their Heads of Department through their Supervisors for onward transmission to the Ministry of the Public Service for approval. Officers **should not** proceed on leave without approval from the Ministry of the Public Service.

⁶⁵ In accordance with Circular No. 31 of 2016 dated 4th August, 2016 – Reference MPS.11/01

Note: An officer on leave without salary shall not be entitled to receive any emoluments/benefits whatsoever.⁶⁶

Please see Section 24 (2) of the Pensions Act with reference to the Computation of service in relation to officers granted Unpaid Leave.

Note: All requests for Unpaid Study Leave will be processed in accordance with the Training Policy.

Note: Any approval of unpaid leave may be preceded by any vacation leave and leave of absence on half pay that the officer is entitled.

PAYMENT OF VACATION/EARNED LEAVE TO OFFICERS ON DISMISSAL

Officers dismissed from the Public Service will be eligible for payment of salary for vacation/earned leave accumulated up to date of dismissal.

TIME OFF DURING THE CHRISTMAS SEASON

During the Christmas season staff will be granted time-off as follows:

- a) half day for shopping or other festive preparations;
- b) half day on Christmas Eve and New Year's Eve.

Where Christmas Eve or New Year's Eve falls on Saturday or Sunday, staff members will be granted half day on the preceding Friday.

The exception to "b" would be staff members who work shift or are a part of essential services.

POLICIES ON FINANCIAL MATTERS

ALLOWANCES

Subsistence Allowance – Effective 1st July, 2014

Officers who are required to travel on behalf of The Bahamas Government, may be paid the relevant daily subsistence allowance (i.e. \$70.00 per day for travel within The Bahamas **OR** \$100.00 per day for overseas travel) for the first twenty-eight (28) days. Anytime thereafter,

⁶⁶ In accordance with General Order 1643

\$1,000.00 per month will be paid ⁶⁷ for travel within The Bahamas and \$1,500 per month for travel outside The Bahamas.

If the officer is assigned for less than a full month after the twenty-eight (28) days, the allowance of \$1,000.00 or \$1,500.00 per month (where applicable) will be prorated (i.e. divided by the number of days in the given month).

NOTE: Cabinet's approval is required for all overseas travel. Permanent Secretaries in the relevant Ministries may approve local travel.

Example

If the officer is assigned for one (1) month and two (2) weeks in March/April, he will receive a subsistence allowance as follows:

- *Inside the Bahamas - \$70 x 28 days (March) = \$1,960*
 - *3 days (March) - \$1,000.00/31days x 3 days = 97*
 - *Two (2) weeks (April) - \$1,000.00/30 x 14 days = 467*
- \$2,524***

Travel Allowances – Transportation and Incidentals⁶⁸

Effective 8th September, 2015 the following applied to Ministers and Public Officers traveling on behalf of The Bahamas Government:

1. All transportation costs are to be paid for prior to travel, as far as possible.
2. Ministers and Public Officers may be granted monies for transportation, where it was not pre-paid, and for incidentals as indicated below:

Travel Item	Ministers	Public Officers
Incidentals	\$30.00 per day	\$20.00 per day
Transportation	\$60.00 per day	\$40.00 per day

3. All funds disbursed are to be accounted for with receipts on the travel advance form, within one (1) month of return from travel.
4. Permission to exceed the amounts approved above must be obtained from Cabinet.

In accordance with Travel Policy that became operational on 1st August, 2015, requests for international travel including allowances may be processed with Cabinet's approval **OR** Ministry of Finance's financial clearance.

⁶⁷ In accordance with the Bahamas Public Service Union Agreement Article 16.9 and Ministry of the Public Service Circular No: 19 of 2014, dated 14th August, 2014

⁶⁸ In accordance with Ministry of the Public Service Circular No. 40 of 2015 – MPS/8/02, dated 5th November, 2015

Casual Mileage – Effective 1st July, 2014

Casual Mileage at the rate of \$2.00 per mile is granted to an employee who may be required to use his private vehicle from time to time (i.e. occasionally) in the performance of his duties.⁶⁹

NOTE: Mileage is **not paid** for travel between the officer’s residence and place of work.

Employees in receipt of casual mileage are required to keep a daily record (*mileage log*) of their journeys on duty. This record must show the dates, places visited and actual mileage.

Transport Allowance– Effective 1st July, 2014

Officers who are required to travel for the performance of their duties and who use their private vehicles for this purpose shall be granted a transport allowance of \$250.00 per month. Where the miles traveled are in excess of one hundred and fifty (150) miles per month, then the casual mileage rate will apply.⁷⁰

Transport allowance is also granted to some Senior Officers by virtue of their position.

Officers, who are assigned government vehicles, are not eligible for transport allowance.

Hardship Allowance - Effective 1st July, 2014

Hardship allowance in the amount of \$1,200 per annum is payable to all “*non-domiciled*” public officers posted to and residing in areas of hardship in the Family Islands up to a maximum of five (5) years. The Islands and Settlements are as follows:⁷¹

ISLAND	SETTLEMENT
Acklins	All Settlements
Crooked Island	All Settlements
Fortune Island	Long Cay
Mayaguana	All Settlements
Ragged Island	Duncan Town
Rum Cay	Port Nelson

NOTE: An officer who requests a transfer to another island will not receive this allowance.

⁶⁹ In accordance with the Bahamas Public Service Union Agreement Article 16.2 and Ministry of the Public Service Circular No: 19 of 2014, dated 14th August, 2014

⁷⁰ In accordance with the Bahamas Public Service Union Agreement Article 16.3 and Ministry of the Public Service Circular No: 19 of 2014, dated 14th August, 2014

⁷¹ In accordance with the Bahamas Public Service Union Agreement Article 16.6 and Ministry of the Public Service Circular No: 19 of 2014, dated 14th August, 2014

Disturbance Allowance - Effective 1st July, 2014

Persons posted away from their place of domicile in excess of three (3) months should be paid a disturbance allowance of \$300 per month. This includes persons in Hardship locations.⁷²

NOTE:

- An officer who requests a transfer to another island will not receive this allowance.
- Disturbance Allowance is only paid to officers who are **NOT** domiciled up to a maximum of five (5) years.

Where a husband and wife are posted/transferred to the same place/location, it must be determined who the primary officer is in the transfer (i.e. which officer was first identified to be transferred). The primary officer should be paid a disturbance allowance of \$300.00 per month.

NOTE: This allowance is not paid if electricity and water are included in the rent.

NOTE: Where a husband and wife have found to be posted/transferred to the same place/location, the Ministry of Finance should be consulted to determine that duplicate allowances are not being paid.

Geographical Posting Allowance

Officers who are Geographically Posted receive a one-time payment of \$2,650.00 which covers airfare for employee and dependents, freight, deposit for utilities, security deposit and essentials to assist with relocation.

NOTE:

- An officer who requests a transfer to another island will not receive this allowance.
- Effective date for members of the BPSU Bargaining Unit is the 1st January, 2015. Please refer to all other Agreements for effective dates.

Where a husband and wife are posted/transferred to the same place/location, it must be determined who the primary officer is in the transfer (i.e. which officer was first identified to be transferred). The primary officer should be paid a one-time geographical posting allowance of \$2,650.00.

Note: If a spouse is transferred at a later date, consideration may be given to any additional expenses beyond the geographical posting allowance once documentary proof is provided.

See note on posted/transfer of Husband and Wife under Disturbance Allowance.

⁷² In accordance with the Bahamas Public Service Union Agreement Article 16.7 and Ministry of the Public Service Circular No: 19 of 2014, dated 14th August, 2014

Rent Allowance

Rent allowance is payable to employees posted by the Employer to an island other than their island of domicile at the following rate, if the actual rent is less than the stated rates below, then only the actual rent is to be paid:

Islands/Settlement other than New Providence and Freeport:	\$700.00 per month
New Providence and Freeport:	\$600.00 per month

Where a husband and wife are posted/ transferred to the same place/location, the cumulative rent allowance should not exceed \$1,400.00 per month.

Any adjustment to the stated allowance shall be approved by the Permanent Secretary of the Ministry of the Public Service.

An officer currently posted on an island other than his island of domicile will not receive rent allowance beyond five (5) years from the date of posting; that officer would be considered **domiciled** at the end of the fifth (5th) year of continuous posting.

Any employee posted on an island for more than five (5) years **at the request of the Employer** shall continue to receive rent allowance until redeployed.⁷³

NOTE: An officer who requests a transfer to another island will not receive this allowance.

NOTE: The employer should advise employees no less than six (6) months to one (1) year of their pending domicile and cessation of rent allowance.

See Note on posted/transfer of Husband and Wife under Disturbance Allowance.

Hazard/Risk Allowance - Effective 1st July, 2014

Hazard/Risk allowance is paid at a rate of \$200 per month to officers regularly employed or consistently working in or around hazardous environments as listed but not limited to the following:⁷⁴

- a) in or around septic tanks, pits, sewer
- b) at heights of 30 feet or more
- c) with dusty substances
- d) in wet excavations, drains, etc.
- e) Civilian Staff at Prison

⁷³ In accordance with the Bahamas Public Service Union Agreement Articles 16.11, 16.12 and 16.13

⁷⁴ In accordance with the Bahamas Public Service Union Agreement Article 16.8 and Ministry of the Public Service Circular No: 19 of 2014, dated 14th August, 2014

- f) Gladstone Road Agricultural Centre (Feed Mill and employees who use agro-chemicals)
Fish and Farm Supply Store
- g) Jack-hammer/heavy duty operator
- h) Hot Mix and garbage depot

NOTE: Once National Health Insurance is fully implemented, Hazard/Risk allowance will be reviewed.

Scarcity Allowance

Scarcity allowance is paid where there is a shortage of skilled/professionally qualified persons available (i.e. Architects, Engineers, Quantity Surveyors, etc.). Scarcity allowance should be included in the calculation for payment in lieu of vacation.⁷⁵

Responsibility Allowance

Responsibility allowance is paid to an officer who is required to undertake duties which demand a greater degree of skill and/or responsibility associated with his substantive post. It is payable as indicated at **ANNEX VIII**

Responsibility allowance should be included in the calculation for payment in lieu of vacation. The salary paid in lieu of vacation leave should therefore include the responsibility allowance.⁷⁶

NOTE: An officer who is appointed to act in a higher post in accordance with Section 17 of the Public Service Act will be entitled to receive the responsibility allowance associated with the acting post.

Uniform Allowance during Redeployment

Uniformed officers who are redeployed to another Ministry/Department should continue to receive their uniform allowance until they are officially transferred and reclassified.⁷⁷

Overtime Allowance for Ministers' Drivers

Overtime allowance to Ministers' Drivers is paid at a rate of \$300.00 per month.⁷⁸

Effective 1st April, 2008

Clothing Allowance for Ministers' Drivers

Ministers' Drivers are granted a clothing allowance of \$500.00 per annum.⁷⁹

⁷⁵ Reference DPS/PF/23886 Memorandum dated 10th January, 2006

⁷⁶ Extract from memorandum dated 19 July 2007. Reference File MPS/89/24

⁷⁷ Reference MPS/PF/49755 et. al. dated 6th March, 2015 and MPS/89/24

⁷⁸ Reference Memorandum DPS/89/27, dated 4th December, 2008

⁷⁹ Reference Memorandum DPS/89/27, dated 2nd January, 2008

Allowance while on Sick Leave

An officer on **paid** sick leave (i.e. who is receiving a salary on full pay, 7/8th pay and ½ pay) with supporting documentation, **may be** eligible to receive the full amount of personal allowances and rental allowance – Amendment to General Order 1576.

As long as an officer is receiving salary, whether it is full pay, 7/8th pay or ½ pay, he is entitled to his allowance.

Allowance while on Vacation

An officer is eligible to receive the full amount of personal allowances and rental allowance while on vacation.

Allowance while on In-Service Training Award

An officer on In-Service Training Award shall not be entitled to any personal allowances, or rental allowance.

PASSAGE ASSISTANCE –TEMPORARY POSTING - PUBLIC OFFICERS

Passage Assistance is granted at the rate of six (6) round trip tickets per year (once every two (2) months) between the officer's temporary station and his place of domicile within the Bahamas, to married public officers who are required to take up temporary postings within the Bahamas, away from their families for longer than (2) months and yet not long enough to make it practical for the officers to relocate their families.

Public officers, who are temporarily posted from their place of domicile within The Bahamas for a maximum period of six (6) months, are eligible for passage assistance, at the rate of one (1) round trip ticket every two (2) months. The posting should be at least two (2) months to qualify for the passage assistance.

NOTE: The Passage Assistance is for persons who are temporarily posted away from their families and therefore they will not be eligible for geographical posting and disturbance allowances. The officer will be eligible for Subsistence Allowance and accommodations due to his temporary posting.

The Passage Assistance is not to be pro-rated. For example, if an officer spends three (3) months in a temporary posting he would be eligible for only one round trip ticket. The officer's passage assistance can only be surrendered to a spouse or child for the purpose of that spouse or child visiting him (her), at the same rate and on the same basis as outlined above.

Passage assistance should be provided from Ministry/Department's budget.⁸⁰

⁸⁰ In accordance with Circular No. 14 of 1980, File No. DPP/65/031V dated 2nd June, 1980

GOVERNMENT FUNDS⁸¹

Government Funds should not be expended for the payment of utility bills of Public Officers who have been transferred to the Family Islands.

Effective 1st July 2011

NOTE: The implementation of Disturbance Allowance introduced as of July 2014 is to assist with payment of utility bills.

USE OF GOVERNMENT VEHICLES DURING PRE-RETIREMENT LEAVE

Secretary to the Cabinet, Financial Secretary, Permanent Secretaries, Senior Under Secretaries, Under Secretaries, Heads of Department and other top management who have assigned vehicles may retain the use of the government vehicle until their effective retirement date.

INCREMENTS

Definition

An increment is the advancement of salary, by a specific amount, which is determined by the post and salary scale.

Officers cannot receive increments beyond the scale maximum.

Additional Increments for Experience on Appointment

Applicants may obtain incremental credit for all of their years of post-qualifications experience (i.e. experience after obtaining the requisite qualification for the post), however, teachers are only given incremental credit for a maximum of ten (10) years (i.e. teaching experience). **Qualifications and documented experience (with specific dates of employment – date/month/year) must be submitted with the application.**

Only **post qualification** experience will be considered for the award of additional increments.⁸²

- ***Experience outside the Public Service***
 - i. One (1) increment will be awarded for every two (2) years of relevant experience;
 - ii. One (1) increment will be awarded for every four (4) years of partially relevant experience;
 - iii. One (1) increment will be awarded for every six (6) years of non-relevant experience.

⁸¹ Department of Public Service Circular No: 5 of 2011, dated 1 June 2011

⁸² Public Service Commission Minute dated 4 February 1988

- ***Experience inside the Public Service***
 - i. One (1) increment will be awarded for each year of relevant experience;
 - ii. One (1) increment will be awarded for every two (2) years of partially relevant experience;
 - iii. One (1) increment will be awarded for every three (3) years of non-relevant experience.

Note: In determining the salary on appointment the years of experience needed for the post is first deducted and the officer would be given incremental credit for the remaining years (if any).

Increments on Promotion

All persons promoted shall receive a minimum of one (1) increment within his present scale and placed on point or at the next highest point in the new scale.

If the officer has worked nine (9) months or more towards his next increment (provided he is not at his scale maximum) he is also entitled to this increment. Therefore, he would receive two (2) increments within his present scale on promotion and placed on point or at the next highest point in the new scale.

An officer whose present scale maximum is **above** the maximum of the post of First Assistant Secretary, (Scale A1, July 2014 Scales) is considered to be in a **super scale** and he would receive two (2) increments on promotion. If the officer has worked nine (9) months or more towards his next increment (provided he is not at his scale maximum) he is also entitled to this increment. Therefore, he would receive three (3) increments within his present scale on promotion and placed on point or at the next highest point in the new scale.

Increments while on In-Service Training Award

No increments are earned while on In-Service Training Award, however, on resumption of duty the officer's salary is allowed to progress inclusive of the increments as though he was in post, but no arrears are payable for the period of the award.

Accelerated Increment - 7(a)

The Public Service Act, Chapter 39, Section 7(a) provides for the grant of an accelerated increment to persons who acquire sufficient qualifications to justify such advancement to a higher incremental point within that scale.

Therefore, an officer who on successful completion of a degree (**i.e. Associate's, Bachelor's, Master's and Doctoral Degree**) or professional certificate of six (6) months or more may be considered for the award of a 7(a) increment. An exception is made only for Nurses who attain a certificate for a course of study for a minimum of three (3) months.

An officer who obtains a **degree or professional certification** which qualifies him for reclassification would be awarded a 7(a) increment in his current scale, if applicable; and will be reclassified and placed on point in the lateral scale.

NOTE:

- The degree or professional certificate must be from an accredited institution accepted by the Ministry of the Public Service.
- An officer at the maximum of the scale is not eligible for a 7(a) increment.
- The grant of a 7(a) increment and promotion will not be awarded for the same qualification within a twelve (12) month period.
- Performance Appraisals are required.

7(a) Increment for Two Degrees at the Same Level

A 7(a) increment is not granted:

- a) For a second Associate's Degree, if the officer has not taken at least 45 new credits in order to obtain the second Associate's Degree.
- b) For a second Bachelor's Degree, if the officer has not taken at least 90 new credits in order to obtain the second Bachelor's Degree.⁸³
- c) For a second Master's Degree, if the officer has not taken at least seventy-five percent (75%) new credits in order to obtain the second Master's Degree.

COURSE LOAD FOR OFFICERS PURSUING DEGREES

Under the current policy a full time employee pursuing studies on a part-time basis should not take more than three (3) courses in any one semester.⁸⁴

In accordance with Article 28.9 (b) an officer is eligible for a maximum of four (4) hours per week during his normal working hours for day release at full salary to attend classes. He should return to work within one (1) hour after completion of the course.

Note: the four (4) hours day release should not include the time required for the officer to travel to and from class.

CHANGE OF INCREMENTAL MONTH

An officer's incremental month may change:

- a. on promotion;
- b. if he was granted unpaid leave/unpaid study leave for a period of three (3) months or more;
- c. with the extension of the probationary appointment.

⁸³ Reference MPS Inter-Office Memorandum DPS/PF/29371 dated 27th June, 2005

⁸⁴ Reference DPP/69/20 Circular No. 18 of 2004 dated 14th September, 2004

Note: As of 1st July, 1988 all officers at scale maxima received the conversion and were given new incremental date of July, with the next increment due July 1989. Officers at scale maxima for at least five (5) years (i.e. prior to July 1983) were granted an increment effective 1st July, 1988 and the incremental month changed to July.

ALLOWANCES DURING INTERDICTION

Officers on interdiction are granted half of all allowances.

See Section on Disciplinary Matters

Restoration of Emoluments upon Reinstatement

When an officer is reinstated, all emoluments withheld should be restored.

OVERTIME

Overtime is time worked in excess of the standard working hours (e.g. 40 hours per week).⁸⁵

Approval to work overtime

Approval for overtime should be obtained from the relevant authority before an officer is allowed to work overtime.

Eligibility

Officers in salary scales which start below \$22,400 per annum (July 2012 Scales) are eligible for overtime pay.

NOTE:

- Officers in Scale X3 and on salary scales which start at \$22,400 per annum (July 2012 Scales) or above are **not** eligible for overtime pay.
- Salaries subject to change based on general increase.

Payment of Overtime⁸⁶

Where an employee eligible for overtime pay is required to work in excess of the standard hours of work (forty (40) hours), he shall be paid overtime as follows:

- Monday to Saturday between the hours of 6:00 a.m. and 10:00 p.m. and outside the regular working hours = Time and a Half
- Monday to Saturday between the hours of 10:00 p.m. and 6:00 a.m.= Double Time
- Sunday and public holidays = Double Time
- Day off = Double Time⁸⁷

⁸⁵ In accordance with the Employment Act, Section 10

⁸⁶ In accordance with General Order 1273

⁸⁷ In accordance with the Employment Act, Section 10(a)

Day off: any day that an individual is not required to work as a part of his normal work week.

Rates for Special Projects

The following rates are applicable for officers who are required to work beyond the normal hours on special projects:

POSITION/CATEGORY OF WORKERS	RATE
An officer with oversight of a project	\$25.00 per hour
Deputy Permanent Secretaries, equivalent posts and above	Consideration for compensation would be given on a case by case basis. The compensation rate should not exceed \$25.00 per hour. Payment is subject to approval by the Ministry of Finance and the Ministry of the Public Service.
Officers not eligible for overtime	\$20.00 per hour
Officers who are eligible for overtime	Paid at their respective rates.

Note: Approval to work beyond the normal working hours on any Special Projects should be obtained from the Ministry of the Public Service before officers are allowed to commence working. Additionally, financial clearance must be secured from the Ministry of Finance.

HONORARIUM

An honorarium may be granted to officers who are required to perform extra duties in addition to their normal duties for a specified period. Request for honorarium should be submitted to the Permanent Secretary, Ministry of the Public Service for approval and should include the following:

- 1) Scope of work
- 2) Duration of the project
- 3) Level of responsibility/expertise/role and position
- 4) Hours of work (during or after work)
- 5) Proposed payment (**fixed** amount)

6) Availability of funds in the relevant Ministry/Department's budget

Note: In some cases:

- an honorarium can also be granted for special projects; and
- matters related to honorarium would be referred to The Cabinet for approval.

REASSESSMENT

Effective 1st October, 2009, the policy on reassessment of salary was discontinued for:

- a. Serving officers who obtained additional qualifications;
- b. Officers appointed after 1st October, 2009.

Officers appointed at the minimum of the salary scale under Delegated Powers Order may have their salaries assessed by the Public Service Commission provided that all documents were presented at the time of appointment (see Section on Appointment). Officers' whose experience would have been inside the public service would not be required to submit documents as the file should indicate the relevant experience.

Officers Appointed Prior To 1st October 2009

Reassessment of an officer's salary would be with effect from the date on the certificate or with effect from the first day of the next month (when the date on the certificate is not specified), if the certificate is received in the Ministry of the Public Service within twelve (12) months of its issuance.

If the certificate is received in the relevant Ministry more than twelve (12) months after its issue date, then the reassessment would be with effect from the first day of the year that it is received by the Ministry of the Public Service. However, the reassessment would become effective the date that the Ministry/Department certifies the document if that date is earlier than the first day of the year it was received in the Ministry of the Public Service.

RECLASSIFICATION VS. PROMOTION

Reclassification can take place under the following conditions:

- a) In scales which are basically "on par" with each other (**on par* means that the salary in both posts/scales begins and ends basically at the same point).
- b) If the maximum of the reclassified scale is two (2) increments or less than the maximum of his present scale.
- c) If the officer is moving to a scale which has fewer increments than his present scale (Currently he is "appointed" to the post).
- d) If the officer is moving to a scale where the incremental value is lower than the incremental value of his present scale.

NOTE: If the officer is moving to a scale which has fewer increments but the maximum is higher than his present post (**more than two (2) increments**) he must be promoted.

For all reclassification the officer must give his written consent. With respect to 'b', 'c' and 'd' above the officer must be given a detailed explanation of the conditions surrounding the reclassification in writing.

If his salary cannot be placed on point in the scale he should not be reclassified at a salary personal to oneself⁸⁸.

Reclassification is not automatic; the officer must meet the academic qualifications and/or be performing the duties of the recommended post. Furthermore, there must be a vacancy.

RECLASSIFICATION WITH A DEGREE

An officer who obtains a **degree or professional certificate** which qualifies him for reclassification would be awarded an increment in his current scale, if applicable, and be placed on point in the lateral scale.

EFFECTIVE DATE OF RECLASSIFICATION

The effective date of reclassification can be:

- i. date on the qualifying certificate/degree or the date it is received in the submitting Ministry; or
- ii. date officer meets the years of experience required for the post; or
- iii. date of transfer and/or assumption of new duties.

NOTE: An officer's incremental month will not change on reclassification.

REMUNERATION IN ACCORDANCE WITH THE BAHAMAS PUBLIC SERVICES UNION AGREEMENT

In accordance with Article 28 of the Industrial Agreement between the Government of The Commonwealth of The Bahamas and The Bahamas Public Services Union, Public Servants covered under this Agreement (*excluding those granted In-Service Training Awards/Special Leave with pay to pursue studies*) may be remunerated for **priority areas of study** pursued with **prior written approval** of the Permanent Secretary or Head of Department of relevant Ministry, **with effect from 17th July, 2014**, as follows:

- (1) A certificate from an approved/accredited institution (i.e. for Government's purposes) for a course of study which is less than six (6) months as **being relevant to the job** – should be awarded a lump sum of \$500.00.

⁸⁸ In accordance with policy per MPS/89/24 dated 15th July, 2002 and 22nd October, 2003

- (2) A certificate/degree from an approved/accredited institution (i.e. for Government's purposes) for a course of study which is for a period of at least six (6) months as being relevant to the job – a lump sum of \$1,000.
- (3) On completion of professional certificate/degree of six (6) months or more an officer may also be eligible for a 7(a) Increment.
- (4) Officers at the maximum of the salary scale shall also receive a lump sum payment equivalent to one (1) year increment on completion of a course of study which is more than six (6) months.

Please be mindful of the policy regarding Course Load when pursuing studies (refer to the section Financial Matters “*Course Load for Officers Pursuing Degrees*” for additional information).

It should be noted that remuneration is not granted:

- a) Where officers pursue more than two (2) courses of study per annum.
- b) For certificates that are equivalent to BJs or BGCSE subjects.
- c) For a second Associate's Degree, where the officer has taken less than 45 new credits towards that degree.
- d) For a second Bachelor's Degree where the officer has taken less than 90 new credits towards that degree.
- e) *For a second Master's Degree, if the officer has not taken at least 75 percent (75%) new credits in order to obtain the second Master's Degree.*
- f) Where the course of study is not relevant to the officer's duty.

Approval for the above will be facilitated by the Ministry of the Public Service. The following documents must accompany the recommendation:

1. Ministry's/Department's prior written approval for the officer to pursue studies
2. The officer's written request for remuneration
3. Certified copy of the degree, certificate or diploma
4. Certified copy of official final transcript (if applicable)
5. Financial clearance

MISCELLANEOUS POLICIES

INDUSTRIAL ACCIDENT

Definition

An accident arising out of and during the course of employment is presumed to be an industrial accident and should be reported and recorded immediately.

Application of Sick Leave in Industrial Accident

Any employee who suffers an accident while on duty which is covered by a certificate from a licensed medical doctor shall be granted the relevant statutory industrial leave as follows:

a) Ruled an Industrial Accident (Government not Liable)

- 40 weeks sick leave with full pay will be granted from the date of injury and will cease at the end of the 40 week period.
- If the officer does not utilize the entire 40 weeks from the date of the injury he will not be allowed to utilize the remaining balance once the 40 week period has expired⁸⁹.

For example: An officer had an industrial accident on 18th January, 2016 and was absent on sick leave for 20 consecutive weeks from the date of the accident. He resumed duty on 6th June, 2016. On 1st December, 2016 the officer applied for the remaining 20 weeks industrial accident leave.

In accordance with policy the officer will not be eligible for the remaining 20 weeks industrial accident leave as the 40 weeks would have expired with effect from 23rd October, 2016.

However if the officer had applied for additional industrial accident leave on 22nd August, 2016 he would be eligible for the remaining leave up to 23rd October, 2016 when the leave would have expired; which amounts to nine (9) weeks.

Note: Calculation of the 40 weeks industrial accident leave begins with effect from the day of the accident, whether or not the officer commenced the leave from that day.

Monthly Paid Officers

- At the expiration of the 40 weeks the monthly paid officer should be granted 20 days sick leave with full pay (please note: the officer will only be eligible for the available balance). After the officer exhausts the 20 days sick leave with full pay, he can be granted vacation leave available before being considered for extended sick leave on 7/8^{ths} pay.

⁸⁹ In accordance with Regulation 74(1)(2) of the National Insurance (Benefit and Assistance) Regulations

- Five (5) months extended sick leave on 7/8ths pay
- Six (6) months extended sick leave on ½ pay
- Any officer who exhausts his entire sick leave eligibility on full and half salary, and does not resume duty should be recommended to be medically boarded. (See the section on Medical Board).

Teachers

Teachers who suffered an accident while on duty which is covered by a certificate from a licensed medical doctor, which takes them into Institutional Leave, will be considered absent from duty on Industrial Accident Leave.

Note

Officers cannot be on two (2) types of leave at the same time (i.e. Industrial Accident and Institutional Leave). Once the medical certificate is presented for a claim to be made by The National Insurance Board, the Institutional Leave falls away.

Weekly Paid Officers

At the expiration of the 40 weeks the weekly paid officer should be granted sick leave on full pay as follows:

- Employees with three (3) years of service or less - one (1) week/five (5) working days.
- Employees with three (3) to five (5) years of service - two (2) weeks/ten (10) working days.
- Employees with more than five (5) years of service - three (3) weeks/fifteen (15) working days.
- After the officer exhausts the sick leave entitlement with full pay, he can be granted extended sick leave, up to a maximum of six (6) months, on three quarters (3/4th) pay.
- Any officer who exhausts his entire sick leave eligibility on full and 3/4th pay and does not resume duty should be recommended to be medically boarded. (See the section on Medical Board).

NOTE:

- Medical certificates **must** be provided to cover the entire period of the absence from duty due to the industrial accident.
- When the above sick leave has been exhausted, the officer will be placed on unpaid leave or he may be granted vacation leave available to him upon receipt of medical certificate.

b) Industrial Accident (If Government is Liable)

- 52 weeks sick leave with full pay will be granted from the date of injury and will cease at the end of the 52 week period.

- If the officer does not utilize the entire 52 weeks from the date of the injury he will not be allowed to utilize the remaining balance once the 52 week period has expired (This applies to both monthly and weekly paid officers).

Monthly Paid Officer

- At the expiration of the 52 weeks the **monthly paid** officer should be granted 20 days sick leave with full pay (please note: the officer will only be eligible for the available balance). After the officer exhausts the 20 days sick leave with full pay, he can be granted vacation leave available before being considered for extended sick leave on 7/8th pay.
- Five (5) months extended sick leave on 7/8ths pay
- Six (6) months extended sick leave on ½ pay
- Any officer who exhausts his entire sick leave eligibility on full and half salary and does not resume duty should be recommended to be medically boarded. (See the section on Medical Board).

Weekly Paid Officers

At the expiration of the 52 weeks the weekly paid officer should be granted sick leave on full pay as follows:

- Employees with three (3) years of service or less - one (1) week/five (5) working days.
- Employees with three (3) to five (5) years of service - two (2) weeks/ten (10) working days.
- Employees with more than five (5) years of service - three (3) weeks/fifteen (15) working days.
- After the officer exhausts the sick leave entitlement with full pay, he can be granted extended sick leave, up to a maximum of six (6) months, on three quarters (3/4th) pay.
- Any officer who exhausts his entire sick leave eligibility on full and 3/4th pay and does not resume duty should be recommended to be medically boarded. (See the section on Medical Board).

NOTE:

- Medical certificates should be provided to cover the entire period of the absence from duty due to the industrial accident.
- When the above sick leave has been exhausted, the officer will be placed on unpaid leave or he may be granted vacation leave available to him upon receipt of medical certificate.

DECENTRALIZATION OF PERSONNEL FUNCTIONS

By Circular No. 8 of 1993 the following functions were delegated to Secretary to the Cabinet, Financial Secretary, Director of Legal Affairs, Permanent Secretaries, Commissioner of Police, Auditor General, Registrar of the Supreme Court, Clerk of the House of Assembly.

- Salary Advances
- Medical Loans
- Mileage Allowances
- Extended sick leave on 7/8ths and 3/4ths pay for a maximum period of three (3) months
- Vacation leave on ½ pay for maternity purposes (i.e. based on eligibility)
- Special Leave with pay up to six (6) days within a leave year for attendance at conferences related to the officer's duties

Further decentralization of personnel functions to Ministries

- Extended sick leave on 7/8ths pay for five (5) months (monthly paid officers)
- Extended sick leave on 3/4ths pay for six (6) months (weekly paid officers)
- Unpaid leave for a period of one (1) month or less

Please note: Any leave approved by the Ministry under this decentralization policy should be copied to the Ministry of the Public Service, Treasurer and Auditor General.

VERIFICATION OF DOCUMENTS⁹⁰

All GCE 'O' levels, BGCSE, City and Guilds, Pitman's, BJC's and other academic certificates **must** be verified in writing by the **Examination & Assessment Division, Ministry of Education, before** submitting them for consideration in respect of the following recommendations:

- New Appointments;
- Appointments to the Permanent and Pensionable Establishment;
- Reclassifications;
- Promotions.

Upon verification by the **Examination & Assessment Division**, any certificate(s) deemed fraudulent **must** be brought to the attention of the Permanent Secretary, Ministry of the Public Service along with the Ministry/Department's recommendation.

BAHAMAS TECHNICAL AND VOCATIONAL INSTITUTE (BTVI)

Certified copies of official transcripts must accompany all degrees and certificates from The Bahamas Technical and Vocational Institute (BTVI).

⁹⁰Department of Public Service, Inter-Office Memorandum, dated 7 February 2000.

CERTIFICATION OF DOCUMENTS

Ministries/Departments are required to certify the copy verifying that they have seen the original certificate/document before submission to the Ministry of the Public Service or prior to being placed on files.

Persons at the level of Executive Officer or above are eligible to certify documents. The following statement/stamp should appear on the certified documents:

Officers are to scrutinize documents to ensure that they are authentic.

I certify that this is a true copy of the original document
Name (please print): _____
Post: _____
Signature: _____
Date: _____

FRAUDULENT DOCUMENTS

1) Academic Certificates

Where it is proven or established that a Public Officer was employed by the Government on the basis of a certificate found to be fraudulent, the person would be dismissed from the Service and the issue of benefit will be within the discretion of the relevant Commission on a case by case basis⁹¹.

If the fraudulent certificate is found seven (7) years or more from the date of appointment or the date the certificate was presented for processing, a lesser punishment may be applied at the discretion of the relevant Commission.

2) Other Documents

Public officers who provide fraudulent documents other than academic certificates (i.e. job letters, medical certificates, salary deduction forms, overtime etc.) will be subject to disciplinary action.

⁹¹ In accordance with Circular No. 6 of 2012, DPS/18/01 dated 20th June, 2012

OFFICERS WHO CAN SIGN ON BEHALF OF THE PERMANENT SECRETARY/ HEAD OF DEPARTMENT

All documents leaving the Ministry/Department should be signed by persons at the level of Executive Officer or above on behalf of the Permanent Secretary or Head of Department.

Officers at the level of Deputy Permanent Secretary and above should sign the Employee Performance Appraisal Records on behalf of the Permanent Secretary. The exceptions are the Auditor General and Director of Education (for Teachers).

When writing to the Secretary to the Cabinet the memorandum should be signed by the Permanent Secretary where applicable.

Only the Permanent Secretary should write directly to the Minister.

TIME OFF TO APPEAR IN COURT

1) Jury Duty⁹²

When employees are required by the law to serve as Jurors, those who actually serve shall be excused from work on those days which they actually serve and shall be paid wages at their regular rate of pay for those days.

A shift employee summoned for Jury duty will be assigned a day shift for that period.

In cases where an employee reports for Jury duty and is:

- a) not selected **OR** selected but later excused for the remainder of the day, such employee shall be required to report to work;
- b) selected he **must provide** the Employer with **documentation from the Court**.

If it is proven that an employee is abusing any of the above privileges, that employee shall not be paid for any days not worked or may be subject to further discipline.

2. Summons to Appear in Court

When an employee receives a **Summons** to appear in Court he shall be excused from work on those days which he actually appears in court and shall be paid wages at his regular rate of pay for those days. He will **be required to provide** the Employer with **documentation from the Court to support his absence from duty**.

This does not include summons for personal reasons (e.g. landlord/tenant, divorce, domestic, etc.)

⁹² In accordance with the 2013-2018 BPSU Agreement Article 13

If it is proven that an employee is abusing any of the above privileges, that employee shall not be paid for any day(s) not worked or may be subject to disciplinary action.

APPLICATIONS FOR PERMISSION TO PURCHASE CROWN LAND

Applications for Crown Land should only be referred to the Ministry of the Public Service for serving officers who wish to establish a home in readiness for retirement.⁹³ All other applications should be referred to the Department of Lands and Surveys for consideration.

Officers who are retiring based on mandatory age of retirement may apply to purchase crown land five (5) years prior to their retirement date (effective date of this proviso is 1st March, 2016).

The Permanent Secretary of the Ministry of the Public Service will consider applications in accordance with General Order 1032.

ACTING APPOINTMENTS

The Governor General acting in accordance with the advice of the appropriate Commission may appoint a public officer to discharge the duties of an office of responsibility in place of the duties of his substantive office. The acting appointment will be in accordance with Section 17 (1) and (2) of the Public Service Act.

Acting appointments may be granted under the following conditions:

1. the temporary vacancy of the posts of Permanent Secretary or Head of Department;
2. where there is statutory or regulatory or other necessary requirement for the post to be filled during the temporary or permanent vacancy of the post.

Acting appointments for statutory posts, Permanent Secretary and Heads of Departments will be referred to the Secretary to the Cabinet for the approval of the Prime Minister.

An officer may also be appointed to act to test his suitability for substantive promotion.

DRESS CODE IN THE PUBLIC SERVICE

Public officers on duty should always be neatly and appropriately dressed. Your attire speaks to your level of professionalism. An officer's dress code should correlate with the nature of his work (e.g. A Maintenance Worker may wear jeans and tee-shirt, overalls or uniform; a female Clerical Worker may wear a suit, dress or skirt and blouse).

⁹³ Minute dated 24 August 2010. Reference File No: DPS/30/14

Office Attire for Women

A female **should not**:

- a. wear short and mini-skirts (no more than one [1] inch above the knee) and tight form fitted clothing;
- b. show her cleavage and undergarments;
- c. wear bedroom slippers and flip flops (unless for medical purposes);
- d. wear tennis shoes (unless it correlates with the nature of her work);
- e. wear heels more than four (4) inches;
- f. wear fish net stocking and patterned or stripped leggings
- g. wear jeans unless it is officially authorized or correlate with the nature of her work;
- h. wear Capri pants or pants above the ankles;
- i. wear tight fitted pants;
- j. expose her tattoos and body piercings unless for religious/cultural reasons
- k. wear **unnatural** hair colours (e.g. red, green, blue, pink, purple, etc.)
- l. wear excessive and non-traditional jewelry unless for religious/cultural reasons (e.g. nose ring, eyebrow rings, toe rings etc.)
- m. no hats or head attire unless for specific purpose or religious reason.

Office Attire for Men

A male **should not**:

- a. wear jeans (unless it is officially authorized or correlate with the nature of his work);
- b. wear tennis shoes or slippers (unless it correlates with the nature of his work or for medical purposes);
- c. wear inappropriate neck-ties;
- d. wear his pants on the hips (i.e. dropped pants);
- e. wear tight fitted trousers;
- f. wear earrings or excessive and non-traditional jewelry unless for religious/cultural reasons (e.g. nose ring, eyebrow rings, etc.);
- g. expose his tattoos and body piercings unless for religious/cultural reasons.

- h. wear his hair un-groomed or display styles associated with any group or organization.
- i. wear his shirt outside his pants unless so styled.
- j. no hats or head attire unless for specific purpose or religious reason.
- k. wear camouflage attire unless it is a part of the official work uniform.

HOURS OF WORK

PENDING

Attendance Register

In each Department an attendance register will be kept by a senior officer designated by the Head of Department. All officers, shall be required to sign the register and record the time of arrival and departure, **with the exception of those on Scales with minima of \$22,400 (July 2012 Scales), or above and in Scale X3.**

Five minutes after the due time of arrival in the morning the register will be ruled off and taken to the Head of Department or designated officer (at the level of Executive Officer or above) and late comers will be required to sign in the presence of that senior officer. Early departures and extended luncheon periods shall be observed by the senior officer charged with keeping the register and officers will be warned in writing whenever irregular attendance, extended luncheon breaks, or unauthorized absences occur and disciplinary action may be taken.

Warning Letters

The attendance register should be reviewed on a monthly basis to review the officer's punctuality and attendance.

a) Punctuality (lateness)

An officer who is late **more** than four (4) times should be warned verbally. After being late eight (8) times, the officer should be issued a warning letter. If there is no improvement after more than twelve (12) times late, they should be advised in writing of the infraction and that they will receive an adverse rating for punctuality on their Performance Appraisal and that disciplinary action may be taken.

Discipline for Lateness

The following disciplinary action may be considered for chronic lateness:

- i. After the first year the officer should be monitored by his supervisor for a period of six (6) months and a detailed report submitted for review by the Head of Department

and forwarded to the Permanent Secretary. A decision will be made whether any further action is to be taken.

- ii. After two (2) consecutive years of adverse reports, disciplinary action will commence (see section on Disciplinary Process).

b) Attendance

An officer should be advised in writing that he has exhausted the six (6) sick call-in days and he would be required to produce a medical certificate to cover all absences from duty thereafter. Leave not covered by a medical certificate would be considered unauthorized leave and the officer should be requested in writing to produce a medical certificate within fourteen (14) days to cover the absences. Failure to produce a medical certificate will result in the appropriate salary deduction. Repeated absences without medical certificates may result in disciplinary action.

Discipline for Unauthorized Absence

After seven (7) consecutive days of unauthorized leave, disciplinary procedure should be followed in accordance with Public Service Commission Regulation 49. In the meantime, the approval of the Permanent Secretary or Head of Department should be secured for the officer's salary to be coded.

Lunch Breaks

Officers are entitled to one (1) hour lunch break each working day. Officers who are required to sign the register should sign out and in for the lunch break. Extended luncheon periods shall be observed by the supervisor or the senior officer charged with keeping the register. Officers will be warned in writing whenever extended lunch breaks occur and that disciplinary action may be taken.

Bank Hours

Officers would be allowed one (1) hour in addition to their one (1) hour lunch break on Government pay day but not later than two (2) working days thereafter, for banking purposes.

Weekly paid officers would be allowed one (1) hour in addition to their one (1) hour lunch break on Fridays, for banking purposes.

Flexi-time

When operational conditions allow, the Employer, on the request of employees in the work unit, may initiate a flexible work schedule for employees. The Employer shall approve the starting time, schedule the employee accordingly and maintain a roster of the employees selected to work on the flexible work schedule. Each employee shall be rostered for a period of not less than six (6) months.⁹⁴

⁹⁴In accordance with Article 36.4 of the BPSU Agreement.

The employee is required to submit his request for flexi-time in writing along with justification for same.

The roster should be reviewed annually and the officer would be required to resubmit a request for further flexi-time.

Officers working flexi-time should not take their lunch hour at the end of the work day (e.g. an officer working the 8:00 a.m. to 4:00 p.m. shift would not be allowed to take lunch break from 3:00 p.m. to 4:00 p.m.).

Note

- Officers granted flexi-time for school pick-up purpose, will be required to resume normal working hours during school holiday breaks.
- A supervisor should be in place to monitor officers working flexi-time.
- Flexi-time may be approved for a period less than six (6) months at the discretion of the Permanent Secretary or Head of Department.

REMOVAL OF UNSUBSTANTIATED DOCUMENTS FROM PERSONAL FILES

NO documents concerning an officer will be removed from his personal file(s).

Where there are **written allegations** made against an officer regarding any inappropriate behavior or claims of submission of false documents, the following procedure should be taken:

1. The matter should be fully investigated by the relevant Ministry/Department and the officer made aware of the allegation and requested to respond;
2. A determination will be made if the claims are valid and what action, if any, should be taken.
3. The officer should be updated monthly and advised in writing of the outcome of the investigation once it is concluded and the action to be taken.
4. If the allegation is **found to be false**, a notation should be made on the written allegation on the file as to the outcome of the investigation. For example: *“This matter has been investigated and found to be false, see detailed report at folio ____.”*
5. If the allegation is **found to be true**, disciplinary action may be taken in accordance with relevant Public Service Commission Regulations. (See Disciplinary Process)

RELIEF OFFICERS RESIDING IN GOVERNMENT OWNED OR RENTED ACCOMMODATIONS

If accommodation allotted to a particular officer is for any reason left unoccupied by the officer ordinarily entitled to occupy it, it may, with the approval of The Permanent Secretary of the officer's Ministry, be occupied temporarily by another officer: provided that an officer on leave,

or on duty, or on a course of instruction outside The Bahamas for a period not exceeding four months may retain his accommodation if he is returning to the same post.⁹⁵

NOTE:

- If the period is less than four (4) months, the Ministry/Department must provide alternative accommodations and subsistence allowance for the relief officer.
- If the period is four (4) months or more, the substantive officer should be advised to secure his personal belongings and ensure that all government properties (e.g. keys and vehicle) are available for the relief officer. (NEW)
- This excludes officers who are receiving Rental Allowance

OFFICIAL SECRETS ACTS

All persons appointed to the Public Service are required to sign the Official Secrets Acts, including contracted workers and summer students 18 years and older. **(SEE ANNEX IX)** Any officer found in breach of the Secrecy Act will be subject to disciplinary action for misconduct. See section under Disciplinary Action for procedure.

DETERMINING SENIORITY

Seniority shall be determined as follows:

1. Officer holding the higher post is senior – e.g. a Chief Clerk is senior to a Senior Clerk (General Order 400).
2. If two (2) officers are in the same grade/post – *then the officer that entered the grade/post first is most senior* (e.g. two First Assistant Secretaries – one entered the grade/post on 1/1/2015 and the other entered on 1/7/2015, the one that entered the grade/post on 1/1/2015 is senior) – General Order 401 (1) (a).
3. If the two (2) officers enter the grade/post on the same date, *then the seniority is determined by referring to which officer would have been senior prior to entering the same grade/post* (e.g. if the two (2) Permanent Secretaries are promoted w.e.f. the same date - the seniority will be determined by looking at the date they were promoted to the previous post (e.g. Under Secretary, Deputy Permanent Secretary etc.) - General Order 401 (1)(b). All things being equal, seniority may then be determined by the age.

NOTE: However, if the two (2) officers enter the grade/post the same day, one (1) by new appointment and the other by promotion, the officer that is promoted to the grade/post is the senior officer.

⁹⁵ In accordance with General Order 2016

4. If any officers who entered the same grade on the same day did so by appointment and not by promotion, *their seniority relative to each other shall be determined by reference to their respective ages* (General Order 401 (1)(c)).
5. With respect to officers of different grades/posts on the same salary scale or the same flat rate of salary – *seniority is determined by the dates on which they entered their respective grades/posts* (e.g. Under Secretary, Family Island Administrator, Deputy Director of Revenue and Deputy Budget Director all in the same grade/post - Scale GR9) – General Order 401 (2).
6. With respect to officers of different grades/posts on different salary scales – *seniority is determined by the maximum point on their salary scales* (General Order 401 (3)). E.g.

Director of Education, Scale ED1
Maximum= \$67,450 (July 2012 scale)

Director of Statistics, Scale ES1
Maximum= \$62,650 (July 2012 scale)

Note - The Director of Education is more senior

7. Officers who transfer from one class of the public service to another class (e.g. technical to administrative cadre), the duties of which are not considered similar, their seniority would *take effect from the date of their transfer/reclassification regardless of any previous length of service and the grading of their former post*. The posting of an officer between duty posts in the same grade within a department shall not be regarded for this purpose as a transfer (General Order 402).
8. When an officer promoted on trial (i.e. acting appointment) fails to have his promotion made substantive with effect from the date of his promotion on trial, *his seniority will date from the date on which his promotion becomes substantive* (General Order 403).
9. Unless otherwise provided, *seniority as between officers selected for first appointment from outside The Bahamas is determined by the date of arrival in The Bahamas*. Where, however, two or more persons selected from outside The Bahamas arrive on the same day, seniority between them will be determined by age (General Order 404).
10. **Non-pensionable service** shall not be taken into account when assessing the seniority of any pensionable officer (General Order 405).

SALARY ON UPGRADING OF POSTS

When a post is upgraded the officer's salary is placed to the next highest point in the scale.

SALARY ON UPGRADING OF SCALE

When a salary scale is upgraded the officer should maintain his salary step within the upgraded scale.

For example: if the officer was at step five (5) in the old scale, he should be placed at step five (5) in the upgraded scale.

SUBSTITUTION OF VALUE OF BJC/EQUIVALENT TO GCE/BGCSE/EQUIVALENT

One (1) BGCSE/GCE grade 'C' or above or equivalent will be accepted (for appointment/reclassification) in the place of five (5) BJCs or equivalent passes where the requirement for a post is five (5) BJC passes including English Language or equivalent.

Note:

- One (1) Pitman/RSA/City and Guilds Level I has the same value as one (1) BJC
- One (1) Pitman/RSA/City and Guilds Level II or above has the same value as one (1) GCE/BGCSE

For example: In cases where the requirements for the post are five (5) BJCs and the officer has one (1) GCE/BGCSE or equivalent, the officer may be appointed/reclassified to the post.

POLICIES ON DISCIPLINARY MATTERS

DISCIPLINARY PROCEDURE

If an officer is found in contravention of any of the Rules or Regulations, governing the Public Service he will be liable to have disciplinary action instituted against him.

The procedure for disciplinary action is determined by whether the officer is in a delegated or non-delegated post.

a) **Delegated Posts** – see Public Service Commission Regulations 41 and 43

b) **Non-Delegated Posts** - see Public Service Commission Regulations 42 and 44

Generally when disciplinary proceedings commence against a Public Officer, the official empowered to dismiss him, in the case of an officer in respect of whom disciplinary power **has been** delegated, is the Permanent Secretary in the relevant Ministry, and in the case of one in respect of whom disciplinary power **is not** delegated, is the Governor General acting on the advice of the Public Service Commission. **There is a difference, however, with respect to an officer who has been convicted on criminal charges (see section labeled Dismissal on Conviction).**

See relevant Regulations for disciplinary proceedings/actions for other personnel.

All disciplinary action must be taken in accordance with Public Service Commission Regulations and the recommended punishments in accordance with Section 40(1) are as follows:

- a) Dismissal;
- b) Reduction in rank;
- c) Reduction in salary;
- d) Deferment of increment;
- e) Withholding of increment;
- f) Reprimand;
- g) Forfeiture of any part of any emoluments withheld during any period of interdiction under the provisions of regulations 37.

Disciplinary Process

Due process must be adhered to before recommended punishments are carried out. The process involves the following:

- 1. Verbal Warning:** An officer should be given one (1) to three (3) oral (spoken) warnings for misconduct or poor performance. All verbal warnings where applicable should be witnessed and documented on the officer's file.
- 2. Written Warnings:** If there is no improvement for serious offences, an officer may be warned in writing of his shortcomings. This warning should be acknowledged by the officer.

In the case of a major breach, as defined in the relevant Industrial Agreements, numbers **1 and 2** are not applicable. Disciplinary proceedings should commence in accordance with the relevant Public Service Commission Regulations.

- 3. Disciplinary Proceedings:** If the officer does not improve, disciplinary proceedings should commence in accordance with the Public Service Commission Regulations.
- 4. A "Show-cause" letter** is issued if, despite being warned, the misconduct continues. It should outline the charge(s)/infraction(s) in accordance with the relevant Public Service Commission Regulations and General Orders and the officer would be invited to "show-cause" in writing within fourteen (14) days of receipt of the letter, why disciplinary action should not be taken against him, all evidence/supporting documents should be included. The specific regulation(s) for the charge(s) and the recommended punishment under Regulation 40 (1) should be quoted. The officer is required to sign a copy of the letter acknowledging receipt. If the officer refuses to sign the letter, the person issuing the letter should make a written notation of the refusal on the letter. Receipt of all "show cause" letters should be witnessed by a third party (where applicable).

All “show-cause” letters **must be signed by the Permanent Secretary** of the relevant Ministry. “Show-cause” letters however, for dismissal of persons in non-delegated posts, must be signed by the Permanent Secretary of the Ministry of The Public Service.

5. Response: Whether the officer:

- a) responds within the specified period and exculpate himself; or
- b) responds within the specified period and does not exculpate himself; or
- c) responds outside the specified period; or
- d) does not respond;

He will be advised in writing by the Permanent Secretary of the recommended action to be taken.

6. Recommendation

If disciplinary action is to be taken, a recommendation along with supporting documentation should be forwarded to the Ministry of the Public Service for processing and onward transmission to the Public Service Commission.

Letter of Dismissal: If it is the decision to dismiss the officer, his letter of dismissal should state his right of appeal. Such officers have the right to appeal, within twenty eight (28) days of receipt of the letter, to the Public Service Board of Appeal in accordance with Article 115 of the Constitution.

7. Dismissal letters for persons in a delegated post must be signed by the Permanent Secretary in the relevant Ministries. Such officers have the right to appeal, within twenty eight (28) days of receipt of the letter, to the Public Service Commission in accordance with Public Service Commission Regulation 36.

Letters of dismissal ordered by the Governor General on the advice of the Public Service Commission would be signed by designated officers in the Ministry of the Public Service.

8. Disciplinary Committee

The Governor General acting on the advice of the Public Service Commission may cause a Disciplinary Committee to be formed in accordance with Public Service Commission Regulation 41 (2) and the offending officer will be required to appear. The Committee should comprise a judge, magistrate or a public officer with legal qualifications who shall be chairman. The head of department under whom the officer is serving shall not be a member of the Committee.

Termination of Service Due to Unsatisfactory Performance during Probationary Period

An officer's services can be terminated at any time during the probationary period. An officer dismissed by the Public Service Commission at the end of his probationary service **has no right of appeal** to the Public Service Board of Appeal.

Note: See Section 28 of the Public Service Commission Regulations 1971 for additional information.

Interdiction

Interdiction is defined as an authoritative prohibition or a sentence debarring a person from the powers and functions of his office.

Public Service Commission Regulation 37 makes provision for an officer to be interdicted in the case of disciplinary or criminal proceedings. The decision to interdict rests with the Permanent Secretary of the Ministry of the Public Service (General Order 1122). In the case of Subordinate Officers of the Royal Bahamas Police Force, the Commissioner of Police may interdict.

Disciplinary Proceedings

Only if the disciplinary proceedings for his dismissal are being taken, then the officer can be interdicted.

Administrative Leave

Pending a decision as to interdiction, the officer may, if it is considered necessary in the public interest, be prohibited by the Permanent Secretary or by the Head of Department where there is no post of Permanent Secretary, from carrying out his duties, but he may not be deprived of any portion of his emoluments (General Order 1125). This General Order is used to allow Ministries/Departments to investigate allegations of misconduct.

Criminal Proceedings

When an officer is charged before the courts, he may be interdicted by the Permanent Secretary of the Ministry of the Public Service, that is, prohibited from coming to work and receives one half of his salary until the case is finalized. If the officer is acquitted, all emoluments withheld during the period of interdiction will be restored and he will be allowed to return to duty.

If convicted, procedures for dismissal are usually initiated.

Interdiction of Weekly Paid Officers

PENDING

All recommendations in these matters are to be submitted to the Permanent Secretary, Ministry of The Public Service for consideration.

Interdiction of Temporary month-to-month Officers

PENDING

Interdiction of Probationary Officers

PENDING

Interdiction of Contract Officers

PENDING

End Date for Interdiction

The interdiction of an officer ceases:

- 1) When he is no longer an employee of the government, that is the officer(s):
 - Reaches the mandatory retirement age
 - Applies for early retirement or resigns
 - Period on temporary month-to-month/or contract comes to an end
 - Contract is determined
 - Dies
 - Is convicted and he is terminated/dismissed
- 2) If he is acquitted, case discharged/dismissed and he is reinstated

Officers on Interdiction at Date Service Comes to an End⁹⁶

The contract of an officer having expired (i.e. mandatory retirement, resignation, death, etc.), the interdiction ceases as he is no longer employed with the Government. The payment of gratuity and/or pension benefits is conditioned upon a good and efficient service. Any act that gives rise to criminal charges during the period of service raises a question about the quality of that service having regard to the alleged act. Admittedly an officer is not to be presumed guilty until a determination is made of this.

A decision on the matter (payment of gratuity and/or pension benefits) must await the court's ruling in the case. The officer should be paid all other monies (e.g. vacation leave accumulated prior to the interdiction) due to him up to the time of the expiration of his contract.

Contract means: Officers on contract, pensionable or temporary terms.

Vacation on Interdiction

An officer who is interdicted will not earn vacation leave during the period of interdiction, however, upon reinstatement he will receive all vacation leave he should have earned during the period of interdiction.

An officer who is found guilty of an offence and is not reinstated will be eligible to receive payment for any vacation leave earned prior to the date he was interdicted.

Increments on Interdiction

An officer who is interdicted will not earn increments during the period of interdiction. If he is reinstated, and all emoluments **restored**, then he would receive any increments he would have been entitled to during the interdiction period.

ALLOWANCES DURING INTERDICTION

PENDING

⁹⁶ Extract from memorandum dated February 1994. Reference File DPS/89/24

Effective Date of Reinstatement – Resumption of Duty

The date an officer is reinstated and allowed to resume duty after the interdiction is lifted, is determined by the relevant Service Commission. The decision to restore emoluments withheld during the period of the interdiction rests with the relevant Service Commission.

Benefits to Officers Dismissed/Retired in the Public's Interest

Officers who are dismissed or retired in the public's interest are not eligible for benefits under the Pensions Act. Ministries may submit a recommendation for the award of benefits on behalf of the officer to the Ministry of the Public Service for consideration. The relevant Service Commission however, will make a decision as to whether the officer should be granted a benefit. The officer will have the right to appeal the decision of the appropriate Service Commission to withhold the benefit in accordance with Article 124 of the Constitution.

Vacation Leave of Officers Dismissed after Interdiction

An officer who was dismissed after being interdicted is not entitled to any vacation leave during his interdiction period. He will, however, be entitled to be paid for any vacation leave he would have accumulated up to the date before the interdiction.

Vacation Leave of Officers Dismissed without having been Interdicted

An officer is entitled to be paid for any vacation leave he would have accumulated up to his dismissal date.

Dismissal on Conviction

When an officer is convicted of a criminal offence he is dealt with in accordance with Public Service Commission Regulation 46. This matter is not delegated and must be dealt with by the Permanent Secretary, Ministry of The Public Service, who would submit a recommendation to the Public Service Commission for his dismissal.

The date of the dismissal would be with effect from the Order by The Governor General.

Dismissal on Appeal of Conviction

An officer convicted of an offence will be dismissed from the Public Service with effect from the date of the Order by The Governor General whether or not he appeals the conviction.

Officers Convicted of Drug Trafficking⁹⁷

All officers convicted of drug trafficking should be terminated from the Public Service without the award of Pension Benefits.

⁹⁷ Cabinet Conclusion ICC 32 (93) 9

Recommendations should be forwarded to the Ministry of the Public Service for onward transmission to the relevant Service Commission who will use its discretion in awarding small gratuities or other benefits which were usually based on the outcome of appeal proceedings.

No Award of Benefit to Legal Personal Representative of a Convicted Officer on Death

Under the Penal Code (see below), the Legal Personal Representative would be unable to claim any benefit on the death of a convicted Public Officer. The conviction disqualifies him from holding any Public Office and from being eligible for pension or gratuity.

Section 130 of the Penal Code, Chapter 84 of the Statute Law of the Bahamas, 2001 provides:

“If a person is convicted of a felony OR is sentenced to imprisonment for three years or more, the following consequences shall ensue, unless the court otherwise orders, namely:

- (1) any public office held by him within the jurisdiction of the Court shall forthwith become vacant;*
- (2) any pension, superannuation allowance, or emolument payable to him out of the general revenue or out of any public fund, chargeable on any rate or tax, and any accruing right to any such pension, allowance or emolument, shall determine and be forfeited as from the time of commission of the crime.....”⁹⁸*

Retirement in the Public Interest

An officer is retired in the public interest:

- a. on grounds which cannot be suitably dealt with under any other regulation;
- b. when it is not desirable to dismiss him for his offense(s); or
- c. to inflict a lesser punishment if it is determined that he is no longer useful to the Public Service.

Under this regulation the officer would receive retirement benefits as determined by the Public Service Commission.

Dishonesty in the Public Service – Police Investigation

The procedure under Public Service Commission Regulation 32 when there is reasonable suspicion that a criminal offence (suspected fraud, falsification and theft) has been committed involving public funds, stores, etc. is either to:-

- a) request the Auditor to investigate; or
- b) call in the police to investigate.

⁹⁸ Extract from memorandum dated August 2003. File Reference DPS/PF/25535

If the Auditor investigates the offence, the matter has to be referred by the Permanent Secretary to the Auditor General. If the police are called in, they will consult the Attorney General as to whether a prosecution should be instituted.

The procedure at (b) is preferred, as no time is wasted and the police come on the scene while the evidence is still fresh; and quick and efficient police enquiries are quite likely to produce the good results which would warrant a prosecution. When cases arise involving the loss of Government money, stores, etc. in which theft or fraud has occurred or is suspected, the police must be summoned immediately. This procedure will in no way interfere with Financial Rule 261 whereby an officer is required to report loss or suspected losses of stamps and money to the Treasurer and the Auditor.

Resignation during Disciplinary Actions

Contrary to General Order 702, an officer's resignation from the Public Service cannot be prevented.⁹⁹

A Public Officer may unilaterally terminate his contract of employment. The resignation of an officer has in effect terminated his service with the Government, and it will not be possible to make him continue to be a Public Officer by refusing to accept his resignation.

Further, there is no merit in instituting disciplinary proceedings as the officer must be regarded as no longer being a Public Officer.¹⁰⁰

An officer who resigns, and by so doing avoids disciplinary punishment, does not divest himself of any financial obligations towards Government.¹⁰¹ Resignation is of course no bar to criminal prosecution for an offence committed in the course of duty.

Stealing by way of employment

Stealing by way of employment is considered a major breach in accordance with Article 7.7 of the BPSU Agreement.

Where it is alleged that an officer has stolen by way of employment, the Employer may suspend him with full pay from duties for investigation for a period of not more than ten working (10) days. Where the charges have been proven to the Employer's satisfaction, the Employer shall inform the Union before implementing punishment.¹⁰²

In cases where there is:

⁹⁹ Extract from minute dated 12 March 1971. Reference Files DPS/89/24 (I) and DPS/PF/2206

¹⁰⁰ Extract from minute dated 12 March 1971. Reference Files DPS/89/24 (I) and DPS/PF/2206

¹⁰¹ In accordance with General Order 702

¹⁰² In accordance with Article 7.8 of the BPSU Agreement

- a) irrefutable evidence such as proof via electronic monitoring and/or admission of guilt, the procedure for dismissal should be swiftly followed in accordance with Public Service Commission Regulations 41 and 42.
- b) the absence of irrefutable evidence, necessary action should be taken in accordance with Public Service Commission Regulation 30 (4).

The recommendations at (a) and (b) above should be added to the existing policy.

POLICIES ON LOANS

Medical Loans

All requests for medical loans must be supported by the original relevant documents from the respective Medical/Dental practitioner, outlining the full costs of the service to be rendered.¹⁰³

The maximum amount granted for a medical loan is no more than half of an officer's annual salary. The loan incurs an interest rate and is repayable over a three (3) year period.

Permanent Secretaries in the relevant Ministry will approve the request and forward to the Treasurer, Treasury Department for processing.

Car Loans

An officer may, with the sanction of the Permanent Secretary, Ministry of the Public Service, receive a **loan** under the provisions of The Public Service (vehicles) Regulations, for the purchase of a motor vehicle, where he must undertake travelling in the course of his official duties. Applications for **loans** must be submitted through the Head of Department to the Permanent Secretary in the relevant Ministry for onward transmission, with recommendations, to the Permanent Secretary of the Ministry of the Public Service.¹⁰⁴

The maximum amount granted for a car loan is governed by Appendix C of General Orders. The loan incurs an interest rate and is repayable over a three (3) year period.

An advance of salary for any purpose will not be made unless any advance already made has been repaid¹⁰⁵

Educational Loan

Educational loans can be granted to persons on Unpaid Study Leave or persons studying at local institutions approved by government to help defray their educational expenses while they work.

¹⁰³ Department of Public Service Circular No: 7 of 2001, dated 1 March 2001

¹⁰⁴ In accordance with General Order 1250

¹⁰⁵ Department of Public Service Circular No: 11 of 2009, dated 7th July, 2009

The maximum amount of such loan is \$3,000.00 (one per study period) and recommendations should be made one (1) month in advance. The loan incurs an interest rate and deductions normally begin on completion of the course.

Salary Advances

The Permanent Secretary may, if special circumstances warrant it, grant an advance of one (1) month's salary repayable in six (6) installments. Deferment of the deductions will not normally be allowed.¹⁰⁶

The Permanent Secretary may grant an advance not exceeding two (2) months salary on first appointment, repayable in six (6) installments.¹⁰⁷

Maximum Deductions Allowed from an Officer's Salary

Officers are allowed to have 75% of their salary deducted for transactions. The net take home pay should in no way be allowed to fall below 25% of gross salary.¹⁰⁸

POLICIES ON EXITS

Definition

An officer exits the Public Service through retirement (mandatory, early and medical grounds), resignation, death, retirement in the public interest and dismissal.

RETIREMENT

(a) Mandatory Retirement

In accordance with the Pensions Act all public servants must retire at age 65. This excludes Correctional, Police and Defense Force Officers (see the relevant Acts for further information).

(b) Early Retirement

Officers may opt for early retirement from the Public Service under the following terms:

1. Has completed at least thirty (30) years or more of continuous or unbroken service.
2. Has reached the age of fifty-five (55) years or older.
3. On medical grounds.

NOTE: See checklist for mandatory and early retirement (labeled Pension/Gratuity Benefit) at **ANNEX X**.

¹⁰⁶ In accordance with General Order 1258

¹⁰⁷ In accordance with General Order 1258A

¹⁰⁸ In accordance with Treasury Circular No: 10 of 2009, dated 29th June, 2009

(c) Medical Grounds

If the employer determines that an officer should be medically boarded, then a recommendation along with medical certificates for the preceding twelve (12) months (where applicable), Medical Board Form and the officer's consent for the release of his medical records should be submitted to the Ministry of The Public Service for onward transmission to the Chief Medical Officer, Ministry of Health, to convene a medical board (**see General Orders 1567 and 1568**). The Chief Medical Officer will submit the Medical Board's finding to the Permanent Secretary, Ministry of The Public Service for onward transmission to the relevant Ministry or the Public Service Commission.

If an officer requests retirement on medical grounds, the convening of a medical board is not required, provided he submits medical evidence from his physician that discloses the illness, states whether or not the condition is permanent and if he is able to continue to work. Ministries are to submit a recommendation along with the officer's written request for retirement on medical grounds and the supporting medical evidence along with the documents required for retirement, to the Permanent Secretary, Ministry of The Public Service for consideration and onward transmission to the Public Service Commission for approval.

If it is agreed that the officer should leave the service on medical grounds, he will be granted all the vacation leave due to him, or; two months leave on full salary, whichever is the greater amount (see General Order 1579). The effective date for the retirement will be the date:

- a) on which the Chief Medical Officer submits the Medical Board's findings (i.e. the date on the memorandum); or
- b) the Permanent Secretary, Ministry of The Public Service agreed to the retirement in the case where the officer requested retirement.

Note: Pensionable Officers need not appear before a medical board provided they meet the requirements for early retirement in accordance with the Pensions Act.

RESIGNATION

An officer who wishes to terminate his service with the government must submit his intent in writing. The period of notice should be as follows:

- a) at least one (1) month's working notice - Monthly paid officers (including local contract officers appointed outside the Public Service);
- b) at least one (1) week's working notice - Weekly paid officers
- c) at least three (3) months working notice - Contract Officers (recruited outside The Bahamas).

Any officer, who fails to give the required written notice, shall pay one (1) month's salary in lieu of notice, or forfeiture of vacation leave due to him, equivalent to one (1) month's salary.

For example, if the officer only has three (3) weeks vacation due to him, the difference will have to be made up with one (1) week's salary (i.e. he will be indebted to government for one (1)

week's pay). If the officer has five (5) weeks vacation due to him, he will only forfeit four (4) weeks vacation leave.

Where an officer is recruited outside The Bahamas, whether he is employed on contract or not, fails to give three (3) months' notice in writing of an intention to resign or pay one (1) month's salary in lieu of notice, he will, in absence of agreement to the contrary, be liable to suffer forfeiture of any passages for which he may be eligible in addition to loss of pay and leave.

An officer who, while employed in the Public Service (whether on In-Service Training Award, Unpaid Study Leave, unpaid leave, vacation leave and leave of absence on half pay), resigns from the Service and fails to serve the requisite period of notice, or; who is paid salary in lieu of notice, will forfeit vacation leave due to him, equivalent to one (1) month's salary. An officer resigning from the Service will not be granted any leave of absence on half pay.

NOTE: An officer who resigns while on In-service Training Award (INSTA), Unpaid Study Leave, Unpaid Leave, Vacation Leave and Leave of Absence on half pay will not be required to resume duty, however, he must give one (1) month's notice prior to the expiration of the leave. Failing this, he will be indebted to government for one (1) month's salary in lieu of notice.

For officers who resign while on INSTA please see INSTA policy on the recovery of monies.

Any weekly officer who fails to give the one (1) weeks' notice will be required to pay one (1) week's salary in lieu of notice (**General Order 746**).

NOTE: The Ministry/Department should send a letter to the officer acknowledging receipt of his notice of resignation and advise that the matter has been forwarded to the Ministry of the Public Service.

NOTE: For benefits on resignation see section labeled Award of Benefits.

Resignation of Teachers

All officers are required to give one month's working notice of their intent to resign from the Public Service.

In the case of Teachers, they are required to give one month's working notice prior to proceeding on institutional leave of their intent to resign/exit the Public Service. Failure to do so, the officer will be required to pay one (1) month's salary in lieu of notice.

Refusal to accept Resignation

Contrary to General Order 702, an officer's resignation from the Public Service cannot be prevented.¹⁰⁹

A Public Officer may unilaterally terminate his contract of employment. The resignation of an officer has in effect terminated his service with the Government, and it will not be possible to make him continue to be a Public Officer by refusing to accept his resignation.

¹⁰⁹Extract from minute dated 12 March 1971. Reference Files DPS/89/24 (I) and DPS/PF/2206

An officer who resigns, and by so doing avoids disciplinary punishment, does not divest himself of any financial obligations towards Government.¹¹⁰ Resignation is of course no bar to criminal prosecution for an offence committed in the course of duty.

Withdrawal of Resignation/Retirement

Once an officer has given notice of his resignation/retirement and it has been accepted, that officer cannot unilaterally withdraw or revoke that notice unless the withdrawal or revocation has been agreed to by the employer.¹¹¹

The withdrawal of a resignation by an officer can only take place before the effective date of his resignation, while the officer is, in fact, still in the Service. As soon as his resignation becomes effective, he ceases to be a Public Officer. Therefore, any subsequent appointment to the Service is in fact re-appointment after a break in service. *No break in service can be bridged by the grant of no-pay leave (unpaid leave) to a person who was not a Public Officer during the time of his break in service.¹¹²

***NOTE:** Unless in accordance with the Bridging of Service Rules, 2014 at Section labeled Bridging of Service.

AWARD OF BENEFITS

(1) Pension

The Pensions Act provides that a pension can only be granted to a public officer **holding a pensionable office** under the Government of The Bahamas. The Act defines a public officer as **“the holder of any public office to which he has been substantively appointed, but does not include a contract officer, a temporary officer or an officer on probation.”** Therefore, anyone appointed on temporary monthly or weekly terms would not qualify for the award of a pension for the years of service, unless he is appointed to the Permanent and Pensionable Establishment and confirmed in appointment.

Service with respect to persons who are appointed to the Permanent and Pensionable Establishment **will be counted with effect from the date of assumption of duty to the Public Service** on temporary weekly or monthly terms, **and not the date** of appointment to the Pensionable Establishment, provided the service was continuous. In other words, once an officer is appointed to the permanent and pensionable establishment, **the entire period** of prior “non-pensionable” continuous services becomes pensionable. However, any periods of unpaid leave, within the period of continuous (unbroken) service would be deducted from the total years of service. Also any periods served on contract would be deducted.¹¹³

¹¹⁰ In accordance with General Order 702

¹¹¹ Extract from memorandum dated November 1999. Reference File DPS/89/24

¹¹² Extract from minute dated 22 September 1971. Reference File DPS/PF/5306 & DPS/89/24

¹¹³ Policy File/DPS/ 12/01 dated 27th February, 2012

There exist no absolute right to benefits by way of pension and/or gratuity, and they will be granted only in consideration of good and faithful service and shall be withheld or reduced where the officer has been found guilty of disgraceful conduct, or gross dereliction of duty, or has been found indebted to the government for any public money which has come to his hand either legally or illegally (Pensions Act Section 4 {4}).

(a) Qualifications for Award of Pension

An officer may qualify for the award of a pension provided:

1. he is a member of the Permanent and Pensionable Establishment.
2. has at least five (5) years minimum full-time service before retirement.
3. service (employment) is continuous or unbroken.
4. reached the mandatory retirement age of 65 years.

(b) Options for Early Retirement with Pension

An officer who meets the qualifications at ‘a’ above (where applicable) may opt for early retirement under one of the following terms:

1. has completed at least thirty (30) years or more of continuous or unbroken service.
2. has reached the age of fifty-five (55) years or older and completed a minimum of five (5) years full-time service.
3. is considered medically unfit for continued employment by the Government Medical Board and completed a minimum of five (5) years full-time service.

(c) Pension Benefit

PENSION: An officer who qualifies for the award of a Pension may choose one of the following:-

1. Pension only (also referred to as **full pension**). An officer who chooses this option **would not** receive the lump sum gratuity;
OR
2. Reduced pension. An officer who chooses this option would receive a lump sum gratuity **along with** his reduced pension.

(d) Formula for Calculation of Pension and Gratuity

1. Full pension

Number of months worked less (minus) any periods taken without salary (unpaid) multiplied by the final annual salary and divided by seven hundred and twenty (720).

$$\frac{\text{months worked} \times \text{final annual salary}}{720}$$

720

2. Reduced pension and gratuity

- (i) reduced pension is equal to seventy-five percent (75%) of the calculated full pension.

$$75\% \times \text{full pension}$$

- (ii) gratuity is twenty-five percent (25%) of the calculated full pension multiplied by ten (10).

$$25\% \times \text{full pension} \times 10$$

NOTE: The maximum pension paid to any officer cannot exceed 2/3rds of the officer's final annual salary.

- (a) ***Formula for Calculation of Pension for Secretary to the Cabinet, Financial Secretary, Permanent Secretaries, Commissioner of Police and the Commodore Defence Force.***

These officers must have served a minimum of twenty-five (25) years with at least ten (10) years in the post of Secretary to the Cabinet, Financial Secretary, Permanent Secretary, Commissioner of Police or Commodore Defence Force or forty (40) years of continuous service.

The officers mentioned at 'E', who do not meet the requirement, would receive benefits in accordance with 'D' above.

i. Full Pension

2/3rds of final annual salary at date of retirement **or** 480/720 multiplied by annual salary at date of retirement.

$$\frac{2}{3} \text{rds} \times \text{final annual salary}$$

OR

$$\frac{480 \times \text{final annual salary}}{720}$$

720

AND

ii. Gratuity

Twenty-five percent (25%) of final annual salary at date of retirement multiplied by ten (10).

$$25\% \times \text{final annual salary} \times 10$$

- (b) ***Maximum Years of Service for Award of Benefit***

The maximum years of service for which a pension can be awarded is 40 years or 480 months.

All periods of continuous service count for the award of Pension/Gratuity. Periods

served on temporary terms whether weekly (i.e. persons appointed under delegated powers) or monthly are counted. However, periods of approved unpaid leave (i.e. without pay) and service on contract are **NOT** counted in the pension calculations, **BUT** they do not break the period of continuous service.

(c) *Payment of Pension and Verification*

Pension is paid on a monthly basis with effect from the day after the date of retirement up to the date of death. During retirement, the Treasurer would require that pensioners present themselves for verification twice (2) per year - January and July.

(d) *Request for Grant of Advance from Retirement Benefits*

The request for advance will be considered for officers who will mandatorily retire (i.e. reach age 65) within one (1) year or less for one (1) of the following reasons:

- a) urgent medical treatment for self or immediate family member, subject to supporting evidence;
- b) college fees for child(ren), subject to supporting evidence;
- c) mortgage fees, subject to supporting evidence; or
- d) repairs to own home, subject to supporting evidence.

Maximum Amount Of The Advance

The maximum amount of the advance should not exceed fifty percent (50%) of the gratuity that would be awarded on retirement.

Gratuity

(a) Permanent and Temporary Monthly Officers

Monthly paid officers whether or not they are members of the Permanent and Pensionable Establishment and resign after completion of not less than ten (10) years of continuous service would qualify for the award of a gratuity. The gratuity is calculated as follows:

4% of final annual salary multiplied by the number of completed continuous years of service less (minus) any periods of approved unpaid leave (i.e. without pay).

$$4\% \times \text{final annual salary} \times \text{number of years}$$

(b) Payment of Gratuity to Temporary Weekly Officers

Temporary weekly officers who retire (at age 55 or older) from the Public Service would receive gratuity based on the formula outlined in Section 27, Second Schedule, of the Pensions Act, as follows:

1. five (5) years or more service but less than ten (10) years1/4th of annual salary
2. ten (10) years or more service but less than fifteen (15) years2/4th of annual salary

3. fifteen (15) years or more service but less than twenty (20) years.....3/4th of annual salary
4. twenty (20) years or more service but less than twenty-five (25) years .4/4th of annual salary
5. twenty-five (25) or more service but less than thirty (30) years 5/4th of annual salary
6. thirty (30) years or more service6/4th of annual salary

(c) Payment of Gratuity to Persons Employed at Overseas Missions

The Cabinet agreed to the application of Section 27 of the Second Schedule of the Pensions Act in order to grant a gratuity to temporary persons at overseas missions.¹¹⁴

The formula for the award of gratuity is at “2 (b)” above.

(d) Award of Fifteen Percent (15%) Gratuity to Contract Workers

In determining whether a person is entitled to fifteen percent (15%) gratuity upon the completion of his contract one must refer to the terms of his contract.

Death Benefits

(a) Employed Officer

- i. Pensionable Officer

On the death of a Pensionable Officer (confirmed in appointment) a gratuity equivalent to one (1) year’s salary will be awarded to the officer’s Legal Personal Representative;

OR

On the death of a Pensionable Officer (confirmed in appointment) who had completed thirty (30) years or more of continuous service **or** who had reached the age of 55 years or older, the officer’s Legal Personal Representative would be awarded a gratuity equivalent to the amount of a gratuity benefit that would have been paid to the officer as if he had opted to retire on the date of death. However, if the gratuity calculates to be less than the officer’s annual salary, the one (1) year’s salary would be awarded instead.

- ii. Non-Pensionable Officers

Officers who are not members of the Pensionable Establishment and had served for **less** than five (5) years, a gratuity equivalent to one-half (1/2) of the officer’s annual salary will be awarded to the officer’s Legal Personal Representative.

Officers who had served five (5) years or more, the Legal Personal Representative would be awarded a gratuity equivalent to one (1) year’s salary.

¹¹⁴ Cabinet Conclusion ICC 29 (92) 1

iii. Re-Employed Pensioners

A person employed on temporary terms after attaining the mandatory age of retirement is not a “public officer” as defined in Section 2 of the Pensions Act (Chapter 43) therefore his service cannot be deemed to be continuous service. He would then be considered under Section 27(2) of Chapter 43 and if his service is less than 5 years, the gratuity payable to the officer’s Legal Personal Representative is an amount not exceeding one half his annual salary.¹¹⁵

If the service is more than five (5) years the gratuity payable to the officer’s Legal Personal Representative is one (1) year’s salary.

NOTE: The re-employed pensioner will only be entitled to receive the above benefit or the Ex-Gratia Award whichever is the greater. If the Ex-Gratia Award is greater the letters of administration or probate will not be required.

Documents Required for Payment of Death Benefits

Payments of the death benefits will only be paid on presentation of one of the following Legal Documents:

- (a) Letters of Administration; or*
- (b) Letters of Probate*

The above documents are issued by the Supreme Court of The Bahamas. See Distribution of Death Benefit to Legal Personal Representatives below.

Distribution of Death Benefit to Legal Personal Representatives

Written requests (e.g. letters or notes) cannot be accepted as legal documents for the purpose of determining the Legal Personal Representative of any officer. Legal advice obtained in this regard is as follows:

Section 26 of the Pensions Act Chapter 43 states:

“Where any Public Officer dies while in the Public Service of The Bahamas, it shall be lawful for the Governor General to grant to his Legal Personal Representative a gratuity of an amount equal to the pensionable emoluments of such officer at the date of his death.”

The above section makes it quite clear that payment of a gratuity shall be made to the Legal Personal Representative of any Public Officer who dies while in the public service. There is no discretion to be exercised as to whom the gratuity is to be made payable.

¹¹⁵ Reference Section 27 of the Pensions Act, Chapter 43

In general terms, an executor is the person appointed by a Will to administer the estate of a deceased person. Where the deceased dies intestate, that is without leaving a Will that disposes of his property, or where he leaves a Will without appointing executors, the person who administers the estate is known as the administrator. Executors and administrators are known collectively as personal representatives.

A grant of Probate (of the Will) or Letters of Administration is necessary to enable the personal representatives to administer the estate of the deceased. The personal representative has no authority prior to the grant of Probate or Letters of Administration; his authority is derived from the grant itself. The personal representative proves his authority by the production of his grant.

A grant of Probate or Letters of Administration is issued by the Supreme Court.

Appropriate benefits can only be made payable to the Legal Personal Representative of the deceased Public Officer, as indicated above.

Distribution of death benefit where the beneficiary has been named

A serving officer has the opportunity to name a person(s), through a notarized form **(See ANNEX XI)**, who should receive his/her gratuity, payment for any outstanding salary or accumulated vacation leave, allowance or any other monies due upon his/her death. The officer has the option of changing the name(s) of the designated person(s) at any time, through a notarized form.

When the officer dies the designated beneficiary(ies) would produce satisfactory evidence (i.e. proof of identity) and payments could be effected in a timely fashion.

It should be noted that the naming of a beneficiary is not mandatory for the officer and if for any reason the officer chooses not to name a designated beneficiary(ies), the gratuity and other payments would be made to the officer's legal personal representative on presentation of the Letters of Administration or Letters of Probate, in accordance with policy.

(b) Pensioner

Ex-Gratia Award to a Deceased Pensioner

There is no benefit payable to the Estate of a deceased pensioner. On the death of a pensioner, the Government, however, provides for the payment of an ex-gratia award equivalent to one (1) year's pension.

This award is in no way an entitlement as a right to anyone but rather an ex-gratia award. In other words the Estate will have no claim against the ex-gratia award nor can it be "WILLED" to anyone.

This ex-gratia award is **not** a statutory provision and Letters of Administration or Probate is not required.

Payment of the benefit is made as follows:

A. Where the deceased pensioner leave a spouse or dependent(s) (under the age of 18 years)

- i. The surviving spouse or dependent upon documentary proof of payment of the funeral expenses would receive the full amount of the ex-gratia award less any pension over-payment
- ii. Should the surviving spouse or dependent require the Government to make an advance in respect of the deceased pensioner's funeral expenses (not to exceed the annual pension amount (less any pension over-payment) the remaining balance of the ex-gratia award, if any, would be paid to the surviving spouse or dependent.
- iii. If the spouse has not paid for the funeral, the individual who paid the funeral expenses, upon documentary proof, would be reimbursed the amount paid (not to exceed the annual pension amount (less any pension over-payment), the surviving spouse or dependent would be paid the balance of the ex-gratia award, if any.

B. Where the deceased pensioner leaves no spouse or dependent(s) (under the age of 18 years)

- i. In the case where there is no surviving spouse or dependent, the individual who paid the funeral expenses, upon documentary proof of payment, would receive the full amount of the ex-gratia award less any pension over-payment.
- ii. Should the individual responsible for arranging the funeral require the Government to make an advance in respect of the deceased pensioner's funeral expenses (not to exceed the annual pension amount (less any pension over-payment) the balance of the ex-gratia award, if any, would be awarded to that individual.

NOTE: The previous policy with respect to the grant of ex-gratia award still applies to pensioners who died prior to 1 September 2016.

Calculation of the benefit is to be as shown:-

Surviving Spouse

Annual Pension Amount.....
Subtract/Add any pension overpaid/owed.....
(subtract any amount advanced to the funeral home (if applicable).....
Amount to be paid (if any)

Person Who Paid For Funeral

Annual Pension Amount.....
Subtract/Add any pension overpaid/owed.....

Amount to be paid (if any)

It should be noted, that if the claimant is the spouse he/she would need to provide the Ministry of the Public Service with all of the following documents on the death of the Pensioner:

- Application for Payment of Ex-gratia Award Form **(See ANNEX XII)**
- Original marriage certificate
- Original death certificate of deceased Pensioner's
- Original receipt from the funeral home (bill must be paid in full)

Where there is no surviving spouse, the person(s) who would have paid the funeral expenses may make a claim for the ex-gratia award by providing the Ministry of the Public Service with all of the following documents:

- Application for Payment of Ex-gratia Award Form **(See ANNEX XII)**
- Original death certificate of deceased Pensioner's
- Original death certificate of the spouse or divorce decree (if applicable)
- Original passport and/or driver's license of claimant
- Original receipt from the funeral home (bill must be paid in full)

THE PAYMENT OF INSTITUTIONAL LEAVE TO RETIRING TEACHERS
(MANDATORY RETIREMENT)

According to current policy, teachers are not eligible for vacation leave but receive institutional leave instead.

Teachers who have reached the mandatory retirement age just prior to Easter break, Summer and Christmas holiday will be paid salary for Institutional leave. **Effective 1st December, 2014**, the Ministry of Education, Science and Technology was granted authority to process payments to retiring teachers (i.e. mandatory age) for earned institutional leave.

ANNEX I

CHECK LIST FOR

NEW APPOINTMENT

NAME:

RECOMMENDED POST &
SCALE:

<i>ITEMS</i>	CHECK (√)/COMMENTS	*N/A
SIGNED, COMPLETED & DATED ORIGINAL PSC FORM 7		
TWO (2) PHOTOGRAPHS		
CERTIFIED COPY OF “COMPUTERIZED” BIRTH CERTIFICATE OR REGISTERED AFFIDAVIT <i>(Duly lodged & recorded at the Registrar General’s Department) Apostilled and/or legalized if issued in a foreign jurisdiction.</i> Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding birth certificates.		
CERTIFIED COPY OF VALID E-PASSPORT/NATURALIZATION CERTIFICATE OF CITIZENSHIP		
CERTIFIED COPY OF MEDICAL CERTIFICATE		
VALID POLICE CERTIFICATE		
SECURITY VETTING <i>(Postings to sensitive Ministries)</i>		
CERTIFIED COPY OF “COMPUTERIZED” MARRIAGE CERTIFICATE <i>(Where applicable) Apostilled and/or legalized if issued in a foreign jurisdiction.</i> Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding marriage certificates.		
RESUME <i>(Where applicable)</i>		
CERTIFIED COPIES OF TWO (2) REFERENCES <i>(Which have been verified by the appointing Agency)</i>		
REQUIREMENTS FOR POST		

VERIFIED/CERTIFIED QUALIFICATIONS BJC , BGSCE OR EQUIVALENT		
<i>(Ensure where applicable that each certificate has been verified by the Examination and Assessment Division of the Quality Assurance Unit, Ministry of Education, Science and Technology)</i>		
CERTIFIED DEGREE		
CERTIFIED OFFICIAL FINAL TRANSCRIPT		
CERTIFIED COPIES OF DOCUMENTED EXPERIENCE <i>(Which have been verified by the appointing Agency)</i>		
NIB #		
JUSTIFICATION		
DEPARTMENT/SECTION PERSONAL FILE <i>(If appointee is weekly, casual relief or contract worker)</i>		
PERFORMANCE APPRAISAL(S) <i>(weekly, contract, and casual relief officers) (Last three (3) years)</i>		
PROPOSED JOB DESCRIPTION		
PROOF OF FILLED POST/S		
PROOF OF VACANT POST OR MINISTER'S APPROVAL TO INCREASE ESTABLISHMENT		
FINANCIAL CLEARANCE		
CABINET'S APPROVAL		
DOCUMENT VERIFYING THAT THE ATTORNEY GENERAL HAS BEEN CONSULTED IN THE CASE WHERE AN OFFICER IS BEING APPOINTED TO PERFORM LEGAL DUTIES		
DOCUMENT VERIFYING THAT THE TREASURER HAS BEEN CONSULTED IN THE CASE WHERE AN OFFICER IS BEING APPOINTED TO PERFORM ACCOUNTING DUTIES.		

*** N/A = NOT APPLICABLE**

- Persons being considered for pensionable appointments and confirmations, who were born in a foreign jurisdiction and in possession of a valid e-passport, would not be required to have their birth certificate or adoption certificate apostilled/notarized (please see Circular No. 38 of 2015, MPS/1/24, dated 4th November, 2015).
- Please note – w.e.f. 5th March, 2015 doctors no longer need to have their documents apostilled (birth and marriage certificates). They must be notarized, however (please see MPS/40/01 minute dated 25.3.15).

Name: _____

**MEMORANDUM ON CONDITIONS OF SERVICE
ON CONTRACT IN THE BAHAMAS (Local)**

1. Appointment

The appointment is non-pensionable, and is subject to the regulations governing the Public Service and which are in force for the time being, in so far as they are applicable to contract officers.

2. Duties

The functions and responsibilities of the appointment are outlined in the letter of appointment or job description.

3. Salary

Full salary will be paid from the date of assumption of duty. The salary of the person engaged shall be **fixed** for the duration of this contract.

4. Gratuity

A 15% gratuity of the total salary (excluding allowances) is paid upon satisfactory completion of this contract providing it is not less than two [2] years continuous service.

5. Medical Attention

Free medical attention for public officers themselves (but not their families) is provided if Government Medical Officers and facilities are used throughout; and dental and eye attention are available at the officer's expense

6. Leave

The officer will be eligible for vacation leave on full salary at the rate of _____ **weeks** per annum. Leave is granted annually and **must** be taken before the contract expires. Normally vacation leave is not granted until an officer has served for at least six (6) months.

7. Determination of Engagement

The Government may at any time determine the services of an officer on giving him/her three (3) months notice in writing or on paying him/her one months salary.

The officer may at any time after the expiration of three (3) months from the commencement of service determine his/her engagement on giving to the Government three (3) months notice in writing or on paying to the Government one month's salary in lieu of such notice.

If the officer terminates his/her engagement otherwise than in accordance with the Agreement, he/she shall be liable to pay the Government as liquidated damages three (3) months salary.

8. Ill Health

An officer would be eligible for sick leave in the amount of twenty (20) working days per annum on full pay and extended sick leave on reduced pay thereafter.

If he/she is compelled by reason of ill-health to resign his/her office or if at any time it shall be certified by a duly qualified medical officer employed by the Government that he/she is incapable, by reason of any infirmity of mind and body, of rendering further efficient service, the Government shall pay his/her salary in accordance with the sick leave policy, up to the date of such leave as he/she may have earned on the date of his/her resignation from the Service which shall be reckoned from the date of the medical certificate, but he/she shall have no further claim on the Government.

9. Termination

If an officer shall at any time neglect or for any cause (except ill-health) refuse to perform any of his/her duties or to comply with any instructions within the framework of the Agreement, or if he/she shall disclose any information respecting the affairs of the Government of The Commonwealth of The Bahamas to any unauthorized person or shall in any manner misconduct himself/herself, his/her service may be terminated and on such termination all rights and advantages of the appointment may cease.

NAME: _____

**MEMORANDUM ON CONDITIONS OF SERVICE
ON CONTRACT IN THE BAHAMAS (Foreign)**

1. **Appointment**

The appointment is non-pensionable; and is subject to the regulations relating to the Public Service which are in force for the time being, in so far as they are applicable to contract officers.

2. **Duties**

The functions and responsibilities of the appointment are outlined in the letter of appointment or job description.

3. **Salary**

Full salary will be paid from the date of arrival in The Bahamas on initial appointment or from the date of assumption of duty on renewal of contract. The salary of the person engaged shall be **fixed** for the duration of this contract.

4. **Gratuity**

A 15% gratuity of the total salary (excluding allowances) is paid upon satisfactory completion of this contract providing it is not less than two [2] years continuous service.

5. **Medical Attention**

Free medical attention for Public Officers themselves (but not their families) is provided if Government Medical Officers and facilities are used throughout; and dental and eye attention are available at the officer's expense.

6. **Leave**

The officer will be eligible for vacation leave on full salary at the rate of _____ **weeks** per annum. Leave is granted annually and **must** be taken before the contract expires. Normally vacation leave is not granted until an officer has served for at least six (6) months.

7. **Housing**

Free housing is provided in all islands except New Providence (Nassau) and Freeport, Grand Bahama.

8. **Passage**

The officer will be provided with free passage (one-way ticket at the beginning of a contract and a return ticket on completion of the final contract) **to** The Bahamas by the most economical route for himself/herself and, if married, for his/her spouse, and up to two (2) children (aged 18 or under) on first appointment and back to the country of engagement on the satisfactory completion of the contract.

Where both spouses are employed pursuant to a contract of service in the Public Service, the provision relating to accompanying children shall be realized by one spouse only. The class and type of passage provided will be according to regulations current at the time. Current regulations provide that;

- i. Passage is normally provided by air and air passages are provided at the following rates; “Economy” or “Tourist” or whatever title is applied to the next lower class of travel below first class on the route in question.
- ii. Passage by sea will not be provided except for certified health reasons. If an officer wishes to travel by sea for other reasons, Government will contribute towards the cost of the sea passage no more than the most economical direct air passage plus baggage allowance.
- iii. Passage and passage grants under this section are provided from the country in which the officer was appointed/recruited to The Bahamas and return. If on completion of his/her contract, however, an officer proceeds to some place other than the country from which he/she was appointed then Government will pay passage charges not exceeding the cost of return by the most direct air route to the country in which he was appointed/recruited plus baggage allowance.
- iv. An officer appointed/recruited from abroad may arrange his/her own passage if he/she so desires; in which case payment will be made from public funds to the airline agent. Passage charges will not exceed the cost of the officer’s passage traveling by the most economical air route to the country in which he was appointed/recruited plus baggage allowance.
- v. When an officer is appointed/recruited from overseas from in a country other than Canada, United States of America, The Caribbean and the United Kingdom, the amount payable under subparagraphs (iii) and (iv) above will be determined by the Permanent Secretary, of the Public Service on the same principle as set out above i.e. the actual cost of air passage to and from The Bahamas plus baggage allowance.
- vi. No leave passages are granted.

9. Baggage Allowance

If an officer travels by air on first appointment or final departure, he/she will be eligible for reimbursement of the actual cost of transportation of his heavy duty baggage, on production of the receipted accounts, not exceeding the following maxima:

- i. \$200 for an officer traveling to or from Europe, America , West Africa, or the Caribbean;
or
- ii. \$300 for an officer traveling to or from East Africa, Asia or Australia; and
- iii. \$100 each for the officer’s spouse and for not more than two (2) children over 12 years old

Reimbursement will be in respect of transport costs only and not of any other cost, e.g. packing, insurance, wharf dues, customs duties, etc. An officer may use his/her discretion as to what items of household furniture and effects are included, but no additional payments will be made to

cover the transport of motor vehicles, boats, etc. Where both spouses are employed pursuant to a contract of service in the Public Service, baggage allowance as stipulated will be granted to one spouse only.

10. Determination of Engagement

The Government may at any time determine the services of any officer on giving three (3) month's notice in writing or on paying one month's salary; in either case, if the officer is in The Bahamas at the time, furnishing him/her with free passage to the country of engagement and, if married, for the spouse and two children (age 18 and under) provided they came to The Bahamas under this agreement and provided that he/she claims and avails himself/herself of such return passages not later than one (1) month after the expiration of his/her engagement. The officer would **NOT** in either case be paid half (½) salary during the voyage to the country of engagement unless specially granted by the Government.

The officer may at any time after the expiration of three (3) months from the commencement of any residential service and while bachelor in The Bahamas, determine his/her engagement on giving to the Government three (3) month's notice in writing or on paying to the Government one (1) month's salary in lieu of such notice; and in either case, he/she shall repay the cost of his/her passage to The Bahamas and that of the spouse and children. In either case he/she shall **NOT** be entitled to a free return passage to the country of engagement. If the officer terminates his/her engagement otherwise than in accordance with the Agreement, he/she shall be liable to pay the Government liquidated damages of three (3) month's salary and the cost of passage to The Bahamas provided from public funds for himself/herself, spouse and children.

11. Ill Health

An officer would be eligible for sick leave in the amount of twenty (20) working days per annum on full pay and extended sick leave on reduced pay thereafter.

(a) If an officer shall be compelled by reason of ill-health (not caused by his/her own misconduct) to resign his/her office or if at any time it shall be certified by a duly qualified medical officer employed by the Government that he/she is incapable, by reason of any infirmity of mind or body, of rendering further efficient service in The Bahamas, the Government shall pay salary in accordance with the sick leave policy, up to the date of such resignation or certificate and shall if he/she is in The Bahamas at the time, furnish him/her with a free passage to the country of engagement for himself/herself, and, if married, for the spouse and children (if any), not exceeding three (3) persons besides himself/herself, provided that they came to the Bahamas under this agreement and provided that the officer claims and avails himself/herself of such return passages within one (1) month after the resignation date, but he/she shall have no further claim on the Government.

(b) A certificate signed by a Medical Board duly appointed shall be conclusive evidence as to whether or not the officer was compelled to resign his office by reason of ill health within the meaning of this clause.

12. Dismissal

If an officer shall at any time neglect or refuse or for any cause (except ill-health not caused by his/her own misconduct) become unable to perform any of his/her duties or to comply with any order or if he/she shall disclose any information respecting the affairs of the Government of The Commonwealth of The Bahamas to any unauthorized person or shall in any manner misconduct himself/herself, he/she may be dismissed. On such dismissal all rights and advantages of his/her appointment shall cease; and he/she shall be liable to repay on demand the amount paid for his/her passage to The Bahamas and for that of the spouse and children.

13. Further Employment

Six (6) months prior to the completion of the term of this Agreement the person engaged shall give notice in writing to the Government whether he/she desires to remain in its employment. The Government shall thereupon decide whether it will offer him/her further employment. If the Government offers him/her further employment the re-engagement will be on such terms and for such period as may be mutually agreed.

APOSTILLES

THE A B C'S OF APOSTILLES

The Consular Division has a Legalization and Apostille Unit which is responsible for issuing Apostille Certificates to countries who are party to the Hague Convention of 5th October, 1961, Abolishing the requirement of Legalization for Foreign Public Documents. The Bahamas became party to this convention on 30th April, 1976.

HISTORY OF APOSTILLES

Many countries all over the world have joined the treaty that simplifies the authentication of public documents to use abroad. This treaty is called the Hague Convention of 5th October, 1961, Abolishing the requirement of Legalization for Foreign Public Documents. This is commonly known as the Apostille Convention. Where this applies, the treaty reduces the authentication process to a single formality: that is the issuance of an authentication certificate by an authority designated by the country where the public document was issued. This certificate is called an Apostille.

The use of the Apostille has proven to be very useful and greatly facilitates the circulation of public documents issued by a country party to the Convention.

WHAT IS AN APOSTILLE

An Apostille is a certificate that authenticates the origin of a public document e.g. a birth, marriage or death certificate, a judgment etc. The Apostille Certificate verifies the genuineness of the signature and/or seal of a public officer e.g. a notary public on a public document and the capacity in which he/she has acted. The Apostille does not attest to the content of the document.

WHEN DO YOU NEED AN APOSTILLE

- ✚ When the country in which the public document is to be used requires an Apostille in order to recognize that document as a foreign public document.
- ✚ When a public document is to be issued in another country which is also a party to the Convention.
- ✚ An Apostille **cannot** be used for recognition of a document in the country that issued the document.

WHICH COUNTRIES DO THE APOSTILLE CONVENTION APPLY

This applies only if both the country where the public document was issued and the country where the document is to be used are both parties to the Convention.

An updated list of such countries is available on the website www.hcch.net Apostille Section of the Hague Conference.

If a public document was issued and is to be used in a country where the Apostille Convention does not apply, then one should contact the Consular Division, or any of its Embassies or Consulates abroad which are authorized to carry out consular functions as well.

WHO IS AUTHORIZED TO SIGN AN APOSTILLE

The Head of Consular Division and other officers designated by the Ministry of Foreign Affairs and Immigration.

Notaries Public: Senior Government Officials, Registrar General's Department, and the Royal Bahamas Police Force.

All documents presents for Apostille or Legalization are required to have affixed original signature of Notary or Senior Government Official along with their notarial seal which are both required to be lodged with the Consular Division prior to completion of the document.

WHERE IS AN APOSTILLED PLACED

An Apostille must be placed directly on a public document or attached on a separate page. Apostilles can also be affixed by stamps, adhesive stickers, impressed seals etc.

WHAT IS USED IN PLACED OF APOSTILLE IN COUNTRIES NOT PARTY TO THE CONVENTION

Countries not a part of this Hague Convention of 1961 would receive a series of certifications known as Legalizations.

HOW TO APPLY FOR AN APOSTILLE

- ✚ By visiting the Consular Division and completing the requisite application form
- ✚ Attaching relevant document(s)
- ✚ Paying requisite fee
- ✚ Wait a period of three (3) working days
- ✚ Urgent processing of document requires accompanying letter and two (2) working days

Finally, once an Aposille is obtained on a public document there is nothing else needed to show that it is genuine. If there is doubt, contact the Consular Division or your nearest Overseas Mission.

GOVERNMENT OF THE BAHAMAS
SECURITY QUESTIONNAIRE

You are being considered for appointment/promotion to the post of: _____

<u>Department</u>	<u>Duties</u>

2. The Government has decided that special inquiries must be made about the reliability of those whose (prospective) employment involves access to information of exceptional importance from the point of view of security. To facilitate these inquiries you are asked to complete this questionnaire in ink or typescript. The inquiries which will be made will not necessarily be confined to former or present employers or to character referees you name. If you cannot supply all particulars required, please give as much information as you can, using the additional space on the last page, if necessary.

3. THIS DOCUMENT IS GOVERNMENT PROPERTY AND WILL BE TREATED IN CONFIDENCE AT ALL STAGES.

PART1 USE BLOCK CAPITALS FOR ANSWERS

Particulars	Self	Wife/Husband	Father	Father
4. SURNAME		*	+	+
(a) NOW		+ #	#	#
(b) At birth, if different, and any other surname used, including maiden name/ former married name(s)				
5. FULL CHRISTIAN FORE NAMES				
(a) Normally used				
(b) Other fore names used.				

NOTES

- * Please give corresponding details on last page of any former wife/husband.
- + If brought up by anyone acting as a parent, please give corresponding details on last page.
- # If deceased, state year of death and nationality and occupation at time of death.

Particulars	Self	Wife/Husband	Father	Mother
6. NATIONALITY		# *	# *	# *
(a) NOW				
(b) At birth, if different. If naturalised, state Number and Date of Certificate.				
(c) If not of Bahamian nationality, do you intend to apply for citizenship?				
DATE OF BIRTH				
PLACE OF BIRTH				
PRESENT OCCUPATION		# *	# *	# *
7. ADDRESSES		# *	# *	# *
(a) Full Permanent home address and telephone number.				
(b) Temporary address if any and telephone number.			PRESENT MARRIAGE Date: Place:	
(c) Other addresses in The Bahamas during last 5 years, with dates.			DETAILS OF ANY CHANGE OF ADDRESS AND NOTIFICATION OF ANY FUTURE MARRIAGE SHOULD BE SENT TO YOUR HEAD OF DEPARTMENT IMMEDIATELY.	
(d) Other addresses outside the Bahamas AT ANY TIME for more than 12 months with DATES in each case.				

8. EMPLOYMENT

Give full particulars with DATES of your employment, including service in Government Departments, during the last five years.

Name and Address of Employer	Nature of Employment	From	To

9. EDUCATION

(a) Schools attended	Date	Qualification/s
(b) Other Institutions attended	Date	Qualification/s

10. ARMED FORCES

If you have ever served in the Armed Forces of any Country, please state:

Country _____ Service _____ Rank _____ Official No.: _____

11. RELATIVES LIVING ABROAD

Have you any relative by blood or marriage who is living or has lived in a country, having at the time of residence, a Communist Government?

12. FOREIGN TRAVEL

If you have at any time visited a country having, at the time of the visit, a Communist Government, give full details below:

Country	Reason for visit	From	To

13. CHARACTER REFEREES

Give particulars of two Bahamians (NOT RELATIVES) resident in THE BAHAMAS who have been well acquainted with you in private life during the past 5 years. It is not sufficient to nominate someone you know in an official or professional capacity, unless you know them socially as well.

Full Name: _____ Full Name: _____
Occupation: _____ Occupation: _____
Address: _____ Address: _____
Telephone No: _____ Telephone No: _____

If resident overseas in past 5 years, give particulars of two Bahamian subjects who have known you abroad.

PART II

QUESTIONS 14 TO 17 SHOULD ALL BE ANSWERED 'YES' OR 'NO'. IF THE ANSWER TO ANY QUESTION IS 'YES', FULL PARTICULARS MUST BE GIVEN.

14. OFFENCES AGAINST THE LAW

(a) Have you ever been charged before any Court with an offence of which you have not been acquitted, even though you may have been absolutely or conditionally discharged or placed on probation or bound over? -----

(b) Have you ever been convicted by a Court Martial of Service Disciplinary Court, or sentenced summarily to detention or dismissal under the provisions of any other law relating to Armed Services whilst serving any Armed Force? -----

(c) (NOTE: In answering Questions 15 and 16 you should take into account not merely your own belief but also the sort of opinion which is generally held of the organisation or person in question, even if you do not endorse that opinion. An affirmative answer will not necessarily disqualify you from appointment, but since it is Government policy that no one may be employed in Secret work if he is judged unreliable, it must be taken into consideration). -----

15 (a) Have you ever been a member of, or had any connection with a Communist Party, anywhere? -----

(b) Have you ever been a member of, or had any connection with any organisation associated with the Communist movement or in sympathy with it? -----

(c) Have you ever been a close associate of a person who to your knowledge is, or has been, a Communist of Communist sympathiser? -----

16.(a) Have you ever been a member of, or had any connection with any political/racial organisation of an extreme character other than Communist? -----

(b) Have you ever been a close associate of a person of extreme political/racial views other than Communist? -----

PART III CERTIFICATE

I, certify that the information given in this form is correct and complete to the best of my knowledge and belief. I am not aware of any circumstances which might cause my fitness for employment in the Public Service to be questioned. I agree to notify any material changes in this information to my superior. I understand that any false statement or omission may disqualify me for employment or make me liable to disciplinary action, which may include dismissal.

Date: _____

Signature: _____

* SPACE FOR FURTHER INFORMATION. If you need to amplify your answer to any question, please do so in this space, noting against your entry the number of the relevant question.

CHECK LIST FOR

CONFIRMATION

NAME: _____

PRESENT POST & SCALE: _____

<i>ITEMS</i>	CHECK (√)/COMMENTS	NA
SIGNED, COMPLETED & DATED ORIGINAL PSC FORM 7		
TWO (2) PHOTOGRAPHS		
CERTIFIED COPY OF BIRTH CERTIFICATE OR REGISTERED AFFIDAVIT <i>(Duly lodged & recorded at the Registrar General's Department)</i> Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding birth certificates.		
CERTIFIED COPY OF E-PASSPORT OR NATURALIZATION CERTIFICATE OF CITIZENSHIP		
CERTIFIED COPY OF MEDICAL CERTIFICATE <i>(Medical Certificate submitted for initial appointment can be used, if on file)</i>		
CERTIFIED COPY OF VALID POLICE CERTIFICATE <i>(Police Certificate submitted for initial appointment can be used, if on file)</i>		
SECURITY VETTING/CERTIFICATE <i>(For sensitive Ministries)(Where applicable)</i>		
CERTIFIED MARRIAGE CERTIFICATE Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding marriage certificates.		
VERIFIED/CERTIFIED QUALIFICATIONS BJC , BGCSE OR EQUIVALENT <i>(Ensure where applicable that each certificate has been verified by the Examination and Assessment Division of the Quality Assurance Unit, Ministry of Education, Science and Technology)</i>		
CERTIFIED DEGREE		
CERTIFIED OFFICIAL FINAL TRANSCRIPT		
DATE OF FIRST APPOINTMENT		
PRESENT POST & SCALE		

DATE APPOINTED TO PRESENT POST		
PRESENT SALARY		
SALARY PROGRESSION		
JD EDWARDS PRINT OUT		
EMPLOYEE PERFORMANCE APPRAISAL REPORT WITH ATTACHED JOB DESCRIPTIONS		
FINANCIAL CLEARANCE		
OFFICER'S PERSONAL FILE FROM MINISTRY/DEPARTMENT/SECTION		

*** N/A = NOT APPLICABLE**

Persons being considered for pensionable appointments and confirmations, who were born in a foreign jurisdiction and in possession of a valid e-passport, would not be required to have their birth certificate or adoption certificate apostilled/notarized (please see Circular No. 38 of 2015, MPS/1/24, dated 4th November, 2015).

Prepared by _____ Signature _____ Date _____

CHECK LIST FOR

APPOINTMENT TO P&P ESTABLISHMENT

NAME: _____

PRESENT POST & SCALE _____

RECOMMENDED POST & SCALE: _____

DATE OF PRESENT POST _____

<i>ITEMS</i>	CHECK (✓)/COMMENTS	N/A
SIGNED, COMPLETED & DATED ORIGINAL PSC FORM 7		
TWO (2) PHOTOGRAPHS		
CERTIFIED COPY OF BIRTH CERTIFICATE OR REGISTERED AFFIDAVIT (<i>Duly lodged & recorded at the Registrar General's Department</i>) Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding birth certificates.		
CERTIFIED COPY OF VALID E-PASSPORT/NATURALIZATION CERTIFICATE OF CITIZENSHIP		
CERTIFIED COPY OF MEDICAL CERTIFICATE		
MARRIAGE CERTIFICATE (<i>where applicable</i>) Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding marriage certificates.		
VALID POLICE CERTIFICATE		
SECURITY VETTING (<i>Posting to sensitive Ministries/Departments</i>)		
DATE OF FIRST APPOINTMENT		
VERIFIED/CERTIFIED QUALIFICATIONS BJC , BGCSE OR EQUIVALENT <i>Ensure where applicable that each certificate has been verified by the Examination and Assessment Division of the Quality Assurance Unit, Ministry of Education, Science and Technology)</i>		
CERTIFIED COPY OF DEGREE		
CERTIFIED COPY OF OFFICIAL FINAL TRANSCRIPT		
PRESENT SALARY		

RATE OF PAY FOR WEEKLY OFFICERS (<i>i.e. where appointment letter was signed by a Permanent Secretary appointing the officer under Delegated Powers</i>)		
SALARY PROGRESSION		
JD EDWARDS PRINTOUT		
OFFICER'S PERSONAL FILE FROM MINISTRY/DEPARTMENT/SECTION		
PERFORMANCE APPRAISALS WITH ATTACHED JOB DESCRIPTIONS (<i>Last three (3) years</i>)		
MINISTER'S APPROVAL MINISTRY OF THE PUBLIC SERVICE		

*** N/A = NOT APPLICABLE**

It was agreed that going forward, a current police record would be required for officers who would have been appointed on temporary month-to-month terms or weekly terms who would have been appointed more than two years prior to their appointment to the Permanent and Pensionable Establishment.

Persons being considered for pensionable appointments and confirmations, who were born in a foreign jurisdiction and in possession of a valid e-passport, would not be required to have their birth certificate or adoption certificate apostilled/notarized (please see Circular No. 38 of 2015, MPS/1/24, dated 4th November, 2015).

Prepared by _____ Signature _____ Date _____

CHECK LIST FOR

PROMOTION

NAME: _____

PRESENT POST & SCALE: _____

<i>ITEMS</i>	CHECK (✓)/COMMENTS	N/A
DATE OF FIRST APPOINTMENT		
RECOMMENDED POST & SCALE		
DATE APPOINTED TO PRESENT POST		
JUSTIFICATION/RECOMMENDATION		
REQUIREMENTS FOR POST		
VERIFIED/CERTIFIED QUALIFICATIONS BJC , BGCSE OR EQUIVALENT <i>(Ensure where applicable that each certificate has been verified by the Examination and Assessment Division of the Quality Assurance Unit, Ministry of Education, Science and Technology)</i>		
CERTIFIED DEGREE		
CERTIFIED OFFICIAL FINAL TRANSCRIPT		
CERTIFIED COPIES OF DOCUMENTED EXPERIENCE <i>(Which have been verified by the appointing agency)</i>		
J.D. EDWARDS PRINTOUT/PAYSHEET		
SALARY PROGRESSION		
FINANCIAL CLEARANCE		
ACKNOWLEDGED SUPERSESSION LETTER (S)		
OFFICER'S RESPONSE TO THE SUPERSESSION LETTER		
MINISTRY'S COMMENTS ON THE OFFICER'S OBJECTION TO SUPERSESSION		
EMPLOYEE PERFORMANCE APPRAISAL REPORTS WITH ATTACHED JOB DESCRIPTIONS <i>(Last three(3) years)</i>		
PROOF OF VACANT POST/S		
PROOF OF FILLED POST OR MINISTER'S APPROVAL TO INCREASE ESTABLISHMENT		
SENIORITY LISTING		

MINISTER'S APPROVAL FROM THE SUBMITTING MINISTRY		
MINISTER'S APPROVAL FROM THE MINISTRY OF THE PUBLIC SERVICE		

*** N/A = NOT APPLICABLE**

Prepared by _____ Signature _____ Date _____

RESPONSIBILITY ALLOWANCE

POST	RATE
SECRETARY TO THE CABINET	\$18,000 PER ANNUM
FINANCIAL SECRETARY	\$16,000 PER ANNUM
PERMANENT SECRETARY	\$14,000 PER ANNUM
COMMISSIONER OF POLICE	\$14,000 PER ANNUM
COMMODORE - DEFENCE FORCE	\$14,000 PER ANNUM
TREASURER	\$8,500 PER ANNUM
DIRECTOR OF WORKS	\$7,000 PER ANNUM
COMPTROLLER OF CUSTOMS	\$7,000 PER ANNUM
DIRECTOR OF LEGAL AFFAIRS	
DEPUTY DIRECTOR OF LEGAL AFFAIRS	
ASSISTANT DIRECTOR OF LEGAL AFFAIRS	
UNDER SECRETARY	\$6,000 PER ANNUM
SUPERINTENDENT OF PRISONS	\$6,000 PER ANNUM
SENIOR UNDER SECRETARY II	\$6,000 PER ANNUM
SENIOR UNDER SECRETARY I	\$6,000 PER ANNUM
DIRECTOR OF NEMA	\$6,000 PER ANNUM
DIRECTOR OF INTERNAL AUDIT	\$6,000 PER ANNUM
DIRECTOR OF IMMIGRATION	\$6,000 PER ANNUM
DIRECTOR OF EDUCATION	\$6,000 PER ANNUM
CONTROLLER OF INLAND REVENUE	\$6,000 PER ANNUM
SENIOR DIRECTOR FOR FINANCE	\$5,500 PER ANNUM
POST MASTER GENERAL	\$5,500 PER ANNUM
PORT CONTROLLER	\$5,500 PER ANNUM
FAMILY ISLAND ADMINISTRATOR	\$5,500 PER ANNUM
DIRECTOR OF STATISTICS	\$5,500 PER ANNUM
DIRECTOR OF SOCIAL SERVICES	\$5,500 PER ANNUM
DIRECTOR OF PHYSICAL PLANNING	\$5,500 PER ANNUM
DIRECTOR OF MUSEUMS	\$5,500 PER ANNUM

POST	RATE
DIRECTOR OF METEOROLOGY	\$5,500 PER ANNUM
DIRECTOR OF LANDS AND SURVEY	\$5,500 PER ANNUM
DIRECTOR OF LABOUR	\$5,500 PER ANNUM
DIRECTOR OF HOUSING (TECHNICAL)	\$5,500 PER ANNUM
DIRECTOR OF GENERAL HERITAGE	\$5,500 PER ANNUM
DIRECTOR OF FISHERIES	\$5,500 PER ANNUM
DIRECTOR OF ENVIRONMENTAL HEALTH SERVICES	\$5,500 PER ANNUM
DIRECTOR OF ECONOMIC PLANNING	\$5,500 PER ANNUM
DIRECTOR OF COOPERATIVES	\$5,500 PER ANNUM
DIRECTOR OF CIVIL AVIATION	\$5,500 PER ANNUM
DIRECTOR OF ARCHIVES	\$5,500 PER ANNUM
DIRECTOR OF AGRICULTURE	\$5,500 PER ANNUM
CONTROLLER, ROAD TRAFFIC	\$5,500 PER ANNUM
SENIOR DEPUTY TREASURER	\$4,000 PER ANNUM
DEPUTY TREASURER	\$3,000 PER ANNUM
DEPUTY PERMANENT SECRETARY	\$3,000 PER ANNUM
DEPUTY DIRECTOR OF EDUCATION	\$3,000 PER ANNUM
CHIEF HOUSING OFFICER	\$3,000 PER ANNUM
CLERK, HOUSE OF ASSEMBLY	\$3,000 PER ANNUM
SENIOR DEPUTY DIRECTOR OF AGRICULTURE	\$3,000 PER ANNUM
SURVEYOR GENERAL	\$3,000 PER ANNUM
SENIOR DEPUTY DIRECTOR OF STATISTICS	\$3,000 PER ANNUM
DIRECTOR OF LIBRARIES	\$3,000 PER ANNUM
DIRECTOR NATIONAL ART GALLERY	\$3,000 PER ANNUM
SENIOR ASSISTANT BUDGET DIRECTOR	\$3,000 PER ANNUM
CHIEF VETERINARY OFFICER	\$3,000 PER ANNUM
SENIOR DEPUTY DIRECTOR OF FISHERIES	\$3,000 PER ANNUM
DEPUTY DIRECTOR OF WORKS	\$3,000 PER ANNUM
SENIOR DEPUTY DIRECTOR OF PHYSICAL PLANNING	\$3,000 PER ANNUM
FINANCIAL CONTROLLER I	\$3,000 PER ANNUM

POST	RATE
DEPUTY AUDITOR GENERAL	\$3,000 PER ANNUM
SENIOR DEPUTY AUDITOR GENERAL	\$3,000 PER ANNUM
DIRECTOR BNGIS	\$3,000 PER ANNUM
DIRECTOR OF URBAN RENEWAL	\$3,000 PER ANNUM
SENIOR DEPUTY DIRECTOR (METEOROLOGICAL DEPARTMENT)	\$3,000 PER ANNUM
SENIOR DIRECTOR OF STATISTICS	\$3,000 PER ANNUM
SENIOR FINANCIAL CONTROLLER	\$3,000 PER ANNUM
SENIOR DEPUTY DIRECTOR OF INTERNAL AUDIT	\$3,000 PER ANNUM
DIRECTOR OF ORAL HEALTH	\$3,000 PER ANNUM
DIRECTOR OF NURSING	\$3,000 PER ANNUM
PARLIAMENTARY COMMISSIONER	\$3,000 PER ANNUM
DEPUTY PARLIAMENTARY COMMISSIONER	\$3,000 PER ANNUM
EXECUTIVE DIRECTOR OF MUSICAL HERTIAGE	\$3,000 PER ANNUM

OFFICIAL SECRETS ACTS
DECLARATION

Declaration to be signed by members of Government Departments on appointment where desirable by non-civil servants on first being given access to Government information.

My attention has been drawn to the provisions of the Official Secrets Acts, which are set out on the back of this document, and I am fully aware of the serious consequences which may follow any breach of those provisions.

I understand that the sections of the Official Secrets Acts, set out on the back of this document, cover material published in a speech, lecture, or radio or television broadcast, or in the press or in book form. I am aware that I should not divulge any information gained as by me as a result of my appointment to any unauthorized person, either orally or in writing, without the previous official sanction in writing of the department appointing me, to which written application should be made and two copies of the proposed publication be forwarded. I understand also that I am liable to be prosecuted if I publish without official sanction any information I may acquire in the course of my tenure of an official appointment (unless it has already officially been made public) or retain without official sanction any sketch, plan, model, article, or official documents which are no longer needed for my official duties, and that these provisions apply not only during the period of my appointment but also after my appointment has ceased.

Signature _____

Date _____

EXTRACT FROM THE OFFICIAL SECRETS ACTS, 1911 AND 1920

Section 2 of the Official Secrets Act, 1911, as amended by the Official Secrets Act, 1920 provides as follows:-

“1. If any person having in his possession or control any secret official code, word, or password, or any sketch, plan, model, article, note, document, or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under Her Majesty, or which he has obtained or to which he has had access owing to his position as a person who holds or has held a contract made on behalf of Her Majesty, or as a person who is or has been employed under a person who holds or has held such an office or contract:-

- a. communicates the code word, password, sketch, plan, model, article, note, document, or information to any person other than a person to whom he is authorized to communicate it, or to a person to whom it is in the interests of the State his duty to communicate it, or (aa) uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the state;
- b. retains the sketch, plan, model, article, note or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof; or
- c. fails to take reasonable care of, or so conducts himself as to endanger the safety of the sketch, plan, model, article, note, document secret official code or password or information;

that person shall be guilty of a misdemeanor.

(1A) If any person having in his possession or control any sketch, plan, model, article, note, document, or information which relates to munitions of war, communicates directly or indirectly to any foreign power, or in any other manner prejudicial to the safety or interests of the State, that person shall be guilty of a misdemeanor.

(2) If any person receives any secret official code word or password, or sketch, plan, model, article, note, document, or information, knowing, or having reasonable ground to believe, at the same time when he received it, that the code word, password, sketch, plan, model, article, note, document or information is communicated to him in contravention of this Act, he shall be guilty of a misdemeanor, unless he proves that the

communication to him of the code word, password, sketch, plan, model, article, note, document, or information was contrary to his desire.”

Section 1(2) of the Official Secrets Act, 1920 provides as follows:-

“(2) If any person:

- a. retains for any purpose prejudicial to the safety or interests of the State any official document, whether or not completed or issued for use, when he has no right to retain it or when it is contrary to his duty to retain it, or fails to comply with any directions issued by any Government Department or any person authorized by such department with regard to the return or disposal thereof; or
- b. allows any other person to have possession of any official document issued for his use alone, or communicates any secret official code word or password so issued, or without lawful authority or excuse, has in his possession any official document or secret official code word or password issued for the use of some person other than himself, or on obtaining possession of any official document by finding or otherwise neglects or fails to restore it to the person or authority by whom or for whose use it was issued or to a police constable; or
- c. without lawful authority or excuse, manufactures or sells, or has in his possession for sale any such die, seal or stamp as aforesaid,

he shall be guilty of a misdemeanor.”

ANNEX X

CHECK LIST FOR

PENSION/GRATUITY BENEFIT

Name: _____

NIB No: _____ Employee No: _____

Date of Birth: _____ Date of Enlistment/Appointment: _____

Completion Date of Service: _____ Total Years of Service: _____

Current Salary: _____ Budget Head: _____

Type of Benefit: _____

**The following documents are to be attached when making
recommendation for Pension/Gratuity under the Pension Acts:
(Please tick as verification that the documents are attached)**

<i>ITEMS</i>	CHECK (✓) COMMENTS	N/A
Application for Pension/Gratuity Form (to be completed by all officers for Benefits under the Pension Acts)		
Copy of the letter of first appointment and the date the officer assumed duty (For Police, Defence and Prison Officers copy of Attestation Paper)		
Birth Certificate and relevant pages of the officer's E-passport (certified copies required). Please refer to Circular No. 5 of 2015 (dated 23 rd February, 2015) for additional information regarding birth certificates.		
Death Certificate (certified copy required)		
Request for Retirement Benefit Form (This form is to be completed by the Ministry/Department)		
Periods of leave taken without pay (unpaid leave)		
An indication as to when the officer's salary is to be (or was) coded		
National Insurance Card (certified copy required)		
Salary Progression		
Overpayment of salary (if any)		
Date officer last worked		

Vacation leave entitlement up to the last day worked		
Termination date (i.e. the effective date on which the officer is no longer a public officer including the period of vacation leave for which the officer is paid on the pay sheet)		
Copies of Blue 'G' Vouchers for each quarter of the last five (5) years of service in respect of Family Island employees		
Proof that officer has been advised of indebtedness and officer's response (LPR to be informed for deceased officers) (MPS Circular NO. 14 of 2013)		

N/A = NOT APPLICABLE

Prepared by _____ Signature _____ Date _____

ANNEX XI



**DESIGNATION OF BENEFICIARY OF GRATUITY, SALARY,
VACATION EARNINGS AND ALLOWANCES OWED TO PUBLIC OFFICER
(OR PERSON OTHER THAN A PUBLIC OFFICER) UPON THEIR DEMISE**

I _____
of _____

(Address)

Employee # _____ National Insurance # _____

designate the person(s)* listed below to receive, upon my demise, all monies due to me by way of gratuity, salary, vacation earning or allowances, in the proportion(s) indicated below:

Name of designated beneficiary	Relationship	National Insurance #	Proportion to be paid (%)
1			
2			
3			
4			
5			
6			

***If the designated beneficiary is a minor at the time of the public officer's demise the applicable law shall apply.**

Signed:

(Public Officer Signature)

(Date)

In the presence of:

NOTARY PUBLIC (Name)

(Signature)

(Seal)

Date:



**MINISTRY OF THE PUBLIC SERVICE
APPLICATION FOR PAYMENT OF EX-GRATIA AWARD**

ON DEATH OF A PENSIONER

I _____
(Name in full)

of _____
(Street Address)

P.O.Box: _____ **Telephone:** _____

hereby make application for the payment of the ex-gratia award as the _____

_____ **of the late** _____
(Relationship) (Name
of Pensioner)

_____ **who died on** _____ **.At the time of retirement**
(date)

was employed in _____
(Name of Ministry/Department)

SECTION A (To be completed by spouse)

I enclose the following documents:

- Original death certificate** []
- Original marriage certificate** []
- Original receipt from funeral home** []
(BILL MUST BE PAID IN FULL)

Were you lawfully married at the time of death: Yes [] No []

SECTION B (To be completed by person other than spouse)

I enclose the following documents:

Original death certificate	[]
Original passport and/or driver's license	[]
Original death certificate of spouse of pensioner	[]
Original receipt from funeral home	[]

(BILL MUST BE PAID IN FULL)

If applicant is child of deceased pensioner birth certificate is required.

SECTION C (To be completed if payment is to be made to the Funeral Home)

I certify that I am responsible for the funeral expenses of the late _____

_____ **and hereby request**
(Name of Pensioner)

that the _____
(Name and Address of Funeral Home)

(Copy of letter enclosed) **be paid the sum of** _____
(Amount)

I swear that the above information is true.

_____/_____
(Signature of Applicant) (Date)

NOTE: The ex-gratia award is not a benefit "as of right" and the Ministry of The Public of Service reserves the right to reject this application.

ACKNOWLEDGEMENT

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