

A GUIDE TO COMPLETING

THE

APPLICATION FOR

RETIRING AWARDS FORM

PERSONNEL ADMINISTRATION DIVISION
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A Guide to Completing the Application for Retiring Awards Form

Introduction

The Application for Retiring Awards Form was designed to facilitate the speedy computation of retiring benefits. Retiring benefits include pensions, gratuities, compensation and ex gratia awards, but do **not** include contract gratuities. A separate form has been designed to facilitate the computation of contract gratuities.

It is imperative that this form be accurately completed so that retiring awards can be correctly computed and paid immediately upon the retirement of eligible officers. **No section of the form should be left blank. A firm answer must be stated. Where a section is not applicable, "none" should be inserted.**

The form is divided into four (4) parts. The information detailed below is provided to assist Ministries and Departments in completing the appropriate sections and to give officers an understanding of the normal procedures followed before a retiring benefit is awarded.

Part 1 (To be completed by Head of Department)

Part 1 of the form must first be completed and signed by the Permanent Secretary or Head of Department of the Ministry or Department in which an officer or employee is last assigned on an indefinite basis. The Permanent Secretary or Head of Department may delegate this responsibility to a suitable office who should be of senior rank and have knowledge of pensions legislation and procedures. Officers who are responsible for completing or signing the form must therefore acquire a satisfactory knowledge and understanding of pension matters so that the form can be completed accurately and prompt payment of benefits may be facilitated. Appropriate training is therefore necessary.

2. Act or Other Authority Under Which Application is Made

The specific legislation under which the retiring award is being claimed must be identified. The most frequent pieces of legislation under which claims are made have been identified on the form. However, there are several other pieces of legislation and other authority which govern the payment of retiring benefits. For example, the Judges Remuneration and Pensions Act Chapter 115A of the Laws of Barbados and the requisite Regulations under the Act provide for the payment of retiring and other benefits to Judges. Each relevant piece of legislation or authority identifies the individuals who are eligible for benefits by the nature of the appointment or service of the individuals. However, this is not always readily apparent because of the technical nature of definitions within the legislation and the fact that some definitions may be determined in different pieces of legislation, for example, the Constitution of Barbados.

3. Name of Applicant

The exact name of the officer, who is retiring as shown on his or her **Birth Certificate or other legal document**, for example, **Deed Poll**, must be stated. If an

officer is known by an alias or other name which appears on his or her records, then an affidavit sworn before a Justice of the Peace should be submitted as supporting evidence. Original certificates or documents duly certified by the relevant legal authorities must be provided. Kindly note that evidence provided may come from jurisdictions outside of Barbados especially if the applicant was born abroad or effected a name change abroad.

4. Home Address

The exact address of the location where the applicant resides and can be reached speedily must be stated. This information is critical because in many cases, explanation of material facts or additional information may be needed from the applicant before benefits can be made. Applicants may also submit additional information on how they can be reached speedily.

5. Office or Situation

This refers generally to the post to which the officer was appointed permanently, immediately before his or her retirement. However, in some cases an officer entitled to a retiring award might not have received a letter of permanent appointment or might have been performing the duties of a higher office on an acting or temporary basis. In such cases, the post held immediately before the date of retirement should also be stated and the words “acting” or “temporary” should be placed before or after the name of the post. Further, details in respect of the various posts held or appointments received by the applicant are required at Section 13.

6. Date of Birth

This is the exact date shown on the applicant’s **birth certificate or other legal document**. An original or certified copy of the appropriate document must be provided as evidence and submitted with the form.

7. Age at Date of Retirement

The exact age of the applicant must be stated based on the passage of time between the applicant’s date of birth and the last official date of employment and **not** necessarily the date the officer last attended work because the officer might have been on approved leave immediately prior to his/her retirement. For pension purposes, retirement includes death or resignation.

8. Cause of Retirement

This section addresses the main reason for the retirement of officers. However, there are other reasons that permit an officer to retire from the Public Service such as **abolition of office, inefficiency, reorganisation of office, transfer to other public service** (where permitted) and **unfitness though not incapacitated permanently**.

The specific legislation applicable in a case of retirement prescribes the circumstances under which an officer is permitted to retire from the Public Service. In

accordance with the Pensions (Miscellaneous Provisions) Act, 2004-25 the **compulsory age of retirement** is as follows:

Time Period	Age
1 st January 2006 to 31 st December 2009 (Inclusive)	65 ½ years
1 st January 2010 to 31 st December 2013 (Inclusive)	66 years
1 st January 2014 to 31 st December 2017 (Inclusive)	66 ½ years
1 st January 2018 and thereafter	67 years

“Medical Grounds” means retirement approved by the **relevant authority**, for example, the **Governor-General** may approve retirement on medical grounds based on satisfactory medical evidence that an officer is permanently incapacitated and is unable to discharge the functions of his office.

“Voluntary Retirement” refers to the age at which an officer may of his free will decide to retire as permitted by the relevant legislation and immediately be entitled to the grant of a retiring award. Generally, the age of voluntary retirement is any time after reaching the age of fifty-five (55) years but before reaching the compulsory age. If an officer resigns or retires voluntarily before reaching the relevant voluntary retirement age, he is **not** entitled to the payment of a retiring award immediately. The retiring award would be stored and paid on reaching the appropriate voluntary retirement age, or on his death, or on the approval of the relevant authority where the officer is subsequently certified as being incapacitated permanently. Permission may be granted by the Governor-General for an officer to retire under special circumstances at the age of fifty (50) years as specifically identified in legislation.

9. Date Appointment Ceases

This is the last date on which an officer was employed and not necessarily the last date he or she attended work. For example, if an officer is on any type of approved leave, whether or not that officer was paid salary or any other emolument, the date on which the approved leave ended is the date of cessation of appointment if the officer retires immediately after the end of the leave.

10. Date of Cessation of Salary/Wages

This date is normally the same as that at Section 9 above. However, it refers to the date on which an officer last received salary or wages.

11. Date of Commencement of Pension

This is the date immediately following the date the appointment ceased or the last day of official employment, except in cases where a stored pension was provided or an officer was transferred to other public service. It is the date from which an officer is eligible to receive payment of a retiring award.

12. Salary or Wages and Other Emoluments

This section identifies the pensionable emoluments of the applicant. These emoluments are used to compute retiring benefits. Only pensionable emoluments as prescribed by the relevant legislation should be shown. Generally, **wages, salary, personal allowance, inducement allowance and interim payment are pensionable emoluments. Duty allowance, overtime allowance and any other emolument** are not pensionable emoluments.

It should be noted that the acting allowance, salary or wages earned by an officer who acted in or was appointed to perform the duties of a higher office/post or offices/posts for at least an aggregate period of three (3) years within the last five (5) years of service immediately preceding the date of the officer's retirement, should be taken into account as pensionable emoluments. If an officer was on leave without pay or on reduced pay for any period immediately preceding his/her date of retirement the emoluments at date of retirement would be those emoluments the officer would have been entitled to at date of retirement if the officer were not on such leave.

13. Total Pensionable Service

This section deals specifically with **pensionable service only. Pensionable Service** and **pensionable emoluments** form the basis of the computation of a retiring award. Pensionable service is specifically defined in the appropriate legislation. Pensionable service represents the period when an officer begins to draw salary in respect of his service in a pensionable office until the date of his retirement, excluding periods without salary. However, **no pay leave granted on grounds of public policy or suspension from duty for a breach of discipline should be taken into account as pensionable service.**

Additional pensionable service is granted in certain circumstances as prescribed by legislation. For example, when an officer retires on account of ill health and that officer has given ten (10) years or more pensionable service but less than twenty (20) years, **additional service up to ten (10) years** may be granted provided the additional service does not cause the service of the officer to **exceed twenty (20) years** or if added to the officer's age at date of retirement, his or her age would **not exceed the age limit**. Therefore, if an officer aged fifty-four (54) years and whose age limit is sixty (60) years retired on medical grounds after completing twelve (12) years pensionable service the addition would only be six (6) years (60-54). On the other hand, if the officer was forty (40) years old, the addition would be only eight (8) years (20-12). In such cases no pay leave is deducted after the addition is granted subject to the exceptions identified above.

It should be noted that leave of absence granted on half pay or on any portion of pay is taken into account as pensionable service. When an officer has been employed on agreement or on contract the period of such service is not normally taken into account as pensionable. For example, service as a consultant is not pensionable. It should also be noted that some persons employed on contract are paid contract gratuities in respect of such service.

14. Dates of Appointments

Each column in this section must be completed accurately. The specific dates of appointments and dates of termination of appointments should be shown. Permanent appointment dates should be shown separately from temporary or acting appointment dates. Appropriate supporting documents such as letters of appointments and affidavits where appropriate must be submitted.

It is incumbent on Ministries and Departments to maintain accurate records of service in respect of officers employed. If records are not available, then affidavits, sworn to before a Justice of the Peace, attesting to the specific period(s) of service may be accepted from two (2) reputable persons who must have knowledge of the facts. Since many officers work in several different locations both inside and outside of the Public Service, it is important that the Ministry or Department responsible for completing the form, collaborate with the Chief Personnel Officer and all those other agencies where the officer was employed, so that this section may be completed accurately.

All sections of the form are important, but sections eleven (11) to fourteen (14) bear major impact in the computation of a retiring award. It is vital that these sections be completed fully and correctly. It should be noted that in the case of a **“mixed service computation”**, that is, **a method of allocating the liability of retiring benefits to more than one government or employer**, it is necessary to compute the aggregate pensionable emoluments earned by the applicant in the service of each government or employer throughout his/her service. Therefore, the necessity to provide accurate information must not be overlooked. This section permits the determination of qualifying service, which **shall be the inclusive period between the date on which an officer begins to draw salary or wages in respect of public service and the date of the officer leaving the public service, without deduction of any period during which the officer has been absent or on leave**. The relevant legislation under which an application for a retiring award is made defines what is qualifying service.

15. Absence on Leave without Pay

This section must be accurately completed. Each period of absence without pay must be stated. Any day or period for which an officer was not paid salary or wages must be stated. However, if an officer is employed on a “whole time” or “full time” basis, whether he or she is paid monthly, fortnightly or weekly, then Saturdays, Sundays and Bank Holidays **do not count as no-pay leave** unless the officer is granted no pay leave that covers such weekend days or is otherwise absent without pay. For example, if an officer is employed from January 01 to March 31 of any year, whether he or she is paid monthly, fortnightly or weekly, the whole of that period is pensionable including the weekend periods unless the officer was granted no-pay or was not eligible for payment for any day or period due to absence from the job. However, in the case of casual employees only the days for which an employee was paid are pensionable.

16. Pensionable Office

The legislation under which a retiring award is being claimed normally prescribes the specific offices (posts) that are pensionable under that legislation.

For example, the offices/posts listed under a Public Service (General) Order from time to time are pensionable offices under the Pensions Act Cap. 25.

17. Whole Time Employment

This section relates to the nature of employment, that is, “whole time”, “part time”, “casual”, “sessional”, etc. Generally, if an officer is employed and paid on a monthly, fortnightly or weekly basis he or she is considered to be whole time. Persons employed on a part time, casual or sessional basis are **not** considered to be employed on a whole time basis. Again, the specific legislation under which a retiring award is being claimed normally prescribes the nature of the employment.

18. Other Public Appointments

In some cases an applicant may be holding other public appointments while carrying out his or her normal whole time duties. These appointments do not normally result in the payment of a retiring award.

19. Other Pension or Allowance

In some cases, applicants may be in receipt of a pension or might have received a retiring award previously and this information must be shown since it may impact on the computation in the current circumstances. For example, if an officer who retired and received or is receiving a retirement benefit is subsequently re-employed and his/her previous service is taken into account in the computation of any new benefits, then the new benefits should be reduced by the amounts previously paid. In some cases, an applicant’s pension may be abated by the amount of National Insurance pension being paid. Additionally, if an officer was paid compensation for temporary service, the period for which the compensation was paid is **not** pensionable.

20. Commission of Grave Offence Rendering Unsatisfactory Service

Pension, gratuity or other retiring allowances are **not** rights and are granted generally on the rendering of satisfactory service. Where an officer has been guilty of negligence, irregularity or misconduct and such grave offence has been established to the satisfaction of the Governor-General, any retiring allowance payable may be reduced or altogether withheld. Retiring awards are made in respect of satisfactory service but any grave offence alleged must be proven.

21. Contributions to Widows and Children’s Pension

This section should be completed. Information on whether an officer is contributing to the Widows and Children’s Pension Scheme may be obtained from the Treasury Department or the “payment system”. Females do not contribute to this scheme. Any officer appointed to the public service on or after 1 April 1978 is **not** permitted to contribute to the scheme.

22. Indebtedness to Government

If an applicant is indebted to the Government, the amount of such debt must be stated since the amount due must be deducted from the retiring award payable

in accordance with the applicable legislation. In addition to those situations identified at Section 21, there are other types of indebtedness, such as **overdrawn salary**, which must be stated.

23. Certification

The form must be certified as shown by the proper officers. It is therefore important that certifying officers are apprised of the facts of the case. If a form is not properly certified this situation may result in a delay in the payment of retiring benefits.

Part 2 - Certificate and Computation by Accountant General

This part of the form usually facilitates the computation of retiring benefits by the Accountant General. Before a computation is made, Sections 1 to 22 of Part 1 must be fully completed by the appropriate Ministry or Department. The standard formula is shown below:

$$\frac{1 \times \text{Pensionable Service in Months} \times \text{Pensionable Emoluments}}{6} = \text{Full Pension}$$

$$\text{Full Pension} \times \frac{3}{4} = \text{Reduced Pension}$$

$$\text{Full Pension} \times \frac{1}{4} \times 12 \frac{1}{2} = \text{Gratuity}$$

Instead of receiving a full pension, an officer may exercise his or her option to receive a gratuity and a reduced pension. If an officer fails to exercise his or her option, the Governor-General may still grant a gratuity and a reduced pension as if the officer had exercised his or her option.

The standard formula for applications under legislation governing Statutory Boards is as follows:-

$$\frac{1 \times \text{Pensionable Service in Years} \times \text{Pensionable Emoluments}}{60} = \text{Full Pension}$$

$$\text{Full Pension} \times \frac{3}{4} = \text{Reduced Pension}$$

$$\text{Full Pension} \times \frac{1}{4} \times 12 \frac{1}{2} = \text{Gratuity}$$

It should be noted that other formulae for computation of retiring awards may be done according to the circumstances of the case and the legislation being used.

Part 3 - Certificate of Auditor General

The Auditor General is required by Section 27 of the Financial Administration and Audit Act Cap. 5 to certify the accuracy of the computation of a retiring award before the award is made. The Auditor General himself is required to give the certificate by signing and stating the date it was signed. Before giving his certificate, the information and computation are critically examined or audited and the Auditor General must satisfy himself as to the correctness of the retiring award to be made.

Part 4 – Signature of Governor-General and Signature of Other Approving Authority

The Governor-General is the approving authority for retiring awards made to public officers and other public servants. However, in some cases, other pieces of legislation provide for a different approving authority. This section of the form is completed by the Chief Personnel Officer before submission to the Governor-General for approval by signature. The Governor-General also inserts the date the form was signed. In the case of public officers, the approval of the Public Service Commission, Police Service Commission, or Judicial and Legal Service Commission, as the case may be, is obtained before the matter is submitted to the Governor-General.

24. Payment of Benefits

When an officer retires from the Public Service or other Authority or Body, the retiring award granted should be paid promptly. The gratuity is due on the effective date of retirement, while the pension awarded is payable monthly in arrears from the approved pay date immediately following the date of retirement. Every effort should be made to process retiring awards early so that retired persons are not disadvantaged or left to suffer undue hardship. The maximum amount of pension that may be granted to an officer shall not exceed two thirds (2/3) of the highest pensionable emoluments drawn by him at any time in the course of his service. Where a gratuity and reduced pension is paid the maximum pension actually amounts to one half (1/2) of the officer's highest pensionable emoluments. There are a few exceptions to this provision including awards to the Governor-General, Judges and other officers in specifically defined circumstances.

An officer who serves for thirty-three (33) years and four (4) months, (400 Months) and retires before reaching the voluntary retiring age has in fact resigned and is not eligible for the immediate payment of a retiring award. Where an officer is otherwise qualified for the payment of a retiring award but retires or resigns before the appropriate retiring age, such award may be stored and paid at the appropriate time.

25. The Process

The Ministry or Department responsible for completing the Form must ensure that all relevant documentary evidence in support of the assertions made is submitted along with the Form to the Chief Personnel Officer. The documents normally required are **Birth Certificates, Marriage Certificates** (females or persons applying for Widow's and Children's Pensions), **Letters of Appointments, Death Certificates** (where appropriate), **Records of Service, Option Form or a Letter**, requesting a gratuity and reduced pension, **Letter of Voluntary Retirement** (If retiring before age limit) and **Affidavits** (Where necessary). **Application Forms and supporting documents should be submitted for processing at least four (4) months before the officer is due to retire** . However, in the case of a stored retiring award the Form should be completed and the computation made as soon as possible after the officer's resignation.

When the Form is received at the Personnel Administration Division it is reviewed to ensure that all sections are completed and the necessary Documents are attached. The Chief Personnel Officer then forwards the Form and relevant documents in the

requisite file to the Accountant General for computation of the retiring award if the Form is considered to be in order. If it is not in order, the Chief Personnel Officer will obtain the required information before the file containing the necessary documents is forwarded to the Treasury Department.

When the Form is received at the Treasury, it is duly examined and if it is in order, the computation is made. If it is not in order, the Accountant General will obtain the requisite information through the Personnel Administration Division or directly from the appropriate source. The computation is then made and the file passed to the Auditor General with the Accountant General's certificate.

When the Auditor General receives the file, an audit is carried out. When all requisite information and documentation is obtained to the satisfaction of the Auditor General and the computation is found to be correct, the Auditor General issues his certificate and forwards the file to the Chief Personnel Officer for transmission to the Governor-General for approval. The Governor-General's certificate is issued based on the advice of the appropriate Service Commission or on the request of the Chief Personnel Officer if it is not a case for any of the Commissions. In the case of casual employees the approving authority is the Chief Personnel Officer. In the case of officers falling under the statutory boards pension legislation, the Governor-General, Service Commissions mentioned above or the Chief Personnel Officer are not involved in the process.

The Chief Personnel Officer submits the file to the Accountant General for payment of the award, after a retiring award is approved by the appropriate authority. The Accountant General is responsible for notifying an applicant of the time his or her award is ready for payment.

26. Problematic Cases

The legislation governing the payment of retiring awards is very complex and sometimes situations that arise are not readily resolved. In such cases the assistance of the Attorney General's Chambers through the Solicitor General is obtained for opinions or interpretations of legislation on the matter in question. Where clarification or determination of policy with regard to a pension matter is required, the Ministry of the Civil Service is consulted.

The maintenance of proper records of service, the efficient and effective documentation of events and a good understanding and knowledge of pension matters will significantly reduce the length of time it takes to process retiring awards and facilitate the timely payment of such awards.

27. Employment Status

The employment status of an officer depends on the nature of his or her appointment or service. A **public officer or officer** means the holder of any public office and includes any person appointed to act in such an office.

A **temporary employee or employee** means a person other than a public officer who holds a temporary office in the Public Service. Service performed on a temporary basis is qualifying service for pension purposes. A person employed on a

temporary basis is entitled to retiring benefits if the relevant conditions are met just as in the case of a person appointed permanently.

An officer is a **public employee** if he or she is appointed permanently to an **unestablished** office. An unestablished office is one that is scheduled under the Public Employees Pension Act Cap 30.

A **casual employee** is a person who is not a public officer or public employee and who is employed on a casual basis. A casual employee may also be employed on a sessional or supernumerary basis.

A **part-time officer** is a person whose terms of employment require his or her presence on a part-time basis. Some part-time officers, such as those appointed under a Civil Establishment Part-time (Officers) Order, are not eligible for retiring benefits.

As a result of the conversion of public employees and casual employees to the status of public officer the vast majority of retiring awards are now be computed based on the provision of the Pensions Act Cap 25.

28. Conclusion

These guidelines are not intended to deal with all the highly technical pension matters. There are provided to assist in completing the Applications for Retiring Awards Forms accurately. Permanent Secretaries and Heads of Departments are expected to ensure that officers responsible for pension matters reach the required competency level through appropriate training.

The efficient completion of the application for retiring awards form depends on proper record keeping. Records should essentially be maintained on each officer from his first day of employment until his final separation from the service. Personal files on officers should contain their full names, date of birth, national registration number, address, next-of-kin and telephone number.

Information (letters, minutes etc.) regarding dates and type of each appointment, title of posts to which appointed, as well as all leave taken by the officer should be maintained. Leave taken on no pay is particularly relevant as this usually affects pensionable service. Officers dealing with personnel issues must therefore ensure that they familiarise themselves with these matters and expedite the process by updating all their records, since incomplete or inaccurate records result in delays in processing retirement benefits.

Ideally, the application forms should be submitted to Personnel Administration division **at least four months** prior to the date of the officer's retirement. Ministries and departments should record, under the appropriate date in a diary, all the names of those officers for whom application forms are to be completed. The staff list, adapted to each Department's/Ministry's requirements, could be used as the database for which the information regarding dates of retirement is drawn.

Officers responsible for processing the application form should do so with the in-put, where possible, of the officer on whom it is being completed. In this way any alleged

information about additional service, not contained in the department's record, may often be obtained for early verification.

When an officer who is eligible for retiring benefits resigns from the service, the application form must be prepared and submitted along with all relevant documents as soon as possible thereafter, so that the basis of the computation may be provided promptly. This is important because if there are queries from the Accountant General or the Auditor General regarding the submission, the records from the relevant Department/Ministry are more likely to be available and the queries answered expeditiously. Over a period of years many records have been misplaced and delays are encountered in processing the benefits when they do become payable.

Sometimes officers proceed on what is referred to as "pre-retirement leave." This is actually the vacation leave for which the officers are eligible at the date of retirement and which they take immediately prior to retirement. Officers who process applications for vacation leave must therefore take into consideration that the vacation leave eligibility of these persons must be calculated **up to the day before** resignation or retirement.

Officers who plan to apply for passage paid leave must submit the application for such leave before or at the same time that the application for retiring benefits are being processed. Very often files that have been submitted to the Accountant General for computation of benefits have to be recalled because of late applications for leave passages. This disrupts the process, is inconvenient and invariably results in delays in processing the retiring benefits.

Requests for extensions of sick leave for officers who are resigning or retiring should also be submitted in a timely manner especially those involving half pay or no pay leave. In the event that a request for half pay or no pay is made after the application for retiring has been submitted, the request should be sent, without delay, directly to an officer in the Pensions section of Personnel Administration Division with a notation that the application has already been submitted.

If however an over payment has already been made by such late request, a memorandum, stating the amount of overpayment should be promptly submitted to the Pensions section of the Accountant General's office and copies to the Pensions section Personnel Administration Division.

Officers must also ensure that the application forms include part 2, 3 and 4, in their entirety as these **MUST** be signed and dated by the Accountant General, Auditor General and Governor-General respectively, before payment of any retiring benefits is made.
