

Reference No: E109/6/57; **Date:** 27/08/57

Circular 17/1957:- Representations by a Staff Association where dismissal of an established officer is under consideration

A Dhuine Uasail,

1. I am directed by the Minister for Finance to say that, following consideration of representations made by the Staff Side of the General Council and in view of undertakings given in the Dail and Seanad during the debates on the Civil Service Regulation Act, 1956, he has decided that arrangements should be introduced to enable a recognised Staff Association to make representations on behalf of an established officer whose dismissal is under contemplation, provided the officer is a member of the Association and has requested them to make such representations.

2. Accordingly, where a Department is considering the question of recommending the dismissal of an established officer to the Government a notice should be sent in writing to the officer informing him that

(a) the Department is considering recommending his dismissal to the Government;

(b) if he wishes to make any representations in the matter, these should be submitted in writing to the Head of the Department by a specified date (ordinarily not more than one week from the date of the notice);

(c) he may, if he wishes, request his Staff Association (provided it is recognised as representing the grade to which he belongs) to make representations on his behalf, such representations to be submitted in writing to the Head of the Department by the specified date referred to in (b).

Where, following consideration of any representations received from the officer and/or his Association, it is decided to proceed with recommendation of dismissal a summary of the representations received should be forwarded in connection with any submission to the Government.

3. The arrangements notified by this Circular do not apply to -

(a) the termination under section 7 of the Act of the services of an established officer serving on probation,

(b) the retirement under section 9 of the Act of an established officer on the ground of ill-health,

(c) the dismissal of an established officer who has abandoned duty,

(d) the dismissal of an established officer who has been convicted of fraud or theft or has admitted such an offence.

4. The Minister has approved of the introduction of these arrangements on an experimental basis and it is proposed to review the position after they have been in operation for a year. If experience proves that they give rise to undue delays or otherwise work unsatisfactorily they may be terminated at any time.

Mise, le meas,

L.M. Fitzgerald