

Reference No: P18/25/75; **Date:** 16/04/85

Circular 11/1985:- Ad hoc arbitration finding on a claim for the award of added years to certain civil service grades

A Dhuine Uasail

I am directed by the Minister for the Public Service to say that he has accepted the ad hoc finding of 29 May 1984 by the civil service arbitrator on a claim that time spent in acquiring qualifications and/or experience prescribed for appointment to certain recruitment grades should be reckoned in full, along with actual service, for superannuation purposes.

Amendment of Regulations

2. Section 6 of the Superannuation and Pensions Act, 1963, allows the award, in limited circumstances, of added years to designated professional grades. The Minister for the Public Service has agreed that the provisions of this section should be amended to provide for the implementation of the revised arrangements (detailed below) with effect from and including 1 January 1983. The appropriate amendments will be made by regulation under section 3 of the Superannuation and Pensions Act, 1976.

Revised Arrangements

3. The revised arrangements will allow for the grant of up to 10 added years where the minimum age limit or the qualifications and/or experience specified for appointment to an established professional, technical or specialist post in the civil service would not allow an officer to be appointed by age 25 and thereby acquire maximum reckonable service (40 years) by age 65. The arrangements will apply with effect from 1 January, 1983. Officers in the categories covered by this finding should make written application to their Personnel Officer.

Calculation of entitlement

4. Added years entitlement, before appropriate adjustments, will be:

(i) the aggregate of the minimum number of years in which the qualifications can be obtained and the minimum number of years essential experience required, such aggregate to be calculated as if the commencement date was the officer's eighteenth birthday

or

(ii) the minimum entry age for the competition off which the officer was recruited reduced by 25 whichever is the greater.

5. If the relevant competition regulations stated that adequate experience but no specified number of years experience were required, there shall be deemed to have been a requirement of a number of years experience equal to the lowest number of years experience of any successful applicant in that particular competition.

Qualifying conditions

6. The following conditions must be met before added years can be allowed:

(i) the appointment held was an established professional, technical or specialist one as a result of a competition held by the Civil Service Commissioners

(ii) (a) Minimum professional, technical or specialist qualifications and/or a minimum number of years essential experience were required for entry

or

(b) the minimum entry age specified in the competition was over 25

(iii) by reason of such entry requirement it was not possible to have 40 years' service by the maximum retiring age of 65 years.

Limits of entitlement and abatement

7. Added years granted shall not exceed 10 and, when aggregated with service otherwise reckonable, shall not exceed 40 years.

8. The added years entitlement will be appropriately reduced where: service is transferred or could have been transferred into the civil service an officer has been in pensionable employment and received or retains an entitlement to a pension, preserved pension or other superannuation benefit there are pension entitlements under the Social Welfare Acts.

Application of new arrangements

9. Enquiries about this circular should be made to the Personnel Officer in the employing Department. Detailed instructions on the application of this circular will be issued in a Letter to Personnel Officers.

10. This circular should be brought to the attention of officers who resigned from professional, technical or specialist posts in the civil service after 1 January, 1983, those who have reached, or are about to reach, minimum retiring age, those who have purchased or wish to purchase notional service, and other officers who may, in the opinion of the relevant Personnel Officer, benefit from its recommendations.

11. These arrangements will apply to anyone who, although originally appointed in a professional, technical or specialist capacity, is subsequently promoted to an administrative post and retires therefrom.

Mise le meas,

William P Smith
Deputy Secretary
Remuneration and Conditions Division