

## **CASE NOTE**

### **Ministry of Finance –** **Central Statistical Office**

The Complainant, a retired *Statistical Officer II*, who had completed thirty-three (33) years in the Public Service, discovered on receipt of his retirement benefit that he had been remunerated for only twenty-seven (27) years.

When the Complainant enquired why approximately twenty-seven thousand (**\$27,000**) of his gratuity and **\$600.00** of his monthly pension benefits had been withheld, he was informed that **his period of employment as a Clerical Assistant from 21<sup>st</sup> May 1979 to 31<sup>st</sup> December 1983 had not been considered.** He was told that his employment for that period was under the delegated authority of the Director of Statistics and as such the service could not be counted for pension purposes.

The Complainant therefore made representations to the Ombudsman to have his full retirement benefit paid to him. Investigations revealed that in a memorandum dated 30<sup>th</sup> April 1968, the Director of Personnel Administration delegated authority to the Director of Statistics, to appoint persons to the temporary posts of Field Interviewer I, Clerical Assistant and Statistical Assistant.

As a consequence, when the Complainant joined the Central Statistical Office in May 1979 it was under this delegated authority. He was employed there up to the time of his retirement in October 2006.

Representations were made on the Complainant's behalf to the Permanent Secretary, Ministry of Planning, Housing and the Environment and to the Director of Statistics, Central Statistical Office to have the entire period of the Complainant's employment count for pension purposes.

The Director of Statistics reported that an approach had been made by the Comptroller of Accounts to the Auditor General to have the Complainant's six and a half years service as a temporary Clerical Assistant taken into account in the calculation of his retirement benefits.

In response the Auditor General requested the Comptroller of Accounts to provide the "Authority" which would enable the Department to sanction such payment. This was due to the fact that there was no clear documentation on how to deal effectively with service under delegated authority with regard to retirement benefits.

Subsequently the Director of Pensions advised the Director of Statistics inter alia, *"Cabinet must be approached for approval of service as a Clerical Assistant to be deemed reckonable for pension purposes"*.

The Director of Statistics further advised that that Office was conducting a survey of its personnel records to establish the number of persons similarly affected and thereafter an approach would be made to Cabinet for approval for service under delegated authority to count for pension purposes.

The matter has not been resolved and is being actively pursued.