

PD(bm): 12/2/1

PERSONNEL DEPARTMENT CIRCULAR MEMORANDUM

FROM : Chief Personnel Officer

TO : Permanent Secretaries, Heads of Departments,
Chief Administrator, Tobago House of Assembly,
Heads of Statutory Authorities, subject to the Statutory Authorities
Act, Chapter 24:01

DATED : March 12, 2008

SUBJECT : *Leave of absence without pay to public officers
to take up employment outside the Public Service.*

You will recall that by Circular Memorandum PD (bm): 12/2/1 dated August 30, 2002, you were informed that certain aspects of the policy which guided the grant of leave of absence without pay to public officers to enable them to take up employment, on contract, in temporary, non-established positions in Ministries/Departments/Statutory Authorities, subject to the Statutory Authorities Act, Chapter 24:01 had been varied with effect from August 01, 2002. The revised arrangements established a maximum period of three (3) years leave of absence without pay on grounds of public policy which may be granted to permanently appointed officers who wished to take up employment, on contract within the public service.

2. Provision was also made for exceptional cases to be referred to the Chief Personnel Officer and the Minister with responsibility for Public Administration for determination of such further period of leave, if any, that may be granted in the particular circumstances. It was further stated that where an officer resumes duty in his/her substantive position, such leave will not again be granted within a three (3) year period.

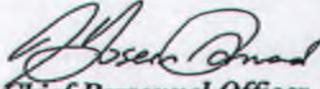
3. Numerous requests for further periods of leave are being made in what appears to be routine circumstances rather than exceptional. Moreover, such requests reach the Personnel Department after offers of further employment are made to officers, and such officers have assumed on further contract, without the required approval for an extension of the period of leave of absence from their substantive positions being given.

4. Additionally, several cases have come to my attention in which officers who had been granted a period of leave of absence without pay on grounds of public policy as well as those who had completed the maximum three (3) year period of leave are again being allowed to proceed on a further period of such leave, after resuming in their substantive positions for very short periods. In accordance with the Circular Memorandum referred to above, such officers, having resumed in their substantive positions, are not again to be granted such leave within three (3) years.

5. As you know the grant of leave is not automatic once an application is made. Consequently, where a period of leave granted has expired and approval is not obtained for further leave, an officer's continued absence from his/her substantive position is, in fact, unauthorized absence from duty. Similarly, the grant of further leave to an officer who resumes duty before that officer has fulfilled the three (3) year waiting period mentioned at paragraph 4 above, is contrary to the approved policy.

6. You are therefore reminded of the conditions governing the grant of leave of absence without pay on grounds of public policy which were set out in my previous Circular Memorandum, a copy of which is attached. In this regard, you should ensure that the activities relating to contract employment are managed in a way that allows for adherence to these conditions while, at the same time, achieving your organization's objectives. You should note also that favourable consideration would be given to requests for the grant of leave in excess of the three (3) year stipulated maximum only where the circumstances described are clearly exceptional.

7. Kindly ensure that the contents of this Circular Memorandum are brought to the attention of all relevant members of staff and that in each case, where approval is given for the grant of leave of absence in accordance with the approved arrangements, the officer is informed of the conditions under which such leave is approved. Additionally, all requests for further leave in exceptional circumstances should be submitted to the Personnel Department for consideration with all supporting information at least six (6) weeks before the proposed commencement date of such leave.


Chief Personnel Officer