

# REPUBLIC OF TRINIDAD AND TOBAGO



## PUBLIC SERVICE COMMISSION ANNUAL REPORT 2006

**PUBLIC SERVICE**

**COMMISSION REPORT**

**2006**





## FOREWORD

The overall mandate of the Public Service Commission which is enshrined in Section 121 of the Constitution of the Republic of Trinidad and Tobago is the provision and management of Human Resource Services which drive the Public Service Function. Quality and timeliness are essential to the efficient discharge of all aspects of that mandate.

Basic to the delivery of that mandate are an adequate and sustainable information database, professional and informed leadership, modernized regulations, appropriate resource skills, systemic training and retraining, an enlightened and proficient disciplinary system and an effective and practical performance management system for top executives of the Public Service.

The breadth of these imperatives extends beyond the purview of the Commission and requires systematic consultations and interaction between the Commission and the relevant government's agencies. The Commission has engaged these consultations and will continue to pursue them. While these consultations continue, the Commission will deepen the internal processes of its work.

Consistent with this approach, in 2006, the Commission took a quantum leap in the management of its human resource functions. In June 2006, the Commission, after earlier consultations and the necessary preparatory work, extended significantly its delegation of authority to Permanent Secretaries, Heads of Departments and Deputy Permanent Secretaries in specific areas. This delegation which covers the entire public service was launched in May 2006. The delegation which came after a period of forty (40) years encompasses the areas of acting appointments, further temporary appointments, transfers and retirements.



The delegation of powers has been the centerpiece of the work programme of the Commission during 2006. It follows an earlier major initiative of the Commission to institute an enhanced process for selection of senior and executive Managers of the Public Service which culminated in 2005. As with all significant changes the selection process has not been generally embraced and is the subject of appeal in the local courts. The still unresolved nature of this question has delayed rather than deterred the work of the Commission in this very important area.

Through these initiatives which are consistent with progressive practices the Commission intends to move the Public Service initially to a place of greater timeliness, optimum leadership and sustained professional management in the enhancement of service delivery. The Commission will pursue other initiatives in the coming years and establish after appropriate consultations new and revised policies in the best interest of the Public Service. The Commission will also continue to address through wider consultations the issue of the systemic fragmentation of Human Resource Management within the Service in order to facilitate the more efficient discharge of its functions.

I take this opportunity to thank the Deputy Chairman and the members of the Public Service Commission for their support and collaboration. I also wish to thank the Director of Personnel Administration and the members of staff of the Service Commissions Department for their invaluable co-operation during 2006.

A handwritten signature in black ink, appearing to read 'Chris R Thomas', written in a cursive style.

CHRISTOPHER R THOMAS  
CHAIRMAN  
PUBLIC SERVICE COMMISSION

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EXECUTIVE SUMMARY

## 1.0 INTRODUCTION

The Mission of the Public Service Commission, as defined in Section 121 (1) of the Constitution, is to *“appoint persons to hold or act in offices in the Public Service including power to make appointments on promotion and transfer and to confirm appointments, and to remove and exercise disciplinary control over persons holding or acting in such offices and to enforce standards of conduct on such officers”*.

The vision of the Public Service Commission is to expedite its mission in a fair, transparent and timely manner, so that matters within the purview of the Public Service are conducted in an efficient and effective manner to the satisfaction of the citizens of Trinidad and Tobago.

This Annual Report 2006 is a statement of the progress of the Commission in meeting its long term vision and mission. The achievement of the goals set in this report measure the effectiveness of the Commission in meeting its mandate as detailed in the Constitution of the Republic of Trinidad and Tobago.

## 2.0 RESPONSIBILITY OF THE COMMISSION

The Commission is responsible for execution of specific Human Resource functions within the Public Service.

The Public Service is defined as all public officers holding or acting in offices in the Civil Service, the Prisons Service and the Fire Service. Civil Service, Fire Service and Prison Service mean respectively the Civil Service established under the Civil Service Act, the Fire Service established under the Fire Service Act and the Prison Service established under the Prison Service Act.



### **3.0 WHO IS THE COMMISSION**

Section 120 of the Constitution of the Republic of Trinidad and Tobago provides for the establishment of a Public Service Commission comprising a Chairman, Deputy Chairman and no less than two or more than four members.

The Commission comprised the following members in 2006:-

<b>Mr Christopher R Thomas, C.M.T. LLD.</b>	<b>-</b>	<b>Chairman</b>
<b>Mr Ainsley Tim Pow, C.M.T.</b>	<b>-</b>	<b>Deputy Chairman</b>
<b>Mr Sakal Seemungal</b>	<b>-</b>	<b>Member</b>
<b>Mr Neil Rolingson</b>	<b>-</b>	<b>Member</b>
<b>Mrs Pamela Benson, M.O.M.</b>	<b>-</b>	<b>Member</b>
<b>Miss Susheila Maharaj</b>	<b>-</b>	<b>Member</b>

### **4.0 ADMINISTRATION AND METHOD OF FUNCTIONING**

The Service Commissions Department provides administrative support services to the Public Service Commission and three other Commissions:-

- **The Judicial and Legal Service Commission**
- **The Police Service Commission**
- **The Teaching Service Commission**

It is the Commission's view that the existing staffing of the Service Commissions Department is not adequate to provide all of these functions effectively. The Commission has noted, however, that the Police Service Commission will be provided with a dedicated Secretariat within the Service Commissions Department in 2007. The Commission will review its position when this development is put in place.

The Commission holds statutory meetings once weekly on Tuesdays. Additional meetings are held as required. Fifty-one (51) meetings were held for the year 2006.

The business of meetings is determined on the basis of Notes prepared by the Service Commissions Department that include the specific recommendations of the Director of Personnel Administration who attends or is represented at meetings of the Commission.

In addition, Permanent Secretaries and Heads of Departments are invited to meet with the Commission to assist it in its deliberations.

Legal officers from the Service Commissions Department participate in its deliberations and the Commission also has access to Senior Counsel.

The Commission has met with all the recognized Staff Associations representing public officers.

Minutes of Meetings are confirmed within one week.

Apart from the standard agenda, items relating to appointments, promotion, representations, discipline, etcetera, there is for each meeting a Policy Agenda that focuses on the review of specific Public Service Commission Regulations, Court Judgments and previous policy decisions with the aim of improving the functioning of the Commission.

The Commission has also instituted two consultative processes in its policy deliberations. These comprise consultations with the Board of Permanent Secretaries and consultations with the group of four (4) – that is the Permanent Secretary to the Prime Minister and Head of the Public Service, the Permanent Secretary, Ministry of Public Administration and

Information, the Director of Personnel Administration and the Chief Personnel Officer.

In 2006, the Commission made final determination on four thousand one hundred and fifty seven (4,157) Notes. Details of the Notes considered during 2006 are listed in Appendix I.

## **5.0 REPORT FOR THE YEAR 2006**

The Report for the year 2006 is structured more in the nature of a continuum rather than the narrow confines of the year 2006. It records initiatives undertaken, progress made and constraints encountered by the Commission during the period of its stewardship that began in 2004.

The Report for the year 2006 is submitted in compliance with Section 66B of the Constitution, as amended by Act No 29 of 1999 which requires the Commission to report each year on:-

- its administration;
- the manner of the exercise of its powers;
- the method of functioning; and
- any criteria adopted by the Commission in the exercise of its powers and functions.

## **6.0 CONTEXT OF THE EXERCISE OF FUNCTIONS**

Human Resource Management in the Public Service is fragmented. The Commission is responsible for certain specific Human Resource Management functions in respect of the Public Service, namely, to make appointment, promotion, acting appointment, transfer, exercise disciplinary control and enforce standards of conduct.



The Ministry of Public Administration and Information and the Chief Personnel Officer, who are the representatives of the Employer, have responsibility for:-

- **Position Management.**
- **Job Description and Job Specification.**
- **Classification and Compensation.**
- **Terms and Conditions of Service.**
- **Code of Conduct.**
- **Assessment of Qualifications and Waivers.**
- **Wage and Salary negotiations.**
- **Performance Management.**
- **Training and Development.**

The Commission can only appoint and recruit in accordance with job descriptions set out by the Employer. Many of these job descriptions are now outdated and in some cases the requisite training requirements are no longer relevant, for example, the training requirements for officers in the Secretarial Class.

This shared responsibility for the management of the Human Resource functions has resulted in major delays in the implementation of Public Service Commission's initiatives. The filling of vacancies, making of promotions, the disciplinary process and considerations of representations on a timely basis are all stymied as the Commission has to rely on inputs from external agencies and the Service Commissions Department, the Commission's Secretariat. This impedes the Commission's ability to effectively discharge its functions.

Public Service Commission Regulations require the Director of Personnel Administration as well as Permanent Secretaries and Heads of Departments to maintain accurate seniority lists and Establishment Books. Without these, the filling of vacancies is seriously stymied. Failure to fill



vacancies in a timely manner is a matter of serious concern to the Commission. First calculations indicate that there are upwards of 5000 vacancies in the Public Service. These may not be all pure vacancies, but could comprise absences from no pay leave, secondments and positions that have been frozen (2004). The Commission has requested, through the Director of Personnel Administration, a ministerial distribution of the vacancy lists and an overall seniority list within the Public Service. Manual lists will therefore be available in 2007 for the generation of a sustained database. This information is basic to the efficient discharge of the Commission's duties.

The absence of reliable seniority lists for the Public Service in the Service Commissions Department and in Ministries and Departments as required by the Public Service Commission Regulations, constitute a serious challenge to the work of the Commission in the areas of promotion and filling of vacancies. As at 2006, the expectations of the Human Resource Information System of the Public Service have not been realized. In addition, the filling of offices in the Human Resource stream has now been suspended by the employer for the last three years. This overall situation will constitute a center piece of the work programme of the Commission for 2007.

By Circular Memorandum dated 8<sup>th</sup> December 2004, the Commission informed Permanent Secretaries and Heads of Departments that except in special circumstances, it would not appoint persons to hold or act in offices if they do not satisfy the training and experience requirements set by the Employer or if a waiver in respect of the established requirements had not been granted by the Chief Personnel Officer. Over the last two years the Commission has held discussions with the Ministry of Public Administration and Information, the Chief Personnel Officer and representatives of that office in order to resolve this situation. At the end of 2006, the situation remained largely unchanged. In addition, a significant number of Job Specifications are still in draft form awaiting

approval by the respective Staff Associations. The recruitment and appointments process has therefore been and continues to be hampered in several areas.

In the absence of significant changes in the situation, the Commission has had to make judgement calls in the context of special circumstances identified by Permanent Secretaries and Heads of Departments and has appointed officers who do not quite meet the stated requirements. The use of special circumstances however, compromises policy and creates precedents which challenge standards, consistency and integrity of policy. The Commission understands the enormity and complexity of the exercise. A Job Evaluation exercise is being undertaken by the Chief Personnel Officer which, it is hoped, would lead to revision of many of the Job Descriptions. The Commission hopes that this evaluation exercise will be completed in 2007.

## **7.0 RECRUITMENT**

The recruitment process includes:-

- the advertisement of vacancies;
- the conduct of examinations by the Public Service Examinations Board in some instances;
- the appointment of Selection Boards;
- the conduct of interviews;
- Report by Selection Boards.

For many years, possibly since its inception, there has been a practice of using unsolicited applications for the temporary filling of vacancies especially in the Manipulative, Secretarial and Clerical Classes in the Public Service. Once the applicants meet the training requirements for the office, the date of receipt of the application determines his or her place on a list for recruitment. In the event of a vacancy, persons are contacted in



accordance with their place on the list for the particular vacancy. For years, the number of such applications has exceeded the available vacancies to the extent that there is now a huge buildup of these unsolicited applications.

In light of this untenable situation, the Commission is examining the matter with a view to suspending this system and replacing it with one that would respond to advertisements of specific vacancies. In order not to disadvantage individuals who have already applied, the Commission has authorized the creation of a database by the Service Commissions Department of existing qualified applicants in order to access the magnitude of the problem and determine what might be the most practical management measures to handle the situation.

The new recruitment policy is being finalized and will be published for public information in 2007.

## **8.0 DELEGATION OF AUTHORITY**

In 2005, the Commission reviewed its operations and decided on a new approach to expediting its work. This resulted in a major initiative of extending the delegation of certain of its powers to Permanent Secretaries, Deputy Permanent Secretaries and Heads of Departments.

By Legal Notice No 105 dated May 24, 2006, the Commission delegated to Permanent Secretaries and Heads of Departments the power to approve the following:-

- acting appointment for periods of up to six months in respect of offices in Salary Ranges up to and including Salary Range 68 except those offices which require consultation with the Prime Minister;

- transfers within the Ministry/Department of officers to similar grade with no alteration in remuneration in respect of offices in Salary Ranges up to and including Salary Range 68;
- continuing temporary appointments of officers after their initial appointment by the Public Service Commission for periods not exceeding six months; and
- confirmation of officers who satisfy the criteria prescribed.

The same Delegation Order allows for the exercise of these powers by Deputy Permanent Secretaries except transfers for Salary Ranges up to and including Salary Range 45, and to Directors of Human Resource up to and including Salary Range 34.

The Order also gives Permanent Secretaries and Heads of Departments the authority to conduct '*One Man Tribunals*' in order to hasten the resolution of minor infractions of the Code of Conduct. Appendix II details such infractions.

The Order of Delegation was presented to Permanent Secretaries, Heads of Departments, Deputy Permanent Secretaries and Director, Human Resource, at a Symposium held in May 2006 at the Crowne Plaza.

The officers were also presented with an Accountability Framework, which established the parameters between the officers and the Commission for the exercise by the delegated functions. A copy of the Accountability Framework is enclosed as Appendix III.

A Manual has also been produced and has been distributed to Permanent Secretaries and Heads of Departments to guide them in the proper exercise of the delegated function. Further, in order to manage the effectiveness of the function delegated, the Commission, in collaboration with the Director of Personnel Administration, has put in place an



auditing and monitoring mechanism in the form of '*embedded*' Human Resource Advisers from the Service Commissions Department in related Ministries, to ensure that the Public Service Commission Regulations are being adhered to and to minimize the exposure of the Commission to litigious action from public officers ,who may be negatively affected by the exercise of the powers delegated.

As at December 2006, the Commission has received one report on the monitoring and audit functions. The report indicates that the delegated powers, although not exercised uniformly throughout the Public Service, is contributing towards the officers' management of the Human Resources of Ministries and Departments. The Commission will continue to give close scrutiny to further reports from the "*embedded Personnel*" in order to assess the effectiveness of Permanent Secretaries and Heads of Departments in the exercise of the delegated function. Once the Commission is satisfied that the Permanent Secretaries and Heads of Departments are exercising the delegated functions effectively, the Commission, in consultation with the Director of Personnel Administration will review the system of embedded offices. A similar exercise of audit and monitoring of delegated powers will commence in 2007 for the Prisons and Fire Services.

The Commission noted that Cabinet in its decision of March 1998 has authorized the establishment of appropriate Human Resource Units in every Ministry/Department. This decision has however not yet been fully implemented.

Consistent with its powers under the Constitution, the Commission proposes to effect another delegation of powers which would allow Permanent Secretaries and Heads of Departments to assume greater professional control of their Administration and under guidelines established by the Commission. The Commission will pursue this question in 2007.

The overall goal of this process of delegated authority by the Commission is to facilitate and enhance professional management amongst Permanent Secretaries and Heads of Departments and improve service delivery throughout the Public Service.

## **9.0 PROMOTIONS/APPOINTMENTS/PERFORMANCE APPRAISAL REPORTS**

In 2005, the Commission completed its Assessment Centre approach for assessing senior officers to assist it to fill specific top executive positions in the Public Service. On the basis of the approach several promotions were made in 2005. The approach was challenged in 2005 and is now before the Appeal Court. The Commission will continue to seek out other complimentary innovative approaches to implementing a system of promotions and appointments that is objective, that meet the requirements of the Regulations and is both fair and transparent. The objective of the Commission is to identify a pool of potential candidates within the ranks of the Public Service in order to ensure effective succession planning.

The 2005 Report signaled the conciliatory approach of the Commission through the grant of an Amnesty up to December 31, 2005, for the submission of Honour Certificates attesting to the satisfactory performance of officers in the absence of outstanding Performance Appraisal Reports.

The Commission's Honour Certificate initiatives should have provided much administrative ease in that Permanent Secretaries and Heads of Departments should have taken the opportunity to complete them in instances where Performance Appraisals had not been completed on the officer. However, the Commission was not satisfied with the response in that there are still outstanding Performance Appraisal Reports. This



Amnesty has now expired and Permanent Secretaries and Heads of Departments are required to submit annual Performance Appraisal Reports in respect of officers under their supervision from 2006.

Permanent Secretaries and Heads of Departments have not been complying in the main with the timely submission of Performance Appraisal Reports on behalf of officers under their charge. Repeated reminders and admonitions by the Commission have not resulted in significant compliance. The promotions/appointments of many officers have been unduly delayed as a result of this non compliance. Appendix IV details by Ministry, the record of tardiness in the completion of Appraisal Reports.

The Commission proposes to develop in 2007, a framework for the accountability of Permanent Secretaries in the compliance of this basic resource management requirement. Appendix I provides the 2006 record for promotions and appointments in the Public Service.

## **10.0 TRANSFERS**

There is a significant number of requests from public officers for transfer to locations nearer to their places of residence. The daily commute from the south to the north is a frequent reason. However, it is to be noted that given the concentration of Ministries and Departments in Port of Spain, the opportunities for transfer to the south are severely limited.

The Commission has already delegated to Permanent Secretaries the power to transfer public officers within their Ministries.

As stated earlier, the Commission will be reviewing the exercise of the delegated function through the periodic reports of the Ministries and its embedded Human Resource offices.

## 11.0 DISCIPLINE

The Public Service Commission is also cognizant of the inordinate delay in the finalization of disciplinary matters. Appendix V shows the extent of outstanding disciplinary matters by Ministries.

Factors which contribute to this delay are listed hereunder:-

### LATE, INCOMPLETE AND INADEQUATE REPORTS BY INVESTIGATING OFFICERS

In response to this, the Commission has conceptualized an Investigations Unit to be staffed with persons with a legal and industrial relations background. The Unit will be located within the Service Commissions Department and will be responsible for the conduct of all investigations initiated under Regulation 90 of the Public Service Commission Regulations. An Annual Report from this Unit will form part of the Commission's Annual Report including an assessment of the Unit's adherence to a mutually agreed performance standard.

### TRIBUNAL PERFORMANCE STANDARDS

There are too many adjournments being granted in some cases, resulting in the disciplinary process being protracted.

The performance standards of standing Tribunals are not even. The Commission has met with the Chairpersons of the standing Disciplinary Tribunals in order to discuss the constraints of Tribunals in the performance of their functions. The Commission will continue to monitor performances in this area. Meanwhile, the Commission expects that the One-man Tribunal inquiries to be



conducted by Permanent Secretaries and Heads of Departments, under delegated authority, will help to expedite the disciplinary process.

In this regard, the Commission, through the Service Commissions Department, has implemented a series of continuous training for Permanent Secretaries and Heads of Departments to ensure that the disciplinary process is conducted in full compliance of equity and the relevant regulations.

## **12.0 ACTING AND TEMPORARY APPOINTMENTS**

From 2004 to 2006, the Commission has been successful in eliminating a backlog of some 20,000 acting and temporary appointments in the Service Commissions Department, some of which dated back to the nineteen nineties. The Commission is still receiving requests, however, for approval of acting and temporary appointments made prior to the delegation of authority to Permanent Secretaries and Heads of Departments in June 2006 to make such appointments. This is a clear indication that Permanent Secretaries and Heads of Departments have taken decisions in this area without authority and contrary to established regulations.

With the backlog cleared and the Delegation Order in place, there is a marked reduction in the number of such matters on the Commission's agenda.

The Commission is now able to devote much more time to its Policy Agenda.

### 13.0 REPRESENTATIONS AND JUDICIAL REVIEW

The Public Service Commission has noted a marked increase in the number of representations from public officers in 2006. One hundred and twenty six (126) letters of representations/complaints were considered by the Commission, an increase of sixty-one (61) from the previous year. Appendix VI details the issues raised in representations.

The Commission is not satisfied that representations are being handled in a timely manner. Some public officers have reached the age of compulsory retirement with their complaints unresolved. In some cases, the approval of Cabinet has been sought and obtained to redress the situation where appropriate and practical. This cannot however be a continual practice.

The following measures were implemented by the Director of Personnel Administration in consultation with the Public Service Commission to correct the situation in the interest of all officers:-

- **the creation of a database for use throughout the Service Commissions Department to alert officers of the retirement dates of officers who are close to retirement;**
- **the Director of Personnel Administration has directed that officers be in constant communication with Ministries so that information needed to deal with representations is provided in good time.**

The Director of Personnel Administration will be accountable to the Commission for the effective compliance of these measures.

The Commission also notes the marked increase in the number of its decisions that are being challenged in the Courts. In 2006, there were sixteen (16) applications for judicial review filed against the decision of the

Commission. Twelve (12) matters against the Commission were completed, five (5) were in favor of the Commission and one (1) was withdrawn. The Commission has lodged appeals with respect to two matters. See Appendix VII.

Given the extent of delegation of its powers under the Constitution, the Commission will prioritize the monitoring of the decisions made by the Permanent Secretaries and Heads of Departments in order to ensure that judicial reviews are minimized.

#### **14.0 MATTERS ARISING FROM THE 2004 / 2005 ANNUAL REPORTS – FOLLOW UP**

##### **PARALLEL CIVIL SERVICE**

The Commission has noted the increase in contract positions in Ministries and Departments. The Commission believes that this is in some measure due to the need to complete their programmes in a more timely manner.

The increased use of contract employment is not however, altogether beneficial to the Public Service for the following reasons:-

- where contract positions are filled by public officers the upward mobility of their subordinates are effectively blocked;
- the possibility exists for the loss of institutional memory at the end of such contracts and upon the departure of such incumbents.

The approach of the Commission to such issues is to tackle the root cause, that is, the unacceptable delays in the recruitment and selection process. Earlier in this report, the Commission has outlined its various approaches to a more practical and effective resolution of the situation.



## **15.0 FRAGMENTED PERSONNEL POLICY ADMINISTRATION**

At the present time, as outlined earlier in this report, administration of human resource management and procedures is divided between the Service Commissions Department, the office of the Chief Personnel Officer and the Ministry of Public Administration. This fragmentation is counter productive in view of the varying priorities on the part of each department to issues at hand.

The Public Service Commission will be pursuing this issue with the competent authorities so that a more streamlined arrangement is put in place that will facilitate effective service delivery without compromising the rights of public officers.

## **16.0 EXAMINATIONS/INTERVIEWS**

One specific example of the fragmentation of human resource management referred to above is in the area of examinations/interviews. In a number of instances examination is a requirement in accordance with the terms and conditions of offices and these are determined by the Chief Personnel Officer. The Public Service Examination Board conducts the examination. Where preparatory training is required prior to the examination this function falls to the Ministry of Public Administration and Information, the organization responsible for training and development in the Public Service.

As at 2006 eighty (80) positions in the Public Service have been advertised. Interviews have not yet been held for many of these positions. Shortage of resources to service interviewing panels has been the major factor for this deficiency. The Commission has reviewed this situation and will be instituting measures to seek to resolve this in 2007. In 2006 the Public Service Examination Board was requested to conduct two examinations.



Further, examinations and training requirements are still outstanding in offices in the Secretarial Class and for entry into the Administrative Class of the Public Service. There must be a clear determination whether examinations continue to be required for recruitment and appointment and in what form. The absence of this will continue to inhibit the work of the Commission with respect to the filling of vacancies in the Public Service.

At present the question of interviews is less complicated but involves staff capacity, panel selection and staff availability and can engage staff resources to unacceptable levels. Interviews for a single area as Customs and Excise for example can involve more than 300 applicants and run for several months. The proposed new delegation for 2007 to Permanent Secretaries and Heads of Departments will focus on one aspect of this situation. The responsibilities of the Executive must however be engaged in this overall Human Resource Management of the Public Service.

## **17.0 PUBLIC SERVICE COMMISSION REGULATIONS**

The Public Service Commission is guided by its Regulations some of which have been selectively amended over time to meet specific shifts in policy on the part of the Commission.

Exploratory discussions have been held with a view to commissioning a comprehensive review of the Public Service Commission Regulations which is largely overdue. This exercise would involve very wide consultations and will require many months for its completion.

## **18.0 OVERVIEW OF 2006**

During the year 2006, the Commission sought to identify, in collaboration with the Director of Personnel Administration, the Disciplinary Tribunals and Permanent Secretaries, the systemic, institutional and administrative factors that have impeded the delivery of services by the Commission and the practical solutions that might correct them. The several matters identified cannot be pursued in isolation of the other bodies because of their inter relationship in the Human Resource Management function. It is to this situation that the Commission referred when it underscored in its earlier statement on the fragmentation of Human Resource Management Function. This, however, is a matter beyond the scope of this report.

Nonetheless, the Commission sought to determine certain questions which, from its specific perspective, would impact on the larger systemic situation and facilitate and enhance the work of the Commission. In this regard the Commission underscores a number of initiatives which were pursued in 2006:-

- **implementation of an accurate database for the easy retrieval of data and information for the Commission's decision making;**
- **timely submissions of Performance Appraisal reports;**
- **timely recommendations for promotions, first acting and temporary appointments;**
- **early recommendations for filling vacant offices as required by the Public Service Commission Regulations;**
- **prompt responses to enquiries from the Commission and prompt attention to disciplinary matters.**

As counterparts to the above initiatives, the Commission notes that the Director of Personnel Administration has been engaged in a number of internal measures. These include:-

- filling of the two vacant positions of Deputy Director of Personnel Administration which will restructure overall management of the Service Commissions Department;
- a system of succession planning in the Department;
- performance standards for the Department (detailed in Appendix VIII);
- reduction in staff turnover in order to preserve the institutional memory of the Department;
- implementation of a records management system.

## 19.0 CONCLUSION

It is the view of the Commission that the issue of the fragmentation of the Human Resource Management function, the full utilization of the Integrated Human Resource Information System (IHRIS), more effective compliance by Permanent Secretaries and Heads of Departments with the Public Service Commission Regulations and the design and implementation of an effective accountability framework for Permanent Secretaries and Heads of Departments must be practically addressed for the efficient functioning of the Public Service. The first is a question which is a responsibility of the Executive. The other issues fall under the purview of the Public Service Commission and other agencies.

The effective address of these matters will result in more efficient human resource management, generate more professional leadership amongst



senior management of the Public Service and allow for more practical and substantial delegation of authority to Permanent Secretaries and Heads of Department. The Commission will then be able to adopt a more policy formulating oversight and auditing mechanism through the Public Service Commission and the Service Commissions Department.

The Commission is of the view that it has, over the last two years, in addition to its more routine functions, identified some of the major requirements for enhancing the work and delivery of the Public Service. The Commission will continue to pursue these matters through specific initiatives.

**PUBLIC SERVICE COMMISSION STATISTICS**  
**FOR THE YEAR 2006**

<b><u>PARTICULARS</u></b>	<b><u>TOTALS</u></b>
No. of Statutory Meetings	49
No. of Special Meetings	2
No. of Notes Considered	4157
No. of Meetings with Permanent Secretaries/ Heads of Departments	6
<b><u>Permanent Appointments</u></b>	<b>2298</b>
(i) Civil Service	419
(ii) Fire Service (Delegated Authority)	-
(iii) Prison Service (Delegated Authority)	1879
<b><u>Promotions</u></b>	<b>728</b>
(i) Civil Service	654
(ii) Fire Service	66
(iii) Prison Service	8
<b><u>Acting Appointments</u></b>	<b>8759</b>
(i) Civil Service	8535
(ii) Fire Service	35
(iii) Prison Service	221

<b><u>PARTICULARS</u></b>	<b>TOTALS</b>
Transfers	96
Confirmation	746
Temporary Appointments	2774
Appointment on Transfer/Secondment	51
<b><u>Other Matters</u></b>	
Decision to Advertise/Re-advertisement of office/s	34
Receipt of Legal Advice	18
Acceptance of Selection Board Reports	12
Could not accede to request for backdating of Appointments/Promotions	10
Decision to waive requirements for Interview	1
Resumption of Duty	15
Backdating of Promotion/Appointment	34
Representations/Letters of Complaint	126
Release to serve as Private Secretary to his Excellency the President	1
Released for Appointment on Transfer/Secondment	40
Could not accede to recommendation for Promotion	1
Appointment of Public Service Examination Board	1
Referrals/Requests for Legal Advice	8
Appointment of Selection Boards	18
Decision to Interview	17
Release on Secondment	105



<b><u>PARTICULARS</u></b>	<b>TOTALS</b>
<b><u>Other Matters (Cont'd)</u></b>	
No further employment in the Public Service	1
Request for Re-employment/Re-instatement	2
Abatement of Probationary Period	23
Request for Report of the Medical Board Examination	1
Report of Medical Board Examination/Findings	41
Establishment of Order of Merit List	7
Request to Furnish Performance Appraisal Report	61
Result of Promotional Exams - Customs and Excise Office 1	1
Public Service Appeal Board Judgement	2
Termination of Service	2
Decision not to fill vacant offices:	<b>53</b>
<i>due to absence of performance appraisal reports</i>	47
<i>pending resumption from no pay leave</i>	3
<i>pending Chief Personnel Officer's decision</i>	1
<i>pending Permanent Secretary's recommendation</i>	1
<i>due to hold on appointments on the Human Resource Series</i>	1
<b><u>Separation</u></b>	
Retirement on Grounds of Marriage	1
Retirement in the Public Interest	1
Permission to Retire	49
Retirement on Grounds of Ill-Health	42
Abandonment of Office	47
Withdrawal/Amendment of permission to Retire	3

<b><u>PARTICULARS</u></b>	<b>TOTALS</b>
<b><u>Amendment of Commission's Decision</u></b>	
Dates of Promotions/Appointment	42
Dates of Acting/Temporary Appointments	220
Dates of Appointment on Transfer	1
Dates of Retirement	3
Dates of Appointment on Secondment	1
<b><u>Cancellation/Termination of:</u></b>	
Temporary/Acting Appointment	133
Transfer	5
Promotion/Appointment	65
Appointment on Transfer	5
Appointment due to non-compliance by Permanent Secretaries	4
<b><u>Discipline</u></b>	
Allegations of Misconduct	16
Court Charge/s	19
High Court Actions	17
Order of Interdiction	13
Appointment of Investigating Officer	23
Appointment of Disciplinary Tribunal	18
Extension of Time to complete Investigating Officer's Report	5
Disciplinary Tribunal Report	6
Rescind decision to appoint Disciplinary Tribunal	2
Order for Cessation of Salary	2

<b><u>PARTICULARS</u></b>	<b>TOTALS</b>
<b><u>Discipline Cont'd</u></b>	
Dismissal of Disciplinary Charge/Court Charge	5
Officer's found Guilty of Disciplinary Charge/s	9
Dismissal from the Public Service	4
Lifting Order of Suspension	4
Lifting of Order of Interdiction	12
Preferment of Disciplinary Charge/s	21
Rescind Decision to Appoint Investigating Officer	1
Withdrawal of Disciplinary Charge	1
Discontinuance/No Further Action in Disciplinary Proceedings	22
Imposition of Penalty	9
Decision not fill Vacant Office	5
Appeals	1
Restoration of Salaries of an officer/s on Interdiction	4
Suspension/Cease to report for duty	17
Exoneration	6
Appointment of Standing Disciplinary Tribunal	4
Rescind Decision to Interdict from Duty	1
Cancellation of Persons on Standing Panel	1
Cease Hearing of Disciplinary Matters	1
Court Cases Dismissed due to the Non- Appearance of Police Officers	3



**LIST OF OFFICES ADVERTISED IN THE PUBLIC SERVICE**  
**FOR THE YEAR 2006**

<b>No.</b>	<b>Office</b>	<b>Ministry/Department</b>
1	Mining Inspector	Ministry of Energy and Energy Industries
2	Bailiff I	Service Commissions Department
3	Record Keeper	Service Commissions Department
4	Orderly	Service Commissions Department
5	Duplicating Machine Operator	Service Commissions Department
6	Vault Attendant I	Service Commissions Department
7	Parliamentary Chauffeur/ Messenger	Parliament Department
8	Parliamentary Audio/Visual Officer	Parliament Department
9	Parliamentary Attendant I	Parliament Department
10	Supervisor Dining Room Services	Parliament Department
11	Food Service Attendant I and II	Parliament Department
12	Hospital manager II	Ministry of Health
13	Audit Senior	Auditor General's Department
14	Commissioner and Deputy Commissioner Co-operative Development	Ministry of Labor and Small and Micro Enterprise Development
15	Executive Officer	Statutory Authorities' Service Commission
16	Petroleum Engineering Assistant I	Ministry of Energy and Energy Industries
17	Immigration Officer I	Ministry of National Security
18	Assistant Marshal of the Houses	Parliament Department
19	Graduate Surveyor/Land Surveyor I	Ministry of Agriculture, Land and Marine Resources

<b>No.</b>	<b>Office</b>	<b>Ministry/Department</b>
20	Transport Commissioner	Ministry of Works and Transport
21	School Laboratory Technician	Ministry of Education
22	Area Administrator	Ministry of Health
23	Adviser on Internal Security Matters	Ministry of National Security
24	Cabinet Affairs Officer I	Cabinet Secretariat, Officer of the Prime Minister
25	Director of Finance and Accounts	Tobago House of Assembly
26	Foreign Service Officer I	Ministry of Foreign Affairs
27	Deputy Director, Social Welfare	Ministry of Social Development
28	Schools Supervisor I	Ministry of Education
29	Labor Relations Officer I	Ministry of Labor and Small and Micro Enterprise Development
30	Senior Energy Analyst	Ministry of Energy and Energy Industries
31	Senior Research Officer	Service Commissions Department
32	Occupational Analyst I	Ministry of Education
33	Fisheries Officer	Ministry of Agriculture, Land and Marine Resources
34	Parliamentary Clerk I	Office of Parliament

**DESCRIPTION OF MISCONDUCT**

- ❖ Failure to attend to matters promptly within scope of office
- ❖ Lack of courtesy to a member of the public or member of the:
  - (a) Civil Service
  - (b) Fire Service
  - (c) Prison Service
- ❖ Willful failure to perform duties
- ❖ Absence without leave or reasonable excuse
- ❖ Failure to report absence from country
- ❖ Failure to disclose activities outside Service
- ❖ Breach of rules relating to broadcast
- ❖ Act of indebtedness to the extent it impairs efficiency, etc.
- ❖ Failure to notify of bankruptcy proceedings
- ❖ Failure to perform duty in a proper manner
- ❖ Contravention of the:
  - (a) Civil Service Regulations and other written law;
  - (b) Fire Service (Terms and Conditions of Employment) Regulations, 1998 and other written law;
  - (c) Prison Service (Code of Conduct) Regulations, 1990
- ❖ Act that is prejudicial to, or discredits reputation of the Service
- ❖ Disobedience to orders
- ❖ Neglect of duty
- ❖ Unlawful or unnecessary exercise of duty
- ❖ Malingering
- ❖ Absence without leave or being late for duty
- ❖ Persistently unpunctual
- ❖ Damage to clothing supplied
- ❖ Unit for duty through drunkenness
- ❖ Drinking on duty or soliciting drink
- ❖ Entering licensed premises



**DELEGATION OF POWERS –  
PUBLIC SERVICE COMMISSION, TRINIDAD AND TOBAGO**

**ACCOUNTABILITY OF PERMANENT SECRETARIES/  
HEADS OF DEPARTMENTS, DEPUTY PERMANENT SECRETARIES  
AND DIRECTORS, HUMAN RESOURCES**

The Accountability Framework is pursuant to the Public Service Commission Delegation of Powers Order 2006.

**1. POWERS DELEGATED**

Permanent Secretaries/Heads of Departments:

- (a) to appoint a public officer to act in a public office in the Civil Service up to and including Salary Range 68 for periods up to six months in exercise of which power, the Permanent Secretary shall apply the principles of selection prescribed in Regulations 18 and 26 and the provisions of Regulation 25;
- (b) to transfer a public officer from an office in a grade in the Ministry or Department to which such an officer is assigned to a similar office in that grade in the same Ministry with no alteration in remuneration up to and including Salary Range 68 and this power shall be exercised subject to the provisions of Regulation 29 which requires notice to be given to such officer and to the right of such officer to make representations to the Commission;
- (c) to appoint persons temporarily to offices in the public service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period;
- (d) to confirm the appointment of a public officer to a public office after consideration of all performance appraisal reports and medical reports on the officer, where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.

Deputy Permanent Secretaries:

- (a) to appoint a public officer to act in a public office in the Civil Service in Salary Ranges up to and including Salary Range 45 for periods up to six months, in the exercise of which power the Deputy Permanent Secretary shall apply the principles of selection prescribed in Regulations 18 and 26 and the provisions of Regulation 25.

- (b) To appoint persons temporarily to offices in Salary Ranges up to and including Salary Range 45 in the Public Service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period.
- (c) To confirm the appointment of a public officer to a public office in Salary Ranges up to and including Salary Range 45 after consideration of all performance appraisal reports and medical reports on the officer where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.

Directors, Human Resources:

- (a) to appoint a public officer to act in a public office in the Civil Service up to and including Salary Range 34 for period up to six months, in the exercise of which power delegated the Directors, Human Resources shall apply the principles of selection prescribed in Regulations 18 and 26 and the provisions of Regulation 25;
- (b) to appoint persons temporarily to offices up to and including Salary Range 34 in the Public Service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period;
- (c) to confirm the appointment of a public officer to a public office up to and including Salary Range 34 after consideration of all performance appraisal reports and medical reports on the officer where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.

## 2. EXPECTATIONS

In the exercise of delegated power the Public Service Commission expects the powers will be exercised within the legal and regulatory framework contained in the Constitution of the Republic of Trinidad and Tobago, the Public Service Commission Regulations and the Guidelines and Procedures laid down in the manual.

In the discharge of the delegated power care should be taken to ensure that actions taken and decisions made conform to the fundamental principles of fairness, equity, transparency and that others are treated with respect.

## 3. ACCOUNTABILITY

Permanent Secretaries/Heads of Departments, Deputy Permanent Secretaries and Directors, Human Resources are accountable to the Public Service Commission for the proper exercise of the delegated powers.



Permanent Secretaries/Heads of Departments, Deputy Permanent Secretaries and Directors, Human Resources are to submit quarterly reports on the exercise of the delegated power. The reports from the Deputy Permanent Secretaries and Directors, Human Resources are to be submitted through the relevant Permanent Secretary.

#### 4. **COMPLIANCE**

Failure to comply with the provisions of the Accountability Framework will invoke the provisions of Regulation 9 of the Public Service Commission Regulations which provides as follows:-

**“9. Any public officer who without reasonable cause or excuse fails to appear before the Commission when required to do so, or who fails to comply with any request made by the Commission or with any requirement of these Regulations shall be guilty of misconduct”.**

In certain instances the delegated power to an officer may be revoked.

#### 5. **MONITORING AND OVERSIGHT**

The Public Service Commission has the responsibility for general oversight and for monitoring the exercise of its delegated power.

In order to conduct the proper monitoring of the delegated power the Commission is prepared to embed a Human Resource Adviser II within each Ministry/Department. The Commission therefore expects your co-operation in complying with all requests made for information/documents in relation to the exercise of the delegated powers.

The Public Service Commission will conduct periodic audits and/or undertake reviews of the exercise of the delegated power.

#### 6. **RECOURSE AND REDRESS**

Permanent Secretaries/Heads of Departments, Deputy Permanent Secretaries and Directors, Human Resources should undertake to ensure that employees under their supervision are aware of and have access to appropriate recourse and redress measures and mechanisms as provided for in the Guidelines and Procedures for the exercise of the delegated powers.

##### **Acting Appointment**

In relation to the delegated power to make acting appointments the relevant regulations are Regulations 18, 24, 25, 26 and 28. Selection for acting appointments must be based on the principles for promotion prescribed in Regulation 18. All eligible officers within the Ministries/Departments must be notified that the acting appointment falls to be made:-



**“25. (2) The Permanent Secretary or Head of Department shall, after notification as required by sub-regulation (1), allow a period of seven days to elapse before forwarding any recommendations in relation to such acting appointment, for the purpose of allowing the officers of the Ministry or Department to make representations on the filling of such vacancy”.**

### **Confirmation of Appointments**

In relation to the delegated power to confirm appointments the relevant regulations are Regulations 37 to 47 of the Public Service Commission Regulations:-

**“42. (5) A report of the Permanent Secretary or Head of Department under this regulation shall not be seen by the officer on probation, but any adverse comments on his work shall be in specific terms; the officer shall be notified in writing in duplicate as early as possible, so that he should have sufficient time in which to make an effort to correct his shortcomings before his period of probation expires. The officer shall retain the original notification and shall sign the duplicate and return it to the Permanent Secretary or Head of Department for the record.”**

**“43. (1) Before any recommendation is made to the Commission for the extension of the period of probation of an officer or for the termination of his appointment, the Permanent Secretary or Head of Department shall inform the officer of this recommendation and of the specific reasons therefore and he shall invite the officer to submit any representations he may wish to make.”**

### **Transfers**

In relation to the delegated power to transfer an officer from an office in one Division of a Ministry to a similar office in another division, the relevant regulations are Regulations 29 and 30 of the Public Service Commission Regulations.

A transfer can be effected when there is either a written request from the officer or the officer is to be transferred owing to the exigencies of the Service. Under Regulation 29(2) the officer being transferred may make representations in writing seven working days of receipt of the order of transfer:-

**“9. (2) An officer who is aggrieved by an order under subregulation (1) may make representation to the Commission for a review of the order in accordance with subregulation (3).”**

### **Discipline**

In relation to the delegated power to discipline an officer for minor breaches of the Code of conduct the relevant regulations are Regulation 85 and 107(2) of the Public Service

Commission Regulations. An officer is to be informed in writing of his right to apply for an appeal to the Public Service Appeal Board:-

**“107. (2) The Commission shall, as soon as possible after the hearing of the charge, inform the officer in writing of its findings and the penalty imposed on him, of his right to apply for an appeal to the Public Service Appeal Board and of the time specified in the Public Service Appeal Board Regulations for making such application.”**

**LIST OF PERMANENT SECRETARIES WHO HAVE NOT COMPLIED WITH THE  
COMMISSION'S DIRECTIVE TO SUBMIT PERFORMANCE APPRAISAL REPORTS  
WITHIN THE TIMEFRAME STIPULATED BY THE COMMISSION**

<b>MINISTRY</b>	<b>PARTICULARS / REMARKS ON THE NON-SUBMISSION OF PERFORMANCE APPRAISAL REPORTS</b>	<b>PS/HOD GIVEN 7 WORKING DAYS TO SUBMIT REPORT/S</b>	<b>DATE OF PSC'S DECISION</b>
<b>Ministry of Agriculture, Land and Marine Affairs</b>	<ol style="list-style-type: none"> <li>1. Failure to submit up-to-date Performance Appraisal Reports on the officer in the office of <b>Temp. Agricultural Engineer I</b> as requested by the Commission.</li> <li>2. Non-promotion of 2 eligible officers to the office of <b>Administrative Officer II</b> because Performance Appraisal Reports were not submitted.</li> <li>3. Non-promotion of eligible officers to the office of <b>Clerk Typist II</b> because Performance Appraisal Reports were not submitted.</li> <li>4. Non-promotion/appointment of 4 eligible officers to the office of <b>Agricultural Officer I</b> because up-to-date Performance Appraisal Reports were not submitted.</li> <li>5. The Permanent Secretary was requested to submit a Performance Appraisal Report on officer by 15/04/07.</li> <li>6. Non-promotion of eligible officer/s to the office of <b>Accounting Executive I</b> because up-to-date Performance Appraisal Reports were not submitted.</li> <li>7. Non-promotion of 4 eligible officers to the office of <b>Agricultural Assistant III</b> because up-to-date Performance Appraisal Reports were not submitted.</li> <li>8. Non-promotion of eligible officer to the office of <b>Project Officer I</b> because an up-to-date Performance Appraisal Report was not submitted.</li> </ol>	<ol style="list-style-type: none"> <li>1. -</li> <li>2. yes</li> <li>3. yes</li> <li>4. yes</li> <li>5. -</li> <li>6. yes</li> <li>7. yes</li> <li>8. yes</li> </ol>	<ol style="list-style-type: none"> <li>1. 7/02/06</li> <li>2. 11/07/06</li> <li>3. 15/08/06</li> <li>4. 26/09/06</li> <li>5. 03/10/06</li> <li>6. 07/11/06</li> <li>7. 05/12/06</li> <li>8. 12/12/06</li> </ol>
<b>Auditors General Department</b>	Auditor General to submit up-to-date Performance Appraisal Reports on 2 officers.	yes	21/11/06
<b>Ministry of Education</b>	<ol style="list-style-type: none"> <li>1. Non-permanent appointment of 2 officers to the office of <b>Watchman</b> because an up-to-date Performance Appraisal Report was not submitted.</li> <li>2. Non-permanent appointment of officer to the office of <b>Clerk I</b>, because an up-to-date Performance Appraisal Report was not submitted.</li> </ol>	<ol style="list-style-type: none"> <li>1. yes</li> <li>2. yes</li> </ol>	<ol style="list-style-type: none"> <li>1. 21/03/06</li> <li>2. 27/06/06</li> </ol>



MINISTRY	PARTICULARS / REMARKS ON THE NON-SUBMISSION OF PERFORMANCE APPRAISAL REPORTS	PS/HOD GIVEN 7 WORKING DAYS TO SUBMIT REPORT/S	DATE OF PSC'S DECISION
<i>Cont'd</i>  <b>Ministry of Education</b>	<p>3. Non-promotion of officers to the office of <b>Clerk Typist II</b> because up-to-date Performance Appraisals were not submitted.</p> <p>4. Non-promotion of officer to the office of <b>Auditor II</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>5. One office of <b>Administrative Officer IV</b> was left vacant pending the receipt of an up-to-date Performance Appraisal Report.</p>	<p>3. yes</p> <p>4. yes</p> <p>5. yes</p>	<p>3. 15/08/06</p> <p>4. 21/11/06</p> <p>5. 12/12/06</p>
<b>Ministry of Energy and Energy Industries</b>	<p>1. Non-promotion of officer to the office of <b>Auditor II</b> because a Performance Appraisal Report was not submitted.</p> <p>2. Non-appointment of eligible officer to the office of <b>Geologist Assistant</b> because up-to-date Performance Appraisal Reports were not submitted.</p>	<p>1. yes</p> <p>2. yes</p>	<p>1. 27/10/06</p> <p>2. 28/11/06</p>
<b>Ministry of Finance</b>	<p>1. Non-permanent appointment of <b>Temp. Clerk I</b>, because up-to-date Performance Appraisal Reports were not submitted.</p> <p>2. Non promotion of eligible officer to the office of <b>Computer Operator II</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>3. Non-promotion of eligible officer to the office of <b>Statistical Officer II</b> because up-to-date Performance Appraisal Reports were not submitted</p> <p>4. Non-promotion of eligible officer to the office of <b>Messenger I</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>5. Non- promotion of eligible officer to the office of <b>Budget Analyst III</b> and one officer as <b>Budget Analyst I</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>6. Non-promotion 7 officers to the office of <b>Customs and Excise Guard III</b> and 11 officers to the office of <b>Customs and Excise Guard II</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>7. Non-promotion of 5 eligible officers to the office of <b>Treasury Officer II/I</b> because up-to-date Performance Appraisal Reports were not submitted.</p>	<p>1. yes</p> <p>2. yes</p> <p>3. yes</p> <p>4. yes</p> <p>5. yes</p> <p>6. yes</p> <p>7. yes</p>	<p>1. 27/06/06</p> <p>2. 04/08/06</p> <p>3. 03/10/06</p> <p>4. 10/10/06</p> <p>5. 07/11/06</p> <p>6. 14/11/06</p> <p>7. 05/12/06</p>

MINISTRY	PARTICULARS / REMARKS ON THE NON-SUBMISSION OF PERFORMANCE APPRAISAL REPORTS	PS/HOD GIVEN 7 WORKING DAYS TO SUBMIT REPORT/S	DATE OF PSC'S DECISION
<i>Cont'd</i> Ministry of Finance	8. Non-promotion of eligible officer to the office of <b>Administrative Officer IV</b> because up-to date Performance Appraisal Reports were not submitted.	8. yes	8. 12/12/06
Ministry of Foreign Affairs	Non-promotion of eligible officer to the office of <b>Auditor II</b> because up-to date Performance Appraisal Reports were not submitted.	yes	27/10/06
Ministry of Health	1. Non-permanent appointment of an officer to the office of <b>Watchman</b> because up-to-date Performance Appraisal Reports were not submitted	1. yes	1. 21/03/06
	2. Non-promotion of officer to the office of <b>House Officer</b> because an up-to-date Performance Appraisal Report was not submitted.	2. yes	2. 12/12/06
Judiciary/ Magistracy	Non-promotion of eligible officer to the office of <b>Statistical Officer II</b> because up-to-date Performance Appraisal Reports were not submitted	yes	03/10/06
Ministry of Labour & Small & Micro Enterprise Development	Non-promotion of eligible officer/s to the office of <b>Accounting Executive I</b> because up-to-date Performance Appraisal Reports were not submitted	yes	07/11/06
Ministry of Local Government	1. Non-promotion of 2 officers to the office of <b>Cleaner/Watchman</b> because up-to-date Performance Appraisal Reports were not submitted.	1. yes	1. 21/03/06
	2. Non-promotion of eligible officers to the office of <b>Accounting Executive I</b> because up-to-date Performance Appraisal Reports were not submitted.	2. yes	2. 07/11/06
Ministry of National Security	1. Non-permanent appointment of officer to the office of <b>Clerk I</b> , because up-to-date Performance Appraisal Reports were not submitted.	1. yes	1. 27/06/06
	2. Non-promotion of officers to the office of <b>Clerk Typist II</b> because the up-to-date Performance Appraisal Reports were not submitted	2. yes	2. 15/08/06
	3. Non-promotion of 2 officers to the office of <b>Immigration Officer III</b> , because up-to-date Performance Appraisal Reports were not submitted.	3. yes	3. 05/09/06
	4. Non-promotion of eligible officer to the office of <b>Auditor II</b> because up-to-date Performance Appraisal Reports were not submitted.	4. yes	4. 27/10/06



MINISTRY	PARTICULARS / REMARKS ON THE NON-SUBMISSION OF PERFORMANCE APPRAISAL REPORTS	PS/HOD GIVEN 7 WORKING DAYS TO SUBMIT REPORT/S	DATE OF PSC'S DECISION
<i>Cont'd</i>  Ministry of National Security	<p>5. Non-promotion of 2 eligible officers to the offices of <b>Budget Analyst I</b> and <b>Accounting Executive I</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>6. Non-promotion of eligible officer to the office of <b>Accounting Executive II</b> because up-to-date Performance Appraisal Reports were not submitted.</p>	<p>5. yes</p> <p>6. yes</p>	<p>5. 07/11/06</p> <p>6. 14/11/06</p>
Ministry of Planning & Development	<p>1. Performance Appraisal Reports on the officer, <b>Temp. Statistician I</b> was submitted more than one month the correspondence was addressed to the Permanent Secretary.</p> <p>2. Non-promotion of eligible officer to the office of <b>Administrative Officer II</b> because up-to-date Performance Appraisal Reports were not submitted.</p> <p>3. Non- promotion of eligible officer to the office of <b>EDP Data Conversion Equipment Operator</b>, because up-to-date Performance Appraisal Reports were submitted.</p> <p>4. Non-promotion of 3 eligible officers to the office of <b>Statistical Officer II</b> because Performance Appraisal Reports were not submitted.</p> <p>5. Non-promotion of eligible officer to the office of <b>EDP Control Supervisor</b> because an up-to-date Performance Appraisal Report was not submitted.</p> <p>6. Non-promotion of 2 eligible officers to the office of <b>Statistician II</b> because up-to-date Performance Appraisal Reports were not submitted.</p>	<p>1. yes</p> <p>2. yes</p> <p>3. yes</p> <p>4. yes</p> <p>5. yes</p> <p>6. yes</p>	<p>1. 09/05/06</p> <p>2. 11/07/06</p> <p>3. 04/08/06</p> <p>4. 03/10/06</p> <p>5. 14/11/06</p> <p>6. 28/11/06</p>
Ministry of Science, Technology & Tertiary Education	Non promotion of eligible officer to the office of <b>Administrative Assistant</b> because up-to-date Performance Appraisal Reports were not submitted.	yes	08/08/06
Ministry of Sport & Youth Affairs	<p>1. Non- promotion of eligible officer to the office of <b>Administrative Officer IV</b> because an up-to-date Performance Appraisal Report was not submitted.</p> <p>2. Non- promotion of an eligible officer to the office of <b>Clerk I</b> because an up-to-date Performance Appraisal Report was not submitted.</p>	<p>1. yes</p> <p>2. yes</p>	<p>1. 07/03/06</p> <p>2. 27/06/06</p>



MINISTRY	PARTICULARS / REMARKS ON THE NON- SUBMISSION OF PERFORMANCE APPRAISAL REPORTS	PS/HOD GIVEN 7 WORKING DAYS TO SUBMIT REPORT/S	DATE OF PSC'S DECISION
Tobago House of Assembly	1. Non-permanent appointment of officer to the office of <b>Watchman</b> because up-to-date Performance Appraisal Reports were not submitted.	1. yes	1. 21/03/06
	2. Non- permanent appointment of 2 <b>Temp. Clerks I</b> , because up-to-date Performance Appraisal Reports were not submitted.	2. yes	2. 27/06/06
	3. Non-promotion of officer to the office of <b>Administrative Officer II</b> because up- to-date Performance Appraisal Reports were not submitted.	3. yes	3. 11/07/06
	4. Non promotion of officers to the office of <b>Administrative Assistant</b> because up-to-date Performance Appraisal Reports were not submitted.	4. yes	4. 08/08/06
	5. Non-promotion of officers to the office of <b>Clerk Typist II</b> because up-to-date Performance Appraisals were not submitted.	5. yes	5. 15/08/06
	6. Non-promotion of 2 eligible officers to the office of <b>Agricultural Assistant III</b> because up-to-date Performance Appraisal Reports were not submitted.	6. yes	6. 05/12/06
	7. Non-promotion of eligible officer to the office of <b>Administrative Officer II</b> because up-to-date Performance Appraisal Reports were not submitted.	7. yes	7. 12/12/06
Ministry of Works & Transport	1. Offices of <b>Engineering Assistant</b> left vacant pending the receipt of up-to-date Performance Appraisal Reports.	1. -	1. 13/01/06
	2. Non-appointment of four officers as <b>Clerks I</b> , because up-to-date Performance Appraisal Reports were not submitted.	2. -	2. 14/03/06
	3. Non-promotion of eligible officer to the office of <b>Computer Operator II</b> because an up-to-date Performance Appraisal Report was not submitted.	3. yes	3. 04/08/06
	4. Non-permanent appointment of eligible officer to the office of <b>Computer Operator I</b> because an up-to-date Performance Appraisal Report was not submitted.	4. yes	4. 31/10/06

**MATTERS PENDING AT THE END OF 2006**

<b>Ministry</b>	<b>Abandonment of Office</b>	<b>Allegation of Misconduct</b>	<b>Court Charge/s</b>	<b>Ministry's Total</b>
Health	8	16	7	<b>31</b>
Agriculture, Land and Marine Resources	2	-	2	<b>4</b>
Works and Transport	1	4	5	<b>10</b>
Local Government	1	2	3	<b>6</b>
Finance	2	7	6	<b>15</b>
Judiciary	1	1	5	<b>7</b>
National Security	19	20	42	<b>81</b>
Legal Affairs	1	4	-	<b>5</b>
Education	7	2	2	<b>11</b>
Science Technology and Tertiary Education	-	-	1	<b>1</b>
Tobago House of Assembly	1	-	1	<b>2</b>
Sport and Youth Affairs	1	1	1	<b>3</b>
Social Development	1	-	-	<b>1</b>
Foreign Affairs	-	-	2	<b>2</b>
Trade and Industry	-	1	-	<b>1</b>
Public Administration and Information	-	1	1	<b>2</b>
Office of the Prime Minister	-	-	1	<b>1</b>
Public Utilities and Environment	-	-	1	<b>1</b>
<b>TOTAL MATTERS BY NATURE</b>	<b>45</b>	<b>59</b>	<b>80</b>	<b>184</b>

**Complaints received during the year 2006**

One hundred and fifteen matters were received during the year 2006. The nature of the complaints is shown hereunder:-

<b>Nature of Complaint</b>
Clarification of seniority position
Non-payment of salary
Non-selection for interview
Non-payment of acting allowance
Non-release to assume duty on promotion
Objection to the Chief Fire Officer's decision to have him examined by a Medical Board
Passed over for promotion
Passed over for acting appointment
Passed over for temporary appointment
Passed over for permanent appointment
Request for promotion
Request for acting appointment
Request for temporary appointment
Request for permanent appointment
Request for backdating of promotion
Request to be allowed to retire on grounds of marriage
Review of past service
Termination of acting appointment
Victimization



**STATUS REPORT ON JUDICIAL REVIEW MATTERS**  
**CONCLUDED IN 2006**

<b>NAME OF APPLICANT/OFFICE HIGH COURT ACTION NO.</b>	<b>JUDGEMENT</b>	<b>REMARKS</b>
1. Ganga-Persad Kissoon Assistant Commissioner of Valuations HCA No. S 261 of 2005	Application dismissed.	Mr. Kissoon has filed an appeal.
2. Cecilia Greaves-Smith Senior Human Resource Officer HCA No. CV 2006 - 00898	Application dismissed.	Mrs. Greaves-Smith has filed an appeal.
3. Winston Gibson Chief Technical Officer HCA 687 of 2005	Application dismissed.	Mr. Gibson has filed an appeal.
4. Geeta Ramdhan HCA No. CV 2006 - 00166	Dismissed with costs to the Applicant.	
5. Clive Timothy Nursing Assistant HCA No. 2646 of 2004	Oral Judgement in favour of Mr. Timothy with costs.	
6. Ann Marie Elbourne-County Acting Probation Officer II HCA No. CV 2005 - 00062	Claimant discontinued matter but was awarded costs.	
7. Claude Cowie Assistant Divisional Fire Officer HCA No. CV 2005 - 00492	Application withdrawn by Applicant. Respondent to pay half of Applicant's cost.	
8. Julien Francis Firefighter HCA No. 1085 of 2005	Dismissed with costs in favour of the Commission.	
9. Cordel Hector Firefighter HCA No. 1538 A of 2005	Dismissed with costs in favour of the Commission.	
10. Sheldon Euin Prisons Officer I HCA No. S – 1347 of 2004	Judgement in favour of Mr. Euin.	
11. Edwina Leacock Permanent Secretary HCA No. 1546 of 2002	Applicant withdrew application.	
12. Ashford Sankar & others Public Management Consultant II HCA No. CV 2005 - 00616	Judgement in favour of the Applicants.	The Commission has filed an appeal.

**Service Commissions Department Performance Standards**

- **TT Post Office Box must be cleared twice daily – a.m. and p.m. and mail delivered immediately to the Registry.**
- **Mail delivered by hand to Service Commissions Department Mail Desk must be taken to the Registry twice daily – 11.00 a.m. and 3.00 p.m.**
- **Envelopes marked ‘Urgent’ must be taken to the Registry immediately or to the particular Officer if so addressed.**
- **The particular Officer must forward correspondence to the Registry for registration no later than the day following receipt with appropriate instructions to Section.**
- **Mail delivered to the Registry must be date stamped and registered upon receipt and sent to Sections twice daily – a.m. and p.m. or immediately if marked “Urgent”**
- **Sections must acknowledge all mail from the Public within two (2) days of receipt in Section.**
- **Correspondence must be placed in the appropriate files within two (2) days of receipt failing which the Filing Clerk must bring the correspondence to the attention of Section Head. Urgent correspondence must be placed in files immediately and taken to Section Head.**
- **Additional information/reports required from Ministries and Departments to process the matter must be requested by Sections in writing and by telephone within one (1) week of receipt of correspondence.**
- **If the matter is urgent it should be brought to the attention of the Director of Personnel Administration.**
- **No more than two (2) weeks must be allowed for the submission of the additional information/reports. If not received by the given date correspondence must be returned to sender immediately with the advice to resubmit with the requested information/reports.**



- **Matters for consideration by the Commission must reach the Secretariat from Section Heads within two (2) weeks of receipt of correspondence by Sections except where additional information information/reports had to be requested. Urgent matters must be treated as such.**
- **Matters requiring consultation with the Prime Minister must reach the Secretariat within one (1) week of receipt by Section.**
- **Secretariat must place Notes on Agenda or Supplementary Agenda within a week of receipt in the Secretariat.**
- **Urgent Notes must be brought to the attention of the Chairman or Deputy Chairman for 'ad hoc' consideration or circulation to Commissioners 'Round Robin'.**
- **The Secretary must bring to the attention of the Chairman during the meeting decisions that require confirmation by the Commissions before they can be issued to Sections.**
- **The Commission must be provided with a date by which additional information/legal advice requested at meetings will be provided.**
- **Secretariat must release Files with the Commission's decisions within two (2) days of a Meeting or 'Round Robin' decision.**
- **Sections must communicate decisions of the Commission to the relevant Ministries/Departments or Individuals within two (2) days of receipt of the Commission's decision from the Secretariat.**
- **An additional day is allowed if vetting of the reply by the Legal Unit is required. Urgent matters must be treated accordingly.**
- **Sections must send out responses to other correspondence not requiring reference to the Commission within two (2) weeks of receipt of correspondence by Sections. Urgent matters should be treated as such.**
- **Mail to be posted or delivered must not remain in the Service Commissions Department longer than twenty-four (24) hours.**



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