

**OFFICE OF THE PRESIDENT**  
**PUBLIC SERVICE**  
**MANAGEMENT**

**CIRCULAR NO. 3/1999**

**REFERENCE NO. PS: 22/1/1<sup>VII</sup>**

FROM: Permanent Secretary,  
Office of the President  
Public Service Management

TO: All Permanent Secretaries,  
Heads of Departments and  
Regional Executive Officers

**SUBJECT:**

Payment of Salaries in the Public Service during  
period of Industrial Action, 1999

DATE: 1999-06-24

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As a result of the agreement signed with Government and Union Officials on Wednesday June 23, 1999, the Office of the President circular, Ref. No. 1/99 on the above subject, should be now interpreted as follows:

- (a) “The cardinal principle” relating to pay for workers on duty as against workers on unauthorized absence, be it for strike or other purposes, remains unquestionable. However, the period of industrial action – i.e. April 29 to June 23, 1999, should be treated according to Article 5 of the Terms or Resumption of Work Agreement.
  - (b) In case of striking workers salaries will be paid for the period they engaged in industrial action – such pay being recovered by deduction commencing from November 1, 1999, over a seven-month period in equal amounts excluding the month of December, 1999.
  - (c) The days persons were on strike and/or unauthorized absence must be accurately determined through the perusal and certification of appropriate records. Each striking Public Servant must be notified in advance of the total pay loss incurred by him/her prior to any deductions being made, ideally within the next two weeks.
  - (d) The appeals process outlined in the previous circular, 1/99 at Section (f) is still relevant and should be implemented as the need arises.
2. It was also agreed that there will be no victimization.
  3. In order to give effect to the Government’s undertaking that there would be no break in service of the personnel who were on strike during April to June, 1999, you are requested to provide this office by the 16<sup>th</sup> July, with a comprehensive return in the following format:

Ministry/Department/Region

| Name of Officer | Designation | Total No. of Days<br>On Strike | Period<br>From:<br>To: |
|-----------------|-------------|--------------------------------|------------------------|
|                 |             |                                |                        |

4. Please bring the contents of this Circular to the attention of all the relevant staff in your Ministries/Departments/Regions/Agencies and in particular the officers in your Personnel and Accounting Divisions/Units for appropriate action and response as requested.

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L. Parris  
For Permanent Secretary  
Public Service Management  
Office of the President

## OFFICE OF THE PRESIDENT

### MEMORANDUM

FROM : Head of the Presidential Secretariat

TO: **ALL PERMANENT SECRETARIES,  
HEADS OF DEPARTMENTS AND  
REGIONAL EXECUTIVE OFFICERS**

DATE: 1999-06-16

SUBJECT: **PAYMENT OF SALARIES IN THE PUBLIC SERVICE DURING  
PERIOD OF INDUSTRIAL ACTION 1999**

REF. No.: 1/99

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Consequent upon the discussions held at our meeting on 11<sup>th</sup> June, 1999, I set out hereunder for your information and guidance, the principles to be followed and other actions to be taken by you and the appropriate personnel and accounting officers in your Ministries, Departments and Regions in relation to the above mentioned subject:-

- (a) it is a cardinal principle in the Public Service and a condition of service that salaries should be paid only to workers on duty or who are absent from their jobs on the basis of prior permission or approval to be on leave with pay. It follows therefore that salary could not be properly paid to a worker who is absent from duty in a circumstance which does not accord with the above.
- (b) In the current circumstances of the industrial action being pursued by the Unions and some Public Service workers, there would be issues for determination **on the basis of agreements to be reached** between the Government and the Unions. One such issue would be the handling of the otherwise due payment of workers for the period (s) during which they were either absent without authorization or on strike. When this has been discussed and a decision reached, you will be advised how to treat the period of absence (s).
- (c) In the meanwhile, all unauthorized absence from work must be recorded and pay must be withheld for such absences.
- (d) Proper time books are to be kept and reviewed daily and made available for scrutiny by Cabinet Monitoring Officers.
- (e) The status of workers on strike must be determined daily and pay be withheld on that basis.
- (f) All representations or appeals against decisions made by you to withhold pay in respect of any worker who is or has been absent from duty without authorization or on strike must be referred with all relevant information and facts together with your recommendation and comments to Public Service Management, Office of the President, for examination and resolution.

2. Apart from the above, I consider that all Accounting Officers should peruse and study carefully the contents of their letters of appointment issued by the Ministry of Finance which outline in detail their duties, responsibilities and obligation to ensure that payment for goods and services are made upon their being fully satisfied that the goods have indeed been received or the services performed in a satisfactory manner.

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R. F. LUNCHEON, M.D.

