



**To: Institutes of Technology and Vocational Education Committees**

**CIRCULAR LETTER 0025/2008**

**Public Service Pension Reform  
Revised arrangements for certain part-time public servants**

**Introduction**

1. The Minister for Finance has announced the introduction of a change in the way in which the service and remuneration of part-time<sup>1</sup> public servants are to be reckoned for pension calculation purposes. The effect of the change will be that all eligible part-time public servants will have their occupational pensions calculated on the basis of pro rata service and a notional full-time salary. There will be a corresponding change in the method of calculating contributions where relevant. The change will result in a difference in pension benefit and contribution level for part-time public servants whose pensions are integrated with social welfare benefits (*ie* where the occupational pension is integrated with the State Pension (Contributory) to provide a combined pension. The State Pensions (Contributory) (or SPC for short) is formerly known as the Old Age Contributory Pension (OACP).
2. The opportunity is being taken to refer again to the Protection of Employees (Part-Time Work) Act 2001 and its implications for pension arrangements and to clarify certain issues concerning access to pension schemes and reckonability of previous service.
3. This Circular Letter is divided into four parts as follows-
  - Part A - Pro rata integration (page 2)
  - Part B - Access to pension schemes (page 8)
  - Part C - Reckoning of prior part-time service (page 16)
  - Part D - General issues (page 20).
4. All references to ‘public service pension scheme’ in Parts A, B and C of this Circular Letter should be read as ‘public service pension scheme, as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004’.

---

<sup>1</sup>For the purposes of this Circular Letter, the term ‘part time’ includes job-sharing and work-sharing arrangements.

### **Background**

5. The Commission on Public Service Pensions, as part of its terms of reference, had regard to claims for improvements to pension arrangements for part-time public servants, particularly with regard to access to pension schemes and with regard to the method of integration of occupational pensions with Social Insurance benefits.
6. Following consideration of the integration arrangements, the Commission recommended a change in the form of integration from full to pro rata integration for the pensions of part-time public servants. This recommendation was based on a number of factors, including the blurring of the distinction in the public service between job-sharing and part-time working, the general implications of European law in the area of part-time work and the need to accommodate atypical forms of working. This modification will result in improved occupational pensions for most part-time employees.
7. In *Budget 2004*, the Minister for Finance announced that the Government had decided to implement the bulk of the recommendations of the Commission on Public Service Pensions. Discussions were subsequently held with the Unions and on 14 September 2004, following Government approval, the Minister for Finance announced the introduction of certain key recommendations including the proposal for pro rata integration.
8. The Commission on Public Service Pensions, in its Final Report, also recommended that access to public service pension schemes should be granted to public servants in part-time work provided that they are in regular or quasi-permanent employment and that they work a certain minimum number of hours per week. This recommendation was overtaken by legislation and a legal basis for access to pension schemes for part-time employees was provided with effect from 20 December 2001 by the Protection of Employees (Part-Time Work) Act 2001 (hereinafter referred to as the Part-Time Act).

## **PART A: PRO RATA INTEGRATION**

### **Eligibility for pro rata integration**

9. To be eligible for the application of pro rata integration a person must–
  - (i) be serving in a public service body as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004<sup>2</sup>,

---

<sup>2</sup> Section 1(1) of the 2004 Act provides that “public service body” means–

- (a) the Civil Service,
- (b) the Garda Síochána,
- (c) the Permanent Defence Force,
- (d) a local authority for the purposes of the Local Government Act 2001,
- (e) a health board,
- (f) a vocational education committee established under section 7 of the Vocational Education Act 1930,
- (g) a body, other than a body set out in *Schedule 1*–

- (ii) have an appropriate full-time comparator in the same body,
  - (iii) be a member of the appropriate pension scheme of that body and that scheme is a public service pension scheme (see Part B on pages 9-16 below), and
  - (iv) have paid or undertaken to pay all relevant contributions<sup>3</sup>.
10. The Department of Education and Science should be consulted in any case where it appears that a part-time employee does not have a wholetime comparator.
11. In the case of part-time non-officers who are currently serving in VECs or Institutes, or who have served in such grades since 1 April 1996, where there is no appropriate wholetime comparator, pension will be based on actual pensionable remuneration and on treating each year of part-time service as a year of service for pension purposes.
12. Former part-time public servants of VECs and Institutes of Technology who retired before this Circular Letter issued, met the eligibility criteria outlined in paragraph 9 above at the time of their retirement and whose pensions were (or would have been) subject to integration, will have their pension position reviewed with effect from 20 December 2001 or the date of their appointment if later. Date of appointment is necessary as the revision will apply to both benefits and contributions. The new method of pro rata integration, applicable from 20 December 2001, will apply only to the pension which has been awarded – the retirement gratuity, unlike the pension, is not subject to integration.

- 
- (i) established by or under any enactment (other than the Companies Acts 1963 to 2003), or
  - (ii) established under the Companies Acts 1963 to 2003 in pursuance of powers conferred by or under another enactment, and financed wholly or partly by means of moneys provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government,
- and in respect of which a public service pension scheme exists or applies or may be made,
- (h) any body, other than a body set out in *Schedule 1*, wholly or partly funded out of moneys provided by the Oireachtas or from the Central Fund or the growing produce of that Fund and in respect of which a public service pension scheme exists or applies or may be made,
  - (i) any subsidiary of a body to which *paragraph (d), (e) or (g)* relates and in respect of which a public service pension scheme exists or applies or may be made,

and reference to “public service” shall be read accordingly;

<sup>3</sup>See paragraph 33(a) for details.

### **Application of pro rata integration**

13. Under current public service pension arrangements for part-time employees, pension benefits are based on actual pensionable remuneration and on treating each year of part-time service as a full year of service for pension purposes<sup>4</sup>. Contributions are based on actual pensionable remuneration<sup>5</sup>.
14. Under the revised arrangements introduced by this Circular Letter, pension benefits will be based on notional full-time pensionable remuneration and on actual service worked expressed as a proportion of full-time attendance. Contributions will be based on notional full-time pensionable remuneration and the work-sharing/part-time attendance pattern expressed as a proportion of full-time attendance. Integration with social welfare benefits, where applicable, will then take place on the same basis as for full-time public servants.
15. In the case of retired public servants who qualify under paragraph 12 above, the pensionable remuneration and the SPC rate applicable at the time of retirement should be used to recalculate the occupational pension which would have been due had pro rata integration applied at the time. The resulting pension amount should then be uprated in the normal way and any increase in benefit paid with effect from 20 December 2001 (or the date of their retirement, if later). The difference between the contributions already paid during part-time service and the pro rata contributions which have become due in respect of such part-time service, is payable by the retired public servants.
16. The following examples show the effect of the revised arrangements on **pension benefits** for a public servant who was serving and retired in 2001 and worked a three-day week (i.e. 60% of full-time) for 40 years, with a final actual annual pensionable remuneration of €12,000:

#### **Example A – benefits not integrated with Social Welfare benefits**

|                          | <u>Current method</u> | <u>Revised method</u>          |
|--------------------------|-----------------------|--------------------------------|
| Service                  | 40 years              | 24 years (40 years x 3/5)      |
| Pensionable remuneration | €12,000               | €20,000 (wholetime equivalent) |
| Occupational Pension     | € 6,000               | € 6,000                        |

Outcome:        **No Change**

---

<sup>4</sup>with the exception of 'jobsharers' who are currently subject to pro rata arrangements.

<sup>5</sup>calculation of contributions on a pro rata basis is already currently being applied on an administrative basis in many areas of the public service.

### **Example B – benefits integrated with Social Welfare benefits**

|                              | <u>Current method</u> | <u>Revised method</u> |
|------------------------------|-----------------------|-----------------------|
| Service                      | 40 years              | 24 years              |
| Pensionable remuneration     | €12,000.00            | €20,000.00            |
| Less twice SPC <sup>6</sup>  | <u>€14,045.81</u>     | <u>€14,045.81</u>     |
| Net pensionable remuneration | € 0.00                | € 5,954.19            |
| Occupational Pension         | € 0.00                | € 1,786.26            |

Outcome:        **Increase of €1,786.26** (€34.23 per week)

In example B, the person may, depending on their social welfare contribution history, also be entitled to the State Pension (Contributory).

17. The following examples show the effect of the revised arrangements on **pension contributions** for a public servant who was serving in 2001 and who worked a three-day week (i.e. 60% of full-time), with an annual pensionable remuneration of €18,000<sup>7</sup>:

### **Example 1 – benefits not integrated with Social Welfare benefits**

|                                   | <u>Current method</u> | <u>Revised method</u> |
|-----------------------------------|-----------------------|-----------------------|
| Pensionable remuneration (A)      | €12,000.00            | €20,000.00            |
| <u>Contributions:</u>             |                       |                       |
| Pension (3.5% of A)               | €420.00               | €420.00 (€700 x 60%)  |
| Lump Sum (1.5% of A)              | €180.00               | €180.00 (€300x 60%)   |
| Spouses' & Children's (1.5% of A) | €180.00               | €180.00 (€300x 60%)   |

Outcome:        **No Change**

### **Example 2 – benefits integrated with Social Welfare benefits**

|                                  | <u>Current method</u> | <u>Revised method</u> |
|----------------------------------|-----------------------|-----------------------|
| Pensionable remuneration (A)     | €12,000.00            | €20,000.00            |
| Less twice SPC <sup>8</sup>      | <u>€14,041.81</u>     | <u>€14,041.81</u>     |
| Net pensionable remuneration (B) | € 0.00                | € 5,954.19            |

<sup>6</sup>Rate in April 2001 (payable to a single adult with no dependant).

<sup>7</sup>In the case of contributions, integration would normally be applied on a regular basis i.e. based on the salary payment frequency, therefore the salary and SPC rates would generally vary over a full –year period.

<sup>8</sup>Rate on 7 January 2001 (payable to an unmarried adult with no dependant).

Contributions:

- (i) For persons whose pensions were integrated before April 1995 (ie non-officer grades):

|                                      |         |                         |
|--------------------------------------|---------|-------------------------|
| Pension (3.5% of B)                  | € 0.00  | €125.04 (€208.40 x 60%) |
| Lump Sum (1.5% of A)                 | €180.00 | €180.00 (€300 x 60%)    |
| Spouses' & Children's<br>(1.5% of B) | € 0.00  | € 53.59 (€89.31 x 60%)  |

Outcome: **Increase of €178.63** (€3.42 per week)

- (ii) For persons who have commenced employment in officer grades since 6 April 1995:

|  |         |                         |
|--|---------|-------------------------|
| Pension (3.5% of B)                    | €0.00   | €125.04 (€208.40 x 60%) |
| Lump Sum (1.5% of A)                   | €180.00 | €180.00 (€450 x 60%)    |
| Spouses' and Children's<br>(1.5% of A) | €180.00 | €180.00 (€450 x 60%)    |

Outcome: **Increase of €125.04** (€2.40 per week)

18. It should be noted that there will be no change in the contributions of serving job-sharers (ie persons undertaking 50% of wholetime hours under an approved job-sharing scheme) whose pensions are integrated. The method outlined in previous circulars of calculating the integrated portion of the contribution by deducting ONCE the rate of SPC from pay produces the same result as the more general method outlined above. The contribution payable by the job-sharer will remain half of the contribution which would be payable if the job-sharer had remained in wholetime service. More detailed examples are given in **Appendices 1 to 4**.
19. In the case of public servants who fall within the scope of this Circular Letter but who retired before it issued, where the application of the revised pro rata integration formula would result in a lower pension than that which is already in payment, the revised method of calculation should not be applied.

**Worksharers who retired between 1 June 2001 and 19 December 2001**

20. The Pensions Section of the Department should be consulted in any case where a person who was work-sharing<sup>9</sup> retired, or resigned with preserved benefits, in the period from 1 June to 19 December 2001.

**Common approach to non-officers and officers**

21. The same method of reckoning part-time service will apply in the case of all part-time public servants of VECs and Institutes of Technology who are given access to pensionability on the basis of this Circular Letter; *ie* there will be no distinction between officers and non-officers in terms of reckoning part-time

---

<sup>8</sup>work-sharing under the terms of an approved work-sharing arrangement after June 2001.

service. Part-time service will be aggregated on an actual service basis; *eg* if a part-time employee is contracted for 40% of the comparable full-time hours for the period 1 January 2004 to 30 June 2004, the service credit will be 0.1984 years (40% of 0.4959, the decimal representing the actual period in question). Because there are some differences in access dates and other terms between the former officer and non-officer streams, it is necessary to continue to use the terms “officer” and “non-officer” in this Circular Letter for the purposes of clarification.

**Death in service/ill-health situations**

22. The approach to be used in the case of death-in-service/ill-health situations is still under consideration. In the interim, any such cases should be referred, in writing to the Pensions Section of the Department of Education and Science. The address is at the end of this Circular Letter.

**Spouses’ and Children’s pensions**

23. The revision of retirement pension entitlement may give rise to new or enhanced Spouses’ and Children’s entitlement. It will be necessary for Institutes/VECs to make every reasonable effort to identify such cases to ensure that the spouse and/or children receive appropriate entitlements under the Spouses’ and Children’s Schemes.
24. (a) The terms of paragraph 12 of the Department’s Circular 1/96 in relation to vocational teachers (and similar arrangements in the case of officers generally of VECs and Institutes of Technology) will continue to apply where appropriate. In applying these terms, notional full-time pensionable remuneration should be used with effect from 20 December 2001.
- (b) Paragraph 12 of Circular 1/96 provides that the Spouses’ and Children’s pension payable in respect of a deceased teacher who was in Class A PRSI but paid a full contribution towards the Spouses’ and Children’s Scheme (*ie* a contribution at the rate of 1.5% of gross pay) should be calculated by deducting ONCE the maximum personal rate of SPC from the pensionable remuneration of the deceased.
- (c) An integrated contribution, rather than a full contribution, towards the Spouses’ and Children’s Scheme applies in the case of non-officers.
- (d) Non-officers pay an integrated contribution to the Spouses’ and Children’s Scheme. Therefore, Spouses’ and Children’s Pensions in respect of the integrated service – or in respect of all service where the deceased opted not to preserve prior service (*ie* to combine rather than split his or her pension between pre-6 April 1995 and post-6 April 1995 service or between new entrant and non-new entrant service) – are to be calculated by deducting TWICE the maximum personal rate of SPC from the pensionable remuneration of the deceased.

### **Interaction with other Public Service Pension Reforms**

25. The pro rata integration method outlined is effective from 20 December 2001. The Revised Integration method, which is set out in Department of Finance Circular 19/05 and which also forms part of the overall Public Service Pension Reform arrangements, should be used with effect from 1 January 2004. In applying that revised method of integration to the pensions of part-time employees, notional full-time pensionable remuneration and actual service worked expressed as a proportion of full-time attendance should be used as appropriate.

## **PART B: ACCESS TO PENSION SCHEMES**

### **Eligibility for access - public service schemes generally**

26. In light of the recommendations of the Commission on Public Service Pensions regarding access for part-time employees in the public service, the Protection of Employees (Part-Time Work) Act 2001 and pension reform generally, the Department of Finance has now reviewed the position. In relation to public service pension schemes other than the Civil Service Schemes, the Department of Finance has decided that, with effect from the commencement date (normally 20 December 2001), Departments may, at their discretion, apply a threshold lower than that specified in the Part-Time Act or no threshold should they wish, in respect of access to schemes. Departments are also given the discretion to waive the requirement to have a full-time comparator in the same body for access to those schemes from the commencement date should they wish.

### **Eligibility for access - Department of Education and Science schemes**

27. (a) In exercising this discretion and subject to paragraph (b), the Department of Education and Science will not require a minimum number of hours for access to the Vocational Teachers or Education Sector Superannuation Schemes but will require that the part-time employee have an appropriate full-time comparator in the same body. The Department of Education and Science has agreed with the Department of Finance that this will apply from 1 September 2001 in respect of institutions which operate on the basis of an academic year (including VECs and institutes of technology). The Department of Education and Science should be consulted in any case of doubt as to whether an employee has an appropriate full-time comparator.
- (b) Part-time public servants of VECs and Institutes of Technology who are in non-officer grades may, provided they are giving service on the date of issue of this Circular Letter, or at any time between 1 April 1996 and such date, be admitted to pensionability even where they do not have an appropriate full-time comparator in the same body (see paragraph 28 for further information).

**Exceptional provisions for public servants currently serving in non-officer grades in VECs and Institutes or who have served in such grades since 1 April 1996**

28. (a) Local authorities, including VECs and Institutes of Technology, were notified by Department of Environment Circular S.11/96 of 24 July 1996 that it had been agreed that part-time non-officers could join the Local Government Superannuation Scheme (LGSS) with effect from 1 April 1996 on the same basis as it applied to wholetime non-officers. Circular S.11/96 did not specify a minimum hours threshold nor did it specify that the part-time non-officer must have a wholetime comparator in order to be admitted to pensionability.
- (b) It has therefore been decided that all part-time non-officers serving in VECs or Institutes of Technology on the date of issue of this Circular Letter or at any time between 1 April 1996 and such date, may be admitted to pensionability, with effect from 1 April 1996 or date of appointment, if later, and without a minimum hours threshold or reference to a wholetime comparator. A comparator is required before pro rata can be applied to the pension calculation of a part-time employee.
- (c) Part-time non-officers appointed (or reappointed following resignation) on or after the date of issue of this Circular Letter will, in common with other part-time public servants, be required to have an appropriate wholetime comparator in the same body in order to be admitted to pensionability.

**Academic public servants**

29. In the case of academic public servants (whether part-time or full-time), under the terms of Circular Letter 0024/08, with effect from 1 September 2001 the Department of Education and Science will not require that such public servants be qualified in order to gain access to the Pension Schemes. This does not in any way amend or replace the Department's position on schools employing people with the appropriate qualifications. There is longstanding and consistent public policy position that in all cases fully qualified teachers should fill teaching positions in all sectors and that it is only in exceptional circumstances, where there is an unavoidable supply constraint, that a person not fully qualified can be employed in publicly funded positions in schools.

**Public service schemes generally – compulsory/optional membership**

30. (a) For the purposes of public service pension schemes other than the Civil Service Scheme, the Department of Finance has decided that serving part-time public servants or former part-time public servants who were serving at the time of the commencement of the Protection of Employees (Part-Time Work) Act 2001, who meet the requirements for membership and who have not yet been given access to the appropriate pension scheme, must now be given the opportunity to join with effect from that date or their date of appointment if later. In the case of VECs and institutes of technology, therefore, former part-time public servants who were serving on or after 1 September 2001 must be given an option now to join the relevant pension scheme with effect from that date or date of appointment if later.

- (b) It is at the discretion of Departments, having regard to the rules and/or arrangements in the relevant pension schemes where appropriate, as to whether membership is made compulsory for serving public servants or whether such public servants are given the option of retaining their present arrangements (see paragraphs 32(a)(iv) and (b)(ii) for further information on relevant present arrangements). Departments have been advised that, in exercising this discretion in a particular way, they should bear in mind that it is not intended that providing access to a pension scheme would result in serving public servants being in a less favourable position than under current arrangements.
31. Departments have also been advised that, in offering options to public servants, it is essential that information be provided as to the pension benefits available under the relevant scheme, the level and amount of contributions payable and the time limits for exercising the option. It should be made clear to public servants that, once the relevant time limit has expired, the option will no longer be available. It should also be made clear to public servants that once an option has been exercised it cannot be amended or revoked.

**VECs and Institutes of Technology – optional membership for serving/former public servants**

32. The position with regard to membership of the pension scheme (Vocational Teacher's Scheme or Education Sector scheme as appropriate) for serving/former part-time public servants is as follows:
- (a) Officer grades
- (i) Part-time officers who were not eligible for membership prior to the issue of this Circular Letter but who now meet the requirements for membership must be given the option of either–
- (I) joining the pension scheme under the new arrangements set out in this Circular Letter with effect from 1 September 2001 or the date of appointment/commencement of employment if later, or
- (II) of retaining their present arrangements.
- This includes serving part-time officers and former part-time officers who were serving on or after 1 September 2001 and who have since retired/resigned as part-time officers.
- (ii) Part-time officers who were in membership of the pension scheme prior to the issue of this Circular Letter and who have since retired/resigned as part-time members must be given the option of joining the scheme as revised or of retaining their present arrangements. This includes serving part-time members and former part-time members who were serving on or after 1 September 1996 (in the case of academic public servants) or 1 September 2001 (non-academic public servants).

- (iii) Any part-time public servants who have been admitted to pensionability having regard to the terms of the Protection of Employees (Part-time Work) Act 2001, and in accordance with Circulars PEN 19/03 (VECs) or PEN 20/03 (Institutes of Technology), must be given the option of joining the revised scheme or retaining their present arrangements.
- (iv) The present arrangements may consist of–
  - (I) entitlement to payment of a non-pensionable gratuity, or
  - (II) in the case of part-time public servants who opted to join the relevant Scheme in accordance with Circular PEN 30/99 (academic public servants of VECs) or Circular PEN 16/02 (academic public servants of Institutes of Technology), payment of pension benefits and contributions on the terms set out in the relevant Circular Letter, which are significantly different from the revised terms now on offer.

**Where, on or after the date of this Circular Letter, a part-time officer opts to remain under the present arrangements and subsequently becomes wholetime, in order to reckon his or her previous part-time service on a pro rata basis, he or she must pay the appropriate pro rata contributions.**

The present arrangements also provide that contributions for prior service, *ie* service given prior to the date from which ongoing membership of the scheme is deemed to commence, may not be paid until the officer has been appointed to a permanent post or acquired a contract of indefinite duration and that, failing such appointment or acquisition, contributions for prior service will be paid at the time of retirement or death.

Examples contrasting the current existing arrangements with the revised terms are, in the case of officers, given in Appendices 1 and 2.

- (b) Non-Officer Grades
  - (i) Every person who–
    - (I) is serving as a part-time non-officer on the date of issue of this Circular Letter, or
    - (II) is a former part-time non-officer who was serving on or after 1 April 1996 and who have since retired/resigned as part-time non-officers,

and who meets the requirements for membership must, with effect from 1 April 1996 or the date of appointment/commencement of employment (if later), be given the option of either–

- (I) joining the scheme, (as revised by the pro rata integration terms set out in Part A of this Circular AND the new method of calculating co-ordinated pensions set out in Department of Finance Circular 19/05), or
  - (II) retaining their present arrangements.
- (ii) The present arrangements may consist of–
- (I) entitlement to payment of a non-pensionable gratuity or,
  - (II) in the case of non-officers who opted to join the Scheme in accordance with Circular S.11/96, payment of pension benefits and contributions on the terms set out in that Circular Letter, which are significantly different from the revised terms now on offer.

This position arises from the fact that Circular Letter S.11/96 of the Department of the Environment provided for membership of the LGSS for part-time non-officers with effect from 1 April 1996 and did not specify a closing option date.

**As an exceptional measure, therefore, an option must be given to all part-time or former part-time non-officers serving on or after 1 April 1996, including those who were admitted to membership on foot of circular letter S.11/96.** As regards the latter group, this means that any part-time non-officer who was made pensionable by virtue of circular S.11/96 will be entitled to retain his or her existing membership of the Education Sector Scheme (formerly included in the LGSS) or become a member subject to the revised terms now on offer.

- (iii) The existing form of membership involves payment of pension contributions in respect of part-time service based on actual part-time pay. It, therefore, involves payment of pension benefits based on actual part-time pay at retirement and pensionable service where one full year is credited for each reckonable part-time year. In the example given in Appendix 3, it will be noted that the non-officer's retirement pension comes to €0.00 per week under the existing form of membership, but comes, under the revised terms, to €25.35 per week from 20 December 2001 under the pro rata integration method and to €46.00 per week from 1 January 2004 under the new method of calculating integrated pensions set out in Department of Finance Circular 19/05. The additional contribution payable by the non-officer in question under the revised terms would come to €2.53 per week (see Appendix 4).

- (iv) **Where, on or after the date of this Circular Letter, a part-time officer opts to remain under the present arrangements and subsequently becomes wholetime, in order to reckon his or her previous part-time service on a pro rata basis, he or she must pay the appropriate pro rata contributions.**
- (c) Non-pensionable Gratuity, (officers and non-officers)
- (i) As has been outlined, a part-time employee who is not currently in membership of the pension scheme (and who is eligible to join the scheme) will have the option of joining the scheme as revised, and paying the appropriate contributions, or of retaining his or her existing entitlement to payment of a non-pensionable gratuity.
- (ii) A non-pensionable gratuity consists of one week's pay, calculated on the basis of pay rates at the time of retirement, for each year of reckonable service up to 15 years plus two weeks' pay for each year of reckonable service over 15 years. For the purposes of calculating the gratuity, each year of reckonable part-time service is counted as a year of reckonable service. The gratuity is non-contributory.
- (iii) A comparison of a non-pensionable Gratuity with superannuation entitlements is outlined in Example C in Appendix 5.

**Membership - General**

33. Where more favourable arrangements than those outlined in paragraphs 26 to 32 above currently apply they will not be affected.

**New appointees – Compulsory Membership**

34. Subject to existing contractually binding arrangements, membership of the Vocational Teachers and Education Sector Superannuation Schemes will be compulsory in the case of all part-time public servants who are eligible for membership and are appointed on or after the date of this Circular Letter. It is emphasised that, in the case of all public servants appointed on or after this date, including non-officers, eligibility includes the requirement that the part-time employee have an appropriate full-time comparator in the same body.
35. The provisions for the payment of non-pensionable gratuities are discontinued in the case of persons admitted to membership of the pension scheme as a result of this Circular Letter.
36. In accordance with the Occupational Pension Schemes (Disclosure of Information) Regulations 2006 (SI No. 301 of 2006), new appointees should be made aware of the terms of membership of the relevant pension scheme and also of their possible options regarding transfer of service between public sector employers and/or a refund of contributions, where applicable.

**Membership conditions**

37. The admission of part-time public servants to membership of the Vocational Teachers and Education Sector Superannuation Schemes, as revised by this

Circular Letter, will be subject to the relevant scheme rules, as amended by this Circular Letter, and to the following:

- (a) payment of appropriate contributions, on a pro rata basis (see paragraph 13), in respect of reckonable service in accordance with existing scheme rules, subject to the following arrangements:
  - (i) **officers** (academic public servants admitted or eligible for admission to membership in accordance with Circulars 30/99 or PEN 16/02) - in respect of reckonable service given on or after date of admission, not being earlier than 1 September 1996, at the salary and SPC rates appropriate to the period in question.
  - (ii) **officers** (other than academic public servants admitted or eligible for admission to membership in accordance with Circulars 30/99 or PEN 16/02) - in respect of service given on or after 1 September 2001, at the salary and SPC rates appropriate to the period in question.
  - (iii) **non-officers** – in respect of service given on or after 1 April 1996, at the salary and SPC rates appropriate to the period in question.

See Part C in respect of service given by–

- (i) officers before date of admission (certain academic public servants, as set out above) or before 1 September 2001 (others), as appropriate, or
  - (ii) non-officers before 1 April 1996;
- (b) repayment of any additional remuneration or other benefits received in lieu of pensionability (at current rates);
  - (c) the hours worked being recorded and verifiable;
  - (d) in the case of academic public servants, be teaching a programme of education approved by the Department of Education and Science (in the case of VECs) or the Higher Education Authority (in the case of IoTs),
  - (e) the waiving of entitlement to a non-pensionable or part-time gratuity where this applies; and
  - (f) the service not being used to calculate any other superannuation entitlement or not having been transferred.

**Time limits**

- 38. The option of access to the pension schemes offered on foot of paragraph 37 above will be available for a period of 15 months after the date of this Circular Letter. In the case of former part-time eligible public servants who had retired before the date of this Circular Letter, the ‘back’ contributions must be paid at the time of opting into the pension scheme. For a serving public servant, the

arrangements at paragraph 37(a) regarding payment of ‘back’ contributions will be available for a period of 30 months following the date on which he or she is notified of the amounts falling due. The payment in this period can be made by way of lump sum or instalment. If the full liability is not discharged by that date, the outstanding liability will be determined by the salary/SPC rates applicable on the date of payment. If the full outstanding liability is not discharged by the date of retirement, it will be offset against the lump sum payable on retirement (based on the salary and SPC rates applicable on that date).

**Crediting of part-time service given since 1 September 2001 (officers) or 1 April 1996 (non-officers).**

39. For the purposes of crediting part-time service, a distinction needs to be made between academic public servants and non-academic public servants

(a) Non-academic public servants

Part-time service should be credited on a pro rata basis to comparable wholetime service. Where, however, no appropriate wholetime comparator exists – a situation which may apply only in the case of non-officers appointed before the date of this Circular Letter – each week of part-time service should be credited as a week of pensionable service and superannuation benefits will be based on actual pay at retirement.

(b) Academic public servants

The crediting of part-time service in the case of academic public servants is complex and, in the case of part-time service given prior to 1 September 2001, is dealt with in Circular 30/99 (VECs) and in Circulars PEN 16/02 and PEN 09/04 (Institutes of Technology). In the case of service given on and after 1 September 2001, the following arrangements will apply, having regard to the introduction of pro rata pay (with effect from 20 December 2001) and the provisions surrounding casual and non-casual contracts of employment.

VECs        Credit all part-time service given in the academic year out of 735 hours.

Institutes    (1) Service attracting pro rata pay

Credit part-time service given in the academic year, where such service attracts pro rata pay,

(a) out of 560 hours where the comparator is a Lecturer, or

(b) 630 hours where the comparator is an Assistant Lecturer;

(2) Service attracting the part-time hourly rate

Credit part-time service given in the academic year, where such service attracts the part-time hourly rate, out of 630 hours.

**Preservation of benefits and refund of Contributions.**

40. Where pension contributions have been paid, they will be refundable only where the member has less than 2 years service and has not qualified for benefits under the Scheme. A member who has paid contributions for at least 2 reckonable years will have his or her pension benefits preserved until age 60 or, in the case of a new entrant to the public service (as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004), age 65.
41. What constitutes 2 years for preservation purposes will depend on the nature of the teacher's employment.

(a) Fixed-term contract

In the case of a person who is working on a formal contract basis, the preservation period is 2 calendar years or 730 days (365 x 2 = 730 days). A person with a formal contract will have a start and end date. So, the contract period will determine how many days service they have. Once a contract, either by itself or in combination with one or more other contracts, reaches 2 years, then the person will qualify for a preserved benefit. This 2 year period is 2 calendar years as the contracts will cover at least certain holiday periods, unlike that for casual workers.

*Example 1*

A lecturer was on a 1 year contract running from 1 September 2002 to 31 August 2002. She then gets a second 1 year contract running from 1 September 2005 to 31 August 2006. She will have 2 years service for preservation purposes and so has a preserved benefit. Provided that she was not refunded her contributions in respect of the first period of service, she is not entitled now to a refund of contributions.

*Example 2*

A teacher was on a contract running from 1 September 2005 to 31 May 2006. He then gets a second contract from 1 September 2006 to 31 May 2007. He has worked 546 days and therefore has worked almost 1.5 years and so does not have a preserved benefit at the end of the second contract. Another 184 days will be needed in order for him to reach 730 days in total and so entitle him to a preserved benefit. He is entitled to a refund of contributions at the moment.

(b) Casual basis

In the case of a person who is working on a casual basis (*eg* substitute), the preservation period is 2 years of "possible working days" credit. Possible working days will depend on the person's position. A casual/substitute teacher is not employed for weekends or holidays, the maximum days that he or she can achieve in a school year is 167 days (5 days a week x 33.4 working weeks in the school year = 167 days). Therefore, a casual/substitute teacher must achieve 334 days (167 x 2) in order to qualify for preserved benefits. In the case of an institute of technology lecturer the maximum achievable is 175 days in a year (5

days x 35 working weeks). On this basis, the relevant preservation periods are as follows:

|     |                                   |          |
|-----|-----------------------------------|----------|
| VEC | Teachers                          | 334 days |
| IoT | Lecturers and Assistant Lecturers | 350 days |

The preservation period for other staff may be different and their preservation period will be determined by the number of “possible working days” in a year multiplied by 2.

Each day on which a casual worker works will be counted as a full day for preservation purposes, regardless of the length of time they work on that day. So, a day is awarded whether he or she works a full day or part of a day; *ie* a teacher who works 40 minutes in one day is awarded one day for the purposes of qualifying for preserved benefits only. Equally, a teacher who completes 4 hours in various schools in one day may still only receive 1 days credit for preservation purposes.

So, for casual part-timers, the number of days in which they worked (as opposed to how much time they worked on any given day) will be counted and if this is equivalent to 2 years then they will qualify for preservation purposes.

It should be noted that a person cannot, for preservation purposes, have reckoned more than 5 days in a week.

This will ensure fair treatment as far as possible between casual workers and full-time and regular part-time workers.

*Example*

A teacher working on a casual basis teaches for the following periods in January 2007.

|      |         |             |
|------|---------|-------------|
| 15/1 | Science | 40 minutes  |
| 17/1 | Science | 80 minutes  |
| 17/1 | Maths   | 40 minutes  |
| 19/1 | Science | 40 minutes  |
| 25/1 | Maths   | 120 minutes |
| 30/1 | Science | 40 minutes  |

This qualifies for 5 days service for preservation purposes. The fact that a teacher may work for different periods on different days does not affect this. Equally, if a teacher taught in more than one school on a given day, it cannot count for more than one day. So, if a casual teacher works for any length of time on a school day, he or she is entitled to have that day counted for preservation purposes.

(c) Refund of contributions

A teacher who has achieved 2 years service for preserved benefits as outlined above may not receive a refund of contributions. A teacher with less than 2 years may apply for a refund.

**Reinstatement of service which has become non-reckonable because of a refund of contributions – Revised provisions.**

42. Where a member, on resuming pensionable service on or after the date of this Circular Letter, wishes to reinstate a period of service in respect of which contributions have been refunded, the following provisions will apply.
43. Where the period of service in question has been given entirely since 1 September 2001 or, in the case of a non-officer, entirely since 1 April 1996, the period will be re-instated through paying contributions on the basis of permanent whole-time equivalent pay rates current at the time of payment.
44. Where the period to which the refund relates includes service given prior to 1 September 2001 or, in the case of a non-officer, includes service given prior to 1 April 1996, the service in question will be reinstated through repayment of the sum refunded, together with compound interest—
  - (a) in respect of the period between date of payment and 13 November 2000 at the following rates—
    - (i) 7% per annum in respect of so much of the refund as pertains to service given prior to 1 January 1984, and
    - (ii) 6% per annum in respect of so much of the refund as pertains to service given on or after 1 January 1984, and
  - (b) in respect of the period between 14 November 2000 or date of payment, whichever is the later, and date of repayment, at the rate of 4% per annum of the total amount of the refund.
45. VECs and Institutes of Technology are reminded that the method of charging compound interest set out in paragraph 44 above, and the relevant interest rates, are in accordance with Circular PEN 15/05 issued on 20 May 2005.

## **PART C: RECKONING OF PRIOR PART-TIME SERVICE**

### **Part-time service given prior to 1 April 1996 by part-time Non-officers**

### **Part-time service given by part-time Officers prior to date of admission (certain academic public servants) and prior to 1 September 2001(others)**

46. The Part-Time Act did not make specific provision for the reckoning (for pension purposes) of part-time service served prior to the date of the introduction of the Act.
47. In the case of full time public servants with previous part-time service, the general practice is that, with effect from a certain date (normally in the 1970s) prior part-time service of more than 18 hours per week is reckonable subject, in most instances, to the person being made permanent.

### **Part-time service given prior to 27 May 1977**

48. The schemes which are applicable to VECs and Institutes of Technology provide that prior part-time service (of at least 18 hours in any week in the case of non-academic public servants) given before 27 May 1977 is reckoned as to one half of comparable full time service, regardless of how many hours were actually worked, whereas after that date it is reckoned on a proportionate basis.

### **Part-time service given between 1977 and 1996 or 2001 (as appropriate)**

49. This Circular Letter is now clarifying and amending how prior part-time service in VECs and Institutes of Technology is to reckon for part-time public servants who have access, or who are now gaining access, to the pension schemes applicable to the VECs and Institutes of Technology. Prior part-time service is defined as–
- (a) **Non-officers** – Reckonable service given prior to 1 April 1996;
  - (b) **Officers** (other than academic public servants admitted to membership in accordance with Circulars 30/99 or PEN 16/02) – Reckonable service given prior to 1 September 2001;
  - (c) **Officers** (academic public servants admitted to membership in accordance with Circulars 30/99 or PEN 16/02)–
    - (i) Reckonable service given prior to 1 September 1996 or date of admission, whichever comes later, or
    - (ii) Reckonable service given following initial date of admission which is not pensionable on an ongoing basis (because, for example, the teacher/lecturer’s contract of employment has been changed from Eligible Part-time to payment at the Part-time Hourly Rate).

**Part-time service given since 1996 or 2001 (as appropriate)**

50. Under the Scheme as revised all part-time service, whether followed by wholtime service or not, will be reckoned on a pro rata basis to comparable wholtime service. For a person who is admitted to the Scheme, as revised, prior part-time service which is reckonable in accordance with existing scheme rules may be reckoned (expressed in terms of its wholtime equivalent), subject to the following:
- (a) payment of appropriate ‘back’ contributions, subject to the following arrangements:
    - (i) **Non-officers** – in respect of service given prior to 1 April 1996, at the wholtime salary and SPC rates appropriate on 1 April 1996;
    - (ii) **Officers** – in respect of service given prior to date of admission or given following initial date of admission but not pensionable on an ongoing basis (certain academic public servants) or given following 1 September 2001 (officers other than such academic public servants), as appropriate, at the (wholtime) salary and SPC rates appropriate on 20 December 2001 (unless the existing, long-standing arrangements would be more favourable – see paragraph 56);
  - (b) repayment of any additional remuneration or other benefits received in lieu of pensionability (at current rates);
  - (c) the hours worked being recorded and verifiable;
  - (d) the waiving of entitlement to a non-pensionable or part-time gratuity (where this applies) and
  - (e) the service not being used to calculate any other superannuation entitlement or not having been transferred.

**Reckonability of Part-time Service (Officers and Non-officers)**

Part-time service given before 27 May 1977

51. There is no change in the existing arrangements which apply to part-time service given before 27 May 1977. Taking that date into account, and given that comparable wholtime service means service given by an appropriate wholtime comparator, the following provisions will apply in the case of VECs and Institutes of Technology.
52. There is no change in the provisions which apply to part-time service given before 27 May 1977, whether given by officers or non-officers (*ie* such service will, provided it meets the relevant threshold, be reckoned as one half of comparable wholtime service).

Part-time service given between 27 May 1977 and 31 March 1996

53. The threshold in the reckonability of part-time service in a non-officer post given in the period from 27 May 1977 to 31 March 1996 is reduced from 18 hours per week (which applied to service given before 27 May 1977) to 10 hours per week (the minimum requirement for the reckonability of part-time service for purposes of payment of a non-pensionable gratuity to eligible public servants employed by certain education sector bodies, including VECs and Institutes of Technology). Reckonable service will continue to be credited on a pro rata basis to comparable wholetime service.

Part-time service given between 27 May 1977 and 31 August 2001

54. The threshold in the reckonability of part-time service in a non-academic post given by an officer in the period from 27 May 1977 to 31 August 2001 is also reduced from 18 hours per week to 10 hours per week. Again, reckonable service will continue to be credited on a pro rata basis to comparable wholetime service.
55. There is no change in the provisions for reckoning part-time service in an academic post given in the period from 27 May 1977 to 31 August 2001. Such service will continue to be reckoned in accordance with the provisions set out in Circular 30/99 (VECs) or Circular PEN 16/02 as supplemented by Circular PEN 09/04 (Institutes of Technology). The following provisions will also continue to apply–
- (a) 27 May 1977 to 31 August 1996  
Where service in the academic year comes to at least half of comparable wholetime yearly service, all part-time service given in the academic year is reckonable. Where service in the academic year comes to less than half of comparable wholetime yearly service, each week in which part-time service comes to at least 10 hours is reckonable.
- (b) 1 September 1996 to 31 August 2001  
Where service in the academic year, not being pensionable on an ongoing basis, comes to at least half of comparable wholetime yearly service, all part-time service given in the academic year is reckonable. Where service in the academic year comes to less than half of comparable wholetime yearly service, each week in which part-time service comes to at least 9 hours (VEC) or 7 hours (Institute of Technology) is reckonable.

**Contributions for Prior Service by Officers – Applicability of Long-standing Arrangements**

56. Under long-standing provisions, prior reckonable service, whether wholetime or part-time, is reckoned when the officer is appointed to a permanent post or acquires a contract of indefinite duration or, failing such appointment or acquisition, is reckoned at retirement or death-in-service. Where, on appointment to a permanent post or on acquisition of a contract of indefinite duration, the officer becomes liable for the Class D rate of PRSI, the contribution for prior service is based on pay at the time the service was given. Where, on appointment to a permanent post or on acquisition of a contract of indefinite duration, the officer remains liable for the Class A rate of PRSI, the contribution for prior service is based on pay and SPC rates at the time of payment of the

contribution. However, the liability for these contributions must be calculated, at the latest, on the basis of a person's current remuneration at the end of the third month after such contributions falling due, provided that any delays were not the fault of the person. Where the officer is still in part-time service or temporary wholtime service at the time of retirement/death, the contribution for prior service is based on pay and SPC rates at that time. These arrangements will continue to apply to officers who opt to remain in the existing form of membership of the Scheme.

57. For officers who were not eligible to reckon service under Circular Letter PEN 30/99 or PEN 16/02 and who opt to join the Scheme as revised, prior reckonable service, whether part-time or wholtime, may, alternatively, be reckoned on appointment to any pensionable post, the contribution payable being calculated on the basis of (wholtime) pay and SPC rates on 20 December 2001 (the date from which pro rata pay for part-time employees has been introduced) or date of appointment, if later. Officers who join the Scheme as revised should be given the option of paying the contribution for prior service under these revised arrangements or under the long-standing arrangements outlined at paragraph 56 (eg at the time of permanent appointment or acquisition of a contract of indefinite duration). Officers who may have already paid for prior service under the long-standing arrangements or may already be in course of making such payment, should also be given this option.

#### **Time limits**

58. In the case of former part-time public servants who had retired before the date of this Circular Letter but who were serving on or after 1 April 1996 (non-officers) or 1 September 2001 (officers other than certain academic public servants) or 1 September 1996 (certain academic public servants), the 'back' contributions must be paid at the time of opting into the pension scheme (as revised). For a serving public servant, the arrangements at paragraph 37(a) regarding payment of 'back' contributions will be available for a period of 30 months following the date on which he or she is notified of the amounts falling due. The payment in this period can be made by way of lump sum or instalment. If the full liability is not discharged by that date, the outstanding liability will be determined by the pay/SPC rates applicable on the date of payment. If the full outstanding liability is not discharged by the date of retirement, it will be offset against the lump sum payable on retirement (based on the salary and SPC rates applicable on that date).

#### **General**

59. Where more favourable arrangements than those outlined at paragraphs 46 to 57 above currently apply, they will not be affected.

## **PART D: GENERAL ISSUES**

### **Record-keeping**

60. VECs and Institutes of Technology should note that it is essential that adequate records are maintained of all hours worked by employees and that pensionable service is clearly identified as such. In this regard also, adequate records should be kept of extra attendance by work-sharing public servants during normal office hours on days, or at times, which are outside of their scheduled work-sharing attendance pattern.

### **Pensions Modeller**

61. The Department of Finance has advised that the Pensions Modeller for the Civil Service Superannuation Scheme (available on [www.cspensions.gov.ie](http://www.cspensions.gov.ie)) may be of some benefit to employees of certain other public service bodies with similar pension terms including VECs and Institutes of Technology, in estimating pension benefits. The Modeller is a self-service facility which allows public servants to enter basic salary and service details and receive an estimate of projected retirement benefits and certain other superannuation benefits. It will allow public servants to model various ‘what if’ scenarios. The website also includes a Frequently Asked Questions (FAQ) section which gives basic information on pensions scheme rules and benefits. The Modeller is up-to-date in that it has been designed to take account of the pro rata arrangements for part-time public servants and other reforms which have been introduced this year

### **Part-Time Act**

62. This Circular Letter deals with the revision of pension schemes in the light of the provisions of the Protection of Employees (Part-Time Work) Act 2001. It is effective from various dates which may precede the commencement date of the Part-Time Act. VECs and Institutes of Technology are reminded to familiarise themselves with the statutory obligations imposed by the Part-Time Act. It can be accessed at [www.irishstatutebook.ie/2001/en/act/pub/0045/index.html](http://www.irishstatutebook.ie/2001/en/act/pub/0045/index.html). In particular, VECs and Institutes of Technology should note that entitlements under the Part-Time Act must be provided and that, as employers, they have a direct responsibility to comply with the Act. Entitlements under the Act are conferred regardless of whether pension schemes and/or employment contracts have been formally amended to cover such entitlements. Any changes consequential to the Act will be incorporated into the rules of the scheme in due course.

### **Protection of Employees (Fixed-Term Work) Act 2003**

63. VECs and Institutes of Technology should also be aware that part-time employees who are employed on contract may also have entitlements under the terms of the Protection of Employees (Fixed-Term Work) Act 2003, effective from 14 July 2003. VECs and Institutes should carefully examine that legislation and make any necessary provisions to ensure that they comply with its terms. It can be accessed at [www.irishstatutebook.ie/2003/en/act/pub/0029/index.html](http://www.irishstatutebook.ie/2003/en/act/pub/0029/index.html).

**PRSA obligations regarding public servants who are ineligible for membership**

64. VECs and Institutes of Technology are reminded that Section 121 of the Pensions Act 1990 (as inserted by Section 3 of the Pensions (Amendment) Act 2002) obliges all employers to facilitate access to Personal Retirement Savings Accounts (PRSAs) for some categories of employees in certain circumstances. This Department's Circulars PEN 12/03 and PEN 19/03, addressed to VECs, and PEN 13/03 and PEN 20/03, addressed to Institutes of Technology, should be referred to in this regard.

**Clarification of employee entitlements**

65. The precise entitlements of any employee depend on the specifics of the employment relationship in each case and the prime responsibility for clarifying an employee's legal entitlements under the Protection of Employees (Part-Time Work) Act 2001 and the Protection of Employees (Fixed-Term Work) Act 2003, and employment legislation generally, rests with each employer in the first instance.

**Queries on the Part-Time and Fixed-Term Acts**

66. Specific queries regarding the Part-Time and Fixed-Term Acts are a matter for the Department of Enterprise, Trade and Employment. Statutory responsibility for pensions legislation rests with the Department of Social and Family Affairs. Relevant contact details are given in **Appendix 11**.

**Pension Adjustment Orders (PAOs)**

67. It should be noted that, in general, payments on foot of a PAO will not fall to be revised if the terms of a pension scheme are revised with effect from a date after the date of the decree of divorce or judicial separation. Because of the legal complexity and sensitivity of such cases, this Department should be consulted about all cases which fall within the scope of this Circular Letter and which include a PAO on retirement benefits.

**Consultation with public servants representatives**

68. The Department of Finance gave discretion to Departments in respect of how certain issues are dealt with in public service pension schemes, other than the civil service schemes, and requested that, in exercising this discretion, the relevant public servants representatives be consulted. It is confirmed that, in the case of the Schemes which apply in the case of VEC public servants and Institute of Technology public servants, such consultation has taken place.

**Circulation**

69. This Circular Letter should be brought to the notice of all employees currently in service with the VEC/Institute (including employees on maternity leave, career break, term-time leave or other forms of leave). It should also be brought to the notice of all former officers other than academic public servants who have retired since 1 September 2001, all former academic public servants who have retired since 1 September 1996 and all former non-officers who have retired since 1 April 1996. It is a matter for each VEC or institute to decide the appropriate means to circulate this information, having regard to the needs of their staff, organisational matters and what is reasonable.

**Effective Date**

70. In terms of access to pensionability by VEC/Institute public servants, the effective date for this Circular Letter is 1 April 1996 for non-officers and 1 September 2001 for officers (other than academic public servants admitted to membership in accordance with Circulars 30/99 or PEN 16/02). Retrospective payment of benefits arising from such access will apply from the date of retirement which shall be no earlier than 1 April 1996 (non-officers) or 1 September 2001 (officers (other than academic public servants admitted to membership in accordance with Circulars 30/99 or PEN 16/02)). Retrospective payments arising from the application of Pro Rata Integration will apply from 20 December 2001 or date of retirement if later.
71. Retrospective payments arising from the Revised Integration method set out in Department of Finance Circular 19/05 (copy enclosed) will apply from 1 January 2004 or date of retirement, if later.

**Queries**

72. Personal enquiries from individual employees in connection with this Circular Letter should be referred to the employee's own Personnel Section. VECs/Institutes should refer any cases of doubt or difficulty to the Department, the contact details for which are–

REGULATORY UNIT  
PENSIONS SECTION  
DEPARTMENT OF EDUCATION AND SCIENCE  
CORNAMADDY  
ATHLONE  
COUNTY WESTMEATH  
TEL: 090-648-3657/3658 or 01-873-4700 at extensions 3657/3658.

Pensions Section  
April 2008

## **Index to Appendices of Circular 0025/2008**

- |             |   |
|-------------|---|
| Appendix 1  | Example of superannuation benefits payable to a part-timer in an Officer grade  |
| Appendix 2  | Example of contributions payable by a part-timer in an Officer grade  |
| Appendix 3  | Example of superannuation benefits payable to a part-timer in a Non-officer grade   |
| Appendix 4  | Example of contributions payable by a part-timer in a Non-officer grade   |
| Appendix 5  | Examples of determination of contributions liability and repayment requirements in the case of public servants who opt to join the Superannuation Scheme              |
| Appendix 6  | Form PT/1: Option by serving part-time public servants, members of the existing Scheme, in relation to the Revised Scheme   |
| Appendix 7  | Form PT/2: Option by serving part-time public servants, not members of the Superannuation Scheme, in relation to the Revised Scheme                                   |
| Appendix 8  | Form PT/3: Option by certain retired part-time public servants, members of the existing Scheme at the time of retirement, in relation to the Revised Scheme           |
| Appendix 9  | Form PT/4: Option by certain retired part-time public servants, not members of the Superannuation Scheme at the time of retirement, in relation to the Revised Scheme |
| Appendix 10 | Summary of principal provisions of Circular 0025/2008   |
| Appendix 11 | Contact details for queries on the Part-time and Fixed-term Acts  |

## APPENDIX 1

### **EXAMPLE OF APPLICATION OF PRO RATA INTEGRATION TO PENSION BENEFITS FOR A FULLY INSURED OFFICER OF A VEC OR INSTITUTE OF TECHNOLOGY APPOINTED ON OR AFTER 6 APRIL 1995<sup>20</sup>**

Officer has worked half time in a Part-time/Worksharing capacity for 40 years

Salary at time of retirement: €12,000 per annum

Old Age Contributory Pension (OACP) at time of retirement: annual = €9,355.87<sup>21</sup>; 2 x OACP = €18,711.75; 3<sup>1/3</sup> x OACP = €31,186.24<sup>22</sup>

| <b>Position under “limited membership” or, where the member opts for revised terms, position prior to 20 December 2001, i.e. under Full integration</b>                                      | <b>Position post 20 December 2001 for new members or members who opt for revised terms, i.e. under Pro rata integration</b>   | <b>Position post 1 January 2004 for new members or members who opt for revised terms, i.e. under Pro rata and revised integration</b>   |
|--|---|---|
| Pensionable remuneration (actual) €12,000<br><br>Less 2 x OACP <u>€18,711.75</u><br>Net pensionable remuneration      €0.00<br>Service<br>(one year for each part-year worked)      40 years | Pensionable remuneration (notional full-time)      €24,000<br>Less 2 x OACP <u>€18,711.75</u><br>Net pensionable remuneration      € 5,288.25<br>Service<br>(actual reckonable)                      20 years | Pensionable remuneration (notional full-time)      €24,000<br><br><br>Service<br>(actual reckonable)      20 years  |
| <b>Pension =</b><br>net pensionable remuneration x 1/80 <sup>th</sup> x service<br><br>= $\frac{€0 \times 40}{80} = €0.00$   | <b>Pension =</b><br>net pensionable remuneration x 1/80 <sup>th</sup> x service<br><br>= $\frac{€5,288.25 \times 20}{80} = €1,322.06$   | <b>Pension =</b><br>first €31,186.22 x 1/200 <sup>th</sup> x service;<br>balance x 1/80 <sup>th</sup> x service<br>= $\frac{€24,000 \times 20}{200} = €2,400.00$                                  |
| <b>Lump sum =</b><br>Pensionable remuneration x 3/80 <sup>th</sup> x service<br>= $\frac{€12,000 \times 3 \times 40}{80} = €18,000$  | <b>Lump sum =</b><br>Pensionable remuneration x 3/80 <sup>th</sup> x service<br>= $\frac{€24,000 \times 3 \times 20}{80} = €18,000$   | <b>Lump sum =</b><br>Pensionable remuneration x 3/80 <sup>th</sup> x service<br>= $\frac{€24,000 \times 3 \times 20}{80} = €18,000$   |
| <b>Spouse's Pension =</b><br>((Pensionable remuneration less 1OACP) x 1/80 <sup>th</sup> x service ) x 50%<br><br>= $(\frac{€2,644.13 \times 40}{80}) \times 50\% = €661.03$                 | <b>Spouse's Pension =</b><br>((Notional full-time pensionable remuneration less 1OACP) x 1/80 <sup>th</sup> x service ) x 50%<br><br>= $(\frac{€14,644.13 \times 20}{80}) \times 50\% = €1,830.52$            | <b>Spouse's Pension =</b> ((Notional fulltime pensionable remuneration less 1 x OACP) x 1/80 <sup>th</sup> x service ) x 50%<br><br>= $(\frac{€14,644.13 \times 20}{80}) \times 50\% = €1,830.52$ |

<sup>21</sup> Rate on 7 January 2005 (payable to an adult with no dependant).

<sup>22</sup> It has been agreed that a multiplier of 3.333333 (ie to 6 decimal places) will be used to calculate 3<sup>1/3</sup> times OACP.

## APPENDIX 2

### EXAMPLE OF 'PRO RATA' INTEGRATION ON PENSION CONTRIBUTIONS<sup>23</sup> FOR A FULLY INSURED OFFICER OF A VEC/INSTITUTE APPOINTED ON OR AFTER 6 APRIL 1995

Officer who works half time in a Part-time/Worksharing capacity i.e. 50%

Salary at time of deductions : €12,000 per annum = €229.97 per week

Old Age Contributory Pension (OACP) at time of deductions: weekly = €179.30<sup>24</sup> 2 x OACP = €358.60;

| Position under "limited membership" or, where the member opts for revised terms, the position which would have applied, prior to the introduction of pro rata integration, to calculation of part-time contributions in respect of pensionable part-time service, i.e. under Full integration       | Position which applies to new members or members who opt for revised terms, i.e. under Pro rata integration   | Position which applies to new members or members who opt for revised terms, i.e. under Pro rata and revised integration   |
|---|---|---|
| Weekly pensionable remuneration (actual)      €229.97<br><br>Less 2 x OACP <u>€358.60</u><br>Net pensionable remuneration                      € 0.00   | Weekly pensionable remuneration                      €229.97<br><br>Notional full time pensionable remuneration (€229.97 x 2) =      €459.94<br>Less 2 x OACP <u>€358.60</u><br><br>Notional full time net pensionable remuneration      €101.34  |   |
| <u>Contributions:</u><br><b>Lump sum</b> = 1.5% of pensionable remuneration<br>= 1.5% of €229.97 = €3.45<br><br><b>Pension</b> = 3.5% of net pensionable remuneration<br>= 3.5% of €0.00 = €0.00<br><br><b>Spouses &amp; Childrens</b> = 1.5% of pensionable remuneration = 1.5% of €229.97 = €3.45 | <u>Contributions:</u><br><b>Lump sum</b> = 1.5% of notional full time pensionable remuneration x worksharing % = (1.5% of €459.94) x 50%= €3.45 ( <b>no change</b> )<br><br><b>Pension</b> = 3.5% of notional full time net pensionable remuneration x worksharing % = (3.5% of €101.34) x 50% = €1.77<br><br><b>Spouses &amp; Childrens</b> = 1.5% of notional full time pensionable remuneration x worksharing % = (1.5% of €459.94) x 50% = €3.45 ( <b>no change</b> )<br><br><b>Outcome – Increase in weekly contributions of €1.77</b> | <u>Contributions:</u><br><br>The revised integration formula <u>wef 1 January 2004</u> (see Department of Finance Circular 19/05) does not involve any change in the method of calculating contributions. |

<sup>24</sup> Rate on 7 January 2005 (payable to an adult with no dependant).

### APPENDIX 3

#### **EXAMPLE OF APPLICATION OF PRO RATA INTEGRATION TO PENSION BENEFITS FOR A NON-OFFICER OF A VEC/INSTITUTE<sup>25</sup>**

Non-officer worked half time in a Part-time/Worksharing capacity for 40 years

Wages on Last Service Day: €230 per week

Old Age Contributory Pension (OACP) on Last Service Day: weekly = €179.30<sup>26</sup>; 2 x OACP = €358.60; 3<sup>1/3</sup> x OACP = €597.67<sup>27</sup>

| <b>Position under “limited membership” or, where the member opts for revised terms, position prior to 20 December 2001, i.e. under Full Integration</b>                | <b>Position post 20 December 2001 for new members or members who opt for revised terms, i.e. under Pro rata integration</b>  | <b>Position post 1 January 2004 for new members or members who opt for revised terms, i.e. under Pro rata and revised integration</b>   |
|--|--|---|
| Pensionable remuneration (actual) €230<br><br>Less 2 x OACP €358.60<br>Net pensionable remuneration €0.00<br><br>Service (one year for each part-year worked) 40 years | Pensionable remuneration (notional full-time) €460<br>Less 2 x OACP €358.60<br>Net pensionable remuneration €101.40<br><br>Service (actual reckonable) 20 years                              | Pensionable remuneration (notional full-time) €460<br><br><br>Service (actual reckonable) 20 years  |
| <b>Pension =</b><br>net pensionable remuneration x 1/80 <sup>th</sup> x service<br><br>= $\frac{€0 \times 40}{80} = €0.00$   | <b>Pension =</b><br>net pensionable remuneration x 1/80 <sup>th</sup> x service<br><br>= $\frac{€101.40 \times 20}{80} = €25.35$   | <b>Pension =</b><br>first €597.67 x 1/200 <sup>th</sup> x service;<br>balance x 1/80 <sup>th</sup> x service<br>= $\frac{€460 \times 20}{200} = €46.00$   |
| <b>Lump sum =</b><br>Pensionable remuneration x 52 x 3/80 <sup>th</sup> x service<br>= $\frac{€230 \times 52 \times 3 \times 40}{80} = €17,940$                        | <b>Lump sum =</b><br>Pensionable remuneration x 52 x 3/80 <sup>th</sup> x service<br>= $\frac{€460 \times 52 \times 3 \times 20}{80} = €17,940$  | <b>Lump sum =</b><br>Pensionable remuneration x 52 x 3/80 <sup>th</sup> x service<br>= $\frac{€460 \times 52 \times 3 \times 20}{80} = €17,940$   |
| <b>Spouse's Pension =</b><br>(net pensionable remuneration x 1/80 <sup>th</sup> x service) x 50%<br><br>= $\left(\frac{€0 \times 40}{80}\right) \times 50\% = €0.00$   | <b>Spouse's Pension =</b><br>(notional fulltime net pensionable remuneration x 1/80 <sup>th</sup> x service) x 50%<br><br>= $\left(\frac{€101.40 \times 20}{80}\right) \times 50\% = €12.68$ | <b>Spouse's Pension =</b><br>first €597.67 (of notional full time pensionable remuneration) x 1/200 <sup>th</sup> x service;<br>balance x 1/80 <sup>th</sup> x service; x 50%<br>= $\left(\frac{€460 \times 20}{200}\right) \times 50\% = €23.00$ |

<sup>26</sup> Rate on 7 January 2005 (payable to an adult with no dependant).

<sup>27</sup> It has been agreed that a multiplier of 3.333333 (ie to 6 decimal places) will be used to calculate 3<sup>1/3</sup> times OACP

## APPENDIX 4

### EXAMPLE OF 'PRO RATA' INTEGRATION ON PENSION CONTRIBUTIONS<sup>28</sup> FOR A NON-OFFICER OF A VEC/INSTITUTE

Non-Officer who works half time in a Part-time/Worksharing capacity

Wages at time of deductions: €230 per week

Old Age Contributory Pension (OACP) at time of deductions: weekly = €179.30<sup>29</sup> 2 x OACP = €358.60;

| Position under "limited membership" or, where the member opts for revised terms, the position which would have applied, prior to the introduction of pro rata integration, to calculation of part-time contributions in respect of pensionable part-time service, i.e. under Full integration | Position which applies to new members or members who opt for revised terms, i.e. under Pro rata integration   | Position which applies to new members or members who opt for revised terms, i.e. under Pro rata and revised integration   |
|---|---|---|
| Weekly pensionable remuneration (actual) €230.00<br>Less 2 x OACP €358.60<br>Net pensionable remuneration € 0.00  | Weekly pensionable remuneration €230.00<br>Notional full time pensionable remuneration (€230.00 x 2) = €460.00<br>Less 2 x OACP €358.60<br>Notional full time net pensionable remuneration €101.40  |   |
| <u>Contributions:</u><br><b>Lump sum</b> = 1.5% of pensionable remuneration = 1.5% of €230 = €3.45<br><b>Pension</b> = 3.5% of net pensionable remuneration = 3.5% of €0.00 = €0.00<br><b>Spouses &amp; Childrens</b> = 1.5% of net pensionable remuneration = 1.5% of €0.00 = €0.00          | <u>Contributions:</u><br><b>Lump sum</b> = 1.5% of notional full time pensionable remuneration x worksharing % = (1.5% of €460.00) x 50% = €3.45<br><b>Pension</b> = 3.5% of notional full time net pensionable remuneration x worsharing % = (3.5% of €101.40) x 50% = €1.77<br><b>Spouses &amp; Childrens</b> = 1.5% of notional full time net pensionable remuneration x worksharing % = (1.5% of €101.40) x 50% = €0.76<br><b>Outcome – Increase in weekly contributions of €2.53</b> | <u>Contributions:</u><br>The revised integration formula <u>wef 1 January 2004</u> (see Department of Finance Circular S.12/2005) does not involve any change in the method of calculating contributions. |

<sup>29</sup> Rate on 7 January 2005 (payable to an adult with no dependant).

## APPENDIX 5

### **EXAMPLES OF CONTRIBUTIONS LIABILITY AND REPAYMENT REQUIREMENTS IN THE CASE OF PUBLIC SERVANTS WHO OPT TO JOIN THE SUPERANNUATION SCHEME.**

#### **Example A – Part-time Officer**

A temporary part-time officer (non-academic) who commenced part-time employment on 1 January 1980 (and who has an appropriate full-time comparator) opts to join the Education Sector Superannuation Scheme. Her membership is effective from 1 September 2001 – see paragraph 30(b).

She is married - and will therefore owe contributions to the S+C Scheme in respect of her pre-entry service, ie her service prior to 1/9/01. She has the option of paying the S+C contributions in respect of pre-entry service through paying additional periodic contributions during the course of her ongoing pensionable service at the rate of 1.5% of the wholetime equivalent of ongoing pay - ongoing pensionable service meaning, for this purpose, service given on and from the date on which she exercises her option to pay such additional periodic contributions. Additional periodic contributions are non-refundable.

Alternatively, she has the option of paying the S+C contributions in question at retirement at the rate of 1% of the wholetime equivalent of her pay at retirement. If she has become widowed or divorced before retirement, the S+C contributions paid in respect of the period following the termination of her last marriage may be offset against the S+C contributions due in respect of her pre-entry service. She opts (in this example) to pay the S+C contributions in question at retirement.

Her previous service history is as follows:

- (a) 01/01/1980 to 31/12/1990 - 40% of full-time comparator's hours (15 hours per week)
- (b) 01/01/1991 to date of option to join the Education Sector Scheme (current date) - 30% of full-time comparator's hours (11.25 hours per week)

She pays contributions for service prior to 1 September 2001 on the basis of the salary and SPC rates applicable on 20 December 2001 – see paragraph 42(a)(ii) – and she pays contributions for service on or after 1 September 2001 on the salary and SPC rates applicable to the period in question – see paragraph 33(a)(ii).

The full-time comparator's pay on 20 December 2001 is €40,000 p.a. The annual rate of SPC on that date is €7,023.02. Therefore the net full-time pay equivalent (i.e. after deduction of twice SPC) on that date is €25,953.96.

The actual amount of pay the full-time comparator was paid between 1 September 2001 and date of option to join the pension scheme is €232,500. The net pay equivalent (i.e. after deduction of twice SPC for that period) is €146,400.

The past service liability is calculated as follows:

- (i) 01/01/1980 to 31/12/1990 - 40% commitment – pro-rata service = 4.4 years, (11 yrs x 40% = 4.4 yrs). Liability is calculated as–

|                        |                                  |   |                  |
|------------------------|----------------------------------|---|------------------|
| <i>Lump Sum:</i>       | 1.5% x €40,000 x 4.4             | = | €2,640.00        |
| <i>Pension:</i>        | 3.5% x €25,953.96 x 4.4          | = | €3,996.91        |
| <i>S&amp;C Scheme:</i> | <i>Opts to pay at retirement</i> |   |                  |
| <b>Total:</b>          |                                  |   | <b>€6,636.91</b> |

- (ii) 01/01/1991 to 31/8/2001 - 30% commitment – pro-rata service = 3.1997 years, (10.6657 yrs x 30% = 3.1997 yrs). Liability is calculated as –
- |                        |                                  |   |                  |
|------------------------|----------------------------------|---|------------------|
| <i>Lump Sum:</i>       | 1.5% x €40,000 x 3.1997          | = | €1,919.82        |
| <i>Pension:</i>        | 3.5% x €25,953.96 x 3.1997       | = | €2,906.57        |
| <i>S&amp;C Scheme:</i> | <i>Opts to pay at retirement</i> |   |                  |
| <b>Total:</b>          |                                  |   | <b>€4,826.39</b> |
- (iii) 1/9/2001 to current date - 30% commitment. Liability is calculated as –
- |                        |                       |   |                  |
|------------------------|-----------------------|---|------------------|
| <i>Lump Sum:</i>       | 1.5% x €232,500 x 30% | = | €1,046.25        |
| <i>Pension:</i>        | 3.5% x €146,400 x 30% | = | €1,537.20        |
| <i>S&amp;C Scheme:</i> | 1.5% x €232,500 x 30% | = | € 1,046.25       |
| <b>Total:</b>          |                       |   | <b>€3,629.70</b> |
- (iv) Total past service liability (excluding S+C cons for pre-1/9/01 service – the extent of the liability for such cons will be determined at retirement by reference to the officer's marital status at that time) = **€15,093.00**

### **Example B – Part-time Non-officer**

A part-time non-officer who commenced part-time employment on 1 January 1996 opts to join the Education Sector Superannuation Scheme. His membership is effective from 1 April 1996 – see paragraph 30(a).

He has never been married – and therefore will not owe any contributions to the S+C Scheme in respect of his pre-entry service, ie his service prior to 1/4/96.

His previous service history is as follows:

- (a) 01/01/1996 to 31/12/2000 - 40% of full-time comparator's hours (15 hours per week)  
 (b) 01/01/2001 to date of option to join the pension scheme (current date) - 30% of full-time comparator's hours (11.25 hours per week)

He pays contributions for service prior to 1 April 1996 on the wages and SPC rates applicable on 1 April 1996 – see paragraph 42(a)(i) and he pays contributions for service on or after 1 April 1996 on the wages and SPC rates applicable to the period in question – see paragraph 33(a)(i).

The full-time comparator's pay on 1 April 1996 is €205 p.wk. (= €10,696.90 p.a.). The weekly rate of SPC on that date is €92.44 (= €4,823.52 p.a.). Therefore the net full-time pay equivalent (i.e. after deduction of twice SPC) on that date is €20.12 p.wk. (= €1,049.86 p.a.).

The actual amount of pay the full-time comparator was paid between 1 April 1996 and 31 December 2000 is €55,000 The net pay equivalent (i.e. after deduction of twice SPC for that period) is €7,630. The actual amount of pay the full-time comparator was paid between 1 January 2001 and date of option to join the pension scheme is €110,000. The net pay equivalent (i.e. after deduction of twice SPC for that period) is €15,270.

The past service liability is calculated as follows:

- (i) 01/01/1996 to 31/03/1996 - 40% commitment – pro-rata service = 0.0986 year, (90 days x 40% = 0.0986 yrs). Liability is calculated as –
- |                        |  |   |               |
|------------------------|--|---|---------------|
| <i>Lump Sum:</i>       | 1.5% x €10,696.90 x 0.0986             | = | €15.82        |
| <i>Pension:</i>        | 3.5% x € 1,049.86 x 0.0986             | = | € 3.62        |
| <i>S&amp;C Scheme:</i> | <i>Nil (he has never been married)</i> | = | € 0.00        |
| <b>Total:</b>          |  |   | <b>€19.44</b> |

- (ii) 01/04/1996 to 31/12/2000 – 40% commitment – pro-rata service = 1.9014 years, (4.7534 yrs x 40% = 1.9014 yrs). Liability is calculated as –
- |                        |                      |   |                |
|------------------------|----------------------|---|----------------|
| <i>Lump Sum:</i>       | 1.5% x €55,000 x 40% | = | €330.00        |
| <i>Pension:</i>        | 3.5% x € 7,630 x 40% | = | €106.82        |
| <i>S&amp;C Scheme:</i> | 1.5% x € 7,630 x 40% | = | € 45.78        |
| <b>Total:</b>          |                      |   | <b>€482.60</b> |
- (iii) 01/01/2001 to current date - 30% commitment. Liability is calculated as –
- |                        |                       |   |                |
|------------------------|-----------------------|---|----------------|
| <i>Lump Sum:</i>       | 1.5% x €110,000 x 30% | = | €495.00        |
| <i>Pension:</i>        | 3.5% x € 15,270 x 30% | = | €160.34        |
| <i>S&amp;C Scheme:</i> | 1.5% x € 15,270 x 30% | = | € 68.72        |
| <b>Total:</b>          |                       |   | <b>€724.06</b> |
- (iv) Total past service liability = **€1,226.10**

### **Example C – Part-timer already retired with non-pensionable gratuity**

A part-time non-officer, (a cleaner in this example), retired on 23 July 2004 and was awarded a non-pensionable gratuity of €3,563 based on 20.94 years of part-time service which was reckonable for the purposes of such a gratuity and on reckonable part-time pay at retirement of €132.60 per week.

Reckonable service for the purposes of a non-pensionable gratuity consists of the number of days of service in each week in which total weekly service comes to at least 10 hours; the number of reckonable days, (5,235 days in this case) is then divided by 250 in order to arrive at the number of years which is reckonable for purposes of the gratuity, (in this case,  $5235 \div 250 = 20.94$  years)

Reckonable part-time pay for the purposes of a non-pensionable gratuity consists of the hourly rate of pay at retirement, €10.40 in this case, multiplied by the average hours worked per reckonable week during service, 12.75 hours in this case, ( $€10.40 \times 12.75 = €132.60$ ). (The annual equivalent of the reckonable part-time weekly pay =  $€132.60 \times 52.18$  weeks = €6919.)

The employee is eligible for pensionability and opts to join the pension scheme. Following are the details of the calculation of her superannuation benefits and contributions/repayment liabilities.

#### **(1) Service Details for Superannuation:**

- (a) 01 October 75 – 31 March 1996, (pensionable part-time service given over the period came to 4.7580 years, calculated as follows):

|  |                   |
|--|-------------------|
| <u>(i) Reckonable weeks worked before 27 May 1977 (threshold 18 hours)</u>   | = 28 weeks        |
| <u>Credit of half a week of pensionable service for each reckonable week</u> | = 14 weeks        |
| <u>Credit expressed as a fraction of a year (<math>14 \div 52.18</math>)</u> | = 0.2683 yrs      |
| <hr/>  |                   |
| <u>(ii) Reckonable hours worked from 27 May 1977 (threshold 10 hours):</u>   | 9370 hours        |
| <u>Annual Wholtime Equivalent Hours (<math>40 \times 52.18</math>):</u>      | 2087 hours        |
| <u>Pro-Rata Reckonable Service (<math>9370 \div 2087</math>):</u>            | 4.4897 yrs        |
| <hr/>  |                   |
| <u>(iii) Total</u>   | <u>4.7580 yrs</u> |

- (c) 01 April 1996 – 23 July 2004, (part-time service of 1.9415 years came to 23.357% of comparable wholtime service of 8.3123 yrs, calculated as follows):

|   |                     |
|---|---------------------|
| Reckonable Hours (ALL):                         | 3951.02 hours       |
| Annual Wholetime Equivalent Hours (39 x 52.18): | 2035.00 hours       |
| Pro-Rata Service (3951.02 ÷ 2035):              | <b>1.9415 years</b> |

|   |                          |
|---|--------------------------|
| <b>Total Reckonable Service to 23/7/04 (4.7580 + 1.9415)</b>  | <b>6.6995 years</b>      |
| <b><u>Deduct unco-ordinated (pre 27 May 1977) service</u></b> | <b><u>0.2683 yrs</u></b> |
| <b><u>Co-ordinated service</u></b>                            | <b><u>6.4312 yrs</u></b> |

(2) **Weekly Pensionable Remuneration on 23/7/04 (wholetime equivalent)** = **€10.40 x 39 hrs**  
= **€405.60**

(3) **Award of Retirement Gratuity and Annual Pension:**

(a) **Retirement Gratuity:**

$$\text{€405.60 (weekly PR at retirement) x 52 x 6.6995 years (WTE years) x 3/80} = \text{€5298.76}$$

(b) **Weekly Pension (New Co-ordination Formula)**

|  |   |        |
|--|---|--------|
| <u>Unco-ordinated, (€405.60 x 0.2683 yrs x 1/80)</u> | = | € 1.36 |
| <u>Co-ordinated, (€405.60 x 6.4312 yrs x 1/200)</u>  | = | €13.04 |
| <u>Total weekly pension</u>                          | = | €14.40 |

**(Since wholetime equivalent pensionable remuneration is less than €557.67 - ie less than 3 and one third times the maximum personal rate of OACP @ 23/7/04 – only the 1/200 fraction applies.)**

(4) **Contributions due in respect of reckonable service under new arrangements:**

On joining the superannuation scheme, the part-time non-officer also becomes a member of the associated Spouses' and Children's Pension Scheme. She will owe periodic S+C contributions in respect of the period from 1/4/96 and, being married at retirement, will owe S+C contributions in respect of her pre-entry service, ie her service prior to 1/4/96. The pre-entry contributions will be based on the remuneration of the full-time comparator as at 23/7/04 – the date of retirement of the part-time non-officer - and will be at the rate of 1% of (weekly pensionable remuneration x 52) in respect of service before 27 May 1977, (0.2683 yrs), and at the rate of 1% of (nett weekly pensionable remuneration x 52) in respect of service from 27 May 1977 to 31 March 1996, (4.4897 yrs). (Note that if she was unmarried at all times between 1/4/96 and date of retirement, she would not owe S+C contributions in respect of her pre-1/4/96 service.)

(a) **Contributions for period 01 October 1975 to 31 March 1996**

The contribution due to the main scheme is based on the pay of the full-time comparator on 1/4/96 and, in relation to co-ordinated service, on the rate of SPC on 1/4/96. The full-time comparator's rate of pay on 1/4/96 was €261.30 per week or €13,634.63 per year (€261.30 x 52.18 = €13,634.63). Twice the maximum personal rate of SPC on 1/4/96 was €9,647.04 (€92.44 x 52.18 x 2). The full-time comparator's net pay rate (i.e. after deduction of twice SPC) was €3,987.59.

The contribution due to the S+C Scheme is based on 52 times the pensionable remuneration and, in relation to co-ordinated service, on 52 times the net pensionable remuneration of the full-time comparator on 23/7/04. 52 times the full-time comparator's pensionable remuneration on 23/7/04 was €21,091.20, (€10.40 x 39 hrs x 52 weeks). Twice the maximum personal rate of



**VOCATIONAL TEACHERS' SUPERANNUATION SCHEME  
EDUCATION SECTOR SUPERANNUATION SCHEME**

**Option by serving part-time public servants (members of the existing Scheme)  
in relation to the Revised Scheme**

*NB: This Form should be completed and returned to the VEC/Institute not later than*

**[Insert date] 2008**

Name ..... Date of Birth .....

PPSN Number .....

**PART A**

Complete this section **if you wish to join** the Revised Scheme referred to in Circular 0025/2008

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I am already a member of the Superannuation Scheme and that I wish to join the Scheme as revised by Circular 0025/2008.

I appreciate that, under the Revised Scheme, I will have to pay superannuation contributions on a pro rata basis to the wholetime equivalent of my part-time salary, both in respect of future part-time service and in respect of any reckonable past part-time service, including service in respect of which contributions have already been paid under the existing method. In the case of such past part-time service, I appreciate that I will owe the difference between any contributions already paid and the contributions which would have been paid if calculated on a pro rata basis.

I understand that in the event of my retirement from part-time service, my benefits under the Revised Scheme will be calculated by reference to the wholetime equivalent of my final part-time salary and on actual service worked expressed as a proportion of wholetime attendance. I further understand that, in line with the Example set out in Appendix 1 (Officer grades) or Appendix 3 (Non-officer grades), a revised integration method will be applied in the calculation of my pension.

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**PART B**

Complete this section if you have not completed Part A, i.e. **if you do not wish to join** the Revised Scheme referred to in Circular 0025/2008.

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I am already a member of the Superannuation Scheme and that I do not wish to join the Scheme as revised by Circular 0025/2008.

I appreciate that as a result of this declaration, my benefits in the event of my retirement from part-time service will be calculated by reference to my actual final part-time salary. I also understand that the revised integration method set out in Appendix 1 (Officer grades) or Appendix 3 (Non-officer grades) will not be applied in the calculation of my pension.

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

VOCATIONAL TEACHERS' SUPERANNUATION SCHEME  
EDUCATION SECTOR SUPERANNUATION SCHEME

**Option by serving part-time public servants (not members of the Superannuation Scheme) in relation to the Revised Scheme**

*NB: This Form should be completed and returned to the VEC/Institute not later than*

**[Insert date] 2008**

Name ..... Date of Birth .....

PPSN Number .....

**PART A**

Complete this section **if you wish to join** the Superannuation Scheme.

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I am not already a member of the Superannuation Scheme but that I now wish to join the Scheme (as revised by Circular 0025/2008). I understand that the question of my eligibility to join the Scheme will be a matter for the VEC/Institute which employs me but that, if not satisfied with their decision, I may appeal to the Department of Education and Science.

I appreciate that, under the Revised Scheme, I will have to pay superannuation contributions on a pro rata basis to the wholetime equivalent of my part-time salary, both in respect of future part-time service and in respect of any reckonable past part-time service.

I understand that in the event of my retirement from part-time service, my benefits under the Revised Scheme will be calculated by reference to the wholetime equivalent of my final part-time salary and on actual service worked expressed as a proportion of wholetime attendance. I further understand that, in line with the Example set out in Appendix 1 (officer grades) or Appendix 3 (non-officer grades), a revised integration method will be applied in the calculation of my pension.

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**PART B**

Complete this section if you have not completed Part A, i.e. **if you do not wish to join** the Superannuation Scheme.

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I am not a member of the Superannuation Scheme and that I do not wish to join the Scheme (as revised by Circular 0025/2008).

I appreciate that as a result of this declaration, my benefits from my VEC/Institute in the event of my retirement from my current employment will consist of the payment of a non-pensionable gratuity, (provided that I meet the conditions for such payment).

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**VOCATIONAL TEACHERS' SUPERANNUATION SCHEME  
EDUCATION SECTOR SUPERANNUATION SCHEME**

**Option by certain retired part-time public servants (members of the existing Scheme at the time of retirement) in relation to the Revised Scheme**

*NB 1: An option is available to members who have retired since 1 April 1996 (Non-officer grades) or 1 September 1996 (academic public servants) or 1 September 2001, (Officer grades other than academic).*

*NB 2: This Form should be completed and returned to the VEC/Institute not later than*

**[Insert date] 2008**

Name ..... Date of Birth .....

PPSN Number .....

**PART A**

Complete this section **if you wish to join** the Revised Scheme referred to in Circular 0025/2008

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I was a member of the Superannuation Scheme at the time of my retirement and that **I wish to join** the Scheme as revised by Circular 0025/2008.

I appreciate that, under the Revised Scheme, I will have to pay superannuation contributions on a pro rata basis to the wholetime equivalent of my part-time salary in respect of any reckonable part-time service, including service in respect of which contributions have already been paid under the existing method. In the case of such part-time service, I appreciate that I will owe the difference between any contributions already paid and the contributions which would have been paid if calculated on a pro rata basis.

I understand that my benefits under the Revised Scheme will be calculated by reference to the wholetime equivalent of my final part-time salary and on actual service worked expressed as a proportion of wholetime attendance. I further understand that, in line with the Example set out in Appendix 1 (officer grades) or Appendix 3 (non-officer grades), a revised integration method will be applied in the calculation of my pension.

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**PART B**

Complete this section if you have not completed Part A, i.e. **if you do not wish to join** the Revised Scheme referred to in Circular 0025/2008.

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that **I do not wish to join** the Scheme as revised by Circular 0025/2008.

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**VOCATIONAL TEACHERS' SUPERANNUATION SCHEME  
EDUCATION SECTOR SUPERANNUATION SCHEME**

**Option by certain retired part-time public servants (not members of the Superannuation Scheme at the time of retirement) in relation to the Revised Scheme**

*NB 1: An option is available to public servants who have retired since 1 April 1996 (Non-officer grades) or 1 September 2001, (Officer grades).*

*NB 2: This Form should be completed and returned to the VEC/Institute not later than*

**[Insert date] 2008**

Name ..... Date of Birth .....

PPSN Number .....

**PART A**

Complete this section **if you wish to join** the Superannuation Scheme.

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I was not a member of the Superannuation Scheme at the time of my retirement but that I now wish to join the Scheme (as revised by Circular 0025/2008). I understand that the question of my eligibility to join the Scheme will be a matter for the VEC/Institute which employs me but that, if not satisfied with their decision, I may appeal to the Department of Education and Science.

I appreciate that, under the Revised Scheme, I will have to pay superannuation contributions on a pro rata basis to the wholetime equivalent of my part-time salary in respect of any reckonable part-time service.

I also appreciate that where, in lieu of pensionability, I have already received any additional remuneration or other benefits, I will have to repay such amounts.

I understand that my benefits under the Revised Scheme will be calculated by reference to the wholetime equivalent of my final part-time salary and on actual service worked expressed as a proportion of wholetime attendance. I further understand that, in line with the Example set out in Appendix 1 (officer grades) or Appendix 3 (non-officer grades), a revised integration method will be applied in the calculation of my pension.

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**PART B**

Complete this section if you have not completed Part A, i.e. **if you do not wish to join** the Superannuation Scheme.

I have read and noted the contents of Circular 0025/2008 and have, in particular, noted the Examples set out in Appendices 1 to 5 of the Circular.

I hereby declare that I do not wish to join the Scheme (as revised by Circular 0025/2008).

**I understand that an option once exercised cannot be revoked or revised.**

Date ..... Signed .....

**APPENDIX 10**  
**Summary of Principal Terms of Circular 0025/2008**

| <b>Subject</b>   | <b>Officers</b>  | <b>Non-Officers</b>  |
|--|--|--|
| <p><b><u>Access</u></b><br/>           (a) Access date, i.e. the date from which pensionability applies under 0025/2008</p> <p>(b) Threshold (minimum number of hours required for pensionability)</p> <p>(c) Whether full-time comparator required for access</p> <p>(d) Whether access compulsory for</p> <p>(i) New appointees</p> <p>(i) Serving public servants</p> <p>(ii) Public servants retired since access date or, in the case of certain academic public servants who were already pensionable before the access date (ie those admitted to pensionability under Circulars 30/99 or PEN 16/02), since 1/9/96.</p> | <p><b><u>Access</u></b><br/>           (a) 1 September 2001</p> <p>(b) None (wef 1 September 2001)</p> <p>(c) Yes</p> <p>(d)</p> <p>(i) Yes, provided they are eligible</p> <p>(ii) No</p> <p>(iii) No</p> | <p><b><u>Access</u></b><br/>           (a) 1 April 1996</p> <p>(b) None (wef 1 April 1996)</p> <p>(c) <u>No</u> in the case of non-officers who, on the date of issue of this circular, are either giving service or, having given service since 1 April 1996, have retired or resigned;</p> <p><u>Yes</u> in the case of public servants appointed following the date of issue of this circular.</p> <p>(d)</p> <p>(i) Yes, provided they are eligible</p> <p>(ii) No</p> <p>(iii) No</p> |

| <b><u>Reckoning Prior Service</u></b><br><b><u>(1) Non-academic public servants</u></b>  | <b><u>Reckoning Prior Service</u></b><br><b><u>(1) Non-academic public servants</u></b>   | <b><u>Reckoning Prior Service</u></b>   |
|--|---|---|
| <p>(a) Service prior to 27 May 1977</p> <p>(b) Service from 27 May 1977 to access date (1 September 2001 for officers and 1 April 1996 for non-officers)</p>   | <p>(a) Minimum of 18 hours per week required; service reckons as one-half of comparable wholetime service</p> <p>(b) Minimum of 10 hours per week required; service reckons in the proportion which the hours worked bear to comparable wholetime service</p>   | <p>(a) Minimum of 18 hours per week required; service reckons as one-half of comparable wholetime service</p> <p>(b) Minimum of 10 hours per week required; service reckons in the proportion which the hours worked bear to comparable wholetime service</p> |
| <b><u>(2) Academic Public servants</u></b>   | <b><u>(2) Academic Public servants</u></b>  |   |
| <p>(a) Service prior to 27 May 1977</p> <p>(b) Service from 27 May 1977 to 31 August 1996,</p>   | <p>(a) Minimum of 10 hours per week required except that, where total hours in the academic year attain at least half of comparable wholetime hours, all hours given in the academic year are reckonable; service reckons as one half of comparable wholetime service</p> <p>(b) Minimum of 10 hours per week required except that, where total hours in the academic year attain at least half of comparable wholetime hours, all hours given in the academic year are reckonable; service reckons in the proportion which the hours worked bear to comparable wholetime service</p> |   |
| <p>(c) Service from 1 September 1996 to 31 August 2001 which is not pensionable on an ongoing basis.</p> <p>(Access to scheme was extended from 1 September 1996 to part-time academic public servants <u>other than</u> unqualified public servants and public servants paid at the part-time hourly rate (unless, in the</p> | <p>(c) <u>VEC</u>: Minimum of 9 hours per week required except that, where total hours in the academic year attain at least 368 hours, all hours given in the academic year are reckonable; service in the academic year reckons in the proportion which the hours worked bear to 1148 hours</p>  |   |





## **APPENDIX 11**

### **CONTACT DETAILS FOR QUERIES ON THE PART-TIME AND FIXED TERM ACTS**

1. Queries about the interpretation of the Protection of Employees (Part-Time Work) Act 2001 are primarily the responsibility of the Department of Enterprise, Trade and Employment and specific queries should be referred to the Employment Rights Section of that Department and /or legal advice sought as appropriate.

**Contact details:**

Employment Rights Information Unit  
Department of Enterprise, Trade & Employment  
Davitt House  
65A Adelaide Road  
Dublin 2

Phone : (01) 631 3131    Lo-call : 1890 201 615 (outside the 01 area)

Fax : (01) 631 3267

Website : [www.entemp.ie](http://www.entemp.ie)

E-mail : [erinfo@entemp.ie](mailto:erinfo@entemp.ie)

The Unit also has a guide to the Protection of Employees (Fixed-Term Act) 2003 for employers and employees at <http://www.entemp.ie/erir/protfixexpl03.doc>

2. Statutory responsibility for occupational Pensions Scheme legislation rests with the Department of Social and Family Affairs. The Pensions Board also offers guidance as appropriate. A guide to the pensions aspects of the Part-Time Act may be obtained from the Pensions Board's website at <http://www.pensionsboard.ie>