

DIRECTION

UNDER

ARTICLE 201(2) OF THE CONSTITUTION

DELEGATING THE POWER OF THE PUBLIC SERVICE COMMISSION
TO EXERCISE DISCIPLINARY CONTROL TO PUBLIC OFFICERS

By virtue and in exercise of the powers vested in it by article 201(2) of the Constitution, the Public Service Commission hereby delegates, with the consent of the Prime Minister, to the public officers mentioned in the first column of the Schedule hereto the power to exercise disciplinary control over persons holding or acting in the public offices mentioned in the corresponding entry in the second column in respect of offences mentioned by reference to numbers in the corresponding entry in the third column of that Schedule and fully set out in the Table of Offences and Penalties hereto.

The particulars of each offence referred to by a number in the third column of the Schedule and the penalties therefor are stated in the item in the Table aforesaid bearing the number similar to that mentioned in the third column of the Schedule.

The delegation made by instrument dated 3rd April, 1962 relating to appointment, dismissal and disciplinary control of public officers shall continue to be in force to the extent that it is not inconsistent with this delegation.

SCHEDULE

| Public officers | Persons holding or acting in public offices | Offences |
|--|---|--|
| (1) Permanent Secretaries Heads of Departments not under ministerial control or Deputy Regional Execu- | All grades of public servants. | Nos. 1 and 17, in respect of all breaches. |
| (2) Permanent Secretaries, Heads of Departments not under ministerial control or Deputy Regional Executive Officers. | Public servants on the GS 5 grade salary scale and below, except those holding or acting in the following public offices. | Nos. 2 to 16 and 18 to 38, in respect of all breaches. |

| Public officers | Persons holding or acting in public offices | Offences |
|-------------------------------------|--|---|
| | Trainee Accountant Recruitment and Placement Officer Statistical Officer Transport Project Officer I Clerk of Works II Assistant Quantity Surveyor Superintendent of Works II Mechanical Superintendent II Safety Officer, PM & HD Senior Photographer Steam Maintenance Superintendent Agricultural Extension Officer II District Marshal II Supervisor of Craft and Design Craft Production and Design Officer II Welfare Officer Probation and Welfare Officer I Theatre Supervisor Occupational Therapist Audiometry Technician (Ear, Nose and Throat) Georgetown Hospital Respiratory Therapist Social Worker (Health) Social Welfare Officer (Psychiatry) Master/Mistress I Education Welfare Officer Education Technician III Text Production Officer Films Laboratory Supervisor Senior Films Processing Technician Senior Audio-visual Technician Cameraman II Information Officer I Research Officer (Information) Information Officer II Analytical Technician. | |
| (3) Permanent Secretaries, Heads of | Public servants on the GS6 grade salary scale and above and those | Nos. 3, 5, 9, 10, 14, 16, 18, 21, 22, 24, 25, |

| Public officers | Persons holding or acting in public offices | Offences |
|--|---|---|
| Departments not under ministerial control or Deputy Regional Executive Officers. | holding or acting in the public offices except in item (2) above. | 26, 28, 37 and 38, in respect of 1st and 2nd breaches only. |

NOTE :

- (a) Public Service Commission, on the recommendation of the Permanent Secretary, Head of Department not under ministerial control or Deputy Regional Executive Officer concerned shall exercise disciplinary control over public servants on the GS6 grade salary scale and above and those holding or acting in the public offices except in item (2) above in respect of offences Nos. 3, 5, 9, 10, 14, 16, 18, 21, 22, 24, 25, 26, 28, 37 and 38, in respect of 3rd and subsequent breaches.
- (b) Public Service Commission shall exercise disciplinary control over public servants on the GS6 grade salary scale and above and those holding or acting in public offices except in item (2) above in respect of offences Nos. 2, 4, 6 to 8, 11 to 13, 15, 19, 20, 23, 27 and 29 to 36, in respect of all breaches.

TABLE OF OFFENCES AND PENALTIES

| No. | Offence | 1st breach of offence | 2nd breach of offence | 3rd breach of offence |
|-----|--|--|-----------------------|-----------------------|
| 1. | Persistent unpunctuality | Warning | Fine | Dismissal |
| 2. | Absence from duty without leave and without adequate excuse | Warning, fine or dismissal, depending on the circumstances | Fine or dismissal | Dismissal |
| 3. | Leaving the country without notification | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |
| 4. | Disobedience or disregard of any lawful order made or given by any person having authority | Depending on consequences, of disobedience, written warning, fine or dismissal | As for 1st breach | As for 1st breach |
| 5. | Inefficiency or incompetence | Depending on consequences, written warning, fine or dismissal | As for 1st breach | As for 1st breach |

| No. | Offence | 1st breach of offence | 2nd breach of offence | 3rd breach of offence |
|-----|---|---|-----------------------|-----------------------|
| 6. | Negligence | Depending on consequences, written warning, fine or dismissal | As for 1st breach | As for 1st breach |
| 7. | Violation of an oath or affirmation of office | Warning, fine or dismissal, | As for 1st breach | As for 1st breach |
| 8. | Failure to discharge duties of post | Depending on consequences, written warning, fine or dismissal | As for 1st breach | As for 1st breach |
| 9. | Failure to observe known safety rules | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |
| 10. | Insubordination | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |
| 11. | Contravention of the provisions of enactments relating to official secrets | Warning, fine or dismissal, | As for 1st breach | As for 1st breach |
| 12. | Divulging official information of a secret or confidential nature where the duties do not require a public servant to do so | Warning, fine or dismissal, | As for 1st breach | As for 1st breach |
| 13. | Suppression of records | Warning, fine or dismissal, | As for 1st breach | As for 1st breach |
| 14. | Being at work under the influence of drinks or drugs | Warning | Fine | Dismissal |
| 15. | Immoral or obscene conduct on duty | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |
| 16. | Disorderly conduct and foul language on duty | Warning | Warning or fine | Fine or dismissal |
| 17. | Lack of courtesy and politeness | Warning | Warning or fine | Fine or dismissal |
| 18. | Fighting on the job | Warning or fine | Fine or dismissal | Dismissal |
| 19. | Assault | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |

| No. | Offence | 1st breach of offence | 2nd breach of offence | 3rd breach of offence |
|-----|---|--|-----------------------|-----------------------|
| 20. | Sleeping on the job | Warning, fine or dismissal, | As for 1st breach | As for 1st breach |
| 21. | Intimidation (attempting to obtain favours by menaces) | Fine | Fine or dismissal | Dismissal |
| 22. | Threatening behaviour | Warning | Fine | Dismissal |
| 23. | Inciting employees to riot or to create disorder | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |
| 24. | Drinking alcohol or gambling on job | Fine or dismissal | Fine or dismissal | Dismissal |
| 25. | Wilful idling or loafing on the job or malingering | Warning | Fine | Dismissal |
| 26. | Misusing official property including using vehicles without authority | Warning, fine or dismissal | As for 1st breach | As for 1st breach |
| 27. | Damage to or loss of Government property | Warning, fine or dismissal | As for 1st breach | As for 1st breach |
| 28. | Driving or using Government vehicles in a careless, reckless or dangerous manner | Warning, fine or dismissal, | As for 1st breach | As for 1st breach |
| 29. | Paying money or giving gifts in consideration of favours | Dismissal | | |
| 30. | Proffering or acceptance of bribe for special favours | Dismissal | | |
| 31. | Receiving gifts or rewards for official services rendered | Warning, fine or dismissal. | As for 1st breach | As for 1st breach |
| 32. | Rendening professional services to private persons or firms and accepting remuneration without the permission of Government | Warning | Fine | Dismissal |
| 33. | Conviction on criminal charges | Warning, fine or dismissal depending on the circumstances | As for 1st breach | As for 1st breach |
| 34. | Stealing | Warning, fine or dismissal | As for 1st breach | As for 1st breach |
| 35. | Malpractices with fraudulent intent | Dismissal | | |

| No. | Offence | 1st breach of offence | 2nd breach of offence | 3rd breach of offence |
|-----|--|--|----------------------------|----------------------------|
| 36. | Imprisonment for failure to comply with order of the court | Warning or dismissal | As for 1st breach | As for 1st breach |
| | Dishonesty in official dealings | Warning, fine or dismissal | Warning, fine or dismissal | Warning, fine or dismissal |
| | Improper conduct | Warning, fine or dismissal, depending on the circumstances | As for 1st breach | As for 1st breach |

N.B.**(i) Regarding offence No. 36**

An employee who serves a prison sentence for affiliation arrears may be re-engaged without loss of his previous service on the first such occasion, but should be warned to avoid a recurrence of such conduct. On the second or any subsequent occasion, he may be re-employed but treated as having voluntarily terminated his previous employment by breaking his contract of service. In this event, he would lose his previous service.

(ii) Fines for offences

| TYPE | FINE |
|---|--|
| For minor offences | One (1) to four (4) days' pay. |
| — For serious offences | Five (5) to eight (8) days' pay. |
| For major offences depending on the gravity of the particular offences. | Over eight (8) days' pay but not exceeding fifteen (15) days' pay. |

Made this 6th day of November, 1987.

Archibald A. Moore
Chairman, Public Service Commission.

Samuel T. Luke J. P.
Deputy Chairman, Public Service Commission.

Frank Emery
Member, Public Service Commission.

Sybil A. Patterson AA
Member, Public Service Commission.

Ramkarran
Member, Public Service Commission.

Rowena Bacchus
Member, Public Service Commission.