



This Guide provides key information on the process for leaving service in the Public Sector . This Guide should not be used as a substitute for the Leaving the Service Policy and all template and associated documents are listed in the (Leaving the Service Policy.

This Policy applies to employees of the Public Sector who have:

- Completed fixed term employment agreements
- Resigned or
- Retired

#### **Exclusions**

This Policy does not apply to employees who resign from employment with one Agency to take up employment with another Agency within the Public Sector.

#### **Employer Responsibilities**

Employers are responsible for administering this Policy and ensuring all policies are easily accessible to employees.

#### **Employee Responsibilities**

Employees are responsible for ensuring they read and understand all Government policies. A breach of the Policy may be considered misconduct and may be subject to disciplinary action and/or dismissal.

### **COMPLETION OF FIXED TERM CONTRACTS**

- Fixed term employment agreements have a start and end date.
- The employment relationship between the employer and an employee ends or is terminated in accordance with the terms of the employment agreement, unless amendments or variations to the contract are agreed in writing between the parties.
- Employers do not have a legal responsibility to retain an employee after the end date of a fixed term contract.
- Each party's obligations concerning cessation of employment are outlined either in the terms and conditions of the employment agreement or as detailed in this Policy.

### **RESIGNATIONS**

#### **Employees must:**

- Give notice of intent to resign four weeks prior to the date of their last day of duty unless otherwise provided for in an employment agreement.
- Casual employees must give one weeks' notice unless otherwise provided for in an employment agreement.
- Tender their resignation in writing to their employer, stating their last day of work. The last day of work is the official finishing date for administrative purposes.
- Return all records and property belonging to the Agency.

#### **Employers must:**

- Negotiate and/or agree an 'end date' with the employee.
- Have mechanisms in place to minimise the loss of institutional knowledge with departing employees,
- Finalise all necessary administrative processes in collaboration with the Office of the Public Service Commissioner, Ministry of Finance and Economic Management and the ICT Division of the Office of the Prime Minister.
- Ensure that employees receive entitlements provided through legislation.
- Ensure final pay is made upon the return of all Agency assets entrusted to the employee.
- Where an employee requests, provide employees with Certificates of Service, including verbal and written references.

### **EXIT INTERVIEWS**

- All information collected through the Exit Interview process is confidential.
- All employers are required to offer all exiting employees the opportunity to participate in the exit interview process.
- The Exit Interview can be completed either by completing a hardcopy and providing said hard copy in a sealed envelope to the employee's manager; or
- The electronic form of the Exit Interview can be accessed, completed and submitted on the OPSC website (ENTER LINK HERE); or
- The most current form of the Exit Interview survey can be accessed by contacting the Human Resources team at the Office of the Public Service Commissioner.

## VOLUNTARY RETIREMENT

- The decision as to whether to offer an incentive for voluntary retirement lies with each individual Agency.
- If an Agency decides to offer a voluntary retirement programme, then the calculations of the pay-out of such a programme must be calculated as outlined in the Leaving the Service Policy.
- The voluntary retirement pay out package is based on the employee's age and years of service, and includes any other entitlements owing such as annual leave.
- Employees are eligible for the voluntary retirement pay-out only once in their lifetime.
- Applications for voluntary retirement must be made in accordance with the process outlined in the Leaving the Service Policy.

## OTHER PROVISIONS

- All records relating to the administration of the Leaving the Service Policy must be kept for at least seven years for audit purposes and are only accessible by the employer and/or authorised staff.
- After the required seven year period, the Agency may destroy the documentation in adherence with Government official information management policies.

## ASSOCIATED DOCUMENTS AND TEMPLATES

- Voluntary Retirement Policy – Pamphlet
- Voluntary Retirement Application Form.
- Leaving the Service Policy 2023
- Exit Interview Form

For Policy queries or issues in the administration of this Policy, contact the Office of the Public Service Commissioner on phone (682) 29 421 or email: [pscinfo@cookislands.gov.ck](mailto:pscinfo@cookislands.gov.ck)