

WHAT FIXED TERM SERVICE/PART-TIME SERVICE IS RECKONABLE FOR PENSION PURPOSES?

The HEA has advised the following in relation to the reckoning (for pension purposes) of fixed term or part-time service prior to the coming into operation of the Protection of Employees (Part-Time Work) Act, 2001 & Protection of Employees (Fixed Term Work) Act, 2003 :

The terms of the NUI Galway Joint Pension Scheme apply to members of that scheme i.e.

“All service rendered to the College by a participant in a permanent fulltime capacity or in a permanent part-time capacity pensionable by Statue, as well as fulltime continuous service in a temporary or probationary capacity immediately prior to and up to the date of his appointment in a permanent fulltime capacity shall be deemed to be pensionable service. “

The Protection of Employees (Fixed Term Work) Act 2003 provided for the inclusion of fixed term workers in the pension scheme, who met certain conditions (e.g. a permanent comparator) from 14th July 2003. The Protection of Employees (Part Time Work) Act 2001 provided for the inclusion of part-time workers in the pension scheme, who met certain conditions (e.g. full-time comparator, working 20% of FTE.) from 20 December 2001.

As regards the reckoning (for pension purposes) of fixed term or part-time service prior to the coming into operation of the Acts on 14th July 2003 and 20 December 2001, the Acts do not specifically provide for retrospection and do not explicitly deal with how service prior to the implementation of the Act is to be treated. Accordingly, the issue of reckoning prior service depends on the terms of the relevant pension scheme. As there is no provision in the NUIG pension scheme to reckon CID service, any CID service prior to the implementation of the Fixed Term Work Act and the Part-Time Work Act cannot be reckoned under the NUIG pension scheme.