



*Discussion with staff in regard to Retirement*

The Public Service Superannuation (Age of Retirement) Act 2018 was signed into law on 26 December 2018 and provides for an increase in the compulsory retirement age from 65 to 70 for pre-2004 public servants. An information sheet for managers and staff is attached as Appendix 1.

Having a discussion with your staff on the various work place issues is extremely valuable, this includes the area of retirement planning. Having open and honest discussions with staff can help managers plan more effectively for the future and, where appropriate, can help facilitate the transition from work to retirement for both the individual and the Unit/Discipline/School. Whilst there is no requirement to talk to employees about their future plan, there is some research available to suggest that staff would like to have such discussions. It is also helpful for organisational and succession planning.

Opportunities for one-to-one discussions may be a helpful place in which to discuss, with all staff members, their aims and ambitions as well as Unit/Discipline/School plans and staffing needs. This can form part of ongoing operational planning engagement meetings.

It is important that managers take the opportunity to ask each staff member, regardless of their age, about their career and contribution to the University for the:

- Short term;
- Medium term;
- Long term.

Asking open questions about future plans during any workplace discussion will help to avoid suggestions of age discrimination. It is not necessary to ask all staff the same questions, but all the relevant issues should be explored with all staff in an open way which avoids making assumptions about age. During these discussions, a manager should give all staff the opportunity (irrespective of their age) to develop and learn new skills through staff development and training initiatives.

These discussions will help managers to assess how the staff member's skills and abilities can be matched to the Unit/Discipline/School's future plans.

**Some suggested tips to support managers in these discussions**

Ask open questions - for example:

- What are your aims and plans career-wise for the short (6-12 months), medium (1-2 years) and long term (2 years+)?
- We are offering all staff the opportunity to be trained in the new technology/attend this course, etc.] - how do you feel about this?

These types of questions may be framed differently for staff but the premise would remain with the relevant issues being explored regardless of their stage of career.

It should also be noted that some employees may not choose to discuss their plans openly with you.

### **Should a staff member choose to discuss their retirement?**

- Make it clear that you are not suggesting or trying to influence an employee to retire at a given time or that you expect them to do so. The retirement age document for public sector employees is available and they decide.
- You can advise that it is helpful for you (as the manager) to understand their plans, even if they are not definite, in order to make sure that future staffing plans can be considered.
- Ensure that all staff understand that any discussions will not be taken as confirmation (e.g. of retirement at a given date) of retirement.
- If an employee indicates their intention to retire, you may wish to explore how the University can support them in their transition into retirement. Examples: Attending a retirement planning workshop would be a valuable option for an employee. As a manager you can recommend your employee contact the HR Office for information.
- It may also be appropriate to discuss succession planning options. Remember the retiring employee may be able to tell you how the role has changed and what the key aspects and deliverables of the job are now.

## COMPULSORY RETIREMENT AGE

The Public Service Superannuation (Age of Retirement) Act 2018 was signed into law on 26 December 2018 and provides for an increase in the compulsory retirement age from 65 to 70: refer to table below.

### Employees Affected

The increase in retirement age applies to employees who joined the public sector pre-01 April 2004 and covers Groups A & B as illustrated in the table below:

Group	Date of joining Public Sector	Description	Pension Integrated with State Pension	Minimum Pension Age	Contract Retirement Age	Compulsory Retirement Age	Cost Neutral Early Retirement
<b>A</b>	Pre 6-Apr-1995	Modified/ Class D PRSI	No	60	65	70	50
<b>B</b>	6-Apr-1995 to 31-Mar-2004	Full/Class A PRSI	Yes	60	65	70	50
<b>C</b>	1-Apr-2004 to 31-Dec-2012	New Entrants as per 2004 Act	Yes	65	None	None	55
		Full/Class A PRSI					
<b>D</b> SPS Pension Scheme	On or after 1-Jan-2013	Single Scheme Members as per 2012 Act	Yes	Currently 66 (rising to 67 from 2021, 68 from 2028 as per changes in State Pension age)		70	55

### Procedure:

**Groups A & B:** referenced in the table above, who previously had to retire at age 65, can now remain in employment to age 70. Traditionally the HR Office contacted employees in these groups 3 months in advance of their 65th birthday regarding retirement. The normal retirement age remains at 65. If you intend to retire at age 65 you do not need to take any action.

Staff who were employed prior to the 1<sup>st</sup> April 2014 and who wish to retire between the ages of 60 and 65 i.e. before the obligatory retirement age of 65, must notify the University of their intention to retire and provide appropriate notice in accordance with their terms and conditions of employment.

- Academic Staff are normally required to give three months' notice (such notice to expire on the last day of the semester) in writing to the Registrar /Deputy President, unless they have the special permission of the President to do otherwise.
- Administrative, Research, Technical, and Library Staff are normally required to give one month's notice in writing to the Director of Human Resources unless otherwise stated in the employment contract.

### **Intend to work beyond age 65**

If staff wish to continue working past age 65, they must provide three months' notice of their intention. The following is the process for notice:

Academic Staff – Notice to: HoS, College Dean, HR Office, Pensions Office

Support, Technical Staff, Library and Research Staff – Notice to: Head of Unit, HR Office, Pensions Office

### **Retire after age 65 and before age 70**

If staff continue working past their normal retirement age of 65, when they decide to retire it will be necessary to provide the appropriate notice cited above in advance of their chosen retirement date. The months of July, August and September do not count for notice purposes (applicable to Academic staff).

- They continue in employment with no change to their current terms and conditions.
- They will continue to accrue pensionable service up to a maximum of 40 years.
- The legislation has not changed the minimum retirement age which means employees can still opt to early retire anytime (from age 60).
- Pension benefits will be payable at retirement which will be age 70 or the earlier retirement date as chosen by the employee. Note that earlier retirement age may impact on pension calculation.
- No approval is required to remain in employment up to age 70, but notice needs to be given of your intention to remain on beyond the age of 65.
- For staff planning purposes, it is recommended that you keep your Head of School/Unit/Line Manager updated of your retirement plans.
- Membership of the Group Life Scheme and Income Continuance Scheme ceases at age 65.

## **Retire at age 70**

If they work beyond age 65 they must retire at age 70. They are not required to give notice of their intention to retire at age 70.

## **Staff on Interim arrangements**

The legislation did not cover those staff who reached the age of 65 before the enactment of the legislation or who had previously retired. Staff who were approved the retention for a year beyond their 65<sup>th</sup> birthday were not covered by the legislation and ceased being employed on reaching their 66<sup>th</sup> birthday or the end of the academic year 18/19.

**Group C:** as referenced in the table above, are unaffected by the legislation and have no maximum retirement age.

The Public Service Superannuation (Miscellaneous Provisions) Act 2004 removed the compulsory retirement age for new entrants to the public service with effect from 1 April 2004 i.e. staff do not have to retire at the normal retirement age. There is no limit on the upper retirement age. You can remain in service after normal retirement age, accruing pensionable service to a maximum of 40 years. Retirement is not mandatory at any age (subject to health criteria) except for those in the new Single Scheme where a compulsory retirement age of 70 applies.

A new entrant to the public service is an employee who either:

- Became a public servant for the first time from 1 April 2004 to 31 December 2012; or
- Left public service employment and who between 1 April 2004 and 31 December 2012 returned to public service employment following a break in service of more than 26 weeks.

**Group D:** as referenced in the table above, are unaffected by the legislation and already have a maximum retirement age of 70. Please [click here](#) for further information on the Single Public Service Pension Scheme.

**FAQ:** An [FAQ document](#) has been prepared by the Department of Public Expenditure and Reform and is available on their website.