JAMAICA (EIGHTH MEETING)

Article 7 - Public Sector

Jamaica has a set of provisions related to systems for the hiring of persons in the public service, including the criminal justice system, on the basis of merit. The Public Service Commission (PSC), established through the Constitution of Jamaica, oversees the appointment and removal of persons to public offices. The Public Service Regulations contain a number of provisions on the powers of the PSC that are instructive:

- Regulation 14 states that the Public Service Commission shall make recommendations to the Governor General with respect to appointments, promotions and transfers of suitable officers, while Regulation 15 establishes the supervisory role of that Commission on the selection of persons for admission to the public service.

- Regulation 16 determines that vacancies in the public service will be advertised where there are no suitable candidates already in the service or “that having regard to qualifications, experience and merit it would be advantageous and in the best interest of the public service that the services of a person not already in the service be secured”.

- Regulation 19 provides that “the Commission shall be responsible for the form and manner in which applications are to be made for appointment to public offices within its purview and for the conduct of any examinations for recruitment to such offices, and
shall determine whether any candidate has the necessary qualifications for appointment to such offices. In that regard, "the Commission may interview candidates for appointment and shall consider in respect of each candidate: (a) his educational qualifications; (b) his general fitness; (c) any previous employment of his in the public service or otherwise; and (d) any reports for which the Commission may call from persons such as the principal, headmaster or headmistress of a candidate's university, college or school or any referees named by the candidate".

* In regards to probationary service, Regulation 23 states that on first appointment to the public service, an officer will be required to serve a probationary period of one year unless a shorter term is specified in his letter of appointment. At intervals of six months and nine months during the probationary period, Permanent Secretaries and Heads of Departments shall submit to the Chief Personnel Officer a report on every officer appointed on probation in their Ministries or Departments. One month before the end of the probationary period, Permanent Secretaries and Heads of Departments shall submit a further report and a recommendation that (a) the officer be confirmed in the appointment; (b) that the probationary period be extended; or (c) that the officer's services be terminated. This same regulation states that subject to the provisions of the Public Service Regulations, the appointment on probation of any officer may, at any time during the period of probation and without any reason being given, be terminated by the Governor-General acting on the recommendation of the Commission upon one month's notice in writing or payment of one month's salary in lieu thereof.

* Chapter 1 of the Staff Orders for the Public Service of 2004 regulates appointments to the public service and deals with the following: how appointments are made, authority to make appointments, eligibility, entry into service, probation, confirmation of appointment and other types of appointments."