

The **EMPLOYEE Mobility** Programme

A Guide and Frequently Asked Questions



GOVERNMENT OF THE
VIRGIN ISLANDS



What is the Employee Mobility Programme?

The Employee Mobility Programme (the 'Programme') offers an alternative employment option for persons interested in transferring within the public sector. It allows for the *one-time transfer* of public officers of the Public Service, members of the Royal Virgin Islands Police Force (the 'Force') and employees of participating Statutory Agencies

between the Public Service, the Force and participating Statutory Agencies, without losing pensionable years of service. The legislative framework that governs the Programme is the Employee Mobility Act, 2012, Employee Mobility (Amendment) Act, 2015 and Employee Mobility (Pension) Regulations, 2017. The transfer options are:

Public Officers

Employed with the Public Service can transfer to the:

Royal Virgin Islands Police Force, or
Statutory Agency

Members

Employed with the Royal Virgin Islands Police Force can transfer to the:

Public Service, or
Statutory Agency

Employees

Employed with a Statutory Agency can transfer to the:

Public Service, or
Royal Virgin Islands Police Force

Eligibility Criteria

To participate in the Employee Mobility Programme you must meet the following requirements:

Criteria	Public Officers	Members	Employees
Permanent and Pensionable	✓	✓	n/a
Satisfactory performance rating within two preceding years	✓	✓	✗
Satisfactory performance rating within same year	✗	✗	✓
No outstanding legal obligation ¹	✓	✓	✓
No disciplinary charges contemplated or pending	✓	✓	✓
Employed for minimum of 5 years	✓	✓	✓

¹ If legal obligations exist, they must be settled prior to transfer.

Features of Programme

RETENTION OF YEARS OF SERVICE

The pensionable years of service accrued are maintained and are considered when calculating pension upon retirement.

RETENTION OF KNOWLEDGE

The Programme allows for the retention of institutional knowledge and experience within the public sector organisations (*the Public Service and Statutory Agencies*).

PROFESSIONAL DEVELOPMENT

The Programme provides an outlet for professional development and career advancement within one's profession.

ELIGIBILITY FOR PENSION

Public officers and members of the Force become eligible to receive a pension upon attaining 25 pensionable years of service, reaching the retirement age or qualifying based on the other permissible grounds for retirement in accordance with the relevant pensions law.

Employees of Statutory Agencies will be eligible to receive a pension based on the terms of the organisation's pension scheme. This will differ from agency to agency. It is therefore important for persons to ensure that they are fully aware of those terms prior to the transfer.

Accessing Your Pension

In order to receive a pension from the Public Service or the Force, persons must meet the criteria for retirement (that is, served a total of 25 pensionable years, reached the retirement age, or qualify based on the other permissible grounds for retirement in accordance with the relevant pensions laws). Additionally, one year's notice of intent to retire is required. The pension will be calculated based on the last salary earned, years of service or other applicable benefits in accordance with the relevant pensions law.

Employees of Statutory Agencies should refer to the rules applicable to the respective agency's pension scheme. This will differ from agency to agency.

Scenarios



Henry worked for 5 years in the Public Service

He transferred to a Statutory Agency and worked for 20 years

Total of 25 years

Henry's pension entitlement -

From **Public Service**: Henry will be eligible to receive a pension under employee mobility based on working a collective 25 years. His pension will be calculated based on the 5 years worked and last salary earned in the Public Service.

From **Statutory Agency**: Henry may be eligible based on terms of the Agency's pension scheme.



Janice worked for 10 years at a Statutory Agency

She transferred to the Public Service and worked for 15 years.

Total of 25 years

Janice's pension entitlements –
From **Statutory Agency**: Janice may be eligible based on terms of the Agency's pension scheme.

From **Public Service**: Janice will be eligible to receive a pension under employee mobility based on working a collective 25 years of service. Her pension will be calculated based on the 15 years worked and last salary earned in the Public Service.



James worked for 20 years in the Public Service

He transferred to a Statutory Agency and worked for 2 years

Total of 22 years

James's pension entitlements –
From **Statutory Agency**: James may be eligible based on terms of the Agency's pension scheme.

From **Public Service**: James will not be eligible to receive a pension under employee mobility because he has only worked a total of 22 years.



Sofia worked for 15 years in the Public Service

She transferred to a Statutory Agency and worked for 4 years

Total of 19 years | Reached retirement age

Sofia's pension entitlements –
From **Statutory Agency**: Sofia may be eligible based on terms of the Agency's pension scheme.

From **Public Service**: Sofia will be eligible to receive a pension under employee mobility based on reaching the retirement age. Her pension will be calculated based on the 15 years worked and last salary earned in the Public Service.

Employee Mobility Programme Resources

Available on Government of the Virgin Islands' website: bvi.gov.vg/services/emp

Employee Mobility Application

Guide and Frequently Asked Questions

Employee Mobility Act, 2012

Employee Mobility (Pension) Regulations, 2017

How to Apply

1 COMPLETE STANDARD APPLICATION FORM

Complete the relevant organisation's standard application form.

REMEMBER TO:

Include all supporting documents required by the organisation.

2 COMPLETE EMPLOYEE MOBILITY FORM

Complete both Part A and Part B of the Employee Mobility Application.

REMEMBER TO:

Plan ahead. This application requires comments from and the approval of the current employer.

3 SUBMIT TO ORGANISATION

Submit both forms to the organisation to which you are seeking to transfer. That organisation will process your application.

REMEMBER TO:

Utilise the mailing address provided on the vacancy notice.

4 APPLYING TO STATUTORY AGENCY

For officers and members of the Force

The Hiring Manager(s) and Board of the Agency will review and approve applications and select the best candidate for the position.

or APPLYING TO THE PUBLIC SERVICE OR ROYAL VIRGIN ISLANDS POLICE FORCE

For members, officers or employees

The Hiring Manager will review applications and make a recommendation to the relevant Commission. Following the respective Commission's review, they will advise the Governor on the suitable candidate for appointment.

5 YOU'RE HIRED

If you are successful, your appointment date will be coordinated by both parties and you will be notified and onboarded by your new organisation.

Participating Statutory Agencies

Statutory Agencies are required to sign an agreement to facilitate the transfer of officers, members of the Force and employees. The decision to participate in the Programme rests with the Statutory Agency. Currently eligible Agencies include:

BVI Airports Authority
BVI Electricity
BVI Financial Investigation Agency
BVI Financial Services Commission
BVI Health Services Authority
BVI Ports Authority

BVI Social Security Board
BVI Tourist Board
H. Lavity Stoutt Community College
National Bank of the Virgin Islands
National Parks Trust of the Virgin Islands
Telecommunications Regulatory Commission

Frequently Asked Questions

Q. Is the Employee Mobility Programme right for me?

- A. You might consider the Employee Mobility Programme if you are:
- Seeking career enhancing opportunities
 - Seeking promotional opportunities
 - Interested in working in another industry

If these apply and you wish to make a one-time transfer to one of the participating organisations without losing your pensionable years of service, the Employee Mobility Programme may be right for you.

Q. I have a legal obligation to my current organisation, what should I do?

- A. If you have an outstanding legal obligation (e.g. vehicle loan) you must make arrangements with your current employer to settle the obligations prior to your transfer.

Q. Is there a possibility of me losing my pensions benefits?

- A. As a public officer, if you are terminated with good cause from a Statutory Agency or the Force during the period of transfer, you will not be eligible to receive a pension and any other related benefits.

You may also lose your pensions benefits if you have resigned from the organisation prior to meeting the retirement requirements (25 years of service, attaining the retirement age, or qualifying based on the other permissible grounds for retirement).

Q. Which Statutory Agencies are participating in the Programme?

- A. Statutory Agencies are required to enter into an agreement to facilitate the transfer of officers, members of the Force and employees under the Employee Mobility Act and Regulations. There is a process of confirming agreements and such a decision rests with the Agency. Contact the Department of Human Resources, Government of the Virgin Islands to identify which agencies are participating.

Q. I applied for a transfer through the Employee Mobility Programme, but have not heard from the organisation?

- A. Each organisation will carry out the recruitment process based on their established standards. Generally, the selection process is competitive and appointments are made based on merit. If you are short-listed by the organisation you will be contacted for an interview. Contact the HR team at the organisation to which you applied to follow up on the status of your application.

Q. What will my pension entitlement be upon retirement?

- A. The pension from the Public Service and Royal Virgin Islands Police Force is calculated based on the last salary earned, years of service and other applicable benefits in accordance with the relevant pensions laws.

The pension from a Statutory Agency will vary by organisation. It is therefore very important that you verify details of the respective organisation’s pension scheme.

Q. I am not sure if Employee Mobility is right for me. Is there an alternative development opportunity for me to consider?

A. The Secondment Programme continues to be an option for persons seeking a temporary development-focused opportunity in another organisation. The purpose of a secondment is to offer a way to gain a broader perspective of one’s industry and to develop particular knowledge and skills that could be used to advance one’s substantive organisation. You may consider the following:

Areas to consider	Secondment	Employee Mobility
Appointment has a fixed timeframe	✓	✗ (one-time transfer)
Pensionable benefits reserved	✓	✓
Retention of substantive appointment	✓	✗
Primarily for developmental purposes	✓	✗

Alternatively, public officers may consider job rotations within the Public Service or contact the Department of Human Resources to discuss other learning and development opportunities.

Q. How do I gain access to my pension under the Employee Mobility Programme?

A. The pension from the Public Service and Royal Virgin Islands Police Force will be made available upon reaching the retirement requirements (25 combined pensionable years of service, attaining the retirement age or qualifying based on other permissible grounds for retirement) and submitting a formal written notice to the Department of Human Resources one year prior to the date you intend to retire. Please refer to *page 3 – Accessing Your Pension* for additional guidance on how to qualify.

The pension from a Statutory Agency will vary by organisation. It is therefore very important that you consult with the HR team to verify details of the respective organisation’s pension scheme.

Q. Once I transfer, can I return to my previous position in my former organisation?

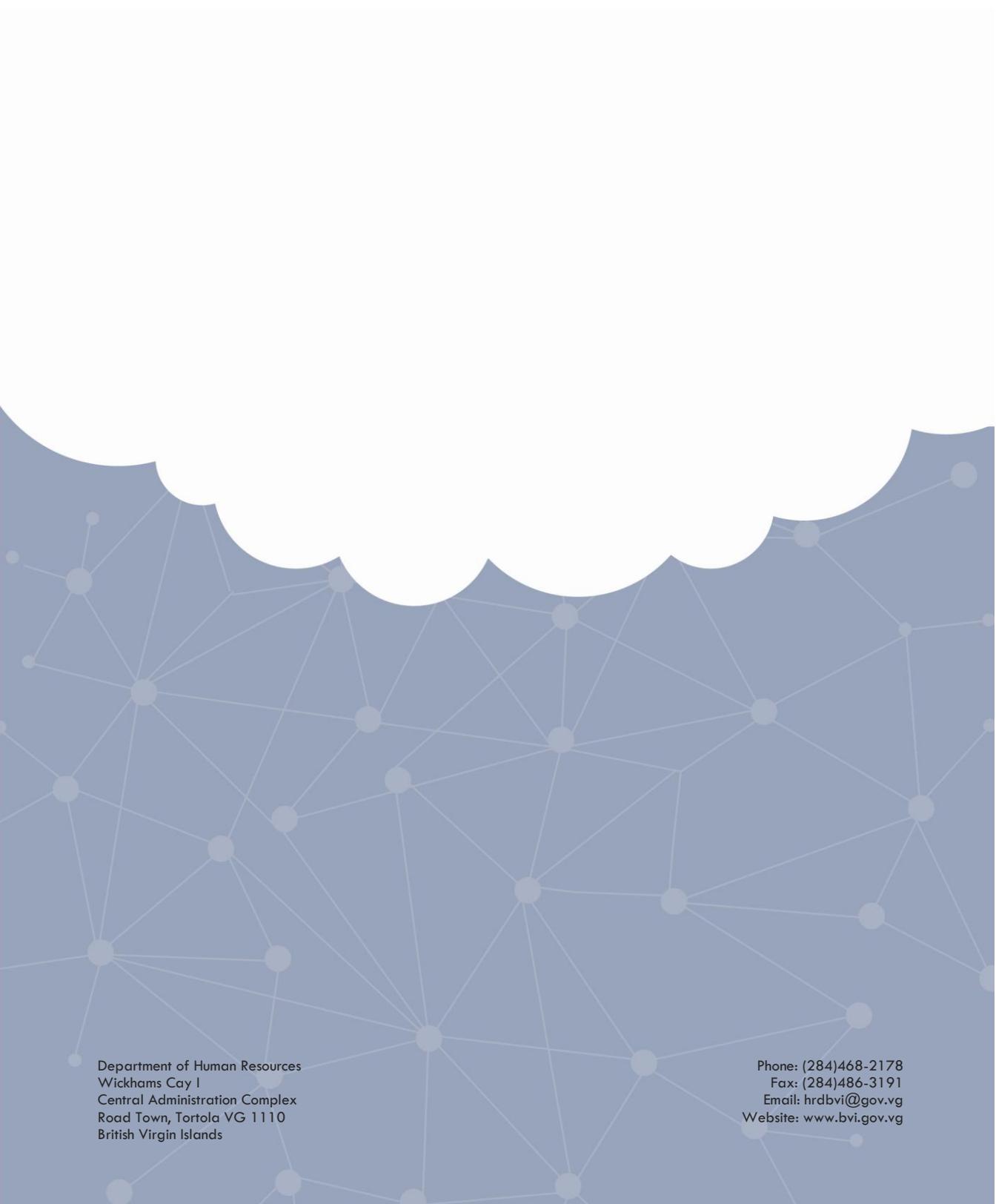
A. Transfers through the Employee Mobility Programme are permanent. Therefore, once you have transferred to the other organisation, you will no longer retain your previous position. You will have to apply for a vacant position should you desire to return to your previous place of employment.

Q. I am currently on secondment, what are my options?

A. Persons who are currently on secondment may have received notice about transferring permanently under the Employee Mobility Programme or remaining on secondment. Each case will be addressed on a one-on-one basis and will require the mutual agreement of all parties. If you have not received notice, contact the Department of Human Resources for more information.

Q. Can I transfer between two Statutory Agencies under the Programme?

A. No, the Programme does not allow for transfers between Statutory Agencies. See *page 2 – What is the Employee Mobility Programme?* for transfer options.



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