

April 3, 2017

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[REDACTED]
[REDACTED] s.40(1)

[REDACTED]

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: FIN-16-2017]

On March 6, 2017, the Department of Finance received your request for access to the following records/information:

“1. Under what circumstances an an employee with the Government of Nunavut who is on an unpaid leave of absence from a position with the Government of Newfoundland and Labrador (NL) transfer pensionable service to the NL Public Service Pension Plan without returning to their position with the Government of NL? Should the employee be eligible for a pension as a result of the transfer of pensionable service, can the employee apply for and commence receiving the pension without returning to their position with the Government of NL? 2. Under what circumstances can an employee with the Government of NL who is on an unpaid leave of absence from a position with the Government of Nunavut transfer pensionable service to the Government of Nunavut Pension Plan without returning to their position with the Government of Nunavut? Thank you in advance for your attention to this matter. I look forward to your soonest reply.”

The Department of Finance is pleased to advise that access has been granted and a response is provided as follows:

- 1. Under what circumstances an an employee with the Government of Nunavut who is on an unpaid leave of absence from a position with the Government of Newfoundland and Labrador (NL) transfer pensionable service to the NL Public Service Pension Plan without returning to their position with the Government of NL? Should the employee be eligible for a pension as a result of the transfer of pensionable service, can the employee apply for and commence receiving the pension without returning to their position with the Government of NL?*
 - If an individual is on an unpaid leave of absence that has been approved by the Government of Newfoundland and Labrador (GNL), their options are as follows:

- To purchase the approved unpaid leave under the Public Service Pension Plan (PSPP) while remaining an employee of the Government of Nunavut.
- To terminate employment with the Government of Nunavut, return to their position with GNL, and request a transfer of the pensionable service from the Government of Nunavut to PSPP. Please note that an employee is not able to receive credit for pensionable service under both plans (PSPP and the Government of Nunavut).

Should the employee be eligible for a pension as a result of the transfer of pensionable service, can the employee apply for and commence receiving the pension without returning to their position with the Government of NL?

- Yes, if the employee has met the eligibility requirements, then the employee can apply and commence a pension from GNL even if they terminate employment.
2. *Under what circumstances can an employee with the Government of NL who is on an unpaid leave of absence from a position with the Government of Nunavut transfer pensionable service to the Government of Nunavut Pension Plan without returning to their position with the Government of Nunavut?*
- The ability to transfer pensionable service from the GNL to the Government of Nunavut is dependent upon the acceptance of the transfer. It will be contingent upon the terms and conditions of the pension plan as established by the Government of Nunavut.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
 2 Canada Drive
 P. O. Box 13004, Stn. A
 St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
 Toll-Free: 1-877-729-6309
 Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to

Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the undersigned by telephone at 709-729-2082, or by email at bethbartlett@gov.nl.ca.

Sincerely,



Beth Bartlett
ATIPP Coordinator