

JANUARY / FEBRUARY EDITION OF THE HR NEWS 2010 FROM THE DESK OF THE TEAM AT PSC

LWOP and Public/Commission Holidays

There may have been some misunderstanding by some Ministries of how the Leave Without Pay Policy should be applied in relation to Public and Commission holidays. Determination 13A 7.4 (b) reads: "No payment shall be made for a holiday falling during a period of leave without pay."

Using the last Christmas Period as example, if Toma went on LWOP



from 21 December 2009 to 12 January 2010, then he is clearly not entitled to any pay for the Public and Commission holidays because they fell during his LWOP period. On the other hand, had Toma returned to work on 11 January 2010, which is the day work officially resumed, his LWOP period is deemed to have ended on 24 December 2009. He is therefore entitled to full pay for those holidays.

Workshops on Working Conditions and Entitlements

The HR & Legal Service Division is planning workshops



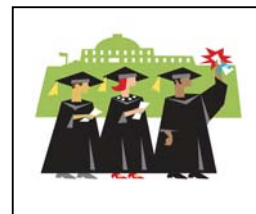
to further explain provisions of the Working Conditions & Entitlements, and the Recruitment & Selection Manuals. The purpose is to make sure that we all have the same understanding of their requirements when applying them to issues at work. You will be advised of the exact workshop dates when they are finalised.

Returning Graduate Placement

Placing Returning Graduates into jobs will no longer be the responsibility of the Public Service Commission from now on. This change in policy reflects the desire of some Ministries to play a greater role in deciding who should fill their vacant positions, as well as concerns

expressed by some Returning Graduates that there was a mismatch between the duties and responsibilities of their job and their skills and qualification.

This change will also mean that all vacant positions will be advertised and the normal recruitment and selection process followed. It is a fairer process as it gives other staff of Ministries the opportunity to apply. It also ensures that the appointee is the best person for the job.



Long Term Study Leave

Review of the Long Term Study Leave Policy has been completed and a Circular Memorandum will be sent out soon advising Ministries of the changes.

Meanwhile, Ministries are advised of the importance of ensuring that Commission's decisions on all requests for study leave are actioned immediately, and the employee's salary ceased, where the request for leave with pay had been declined. Failure to act may result in an employee receiving monies they are not entitled to, which they will be required to pay back. It may also lead to the ACEO responsible for staffing matters facing disciplinary action.

Employees intending to apply for study leave



need to be aware also that under current policy, only the Commission has the legal authority to approve requests for long term overseas study leave. Any employee who embarks on overseas studies while still receiving their pay on the say so of their Ministry, are liable to pay back the salary they

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received in full for the period they were away. Ignorance of the policy is no excuse!

Abuse of Government Property

Despite the CM PSC 2009/25 of 29 October 2009 warning about the abuse of Government vehicle, we continue to notice the increasing number of vehicles belonging to certain Ministries cruising around after hours and at weekends, sometimes with children on board, without an "Authorised" sign displayed on the windscreen as required.

Of even greater concern is the fact that some vehicles have had their official number plates removed. The Commission

takes a very dim view of this blatant disregard of Government Policy and will not hesitate to take disciplinary action against those senior managers and ACEOs who are ultimately responsible for their Ministries' vehicle usage if this continues.

Unauthorised absence

We noticed during our last year's Monitoring and Evaluation visits that staff of some Ministries were habitually taking time off from work for a week or more, without authorization or even informing their superiors. Section 48A (1)(a) of the Public Service Act 2004 states clearly that an employee: "who without permission absents themselves from duty.....and continues to be absent without permission for a period of not less than 5 working days....shall be deemed to have been dismissed from their employment." It is important that employees are fully aware of the risk they run if they persist with taking time-off without permission.



Sick Leave

The purpose of granting sick leave is to ensure that an employee, who is unable to work due to illness, has time to recuperate while they are still getting paid. However an employee is **not** entitled to any pay "during any period of absence on account of sickness or disability arising from the drinking of intoxication liquor, the improper use of drugs or misconduct." (WC&E Determination 13B 7.3(b))



Reminder #1-All Contract Officers

Your Contract of Employment requires you to submit your Performance Review to the Commission 4 weeks after the anniversary of your contract. Please ensure that you comply with this requirement and adhere to the timeline. You are reminded that failure to submit your Performance Review on time may result in your salary and entitlements being forfeited. Please contact our Contract Employment Branch if you need further information.



Reminder #2 - Short-listing applicants

If applicants fail to meet all essential criteria for a vacancy, they **must not** be interviewed. The decision to short list applicants must also be based solely on information before the interview panel. Strict adherence to this rule will avoid the Panel's decision being appealed.



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