

MALDIVES CIVIL SERVICE REGULATION

2014

Regulation No.: 2014/R-311

Civil Service Commission
Male', Maldives

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CHAPTER 1

General Provisions

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CHAPTER 1

General Provisions

- Introduction
1. (a) This Regulation is established by the Maldives Civil Service Commission from the powers derived from Article 18 (f) of the Act No. 5/2007 (Maldives Civil Service Act) to undertake the responsibilities of the Maldives Civil Service Commission stipulated by the Constitution of the Republic of Maldives and to enforce the Act; to detail the general clauses of the Act, and for the purpose of developing and enforcing necessary principles, standards and guidelines for the functioning of the Maldives Civil Service Commission in accordance to the realization of the objectives of the Act.
- (b) This Regulation shall be called “Maldives Civil Service Regulation 2014”.
- (c) This Regulation shall come into effect as of 1 December 2014. The Maldives Civil Service Regulation 2010 and its amendments shall be revoked from the date of enforcement of this Regulation.
- Scope of Regulation
2. (a) This Regulation shall be enforced upon Maldivian Civil Servants, Government offices, Civil Service agencies established under these Government offices or those established by the Government or by a Law. All Maldivian Civil Servants and the offices shall act pursuant to the terms stated in this Regulation. All Maldivian Civil Servants and the offices shall also act pursuant to all amendments to this Regulation upon its adoption.
- (b) Unless otherwise stated herein this Regulation, the enforcement of this Regulation shall not annul an action taken against an employee, nor an enforced decision, nor any obligation determined nor any right given to an employee by the Civil Services Commission in implementing the Civil Service Regulation 2010.

(c) This Regulation shall not impede any office in developing and enforcing policies and directives relevant to its services where it does not contravene the Maldives Civil Service Act, this Regulation or Code of Conduct.

Instances Not
Addressed by this
Regulation

3. (a) In considering instances not addressed by this Regulation or where a difference of interpretation of this Regulation arises, the Civil Service Commission shall have the discretion to determine a decision in pursuant to the Act.

(b) Misinterpretation or difference of interpretation of policies and directives enforced by offices relevant to its services, pursuant to Article 2 (c) of this Regulation and conforming to this Regulation and the Code of Conduct, shall be determined by the Responsible Officer in charge of enforcing such policies and directives.

Exemptions

4. While conforming to the Maldives Civil Service Act and other laws in effect in the Maldives, the Civil Service Commission has the discretion to determine a decision that may contradict this Regulation, in exempt circumstances which obligates protection of employee rights in employing civil servants or in issues arising with regard to employment of civil servants or in cases which may be detrimental to the interests of all civil servants.

Definitions

5. Unless the context of this Regulation clearly states otherwise, the following terms are defined as follows:

(a) “Commission” means Civil Service Commission.

(b) References in this Regulation to the official responsible for the offices as “Senior Responsible Officer” means Permanent Secretaries, Senior Responsible Officers and Responsible Officers.

(c) “Employees” means employees of the Maldives Civil Service.

- (d) “Office” means Government Ministries, authorities under the Ministries and all agencies where civil servants are employed.
- (e) “Civil Service” means Maldives Civil Service.

Formulation of Maldives Civil Service 6. Maldives Civil Service consists of Permanent Secretaries at the Ministries, Senior Responsible Officers, Responsible Officers and employees of Maldives Civil Service.

Role of Maldivian Civil Servants 7. Role of the employees of the Maldives Civil Service is to sincerely and with honesty assist the Government in executing its policies and programmes while not working to appease any third party. Employees of Maldives Civil Service shall also remain independent of all political influences and be accountable to all powers of the state and the general public and assist the government in power in formulating and implementing its policies. In order to ensure this, and while in compliance to laws and regulations in effect, the Responsible Officer shall have the discretion to obtain a written determination from civil service employees and applicants for civil service.

Service Guidelines 8. Maldives Civil Service employees shall serve the government according to the following guidelines.

- (a) Every employee shall be accountable to the Responsible Officer of their respective office (inclusive of political appointees and elected councils), to the Senior Responsible Officer representing the Maldives Civil Service and to the officials the employee reports to.
- (b) Every employee shall respect the Constitution of the Maldives, laws and regulations, and international treaties and agreements that the Maldives is party to when executing his/her responsibilities and duties.
- (c) Every employee shall respect the Code of Conduct and the Maldives Civil Service Regulation. Furthermore, every employee shall also respect

policies, directives and general rules in practice enforced by the offices in relation to its services pursuant to Article 2 (c) of this Regulation and conforming to this Regulation and the Code of Conduct.

- (d) Every employee shall take responsibility and be accountable for matters assigned to him/herself. Additionally, each employee shall take responsibility for any loss/damage incurred due to his/her carelessness or negligence.
- (e) Every employee shall perform his/her assigned tasks to the required standard, level and on time. And the employee shall take responsibility for failure to perform accordingly due to his/her carelessness or negligence.
- (f) Every employee shall complete the daily tasks. An employee may extend his/her daily tasks should his/her supervisor determine non-availability of a requirement for its completion or should the supervisor approve its extension. The employee shall bear responsibility for any unauthorized incompleteness of daily duties.
- (g) Every employee shall spend his/her working hours in executing assigned responsibilities. Any other responsibility shall be attended to with the permission of the supervisor or the officer in-charge of the responsibilities assigned to the employee.
- (h) Every employee shall have a supervisor who advises and guides the employee. Every supervisor shall oversee the work and work ethics of employees under his/her supervision. Furthermore, the supervisor shall be fully responsible for such supervisory duties.

Reporting
Violation of Laws
and Regulations

- 9. (a) An employee who becomes aware of an alleged violation or suspects any violation of the Maldives Civil Service Act, or the Civil Service Regulation or the Code of Conduct, must report the alleged violation or suspicion to the Permanent Secretary or Senior Responsible Officer. The Permanent Secretary or the Senior Responsible Officer shall determine procedures to facilitate submission of such matters or complaints, its investigation and course of action, in compliance to Maldives Civil

Service Act and Regulation. Such procedures shall be issued in writing to all employees. Offices shall also determine procedures for reporting, investigating and course of action in relation to complaints of alleged violation or suspicion of violation of policies and directives established by the offices for provision of its services in compliance to Article 2 (c) of this Regulation and the Code of Conduct.

- (b) This Regulation shall not hinder reporting of alleged violation or intent to violate laws and regulations of the Maldives, excluding Maldivian Civil Service Act, Maldives Civil Service Regulation and Code of Conduct, to relevant offices with the mandate to address it.

Appeals

- 10. (a) Wherein any employee deems that the employing office, Permanent Secretary or Senior Responsible Officer has acted in violation of the Civil Service Act, this Regulation or the Code of Conduct or has acted unfairly when implementing the Civil Service Act or Regulation, the employee has the right to appeal to the Civil Service Commission.
- (b) Appeals submitted to the Commission under Clause (a) of this Article shall be addressed as outlined in Chapter 28 of this Regulation.

Appeals
Employee
Tribunal

- to 11. Should any employee have a grievance against a decision taken by the Civil Service Commission under Article 10 of this Regulation, such an employee shall have the right to file case at the Employment Tribunal or a Court of Law.

Implementation
And Management
of Employee
Issues

- 12. Permanent Secretaries at Line Ministries and Senior Responsible Officers at other Authorities shall be responsible for the implementation and enforcement of regulations concerning Maldives Civil Servants. As such, management of employee related issues shall include the following:
 - (a) Communicate to employees and enforce policies and procedures issued by

the Maldives Civil Service Commission.

- (b) Communicate to employees and enforce the service policies and other directives issued by the office, pursuant to Article 2 (c) of this Regulation.
- (c) Formulate Employment Contracts and Job Descriptions for all positions of the office and assignment of clearly defined jobs / responsibilities to each employee and maintenance of its records.
- (d) Facilitate issuance of salary, perquisites and other services entitled to Employees of Maldives Civil Service.
- (e) Provide necessary working space and facilities required by employees to the extent possible within the allocated budget.
- (f) Monitor performance and appraisal of employees of Maldives Civil Service, encourage well-performing employees, support and assist employees requiring additional guidance and increase knowledge and skills of employees thereby raising their standard of performance. Take prompt and necessary action against employees negligent of their duties and disrespectful of laws, regulations and directives of the authority.
- (f) Foster amicable and supportive relationships among employees of Maldives Civil Service.
- (g) Develop and encourage productive work ethics such as time management, sincerity, commitment, dedication and completion of daily responsibilities.

Opening and Closing of Offices 13. All offices shall be opened and closed according to generally established procedures or according to procedures established by individual offices.

Health, Safety and Security Standards At Workplace 14. (a) It is an obligation of the employing authority to implement necessary measures pursuant to the Employment Act of the Maldives, for the safety and protection of employees to eliminate or control health hazards arising out of the work.

- (b) Employees should be provided with necessary safety equipment and tools required in relation to the type of work carried out. Employees shall also receive and utilize such equipment and tools ensuring safety and security at work.
- (c) Should any employee get injured or suffer a loss even after taking necessary precautionary measures at work, the responsible supervisor shall immediately report the incident to the Senior Responsible Officer and seek immediate medical attention. The office shall bear responsibility for the provision of medical treatment, in accordance to this Regulation, to an employee for any injury caused to the person or health while performing his/her duties at work.

Refraining from 15. No employee of Maldives Civil Service shall undertake any task outside of personal Tasks work responsibilities during official working hours. Nor instruct another to do so during office hours during working hours.

CHAPTER 2

Code of Conduct

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CHAPTER 2

Code of Conduct

- Introduction
16. (a) The main objective of this Code of Conduct is to make all employees of Maldives Civil Service an exemplary team of personnel with strong work ethics and high moral conduct at work and in their inter-personal relations, in order to ensure deliverance of highest standard of service to all Maldivian citizens and service seekers.
- (b) This regulation does not obstruct any agency in establishing and executing a separate code of conduct in relation to its services while in accordance to Article 2 (c) and this Code of Conduct.
- Compliance and Disciplinary Measures
17. All employees of the Maldives Civil Service shall comply with this Code of Conduct. Disciplinary action shall be taken, as per the Regulation, against any employee who breaches the Code of Conduct.
- Conviction
18. Every employee of Maldives Civil Service shall work with the conviction of a partner striving to achieve the goals and objectives of the workplace, attaining greater competency and professional development and with the strong resolve to brighten the future of the nation by making Maldives Civil Service a revered and commendable service.
- Relationship between the Legislature and the Government
19. Every employee of Maldives Civil Service shall:
- (a) Respect the Constitution, Laws and Regulations of the Republic of Maldives while performing their daily duties and responsibilities.
- (b) In performing their daily duties, first and foremost uphold the duties of the nation and welfare of the people at all times.
- (c) In performing their duties and responsibilities, implement the policies

formulated by the government of the day, with honesty and sincerity.

- (d) In performing their duties and responsibilities, be impartial to all spheres of political influence.
- (e) Acquaint themselves with the laws and regulations relating to the work area of their duties and responsibilities.
- (f) In performing their duties and responsibilities, provide full support and assistance to all offices established under the Constitution and by law.

Relationship with the general public 20. Every employee of the Maldives Civil Service:

- (a) In performing their duties and responsibilities, shall strive to promote the unity and harmony among the Maldivian people.
- (b) Shall provide service in an impartial manner that wins the confidence and trust of the people.
- (c) Shall be courteous, humble and respectful and practice a policy of convenient access in interacting with the people.
- (d) In dealing with the people, shall always hold the view that they have a right to receive a high standard of service.
- (e) In performing the duties and responsibilities and in making decisions that affect the people, shall reflect on their different circumstances and concerns and give due consideration where necessary.
- (f) In performing their duties and responsibilities, shall be a person who works with the resolve to attain further progress and prosperity of the Maldivian people.
- (g) In performing their duties and responsibilities, shall not discriminate against any person, based on their colour, gender, race, language, social standing or professional position, disability or political opinion.
- (h) Shall not utilize their professional position to benefit or further the interests of any political party or entity that partakes in any political

activity.

- (i) In performing their duties and responsibilities, shall respect every citizen's honour, dignity and their Constitutional rights.
- (j) Shall provide all necessary and relevant information to service seekers to facilitate their needs, unless the information is classified by law or regulation. Relevant information shall also be widely disseminated and properly communicated to ease accessibility to services provided. In communicating such information, rights of others shall be considered and protected.

Relations among the employees 21. Every employee of Maldives Civil Service:

- (a) Shall support and cooperate with each other with the view towards promoting public interest and benefit of the people.
- (b) In performing their duties and responsibilities, shall act according to the instructions and advice of superiors (including political appointees and elected Councils), assigned to guide and direct the employee, unless such instructions breach the Constitution, Laws or Regulations.
- (c) When undertaking work or activities in performing the assigned duties and responsibilities, shall not conduct it in a manner that facilitates any benefit to relatives or friends.
- (d) In performing the duties and responsibilities, shall not use the employee's position to take undue advantage of other employees. Additionally, no employee shall allow another employee to take advantage of him/herself.
- (e) Shall express and address grievances arising in relation to performing assigned duties and responsibilities and issues related to workplace, according to set policies.
- (f) Shall work with the determination to support co-workers' progress, to foster workplace spirit and to ensure a friendly and harmonious environment.

- (g) Shall deal with other employees in a fair and professional manner, without discriminating against the person based on their colour, gender, race, language, social standing or professional position, disability or political opinion.
- (h) Shall perform the job with impartiality to all spheres of political influences. Shall also remain politically impartial at the place of work and when undertaking job responsibilities.

Relating to 22. Every employee of Maldives Civil Service:

performance of
duties and
responsibilities

- (a) Shall strive with determination to achieve the goals and objectives of the workplace in a manner that is cost-effective, delivering high standards and based on the principles of providing beneficial service to the people.
- (b) In performing the duties and responsibilities, shall at all times employ a productive attitude and approach, be innovative in problem solving and be result oriented.
- (c) Shall complete assigned duties and responsibilities to the expected level, standard and within due time.
- (d) Shall be professional and diligent in completing assigned tasks.
- (e) In performing duties and responsibilities, shall not act in a manner that creates conflicts of interest, whether of self-interest or of another person.
- (f) Shall refrain from undertaking any official duty or involvement in the decision making process that may give the employee any undue advantage or benefit. The employee shall also clearly disclose and expressly report to concerned authorities of all circumstances which may give the employee an undue benefit or involves conflict of interest.
- (g) Shall seek opportunities and endeavor to further one's professional development, knowledge and skills requisite to excel at work.
- (h) Shall be a person of integrity and be accountable in dealing with State's finances and assets and in using other resources of the State.

- (i) Shall utilize State finances, assets and resources only for the task as stipulated and authorized by law and regulation.
- (j) In performing the duties and responsibilities, shall persevere on the principles of conducting work upon productivity, transparency and accountability.
- (k) Incidences of corruption, treachery, fraud, nepotism, acts disruptive to the conducting of official business and other such acts against laws and regulations identified when discharging one's duties and responsibilities shall be reported to the relevant authorities.
- (l) When requested, shall offer unbiased and honest consultation and advice, disclose all information without any attempt at concealment and also offer assistance when requested for it.
- (m) Shall maintain confidentiality of information, documents and discussions held at meetings considered as state secrets or that may be considered as such.
- (n) Shall only disclose workplace related information as per set guidelines and policies.
- (o) Shall adhere to professional standards where it is established.

Personal matters 23. Every employee of Maldives Civil Service:
and Conduct

- (a) Shall be attired as per set guidelines when conducting official business.
- (b) Shall uphold the status, dignity and honour of Maldives Civil Service in one's conduct and relations.
- (c) Shall not abuse the employee's position for personal gain or to obtain favours from other parties. In addition, shall not acquire or accept any gift or benefit from anyone in conducting the employee's duties and responsibilities.
- (d) Shall not disclose any official information to seek personal benefit or to

provide an undue benefit for another person.

- (e) Shall not utilize workplace resources for personal work or purpose.

Being
Responsible to the
Government and
the People

24. Every employee of Maldives Civil Service:

- (a) Shall be responsible to the Government and the People in relation to the employee's job with the Maldives Civil Service.
- (b) Shall be fully aware of the type and nature of work being assigned when accepting the responsibilities, and shall have the requisite skills or means to acquire it.

CHAPTER 3

Senior Responsible Officer and Responsible Officer

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CHAPTER 3

Senior Responsible Officer and Responsible Officer

- Introduction
25. (a) As per Article 62 of Maldives Civil Service Act, each main office of the Government shall have a Senior Responsible Officer to implement the Maldives Civil Service Act, Code of Conduct and this Regulation. For all the main offices, including the Ministries and the Attorney General's Office, the Senior Responsible Officer shall be the Permanent Secretary.
- (b) A Senior Responsible Officer shall be assigned to each separate administrative agency functioning under a main office to execute, under the advice and guidance of the Permanent Secretary, all affairs relating to the Maldives Civil Service employees. All offices declared as administratively independent agencies by the President, shall be considered a main office under Article 61 (b) of the Maldives Civil Service Act.
- (c) Article 129 of the Maldives Decentralisation Act (No. 7/2010) stipulates that the Maldives Civil Service appoint a responsible official at the council as its senior-most administrative personnel. As such, the Responsible Officer at City Councils, Atoll Councils and Island Councils shall be its senior-most administrative official. However, they shall be referred to as Senior Responsible Officers in this Regulation. Additionally, some Responsible Officers at administratively independent agencies functioning under the main offices, are appointed to execute all affairs relating to the Maldives Civil Service employees under the guidance and advice of the Permanent Secretaries.
- Permanent Secretary
26. (a) Permanent Secretary is responsible for executing the policies and principles set by the senior most official in administering the main office and its purview. In addition, providing support and assistance required by the Senior Responsible Officer and managing and overseeing the functioning of the office with the advice and guidance of the Senior Responsible Officer.
- (b) The position of Permanent Secretary is equivalent to Deputy Minister

level.

Duties and Responsibilities of the Permanent Secretary

27. The main duties and responsibilities of the Permanent Secretary stipulated by Article 55 of the Maldives Civil Service include the following. The Commission shall elaborate on these duties and responsibilities to the Permanent Secretaries.
- (a) Advice and assist the Senior Responsible Officer in formulating and implementing policies and projects determined by the government to the purview of the office, assigned to the Permanent Secretary.
 - (b) Assist the Senior Responsible Officer in matters and situations where he/she is answerable.
 - (c) Under the advice and guidance of the Senior Responsible Officer, administer and oversee the functioning of office assigned to the Permanent Secretary.
 - (d) Develop and sustain a working environment of initiative taking and motivation among the employees of the assigned workplace and its purview.
 - (e) Ensure that the property, finances and other resources are utilized according to law and regulation and to its optimum at the assigned workplace and its purview.
 - (f) Recruitment, development and optimum utilization of human resources required for the workplace and its purview.
 - (g) Prioritise and develop employees upon initiative taking, innovation, best practices, new technology and skills; thereby bringing positive advancement to employee performance and services.
 - (h) As a member of the Civil Service Advisory Board, offer advice and work jointly in administering the Civil Service Commission.
 - (i) Compile, according to Parliamentary regulations, an annual report on the activities of the workplace and its purview and submit to the senior most official for presentation to the Parliament at the end of every Gregorian

calendar year.

- (j) Undertake all duties and responsibilities, of the Responsible Officer, as stipulated by the Maldives Civil Service Act and the Regulation with complete diligence.

Qualifications of
the Post of
Permanent
Secretary

28. (a) The Commission shall determine and make public the guidelines and principles implemented in formulating the qualifications for the post of Permanent Secretary and the process of selection and assignment.
- (b) Academic qualifications, initiative taking, leadership qualities, honesty, trustworthiness, administrative experience and extent of target achievement of the applicant for the post of Permanent Secretary shall be considered.
- (c) Applicants for the post of Permanent Secretary shall meet the following eligibility criteria stipulated in the Maldives Civil Service Act for persons appointed for Civil Service employment.
1. Be a Maldivian citizen.
 2. Be a person below the age of 55, as stipulated by Article 49 (a) of the Maldives Civil Service Act, at the time of application for Civil Service employment.
 3. Shall not be convicted of an offence for which a hadd is prescribed in Islam nor an offence of theft, tax evasion, fraud, embezzlement or a crime of such magnitude during the past 5 years.
 4. The employing office shall not already have in employment the applicant's mother, father, child, sibling, half-sister or half-brother or spouse. Or should such a person already be in employment, the applicant shall possess a written document from the said person, stating their agreement for a job transfer or resignation should the applicant get selected.

Appointment of 29. (a) Permanent Secretaries to the main offices shall be appointed by the Civil

Permanent Secretaries

Service Commission.

- (b) Permanent Secretaries shall be appointed for a term of 5 (five) years.
- (c) Except the Permanent Secretaries dismissed as per Article 57 of the Maldives Civil Service Act, any other Permanent Secretary may be appointed for an additional 5 (five) year term. Permanent Secretaries appointed thereof may be appointed in every 5 (five) years.
- (d) Past term's performance of the Permanent Secretary shall be considered when re-appointing for an additional term.
- (e) Upon completion of the term of an appointed Permanent Secretary, the Commission reserves the right to call for new applications for the post.
- (f) Should the government establish a new Ministry as a main office, a Permanent Secretary shall be appointed to it accordingly to Article 64 of the Maldives Civil Service.
- (g) As Permanent Secretaries are appointed by the Maldives Civil Service Commission under the powers vested in it by Article 56 (a) and (c), the Commission shall have the final say in appointing a person for the post of Permanent Secretary.
- (h) Newly appointed Permanent Secretaries shall be required to complete the probationary period as per Article 100 of the Maldives Civil Service Regulation.

Dismissal of Permanent Secretaries

- of 30.
- (a) Permanent Secretaries shall be dismissed by the Commission as per the Laws and Regulations.
 - (b) Grounds to dismiss Permanent Secretaries are as follows:
 - 1. Failing a compulsory training programme required to fulfill the duties of the position or failure to complete such a training programme.
 - 2. Proven to the Commission that the Maldives Civil Service Act, the Maldives Civil Service Regulation or the Code of Conduct was breached.

3. Proven in an investigation conducted by the Civil Service Commission that the employment was awarded to the employee in breach of Civil Service Act and this Regulation.
 4. Death.
 5. Contesting in an election stipulated in the Constitution of Maldives without resigning from the position 6 Gregorian calendar months prior to election.
- (c) Ceasing eligibility to serve the Maldives Civil Service under another Act in force in the Maldives.
 - (d) Prior to the dismissal of the Permanent Secretary from their position, the Senior Officer of that agency shall be informed of the intention and reasons for the dismissal of the Permanent Secretary.
 - (e) The Permanent Secretary shall be dismissed from the position upon expiry of the contract, should the Commission not re-appoint the person for an additional 5 (five) year term according to Article 29 of this Regulation after completion of the term of Permanent Secretary.
 - (f) Barring dismissal of a Permanent Secretary according to Clause (c) of this Article, Article 229 of this Regulation grants discretion to the Commission to relieve a Permanent Secretary from the post by declaring early retirement and offer gratuity where the Permanent Secretary is not re-appointed and has reached 55 years of age by the end of the term.
 - (g) Barring dismissal of a Permanent Secretary according to Clause (c) of this Article, the Commission shall relieve a Permanent Secretary from the post and offer gratuity as per Article 224 (b) where the Permanent Secretary is not re-appointed and has not reached 55 years of age by the end of the term.
 - (h) According to Article 54 of the Maldives Civil Service Act, a Permanent Secretary shall be dismissed from the post where such a post is at a Ministry being dissolved following a change to the administrative framework of the government as stipulated by Article 116 of the Constitution. Permanent Secretaries dismissed accordingly shall receive

gratuity as per Article 229 or 224 (b) of this Regulation prior to dismissal.

- (i) Permanent Secretaries of two or more Ministries being merged, following a change to the administrative framework of the Government as stipulated by Article 116 of the Constitution, shall have the opportunity to compete on the level of merit for the post of Permanent Secretary of the newly formed Ministry. Permanent Secretary or Secretaries not appointed for the newly formed Ministry shall be dismissed after offering gratuity as per Article 229 or 224 (b) of this Regulation.

Appointment of
Temporary
Permanent
Secretaries

- 31. (a) The Commission shall appoint temporary Permanent Secretaries to fulfil the duties and responsibilities where the post of Permanent Secretary is vacated due to resignation, or a Permanent Secretary is unable to perform the duties and responsibilities or for the period the post remains vacant. The Permanent Secretary of a Ministry shall appoint an employee of the same Ministry to act in the post of Permanent Secretary during his/her leave or where he/she is temporarily unable to attend. Where the Permanent Secretary resigns or the post falls vacant, the Commission shall appoint a person to act as a temporary Permanent Secretary of the Ministry. In this regard, a serving Permanent Secretary shall be appointed as the temporary Permanent Secretary.
- (b) The temporary Permanent Secretary shall be given the administrator allowance for the days served as per Civil Service Regulation.

Senior
Responsible
Officers and
Responsible
Officers

- 32. (a) The “Senior Responsible Officer” at a Ministry shall be the Permanent Secretary and at other offices it shall be the person appointed by the Commission for the post.
- (b) The “Responsible Officer” is the person appointed to undertake the duties and responsibilities of the senior most administrative officer at Councils as stipulated by the Decentralised Governance of Administrative Regions of the Maldives Act. Or it shall be the employee of the Civil Service appointed to an administratively separate office, functioning under a main

office, to administer and manage all affairs of the Civil Service employees of that office under the advice and guidance of the Permanent Secretary.

- (c) The Director General of Atoll Councils shall be the person appointed as the Responsible Officer of the Atoll Council and the Director of Island Councils shall be the person appointed as the Responsible Officer of the Island Council.
- (d) Notwithstanding Clause (c) of this Article, the duties and responsibilities of the Responsible Officer shall be temporarily assigned to the senior most Civil Service employee at the Council should the said positions be vacant. Where 2 or more Civil Service employees are of equal rank, the responsibilities of the Responsible Officer shall be assigned based on merit.

Responsibilities of
the Senior
Responsible
Officer and
Responsible
Officer

33. Responsibilities of the Senior Responsible Officer and Responsible Officer are as given below;

- (a) In accordance with the Constitution of the Maldives, the Maldives Employment Act, the Maldives Civil Service Act, Regulation and the Code of Conduct, establish, administer and strengthen a mechanism to facilitate performance by the employees.
- (b) Establish a system in the office to administer and ensure that all Maldives Civil Service employees at the office comply with the Constitution of the Republic of Maldives, the Employment Act, the Maldives Civil Service Act and Regulation and Code of Conduct.
- (c) Administer and manage employment, dismissal, transfer of job to other offices, payment of salary and allowances as determined and administer suspension with or without pay of Maldives Civil Service employees in accordance with the Maldives Civil Service Act and policies.

Policies to be
acted upon by the
Permanent

34. In addition to the duties, responsibilities and obligations, stated in this Regulation, of the Permanent Secretaries, Senior Responsible Officers and Responsible Officers, they shall also act according to the "Policies to be acted

Secretaries, Senior
Responsible
Officers and
Responsible
Officers

upon by the Permanent Secretaries, Senior Responsible Officers and Responsible Officers” book compiled, published and made publicly available by the Commission. The Permanent Secretaries, Senior Responsible Officers and Responsible Officers shall take responsibility and be fully accountable to the authority vested in them by this Regulation and by the policies formulated under this Regulation. In addition, they shall also be answerable at courts of law in relation to grievances and cases raised regarding the use of this authority.

Appointment of 35.
Senior
Responsible
Officers,
Responsible
Officers,
Assigning and
Relieving of
Responsibilities

- (a) Unless otherwise stated in this Regulation, Senior Responsible Officers and Responsible Officers shall be appointed and dismissed by the Civil Service Commission. The Commission shall in writing assign the duties and responsibilities to the appointed Senior Responsible Officers and Responsible Officers.
- (b) Where the temporary Responsible Officer, in charge of the duties and responsibilities of the Senior Responsible Officer and Responsible Officer, is unable to carry out the appointment, the Commission shall assign the duties and responsibilities to another person for the duration of vacancy. In this regard, the temporarily appointed person shall be given the administrative allowance as per Regulation.

CHAPTER 4

Human Resources Management and Development Committee

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CHAPTER 4

Human Resources Management and Development Committee

- Introduction
36. (a) Human Resource Management and Development Committees shall be established at main offices, City Councils and at island level with the objective to enforce the Maldives Civil Service Act and Regulations, to develop the services given to the people by the Maldives Civil Service and to assist the Maldives Civil Service and the Permanent Secretaries and the Responsible Officers in their endeavours to develop a modern civil service. The Commission may authorise independent administrative bodies to establish Human Resource Management and Development Committees.
- (b) Hereinafter, the Human Resource Management and Development Committee shall be referred to as “H.R.M.D Committee” within this Chapter.
- Objective
37. (a) To assist the Maldives Civil Service and the relevant office to enforce the Maldives Civil Service Act and the Regulation.
- (b) To Assist the Maldives Civil Service in rendering a modern service of high standard to the people.
- Powers vested in the Committee
38. As the H.R.M.D Committees are established by the Maldives Civil Services from the powers derived from Article 9 of the Maldives Civil Services Act, the Commission gives the following powers to the Committees:
- (a) To check the classified information of the relevant office in order to execute the responsibilities of the H.R.M.D Committee.
- (b) To investigate and seek expert advice in relation to complaints submitted to the H.R.M.D Committee.
- (c) Observers shall be permitted to attend H.R.M.D Committee meetings

where a member of the Committee does not object to it. However, observers at H.R.M.D Committee meetings shall not have any voting right.

Establishment and
Formulation of the
Committee

39. (a) H.R.M.D Committees at the Ministries and the City Councils shall consist of the Permanent Secretary or Responsible Officer, 5 other employees representing the Ministry or City Council and a minimum of 2 employees appointed by each of the agencies under the purview of the Ministry or City Council. Should appointing 2 employees by each agency result in more than the maximum number of members permitted by Clause (c) of this Article, the agencies may appoint 1 employee each.
- (b) H.R.M.D Committees established at island level shall consist of Responsible Officers of the island offices where Maldives Civil Service employees work and 1 employee appointed by each such office or unit.
- (c) The H.R.M.D Committee at main offices and City Councils shall consist of a minimum of 7 members and a maximum of 13 members. At island level, the Committee shall consist of a minimum of 5 members and a maximum of 11 members. The Committees shall be formulated with odd number of members.
- (d) The Commission may authorise independent offices or departments, having the authority to develop and enforce policies, to establish H.R.M.D Committees.
- (e) The number of employees at individual offices shall be considered when forming H.R.M.D Committees.
- (f) In the event the minimum number of members are not attained, this Article does not impede forming the Committee in a manner the Commission determines.

Participation
Political

- of 40. Political appointees at main offices may participate in H.R.D.M Committee meetings as an observer. A Council appointed person may participate in

Appointees and Council Members in the Committee

H.R.D.M Committee meetings where the Committee is formed at City Councils or includes Island Councils. Participants with observer status may offer advice or ask questions. However, observers shall not hold voting rights in the decision making process.

Forming and reconstituting Committees

41. (a) Offices tasked with forming the H.R.M.D Committee and when forming and reconstituting Committees at island level, the following process have to be adhered to:

1. Heads of all Divisions and Sections shall be given the opportunity to apply for membership of the H.R.M.D Committees being formed at the main offices and the City Councils. When forming the H.R.M.D Committees at island-level, the individual offices shall be given the opportunity to apply for membership.
2. The Permanent Secretary / Senior Responsible Officer shall consider the qualifications and experience of the applicants and form the H.R.M.D Committee.
3. Within 7 (seven) days of selection of members and forming of the Committee, information of the Committee shall be communicated to the Commission in the format given in Schedule 1.

(b) Should the H.R.M.D Committee be reconstituted for any reason, information of the Committee shall be communicated to the Commission in the format given in Schedule 1.

Conflict of Interest

42. An H.R.M.D Committee member shall not participate in any meeting of the Committee where an issue being deliberated upon includes the interest of the member's spouse, child, dependent by Islamic Sharia or by law or includes the interest or any involvement of the member.

Administrative Work of the

43. (a) At main offices and City Councils, administrative work of the H.R.M.D Committee shall be undertaken by the main office or City Council under

Committee the counsel of the Permanent Secretary or Responsible Officer, respectively.

(b) Administrative work of island-level H.R.M.D Committees shall be undertaken by the island council under the counsel of the Senior Responsible Officer.

(c) Administrative work of of H.R.M.D Committees at capital islands of the administrative atoll regions shall be undertaken by the Atoll Councils under the counsel of the Senior Responsible Officer.

(d) Minutes of discussions undertaken and opinions expressed by the members shall be approved and records maintained.

Members attendance to Committee meetings 44. Member of H.R.M.D Committees shall attend and participate in the meetings. Members shall inform 2 hours ahead of the scheduled meeting time should they be unable to attend for any reason. Members failing to attend 3 (three) consecutive meetings for no valid reason shall be dismissed from the Committee. Such dismissal should be informed with reasons to the office the member represents and a new representative shall be appointed. Corrective action shall be taken against the dismissed member according to the Maldives Civil Service Regulation.

Chairperson 45. (a) Chairperson of the H.R.M.D Committees at Ministries shall be the Permanent Secretary.

(b) Chairperson of the H.R.M.D. Committees at City Councils shall be Senior Responsible Officer of the Council.

(c) Chairperson of the H.R.M.D Committees at the capital island of administrative atoll regions shall be the Senior Responsible Officer.

(d) Chairperson of the H.R.M.D Committees at the islands shall be the Responsible Officer of the Island Council.

(e) Where necessary to hold an H.R.M.D Committee meeting during the

absence of the Chairperson, due to taking leave or such, the meeting shall be chaired by the senior most member of the Committee.

- Quorum
46. The quorum of H.R.M.D Committees is more than half of the total number of members.
- Duties and Responsibilities of the Committee
47. (a) Formulation of relevant frameworks for executing the tasks of the offices under its purview.
- (b) Assist according to this Regulation in recruiting and appointing personnel to jobs within their scope.
- (c) Undertake all activities related to recruitment and hiring of personnel according to this Regulation.
- (d) Assist the Permanent Secretary or the Senior Responsible Officer in amending or formulating new policies and procedures and enforcing these for further development and expediting the work of Civil Service.
- (e) Endeavour to make the workplace conducive to productivity and a pleasant environment for employees, where mutual understanding, respect and cooperation among co-workers exist.
- (f) Advice and assist the Permanent Secretary or the Senior Responsible Officer in conducting performance appraisals, in issuing benefits and promoting employees.
- (g) Assist the Commission in formulating the compliance audit and management audit of the offices under the Committee's purview. And assist the Permanent Secretary or Senior Responsible Officer in implementing measures required to rectify issues raised in the audit report.
- (h) Assist, where required, in investigations of Maldives Civil Service employees.

- (i) Compile policy papers on matters relating to Civil Service work, that H.R.M.D Committee observes, as necessitating further strengthening and development and to submit these to the Commission through the Permanent Secretary or the Senior Responsible Officer.
- (j) Ensure that the most competent and eligible personnel are recruited for Civil Service and to implement, in good faith, corrective action to ensure employees practice proper work conduct and are ethical.
- (k) Undertake other duties and responsibilities assigned under this Regulation.

Constituting the
Interview Panel

48. (a) The recruitment responsibilities of the H.R.M.D Committees of the City Councils and that of the atoll and island level committees shall be executed by the H.R.M.D Committees of the Ministries; which shall form the Interview Panel for the recruitment of personnel for the government ministries and the agencies under its purview.
- (b) The Ministries shall have the discretion to delegate authority to island level H.R.M.D Committees to form the Interview Panel for recruitment of personnel for agencies on the island and under the purview of the Ministry.

Constituting other
individual panels

49. The following panels with an appointed coordinator shall be established in every sector and the panels shall include in it H.R.M.D Committee members.
- (a) Training Panel; to identify training needs of employees, to conduct research necessary for the provision of technical assistance to the H.R.M.D Committee and to jointly work with the Commission in providing training.
 - (b) Compliance Panel; to provide advice to the H.R.M.D Committee in compiling the Compliance Audit and the Management Audit for its sector, to provide technical information to the H.R.M.D Committee in compiling Management Audits of activities outside of its sector, and to

work with the Commission on matters of compliance.

- Providing required advice and consultation to the Committee 50. The Commission shall provide necessary advice and consultation to the H.R.M.D Committees relating to its work.
- Implementing decisions of the Committee and Appealing 51. All employees of the relevant sector shall implement the decisions of the H.R.M.D Committee of the sector. Any employee, not satisfied with the decision of the H.R.M.D Committee may appeal to review its decision. H.R.M.D Committees shall review such a decision upon appeal. Failing to receive a satisfactory decision the employee may submit the case to the Commission according to Chapter 29 of this Regulation.
- Considering cases relating to Committees 52. The Commission shall have the authority to consider cases relating to H.R.M.D Committees established at main offices, City Councils and at island level and relating to its work and decisions.
- Submission of Committee Reports 53. H.R.M.D Committees established at main offices, City Councils and at island level shall submit an annual report regarding its activities within 1 (one) month of completion of the work year.

CHAPTER 5

Formulating Administrative Structure of the Offices and

Post Creation and Dissolution

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CHAPTER 5

Formulating Administrative Structure of the Offices and Post Creation and Dissolution

- Introduction
54. The Commission shall establish the administrative structure of the offices and create job positions required by the offices in order to render the services that the State has to provide to the public and shall dissolve the posts that have become redundant due to the discontinuation of a service, or a change in the way the service is provided according to this Regulation.
- Formulating the Administrative Structure
55. (a) Administrative structures of main offices and agencies under its purview shall be established according to the mandate set by by the Government, and in the case of an office established under a statutory power, as per the mandate stipulated by the Act.
- (b) Administrative structure must be formulated by the main offices in accordance with Clause (a) of this Article and shall be submitted to the Commission for endorsement.
- (c) Although the structures proposed by the main offices are framed for a policy making, implementing and regulatory body or a service providing agency, the administrative structure shall be designed according to the principles determined by the Commission.
- Submitting the Administrative Structure for Endorsement
56. Main offices shall submit the Administrative Structures of the offices for the Commission's endorsement, along with the following documents.
- (a) Administrative structure being proposed.
- (b) Functions of the departments, divisions, sections and units specified in the

Administrative Structure.

- (c) Detail of the posts included in the Administrative Structure.
- (d) Job Descriptions of the new posts included in the Administrative Structure.

Reviewing the
Administrative
Structures of the
Offices

- 57.
- (a) Should strengthening the administration of the office requires amending the Administrative Structure, the responsible office shall review the structure and submit necessary amendments to the Commission as per Article 55 and 56 of this Regulation.
 - (b) Should an office discontinue a work or part of a work, the Administrative Structure shall be reviewed and necessary amendments submitted to the Commission as per Article 55 and 56 of this Regulation.
 - (c) A review of the Administrative Structure would not allow for the dissolution of employed posts nor dismissal of any employee. Following the Administrative Structure endorsement by the Commission, employees shall be reassigned to equivalent posts. Should two or more employees have to contend for the same post following a restructure of the Administrative Structure which leads to fewer job positions, employee selection shall be based upon merit.

Creating Posts

- 58.
- (a) Posts at the Civil Service shall be created by the Commission.
 - (b) Offices requiring to create a post, shall submit the request to the Commission through the responsible main office.
 - (c) Requests for post creation shall only be submitted where it is necessitated by the office undertaking new work or an increase in existing workload.
 - (d) Requests for post creation shall only be submitted following the endorsement by the Commission of the amended Administrative Structure submitted by the responsible main office after including the additional post.
 - (e) Requests for post creation shall be accompanied with the following

information.

1. Administrative Structure of the office (with the new post identified).
2. Whether the remuneration and allowances for the new post has been included in the budget and if not, proposal for financing it.
3. Job Description of the post.

- Dissolution of Posts 59.
- (a) Posts shall be dissolved by the Maldives Civil Service Commission.
 - (b) An office requiring to dissolve a post, shall submit the request to the Commission through the responsible main office.
 - (c) Should an office discontinue a work, in full or in part, proportional number of posts shall be dissolved. Where a part of the work that is discontinued has two or more posts performing tasks related to the work, the post that shall remain in the Administrative Structure shall be determined based upon its importance. Where two or more personnel were undertaking the tasks relating to the work discontinued in part, the employee to remain in employment shall be determined according to merit as per Clause (a) and (b) of Article 75.
 - (d) Employees, who are dismissed due to dissolution of posts as specified in Clause (c) of this Article, shall be dismissed according to Article 104 or 105 of this Regulation.

CHAPTER 6

Job Categories and Job Classification of Employees

60. Introduction

61. Job Categorisation

62. Job Classification

63. Titling Positions According to the Responsibilities

64. Including Positions in the Classification Framework

65. Changing a level

66. Revising the Classification

67. Establishing the Positions' Structure and Job Specifications

CHAPTER 6

Job Classification of Employees

- Introduction 60. As stipulated in Article 42 (a) of the Maldives Civil Service Act, the Commission shall determine the classification of jobs at the Maldives Civil Service.
- Job
Categorisation 61. (a) As stipulated in Article 40 of the Maldives Civil Service Act, persons shall be employed to fall within one of the following categories:
1. Permanent employees
 2. Temporary employees
- (b) Permanent employees shall include personnel who are employed under an agreement without a specific duration.
- (c) Temporary employees are personnel employed, for a specific duration or to undertake a specific responsibility, to fulfil temporary needs arising in the functioning of the government.
- Job
Classification 62. (a) As stipulated in Article 42 of the Maldives Civil Service Act, the classification of Maldives Civil Service employees' positions shall be determined by the Commission.
1. The title of the classification of each position.
 2. Duties and responsibilities of employees in positions of every classification.
 3. Qualifications and experience a person is required to have when being employed for a position in the various classifications
- (b) Every job at the Civil Service must be included in the job classification system specified under Clause (a) of this Article.
- Titling Positions
According to the 63. When formulating the budget, in matters relating to salaries, and in employee forms, the title of the classification, its shortened form or code shall be utilized in

Responsibilities relation to all positions of any given classification. Although the same classification title or same code is determined for all positions in any given classification, the Commission may assign different names to the positions as the official designation to be used at work place.

Including Positions in the Classification Framework 64. (a) Prior to appointing anyone to a post at the Civil Service, the position shall be incorporated into the job classification framework of the Civil Service.

(b) The Commission shall strive to categorise positions with similar nature of work, duties and responsibilities and workload within the same classification. Furthermore, common principles shall be applied equally and fairly, in employing personnel, determining salary and benefits for positions in the same classification. However, this clause does not obstruct applying necessary differences in employing personnel, determining salary and benefits where the classification category requires so.

Changing a level 65. Where the classification of a position requires to be changed due to a change in the office administration, or to create a new position, or to amend the duties and responsibilities of an employee, it shall be changed by the Senior Responsible Officer as per policies determined by the Commission.

Revising the Classification 66. If any employee in the Permanent Category of Civil Service believes that the Job Classification Framework of the Civil Service requires revision, or if the employee believes that the employee's position is not appropriately classified, or if the employee's duties and responsibilities has changed significantly, the employee shall have the right to appeal to the Commission should they fail to have it resolved with the Permanent Secretary or Senior Responsible Officer. However, employees on probation, and Temporary Category employees shall not have the right to appeal regarding their job classification.

Establishing the
Positions'
Structure and Job
Specifications

67. The Civil Service Commission shall, in consultation with the main offices, establish and make public the structure and job specifications of positions of the Civil Service employees. Furthermore, shall also make public the structure of any newly created positions.

CHAPTER 7

Restrictions for Civil Service Employment

- 68. Introduction
- 69. Criminal Offences that Restrict Employment in Civil Service and the duration
- 70. Criminal Offences with hadd ordinance in Islamic Sharia
- 71. Offences deemed as Grave Criminal Offences
- 72. Assessing criminal convictions when Recruiting or Restricting for Civil Service
- 73. Restricting Employment of based on Charges or National Security Concerns

CHAPTER 7

Personnel Restricted from Civil Service Employment

- Introduction
68. Whilst Article 41 Clause (a) (4) of the Maldives Civil Service Act, stipulates that a person convicted of an offence for which a hadd is prescribed in Islam or an offence of theft, fraud, misappropriate or treason during the past 5 years are restricted from Civil Service employment; this Chapter also determines additional convictions that shall be deemed as major convictions and how restrictions shall be applied to such persons. Furthermore, this Chapter shall also determine process and procedure for assessing and deciding whether a person is physically fit to perform the duties or whether a person befits the national security and disciplinary standards as stipulated in Article 41 Clause (b) (1) and (2).
- Criminal Offences that Restrict Employment in Civil Service and the Duration
69. (a) A person convicted of an offence for which a hadd is prescribed in Islam or an offence of theft or fraud or misappropriate or treason during the past 5 years shall not be appointed for Civil Service employment.
- (b) Further to the offences stated in Clause (a) of this Article, a person convicted of an offence described as grave criminal offences in this Regulation shall not be appointed for Civil Service employment.
- (c) After having considered the nature of charges made against a person and its relation to the position applied for, the Commission has the discretion to restrict a person from Civil Service employment where the person is deemed as not befitting the disciplinary and national security standards.
- (d) The Commission and the H.R.M.D Committee has the discretion to restrict a person from Civil Service employment should the person be physically unfit to perform the duties. In considering a person's physical fitness, the person's psychological or physical disability shall not be considered. Persons with disability shall be fully accorded, without any discrimination, their statutory right to employment.

Criminal Offences with hadd ordinance in Islamic Sharia

70. Hadd ordinance in Islamic Sharia are for specific type of offences. These ordinances are made to protect the rights due to Allaah. Following are the hadd related offences:
- (a) Apostasy
 - (b) Theft
 - (c) Adultery
 - (d) Qazf
 - (e) Consuming alcohol
 - (f) Muharaba or creating mischief upon the land (armed robbery)

Offences deemed as Grave Criminal Offences

71. Grave Criminal Offences are those criminal offences which by its type and nature render significant physical, financial or social loss and have severe ordinances in the penal code or other laws. Furthermore, with the enforcement of Act 9/2014 (Penal Code Act), offences stated in the Act which fall within the category of grave offences as per the principles determined in this Regulation shall be regarded as grave offences. For the purpose of this Regulation, all these offences are determined as grave offences.
- (a) Intentional manslaughter or aiding and abetting manslaughter. The offence of *jinaayath* as per Islamic Sharia where retaliation in kind or a due payment (diya) is required.
 - (b) Drug trafficking, trading and abusing.
 - (c) Serious acts of assault (as per Chapter 4 Article 127, 128 and 129 of the Penal Code which includes involvement in acts of assault using a sharp object or acts which may cause grave bodily harm. Furthermore, any act of violence declared by a Court of Law as a serious offence of assault shall also be considered as a serious offence of assault.)
 - (d) Deception or Fraud
 - (e) Misappropriation

- (f) Mugging
- (g) Giving or accepting bribes
- (h) Terrorism
- (i) Taking part in an unlawful gathering
- (j) Counterfeiting
- (k) Forgery
- (l) Production, possession, trade or distribution of pornography
- (m) Acts of homosexuality
- (n) Sexual offences committed against children who has not reached maturity (this shall include acts of sexual nature with children who have not attained the age of 18).
- (o) Sexual assault and rape
- (p) Serious sexual offences
- (q) Offences for which punishment is prescribed under the law on Import of Prohibited Goods to the Maldives
- (r) Offences involving the misuse of Government seal and stamp
- (s) Offences of false oath and testimony and other offences at a court of law or Sharia for which a punishment is prescribed.
- (t) Any criminal act which carries a jail sentence of more than 6 (six) months or banishment or house arrest or any criminal act which on repeating carries a jail sentence of more than 6 (six) months or banishment or house arrest.

Assessing
criminal
convictions
when
Recruiting or

72. (a) The Commission has the discretion, under this Article, to permanently restrict or restrict for a period of more than 5 (five) years a person for certain types of jobs in considering his/her conviction of a crime and its relation to the type of job. Following are the jobs for which employment of a person can be restricted in considering the relation between the type of job and criminal

Restricting for
Civil Service

conviction.

1. Jobs in the education and health sector and places which provide social protection services in relation to offenses of sexual assault or rape or sexual offenses against children or homosexuality or drug abuse.
 2. Jobs undertaking protection of state resources and finances in relation to offences of counterfeiting of notes or coins or theft or misappropriation or embezzlement or fraud or treason or acts of bribery.
 3. Jobs in any law related sector in relation to offences of false oaths and testimony and others acts at a court of law or Sharia for which a punishment is prescribed.
 4. Jobs at pharmacies, drug storage facilities, rehabilitation centres for drug abusers and health care facilities in relation to offences of drug and substance abuse.
 5. Jobs at offices where imported goods are being checked screened and issued, pharmacies, drug storage facilities, rehabilitation centres, health centres and jobs in sea faring vessels and aircrafts.
 6. Jobs at any area of Civil Service involving national security in relation to offences of breach of national security.
 7. Jobs that can be restricted after considering the direct relation between a conviction and the job; and taking into consideration safety and security of service recipients and other employees at the place of work. In addition, jobs that can be restricted due to loss of trust worthiness of a person in relation to the conviction of an offence and relevant factors.
- (b) Whilst the sentence for an offence stated in Article 70 (b) of this Regulation is more than 5 (five) years and although 5 (five) years has lapsed since the ruling was passed, such a person shall be restricted from Civil Service employment while a part of the sentence remains.
- (c) Although a person serving a sentence for an offence stated in Article 70 (b) of this Regulation was given clemency, if 5 years has not elapsed since the

person was convicted, then for the purpose of Clause 4 (a) of Article 41 of the Maldives Civil Service Act it shall be regarded as 5 (years) not having elapsed since conviction.

- (d) Terms for offences stated in this Article shall be calculated according to the Gregorian calendar year.
- (e) For the purpose of this Regulation, the duration of conviction shall commence from the initial date a Court of Law convicts and passes a ruling.

Restricting
Employment of
based on
Charges or
National
Security
Concerns

73. (a) In considering disciplinary standards, the Commission has the discretion to temporarily or permanently restrict a person from Civil Service employment after taking into consideration nature of the charges made or the administrative action taken against the person or the direct relation between the charges and the job, the workplace, service recipients and the safety and security of other employees at the place of work. Furthermore, where the nature of the charges or the administrative action taken against a person results in loss of trust worthiness, and after taking into consideration related factors and evidence about the charges or the administrative action, the Commission has the discretion to temporarily or permanently restrict a person from Civil Service employment.

(b) The Commission has the discretion to, as per this Article, temporarily or permanently restrict a person from Civil Service employment after taking into consideration national security standards and its relation to the person and after reviewing evidence received regarding the charges against the person.

1. Employment in any Civil Service job related to national security where the charges are related to national security matters.

2. Employment in any Civil Service job related to national security where the charges are of undertaking an activity or offence that poses a risk to national security while in a security related or national security related job.

CHAPTER 8

Employment, Transfer and Dismissal

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74. Introduction
75. Basic Principles in Appointing Employees
76. Job Description
77. Job assignment
78. Requirements for Employment
79. Recruiting and Appointing Personnel for Senior Civil Service
80. Employing Children who have not Attained the Age of 18 years
81. Jobs Where Children who have not Attained 18 years according to Gregorian Calendar Cannot be Employed
82. Keeping Children Below 18 years for job experience without pay
83. Employment Agreement
84. Employment Agreement to be within Laws and Regulations
85. Situations that Bar Employment
86. Job Transfer
87. Temporary Transfer of Workplace Island
88. Job Promotions
89. Factors to Consider in Giving Job Promotions
90. Seeking Employees for Positions
91. Advertising
92. Carrying out the Work of Seeking Employees
93. Applying for a Job
94. Accreditation and Attestation
95. Selecting Employees for Positions
96. Formulation of Interview Panel
97. Parties Who shall not be Included in the Interview Panel
98. Selection of the Most Eligible Candidate

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99. Informing the Parties Who Did Not Secure the Job
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100. Probation (Temporary Duration)
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101. How to Treat the Employee on Probation
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102. Dismissal of an Employee on Probation
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103. Dismissal and Resignation from the Job
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104. Prior Notice of Dismissal
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105. Payment in Lieu of Notice
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106. Dismissal Without Notice
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CHAPTER 8

Employment, Transfer and Dismissal

- Introduction 74. (a) As stated in Article 18 Section (a) 1 and 4 and Article 18 (a), Article 37 and Article 38 of the Maldives Civil Service Act, the absolute authority to source and recruit employees, job transfers, promotions and dismissal shall lie with the Civil Service Commission.
- (b) In accordance with the Civil Service Act, the process of sourcing and recruiting employees, job transfers, promotions and dismissal shall be carried out as per the policies and principles determined in the Maldives Civil Service Act and this Regulation.
- (c) This Article does not constrain any power or authority vested in the Commission by the Constitution or Law. It shall also not affect the validity of sourcing and recruiting employees, job transfers, promotions and dismissal decisions taken or actions executed with such power and authority.
- Basic Principles in 75. (a) The process of sourcing and recruitment of an employee for Appointing Maldives Civil Service, job transfers and promotions in the Civil Employees Service shall be executed based on merit as the basic standard and with fairness and without prejudice, especially without any political influence. Furthermore, creation or dissolving of a position or the dismissal of an employee shall be executed without any influence and in all fairness and without prejudice, especially without any political influence and in accordance with this regulation.
- (b) Following conditions have to be met for the recruitment, job promotion or transfer to be deemed as based on merit as the basic standard.

1. Recruitment, promotion or transfer of employee meets the job specification criteria.
2. Recruitment, promotion or transfer of employee was made based on their academic qualification, job skills and job experience.
3. The Commission and the Senior Responsible Officers shall guarantee that all Maldivian citizens shall have equal opportunity to secure Civil Service employment and that the recruitment is carried out in a fair and just manner.

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|-----------------|-----|--|
| Job Description | 76. | <p>(a) There shall be a job description for each Civil Service position and it shall determine the main duties and responsibilities of the position. Employees shall be duty bound to temporarily perform other duties, at their place of work or service area, within their ability and be supportive when requested by the Senior Responsible Officer or Supervisor to perform such duties outside of the job description but in relation to their position or otherwise under special circumstances. When a person is informed of his employment, the Senior Responsible Officer or a delegated person shall explain the job description and obtain the employee's signature on the job description.</p> <p>(b) The Job description shall be made including the information stated in the sample "Job Description" in Schedule 2 of this Regulation.</p> <p>(c) Should the work of a job position be changed or changes, such a change shall be reflected in the job description.</p> |
| Job assignment | 77. | <p>(a) Persons shall be appointed to Maldives Civil Service employment by the Commission. Or persons shall be appointed or part of the appointment work shall be undertaken by a party authorized by the Commission as stipulated in Article 9 (c) of the Maldives Civil Service Act.</p> |

- (b) Where required to hire a person for a Civil Service position, the most eligible person shall be selected according to set guidelines and principles, and the main office shall submit to the Commission or agency delegated with the duty using the software created by the Commission for the purpose. Where not possible to utilize the software, then using the form “Request for Job Assignment Chit” in Schedule 3. For Civil Service job transfers, form “Request for Job Transfer Chit” in Schedule 4 shall be used.
- (c) Once a person is appointed for a job, it shall be communicated to the offices by sending a “chit” by the Civil Service Commission or an agency delegated with the duty by the Commission. A copy of this chit shall be sent to the office where the position is available. Offices using the software shall receive this chit through the software programme.
- (d) Following the recruitment, each Civil Servant shall be assigned with an Employment Record Card Number.
- (e) Following the communication from the Civil Service Commission or the agency delegated with the duty to the main office, the Senior Responsible Officer shall inform the same to the employee in writing.
- (f) When appointing persons for Civil Service, due consideration has to be given to ensure that other employees and the workplace is not additionally burdened. Furthermore, it shall be carried out in a manner that does not waste state resources but in a manner that facilitates a smoother office operation and administrative ease.

Requirements for 78.
Employment

- (a) Persons shall meet the following requirements and job specifications to be appointed for Civil Service permanent jobs.
 1. Shall be a citizen of the Maldives
 2. Basic literacy skills to read and write
 3. When applying for a Civil Service position, be a person not

above the discretionary age of retirement by the Commission (55years) as prescribed in Article 49 Section (a) of the Maldives Civil Service Act. (This Clause does not obstruct job transfer of a person of age 55 in Civil Service.)

4. Shall not be a person with an outstanding term to serve for the conviction of an offence for which a hadd is prescribed in Islam or an offence of theft or fraud or misappropriate or treason or such a grave offence during the past 5 years. Furthermore a person's conviction shall be considered as per the standards stated in this Regulation. Form to check a person's police record is in Schedule 5.
5. Shall not be a member of a group declared illegal by a Court of Law.
6. The Permanent Secretary of the applicant's workplace shall not be the mother or father or child or spouse or sibling or half-sibling of the applicant.
7. Shall not be a person working in an elected position under the Constitution of the Republic of Maldives.
8. Shall not be a person appointed for a position by the President according to Article 115 (f) of the Constitution of the Republic of Maldives.
9. Shall not be a person who has been retired from any position of the State.
10. Shall not be a person already employed by the State.
11. Shall have completed 3 (three) years after having been terminated as per Article 47 (c) 3 of the Maldives Civil Service Act.

- (b) The Permanent Secretary or Senior Responsible Officer or Responsible Officer shall verify if a person is medically fit to undertake the job requirements prior to proposing such a person for employment. Should the person be deemed not medically fit, the matter shall be considered by the H.R.M.D Committee of the office after having obtained a doctor's diagnosis and relevant documents.

The office shall submit to the Commission the request for employment along with the Committee's decision and related evidence.

- (c) The Permanent Secretary or Senior Responsible Officer shall verify if a person meets the disciplinary and national security standards prior to proposing such a person for employment. Should the person be deemed not meeting the standards, the H.R.M.D Committee shall consider if the person meets the disciplinary and national security standards as per Chapter 7 of this Regulation. The office shall submit to the Commission the request for employment along with the Committee's decision and related evidence.

Recruiting and 79.
Appointing
Personnel for
Senior Civil
Service

- (a) Recruitment and appointment of personnel for Senior Civil Service and for the senior most position of civil service offices shall be undertaken by the Civil Service Commission as per this Regulation. Where a Civil Service office requires to recruit a person for a Senior Civil Service position or for the senior most position of the office, the request shall be submitted to the Commission with the following information.

1. Serial number of the position
2. Designation and classification of the position
3. Reason necessitating the requirement
4. Required date for recruitment

- (b) Guidelines and policies for the recruitment and appointment of personnel for Senior Civil Service positions and the senior most position of Civil Service offices has to be formulated and published at the time this Regulation comes into effect. Personnel for these positions shall be appointed according to those guidelines and policies.

Employing
Children who have
not Attained the
Age of 18 years

80. In employing children, who have not attained the age of 18 years according to the Gregorian calendar, for Civil Service positions, the following process and procedure shall be followed. A child below 18 years is defined in accordance with Law 9/91 (Law on Protection of Child Rights). Under this Article, the lowest age of employment of children shall be 16 years.
- (a) A child below 18 years shall only be employed with the written permission from their guardian by Sharia or law.
 - (b) The party employing the child shall not assign the child any task which could affect the child's health, hinder their education or have a negative effect on their conduct.
 - (c) A child below the age of 18 years shall not be made to work after 11 pm.
 - (d) The salary determined for the position shall be given even though a child under 18 years is employed in that position.
 - (e) If children below 18 years are employed in a Civil Service office, a registry with their name, address and date of birth shall be maintained by such an office.

Jobs Where
Children who have
not Attained 18
years according to
Gregorian Calendar
Cannot be
Employed

81. Children who have not attained 18 years according to Gregorian Calendar shall not be employed even temporarily in the following jobs. And no submission shall be made to the Commission for permanent employment either.
- (a) Positions which involves handling dangerous chemicals or working with garbage or requires working in such an environment.
 - (b) Positions which require driving or riding a motorized vehicle.
 - (c) Positions which deals with the handling of documents or visuals inappropriate for children below 18 years of age.
 - (d) Positions in construction work except for administrative jobs.
 - (e) Positions in carpentry work except for administrative jobs.

- (f) Welding jobs
- (g) Positions requiring climbing high places.
- (h) Security guard and watchmen jobs
- (i) Positions which require handling heavy machinery

Keeping Children 82. Article 80 Clause (a), (b) and (c) and Article 81 of this Regulation shall not
Below 18 years for be contravened when keeping children below 18 years in unpaid jobs for
job experience the purpose of work experience.
without pay

Employment 83. It shall be required to obtain the employee's signature on a written
Agreement shall be kept as an employee. Any
person being given a Civil Service position shall sign a written
employment agreement. An agreement signed in this manner shall include
the qualifications and articles, provided in the sample "Employment
Agreement" in Schedule 6 of this regulation.

(a) Employment agreement signed between the Civil Service and the
employee, the party assigned to sign on behalf of the Civil Service
is the Senior Responsible officer of the main office where the
person is employed, or the Responsible Officer or any other Civil
Service employee working under them and assigned by them to sign
the agreement.

(b) Employment agreement shall be filed in the employee's record file
after both parties sign it. A copy of the employment agreement shall
be given to the employee.

Employment 84. A power that is bestowed on the Civil Service Commission or the Senior
Agreement to be Responsible Officer or a Civil Service office by the Civil Service Act or
within Laws and this Regulation shall not be constricted in a civil service employment
Regulations agreement unless the discretion has been expressly specified in a law or
regulation. And no section shall be included in a manner whereby it creates
a barrier to formulating and implementing a general regulation of the Civil

Service. Any inclusion of such a clause in the employment agreement then such a part shall be null and void.

Situations that Bar Employment 85. A previously employed Civil Service employee shall be barred from future employment for following reasons.

- (a) Person dismissed from Civil Service employment barring re-employment for a specific period and till such a term expires.
- (b) Reason for last dismissal from Civil Service being a valid factor to deny re-employment.
- (c) If the resignation from the previous job was due to medical reasons, until evidence of recovery with an acceptable medical certificate is produced.
- (d) Has reached the Civil Service discretionary retirement age of 55 years as stipulated in the Maldives Civil Service Act.

Job Transfer 86. (a) Civil Service employees shall only be transferred from one position to another by the Civil Service Commission or a party designated by the Commission to undertake the work. Job transfer requests shall be submitted through the “Viuga” software. Offices without access to the software shall utilize the “Request for Job Transfer Chit” in Schedule 4.

- (b) Under this Article, an employee can only be transferred to a position of lower classification upon the employee’s request, consent and agreement and in the following circumstances.
 - 1. As a corrective measure as per Article 269 of this Regulation.
 - 2. The employee loses a fundamental requirement for the performance of the level of the job that the person is employed at.

3. Upon evaluation, the employee is seen not to be performing to the level and standard required for the level employed.
4. Due to a mental or physical disability the person being unable to carry out the responsibilities and duties at the level employed.
5. In the event a situation specified by the laws and regulations of the Maldives occurs.

(c) An employee of Maldives Civil Service shall be transferred to another equal or lower level position, classification and salary should there be a valid reason for such a transfer. Permanent Secretaries or Senior Responsible Officers shall submit clear reasons when requesting for such transfers. An employee may be transferred to a lower level position when requested in writing with an acceptable reason for the transfer.

Temporary
Transfer of
Workplace Island

87. (a) Due to the type and nature of work carried out by a Civil Service employee or due to the government's need, the Permanent Secretary, Senior Responsible Officer, shall have the discretion to temporarily transfer an employee to a workplace on another island.

1. Where an emergency or urgent service needs to be given as stipulated in a separate law regarding a service and it entails giving the service by utilizing the service of many employees at once.
2. Due to a need for a large number of technical and administrative staff to provide services in relation to a major project or activity of the government.
3. Where a trained and technically able employee is unable to provide his services due to an unexpected situation and a replacement is not available on the island of his work place, and a replacement has to be sought from another island.

(b) In making arrangements as per Clause (a) of this Article, the Permanent Secretary or Senior Responsible Officer shall ensure the following:

1. Transferring the staff would not affect the operation of the permanent workplace.
2. Employee being transferred receives the salary and benefits as per this Regulation.
3. Arrangements are in place for the management of supervision of the standard of work, leave, necessary facilities at workplace and such directly related matters to the employee being transferred.
4. Under this Regulation, an employee shall be transferred for a maximum of 1 (one) year.
5. Employee being transferred shall have completed 1 (one) year since the last transfer.
6. In addition to the above, where many employees perform the same job, any one employee shall be selected based on fair and transparent criteria formulated for the purpose.
7. The employee is being transferred not as a corrective action against the employee nor for any political interest.

(c) Where a Minister or Senior Responsible Officer is of the opinion that an administrative change could result in favourable changes to the functioning of an office and submits the request to the Commission, the Commission or the Commission assigned party for the task has the discretion to act according to one of the following manners.

1. Commission or an assigned party for the task may in writing determine that a Maldives Civil Service employee be transferred to another office.
2. Appoint, according to the Maldives Civil Service Act and this Regulation, a non-Civil Service employee working at an office as a Civil Service employee.
3. Civil Service Commission or an assigned party for the task has the discretion to appoint, according to the Civil Service Act and this Regulation, any person it deems fit as an employee of Maldives Civil Service.

(d) In implementing Clause (c) (1), the Civil Service Commission or Commission assigned party for the task shall ensure the following through the Senior Responsible Officer, the Permanent Secretary.

1. The Minister or the Senior Responsible Officer's proposal shall include specifically how the transfer of an employee would result in positive changes to an office and to the new workplace.
2. In temporary transfers of an employee, the transfer period and objectives to be achieved during that period.
3. Where it is a temporary transfer in addition to terms stated in Clause (c) 1 and 2, transfer period to be less than 1 (one) year.
4. The employee being transferred is someone who is technically able and experienced.
5. The position being transferred to involves the type of work the employee was performing or that the change is to perform such work.
6. The operation of current workplace of the employee being transferred shall not be negatively impacted.
7. Employee being transferred receives the salary and benefits as per this Regulation.
8. Arrangements are in place for the management of supervision of the standard of work, leave, necessary facilities at workplace and such directly related matters to the employee being transferred.
9. Employee being transferred shall have completed 1 (one) year since the last transfer.
10. In addition to the above, where many employees perform the same job, any one employee shall be selected based on fair and transparent criteria formulated for the purpose.
11. The employee is being transferred not as a corrective action against the employee nor for any political interest.
12. That the H.R.M.D Committee has considered any complaints, should the employee have submitted a complaint that the transfer is due to a political interest with a political

objective and hence, unfairly and as a mistreatment.

(e) As stated in Clause (c) 2 and 3 of this Article, when appointing a non-Civil Service employee working at an office as a Civil Service employee, according to the Maldives Civil Service Act and this Regulation, the Commission or the Commission assigned party to undertake the task shall ensure the following.

1. The person recommended as per Clause (c) 2 and 3 of this Article for civil service employment is the most eligible candidate according to merit standards in considering academic qualifications and experience and fulfills the basic requirements for employment to a Maldives Civil Service position.
2. The position requested for creation is necessary and that it was previously created to undertake similar tasks.
3. A person outside of Maldives Civil Service scope of work is being appointed due to unavailability of a such an employee within its scope of work.

(f) Where the Commission or the Commission assigned party to undertake the task has taken a decision for the transfer of an employee's job or workplace as per this Article, the employee shall abide by the decision until a further decision is made in this regard by the Commission or the Commission assigned party to undertake the task.

(g) Where an employee acts against the decision of the Commission or that of the Commission assigned party to undertake a task, it shall be regarded as having breached the regulations and corrective action shall be taken against the employee as per this Regulation.

(h) Where an employee submits in writing giving reasons that hindrances exist to implement a decision taken by the Commission or by a Commission assigned party to undertake a task, the reasons as acceptable or not shall be determined by the Commission or by the party assigned by the Commission to undertake the task. The

Commission shall have the discretion to review its decision in question following its determination on the matter.

- Job Promotions
88. (a) As stated in Article 39 of the Maldives Civil Service Act, promotions for Civil Service Employees shall be given, in appreciation or in order to assign a greater responsibility for employees who prove excellent performance, high standard of good work ethics. Under no circumstance shall there be promotion of an employee who does not perform their job responsibilities, are careless in work and with bad work ethics. Furthermore, no request for any kind of promotion shall be made for an employee against whom disciplinary action was taken in accordance with Chapter 24 of this regulation, until such employee proves absolute reform.
- (b) Civil Service employees shall receive job promotions according to the policy of promotions determined in the position structure.

- Factors to Consider in Giving Job Promotions
89. The following factors shall be considered when giving job promotions.
- (a) Ability of the employee in carrying out the responsibilities of the job.
- (b) Quality of work, diligence and attendance.
- (c) Employee's academic qualification and experience.
- (d) Duration of employment period in the sector.
- (e) Role of the employee in achieving the objectives of the office.
- (f) Quality and extent of achievement of job responsibilities.
- (g) Where the service structure of the job determines a job promotion upon completion of a certain duration and if that duration has been served, and if the employee's job performance evaluation is positive.
- (h) Following procedures have to be implemented with regard to giving job promotions or salary increments to employees who have been

subjected to disciplinary action.

1. Employees who were served with a written cautionary notice shall be given a job promotion or salary increment only after 2 years of reformed behaviour and where no other misbehaviour is noted.
2. Employees who were served with a written warning or job transferred or suspended as a disciplinary measure, shall be given a job promotion or salary increment only after 3 years of reformed behaviour and where no other misbehavior was noted.
3. Employees who were demoted shall be given a job promotion or salary increment only after 4 years of reformed behaviour and where no other misbehavior was noted.

Seeking Employees for Positions 90. Seeking employees and recruitment for Civil Service positions shall be done according to the book “Standards and Policies on Selecting and Appointment of Employees for Civil Service Positions” published by the Civil Service Commission.

Advertising 91. Advertisement for Civil Service positions shall be made according to the “Standards and Policies on Selecting and Recruitment of Employees for Civil Service Positions”.

Carrying out the Work of Seeking Employees 92. (a) Where a Civil Service employee, without a bond service period, submits resignation, the office holding that position may commence work to seek a replacement even if the position is not vacant. Furthermore, an office may also commence work on seeking a replacement where the Civil Service has informed of an employee’s transfer to another position and where the existing employee’s position is not vacant.

- (b) Each office shall safely maintain all records pertaining to seeking of employees.

Applying for a Job 93. Job applications shall be submitted using the form, “Application for Civil Service Employment” in Schedule 7 of this Regulation. This form shall also be used by existing employees when applying for another Civil Service position.

Accreditation and Attestation 94. (a) When applying for a job, Maldives Qualification Board attested copies of the academic qualifications listed in the form shall be submitted.

- (b) Only the candidates selected for interviews shall have their documents, listed in the application form, verified. The documents shall be verified against the originals at the time of interview by the human resource personnel of the office by signing and writing the date on the copies.

Selecting Employees for Positions 95. In selecting an employee from the applicants for a position, the office shall act as follows.

- (a) Verifying the information provided in the application form and ensuring existence of a requisite certificate for the position, or document attesting to applicant meeting the standard required by the position or any other similar document required for the position. Or verifying that such a document submitted is a true copy.
- (b) “Criminal Record Verification Form”, in Schedule 5 of this Regulation given to employees shall be returned to the employed office within 30 days from the date of commencement of probation (date of employment).

- (c) Conduct individual interviews with the candidates in order to seek the most eligible candidate for the position. The interviews shall be held after the stated deadline for submission of applications for the position.
- (d) Where interviewing all candidates is made difficult due to a large number of job applicants, candidates may be shortlisted according to a criteria formulated in consultation with the H.R.M.D Committee.

Formulation of Interview Panel 96. Interview panel for selection of employees shall be formulated according to this Regulation and the book “Standards and Policies for the Selection and Appointment of Employees for Civil Service Positions” published by the Commission.

Parties Who Shall Not be Included in the Interview Panel 97. (a) A relative (mother, father, child, wife, husband, half-brothers and half-sisters) of the interviewee shall not be included in the interview panel.

(b) The interview panel shall not include any person who is in a political position or any person actively involved in politics. However, this Article does not obstruct the participation of such a party as an observer in cases where the H.R.M.D Committee of the office does not object to it.

Selection of the Most Eligible Candidate 98. The most eligible candidate shall be chose according to the “Standards and Policies in Selecting and Appointing Employees for Civil Service Positions” book published by the Commission.

Informing the Parties Who Did 99. Job Applicants who weren’t selected for the job shall be informed about it by the relevant authority or office, giving reasons as to why they were not

Not Secure the Job

selected for the job. "Statement Informing of not having been selected for the Job" is provided in Schedule 8 of this Regulation.

Probation
(Temporary Term)

100. (a) Probation or Temporary Term is a period of 3 (three) months given for the office to determine if the new employee is competent in undertaking the job duties and responsibilities and also for the employee to see if the job is acceptable.
- (b) Where the employee is seen to be capable and competent, it shall be informed to the employee accordingly in writing during the period of probation. Where an employee needs to be dismissed during the probation period, the employee shall be dismissed as stated in this Regulation.
- (c) Although Clause (b) of this Article states so, the Commission has the discretion to terminate an employee on probation as stipulated in the Employment Act.
- (d) In the event of situations as defined in Clause (b) and (c), or if the candidate who received the highest number of points informs that he/she does not want the job, or if the candidate who received the highest number of points cannot be reached after numerous tries, the next person who received the highest number of points shall be appointed to the job without a second interview as per this Regulation.

How to Treat the
Employee on
Probation

101. Senior Responsible Officer or the Responsible Officer of the office shall treat employees on probation as follows.
- (a) Employees on probation shall be informed of duties and other issues necessary for completion during the probationary period.
- (b) Where required, provide with training for employees on probation.
- (c) Monitor and record standard of performance and share the

information with the employee.

- (d) Where the employee needs to rectify work ethics or service performance, inform the employee of the same and maintain records of it.
- (e) 7 days prior to completion of probationary period, “Statement on the Performance of the Employee During Probation” in Schedule 9 of this Regulation has to be filled, a copy given to the employee and a copy filed in the employee’s personal file.

Dismissal of an Employee on Probation

- 102. (a) Where an employee on probation is deemed unfit for the position or the employee wishes to resign, such an employee shall be dismissed before the probation period expires.
- (b) Where an employee has been informed, according to Article 101 (d) of matters to be rectified but does not rectify it accordingly, the employee shall be dismissed without further notice as per Article 104 of this Regulation.

Dismissal and Resignation from the Job

103. Maldives Civil Service employees can be dismissed or can resign from their positions as follows. An employee of Maldives Civil Service shall only be dismissed by the Civil Service Commission or by a Commission assigned party for the task. Where an employee needs to be dismissed, this shall be carried out using the software designed by the Commission for the purpose. Offices not utilizing this software shall utilize the “Request for Dismissal Chit” sample in Schedule 10 of this Regulation.

- (a) Employees without a service agreement (bond) may resign as follows:
 - 1. Right to resign from the position by submitting a written notice with at least 1 (one) month.
 - 2. Employees who resign shall be terminated from their job within a maximum of 1 (one) month from the date of

request.

3. Employees shall report to duty during the notice period and until terminated. Where an employee is absent for 15 (fifteen) consecutive days, without taking a leave after submission of resignation, then such an employee shall be dismissed as for having violated Civil Service regulations.

(b) Maldives Civil Service employees taking part in elections shall resign or be dismissed as follows:

1. Where an employee takes part in an election for a political post stated in the Constitution, the employee shall be dismissed from Maldives Civil Service.
2. Where an employee intends to be a candidate for a political post stated in the Constitution, the employee shall resign from the position prior to taking part in the election.

(c) A Civil Service employee's job is automatically terminated upon the employee's demise. Upon the death of an employee, the office where the employee was employed at, shall inform the Commission, through the main office, of the demise of the employee within 15 (fifteen) days.

(d) A Civil Service employee shall be dismissed for the following reasons.

1. Where an employee fails to meet the conditions stated in Article 41 (a) of the Maldives Civil Service Act or a job specification set for the position. This shall include the requirements for the position such as health, conduct and the standards for the protection of national security.
2. Where an employee is unable to satisfactorily perform the duties and responsibilities of their position due to a mental or physical disability.

3. Where the employee cannot perform the job due to the occurrence of a situation prescribed in the laws and regulations of the Maldives.
4. Incompletion or failure to complete a training program which is mandatory for the performance of the duties of the job.
5. If the Civil Service Commission has proof that an employee has flouted the Maldives Civil Service Act, Regulation, or Code of Conduct, the measure taken based on the magnitude of the wrong doing.
6. Where an investigation conducted by the Civil Service, it is found that the employee has been appointed to the job contrary to the principles of the Maldives Civil Service Act and this Regulation on appointment of employees.
7. Where the Commission decides to dismiss an employee as per Chapter 28.
8. Where an employee is retired from a Civil Service position in accordance with Article 49 of the Maldives Civil Service Act.
9. Where an employee is found guilty in a court of law and receives a ruling of house arrest, imprisonment or banishment.

(e) Temporary employees of the Civil Service shall be dismissed similar to the dismissal procedure of permanent employees of the Civil Service as per the principles of this Regulation. For an employee who is working under a separate agreement, that employee will be dismissed from their job according to how it is stated in that agreement.

Prior Notice of Dismissal 104. (a) Prior to dismissal of a Civil Service employee, in accordance with Article 22 of the Employment Act, and unless otherwise stated in

this Regulation, the employee shall be served with notice of dismissal and given salary and all allowances entitled to the staff during the notice period as follows.

1. A notice period of 2 (two) weeks for an employee who has served for more than 6 (six) months but less than 1 (one) year.
2. A notice period of 1 (one) month for an employee who has served for more than 1 (one) year but less than 5 (five) years.
3. A notice period of 2 (two) months for an employee who has served for more than 5 (five) years.

- (b) A notice of dismissal as per Clause (a) of this Article shall not be served to an employee who is on a leave entitled by this Regulation.
- (c) This Article does not obstruct serving a longer period of notice than as stated in this Article where it is agreed between the Commission and the employee nor the employee in relinquishing the right to receive a specific period of prior notice.
- (d) Notice of dismissal served under this Article shall be made in writing.

Payment in Lieu of Notice 105. The Commission shall have the discretion to dismiss an employee after giving payment in lieu of notice of dismissal in accordance to Article 25 of the Employment Act, where the payment includes salary and all allowances from the beginning date to the ending date of the notice period.

Dismissal Without Notice 106. The Commission shall have the discretion to dismiss an employee without notice, as stipulated in Article 23 of the Employment Act, for gross misconduct and if the Commission deems it unacceptable to further allow the employee to be in service.

CHAPTER 9

Temporary Employees

107. Introduction

108. Seeking and Recruiting Temporary employees

109. Situations for Employment under “Contract Employment”

110. Situations for Employment Under “Wage Employment”

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112. Duration of Employment on Temporary Basis

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CHAPTER 9

Temporary Employees

- Introduction 107. As stipulated in Article 40 of the Maldives Civil Service Act, temporary employees are persons who are employed, for a specific period or to undertake a specific task, by the Civil Service to fulfill temporary needs of the Government or to execute a temporary project.
- (a) Temporary employees are on “Contract Employment” or “Wage Employment” basis serving the Civil Service for temporary work requirements.
 - (b) The service period of temporary employees shall be counted similar to that of the permanent employees.
- Seeking and Recruiting Temporary employees 108. (a) Merit as the basic principle applied in seeking, selection and recruitment of persons for permanent positions of the Civil Service, shall also be applied in the seeking, selection and recruitment of persons under “Contract Employment”.
- (b) As stipulated in Article (9) (c) of the Maldives Civil Service Act (5/2007) and as stated in this Chapter, all the work relating to selection and dismissal of employees shall be carried out by the relevant office as advised by its H.R.M.D Committee.
 - (c) The H.R.M.D Committee of the relevant office shall determine selection of employees under “Wage Employment”.
- Situations for Employment under “Contract Employment” 109. Employment under “Contract Employment” shall be made in the following circumstances:

- (a) A temporary removal of employee from the office or to temporarily fill the position of an employee on maternity or paternity leave.
- (b) Employees who are sent for training with a bond service agreement, after being temporarily removed from job, and are unable to submit certificate of completion of training programme or the Maldives Qualification Authority Approved document to the office by the date for reporting back to duty.
- (c) To fulfil the job responsibilities of a position where an eligible candidate meeting the job specifications does not apply for two rounds of job vacancy calls.
- (d) The need to employ a foreigner, where a Maldivian citizen is unavailable to provide an ongoing service of the Government. However, when a suitable Maldivian citizen is available for the position, such a person shall be recruited after dismissing the foreigner as per this Regulation. The employment contract between the foreigner and the relevant office shall state that the contract shall be terminated after implementing Article 104 and 105 of this Regulation should a suitable Maldivian candidate be found.
- (e) Where additional support is required for a project. Such support shall be sought where it is required for the work of a project run at an office of Maldives Civil Service.

Situations for 110. Employment under “Wage Employment” shall be made under the following Employment circumstances.

Under “Wage Employment”

- (a) To undertake work that increases seasonally. Situations where existing employees are unable to attend an increase in workload which occurs from time to time due to the nature of a routine service provided by the Civil Service.
- (b) Requirement to complete a work within a short time frame during official working hours. Work for completion within a short time frame shall be considered as work that a permanent employee of Civil Service can complete within half the period of a full official working day.

- (c) Additional assistance required in giving services. In these situations, additional assistance shall be sought where the services provided by a Civil Service employee can be further strengthened with the support of an additional person.

Temporary
Employment
for a Position
under Special
Circumstances

111. Permanent Secretaries at main offices and Senior Responsible Officers at offices functioning under Permanent Secretaries may employ, after ascertaining the below conditions, under “Contract Employment” for a period no more than 3 (three) months in order to ensure provision of uninterrupted services of the State provided through Civil Service.

- (a) The position should be within the job structure of the office.
- (b) To ensure budget allocation for the position.
- (c) Permanent Secretary of the Senior Responsible Officer shall ensure that the person being recruited is competent to undertake the job responsibilities.
- (d) To appoint a permanent employee to the position within a period of 3 months as per Regulation. Temporarily recruited personnel shall be relieved upon recruitment of a permanent employee.

Duration of
Employment
on Temporary
Basis

112. (a) Duration of employment under “Contract Employment” is as follows:

1. A maximum of 2 (two) years for a position with a determined duration.
2. Duration to complete the work in cases where duration is not determined and special works.

- (b) For “Wage Employment”, the office shall sign a contract with the employee and the maximum number of hours shall not be more than 250 hours per month.
- (c) Where an employee works for more than 16 hours per week, a job description shall be given to the employee detailing the job responsibilities.

- Management of Temporary Employees
113. Management of matters relating to temporary employees shall be undertaken as follows:
- (a) Where a temporary employee is recruited, according to this Chapter to undertake the responsibilities of a Civil Service position, an employment contract shall be signed with the employee. Furthermore, the form “Temporary Employees’ Information Form” in Schedule 11 shall be completed within 7 days and the data entered into the employee software.
 - (b) Notice of employment chit shall be issued to the employee on the first day of joining.
 - (c) Unless otherwise stated in this Regulation, personnel recruited under “Contract Employment” shall not be a person serving in a Civil Service permanent or temporary position.
 - (d) Where the person recruited under “Contract Employment” is for a position included in the structure of the office and prior to completion of the employment contract, a public call shall be made for interested candidates to apply in order to find an eligible person.
 - (e) Information of persons employed under this Chapter shall be recorded and a register maintained in the respective office. In addition, as per Article 250 of this Regulation, the personal file of such employees shall be maintained by the office.
 - (f) Employees recruited under “Wage Employment” shall be given a record card number by the office. Furthermore, each office shall maintain a registry of such employees as per regulations and the information shall be easily accessible where the Commission requires it.
- Enforcing the Regulation and Taking Necessary
114. (a) Persons employed under this Chapter shall respect the Maldives Civil Service Act, this Regulation and Code of Conduct.
- (b) Where necessary to take disciplinary measures against an employee

- Measures recruited under this Chapter, it shall be done as per Chapter 28 of this Regulation.
- (c) Where an expatriate is recruited under this Chapter, then all laws and regulations relating to employment of expatriates shall be adhered to.
- Leave 115. (a) Persons recruited under this Chapter as “Contract Employment” shall be given leave as agreed in the employment contract.
- (b) Persons recruited as “Wage Employment” shall not be entitled to any leave as per this Regulation.
- Remuneration 116. (a) Persons recruited under “Contract Employment” shall be remunerated considering the academic qualifications and experience and shall be similar to the salary and benefits allocated to the permanent job rank in the Civil Service.
- (b) Persons recruited under “Contract Employment” and according to Clause 109 (b) of this Regulation shall be remunerated similar to the salary and benefits allocated to the rank of the position in the job structure.
- (c) Overtime shall be paid as per this Regulation and agreement between the employee and the office.
- (d) Persons employed as “Wage Employment” shall receive remuneration as determined by the office for the work and it shall be based on the number of hours worked.
- Agreement 117. Persons employed under this Chapter shall have an employment contract and it shall be signed on the first day of work between the employee and the office. A sample employment agreement is given in Schedule 12.

Health
Insurance

118. Persons employed under this Chapter shall be provided with health care expenses similar to that provided to permanent employees.

Dismissal

119. Upon completion of the work or project, or upon expiry of the term of the employment contract or following a breach of contractual obligations, the employee shall be dismissed from the position.

CHAPTER 10

Employees of the Mosques

120. Introduction

121. Working Days of Employees of the Mosques

122. Working Hours of Employees of the Mosques

123. Overtime of Employees of the Mosques

124. Maintaining attendance records of employees of mosques

125. Deductions for Late Attendance of Workers of the Mosques

126. Leave for Workers of the Mosques

127. Replacements for Workers of the mosques

128. Appointment of Imams and Muezzins to the Mosques

CHAPTER 10

Employees of the Mosques

- Introduction 120. In considering that the Imams, Muezzins and Workers at Mosques are exempted from Chapter 4 of the Employment Act, as stipulated in Article 34 (a) (3) of the Employment Act (2/2008), their working hours, maintenance of attendance records, salary deductions for absence, holidays, leave, appointment of replacement staff shall be implemented as determined by this Chapter.
- Working Days of Employees of the Mosques 121. Official working days of the employees of mosques are 7 (seven) days of the week. As such, holidays stated in Article 176 of this Chapter shall be official working days.
- Working Hours of Employees of the Mosques 122. (a) The official working hours for Imams and Muezzins are to attend to the mosque for prayer times, calling for prayers on time and prayers of the five obligatory prayers.
 1. It shall be considered as 1 (one) hour for each prayer time.
 2. Working hours of the Imams and Muezzins of the mosques is determined as 5 hours per day and 35 hours per week.(b) Working hours of the Workers of the mosques is determined as 5 (five) hours per day.
 1. The number of hours determined in this Article is split for the five obligatory prayers to prepare the mosque, to clean and sweep the mosque and for the maintenance work of the mosque and its premises.
 2. A total of 2 hours and 30 minutes shall be spent daily and a total of 35 hours weekly, to prepare the mosque for the prayer times, to clean and sweep the mosque and for the maintenance work of the mosque and its premises
- Overtime of Employees of the Mosques 123. (a) Where a relevant government office assigns work to Imams, Muezzins and workers of the mosques related to their jobs, the office shall pay overtime allowance for the time taken to undertake the assigned tasks.

- (b) Workers of the mosques may be asked to prepare the mosque for prayers other than the prayers linked to the five obligatory prayers such as Eid prayers, Funeral Prayers, Eclipse Prayers, Taraweeh Prayers and such other prayers by determining 30 minutes as overtime for preparation work.
- (c) Where the Imams and Muezzins attend the mosque during the below given times, it shall be considered as having worked overtime.
 1. Praying Funeral Prayer, Eclipse Prayer and such prayers not linked to the five obligatory prayers by the Imams and Muezzins shall be considered as 30 minutes overtime, Taraweeh Prayers with complete recitation as 2 (two) hours overtime and for any other way of praying as 1 (one) hour over time, and for Eid Prayers as 1 (one) hour overtime.
 2. Where the imam is required to stay during lectures at the mosque as 1 (one) hour of overtime.
 3. Imams and Muezzins at mosques where Friday Prayer is performed, there shall be 30 minutes of overtime for each Friday Prayer.
- (d) Although working hours are determined as in the above clauses, imams, muezzins and workers of the mosques shall be remunerated for working on government non-working days as stipulated in Article 38 of the Employment Act and this Regulation.

Maintaining
attendance
records of
employees of
mosques

124. (a) Imams and Muezzins shall attend for all prayers and sign the attendance register. The register shall be prepared so that reporting time and signature can be entered for each individual prayer separately on a daily basis.
- (b) Workers of the mosques:
1. Shall report for every prayer time and sign in the attendance register.
 2. Shall record the reporting time and finishing time and sign each time separately for the cleaning, sweeping and maintenance work of the mosque and its premises.

- (c) In addition to reporting and signing as per Clause (a) and (b) of this Article, the employees shall report to their supervising office and sign before 1300 hrs on government working days. Deductions for late attendance shall not be made even if reporting late. However, corrective action shall be taken against the employee as per the rules and regulations.
- (d) In order to monitor and maintain overtime of imams, muezzins and workers of the mosques, a register for overtime attendance shall be maintained where the employee can enter reporting time, finishing time, detail of work carried out and sign and where the relevant supervisor authorizing the overtime work can sign.
- (e) The attendance and work of the imams and muezzins at the mosques shall be supervised by the Senior Responsible Officer of the relevant office or be carried out as determined by the Senior Responsible Officer. The attendance and work of the workers of the mosque shall be supervised and monitored by the imams or muezzins of the mosque. This Article does not obstruct the relevant H.R.M.D Committee to determine a different supervisory method to that stated in this Article.
- (f) The attendance registry of the imams, muezzins and workers of the mosques shall be checked at least once a week and counter-signed by the relevant Senior Responsible Officer.
- (g) This Article does not obstruct implementing additional administrative and management measures whilst in conformity to this Regulation.

Deductions for
Late
Attendance of
Workers of the
Mosques

- 125.
- (a) Where the imam or the muezzin fails to arrive on time for any of the five obligatory prayers, their salary and allowance portion for 1 (one) hour shall be calculated and deducted accordingly.
 - (b) Where workers of the mosques fail to spend determined duration for readying the mosque for the obligatory prayers or cleaning, sweeping and maintenance work of the mosque and its premises, deductions from the

salary and allowance shall be made calculated by dividing daily amount by 5 and then in proportion to the late attendance.

- (c) Where the imam, muezzin or workers of the mosque fail to attend prayers from morning prayer to Asr prayer or any prayer within that period without the Senior Responsible Officer or Supervisor's permission, or does not report inability to attend to the Senior Responsible Officer as per this Regulation, it shall be regarded as an absence and the day's remuneration shall be deducted and corrective action taken as per rules and regulations.
- (d) Where an employee is unable to perform the duties, it shall be reported to the Senior Responsible Officer or Supervisor 1 (one) hour before the next prayer time. The Senior Responsible Officer or Supervisor shall have the discretion to consider if the reason is valid and to allow absence for such a prayer time.
- (e) For the purpose of this Chapter, it shall be considered as having performed more than half of the day if the three prayers stated in Clause (c) is performed in its entirety or if it was not performed according to Clause (d) of this Article.

Leave for
Workers of the
Mosques

126. (a) Sick leave and family responsibility leave of workers of the mosques shall be given as follows:
1. Sick leave and family responsibility leave shall follow the procedure determined in Chapter 18 of this Regulation. However, procedure for taking sick leave and family responsibility leave before the morning prayer shall be determined by the H.R.M.D Committee of the relevant office and communicated to the employees.
 2. Sick leave and family responsibility leave shall be counted inclusive of the holidays stated in Article 176 of this Regulation.
- (b) Employees of the mosques shall be entitled to take leave as per Article 178 of this Regulation. As such, employees of the mosques shall be given annual

leave similar to other Civil Service staff without including the public holidays in Article 176 of this Regulation.

- (c) Employees of the mosques are entitled to other leaves as stated in Chapter 18 of this Regulation.

Replacements
for Workers of
the mosques

127. In the absence of imams, muezzins or workers of a mosque, due to taking leave or not reporting to duty, and there is no other employee to undertake those responsibilities, replacement personnel may be arranged as per Chapter 9 of this Regulation. In such circumstances, a Civil Service employee at another office may temporarily undertake the duties of the imam/muezzin should it not disrupt the employee's work.

Appointment of
Imams and
Muezzins to
the Mosques

128. (a) As imams and muezzins of the mosques in the islands are appointed to the imam and muezzin position in the island council's office (and not directly to any specific mosque), they shall be appointed to the mosques as follows:

1. Call for submission of interest to specific mosques among these employees to in order to assign them the mosques on the island/ward.
2. Appoint the most eligible person based upon merit principles, to the main mosque or Friday mosque of the island/ward.
3. To appoint imams and muezzins to mosques that are in close proximity to their place of residence. Where it results in two or more people to the same mosque, then the most eligible person based upon merit shall be selected. Should they be equal in merit, then they shall be selected after taking a draw.

- (b) In selecting employees based upon merit as per Clause (a) of this Article, following system shall be utilized to award points.

1. 3 points for having a Muezzin's Certificate, or Certificate to perform Friday prayers, or a certificate in a religious field of level 3 according to certifying structure of the Maldives.
2. 5 points for having a tertiary certificate from an Islamic institute

accepted by the Ministry of Islamic Affairs or a certificate in a religious field of level 4 according to the certifying structure of the Maldives, 10 points for having a certificate in a religious field of level 5 according to the certifying structure of the Maldives, 15 points for having a certificate in a religious field of level 6 according to the certifying structure of the Maldives, 20 points for having a certificate in a religious field of level 7 according to the certifying structure of the Maldives, 25 points for having a certificate in a religious field of level 8 according to the certifying structure of the Maldives and 30 points for having a certificate in a religious field of level 9 according to the certifying structure of the Maldives.

3. 15 points for having memorized the Holy Quran.
4. For completion and having a Qari course certificate; 15 points for having a certificate of first level, 10 points for having a certificate of second level and 5 points for having a certificate of third level. It shall be considered as having completed the Qari Course where an advance certificate (level 4 certificate accepted by the Maldives Qualification Authority) is achieved.

- (c) Workers of the mosques shall also be appointed to mosques in close proximity to their place of residence. Where two people have to be assigned to the same mosques, priority shall be given to the longest serving employee.

CHAPTER 11

Obtaining the Services of Volunteers

129. Introduction

130. Adhering to regulations

131. Obtaining the Service of Volunteers

132. Supervision of Volunteers

133. Selecting persons for volunteer service

134. Discontinuing services of volunteers

135. Factors requiring special consideration in receiving the service of volunteers

CHAPTER 11

Obtaining the Services of Volunteers

- Introduction 129. (a) Volunteers are personnel who under an agreement with a Civil Service office work voluntarily in giving the services provided by that office. Volunteers are not Civil Service employees.
- (b) This shall include voluntary service given by those fulfilling internships and apprenticeships. However, volunteers may be utilized in providing services of Maldives Civil Service according to this principle.
- Adhering to regulations 130. Volunteers undertaking the responsibilities of a Civil Service position shall abide by the Employment Act and related regulations, the Maldives Civil Service Act, Code of Conduct, related regulations, principles and notices.
- Obtaining the Service of Volunteers 131. An office may employ the service of a volunteer in accordance with the following:
- (a) Where it is not possible to find an eligible person for a Civil Service position in the office due to how the structure of the office is formulated.
- (b) Where a person requests job experience after finishing their education.
- (c) Where budgetary constraints hinder employing a permanent employee to undertake the job responsibilities.
- Supervision of Volunteers 132. (a) A volunteer shall not be assigned to supervise Civil Service employees. However, this shall not include giving advice in situations where employees are working together.
- (b) Offices employing the services of volunteers shall have the volunteers sign an agreement to offer voluntary services without pay and to uphold the

confidentiality of state secrets as per Maldives Civil Service Act and the Regulation, to respect and abide by the Maldives Civil Service Act, the Regulation, Code of Conduct and the Employment Act.

- (c) The supervisor of the volunteers shall ensure that the volunteers respect the Maldives Civil Service Act, the Regulation and the Code of Conduct and that they implement the terms of agreement.
- (d) The office seeking the services of volunteers shall supervise the work of volunteers and maintain records of their work.
- (e) Volunteers and Civil Service employees shall be treated equally and involved equally in the work.
- (f) Any issues or questions arising in relation to this Article shall be settled in discussion with the Commission.

Selecting
persons for
volunteer
service

133. The following guidelines shall be applied when appointing persons to work as volunteers.
- (a) In an office where Civil Service employees work, persons for volunteer service must be chosen from amongst respondents to a public announcement. If the number of people who applies exceeds the number required, selection shall be based on merit.
 - (b) In the case of an emergency situation publicly announced or declared by the Government, if the Senior Responsible Officer believes that a public announcement as mentioned above could delay the delivery of prompt services, volunteers may be chosen without a public announcement.
 - (c) Parties interested in offering voluntary service shall submit their interest to the office. The respective office shall determine if such voluntary services are required.
 - (d) The agreement signed with the person selected for volunteer services must include terms on receiving voluntary services and termination of the

services.

Discontinuing
services of
volunteers

134. Situations where an agreement with volunteers may be terminated and their services promptly discontinued:
- (a) Breach of agreement signed between the volunteer and the office where Civil Service employees work.
 - (b) Where the volunteer acts or have been found to have acted in a manner that impedes the services being received or rendered by the Civil Service office.
 - (c) Should the office wish to discontinue the services of a volunteer during the period of enlisted service.
 - (d) If the volunteer in delivering services promotes a religion other than Islam or if the volunteer is found to be from an organization involved in such activities.

Factors
requiring
special
consideration
in receiving the
service of
volunteers

135. Special consideration must be made to the following when Civil Service Offices seek the services of volunteers.
- (a) Ensure that a person working as a volunteer in a Civil Service post is not someone who promotes a religion other than Islam. Furthermore, ensure that the organization that sent such a volunteer is also not involved in such activities.
 - (b) Any expenses made for the volunteer shall not be considered as an expense made towards the employees of Civil Service.
 - (c) The purpose in seeking the services of a volunteer to carry out the responsibilities of a Civil Service position shall not be to intimidate or coerce Civil Service employees.
 - (d) Not to implement a policy where Civil Service employees are dismissed from their jobs or a Civil Service position is dissolved in order to reduce expenses or for any other reason simply because the services of a volunteer is readily available.
 - (e) Not to remove a part of the work included in the job description of a Civil Service employee and which is being carried out, and then to employ the

services of a volunteer to do the same work.

CHAPTER 12

Job Orientation for Employees

136. Introduction

137. Job Orientation Participants and Duration for Completion

138. Conducting the Job Orientation Programme

139. Continuation of the job orientation programme

140. Evaluation of Job Orientation Programme

CHAPTER 12

Job Orientation for Employees

- Introduction 136. (a) Article 18 (m) of the Maldives Civil Service Act stipulates that the Civil Service Commission shall provide necessary training programmes to promote initiative taking, leadership skills and to increase the standard of Maldives Civil Servants, and to support and encourage Maldives Civil Servants to be a professionally competent team. As such, persons recruited for Maldives Civil Service shall be given job orientation programme to include information about their position and workplace rules and regulations and orientation about the Civil Service Regulation shall be conducted in different stages. The orientation programme shall be conducted according to this Regulation and the handbook “Job Orientation Programme for Civil Service Employees” published by the Commission.
- (b) Objectives of the employee orientation programme are:
1. Orientation of newly recruited employees to the regulations and policies of the Civil Service and to their main responsibilities and workplace.
 2. Development job interest in new employees.
 3. To facilitate a smooth beginning and continuation of work with the introduction of the employee to the office.
 4. To ensure and motivate employees are competent workers.
- Job Orientation Participants and Duration for Completion 137. (a) All newly appointed employees of Maldives Civil Service shall participate in the job orientation programme to the extent determined in their job classification and complete the programme as per the programme handbook.
- (b) Employees being transferred within the Civil Service shall be required to undergo the first stage of orientation programme.
- (c) Any Civil Service employee returning to service after a period of more than 1 (one) year shall be required to complete the orientation programme.
- (d) Job orientation programme shall be conducted in different stages, as such employees are required to complete all the stages within a period of 3 (three)

months from date of employment. However, employees of mosques are not required to complete stage 3 (three).

- (e) Participation of temporary employees shall be at the discretion of the relevant office.
- (f) Civil Service job orientation programme is to be completed within the probation period as per Article 101 (b) of this Regulation. Where an employee deliberately fails to complete the programme without any valid reason, it shall be considered as having violated Article 101 (b) of this Regulation and the relevant office shall submit a request to dismiss the employee without further notice, as per Article 106 (b) of this Regulation, to the Commission. Reasons for incompleteness and all other relevant information shall be submitted along with the dismissal request.
- (g) Where the employee is unable to complete the programme due to a valid reason such as an illness, the employee shall complete the remaining parts or stages after reporting back to work. In this regard, the duration taken to complete should not be longer than the duration of the full programme.

Conducting the
Job
Orientation
Programme

- 138.
- (a) Job orientation programme shall be conducted by trained mentors. In the absence of a mentor and till arrangements are made for another mentor, the person in-charge or employee affairs shall assign an employee to conduct the programme. Such a person shall take the full responsibility to conduct the programme at such an office.
 - (b) A job orientation programme shall be successfully conducted at an office only with the full support and participation of all employees, as such each employee shall fulfil their assigned role and responsibilities.
 - (c) Following the completion of the job orientation programme according to the handbook, the checklists included in the book and the statement issued upon the completion of the programme by the employee shall be updated in the Commission's employee record management system. The originals shall be maintained by the office in the personal file of the employee.

Continuation
of the job

- 139.
- (a) On the first day of reporting to work of new employees, they shall be met and welcomed by the responsible person for human resources or

orientation
programme

person in charge of human resources and briefed about the work carried out by the office. Furthermore, the employee shall be assigned with a mentor who shall play a significant role in getting the employee oriented to the workplace and conduct the job orientation programme.

- (b) The person responsible for or person in charge of human resources shall assign a mentor or another employee to conduct the orientation programme stages according to the handbook.
- (c) Although the mentor shall conduct the job orientation programme, the employee's supervisor shall be assigning work and direct on how the unit, or section or division's work should be carried out.

Evaluation of 140.
Job
Orientation
Programme

- (a) Following the conclusion of the job orientation programme, the new employee and the respective mentor shall evaluate the outcome of the job orientation programme. In this regard, upon completion of the programme evaluation form by the employee and the form of the mentor, it shall be acted upon as stated in Article 138 (c).
- (b) Where necessary to include any other part, specific to any given office, into the job orientation programme, it shall be done by the office in order to ensure that the programme is useful and beneficial to the office.

CHAPTER 13

Evaluation of Employee Performance

141. Introduction

142. Main Policies

CHAPTER 13

Evaluation of Employee Performance

- Introduction 141. (a) The purpose of employee performance evaluation is to understand the performance standard, achieved level and timeframe the work was achieved in, additionally the employee's attitude and personality. Furthermore, to create employees who are competent in their work. Moreover, this system to result in improving the work standard of Maldives Civil Service and the services given to be quick and of high quality. Following the evaluation, employees who perform well receives the satisfaction of knowing that they would be continuing in their position in the year ahead. However, in future, the employee's performance level may also be considered in giving promotions and salary increments. The Commission shall formulate and publish how employee job performance evaluation shall be conducted. Nevertheless, the individual offices may formulate performance evaluation systems in relation to the services provided by the office, whilst in conformity to Article 2 (c) of this Regulation.
- Main Policies 142. (a) In addition to ensuring, through the performance evaluation system, that the employees conduct their work in a manner that achieves the objectives of the office, employees shall also be motivated into further improving and developing their work.
- (b) In order to acknowledge good performance, job promotion, salary increments and other benefits may be linked to it. Performance evaluation system shall also facilitate and arrange for improving the standards of employees who are unable to perform to the determined standards.

- (c) Civil Service employees' performance shall be evaluated at least once a year.
- (d) Employee performance evaluation system shall be designed in a manner that is administratively convenient, transparent and fair.
- (e) In conducting performance evaluations, the following matters have to be specified in writing.
 - 1. Period of performance evaluation
 - 2. Employee (supervisor) who shall be assigned with the responsibility to monitor the employee's work and to conduct the performance evaluation.
- (f) Supervisor assigned to evaluate the performance of the employee shall have the following as part of the responsibilities.
 - 1. Setting targets at the beginning of the year.
 - 2. Review the employee's performance mid-year and make changes where necessary.
 - 3. At the end of the work year, evaluate and give marks for the performance.
- (g) A copy of the results of the performance evaluation shall be given to the relevant employee. Where the employee's performance is below the set standards, necessary action shall be taken.
- (h) Every employee shall have the right to appeal with reasons to the Permanent Secretary or Senior Responsible Officer of any grievance regarding the performance evaluation results.
- (i) Performance evaluation of an employee shall not be shared with anyone other than the relevant employees.

- (j) Performance evaluation of Civil Service employees shall be conducted according to the handbook on employee performance evaluation. Employee performance standards shall be measured using the “Forms to evaluate performance of Civil Service employees” in the handbook.

- (k) Nevertheless, the individual offices may formulate performance evaluation systems in relation to the services provided by the office, whilst in conformity to Article 2 (c) of this Regulation.

CHAPTER 14

Dress Code

143. Introduction

144. Attire and items not permitted during official working hours

145. General Principles

146. Dress Code

CHAPTER 14

Dress Code

- Introduction
143. Civil Service employees shall report to work in appropriate attire and maintain cleanliness, keep hair and beard well-maintained and act within the moral standards accepted by society, during official and unofficial working hours and shall be dressed in a manner where the status of the employee and office is maintained in front of the public receiving their services. In addition, the attire of the employee shall not, due to the nature of the services that the employee provides, be one that hinders the employee from providing the assigned services.
- Attire and items not permitted during official working hours
144. Following are the attire and items not permitted for employees during official working hours.
- (a) Attire with unacceptable foul words, language, drawings, cartoons and photographs.
 - (b) Flimsy see-through attire.
 - (c) Jeans of any type or colour.
 - (d) Short or long pants with showy multi-pockets (attached everywhere in an odd manner or embossed pockets (including tights))
 - (e) Flip flops, tennis, jogging shoes and half-shoes.
- General Principles
145. (a) Employees representing their office at important functions shall be attired in a manner that is acceptable for different functions and which conforms with this Regulation or in an attire specified for the function.
- (b) For the purpose of participating in a slogan held at the national, sector or community level, or to show support and encouragement in the spirit of national interest, an employee of the Civil Service may without deviating from the standards set forth in the dress code for work as stipulated in this

regulation, use badges, colours, emblems and labels in their attire at work.

- (c) Where the nature of work demands a particular type of attire, then employees shall be in such an attire. In addition, where a particular work at a particular time has to be performed in a particular attire, then such an attire may be used during such a time specified, whilst not making it the norm.
- (d) Jobs where a uniform is determined, employees shall wear the uniform when performing official duties. Uniforms shall conform to the dress code determined in this Regulation.

Dress Code 146. Dress code of employees shall be determined by the Senior Responsible Office with the advice of the H.R.M.D Committee of that office. Every office shall have it written and made generally available to all employees the standards of attire that does not breach this Regulation.

CHAPTER 15

Salary

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CHAPTER 15

Salary

- Introduction 147. The Commission shall have the discretion to determine and change the salary structure of jobs in all levels of the Civil Service. Job structure with remuneration of all jobs in all levels of Civil Service shall be determined under the said discretion.
- Duration for 148. Civil Service employees shall be given their salaries once a month.
giving salary
- Calculating 149. Daily salary of a Civil Service employee shall be calculated by dividing the
Salary Per Hour employee's salary by 30. Salary per hour of the employee shall be calculated by dividing the per day amount by the official working hour set by the Government at such a time. And the amount for a minute shall be calculated by dividing the hourly figure by 60.
- Determining 150. As stipulated in Article 6 and Article 43 of the Maldives Civil Service Act, the
salaries Commission shall determine, in consultation with the Minister of Finance and Treasury, the salary of Civil Service employees.
- Study on 151. Prior to the formulation of the annual budget, the Commission shall conduct a
Amending the study of the factors that may affect employees' salary structure. Based on the
Salary findings of the report, if the Commission deems it necessary to revise the salary structure of employees of the Civil Service, the Commission may endorse the amendment and submit the matter as prescribed by law to the Minister of Finance and Treasury for advice.
- Determining 152. (a) When employing a person to a Civil Service position, the employee's salary
Employee shall be determined by the Commission. The salary determined thus, shall

Salary be in par with the salary that the Commission has decided in the salary structure, for the grade in which the position has been classified into.

(b) Every employee's employment chit shall state the salary of the employee. If an employee is being transferred to another job, the transfer chit shall state the salary of the employee.

(c) If the salary of any employee is changed, a salary modification chit must be sent to each employee whose salary is changed.

Date of Salary 153. (a) Salary shall be paid from the date indicated on the employment chit or Payment transfer chit issued by the Commission. Where an employee's salary is changed, the modified salary must be given to the employee effective the date of change stated in the salary modification chit.

(b) Where an employee's salary is modified following a change in job to a different grade in the salary structure or for any other reason, the employee shall be given the previous salary up to the date of modification. The new modified salary shall be given from the date of modification.

Salary of 154. Where an employee is demoted, temporarily or permanently, to a lower rank job Employees Demoted to a Lower Level as a disciplinary action, the employee must be given the salary of the job rank the employee was demoted to.

Salary of 155. Where an employee dismissed from the job due to any cause, or suspended Employees Reinstated to a Position temporarily as a disciplinary action, or changed to a different post, is to be reinstated to the post or be called back to work, the salary of the employee shall be the same as if the employee were to have continued in the job.

Giving Salary 156. An employee shall be given salary increments according to the respective job Increments position structure of the employee or in the manner the Commission has determined salary increments.

Date for Giving Salary 157. (a) It is the responsibility of the respective office to give the salary of Civil Service employees. Salary shall be given on any of the last two days of the month in the Gregorian calendar. If the day coincides with a public holiday, salary shall be given on one of the last two working days of that month.

(b) Employees transferred from another office shall be given their salary, till the date of transfer, by the office where the employee previously worked. Salary from the date of transfer shall be given by the office where the employee was transferred to. For an employee who is transferred on the last day of the month, salary for the day shall be given by the office where the employee previously worked.

(c) Salary of an employee who resigns from work, shall be given up to the date of release stated in the job dismissal chit issued by the Civil Service Commission. Where the dismissal chit was not delivered to the employee for any reason and where the employee has reported to work, salary shall be paid up to last day the employee reports to work and has signed in.

Salaries of Employees who get Detained 158. Where an employee is arrested, the employee's salary for the days between the date of arrest and the date of dismissal, and where the employee is not dismissed from the job, salary for the days between the date of arrest and the date of release shall be decided as follows.

- (a) Where an employee is arrested under a charge or detained in a manner where the employee is unable to report to duty and where the employee is convicted in a court of law after being investigated and case taken up by the Prosecutor General, the salary shall not be paid for the days in detention.
- (b) Where the employee is acquitted by a court of law, or the issue was resolved by the concerned party without sending the case to court, salary shall be paid for the days of detention.

- (c) Where an employee of Civil Service, convicted by a court of law but acquitted by the High Court upon appeal, shall be paid salary for the days the employee remained in detention. Similarly, where a convicted case is acquitted by the Supreme Court upon appeal, the employee shall be paid salary for the days in detention.

Payment of Salary to the Employee 159. An employee's salary must be paid direct to the employee or to a party assigned by the employee in writing. Depositing the salary in a bank account of an employee shall be considered as paying direct to the employee. When paying salaries to employees, the employee's office shall communicate the following information to the employee via a written document or via electronic means of communication.

- (a) Total amount received by the employee for the duration of pay.
- (b) Amount deducted and the reason for deduction, should any deductions be made to the total amount paid.
- (c) The actual amount given as salary to the employee for the duration of pay.
- (d) The amount given as overtime and various allowances.
- (e) If the salary is deposited in a bank account, date of deposit, name of the bank, name of the branch, name of the account holder, and the account number.

Salary Deductions 160. Where an employee does not report to work, deductions from salary or service allowance for the duration or time of absence shall be made as follows.

- (a) Where an employee fails to report to work without prior approval of leave, deduction from salary and service allowance for the absence shall be the amount of salary and service allowance for a day. Where the employee is on sick leave, the deduction from the service allowance shall be the amount of service allowance for a day.
- (b) Where an employee fails to report to work for any period of time during the

employee's working hours, equivalent pay shall be deducted as late attendance from the salary.

- (c) Time spent away from the workplace, in excess to the permitted free time, shall be subjected to equivalent deduction as late attendance from the salary.
- (d) Deductions for late reporting shall be calculated by dividing the amount per day (by the total official working hours multiplied by 60) and by multiplying the resulting value of a minute with the total time the employee has not reported to work.

Deduction from
Salary as
Compensation
for Material
Loss

161. In order to compensate the office for loss incurred in relation to damages to office property or a property assigned to the employee in relation to their job, by the employee with intent or through negligence or by not performing a task, the cost of such loss shall be assessed and recovered from the employee as prescribed in Chapter 28 of this Regulation.

CHAPTER 16

Overtime, Allowances and Other Benefits

162. Introduction

163. Overtime Pay

164. Providing Overtime Pay to Exempted Parties

165. Special Allowance on the Occasion of Ramadan

166. Medical Assistance on Office Expense and arranging leave

167. Special Financial Assistance

CHAPTER 16

Overtime, Allowances and Other Benefits

- Introduction 162. (a) As stipulated in Article 6 and Article 43 of the Civil Service Act and Article 37 of the Employment Act, the Civil Service Commission shall decide on the allowances and benefits to be given to civil servants. The allowances determined by the Commission for eligible parties shall be communicated to the offices responsible for relevant employees. Information regarding such allowances shall also be made public.
- (b) Providing the relevant allowances and benefits determined by the Civil Service Commission to the employee is the responsibility of the office under which they are employed.
- (c) Where changes to the economic situation of the State necessitates reviewing of general allowances and other benefits given to civil services employees, the Commission has the discretion to evaluate and determine if changes are to be made to such allowances and benefits.
- Overtime Pay 163. (a) Civil Service employees shall be made to work overtime and paid for it as follows;
1. Work carried out during overtime shall be tasks which cannot be completed by working solely during official hours or it shall be special tasks assigned by the office.
 2. Overtime work shall be carried out with the approval of the Permanent Secretary or the Responsible Officer of the office in accordance to guidelines set by them.
- (b) If an employee is made to work longer than the set official working hours of a day, overtime pay shall be given to the employee for the overtime worked.
- (c) Employees entitled for Special duty allowance, shall be paid overtime as specified in “Allowances for employees in civil service” manual published

by the Commission.

- (d) Except for employees on special duty as stated in Clause (c), if an employee is made to work longer than the set official hours in a week, excluding the working hours of Ramadan, overtime pay shall be given for the time worked in addition to official working hours. Where a civil servant is made to work longer than the set official hours in a week during Ramadan, overtime pay shall be given for the time worked in addition to official working hours.
- (e) Except for the month of Ramadan, overtime pay shall be made in accordance to Clause (b) of this Article, and by determining the hourly rate by dividing the monthly salary by 30 and dividing the result by the the number of set official working hours.
- (f) Overtime for the month of Ramadan shall be made in accordance to Clause (b) of this Article, and by determining the hourly rate by diving the monthly salary by 30 and dividing the result by the number of official working hours set for Ramadan.
- (g) Except for employees excluded in Article 34 of the Employment Act, all employees shall be paid not less than 1 ¼ of the hourly entitlement of their salary for overtime work. For overtime performed on Fridays and Public Holidays, the pay shall be 1 ½ of the hourly entitlement of their salary.
- (h) If an employee is made to work on a public holiday in the usual manner of a working day, the employee is entitled to an additional minimum amount equal to half of the daily pay. Such work shall also be considered as overtime and overtime pay shall be included in the employee's salary.
- (i) Overtime payment shall be given on a monthly basis as a collective payment. In this manner overtime payment shall be given with the salary of the ongoing month and the overtime payment shall be calculated from the 16th of the previous month to the 15th of the present month. Or payment shall be paid as instructed by the Ministry of Finance and Treasury.
- (j) In addition to the trip allowance, overtime payment shall be given to employees who work more than the set official hours a day while on official trips, to the Atolls, from the Atolls to Male', from one Atoll to another and

from one island to another island. In this manner payment shall be made for hours worked after the employee reaches the destination. Such overtime shall be in accordance with Article 163, where permission has been granted by the Permanent Secretary or the Senior Responsible Officer in accordance with the guidelines set by them. However, overtime shall not be paid for participation in Seminars, workshops or trainings.

Providing
Overtime Pay
to Exempted
Parties

164. (a) Unless stated otherwise in this Regulation, if employees performing tasks stated in Article 34 of the Employment Act are made to work overtime they shall be provided overtime payment in accordance with the occupational structure of the employee.
- (b) Overtime payment shall be provided to employees who work more than the set official hours a day in loading and unloading goods to sea vessels and to those providing other services required by these vessels and also to persons employed in seafaring vessels. The relevant office shall determine the allocated working hours on the vessel and inform the employees accordingly.

Special
Allowance on
the Occasion
of Ramadan

165. (a) All Muslim Civil Service employees shall be paid an annual Special Allowance on occasion of the month of Ramadan, as per the Employment Act.
- (b) Special Allowance for Ramadan shall be paid as determined by the Ministry of Finance and Treasury.
- (c) Muslim employees in temporary positions of the Civil Service and Muslim expatriates employed to carry out the responsibility of a Maldives Civil Service position shall also be provided with the special Ramadan Allowance in accordance to Clause (b) of this Article.

Medical
Assistance on
Office

166. (a) If an employee, while having taken safety precautions and utilizing necessary equipment, suffers from an injury to person or health during the course of fulfilling the tasks and responsibilities of their job and if the health insurance

Expense and
Special
Financial
Assistance

scheme does not cover the expenses for treatment, the office shall bear the relative medical expenses or any part of expense not covered by the insurance.

- (b) In the event of an incident described in Clause (a) of this Article and if the injured employee ceases medical treatment by own volition prior to full recovery, such an employee shall not be entitled to for coverage for the same ailment at a later time.
- (c) If an employee suffers from an injury to person or health during the course of fulfilling tasks and responsibilities of their job, the office shall grant permission for medical leave and salary payment for the period prescribed by a health practitioner as determined in this regulation.

167. (a) If an employee, while having taken safety precautions and utilizing necessary equipment, suffers from any physical injury or medical condition that prevents the employee from fulfilling the requirements of the civil service post, in addition to medical treatment, the employee shall be given a special monthly allowance equal to the employee's monthly salary till such a time the employee is able to resume an income generating work. Where the employee is permanently disabled to carry out an income generating work, the special allowance shall be paid till the employee's demise. The special allowance as determined in Clause (d) of this Article shall be paid to an employee, who is prevented from fulfilling the requirements of the civil service post due to physical injury or medication condition suffered, till the employee receives benefits as stipulated in the Pension Act.
- (b) The Special allowance stated in Clause (a) of this Article shall be paid as determined by the HRMD Committee of the responsible office of the employee in accordance to relevant laws and regulations and after having conducted a proper investigation of the incident.
 - (c) Employees considered under Clause (a) of this Article shall be dismissed from employment in accordance to the Regulation.

- (d) The special allowance shall be calculated by dividing the employee's salary by 40 and multiplying it by the service duration. Special allowance shall be paid from the date of dismissal of the employee.
- (e) The family of a civil service employee who passes away, due to an incident faced or the employee is subjected to while undertaking the national duties and responsibilities of the Civil Service, shall be paid the following benefits in recognition of the employee's dedicated services to the nation.
 1. The funeral expenses of the deceased.
 2. A lump sum amount of 60% (sixty percent) of the employee's salary multiplied by the service duration to the Civil Service shall be paid to the deceased's family.
 3. The amount equal to 140% (one hundred and forty percent) of the salary of the deceased shall be given each month to the family of the deceased. This monthly special allowance shall be continued till the deceased's wife or husband re-marries, or the children of the deceased attain 18 years in age, or till the demise of the parents under the deceased employee's legal care.
 4. If the deceased employee's children below 18 years are enrolled in a local school, their educational fees and examination fees shall be provided upon request by the family.
 5. Passage fee shall be provided to the family of the deceased should they need to migrate to another inhabited island or town following the demise of the employee. Passage fee shall be provided should the move be from one inhabited island to another or one town to another within the Maldives.
 6. Parents under the legal care of the deceased employee and children below 18 years and widowed wife or husband shall be provided with medical treatment under the health insurance scheme of the state in place. Such medical treatment shall be provided where the state does not provide health insurance for all. In the absence of a health insurance scheme for all, the widowed wife shall be provided with this service till she re-marries and the husband shall be provided with this service should he be unemployed to support any orphaned child under the age of 18

years.

7. Unless otherwise determined by a court of law, the financial assistance shall be handed over to a single family member of the deceased. For the this matter, family of the deceased shall be considered as wives/husband, children and the parents.

CHAPTER 17

Working Hours of Civil Service

168.	Introduction
169.	Working Week
170.	Working Hours
171.	Going out of the Office and Out of the Island
172.	Reporting to Work Late
173.	Special circumstances preventing punctual attendance
174.	Reporting time of employees with special duties after midnight assigned with tasks after 12.00 am

CHAPTER 17

Working Hours of the Civil Service

- Introduction 168. (a) Working hours of Civil Service is established based on provision of government services to the public. As such, Civil Service Commission has the discretion to change the working hours or working duration of the Civil Service following changes brought about or changes occur in relation to the working hours or working duration of the entire Civil Service structure or a Civil Service office.
- (b) In conformity with the Code of Conduct and this regulation as stipulated in Article 2 Clause (c), offices may formulate policies in relation to the type of work undertaken which determines different working hours to the working hours established under Clause (a) of this Article.
- (c) In conformity with Civil Service Act, Employment Act and this Regulation, a Civil Service office may call for duty any employee under its jurisdiction on any day of the week and any time of the day.
- Working Week 169. (a) In general, the working week of Civil Service employees are from Sunday to Thursday, 5 (five) days of the week.
- (b) Some services provided by the Civil Service are continuous services which have to be provided on every day of the week; places providing such services shall work on all days of the week. Even at such places, employees shall work on scheduled duty basis for not more than 6 (six) days a week.
- (c) Working hours of employees exempted as per Article 34 Clause (a) of the Employment Act may have their working hours determined in a manner different to as described in Clause (a) and (b) of this Article.
- (d) Working hours of employees who have to work for 6 (six) days of the week, at offices other than places providing continuous service on all days of the

week, shall be the working hours as determined by the relevant office.

- (e) Where the working week of an employee is 6 (six) days a week, their duty shall be structured in such a way that no employee shall be made to work without a break of 24 (twenty four) continuous hours. Additionally, no employee shall be made to work for more than a period of 5 hours without a 30 minute break.

- Working Hours 170.
- (a) In general, official working hours of offices are as determined by the government. A 15 minutes break time for every 4 (four) hours of continuous work and a 15 minutes prayer break shall be given to all employees. Additionally, a 30 minute meal break shall be given every five hours. The respective office shall determine the time for such breaks.
 - (b) Official working hours for employees who work on duty basis is the assigned duty hours.
 - (c) Employees shall be made to work overtime to the official hours only where necessary work needs to be completed. As such, an employee may be asked to work overtime for completion of necessary daily tasks or to complete special responsibilities of the office.
 - (d) Employees taking sick leave shall inform their supervisor or assigned party of the matter within 1 (one) hour from the beginning of the employee's duty hours on the first day of sick leave. Failure to report in this manner shall result in determining it as a day of absence. Disciplinary action shall be taken against such an employee in accordance to this regulation.

- Leaving the workplace or travelling out of the Island 171.
- (a) An employee shall leave the workplace to attend to a personal matter only where necessary and after giving reasons and receiving permission from the employee's supervisor. Records of employees leaving work for personal reasons and time spent together with the reason shall be recorded.

(b) Whether on official working days or a public holiday, employees who are not on approved leaves, shall inform their official in-charge prior to travelling out of the island to a place from where it may not be possible to attend to an emergency at their workplace. This excludes travel on the island, or between islands connected by land or to islands with a minimum of hourly ferry service to the workplace island.

Reporting Late to Work 172. (a) All Civil Service employees who report to work later than the set reporting time shall be considered as late attendees. The office shall take disciplinary measures against employees who repeatedly report late to work and where it affects the work.

(b) Record of attendance shall be maintained by the office according to the attendance guidelines determined by it to note punctual attendance. . Where an employee reports to work punctually but fails to record it, the employee shall be marked as having reported to work should the employee present evidence of punctual reporting and presence at workplace.

(c) Where an employee is required by the office to work away from the workplace and is unable to report back to office in time to register attendance, the employee shall, after completing the work, report to the person in charge of maintaining attendance records and have the time of attendance and the reason recorded. The employee shall not be considered as a late attendee in such cases.

(d) Where an office is not opened on time due to absence of the employee assigned to open the office or for any other reason, the senior most employee present shall record the attendance time of the other employees. The attendance time of employees shall then be recorded in the attendance register once the office is opened.

(e) Employees reporting late to duty shall be subjected to Article 160 in determining their remuneration.

Special circumstances 173. Employees prevented from punctual attendance, due to a cause of nature or a special circumstance, shall report the matter, giving reasons, to the supervisor

preventing
punctual
attendance

prior to the reporting time. Permanent Secretary or the Senior Responsible Officer has the discretion to consider the circumstances and not record it as a late attendance.

Reporting time
of employees
with special
duties after
midnight

174. (a) Employees working after midnight may be granted equivalent time to report late the following day, an hour for each hour they work after midnight.
- (b) When granting late reporting time for employees working after midnight, the latest reporting time shall only be delayed till 11 am of the following day.
- (c) Although an employee works after midnight, the Permanent Secretary or Senior Responsible Officer, after considering the work load of the office and circumstances present, has the discretion to schedule reporting time of the following day in conformity to this Article.

CHAPTER 18

Holidays and Leave Granted to Employees

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176.	Holidays
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190.	Submitting Medical Certificate / form
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192.	Providing Annual Leave to Coincide with a Specific Time

CHAPTER 18

Holidays and Leave Granted to Employees

- Introduction
175. (a) Unless stated otherwise herein this Regulation, holidays and leave shall be granted Civil Service employees as determined in this Chapter. Leave related matters of an employee shall be administered, in compliance with the Employment Act and this Regulation, by the office where the employee works.
- (b) Unless stated otherwise herein this Regulation, number of days of leave shall be counted excluding public holidays.
- Holidays
176. Days declared as holidays by the Head of State and days stipulated as public holidays in the Employment Act are non-working days of the Civil Service.
- Holiday Benefits
177. Unless stated otherwise herein this regulation, employees required to work on a holiday shall be entitled to the remuneration stipulated in Article 38 of the Employment Act and this Regulation for employees who work on holidays.
- Annual Leave
178. (a) In providing annual leave for employees who were employed by the Government before 1 May 1984, the year shall be determined from 1 May to 30 April. In providing annual leave for employees who are employed by the Government after 1 May 1985, the year shall be determined commencing from the date of employment. Permanent and temporary employees of the Civil Service shall be granted with annual leave in accordance with this Regulation.
- (b) As stipulated in Article 39 of the Employment Act, employees completing a year of service shall be given 30 days' paid leave every year. As stated in Article 176 of this Regulation, the number of days of

leave shall be counted excluding public holidays. Annual leave may be taken as split leaves should it not adversely affect the functioning of the office.

- (c) Should a normal working day be declared as a public holiday while an employee is on annual leave, the employee shall be granted a day in lieu and it shall be added to the employee's annual leave,
- (d) An employee on annual leave shall not be required to undertake any official work nor shall such work be approved.
- (e) Any employee may take annual leave, in a manner determined by the office, within 12 (twelve) months from the date of entitlement. The last day for taking annual leave shall be 1 (one) day prior to leave expiry.
- (f) At the beginning of each Gregorian calendar year, the official in charge of administering affairs of employees shall, in discussion with the employees, draw up a leave schedule that does not disrupt official work and determine alternative arrangements for continuation of the work of employees taking leave and have it circulated to the employees.
- (g) An employee who commences annual leave shall not be made to report to work prior to its completion. However, this clause does not restrict an employee to return to work after shortening the leave.
- (h) Where an employee withholds taking annual leave, it shall be cancelled and monetary compensation shall not be given.
- (i) Where an employee being dismissed has unutilised annual leave, the employee shall be paid salary and allowances proportionately to the number of days unutilised. Payment shall not be made for any cancelled leave.
- (j) Relative to the type of work undertaken and where some employees can only be provided annual leave during specific periods of the year, the

following shall be observed.

1. In sectors such as education, where important services need to be provided during specific periods of the year and it is difficult to provide some employees with leave, such employees shall be granted leave during periods where such service gets discontinued.
2. In sectors where annual leave can only be provided during specific periods of the year, female employees on pregnancy and maternity leave wishing to coincide their annual leave for the same period, shall be entitled to utilize their annual leave once their pregnancy and maternity leave expires.

Where an employee has unutilised annual leave due to taking pregnancy and maternity leave, the employee shall be entitled to take the remaining days of annual leave should the employee's year for leave has not expired.

- (k) Request for annual leave shall be made where it meets the requirements of this Regulation and according to the procedures set by the office.
- (l) Employees shall be granted annual leave through the "Permission for Leave" chit in Schedule 13 of this regulation.

Annual Leave for
Employees who
Join after a
Discontinuation of
Service

179. When an employee joins service after a period of discontinuation, the date for annual leave entitlement shall be year completion date arrived at after joining previous service period and the date of employment recommencement. However, leave calculation of employees who resign from Civil Service and rejoins it, shall be made on the same basis as for newly employed personnel.

Maternity and
Paternity Leave

180. (a) Upon completion of the maternity leave, a no-pay leave of 1 (one) year may be granted to the mother or father to look after the child as stipulated in Article 46 of the Employment Act. Such leave shall not be longer than a period of 1 (one) year from the date the maternity leave expires.

- (b) Where the mother or father of a child wishes to take this leave, the employee shall submit relevant documents to the office prior to the expiry of the maternity leave granted to the mother.
- (c) When granting maternity and paternity leave to Civil Service employees to look after the child, if both parents are Civil Service employees, they may opt to share the duration of leave between them.
- (d) Employees who do not wish to take the full “Maternity and Paternity Leave” of 1 (one) year, may apply for leave within 1 (one) year from the expiry of maternity leave. When applying for leave, the employee shall state the duration, date of commencement and end date and submit the application prior to the date of commencement.
- (e) This Article does not restrict granting this leave more than once during the 1 (one) year period.
- (f) Public holidays shall be included as part of the leave granted under this Article.

Leave Related to 181.
Pregnancy and
Delivery

- (a) Where an employee delivers after 27 (twenty seven) weeks of pregnancy (and whether the baby is alive or deceased), the employee shall be entitled to, as stipulated in Article 43 of the Employment Act, to the following leave and benefits.
- (b) Upon submission of a medical certificate of a registered medical practitioner by the employee stating the date of delivery, the employee shall be granted paid maternity leave of 60 (sixty) days without the inclusion of public holidays commencing from the date of delivery as stated on the certificate.
- (c) Where a pregnant employee is unable to report to duty close to her delivery or due to health status, the employee shall be entitled to take 30 (thirty) days from her 60 (sixty) days of maternity leave prior to the date

of delivery.

- (d) An employee under pregnancy related or maternity leave as per Clause (a) and (b) of this Article, shall be granted an extra day of leave for every working day in the normal course of events which is declared a public holiday while the employee is on leave.
- (e) Where a medical practitioner, licensed to issue medical certificates by the relevant authority of the Ministry of Health, issues a medical certificate stating that a pregnant employee's ill-health prevents her return to work, such an employee shall be entitled, in addition to 60 (sixty) days of maternity leave, to a no-pay leave of 28 (twenty eight) days inclusive of public holidays prior to delivery.
- (f) Where a medical practitioner, licensed to issue medical certificates by the relevant authority of the Ministry of Health, issues a medical certificate to an employee with post-natal illness or to the baby, the employee shall be entitled, in addition to 60 (sixty) days of maternity leave, to a no-pay leave of 28 (twenty eight) days inclusive of public holidays to be taken within 40 days from date of delivery.

Benefits Related to 182.
Delivery

Pursuant to Article 45 of the Employment Act, upon delivery an employee is entitled to the following benefits.

- (a)
 - 1. From the date an employee returns to work after completion of maternity leave, the employee shall be granted two daily breaks of thirty minutes each to attend to the needs of the child. No deductions from pay shall be made for such breaks and the employee shall be granted such breaks until the child is 12 months old.
 - 2. These two 30-minutes breaks may be combined and granted to the employee, should the employee desires so.
- (b)
 - 1. The office shall endeavor, without disruptions to the work, to lighten the duties of female employees with infants

under 12 (twelve) months of age.

2. In places where shift duty is undertaken, efforts shall be made to assign easier shifts to such employees.
- (c) In order to ease pregnancy related complications, efforts shall be made to ease the work of pregnant employees required to work long hours standing or undertaking heavy work.
- (d)
1. Employees on maternity leave shall be entitled to all the rights granted under the employment contract, such as benefits, promotions after performance evaluations and other such rights.
 2. In this manner, the employee shall not be subject to any lessening of rights conferred by the employment contract, job promotion or in calculating the duration of employment.
 3. Nor shall it be deemed a stoppage, suspension or shortening of duration of employment.
- (e) Except for any of the circumstances specified below, the employee has the right to return to work.
1. The position no longer exists at the work place due to economic, professional or organizational purposes.
 2. Incapacity of the employee to continue working in the same job.
- (f) Where an employee less than 16 weeks pregnant suffers a miscarriage or similar incident, the employee shall be granted a pay leave of 10 days inclusive of public holidays upon submission of a medical certificate. Such an incident shall not be interpreted as delivery pursuant to this Regulation.

- (g)
 - 1. If an employee gives birth to a live baby between 16 and 27 weeks, the birth shall be treated pursuant to the Articles of this regulation regarding maternity.
 - 2. If the baby was born deceased during this term, a paid leave of 28 days inclusive of holidays shall be granted upon submission of a medical certificate by a licensed medical practitioner.

Working hours
for pregnant
and feeding
mothers

183. The HRMD Committee of the office shall arrange, as per this regulation, flexible working hours, upon request, for those employees who find it difficult to attend to existing working hours due to pregnancy or with infant children.

- (a) A policy regarding flexible working hours shall be formulated by the HRMD in conformity to the Civil Service Commission Act and Employment Act.
- (b) The policy shall include terms on the selection of employees for flexible working hours, the workload determined for such periods, duration and how constraints to service delivery shall be addressed.
- (c) This Regulation does not restrict salary deduction, calculated at hourly rate, of employees on flexible working hours where the duration is less than that of other employees. However, such matters shall be covered in a contract drawn up between the employee and the office, as an addendum to the employment contract.
- (d) Assigning of the work to the employee, submission of completed work to the supervisor, appraisal of work, and regular maintenance

of such records shall be included.

- Paternity Leave 184. Pursuant to Article 48 of the Employment Act, male employees shall be entitled to 3 (three) days of paid leave, excluding public holidays, on the occasion of the birth of a child.
- Circumcision Leave 185. (a) Pursuant to Article 49 of the Employment Act, an employee is entitled to 5 (five) days of paid leave, excluding public holidays, on the occasion of the circumcision of a child,
- (b) Both the mother and father of the child are entitled to leave on the occasion of circumcision of a child.
- (c) An employee on Annual Leave is entitled to take the Circumcision Leave, following the circumcision of a child during the period, to join with the Annual Leave.
- Leave Granted for Hajj 186. Civil Service employees who wish to perform the Hajj shall be granted paid leave as follows.
- (a) Employees working in Male' and travelling on a chartered flight, the duration of leave shall be from the departure date to the return date.
- (b) For employees travelling in a manner other than as stated in Clause (a) of this Article, a leave of 30 (thirty) days excluding public holidays commencing from the day they leave Male'.
- (c) For employees working in the Atolls, 15 (fifteen) days of leave including public holidays in addition to the duration provided in Clause (a) and (b) of this Article.
- (d) An employee is granted with Hajj Leave with full pay according to this Article on to those employees performing their first Hajj

pilgrimage.

- (e) Should employees taking Hajj leave require additional days of leave, days from their Annual Leave shall be granted upon request.
- (f) Employees wishing to perform their second or more Hajj or Umrah pilgrimage outside of their Annual Leave shall be required to obtain permission for a no-pay leave for the necessary duration.
 - 1. Employees shall take into consideration their negligence of job responsibilities when going, annually or frequently, on their second or later Hajj or Umrah pilgrimages, whether on no-pay leave, in a manner that negatively affects the provision of community services obligatory upon the employee or delays or disruptions in providing services.
 - 2. Duration of leave taken for Hajj or Umrah shall be calculated in accordance to Clause (a), (b) and (c) of this Article.
- (g) Employees returning prior to the expiry of the duration stated in Clause (b) and (c) of this Article shall report to work on the first working day without delay. Employees who do not report to work accordingly shall be considered as having violated this regulation and disciplinary action shall be taken against them.

Leave to take
care of Family
Responsibilities

- 187. (a) Pursuant to Article 47 of the Employment Act, an employee is entitled to a maximum of 10 days paid leave in a year, excluding public holidays, to attend to important obligations such as tending to family members during illness.
- (b) Employees shall adhere to the following procedures when utilizing family responsibility leave;
 - 1. Report to the Supervisor or as determined by the office prior to reporting time or within 1 (one) hour from reporting time.

2. Employees working at offices with shift duty shall inform 1 (one) hour prior to reporting time to the employee's supervisor or as determined by the Office.
3. Employees shall inform their supervisor of tasks assigned to them which are required to be completed on that day.
4. Employees on family responsibility leave as per Clause (a) of this Article shall report daily as stated in Clause (b) 1.

(c) Family responsibility leave may also be taken by submitting the "Reason for Sick Leave / Family Responsibility Leave" form stating the duration and reason for taking family responsibility leave.

(d) In granting family responsibility leave, a year shall be calculated similar to in granting Annual Leave. However, this leave may be granted even if the employee has not completed a year in service.

(e) If due procedure for family responsibility leave is not followed, the employee's absence shall be considered as unauthorized absence and as per this Regulation disciplinary measures shall be taken.

Sick Leave 188. (a) Leave of absence shall be given pursuant to Article 42 of the Employment Act and this Regulation. Employees shall request for and adhere to the following procedures with regard to Sick Leave:

1. Employee is unable to report to work due to ill-health.
2. Report to the Supervisor or as determined by the office prior to reporting time or within 1 (one) hour from reporting time.
3. Employees working at offices with shift duty shall inform 30 minutes prior to reporting time to the employee's supervisor

or as determined by the Office.

4. Employees shall inform their supervisor of tasks assigned to them which are required to be completed on that day.
 5. Employees on Sick Leave shall report as stated in Clause (a) and (b) of this Article on the first two days of leave.
 6. Where the office is not duly informed in taking Sick Leave, it shall be considered as unauthorized absence.
-
- (b) An employee may take sick leave in advance if they submit to the office a certificate, as prescribed in this Article, stating the type of illness and the duration that the employee shall not be able to report to work due to the illness.
 - (c) An employee shall only request for sick leave where the employee's ill-health prevents from reporting to work. Employees are not entitled to the right to utilize sick leaves as a normal leave from work. As such, sick leave shall not be granted for employees in good health. Absence in this regard shall be considered as an unauthorized absence.
 - (d) Employees taking sick leave in association with weekends as a vacation period shall be subject to disciplinary action, following its deliberation in the HRMD Committee.
 - (e) A maximum of 30 days sick leave with pay shall be granted for every year of service by the employee.
 - (f) In granting leave sick leave, the year shall be calculated similar to the calculation of the year in granting annual leave. However, sick leave may be granted even if a year in service is not completed.

Taking Sick 189. (a) Where an employee falls ill while at work or if an employee is
Leave or unable to continue the day's work having to attend a responsibility
Family such as a family member falling sick, such an employee may be
Responsibility granted leave from work and the day counted as a day of presence
Leave after should the employee have worked more than half the duty hours of
reporting to the day.
work

(b) Should the employee have worked less than half the duty hours of the day, then leave shall be granted considering the day as a day of Sick Leave or Family Responsibility Leave.

Submission of 190. (a) Certificate for Sick Leaves shall be submitted as stated below;
Certificate or
Form for Sick
Leaves and
Family
Responsibility
Leaves

1. Employees on Sick Leave for more than 2 (two) consecutive days shall submit a certificate for those days on the first day reporting back to work.
2. The medical certificate shall state the illness and the duration the employee is unable to report to work due to the illness.
3. Medical certificates should be certificates issued by a licensed medical practitioner or, if from abroad, by a licensed medical practitioner at a registered medical institution.
4. Where employee is on an island where licensed medical practitioner is present, the medical certificate should be issued by such a person.

(b) Certificate for family responsibility leave shall be submitted as stated below;

1. Employees reporting back to work after family responsibility leave shall submit "Reason for Sick Leave / Family Responsibility Leave form" before the end of working hours of the same day. Where Family Responsibility Leave was taken, the Employee may submit the family member's

medical certificate instead of the form.

2. Offices with shift duty, the “Reason for Sick Leave / Family responsibility leave form” shall be submitted and received as determined by the office.
- (c) Employees reporting back to work after Sick Leave or Family Responsibility Leave where a medical certificate is not required, the “Reason for Sick Leave / Family Responsibility Leave Form” shall be submitted to the office before the end of working hours of the same day. Medical certificates may also be submitted in place of the form.
 - (d) Offices with shift duty, the “Reason for Sick Leave / Family Responsibility Leave form” shall be submitted and received as determined by the office.
 - (e) Although employees inform their absence to work due to ill-health, failure to submit medical certificate pursuant to Clause (a) shall result in the days being considered as days of absence.
 - (f) Employees are entitled to take Sick Leave of 2 (two) consecutive days without the requirement of having to submit a medical certificate. Two consecutive days shall be calculated without the inclusion of public holidays.
 - (g) Disciplinary measures shall be taken against employees failing to submit “Reason for Sick Leave / Family responsibility leave form” or medical certificate, within the given time or as determined by offices with shift duty. “Reason for Sick Leave / Family responsibility leave form” is given in Schedule 14.

Occurrence of monthly pay day while an employee is on sick leave

191. Where the monthly pay day occurs while an employee on sick leave, the salary and benefits shall be deducted for the days of leave should a medical certificate not be submitted for the days of absence during the month. Should the employee submit the medical certificate on the first day of reporting to work, the deducted salary and benefits shall be reimbursed together with the ongoing month's salary.

Providing Annual Leave to Coincide with a Specific Period

192. The following guidelines shall be adhered to in granting Annual Leave to employees working at offices, due the nature of its services, leave is granted during special periods of the year.

(a) Sectors where important services are rendered during the year, such as education sector, leave shall be granted during periods when the service is temporarily discontinued.

(b) In sectors where annual leave can only be provided during specific periods of the year, female employees on pregnancy and maternity leave wishing to coincide their annual leave for the same period, shall be entitled to utilize their annual leave once their pregnancy and maternity leave expires.

CHAPTER 19

No Pay Leave for Employees

193.	Introduction	
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CHAPTER 19

No Pay Leave for Employees

- Introduction 193. Should an employee, due to special circumstances, wishes to take an extended leave without pay, while in civil service employment, then such an employee may be provided with a no-pay leave,
- No Pay Leave for Employees 194. (a) The Permanent Secretary or the Senior Responsible Officer of a main office may release a civil service employee on no-pay leave after ascertaining fulfillment of the following conditions.
1. Alternative arrangements to accomplish the responsibilities assigned to the employee during the period of no-pay leave.
 2. Employee agrees to abide by this Regulation and submits to the office a request for no-pay leave stating the reason for taking the leave.
 3. The employee shall be temporarily relieved from service by the office after recording the date of release and reason for release on no-pay leave.
 4. Salary and benefits entitled for the employee's job shall not be provided during the period of no-pay leave.
 5. The duration of no-pay leave shall not be calculated as part of the service duration.
- (b) When an employee wishes to return to work upon completion of no-pay leave, the following procedures shall be applied.
1. The employee shall submit a request to the office expressing interest to return back to service.
 2. The employee shall be assigned to the same job in accordance to the regulation.
- (c) When an employee wishes to return to service, without completing the full

duration of no-pay leave, the following procedures shall be applied.

1. The employee shall submit a request to the office, 15 (fifteen) days in advance, expressing interest to return back to service.
2. If a temporary employee was hired for the position, such an employee shall be served with termination notice upon receipt of the said interest by the employee on no-pay leave.
3. The office shall reinstate the employee temporarily relieved on no-pay leave back in the position the employee previously held.

(d) The main office shall inform an employee of their release on no-pay leave by serving them with a notice in accordance to the sample in Schedule 15.

Temporary replacement for employees relieved on No-Pay Leave

195. Should the office later face difficulties in carrying out the functions of the position held by the employee relieved on no-pay leave and if deemed necessary to have a person to fulfill the responsibilities, the office may recruit a temporary employee for such a position for the duration of the no-pay leave. Employees recruited accordingly shall be treated pursuant to Chapter 9 of this Regulation.

Redundancy of employees on No-Pay Leave

196. Should the position of an employee on no-pay leave be dissolved, due to an organizational restructuring or such reason, by the expiry of the leave period and therefore should it not be possible to offer the position, the employee shall be permanently dismissed from employment in accordance to Chapter 23 of this Regulation.

Situations for releasing employees on No-Pay Leave

197. (a) A Civil Service employee shall be released on no-pay leave for

1. Personal medical treatment or that of a dependent or person under the care of an employee.
2. An employee wishing to join spouse, who is being relocated abroad or to another island by the State or for a Civil Service position.
3. An employee or employee's spouse or children going abroad to

acquire a first degree or higher qualification.

- (b) No-pay leave granted under this Article shall be determined by the HRMD Committee of the office. Should the no-pay leave duration be longer than 1 (one) year, the HRMD Committee has the discretion to reserve the Employee's job or not.

No Pay Leave in relation to an employee or for an employee's dependent's medical treatment

198. Employees wishing to take no-pay leave for personal medical treatment or that of a dependent or person under the care of the employee.

- (a) An employee shall be relieved on no-pay leave where the employee falls ill and submits the request stating the type of illness and duration required together with the medical certificate issued by a licensed medical practitioner as determined in this Regulation.

- (b) An employee shall also be relieved on no-pay leave where a dependent or person under the care of the employee falls ill and the employee submits to the office the request stating the type of illness, duration required for the treatment, a medical certificate issued by a licensed medical practitioner as determined in this Regulation and an explanatory note stating the necessity for the employee's presence with the person.

- (c) An employee shall be relieved on no-pay leave for a maximum of 4 (four) years. Should the no-pay leave duration be less than 1 (one) year, the employee's job shall be reserved. Should the no-pay leave duration be longer than 1 (one) year, the HRMD Committee has the discretion to reserve the job or not.

Granting of No-

199. Employees wishing to join spouse, who is being relocated abroad or in another

Pay Leave for spouse of persons relocated abroad or in other islands for official purposes by the State

island by the State or for a Civil Service position.

- (a) No-pay leaves for employees wishing to join spouse, who is being relocated abroad or in another island by the State or for a Civil Service position, shall be relieved from their jobs upon submission of an official document stating the relocation of their spouse and a document that avers the family ties between the employee and such a person.
- (b) Employees relieved on no-pay leave to join their spouse, who is being relocated abroad or in another island by the State or for a Civil Service Position, shall be relieved on no-pay leave for a maximum of 4 (four) years. Should the no-pay leave duration be less than 1 (one) year, the employee's job shall be reserved. Should the no-pay leave duration be longer than 1 (one) year, the HRMD Committee has the discretion to reserve the job or not.
- (c) Employees who are spouse of a temporary employee or employees on contract employment to fulfill the responsibilities of a Civil Service position, being relocated abroad for a need by the State or for a Civil Service position, shall not be entitled to no-pay leave.

No Pay Leave granted Under Special Circumstances

- 200.
- (a) The following procedures shall be applied in granting no-pay leave under special circumstances to employees.
 - 1. Upon submission of request stating the special circumstances necessitating the request for no-pay leave.
 - 2. The HRMD Committee of the office shall deliberate upon the employee's application.
 - 3. The office shall ensure that the employee does not have any balance Annual Leave.
 - 4. The office shall make alternative arrangements for undertaking the

responsibilities assigned to the employee.

- (b) 1. Employees shall be relieved for a maximum of 15 (fifteen) days pursuant to this Article.
- 2. Employees relieved under special circumstances shall not be temporarily dismissed from their job.
- 3. A substitute shall not be employed for such a position. 9613929
- 4. The duration of no-pay leave shall be calculated as part of service duration of the employee.

Utilisation of
No-Pay Leave
and Reporting
Back to Work

- 201. (a) The period of no-pay leave shall be solely utilised for the purpose the leave was granted. Upon its violation, the no-pay leave shall be immediately cancelled and the employee called to return to work. Employees failing to return shall be permanently dismissed, according to regulations, from employment for breach of regulations since the first day of leave.
- (b) Should an employee on no-pay leave wish to change the reason for taking the leave, the request shall be submitted pursuant to this regulation to the HRMD Committee for deliberation and approval of the change.
- (c) Should an employee fail to request returning back to work or fail to contact at all for a period of 5 (five) days from the expiry of the no-pay leave, such an employee shall be permanently dismissed from employment according to the regulations.

CHAPTER 20

Participation in elections stipulated in the Constitution

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202. Introduction
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203. Running for Parliament or Bi-election
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204. Running for local Council elections
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205. Salary and benefits of employees running for local council elections
-
206. Dismissal once elected
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207. Employees withdraw or losing candidacy from local elections
-

employees
contesting in local
elections

Act 10/2010 (Local Council Elections Act).

- (b) Suspension of employees pursuant to this Article shall be enforced by the respective office and communicated in writing to the Commission.
- (c) Suspension of employees pursuant to this Article shall be from the date of their candidacy acceptance by the Elections Commission till the date the election finishes and the Elections Commission announces final results. Under this Article, the duration of the suspension shall be from the date of acceptance of candidacy from the Elections Commission to the date of the announcement of final results of the election.
- (d) Employees suspended pursuant to this Article shall not report to work during the period of suspension. The Office shall not assign any work to employees on suspension. During suspension, employees shall not use the job position held for any purpose of the election.
- (e) The Office shall make alternative arrangements to execute, during the period of suspension, the duties and responsibilities of the job held by the employee on suspension. Should it not be possible to make alternative arrangements utilizing existing employees, due to lack of staffing, then the office may recruit a person for such a position for the period of suspension.
- (f) As stipulated in Article 13 (c) of the Local Council Elections Act, employees suspended pursuant to this Article shall not be entitled to the salary and benefits. Furthermore, the period of suspension shall not be calculated as a period of service to the Maldivian Civil Service.
- (g) In calculating the salary of employees suspended pursuant to this Regulation, the date of suspension commencement shall not be considered a pay day and the date of joining work upon expiry of the suspension period shall be considered a pay day.
- (h) Suspensions executed pursuant to this Article are not suspensions executed pursuant to Chapter 27.

Dismissal upon election

206. (a) Should the employee win the election, the employer shall in writing inform the employee's office within 48 hours from the announcement of final results by the Elections Commission. Pursuant to Article 13 (b) of the Local Council Elections Act, the employee shall be dismissed, as per regulations, from the date the Elections Commission announces the final results. In the dismissal letter, the reason for dismissal shall be stated as "Pursuant to Article 47 (c) 7 of the Maldives Civil Service Act following election in the Local Council Elections."

Employees withdrawing candidacy or losing Local Council Elections

207. (a) Employees contesting in Local Council Elections and later withdrawing their candidacy shall notify the office together with a document from the Elections Commission stating acceptance of candidacy withdrawal.

(b) Upon notification pursuant to Clause (a) of this Article, the office shall cease the suspension and reinstate the employee effective the date of notification and inform the Commission accordingly.

(c) Should an employee fail to win the Local Council Elections, such an employee shall notify the office on the date the Elections Commission announces the final results. The office, upon receipt of the notification, shall cease the suspension on the date of notification and recall the employee to join work. Employee shall be required resume duties as notified.

(d) When the employee resumes work as per Clause (c) of this Article, the office shall communicate the same to the Commission.

(e) Employees who do not resume work as per Clause (c) of this Article, shall be subjected to action as per Chapter 28 of this Article.

CHAPTER 21

Releasing Civil Service Employees

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CHAPTER 21

Releasing Civil Service Employees

Introduction 208. Where the services of a Civil Service employee is temporarily required by another Civil Service institution, the employee may be release for a specific period as determined by the HRMD Committee of the employee's office.

Releasing Employees to other civil service institutions 209. (a) Following procedures shall be applied in situations where a Civil Service office temporarily requires the services of an employee of another office.

1. The office temporarily requiring the services of an employee of another institute, shall submit to them the request as advised by its own HRMD Committee.
2. Employees released as per Article (a) 1 shall be notified using the "Releasing Employees" form.
3. The office requesting the services of such an employee shall clearly state the reason and duration of release requested.

(b) The Permanent Secretary, Senior Responsible Officer, has the discretion to temporarily release, under special circumstances, an employee from one office to another under their mandate.

(c) 1. Employees being released pursuant to Clause (a) and (b) of this Article shall be released for no longer than 3 (three) months.

2. Should the services be required for a further period, the request shall be made prior to the expiry of the ongoing release period to the HRMD committee of the employee's permanent office for a decision.
3. Maximum period for the release of an employee from one office to another shall be for a period of 6 (six) months.

Releasing Employees to non-civil 210. (a) Following procedures shall be applied when releasing employees to government institutions, which are not under Civil Service, for special tasks.

service
government
institutions

1. Institutions requiring the services of a civil service employee shall submit the request in writing to the employee's office.
2. The employee shall be released by the office as determined by the HRMD Committee of that office.
3. Requests for release of civil service employees shall clearly state the reason and duration of the release period.
4. An employee shall be released for a maximum of 1 (one) month. Should the services be required for a further period, the request shall be made stating the required duration and it shall be processed pursuant to Clause (2) of this Article as determined by the HRMD Committee.

Releasing
Employees to
represent the
nation

- 211 Should the services of a civil service employee be required to represent the nation at a tournament held in the Maldives or abroad, it shall be requested to the office of the employee and release of the employee shall be as determined by the HRMD Committee.

Reporting
procedure for
Employees on
release

- 212
- (a) Civil Service employees on temporary release shall be reporting to and signing at the office the employee was released to. Should the pay day falls within the release period, the office receiving the services of the employee shall forward the attendance report till that day to the office holding the permanent job of the employee.
 - (b) Salary, service allowances and allowances given in relation to the position for employees released to other offices shall be given by the office holding the permanent job of the employee. Other benefits (such as overtime pay) shall be given by the office receiving the employee's services.
 - (c) Upon expiry of the release period, employees shall report back to office holding their permanent employment. Office which received the services of the employee during the release period shall submit a report, including the attendance report, details of work assigned, extent of work accomplishment and standard of services received to the office holding the permanent job of the employee,

CHAPTER 22

Releasing Civil Service Employees during official hours for Projects, for office requirements and requirement of other offices

-
213. Introduction
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214. Releasing Employees without pay to projects of the sector
-
215. Releasing Employees without pay to projects of the offices in the Civil service
-
216. Releasing to projects of Donor agencies
-
217. To work in projects of the sector while in service
-
218. Selection criteria for staff to work in projects
-
219. Participation in Committees and Meetings
-
220. Wages for tasks performed by employees
-

CHAPTER 22

Releasing Civil Service Employees during official hours for Projects, office requirements and requirement of other offices

- Introduction 213. In circumstances where it is absolutely necessary to utilize the technical and professional staff of civil service for special projects, for office requirements and requirement of other offices and also for participation in committees and meetings, such employees shall be released during official hours as follows.
- Releasing Employees without pay for projects of the sector 214. Employees may be released without pay for special projects, undertaken with foreign aid or in any other manner, of the sector. Following procedures shall apply when releasing employees in this manner.
- (a) To open up the opportunity to work in the projects and to give equal opportunity to all employees.
 - (b) To make alternative arrangements in a manner that does not disrupt the office operation.
 - (c) The maximum period an employee shall be released without pay for a project is the duration of the project.
 - (d) Upon completion of a project, a similar opportunity shall be given to the same employee after a minimum of 1 (one) year after the period of release under this regulation.
 - (e) Upon release of an employee without pay to a project, Civil Service Commission shall be notified of the same within 7 (seven) days. Furthermore, Civil Service Commission shall also be notified within 7 (seven) days when the employee returns to office at the end of the release period.
 - (f) Employees released for projects shall return to civil service upon completion of the release period. Should the employee's services be required for civil

service, the employee shall agree to serve civil service for a duration equal to the release period.

- (g) Should the employee have a bond period of service to the civil service at the time of being release, the released duration shall be deducted from the service bond.

Releasing
Employees
without pay to
projects of the
offices in the
Civil service

215. Employees may be released without pay for projects, undertaken with foreign aid or in any other manner, of the civil service sector of the State agencies. Following procedures shall apply when releasing employees in this manner.

- (a) To open up the opportunity to work in the projects and to offer the opportunity to the most capable employee.
- (b) To make alternative arrangements in a manner that does not disrupt the office operation.
- (c) The maximum period an employee shall be released without pay for a project is the duration of the project.
- (d) Upon completion of a project, a similar opportunity shall be given to the same employee after a minimum of 1 (one) year after the period of release under this regulation.
- (e) Upon release of an employee without pay to a project, it shall be updated in the software within 7 (seven) days. Furthermore, it shall also be updated within 7 (seven) days when the employee returns to office at the end of the release period.
- (f) Employees released for projects shall return to civil service upon completion of the release period. Should the employee's services be required for civil service, the employee shall agree to serve civil service for a duration equal to the release period.
- (g) Should the employee have a bond period of service to the civil service at the

time of being release, the released duration shall be deducted from the service bond.

Releasing employees to projects of Donor agencies

216. Employees may be released without pay for special projects of international donor agencies. Following procedures shall apply when releasing employees in this manner.

- (a) The employee shall be an applicant who has applied in response to a public call for interested parties by the donor agencies.
- (b) To make alternative arrangements in a manner that does not disrupt the office operation.
- (c) The maximum period an employee shall be released without pay for a project is the duration of the project.
- (d) Upon completion of a project, a similar opportunity shall be given to the same employee after a minimum of 1 (one) year after the period of release under this regulation.
- (e) Upon release of an employee without pay to a project, it shall be updated in the software within 7 (seven) days. Furthermore, it shall also be updated within 7 (seven) days when the employee returns to office at the end of the release period.
- (f) Employees released for projects shall return to civil service upon completion of the release period. Should the employee's services be required for civil service, the employee shall agree to serve civil service for a duration equal to the release period.
- (g) Should the employee be under a service contract with the Civil Service, prior to release without pay of the employee, the employee shall request to defer the service period and the HRMD Committee shall determine the release.

To work in projects of the

217. Employees may, which continuing service, may take up additional responsibility of a special project of another office of the same sector. The following procedure

sector while in service

shall apply when assigning such responsibilities to the employee without release the employee from the job.

- (a) To open up the opportunity to work in the projects and to give equal opportunity to all employees.
- (b) To determine procedures and times to undertake current job responsibilities and project work.
- (c) An allowance from the project may be given to the employee for undertaking project work.
- (d) In this manner, the maximum period work shall be assigned to an employee shall be the duration of the project.
- (e) Employees assigned to project work shall have their job mandate assessed and evaluated.

Selection criteria of employees to work in projects

218. The selection criteria of employees to work in projects shall be selecting employees who merit “good” or higher scores in performance evaluation, their academic qualification, experience and past work in similar projects. Highest scoring employee of these criteria shall be selected.

Participation in Committees and Meetings

219. Employees shall be released, during working hours, to participate in committees, meetings and such functions relating to their job responsibilities and to share their professional skills with another office should releasing the employee does not disrupt the office work.

Remuneration to employees for various work

220. Employees participating in committees and meetings shall be remunerated, should they be participating after fulfilling their job responsibilities and having made arrangements to not disrupt the work of people undertaking responsibilities linked to the work of the employee. Such meetings or work shall not be part of the employee’s job description nor shall it be arranged after amending the employee’s job description in order to provide a financial benefit. Remunerations for such

work shall be provided upon receipt of written approval of the Permanent Secretary for the employee's participation and its remuneration.

CHAPTER 23

Making Civil Service Employees Redundant

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CHAPTER 23

Making Civil Service Employees Redundant

- Introduction 221. An employee shall be made redundant, where necessary, from Civil Service job pursuant to this regulation. Where employees are made redundant, the conditions of redundancy shall be clearly specified and the benefits shall be provided at the time of dismissal.
- Employees Who May Be Made Redundant from Civil Service Jobs 222. (a) Making an employee redundant from a job at the Civil Service refers to the dismissal from job of a permanent employee of the Maldives Civil Service, under circumstances specified in Article 223 of this Regulation.
- (b) The following employees shall not be included among those who may be made redundant from their Civil Service jobs. These employees shall be dismissed, where necessary, according to the contract undertaken with them.
1. Employees who are on job probation;
 2. Temporary employees;
 3. Employees being transferred to another State agency (other than Civil Service) following change of work and to which jobs the remuneration is paid by that State agency.
- Conditions for Making an Employee Redundant 223. A permanent employee of the Maldives Civil Service shall be made redundant from a Civil Service job, in any of the following circumstances after taking necessary measures, though without success, to find alternative employment.
- (a) Redundancy of an employee due to the dissolution of a post: due to change in organizational structure, or work of the office or due to discontinuation of the work.
- (b) Redundancy of an employee following the dissolution of the employee's office: due to a change in the governing structure of the government or following the dissolution of a part of or all the jobs of an office leading to dissolution of a part of or the whole office due to a law enacted by the

People's Majlis

- (c) Redundancy of an employee due to an excess to the required number of employees : due to restructuring of job after a job analysis or where a main offices decides to utilize modern technology in changing the manner a work is carried out. These matters, in detail, shall be submitted to the Commission and it shall dissolve the jobs considering its excess number.
- (d) Redundancy of employee due to lack of competency: due to changes in technology or other means of carrying out a job and failure of the employee to achieve satisfactory results from training provided.
- (e) Redundancy of an employee who is unable to continue the work following relocation of the employee's office to another island or place due to a change in governing structure of the government: Due to inability of employee to relocate to another island or place where the employee's office is relocated following a change in governing structure.
- (f) Redundancy of an employee following the privatization of the employing office or section where the employ worked and where it is not possible to transfer to another civil service position: Where the services of an employee is no longer required, at the section or office where the employ worked, following its privatization by the President under the powers vested in him by law or where the government decides to provide the service utilizing non-civil servants.
- (g) Redundancy of employee due to the outsourcing of the employee's work: due to dissolution of an employee's job following the outsourcing of the work undertaken by the employee.
- (h) Redundancy of employees in excess when work or part of the work being carried out by an office is transferred to another office: Due to an increase in number of employees following the transfer of a work from one office to another due to change in governing structure of the government.

to Civil
Service
Employees
Being Made
Redundant

follows.

- (a) Benefits for employees who have attained the age of 55 years and being made redundant from their jobs at the Civil Service.
- (b) Benefits for employees who have not attained the age of 55 years and being made redundant from their jobs at the Civil Service.
- (c) Redundancy benefits given to employees stated in subsection (a) and (b) shall be specified in Schedule 16.

Procedures to
be followed
when making
Employees
Redundant

225. Should it necessitate making redundant an employee of civil service sector, the following matters shall be ensured and submitted to the Commission with the relevant documents.

- (a) Should a work at an office be discontinued, a public announcement shall be made stating the posts being dissolved.
- (b) In the event that the workforce of an office has to be downsized, a job analysis shall be conducted and the results announced stating the positions made redundant. Furthermore, offer the opportunity through a public announcement offering the opportunity for interested employees to resign.
- (c) Should it necessitate making an employee redundant following the employee's failure to make use of training opportunities or failure to achieve satisfactory results from it, which are required following the change in technology or other manners of in performing the job, such employees shall be clearly informed of the skill that they are lacking and that they shall be made redundant.
- (d) If an expatriate or a person employed on contractual basis or a temporary employee is in a permanent post equal to the level of the post of the employee being made redundant, the employment agreement with such persons shall be terminated and the job assigned to the employee.
- (e) Pursuant to Article 17 (b) of the Employment Act, should the work or part of the work of an office is transferred to another office, all employees

undertaking the work shall be transferred. Should the transfer involve more employees than required by the office in terms of the scale of work and the number of employees at the office, number of employees exceeding the required number shall be made redundant. However, should it necessitate redundancy of excess employees, employees who were performing the work shall be considered on the basis of merit.

- (f) Where a service provided by an office is privatized, employees wishing to remain with Civil Service shall be offered the opportunity for a transfer should there be an equal level job within the sector.
- (g) Should the Government relocate an office to another island or place, and should any employee have reservations on relocating and undertaking their jobs, such employees shall be informed of their dismissal from civil service. Furthermore, such employees shall be given the opportunity for a transfer to another job of equal level in the sector if available. Employees who are not given the opportunity for transfer due to unavailability of vacant posts, shall be dismissed from employment by submitting a document stating the employee's inability to relocate for the job.

CHAPTER 24

Retirement

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CHAPTER 24

Retirement

- Introduction 226. Employees of the Maldives Civil Service shall be retired pursuant to Article 49 of the Maldives Civil Service Act. As such, employees of the Maldives Civil Service shall be retired upon reaching 65 years of age. When employees reach the age of 55, they may be encouraged to resign and the Commission has the discretion to retire them. Retirement benefits shall be provided in accordance to the subsequent Articles when employees are retired in any of these two ways.
- Retirement 227. (a) Employees of the Civil Service shall be retired upon reaching the age of 65
Upon
Reaching 65 years of age (b) Retirement benefits granted to employees retired upon reaching the age of 55 years is specified in Schedule 17 of this Regulation
- Voluntary 228. (a) When an employee of the Civil Service after attaining the age of 55 years Retirement at 55 years of age voluntarily wishes to retire from Civil Service, a request shall be made through the main office and submitted to the Civil Service Commission.
(b) When retiring an employee of the Civil Service upon attaining the age of 55 years, the Commission has the discretion to take into consideration any service bond the employee has with Civil Service.
(c) Retirement benefits for employees, who retire voluntarily at the age of 55 years, is specified in Schedule 18 of this Regulation.
- Commission's 229. (a) Should an employee, who has reached 55 years of age, has to be retired on discretion in retiring employees attaining 55 1. Employee's job performance being lower than satisfactory.

years of age

2. Issuance of a document by a medical practitioner registered at the Ministry of Health stating that an employee is unable to perform due to ill-health or physical or psychological disability.
 3. Where the scope of work of an office be reduced due to a government restructuring or a change in the office administration, thus creating a surplus workforce and which includes an employee who has attained 55 years of age.
 4. Where an employee, lacking the necessary training and skills required to carry out the duties and responsibilities of the job and thus unable to perform in the job, does not utilize training opportunity provided to attain the required skills or fails to achieve required information or skills from the training provided.
 5. Where an office deems it necessary to retire an employee in order to increase administrative efficiency or to bring positive changes to its operation or to improve service delivery.
- (b) In order to increase the administrative efficiency or to bring positive changes to the operation or to improve service delivery of an office, the Commission has the discretion, as stipulated in Article 49 (a) of the Maldives Civil Service Act, to retire employees who have attained 55 years of age.
- (c) Retirement benefits for employees, who have been retired by the Commission under its discretion to retire employees who have attained 55 years of age, is specified in Schedule 18 of this Regulation.

Pension

230. Employees of the Civil Service shall be granted pension as stipulated in the Maldives Pension Act (Act No. 8/2009) and regulations enacted under the Act.

CHAPTER 25

Training and Bond of Employees

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CHAPTER 25

Training and Bond of Employees

- Introduction
231. (a) Article 18 (l) and (m) of the Maldives Civil Service Act stipulates that it is the responsibility of the Commission to make Civil Service a career based service, to strive to make Civil Service employees a proficient and competent workforce enhanced with leadership skills and to provide necessary training and to support. In this regard, following procedures shall be applied in training employees who consent to serving the government and civil service as stipulated in this Regulation
- (b) In this Chapter, “training” includes references to scholarships, seminars, workshops, study tours and other such programmes..
- (c) Pursuant to this Chapter, Selection of employees for training and continuation of service after training shall be managed by the office in consultation with the HRMD Committee.
- Training of Employees
232. (a) Any of the following means of training may be implemented by the office depending on the number of employees in need of training, the type of training required and the expenses incurred.
1. On the job training given by professional experts in the field, to equip employees with the knowledge and skills required to perform their jobs.
 2. Enhance the skills of employees through their participation in programmes designed to impart knowledge on select fields, seminars, workshops, study tours and similar training programs.
 3. To develop personnel for different professional positions required for the sector, through professional capacity building courses of certificate level 1(one) and above.

- (b) Required training shall be given in the Maldives where available. Employees shall be sent abroad for training should it not be available in the Maldives or should the required level of training in a field is not available.

Assessing the
Training
Requirements of the
Office

233. (a) Responsible offices shall assess training requirement to develop the human resource of the sector and formulate training plans. This plan shall be a guideline on training the employees towards achieving the short-term and long-term objectives of the sector.

- (b) Cost of the training requirement plan formulated as per Clause (a) shall be included in the budget of the next financial year.

- (c) The training opportunities included in the approved budget shall be publicly announced among the employees as per this regulation, after reviewing and making necessary adjustments to the training requirement plan based on the approved budget.

Selection for
scholarships and
training programmes

234. (a) Guidelines for selecting candidates for technical training specified in Article 233 are as follows;

1. Call for interested applicants for training programmes by announcing among employees of the sector or office.
2. When selecting candidates consideration shall be given to academic level, performance appraisal till that day in civil service, service duration, employee's experience in the field of training applied for and work ethics.
3. The employee shall have served for at least 1 (one) year in a Civil Service job related to the training. However, this Article does not restrict awarding the training opportunity to the employee scoring highest in the criteria stated in Clause 2 of this Article..
4. The employee shall not be a person against whom a written disciplinary action issued during the past 2 years.

(b) When sending employees on seminars, workshops and study tours, the following shall be considered, and then an employee selected by HRMD Committee may be selected for the programme.

1. The training programme shall be beneficial towards the development and progress of the work undertaken by the office.

2. Employee participating in the training shall have the aptitude to undertake the programme.

3. If the employee has attended a previous training programme through the office, the extent to which the employee contributed to office work in the area of training shall be considered.

Expenses for
Training Programmes

235. (a) Expenses required to be borne locally for persons attending training programmes abroad must be available from the office budget. Should it not be included in the office budget and if the person undertaking the training programme agrees to bear it, it may be arranged accordingly.

(b) Should all expenses related to training programmes held abroad are available from donors for the training, except for the expenses to be borne locally (allowance given by the office to prepare for the trip, airport transfer expenses, pocket money and such expenses), then such expenses shall be borne by the donors.

(c) If an employee has to be sent on a short term courses, training programmes, seminars, workshops or study tours where all expenses are not funded by by external parties, such an expense must be made only if the budget allocated for the office allows for such expenses. If not, the person being sent on the training programme may be allowed to bear the expenses provided the person agrees to do so.

Agreements with
employees

236. Employees shall be trained under an agreement, whereby the employee agrees to serve the Civil Service or serve the office which funds the training

undertaking training

or serve the office to which the training programme was allocated. A sample of the agreement is provided in Schedule 19 of this Regulation.

Releasing employees for studies with salary and allowance / an allowance equal to the salary

237. Employees shall be released for studies pursuant to Clause (a) and (b) of this Article.

(a) The training programme should already be included in the training requirement plan formulated pursuant to Article 233 of this Regulation and shall be a training programme of duration 1 (one) year or less. The following measures shall be ensured by the office in releasing an employee for training.

1. Employees released for training shall receive their salary and service allowance for the days of release.
2. Employees released in this manner are not required to be dismissed from their jobs. However, the period of release till the date the employee reports back to work shall not be calculated as part of service duration.
3. The Office shall make alternative arrangements for employees released in this manner.

(b) Should the training programme be related to the employee's job or should it be included in the training requirement plan formulated as stipulated in Article 233 of this Regulation, employees shall be released on training programmes as stated below,.

1. Employees released in this manner shall receive an allowance equal to the salary of the job.
2. Employees released in this manner shall be dismissed from their jobs.

Study leave without pay (salary)

238. Should the training programme be related to the employee's job or should it be included in the training requirement plan formulated as stipulated in

Article 233 of this Regulation, employees may be released on study leave without pay as stated below,.

- (a) Employee shall be released without pay on self-sponsored study programmes only for the duration of the course. During this period, the employee's job shall be reserved as stipulated in this regulation.
- (b) In releasing an employee without pay for studies abroad, a period of 1 (one) month shall be granted for the onward and return journey, in addition to the training duration. If an employee is going to study abroad while on release without pay they can be given an additional one month in relation to travel to the institute and their return.
- (c) Where an employee has entered into an agreement to pay, after completion of the training programme, full or part of the expenses incurred, then such employees shall be released without pay upon presentation of a person who would bear responsibility for repayment (person with financial ability to repay) together with his written agreement to do so, to the office. Or upon full payment of the amount.

Studying while on
the job and granting
study leave

239. Should the training programme be related to the employee's job or should it be included in the training requirement plan formulated as stipulated in Article 233 of this Regulation, employees may be released on study leave, whilst continuing the job, as stated below,.

- (a) Should it not disrupt the work of an office, an employee may be released, while continuing the job, to participate in a course of more than 1 (one) year duration conducted in the Maldives by a government accredited institution and where the office sponsor's the employee's participation.
- (b) Employees undertaking distant education courses whilst on the job, may be released for their exams or tutorials on pay basis. Employee shall submit official documents proving participation in such exams or tutorials to the office for leave approval.

- (c) An employee may whilst on the job, participate in a course conducted in the Maldives, during hours other than the official working hours or the duty hours of the employee, in a manner that does not hinder undertaking the duties and responsibilities of the employee's job. Offices with shift duty shall consider adjustments in favour of such employees.
- (d) Employees who follow study programs, in a manner other than as stipulated in Clauses (a), (b) and (c) of this Article shall not receive conveniences determined in this Article.

Administrative arrangements to release employees for training

- 240.
- (a) Administrative arrangements for releasing employees with or without pay, temporary dismissal from their jobs and reinstating upon return to work and such administrative work determined in this Regulation shall be undertaken by the office in consultation with the HRMD Committee of the office.
 - (b) Information about the training programme undertaken shall be entered into the Commission software by the relevant office.
 - (c) The office shall make alternative arrangements to undertake the employee's job responsibilities during the period of leave.
 - (d) The office shall reserve eligible posts in its structure for persons who are sent on training programmes under a service bond to serve Civil Service in a specific position of the Maldives Civil Service.
 - (e) The office shall post into the Commission software details of the position reserved, for persons who are sent on training programmes under a service bond to serve Civil Service in a specific position of the Maldives Civil Service, within 7 (seven) days from the date the employee signs the service agreement.
 - (f) Records of persons undertaking training programmes under bond agreements to serve the Civil Service, such as ongoing trainings in the Maldives and abroad, persons undergoing training and information

about the training programmes shall be maintained by the relevant office.

- Maintaining records of persons trained by the Civil Service
241. (a) As determined in this Regulation, records of all employees undergoing training through the Civil Service shall be maintained in the Employee's Record File in in the respective offices.
- (b) As stipulated in the Act, service records of employees relieved on training by the offices shall be maintained by the office where they are employed.
- (c) Monitoring the performance of an employee in training programmes is the responsibility of the office which trains the employee.
- (d) A change to the duration of the training programme or any other such changes in relation to the training shall only be made with the approval of the office which sent the employee for training and other relevant government agencies.

- Reporting upon completion of training
242. (a) Employees who undertake training programmes under service bond agreements shall complete the programme. Employees who undertake training programmes abroad shall return to the Maldives and report to their employed office or to the office where they shall serve within 30 (thirty) days from completion of the programme.
- (b) Employees who complete training programmes abroad under service bond agreements shall bring a certificate of training completion. Where such a certificate is not available in time to return to the Maldives, the employee shall bring a document from the institution or official party which conducted the training stating the employee's completion of the programme. The document shall state the employee's successful completion of all components of the training. Since the modules or semester result sheets of different academic institutions vary, these shall not be acceptable as a training

completion document.

- (c) Employees who complete the training programme and submit the accredited certificate, shall be appointed to the post reserved effective date of accreditation. Should the certificate not be accredited at the level of the post reserved, the employee shall not be assigned to the post. In addition, should the employee be temporarily dismissed or a temporary employee, the employee shall be made redundant pursuant to Article 47 (c) 2 of the Civil Service Act.
- (d) Employees who return after completing the course, yet reports delay in convocation to receive their certificate or a delay to receive letter of course completion can be appointed to the reserved post once downgrading to the rank when the employee left. the employee cannot be appointed to the reserved post if any objection from him or her. The approval to serve an office other than entitled in the bond agreement during this period should be taken in writing and will nullify once the certificate or letter of completion is received.

Bond period to serve
Civil Service

243. (a) The serving bond duration for employees trained in Maldives sponsored from the office will apply under clause 6 Act 29/76 (Act on serving the government for Students of government schools, students enrolled in private schools subsidized by the Government, and those who are sent on fellowships by the government) as follows;
1. If the duration of the course is 30 (thirty) days or between 30 (thirty) days and 6 (six) months, for a period of 1 (one) year.
 2. If the duration of the course is 12 (twelve) months or between 12 (twelve) months and 1 (one) year, for a period of 2 (two) years.
 3. If the duration of the course is 18 (eighteen) months or between 12 (twelve) months and 18 (eighteen) months, for a period of 3 (three) years.
 4. If the duration of the course is more than 18 (eighteen) months, for a period of 4 (four) years

(b) Persons who are sent abroad on training programs or who are being educated abroad by the Government or by the person's office, in relation to their period of training or education, must serve the Civil Service under clause 7 Act 29/76 (Act on serving the government for Students of government schools, students enrolled in private schools subsidized by the Government, and those who are sent on fellowships by the government) as follows;

1. If the duration of the course is 3 (three) months or less, for a period of 1 (one) year.
2. If the duration of the course is 1 (one) year or between 6(six) months and 1 (one) year, for a period of 2 (two) years.
3. If the duration of the course is 1 (one) year or between 6 (six) months and 1 (one) year, for a period of 3 (three) years.
4. If the duration of the course is 2 (two) years or between 1 (one) year and 2 (two) years, for a period of 4 (four) years.
5. If the duration of the course is 4 (four) years or between 2 (two) years and 4(four) years, for a period of 5 (five) years.
6. If the duration of the course is more than 5 (five) years, for a period of 7 (seven) years.

Deferring of service 244. (a)
bond

1. If the employee has participated in a training program which lasted for more than a year, then 1 (one) year should have elapsed since the employee returned after completing the previous training.
2. If the employee has participated in a training the duration of which was between 6 (six) months and 1(one) year, then 6 (six) months should have elapsed since the employee returned after completing the training.
3. If the employee had participated in a training program the duration of which was less than 6 (six) months, 3 (three) months should have elapsed since the employee returned after

completing the training.

4. The duration stated in Section (g) (1), (2), (3) of this Article will be counted from the date of completion of the previous training program and the date of commencement of the next training program.
- (b) The employee should have served for at least 1 (one) year in the Civil Service job related to the training. However those employed in posts in which the required overseas training has already been decided on due to the type of work, may be dispatched on training even though the person has not served in the post for 1 (one) year.
 - (c) If an employee of the Civil Service, must not be a person against whom repeated disciplinary action has been taken during the past 2 years regarding the person's conduct at work or who has been given a warning as a disciplinary action.
 - (d) All expenses related to the training except for the expenses allocated locally in relation to all trainings overseas (allowance given by the office to prepare for the trip, airport transport expenses, and expenses like pocket money for the trip) must have been agreed to be provided by the party funding the training program.
 - (e) Expenses that need to be provided locally for persons attending training programs abroad must be available from the office budget. If the expenses cannot be made from the office budget, the person being sent on the training program may be allowed to bear the expenses providing the person agrees to do so.
 - (f) To facilitate for as many employees as possible to get the training opportunities instead of one particular employee or group of employees perpetually getting the benefit of such opportunities.
 - (g) The Human Resource Management and Development Committee of the office will decide on the persons to be sent on short term training programs, trainings, seminars, workshops, study tours and the like, when the need for such trainings arise.

- (h) If an employee has to be sent on a short term course, training program, seminar, workshop or study tour where all expenses are not guaranteed by external parties, such an expense must be made only if the budget allocated for the office allows for the expense.

Signing the Service Bond Agreement with Employees who are being trained

245. Employees must be trained under an agreement which conforms to the Contract Law, made between both parties, whereby the employee agrees to serve the Civil Service or serve the office which funded the training or serve the office to which the training was allocated. A sample of the agreement is provided in Schedule 19 of this Regulation.

Completing Courses in the Maldives or Abroad

246. (a) If an office is sending an employee on a course the duration of which is less than 3 (months) the employee will participate in the course without being dismissed from the job, during the course of which the employee will also be paid the regular salary. In this case, the period between the date of commencement of the course and the date in which the employee reports back to work after completing the course, will be counted in the service period.
- (b) If an office is sending an employee on a course in a manner which is not specified in Section (f) of this Article and for a period exceeding 3 (months) the office must submit to the Civil Service Commission, along with information regarding the course, a request to dismiss the employee from the job.
- (c) The service period of an employee who is dismissed from a Civil Service job under Section (b) of this Article because the employee was away on a course the duration of which exceeded 3 (three) months, it will be counted by linking the period of service before the employee had to be dismissed for the duration of the course, and the date on which the employee reported back to work after completing the course. The period between the date on which the employee joined the course and the date on which the employee reported back

to work after returning from the course will not be counted in the service period.

- (d) An employee may while in job, participate in a course being conducted in the Maldives with a duration of more than 3 (three) months, providing that the course hours do not coincide with the official working hours of the Government or the duty hours of the employee, and in a manner which would not obstruct the duties and responsibilities of the employee's job. In this regard, although the employee completed a course, or achieved the qualifications required for a higher position due to the training, the employee's job will not be changed.
- (e) Opportunities must be given for employees to participate in courses that are in the training requirement of the office, through self funding. Opportunities to participate in courses through self-funding must be given to employees as follows.
 - 1. Make an announcement in the office opening the opportunity for employees to self-fund for courses that are in the training requirement of the office and from among those who express interest select employees as per the guidelines set in this Regulation.
 - 2. In accordance with the established rules, submit to the Commission a request to reserve in the structure of the office, the posts that the employees would be eligible to be employed in, on their return from the course.
 - 3. Since the posts that the employees would be returning to will be reserved in the office structure for those employees who fund for their own training programs, sign a service bond agreement with the employees for the duration of the course before the employees are released for the course.
- (f) An employee, while on the job, may be allowed to participate in a course funded by the office and conducted by a training centre recognized by the Government for a period exceeding 3 (three)

months, in a manner which would not obstruct the employee's work at the office. However, an employee must be allowed to attend a course in this manner, while taking the following factors into consideration and as per the decision taken by the Human Resources Management and Development Committee of the office.

1. Course hours do not coincide with the official working hours of the Government or the employee's established working hours.
 2. The course is in the training requirement of the office.
 3. The budget allocated for the year provides for such an expense.
 4. The selection of employees who will participate in the course will be made through a criterion from among the respondents to the announcement made in the office.
 5. The employee has agreed to a service bond to the Government if such a bond is obligated for participating in the course.
 6. The employee has pledged in writing to the office, that the employee's participation in the course would not in any way hamper the performance of the duties and responsibilities of the employee's job at the office, be it during official or unofficial working hours.
 7. The employee who takes part in the course has the qualification and aptitude to complete the course.
 8. The employee takes leave in accordance with the regulation if the employee is unable to report to work due to practical work of the course, assignments or exams.
 9. That the employee participating in the course is a keen and dedicated worker who would contribute immensely to the progress of the office through such training.
- (g) An employee who participates in a course through the office and who has a service bond for undertaking the course must complete the course. If the employee is being trained abroad, the employee must return to the Maldives within 30 (days) of completing the course and inform this to the office.

- (h) The office must reserve eligible posts in its structure, for those who are being sent on a course designated for a Civil Service post and with a service bond.
- (i) Information about the posts being reserved for those who are sent on a course designated for a Civil Service post with a service bond, must be completed as per the sample form provided in Schedule 20 of this Regulation, and submitted to the Commission within 7 (seven) days of signing the Government service bond, along with the relevant documents.
- (j) If the office faces difficulties because the post reserved for a person who is sent on a course with a service bond has been left vacant, the office may assign a person temporarily to the post.
- (k) The certificate of the course must be produced on return after completing the course. If the certificate was not available by the time of return, a transcription or a document validating the completion of the course must be obtained from the training centre or the organizers of the course and produced on return. The document must confirm the employee's successful completion of all the components of the course.
- (l) The employee who returned after completing the course will be assigned to the reserved post when an accredited certificate of the course is produced. If the certificate cannot be accredited to the level of the reserved post, the person will not be assigned to the post.
- (m) Within 7 (seven) days of producing the document validating the completion of all the components of the course, the person who completed the course must be allowed to report to work to the post reserved for the person. However the person must be brought to work under a job agreement signed between the person and the office. It must be stated expressly in the agreement that once the certificate is accredited to the level of the reserved post, the job will be made

permanent from the date the person reported to work, and if the certificate fails to be accredited to the expected level, the agreement would be annulled and the person dismissed from the job.

- (n) An employee who has been trained to take on the duties and responsibilities of a particular job, and is bound by a Civil Service bond, will not be assigned the post reserved to the employee if the employee fails to produce the document validating the successful completion of the course or if the employee did not manage to pass the course or leaves without completing the course.
- (o) If a person who has been sent by the Government to be trained abroad, in breach of the rules established by the Civil Service, returns home without completing the training, the office responsible for sending the person, must submit the issue to the relevant government authority. When the relevant Government authority informs the office of the course of action to be taken in such matters, the office must take the action against the employee.
- (p) The office must maintain a record of information regarding the types of training facilitated by the Government in the Maldives and abroad, and the persons who are being trained thus.

Serving the Civil
Service after
Completing training
In the Maldives or
Abroad

- 247.
- (a) Students of government schools, students enrolled in private schools subsidized by the Government, those who participate in the training courses conducted by the Civil Service and those who are sent on fellowships, scholarships and training courses by the Civil Service must serve the Civil Service in accordance with the law.
 - (b) A person who is on a Civil Service bond, although the person funds for the course on his own or by any other means, must first serve the Civil Service bond on return.

- (c) Persons who are sent abroad on training programs or who are being educated abroad by the Government or by the person's office, in relation to their period of training or education, must serve the Civil Service as follows.
1. If the duration of the course is 3 (three) months or less, for a period of 1 (one) year.
 2. If the duration of the course is 6 (six) months or between 3 (three) months and 6 (six) months, for a period of 2 (two) years.
 3. If the duration of the course is 1 (one) year or between 6 (six) months and 1 (one) year, for a period of 3 (three) years.
 4. If the duration of the course is 2 (two) years or between 1 (one) year and 2 (two) years, for a period of 4 (four) years.
 5. If the duration of the course is 4 (four) years or between 2 (two) years and 4 (four) years, for a period of 5 (five) years.
 6. If the duration of the course is more than 5 (five) years, for a period of 7 (seven) years.
- (d) Prior to the completion of the term of an ongoing service period, if an employee's service period changes for having participated in a course or for any other reason; between the days remaining from the previous service period and the new one, the person has to serve the longer term.

If an employee is not removed from the post due to the employee's participation in a training course, the service bond will begin from date of the end of the course. If the case of an employee who is removed from post following the employee's participation, the employee's service bond will be counted from the day the employee reported back to work after completing the course.

- (e) If an employee of the Civil Service, during the period of the employee's service bond is incriminated by law and detained, the period of detention will not be deducted from the employee's service bond. The remaining period of the employee's service bond will begin counting from the day the employee is reinstated to the Civil

Service post.

- (f) Service bond period for those who participate in training courses held in the Maldives by the Government as follows.
1. If the duration of the course is 30 (thirty) days or between 30 (thirty) days to 6 (six) months, for a period of 1 (one) year.
 2. If the duration of the course is 12 (twelve) months or between 6 (six) to 12 (twelve) months, for a period of 2 (two) years.
 3. If the duration of the course is 18 (eighteen) months or between 12 (twelve) to 18 (eighteen) months, for a period of 3 (three) years.
 4. If the duration of the course exceeds 18 (eighteen) months, for a period of 4 (four) years.

Actions to be taken
against employees
who do not serve the
Civil Service bond

248. (a) An Employee who has an obligatory service bond to the Civil Service, but declines to serve the bond period or is negligent or demonstrates other inappropriate conduct will be taken action against as follows.
1. The office advises the employee on redemption.
 2. If an employee fails to reform after being advised as per Section (a) of this Article the office will caution the employee of the prospects of legal action.
 3. If the action taken against the employee under Section (a) and (b) of this Article fails to redeem the employee, under Contract Law, submit the case to the court, and inform the Civil Service of this action.
- (b) An employee, who has an obligatory bond to the Civil Service, may be released from the Civil Service bond under circumstances which necessitates such a release, under an agreement signed between the employee and the employee's office whereby the employee agrees to

reimburse the amount spent on the employee's training, as decided by the Civil Service Commission.

Maintaining records of persons trained by the Civil Service

249.

- (a) Records of all employees being facilitated training or education by the Civil Service must be maintained in the Employees' Record File in accordance with this Regulation.
- (b) As according to the law, service records of employees sent on courses by the office will be maintained by the employee's office.
- (c) Monitoring the performance of an employee who is on a course abroad is the responsibility of the office where the course has been designated to.
- (d) If an employee, who is doing a course abroad under the agreement of a service bond, fails the course, the office must inform this to the relevant authority. A change to the duration of the course or any other changes in relation to the course must be made after obtaining permission from the office which sent the employee on the course and the relevant government authority.

CHAPTER 26

Maintaining Records of Employees

249.	Introduction
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CHAPTER 26

Maintaining Records of Employees

- Introduction 249. (a) Unless stated otherwise with reference to this regulation, an office must maintain the records of all its Civil Service employees and the responsible office must keep the records of the employees of the sector.
- (b) The records of employees shall be maintained as specified in this chapter.
- Maintaining the Registry 250. (a) Every office of the Civil Service must keep a registry of the posts at the office and a registry of the employees. Predominantly the office will be keeping the types of registries mentioned below. The registries may be maintained through a computer program created for the purpose or in books.
1. Registry of posts.
 2. Permanent Employees' Registry
 3. Temporary Employees' Registry
 4. Registry of persons who are employed to perform the responsibilities of a Civil Service post, but who are not employees of the Civil Service.
- Registry of Posts 251. (a) Registry of posts include; the posts at the office at present, previous posts at the office, amendments in posts and information regarding the posts.
- (b) The following information must be included in the Registry of posts.
1. Name of post.
 2. Number assigned to post.
 3. Number of posts added.
 4. Number of the posts reduced.
 5. The total number of posts remaining after the increase of decrease.
 6. The chit/letter number and the date of creation of the post.
 7. The chit/letter number and the date of dissolution of the post.
 8. Remuneration allocated to the post.
 9. Allowances and other benefits given to the post.

Permanent
Employees'
Registry

252. (a) The Permanent Registry of Civil Service Employees will comprise information about the employees who are in various posts of the office at the time and employees who served in the past.
- (b) The following information must be included in the Permanent Employees' Registry.
1. Name of the post.
 2. Name and permanent address of the employee.
 3. The National Identification Card number of the employee.
 4. The service record number of the employee.
 5. The section in which the post is established.
 6. Remuneration of the post.
 7. Classification of the post.
 8. Rank of the post.
 9. Service category.
 10. Occupant Salary of the employee.
 11. Allowances and benefits given in addition to the salary
 12. The date of commencement of service of the employee.
 13. The date and chit number which confirmed the designation of a job to the employee or transfer of post or dismissal from post.
- (c) When an employee of the Civil Service leaves a job or gets transferred, the registry must indicate the date in which the employee left service or was transferred.

Registry
of
Temporary
Employees

253. (a) The Temporary Registry of Civil Service Employees will comprise information about the employees who are in various posts of the office at the time and employees who served in the past.
- (b) The Registry of Temporary Employees must comprise the following information.
1. Name and address.

2. National Identification Card Number.
3. Date of birth.
4. Office of employment.
5. Section to which the post has been designated to.
6. Name of the post.
7. Number assigned to the post.
8. Rank of the post.
9. Classification of post.
10. Remuneration of post.
11. Other benefits allocated to the post.
12. Date in which the person was assigned work.
13. Date in which the person was dismissed from work.
14. Reason for dismissal.

Maintaining
information of
Civil Service
Employees

254. Every office of the Civil Service, must keep an information file on each employee of the Civil Service employed in that office (permanent, temporary) as specified below.

- (a) When an employee reports to work after being assigned a Civil Service job, the office where the employee works, must prepare an information file of the employee, assigning a Record Card number. The Record Card number should be referred in all documentation regarding the employee.
- (b) Information files must also be kept of persons who work on contractual basis by the office where the person works.
- (c) The information file of an employee must at least consist of the following information.
 1. Letter or form submitted in applying for the job.
 2. Attested copies of certificates and other related documents.
 3. References from previous employers if any.
 4. The Offence Record Form of persons applying for Civil Service jobs.
 5. Employment chit (or a copy of the chit)

6. The original of Employment Agreement.
7. Copy of employee's Job Description.
8. Curriculum Vitae (updated minimum annually)
9. Copies of documents exchanged in relation to the employee.
10. Letters applying for sick leave, annual leave, and doctors' certificates.
11. Letter granting leave (or a copy of the document)
12. If a training course was completed during the course of employment, information about the course. (including copies of the certificates)
13. Disciplinary records.
14. Since being assigned to a Civil Service job, if a person has been detained or sentenced by law, (records of such cases.
15. If the employee has represented the employee's office (or Civil Service) in an event held by another office or an event held at the national or international level, information regarding this.
16. If special tasks are assigned temporarily, information about these assignments.
17. Job transfer chit (or a copy of the chit)
18. Job Evaluation Form.
19. Salary increment chit (or a copy of the chit)
20. Dismissal chit (or a copy of the chit)
21. Copy of Job Reference
22. Service Bond agreement.

- (d) The documents stated in Point 10, of Clause (c) may be disposed of after 4 (four) years.
- (e) In the information files of the employees, systematically file all the documents that needs to be filed about the employees. Number the documents filed in this manner, in order of the dates in the documents.
- (f) The work of maintaining employees' information files must be assigned to a specific employee, and the files must be kept safely.
- (g) The documents kept in the information files of Civil Service employees are confidential information. The files must not be accessed by employees

other than a person who has to retrieve information in relation to work.

- (h) If an employee wishes to access the employee's personal file, the employee must be allowed to access the documents in the file under the supervision of the employee who maintains the files.
- (i) If a Civil Service employee is transferred to another office, the employee's personal file must be sent to the office. If an employee of an office leaves the Civil Service job or passes away, the person's information file must be maintained until 4 (four) years securely.

Change to
Information of
Civil Service
Employees

- 255.
- (a) If the information on the National Identification Card of an employee changes, the matter must be submitted by the employee to the employee's office, within 7 (seven) days of making the changes.
 - (b) If the information on an employee's National Identification Card change; the office where the employee works, must within 15 (fifteen) days of receiving the data, submit through the responsible office of the sector update in the Civil Service Commission's software. A copy of the National Identification card must be uploaded with the update.
 - (c) The office must amend the information as updated on job records of the employee.

Job Reference

- 256.
- (a) When a Civil Service employee transfers to another office, or leaves the Civil Service job, a job reference must be provided to the employee, should the employee makes such a request, within 6 (six) months from the date of transfer or the date on which the employee left the job, with the following information.
 - 1. Name of the former employee and address.
 - 2. Type of work carried out at the office.
 - 3. The duration of continuous employment of the employee at the office.

4. Place of employment, section or unit.
 5. Post held by the employee at the time of leaving the job.
 6. Salary and other financial benefits received by the employee at the time of leaving the job.
- (b) The reason why the employee left or transferred from the job and the employer's review on the performance of the employee at the job (whether satisfactory or unsatisfactory) must not be included in the reference letter unless requested by the employee.

CHAPTER 27

Employee Suspension from Work

257.	Introduction
258.	Suspension of Employees from Work
259.	Temporary Suspension from Work Related to an Exceptional Situation
260.	Suspension from work with or without pay during the Investigation and Trial
261.	Rejoining to work after Suspension from Work

CHAPTER 27

Employee Suspension from Work

- Introduction 257. The purpose of this Chapter is to establish the principles for suspension of employees from work with or without pay in accordance with Article 46 (a) and (b) of the Civil Service Act, since if an employee is suspended with or without pay it is seen as something which could affect the reputation and dignity of the employee hence it is necessary to make sure that such an action is taken in absolute necessity and in a situation compelling so.
- Suspension of 258. (a) Unless stated otherwise in this regulation, an employee can be
Employees from apprehended in suspension with or without pay for no longer than
Work 30 (thirty) days.
- (b) Non-working days are included in the suspension duration
- (c) In any of the following situations, during the investigation and trial period of an offence, the Commission has the discretion to suspend the employee from work for that period with or without pay.
1. In a situation where an investigation is being carried out against an employee in relation to being accused of an offence related to their work and if there is the possibility of hiding or tempering of evidence related to the case.
 2. In a situation where, if the employee reports to work, the work place or other employees in the office or a person or people who come to get service from the office could be faced with a direct threat or problem as assessed from reasonable standards.
 3. In a situation where a person assigned with the task of being in charge of activities related to persons stated in Article 35

of the Constitution of the Maldives, and if the employee has been trying to violate the protection of such persons or have been accused of violating their protection.

4. Exceptions to what is specified in Points 1, 2 and 3 of this Clause where the Commission decides a sound reason to do so. These include cases referred to the Commission to enforce action regarding investigation from institutions mandated by law.
- (d) The request for suspension shall be submitted through the form in Schedule 21, and an employee can be informed of suspension after receiving the commission's approval by the stamped form in Schedule 22.
 - (e) An employee who has been suspended from work in accordance with Section (c) of this Article, and once the issue has been investigated and completed in accordance with this regulation, or even prior to the completion of the investigation of the case, if the employee is needed back at work, as according to the decision of the Commission sent in writing to the employee through the office, the employee can be recalled back to work. The sample template is in schedule 23.
 - (f) The suspension from work with or without pay shall not be counted as disciplinary action in reference to Chapter 19 (b) 3 of the Labour Act.

Temporary
Suspension from
Work Related to
an Exceptional
Situation

259. (a) In accordance with this regulation the Permanent Secretary or Senior Responsible Officer or someone charged with the authority can temporarily suspend an employee with or without pay in relation to a special situation which has risen in the work place. And if an employee has been suspended from work related to such

a situation, the employee shall be informed of it in writing within 24 hours.

- (b) The special situation referred to in this Article is as follows;
 - 1. Being accused of committing a criminal offence or that a criminal offence was going to be committed in the work environment.
 - 2. A situation as outlined in Article 258 (c) where immediate suspension is the only option and the action cannot be delayed on rational ground
- (c) In accordance with Section (a) of this Article, if the Permanent Secretary or Senior Responsible Officer temporarily suspends an employee, the Commission shall be informed of it in writing within 24 hours. If the day following the day when the employee was given suspension is an official holiday, the Commission shall be informed of it in writing on the next working day.
- (d) In accordance with Section (c) of this Article when a submission is made to the Commission, the Commission shall check and study the matter. The Commission shall inform of their decision to the Permanent Secretary or Senior Responsible Officer in relation to suspension of the employee with or without pay. The Permanent Secretary or Senior Responsible Officer shall inform the Commission's decision within 24 hours. And the decision of actions to be taken against the employee by the Commission shall be stated clearly in that writing.
- (e) Apart from a special situation, an employee can be suspended from work as stipulated in Article 258 (c) after submitting the issue to the Commission and in accordance with this regulation.

- (f) employees on police custody or jailed or on house arrest by any such agency on trial or investigation on a case outside the workplace and failure to report to work is not in the discretion of the employee, such a duration shall not be counted as on suspension under this regulation. The employee shall receive salary and additional allowances for such a period.
- (g) Suspension cases referred to the Commission under Article 259 (b) shall be decided by the commission as paid suspension or not based on the documentary evidence and shall send in writing to the Permanent Secretary or Senior responsible Officer. The latter shall inform the decision to the employee in writing.
- (h) The cases in reference to this article shall be investigated by the office of the employee as decided by the Permanent Secretary or Senior responsible Officer or someone assigned by the latter.
- (i) Investigation on incidents in work environment falling under 258 (c) and (a) herein, while the suspected case to be found on level to prosecute on administrative and legal grounds, disciplinary measures has to be taken with immediate effect as specified in Chapter 28.

Suspension from
work with or
without pay
during the
Investigation and
the Trial

260. (a) Within the specified period as mentioned in 258 (a) on a suspension for an incident in the work place and investigation process on progress, where the office, or the Police or such an agency propose to the Commission in writing under Article 258 (c) that the resume of staff for work shall hinder the investigation, it is at the discretion of the Commission to extend the suspension duration by 30 (thirty) days at a time, not exceeding 90 (ninety) days in total. This will be sent in writing from the Commission to be handed to the employee

through the Permanent Secretary or Senior Responsible Officer.

- (b) During the Suspension period and the case concluded as stipulated in Article 259 (i) and the Permanent Secretary or Senior responsible Officer following the recommendations of the HRMD Committee decides to take disciplinary measure, it shall be implemented as per the regulation and to recall the staff to work even though suspension period remaining, decided and implemented.
- (c) Even though the stated duration is 30 days, speedy work should always be carried out in relation to making a decision on the issue at hand by the Permanent Secretary or the Senior Responsible Officer.
- (d) If an employee is found guilty of an offence under (c) herein and has to be suspended from work as a disciplinary measure, it shall be carried out in accordance with Chapter 28.
- (e) An employee on Suspension from work under this Regulation should inform in writing to the office the employee reports if leaving the island where the employee is stationed, mentioning the duration of absence and inform in writing once on return.

Re-joining of
work after
Suspension from
Work

261. The Suspension from work terminated and the employee is informed or mail sent to the address of the employee stating to resume to work, the employee should report to work as indicated. Absence except approved leaves shall be cautioned and timely disciplinary measures should be implemented.

CHAPTER 28

Disciplinary Measures and Compensation for a Material Loss

262.	Introduction
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264.	Advising and guidance to employees before Disciplinary Measures
265.	Giving Verbal Advice
266.	Giving written Advice
267.	Giving Cautionary Notice in Writing
268.	Suspension from Work for a Specified Period of Time
269.	Demoting the Job Grading of the Employee
270.	Dismissal from the Job
271.	Grades of Offence at Work
272.	Steps when taking disciplinary measures
273.	Circumstances where Immediate Action can be Taken
274.	Informing the Employee the Reason for Suspension from Work and dismissal from job
275.	Material Loss
276.	Determining Material Loss
277.	Compensation for Material Loss
278.	Taking Disciplinary Action following the Compensation for Material Loss

CHAPTER 28

Disciplinary Measures and Compensation for Material Loss

- Introduction 262. (a) All employees of the Civil Service shall be persons who, in performing their job, abide by the Constitution, laws and regulations, respect international conventions and agreements that the Maldives implements or is party to, works to the best of their ability in carrying out tasks assigned to them and, work while adhering to the code of conduct at work, upkeep professional standards, and be a person of good conduct as made mandatory by the law. Disciplinary measures against a Civil Service employee shall be taken pursuant to Article 19 of the Employment Act and Article 34 of the Maldives Civil Service Act.
- (b) Disciplinary measures are taken against employees who violate Maldives Civil Service Act, the Regulation and the Code of Conduct as a corrective measure to rehabilitate them. And to dismiss employees who do not rehabilitate following such corrective measure.
- Disciplinary Measures 263. (a) Disciplinary measures are taken to rectify an action of the employee, considering the seriousness of the situation, where the employee is careless towards work, or doesn't take responsibility or due to low work ethics or a breach of the Maldives Civil Service Act or Regulation or Code of Conduct.
- (b) The Supervisor or Office in Charge shall take disciplinary measures against employees, except for the Permanent Secretaries and Senior Responsible Officers, where the circumstances or an action dictate it.
- (c) Circumstances or actions of Permanent Secretaries or Senior Responsible Officers requiring disciplinary actions shall be considered by the

Commission. However, Permanent Secretaries shall take action against Senior Responsible Officers under the Ministries.

- (d) Disciplinary measures taken against employees shall be recorded in the personal files of the employee. Furthermore, a copy of the document stating the disciplinary action taken against an employee shall be given to the employee on the date the action is taken.
- (e) Records of disciplinary measures taken against employees shall be securely filed by the Permanent Secretary or Senior Responsible Officer or person assigned with the task and it shall be forwarded to the section handling human resources.

Advising employees before taking disciplinary measures

264. In order to enhance work ethics and employee efficiency, and to foster a healthy working environment, the Supervisor or person in charge of monitoring the performance of an employee shall do so and counsel and guide the employee without delay.

Issuing Verbal Advice

265. (a) Verbal advice is notifying the employee of the matter by the Supervisor or person in-charge. Schedule 24 provides a sample of how verbal advice shall be given.
- (b) Measures shall be taken for minor offenses, to rectify offences that fall under Offense Category 1 .
- (c) Verbal advice shall be given only once to an employee, which shall be followed with a written advice if the offence is repeated. Should the employee not commit another offence within 1 year from the date of being given such an advice, it shall be regarded as the employee having rectified the behavior, following which the advice notice shall be cancelled and the employee informed of the same.

- Issuing Written Advice 266. (a) Written advice is advice given by the Permanent Secretary or Senior Responsible Officer or another employee assigned by them to take disciplinary measures, to an employee advising the employee to refrain from a certain manner of conducting themselves at workplace.
- (b) This measure shall be taken for minor offenses, to rectify offences that fall under Offense Grade 1. This measure may also be taken for repeating an offence for which a verbal advice was issued. A written advice shall be given for a maximum of 2 (two) times to an employee.
- (c) Should an employee fail to rectify conduct after being served with two written advice, then a written warning shall be issued to the employee. Should the employee not commit another offence within 2 years from the date of being given such a warning, it shall be regarded as the employee having rectified the behaviour, following which the warning notice shall be cancelled and the employee informed of the same.
- Issuing Written Warnings 267. (a) Written Warning is warning given by the Permanent Secretary or Senior Responsible Officer or another employee assigned by them to take disciplinary measures, to an employee for not rectifying the behavior after being advised or for committing an offence of category 2 or 3, and advising the employee to refrain from repeating it and which measures would be taken should the employee repeat it. A sample of written warning is given in Schedule 26.
- (b) The written notice shall state that a repetition of the offence or conduct shall result in demotion of rank, suspension from work or dismissal without further notice.
- (c) A written warning shall be given only once (1) to an employee. Should an employee not repeat the offence within 3 years from being issued with such

a written warning, it shall be considered that the employee has rectified the employee's conduct and the written warning shall be cancelled and the employee informed of the same.

Suspension
from Work for
a Specified
Period of Time

268. (a) Suspension from work for a specified period of time is when an employee has committed an offence in the category of grade 2 or 3 and, considering the magnitude of the offence, should it be deemed that the employee's return to work may result in unfavourable consequences on other employees and the office work, and whereby the employee is suspended with or without pay from reporting to work and the employee informed of the same. Suspension is a more serious disciplinary measure than the measures stated earlier.
- (b) The measure stated in Clause (a) of this Article shall be taken against any Civil Service employee as a measure taken by the Commission, after having submitted the matter to the Commission. Where an employee is asked to leave the workplace for having committed an offence of category 2 or 3 is not considered as suspension referred here.
- (c) As a disciplinary measure, an employee shall be suspended from work for a period not longer than 14 days inclusive of public holidays.
- (d) The "Suspension from Work Chit" provided in Schedule 25, issued to an employee informing of the measures taken shall be filed as a permanent record in the employee's personal file.

Demoting the
Job Grading of
the Employee

269. (a) Demoting the job grading of an employee is a measure carried out when a grade 3 level offence is committed and after considering the magnitude of the offence the employee is demoted from their present job grade to a lower one.

- (b) When the job grading of an employee is given a demotion, such an employee shall be entitled to job advancement starting from the level of their demoted job grading, in accordance with this regulation. In this manner demotion related to job grading shall be given if there is such a position vacant. If there is no position available for a job grade demotion, than a request for dismissal from the job shall be submitted.
- (c) Demoting the job grading of the employee can be carried out to one rank below their existing job in the job structure.
- (d) Such a measure is at the discretion of the Commission and can only be taken against a Civil Service employee after writing to the Civil Service Commission and as a measure which is taken by the latter. If an employee is not redeemed after such a disciplinary measure, a request can be submitted for the dismissal of the employee.

Dismissal from
the Job

- 270.
- (a) Job dismissal of an employee is a measure carried out when a grade 3 level offence is committed and after considering the magnitude of the offence, if it is deemed that keeping the employee in the job is not acceptable.
 - (b) In accordance with this regulation if repeated disciplinary measures have been taken against an employee and even then the employee has not rectified their conduct, a request shall be submitted for their dismissal. Or due to the nature of the offence committed, it is seen that keeping the employee in the job is detrimental for the job, other employees or the work environment, a request shall be submitted for their dismissal.
 - (c) When submitting a request for the dismissal of an employee to the Civil Service Commission, details of the offence committed, the disciplinary

measures taken, and the duration given to rectify their conduct shall be submitted.

- (d) The employee for whom a request for dismissal has been submitted shall be treated in accordance with the provision of dismissal of an employee in this regulation.

Grades of
Offences at
Work

271. (a) Offences falling under this Grade, the employee will be reprimanded verbally or in writing in order to rectify.

Offences at work, Grade 1 (one):

1. Negligence towards the work assigned and refusal to carrying out job responsibilities.
2. Unable to carry out work efficiently and in a timely and responsible manner.
3. Attendance;
 - 3.1 Late to work 5 (five) days in one month, more than 30 late minutes.
 - 3.2 Late to work 15 (fifteen) days in one year, with more than 75 (seventy five) late minutes.
 - 3.3 1 (One) day of unauthorized leave.
4. Not providing the support at the workplace and showing lack of respect to directives and notices issued.
5. During official working hours;
 - 5.1 Being outside of the designated work environment without permission
 - 5.2 Doing private work during the designated working hours.
 - 5.3 Spending time on personal matters and wasting time during the designated working hours.
6. Negligence in carrying out the work to the required standard and deadlines.
7. When taking leave;

- 7.1 Taking leave of absence without an illness.
 - 7.2 Being on leave of absence while sick without informing the office.
 - 7.3 Being deceptive in taking Family leave.
 - 7.4 Being deceptive in taking other forms of leave.
 - 7.5 Utilizing leave and allowances inappropriately or intending to carry out any of these activities.
 8. Doing things below the level of socially accepted norms and in communicating and conversing use of abusive and foul language.
 9. Discuss or talk about political issues during office hours.
 10. Hindrance to office staff or others due to shouting, laughing and other such behavior.
 11. Carelessness and negligence in the job.
 12. Convicted for breaching the regulation when driving or using a Government vehicle or vessel. (If the punishment for the offence decided by the Court is lower than a jail term, banishment or house arrest)
 13. Conducting behavior in a manner that may create problems among employees.
 - 13.1 Unwarranted sharing of information relating to other employees activity.
 - 13.2 Disclosing private matters of individual employees to others.
- (b) If an offence of this Grade is committed by an employee and fails to rectify after advice, the employee shall be cautioned with a warning that repetition can result in demotion of rank or suspension from work or dismissal without further notice.

Offences at work, Grade 2 (two):

1. The Maldives Civil Service Act, Regulation, Code of Conduct, circulars issued by the Commission, notices, announcements, regulations formulated by the employee's office and policies which are not in

contravention to this regulation;

1.1 deliberate violation

1.2 Breach of any of these Acts or regulations or policies through negligence.

1.3 Breach of any of these Acts or regulations or policies through carelessness.

2. Attendance;

2.1 Being late to work 30 (thirty) days in one year, with more than 150 (one hundred and fifty) late minutes. OR

2.2 Unauthorized absence from work for 3 (Three) consecutive days.
OR

2.3 Unauthorized absence from work for 5 (five) days in 1 (one) year.

3. Refusal to carry out directives issued in accordance with the laws and regulations by the employee's superiors.

4. Leaving the work place during the designated working hours without permission.

5. Discussions, talks and debates about political issues during office hours.

6. As agreed, in addition to the official working hours, refusal to carry out work assigned to be performed during over time.

7. Refraining from carrying out necessary team work and shared work with other employees.

8. Utilizing Government property, funds, and other office facilities dishonestly.

9. Disclosing private matters of individual employees to others in a manner not sanctioned in this regulation.

10. If a political activity is carried out or if one takes part in a political activity during working hours.

11. If negligent in maintaining the standards for physical safety required for a particular work even in a field of work which does not pose any physical threat.

12. Sleeping during working hours.

13. If an employee willfully withholds information that has to be imparted in relation to work.

14. Causing violence or act in a manner which could cause harm to another

employee.

15. Failure to rectify offences of Grade level 1 and its repetition.

- (c) Committing any of these offences may, depending on the magnitude, may result in demotion of job rank, suspension from work or even dismissal from the job for a first offence.

Offences at work, Grade 3 (three):

1. Failure and negligence to implement a disciplinary measure on an employee when required.
2. Attendance;
 - 2.1 Late to work 60 (sixty) days in one year, with more than 300 (three hundred and fifty) late minutes. OR
 - 2.2 Unauthorized absence from work for 7 (seven) consecutive days.
OR
 - 2.3 Unauthorized absence from work for 15 (fifteen) days in 1 (one) year.
3. Employing or approval to employ anyone in not sanctioned in this regulation.
4. Forge or changing of any original Government or office document. This includes;
 - 4.1 Documents handled by the employee related to their work.
 - 4.2 Documents related to an issued being submitted to the office.
 - 4.3 Attendance reports.
 - 4.4 Voucher.
 - 4.5 Leave Records.
 - 4.6 Such documents as the overtime attendance report.
5. State classified information in contravention to the laws and regulations.
 - 5.1 revealing
 - 5.2 releasing
 - 5.3 removal

- 5.4 making copies
- 5.5 recording
- 5.6 Facilitating the way, assisting or taking part in any such act.
- 6. Utilizing Government property, funds, and office facilities;
 - 6.1 Adversely or be negligent in utilizing.
 - 6.2 Utilizing them for personal benefit.
 - 6.3 Cause damage to any of it.
 - 6.4 Act in a way which could damage any of it.
- 7. Taking bribes or getting any such gifts, or get something or a paid service without paying for it.
- 8. Willfully utilizing or trying to utilize the discretion of one's position advantageously for themselves or for the benefit of someone undeserving.
- 9. Committing an act which would defame the State, Government, or the office. However it should not be the outcome of an act carried out truthfully in good faith in carrying out the job.
- 10. If a court of law serves a sentence to an employee whereby they cannot perform the duties of their job or their job classification.
- 11. Proof established that incorrect information was provided in order to secure the job.
- 12. If a political activity is carried out or if one takes part in a political activity during working hours.
- 13. In accordance with the Law on Drugs (Act number 17/2011) if there is strong evidence gathered by the relevant legal authority assigned in checking such issues or another institution or the Civil Service Commission proving that the employee had abused drugs or deal drugs.
- 14. Repetition of violence or act in a manner which could cause harm to other employees.
- 15. Convicted by a court of law as having committed a crime for which a *hadd* is prescribed in Islam, or theft, deception, treachery, fraud or have committed a crime of such magnitude.
- 16. Being negligent or careless in using the security measures which should be followed in the line of dangerous work which could cause grievous bodily harm.

17. Disseminating or obtaining information against the laws and regulations.
18. Found guilty from an investigation sanctioned by an agency mandated by law.
19. Sexual acts with or without consent.
20. Failure to rectify offences in Grade level 1 and its repetition.

- (d) Suspension from work, job grade demotion or dismissal from job are disciplinary measures that shall be determined by the Civil Service Commission.

Prior to taking a disciplinary measure under (a) herein, a notice, with the following information, shall be issued with a period of no more than 5 (five) days for a response.

1. Disciplinary measure to be taken by the Commission.
2. Date on which the measure would come into effect.
3. Facts on the occurrence and the reasons why such a measure has to be taken.
4. Opportunity to check all documents upon which is based the disciplinary action.
5. Opportunity to defend the Disciplinary measure in writing.

- (e) An employee may be dismissed from work with an exception to 272 (a) if the Commission deems that keeping the employee at work is not acceptable according to the general rules. However in such situations the action of the employee shall be seen as sufficient to take the disciplinary measure in line with the following.

1. Not being able to get any service from the employee in any manner or the fear of having to suffer a huge loss due to the employee not carrying out their duties.
2. If it is seen that keeping the employee in the job any further may result in damages to the employer or the employee or the work environment.
3. Carrying out a dangerous or unsettling activity at the work environment

or if a warning has been given so.

4. Being in possession of a dangerous weapon as stated by law, while reporting to work.
5. Sexual harassment of another employee at workplace.
6. Theft of Government property.
7. If the employee is a danger to themselves, to other employees or to the work place.
8. Committing an offence of such magnitude by which the harmony among employees of the office is lost, or by committing such an offence which creates a hindrance for other employees to perform their jobs.
9. If a court of law finds the employee guilty of a crime and passes a sentence to jail, banish or house-arrest.
10. Failure to complete the orientation training at probation due to negligence or without a valid cause.

Informing the Employee the Reason for Suspension from work and dismissal from job

274. In accordance with this Chapter, if an employee is suspended from work or have been dismissed from their job they shall be informed of it in writing giving the reasons for their suspension or dismissal.

Material Loss

275. A responsibility which is assigned to an employee if deliberately, through negligence, or while transferring the employees responsibilities to another, or if the employee is unable to carry out the responsibilities and if the employee has not reported the details of this to the person to whom it should be reported, or been absent from work without informing or leave the work place without informing, if their work or if any property or objects of the office, or by any other means related is regarded as material loss.

Determining Material Loss

276. If the office has suffered a material loss, compensation for the loss shall be taken from that employee in accordance with Article 20 Section (b) of the Employment

Act and this regulation.

- Compensation for Material Loss
277. (a) Compensation for the material loss suffered through the employee can be paid in full by the employee, or on monthly installments, as decided by Permanent Secretary or the Senior Responsible Officer.
- (b) Compensation to be paid by an employee related to a material loss suffered by the office shall be calculated by the Permanent Secretary or the Senior Responsible Officer, where it does not exceed 33% of the employee's salary. More than 33% of the salary can be taken as compensation if the employee does not object to it.
- Taking Disciplinary Action following the Compensation for Material Loss
278. As provided in this regulation if an employee is made to pay compensation for a material loss suffered it does not exempt from taking disciplinary measures against the employee as prescribed in this regulation.

CHAPTER 29

Assessing the Cases Submitted to the Civil Service Commission

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CHAPTER 29

Assessing the Cases Submitted to the Civil Service Commission

- Introduction 279. This chapter is based on Act number 2007/5 (Maldives Civil Service Commission Act) Clause (g) of Article 4 and Clause (h) and (k) of Article 18 and in accordance with these assess, study and take action on the cases and reports submitted to the Commission and in accordance with the authority provided to the Commission under Clause (b) of Article 9 of the law, assess, investigate and take action on the cases submitted related to the Senior Responsible Officer of the main office or other Civil Service employees who violate the Civil Service Act, Regulation or the Code of Conduct, this chapter is formulated to assess, investigate and take action on such cases.
- Objective 280. The objective of the chapter is in relation to the cases submitted to the Commission to assess, investigate, make decisions and take action against parties in an equal and just manner on equal standards among all employees, and take action that need to be taken in accordance with the law and administrative purposes and understand the reasons for which employees act in contravention to the law, regulation and code of conduct and discipline such employees and make the employees good examples of people who upkeep good standards of work ethics and make them employees who are result oriented.
- Cases Assessed
by the
Commission 281. The Commission shall assess the following cases;
- (a) In accordance to Clause (h) of Article 18 of the Maldives Civil Service Act, where the Permanent Secretary or Senior Responsible Officer has decided on a case related to an employee who is not satisfied with the decision and wishes to appeal, such cases which are less than 3 months old from the day of the decision excluding public holidays.

- (b) In accordance with Clause (k) of Article 18 of the Maldives Civil Service Act, cases submitted with the issue of the Permanent Secretary or the Senior Responsible Officer of the main office acting in contravention to the Maldives Civil Service Act, Regulation or the Code of Conduct.
- (c) And all other cases determined to be reviewed by the Commission under this regulation.

Cases which cannot be Reviewed by the Commission

282. (a) The following are cases which cannot be reviewed by the Commission.
1. Apart from cases stated in Article 281 of this regulation no other case may be reviewed.
 2. If a case stated in Article 281 of this regulation is being deliberated upon by the Employment Tribunal or a Court of law or the case has already been judged upon, such a case cannot be reviewed.

Submitting a Case to the Senior Responsible Officer of the Office, Prior to appealing the Case to the Commission

283. (a) In accordance to Clause (a) of Article 281 of this regulation, if an employee of the Maldives Civil Service violates the law, regulation or the code of conduct or when job related complaints are made by the employees it shall be first deliberated upon by the Permanent Secretary or the Senior Responsible Officer, or a party delegated or through the set mechanism for complaints in the office. In this manner after reviewing the case and considering the magnitude of the issue, disciplinary measures to be taken as per this regulation shall be effected by the Permanent Secretary or the Senior Responsible Officer of the related main office or a party assigned to carry out this task by the Permanent Secretary OR Senior Responsible Officer Or a party delegated or through the set mechanism for implementing the action in the office.

- (b) If the decision taken or the disciplinary measure taken is one which the employee is not satisfied with, it is their right to appeal the case to the Commission within 3 months excluding public holidays, from the date the decision was made or the disciplinary measure was taken.
- (c) If a Civil Service employee has violated or is suspected of planning to carry out an act that violates the law or regulation it can be reported to the Permanent Secretary or the Senior Responsible Officer. Or it can be submitted to another relevant authority.
- (d) If the Permanent Secretary or the Senior Responsible Officer is known or suspected of carrying out or planning to carry out an act that violates the Civil Service Commission Act, Regulation or Code of conduct, that issue shall be directly submitted to the Commission.
- (e) If the Permanent Secretary or the Senior Responsible Officer is known or suspected of carrying out or planning on carrying out an act that violates the law or regulation, this article does not restrict to report the case to relevant authorities.

Submitting a
Case

284. (a) When submitting a case to the Commission it shall be done using the form provided in this regulation or using a similar document. A sample is provided in Schedule 27.
- (b) If there is any written document about the case a copy of it shall be submitted, along with evidence and testimony.

- (c) In accordance with section (a) of Article 237 of this regulation, when submitting a case to the Commission, evidence that the case has been submitted to the Permanent Secretary or the Senior Responsible Officer with no reasonable action being taken within a considerable duration or evidence that the action taken was unsatisfactory to the employee shall be submitted.

Submitting
complaints and
Suggestions

- 285. Complaints and suggestions regarding the service provided by the Commission shall be submitted by the form introduced for the purpose. Yet, general public may send through letters, email, or facsimile.

Accepting a Case
and Response

- 286. (a) When a case is submitted to the Commission, excluding the cases falling under (a) of this Article, the Commission shall decide if it is a case which can be assessed or not by the Commission and if it is a case which can be assessed the party shall be informed within 3 (three) working days of the acceptance of the case in writing. If the case can be decided without any additional investigation the answer shall be given rather than a response saying the case is under enquiry. And if it is a case which cannot be assessed by the Commission, the party shall be informed of it in writing within 3 (three) working days. If the respective Section from the Commission finds that the case lacks a solution by the Act or regulation, Or as per regulation requires the opinion of the Commission, it can be referred to the Commission and the answer based on the recommendation provided to the employee without delay.

- (b) On cases appealed to the Commission regarding the Permanent Secretary or Senior Responsible Officer by the Head of an office (Minister, or councillor or Senior Head) the Commission shall decide on the investigation and processing.

Committee to Assess Cases	287.	<p>(a) In accordance with this Regulation the Commission shall form a Committee to assess the cases based on type and condition, submitted to the Commission and suggest decisions to the Commission.</p> <p>(b) The Committee under (a) herein, shall be formed by the Commission. Anyone involved in any stage of the case should not be included in its composition.</p> <p>(c) Excluding cases under Article 281 regarding the Permanent Secretary or Senior Responsible Officer by the Head of an office, as a general rule, the respective Section of the Commission shall assess all other cases.</p> <p>(d) As per the Regulation, if the case submitted is to be reviewed by the Committee it shall be forwarded to the Committee without delay.</p> <p>(e) A case can be assessed by the Committee with the minimum attendance of three members. In assessing a case the Committee shall study the administrative documents submitted and determine the cause of action for the case and send the report of the case to the Commission</p> <p>(f) The Committee has the discretion to summon an employee or an individual if a query has to be cleared by questioning an employee or an individual.</p>
Assessing a case	288	The committee shall assess and submit a report to the Commission on cases filed to the Commission in an appropriate time period.
Actions on cases after assessment	289	<p>a. With exception to employees stipulated in clause (d) of this Article measures shall be taken against those employees who violate this regulation or the code of conduct on those cases investigated reviewed by the Commission.</p> <p>b. As stipulated in clause (a) if the Commission finds the</p>

investigation in complete, the case shall be referred with issues outlined to the review Committee for further study. The committee shall review and submit reports in due time.

- c. The cases shall be filed where it is found the employee has violated this Regulation or acted against the code of conduct while informing writing.
- d. If the violation to the regulation or code of conduct is from a Permanent Secretary or a Senior Responsible Officer, the disciplinary measure shall be taken by the commission.
- e. Prior to a disciplinary measure as under (a) and (b) of this Article the employee shall be given in writing the conclusion, references, documentary evidence and the basis. The writing shall indicate to respond if any issues to the measure within in 7 (seven) working days from the day of receiving the letter. The letter shall further state that enforcement does not negate the failure of a reply. If the reply from the employee has evidence or other facets to the basis of the case it is at the discretion of the commission to review the ruling.
- f. The case investigated by the committee is a case filed to be appealed from an employee and the ruling is to alter the previous the Permanent Secretary of Responsible Officer shall be enquired on the reasons for the ruling, the facts, documentary evidence and basis. The directive of the commission shall be enforced by the Permanent Secretary or responsible Officer.

An
Employee's
Dissatisfaction
with the
Decision of
the
Commission

290

In a case submitted by a Civil Service employee, if the decision of the Civil Service Commission on that case or as in accordance with Section (a) of Article 288 the action or measure that is decided to be taken is one which the employee is unhappy about, the employee has to the right to submit the case to be assessed by the Maldives Employment Tribunal or a court of law.

ANNEXES

ANNEXES

