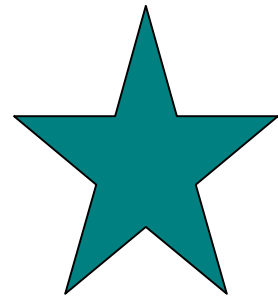
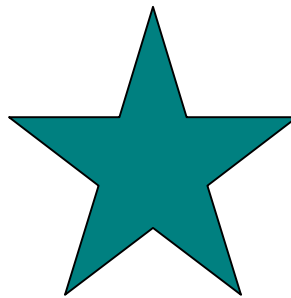




**Republic of Somali Transitional Federal
Government**

**Ministry of labour and Human Resource
Development
And
Somali Civil Service Task Force**



THIS DOCUMENT HAS JOINTLY BEEN DRAFTED BY THE MINISTRY OF LHRD AND SCSTF

Chapter one
General Articles
Article One
Definition of key words

The following words, if otherwise not expressively defined differently by this Law, shall have the following meanings:

- Council of Ministers means the Prime Minister and Ministers of **her/his** cabinet.
- Grades means civil servant Ranks/Positions or steps as described in article 4 of this law
- Family Means wife/husband of Government employee, their children under 18 and any other dependent person (s) as per indicated in the Somali Family Law.
- Heads of Institutions:-
 - A. The President of the Somali Republic
 - B. The Prime Minister of the Transitional Federal Government
 - C. Minister of the ministry
 - D. Heads of the independent agencies/.
 - E. Salary means monthly payment or remuneration received by an employee in accordance annex one of this law
- Government or state institutions means the Presidency; Office of the P.M. Ministry; Government Agency; Independent Agencies established by law that do not come under any ministry, Local government; National Bank; State controlled or owned projects and Regional and District administrations.
- Public Service means any civil service of the state, any public authority or non governmental institution discharging public functions

Article 2
Application

1. This law shall exclusively apply to the permanent employees of the state
2. This law shall not apply to :-
 - A. Temporary employees or persons recruited under special contracts or agreements.
 - B. Persons Holding politically elected positions
 - C. The national army or any other paramilitary mobilized groups

Chapter Two
Structure – process
Article three

1. Every work position shall be categorized/graded and provided with clear duties and responsibilities specified by this Law as Grade A,B,C,D.
2. The total number of the Institutional positions/authorities/Offices with/without budget allocation composes together the Institutional structure.

The General Structure of the Somali Civil Service shall be established with special law.

Article four Grades

1. there shall exist the following grades:-
 - Grade A and Ay Administrator or Personss with especial professional skills
 - Grade F - Technician holding secondary or higher technical institute certificate/Diploma or Degree.
 - Grade B an executive position holder of Secondary School
 - Grade C - A Clerical position
 - Grade X –professionals of particular skilled or diploma valued skilled person.
 - Grade D - auxiliary staff (common)
2. Every position/rank or office shall be entitled to a salary as per his/her grade as indicated /shown to annex 1-4 of this Law.

Article five Conditions for recruitment of employees

Every Person (s) who shall be employed in the civil service should meet the following requirements

1. Be a Somali National
 2. Not less than 18 years of age
 3. Should be medically fit for the service he/she is recruited for
 4. Be free from any criminal conviction that brings interdiction from government services as per article.....of Somali Criminal Code
 5. should have the qualifications required for the position he/she is seeking for employment which are as follows
 - A) A university degree or equivalent when the positions are of grades A and AY
 - B) Ordinary secondary School certificate or equivalent when the position is of grade B10. But if the person has an additional technical training and two years of working experience, then she/he shall be recruited with grade b9
 - C) Holders of intermediate school certificate shall be recruited with grade C11. But if the person has additional technical training and two years of work experience then she/he shall be recruited with C10
- Secondary school certificate holder or equivalent if grade position is B10
7. Has writing and reading skills of Somali language

Article six
Checking and Evaluation of Certificates

For the sole purpose of checking and evaluation of certificates/diplomas or Degrees an evaluation committee shall be appointed under the ministry of high education and culture.

The committee shall consist of the following members:-

1. Director General (DG) of ministry of higher education.....President
2. A consultant appointed by the ministry of higher education.
3. Director of the personnel department of the ministry of labor and H.R.D.
4. Director of the planning department of the ministry of education
5. Member of Somali general Federation trade unions
6. A member of National Commission for Somali Civil Service

The Committee shall establish its internal regulations

Responsibilities and duties of the committee shall include evaluation and checking of the trueness of Certificates and tracing of the claimed educational diploma/degrees/certificates perished or lost during the years of the Civil war

Article Seven
Recruitment Process

1. Government institutions should request the National commission of the Somali Civil Service for the recruitment of employees while providing a copy of their request to the minister of labor and human resource development
2. The commission shall consult with the minister of labor and Human Resource Development on the availability of required human resource and shall immediately take one of the following steps:
 - A) Either shall send to the employing institution qualified employees for the vacancies who has passed previously competitive exam for the same positions requested but were kept in a waiting list for a period not exceeding two months or
 - B) The Commission on the basis of fair and open competition in relation to selection for appointment, shall publish summary information as may be specified relating to recruitment

Article eight
Employees with no required skills

Recruitment of non skilled employees for government jobs that neither does nor requires any qualifications shall be the responsibility of District/Regional Committees and are bound to observe the conditions set in article 5 of this Law.

Article nine
 Holders of graduate degrees

Person with no governmental work experience, but apply state jobs and holding valid university degree or its equivalent shall compete for the vacancies and if included in the short list will be interviewed for final admission.

Article Ten
 Holders of secondary school certificates

Persons holding secondary school certificate or equivalent shall compete to job posts examination or interviewed by the examination Board employing unit testing boards.

Article eleven
 Holders of intermediate school certificates

1. Holders of intermediate school certificate or its equivalent shall be recruited after passing competitive exams for vacancies which will be administered by the National Civil Service Commission as mentioned in article fourteen of this law.
2. Qualifier of the exams for the job vacancies prior to admission shall be trained and orient to job familiarization and organizational goals.

Article twelve
 Recruitment of Skilled Employee

1. Skilled laborers with no qualifications shall be recruited after passing a competitive exam managed and supervised by the National Commission of Somali Civil service
2. Qualifiers of the exams shall be recruited with a salary allocated for the grade of the skill she/he shall be recruited for.

Article thirteen
 Examination and the recruitment for Government Civil Servants

Preparation of examination and the recruitment of government employees shall be vested with the National Civil Servant Commission.

Article fourteen

Required Civil Servants for Regional and district levels

For the regional and district civil servant recruitment, the authority shall abide to the recruitment procedures of article 7 in this law and shall be administrated by the Regional/District representatives of National Commission of Somali Civil Service .

Article Fifteen

Punishment

1. Government institutions are prohibited to recruit employees contrary to the recruitment procedure described in this law.
2. Any person who recruits employees in violation to this law shall liable for disciplinary action that can lead to job dismissal.
3. The employees recruited contrary to this law shall be automatically dismissed.

Article sixteen

The recruitment of Somalia state employees of grade A and AY shall be approved by the Council of Ministries and endorsed with presidential decree.

Recruitment of employees of grades B and F shall be approved by the Prime Minister of the TFG and shall be enforced with Prime Minister's decree, after consideration of the recommendations of National Civil Service commission and the ministry of labor and human resource development

C, and D shall be approved by the Minister of Labor and Human resource Development after consideration of the decisions of the National Commission of Somali civil Service.

Article seventeen

Initial recruitment grades for graduates

1. Holders of university degrees or equivalents shall be recruited initially at grade A8.
2. Graduates with special Technical skills shall be recruited initially with grade AY/3.
3. The scale of salary level for university graduates shall depend on their level of degree and work experience Gained thorough the years.

Article eighteen

Initial grades for executives and skilled Employees

1. Holders secondary school certificates shall be recruited at grade B10, but if the person, after graduation takes two year training course, shall be valued to grade B9, however if in addition to the years course the person has 3 year job experience she/he may be promoted to initial grade of B8.
2. Holders of professional technical school certificates or any other person who was submitted further technical having to less than a year's course shall be recruited by on initial grade of f3.

Article nineteen
Initial grades for clerks

Any person holding intermediate certificate could be recruited to grade C11state, if the person after graduation from the intermediate school and has undergone to training for a minimum of 2 years, he/she could be promoted to a grade C10.

Chapter Four
Probation period for the new recruits
Article twenty

Probation period for new recruits

1. Recruited government employees shall undergo for a minimum of 3 months probation period.
2. Before starting the job the employee in the probation period shall be notified by the head of the institution with the required performances, behaviors and all conditions expected for her /his final admission to the job

Article twenty one
Conditions for official recruitment

1. Official recruitment conditions of state employees are :
 - After completion of trial period
 - And pass the conditions indicated in paragraph 2 of article twenty of this Law.
 - At the end of the trail period, the official in charge shall notify the recruited person the information relating to his/her admission for the job.

Article twenty two
Dismissal of under trial employee

The Committee for promotion, rewarding, and disciplinary actions of the institution can dismiss the employee under trial when the latter proves to be in efficient or does not meet the requirement of the institutional performances.

Job termination of the person inder trial the official in change plus the copy Service Commission can terminate the job new recruited personnel () period if her/his performance id declared negative and shall have no compensation.

Chapter five
Article twenty three
Duties

The Civil Servant:

1. Should direct her/his efforts and time to ensure the achievement of the organizational goals thorough realization of personally expected results in his/her job descriptions

2. Should obey orders of her/his superiors
3. Should without any reservation engage his time and energy for the work and at the same time fully respect and abide to this law.
4. Should keep secrets of the office.
5. Should not be late and respond to the required true from.
6. Should obey and respect senior officers of the institution.
7. Should feed responsibility and guard State properties under her/his possession or responsibilities
8. Should guard against any diffidence related to the fulfillment of his/her job.

Article twenty four

Prohibited thing from the Civil Servant

1. The Civil Servant is prohibited::
 - A. To act against the Somali civil Service Law and other provisions of the State Laws country.
 - B. Not to misuse the facilities, properties and Time for work for personal or Thirty person interests that is incompatible to the institution.
 - C. To take simultaneously two positions
 - D. Not to actively be engaged or officially take a position at political party..
 - E. Not to leave her/his job without permission.

Article twenty five

Oaths

Civil Servants at the beginning of the job shall take an Oath swearing in front of the head of the institution in the name of the ALLAH, that I will be loyal to the state and shall abide to the constitution I will put all my efforts to undertake without reservation the duties and responsibilities specified in my terms of reference an those described with in this Law

Article twenty six

Compensation of the damages of Civil Service

1. The recruited Civil Service shall be liable to compensate to the Government for the damages caused by his omission of duties in violations to article 23 – 24 of this law.
2. If the action and omission of the employee is intentional and this cause damage of the Thirty party the combination of the person and his authority shall be liable to pay compensation to the victims.

Article twenty seven

Unlawful order of the official

If the employee perceives the order of his/her superiors as not legal they are permitted to politely request the order to be given in writing and hence shall obey the Orders.

If the order produces/yields bad consequence the official in charge who gave order will bear the responsibility

Article Twenty Eight State loans to Civil Servants

The Civil Servant who owes a loan to the government shall be subjected to deduction of his salary not more than one fourth of his salary per Month.

Article Twenty Nine Weekly and holidays

1. Every employee shall be entitled to one day leave per week which corresponds to Fridays in Somalia.
2. Every employee shall be entitled for vacation on National official holiday

Chapter six Article Thirty Annual leave (Vacation)

1. The employee has the right to 30 calendar days leave per year
2. Leave period is planned by the head of the institution
3. For public interest the head of the institution can withhold the leave of the employees but should re-allocate it in other time or exchange it with equivalent money.

Article Thirty one Leave of absence without pay

The Civil Servant shall be given a leave of absence without pay up to 4 months, when the employee worked for at least 3 years time.

Leave without pay can be approved by the employing institution notifying the Ministry of labor and human resource development National Commission for Somali Civil Servants.

Article Thirty two Maternity leave.

1. In addition to leaves indicated in articles 30,31,33 and 34 of this law, the female employee is entitled to maternity leave of 4 months provided presentation of Government doctor medical report.
2. The female employee could use the above leave in two months pre-delivery and after after delivery

Article Thirty three

Sick leave

1. The sick leave shall be approved by the employing agency after presentation by the employee a medical report. If the number of days of the sick leave exceeds 30 day within a year the employee is required to get medical report from medical commission.
2. The employee during the sick leave for six consecutive months is entitled for full salary but if it exceeds six months he/his salary shall receive halve of his/her salary. If the cause of the sickness or the injury is related on consequent to the performance of his duty, he/she shall receive the basic salary.

shall be

Article Thirty four

Educational leave

1. When the Government awards a scholarship/ professional training course the period of the Educational leave be divided as follows.
 - a) If the Scholarship level is university or equivalent the Educational leave shall determined by the Ministry of Higher education, in consultation with the employing agency
 - b) for professional training leave below university level the leave shall be determined by the employing agency and the training institution.
 - c) If an employee receive privately a scholarship he/she shall sign formal declaration that he/she shall work for the Government for at least 3 years after completion of the course.

Article Thirty five

Revocation of leave

1. The leaves prescribed in Articles 29 and 30 could be subject to revocation for emergency work reason.
2. The employees called from leave should report to duty on time.
3. The employees called from leave shall receive equivalent compensation for the period of the revoked leave or shall carry their leave on later date.

Chapter six

Article Thirty seven

Promotion, Demotion, Secondment and transfer

1. Promotion of employee is intended moving the employee from lower grade/position to higher grade/position.
2. Promotion cannot be made of there in no vacant position in the agency,

3. Promotion for the employee can be considered only after being two years in the same grade.
4. Employees shall not be promoted for more than one grade at a time. The promoted employee shall be entitled for the benefits of the grade he has promoted to and shall be entitled also for the allowances of the new post.

Article Thirty seven

Promotion, rewarding and disciplinary proceedings

1. All Government institutions shall have committees, representing the national Somali civil service commission, responsible for promotion rewarding and employee disciplinary proceedings and the Committee shall consist of.
 - a) Director general chairman
 - b) Directors member
 - c) 2 members of the workers committee
 - d) If women are not members in above committee, women should be included for respect of gender policies and fairness.
2. The above committee after receiving a proposal of promotion of an employee from the Institution, examines carefully the annual report and the employees data related to his/her performances and in the same giving consideration to the conditions set forth for the promotions shall submit their recommendation to the head of the institution.
3. The Head of the Institution, after favorably receiving the recommendation of the above commission shall submit to the National Civil Service Commission and providing notification to the Ministry of Labour and Human Resource Development.
4. The National Civil Service Commission, after endorsing the proposed promotion, shall submit its decision to the competent authority for promulgation as mentioned in Article 16.
5. Notwithstanding to promotion procedure, the President and the Prime Minister can appoint/promote an employee for merit.

Article Thirty eight

Rectification of the employee's promotions.

- 1) For all Promotion of employees the provisions of article 16 of this Law.

Article Thirty nine

Demotion

1. Demoting of Employee is downgrading an employee from higher grade to lower grade
2. No employee shall be subject to demotion unless decided by competent disciplinary committee and approved according to law.

Article forty Secondment

1. Secondment is a temporary transfer of an employee for fix period to:
 - A. Government institution
 - B. Local government
 - C. Parasitical
 - D. Other Government
 - E. International agencies
2. When a seconded employee is away for duty shall be accounted for Government service, while he/she will receive daily service allowance from his/her institution if two institution did not agree differently.

Article forty one Transfer

1. Transfer is moving an employee from one institution to another.
2. An employee could be transferred from his/her institution.
 - If he/she is extra staff employee.
 - If he/she is productive/useful in other institution considering his/her profession.
 - If there is Government interest or his/her health reason or other welfare concern.
3. The employee transfer shall not affect his/her salary (increase or decrease). But if it becomes necessary to decrease the salaries the ministry of labour and human resource development shall re-estimate/evaluate while considering his/her education experience and general knowledge.
4. The transfer of an employee from one institution to another shall be valid only when the Civil Service Commission and the employing unit of his/her institution will agree upon that transfer.
5. Approval of the employee transfer at different levels shall be followed as per the procedures mentioned in article 16 of this law.

Article forty two Seniority of same grade employee

The seniority of the employees of the same grade will be considered as per their employment date and position.

Chapter VIII
Disciplinary measures
Article forty three
Contraventions and Sanctions

1. Disciplining measures of the employees shall consist of:
 - a) Oral Warning
 - b) Written warning
 - c) Fine of not exceeding 7 days of his/her salary.
 - d) Reduction of not more than one month salary following as per the procedures of article 29 of this law.
 - e) Suspension of service without pay for at least three months which will not affect his/her retirement and pension benefits.
 - f) Delay of promotion.
 - g) Deduction of 1/3 of his/her salary.
 - h) Demotion
 - i) Job dismissal

2. The disciplinary measures that has been mentioned above (a) to (i) of paragraph of this article shall be applied to the following circumstance.
 - a) Weak job performance and job desertion.
 - b) Intention disobedience.
 - c) Violation of articles 23/24 of this law.
 - d) Misconduct that leads to sabotage or service commotion
 - e) Absence from job with no apparent from duty.
 - f) Infliction of disciplinary measures to subordinate staff that violates the regulations of the duty/job/service.

3. The violations mentioned in D to E of previous paragraph, if not under the competence of a court shall bring the following disciplinary charges:-
 - A. Power abuse.
 - B. Abuse of office responsibilities that produce damage to Government institution or Thirty party.
 - C. Misappropriation of public funds entrusted upon the employee.
 - D. Gross disobedience
 - E. Disrespect/revealing of Government confidentiality.
 - F. Misuse of power/position for persuading personal interest gain.

4. The disciplinary measures shown above could be subject to aggravation or attenuation when there are other circumstance

Article forty four

Disciplinary Proceedings

1. The president of Somali republic and Prime Ministry of Somali Transitional Federal Government or their representations shall have following power:-
 - A. Upon taking into consideration the recommendation of the Civil Service Commission and the committee for promotion, rewarding and disciplinary measures of their offices the president of Somali republic and the Prime Minister Transitional Federal Government has the power to exercise disciplinary measures indicated in the first paragraph of article 43 to the personnel /employees of their respective office.
 - B. The council of ministers shall take the disciplinary measures mentioned in letters C to E of paragraph one in article 43 of this law against the director general or other Civil Servant after hearing the recommendations of the committee they have appointed to handle examine the allegations raised by the concerned agency/person disciplinary measures shall be executed with a presidential decree.
 - C. The council of ministers shall exercise the disciplinary measures against the employees the violations of the letters D, G, H and I of paragraph one in article 43 of this law, after heaving the recommendation of the National Commission of Somali Civil Service and the Minster of that institution shall be issued with the Prime Minister decree.

2. The head of the institution shall have power
 - A. Inconformity to the disciplinary measures indicated in the letters C, E and G of paragraph one of article 43 of this law, the head of institution, after heaving the recommendations of the committee for promotion rewarding and disciplinary measures and the decision of the National Commission of Somalia Civil Service shall apply the above disciplinary measures against the employee.
 - B. To exercise the disciplinary measures indicated in letters A and B of paragraph one of article 43 of this law against the director general and other senior Civil Servants under his/her authority of that institution.
 - C. To give his/her opinion to the council of ministers the disciplinary action mentioned in the letters D, G, H and I of the institution employees after heaving accepting the advice of the promotion and rewarding disciplinary measures from the committee of his/her institution.

3. The director general of Government institution has the power to execute disciplinary measures over employees of his/her institution upon the breach of the letters section A and B of paragraph one article 43 of this law after heaving the advice of the department head of the employees institution while informing also by written the Civil Servants Commission of the Government.

4. The promotion, rewarding and disciplinary Committee of the regions shall consist of:-
 - A. Regional Governor (chairman).
 - B. First deputy Governor (secretary)

- C. A member of the ministry of labour and labour development (representative member) only in the absence of 2nd deputy regional Governor.
 - D. A representative of general coordinator of the Civil Servants organization in the region member.
5. The promotion, rewarding and disciplinary Committee of the regions has the following power on the issues of Government employees disciplinary proceedings
 - a. The disciplinary actions as per the letters section A and B of paragraph one article 43 of this law execution on the regional employees.
 - b. They have to refer to the minister of institution the disciplinary measures of the letters section C to I of paragraph one article 43 of this law.
 - c. The disciplinary proceedings in front of districts outside the regional headquarter shall be represented by sub committee coming from those districts will advice the committee.
 6. After the ministers in department comprehension of the regional committee advice and satisfied with he/she must take action indicated in A to C section of paragraph two of article 43 of this law.
 7. The disciplinary measures indicated by the letters section D, G, H and I of paragraph one in article 43 of this law, shall be used enforced as decree while considering following the procedure shown mentioned in article 16 of this law.

Article forty five

Procedure for the disciplinary action

1. Any disciplinary proceeding should be submitted to in written for the complaint committee to handle it within one month with effect from the day the case has happened or the day it has been known otherwise it shall not be considered invalid.
2. The committee shall notify the accused the date set for the case heaving by written, while required to submit a copy of the allegation he/she is accused of at least twenty four hour (24) before the case heaving opens.
3. The committee has to :-
 - A. Collect support evidence that shall be a tangible prove for the case. After that to collect any support evidence that the person help for the case might come with any the right to be present during the hearing of the case and the evidence is produced also strongly fully defend him self while his/her institution should facilitate with his/her lawyer the accessibility for any evidence he might need from it.
 - B. The committee written minute has to be brief concise whatever evidence collected and how the discussion happened.
 - C. The decision of the committee has to be in written with the signature of all members.
 - D. The disciplinary committee has to hear the case put before them within fifteen days quick completion.
 - E. The disciplinary committee decision outcome a copy of it should be given to the accused the person concerning it, copy put in his/she file and another copy sent to the ministry of labour and human resource development.

Article forty six
Dismissal

1. If the head of the institution finds it as a public interest he can dismiss the employee from the service/job and with hold his/her salary when accused of disciplinary measures issue or a criminal act.
2. The person alleged with the violation of disciplinary measures, the head of the institution can suspended the employee from the job and at the same time with hold his salary when:-
 - A. The court issues him with a warrant of arrest.
 - B. The person who has been frequently alleged with the violation of disciplinary measures proves.
3. During the suspension of a person from service job, he/she can receive salary until the verdict becomes final in court.

Article forty Seven

Adjourning of disciplinary case, until the penal case final verdict reached.

1. If a penal proceeding against an employee is initiated in court, the same disciplinary case can not be started until the court rulings comes to an end.
2. If a disciplinary case has been started before, shall adjourn, until to a sure how the penal case will be finalized/end up.

Article forty Eight

Trial of employees for a disciplinary case after proven not guilty in a penal case

Though proven not guilty for criminal case at the same time employees are subject for allegations of disciplinary measures when found evidence that leads a disciplinary case to be opened.

Chapter nine

End of job relation

Article forty nine

Employment/service termination.

1. The permanent employee of the Government has the right to write a request to his/her institution for leaving the service with notification to the institution before two months of his/her employment time ends.
2. The institution has to accept employment service termination in written in the first paragraph indication within one month duration with effect from the date of

employers request letter received. And at the same time to arrange for the person who could take over the responsibility.

3. The approved of an employee resignation as per grades/level shall be followed in the procedure mentioned in article 16 of this law.

Article fifty **Job Reinstatement**

1. The employee who meet/fulfill the issues mentioned in the letters A, B and of this article shall be able to be reinstated in employment they previously held for the institution if:-
 - A. Their service is required.
 - B. Right position is vacant.
 - C. Their previous period in the service record evaluation dedication, competence honest while taking off in reference to everyone confidential file.
2. The separate conditions for each are complete that are:-
 - a. An employee who has been jailed for a case that penal sis/disqualify him/her in the Government employment.
 - b. If by written he/she makes a request for job reinstatement to the institution worked with before within two months with effect from he date discharged from the prison call/jail.
3. As specified in article 52 of this law, employee who has been dismissed from the service due to health reasons/problems.
 - a. After medical doctor report of the person health condition as good, he/she shall be reinstated in the service.
 - b. If by written, the person requests for job reinstatement within two years with effect from the date of his/her service termination accepted.
4. As specified in article 49 of this law, a person service termination has been legally accepted before, and requests for reinstatement within one year with effect from the date of service termination accepted.
5. Decision making power for job reinstatement requests is done by the committee of promotion rewarding and disciplinary of the institution shall be approved by presidential decree Prime Minister Decree or the minister for labour and human resource development decree while following article 16 of this law.
6. A person reinstated in the job, shall have the right of salary only when he/she officially starts the job.

Article fifty one **Job Retirement age**

1. An employee shall retire from service:-
 - A. For male employee 60 years age.
 - B. For female employ 55 years age.
2. Soma other times an employee would be allowed for early retirement before attaining age retirement shown above while considering the existence of particular circumstances

3. If the employee reaches service retirement age indicated paragraph one of these articles and seen that his/her service is still required, hence employed institution can agree upon to stay in the Government service.

Article fifty two
Health reasons job termination

Following a Government medical committee report the employee is subject to termination and shall be provided with his/her right.

Article fifty three
Job Dismissal

1. A job dismissal of an employee shall happen.
 - A. A disciplinary board dismissal action
 - B. A final court judgment for issues of stealing public property theft robbery cheating misuse of office facilities for personal interest.
 - C. Duty desertion for six months without reason.
 - D. The employee dismissal under this article shall not be eligible for his/her annual leave of the last year of service since it does not reap/mature.

Article fifty four
Service termination without benefit

- 1) A part from the other disciplinary measures indicated in this law, the employee is subject to national service termination without due benefit when the promotion rewarding of the disciplinary committee/board of the institution testify before the employee the following absence.
 - Sabotage
 - Periodical absence.
 - Un sincerity to the Government service while shadowing abed example to the employees so that he/she accomplishes personal interest
- 2) Verify the existence of mistakes mentioned in paragraph one of these articles has to be testified together by employee's board and the institution administration.

Chapter ten
The skilled workers
Article fifty five

Definition: key words

When the sections of the skilled worker's vocabulary are explained every word is to be expressed in the meaning referred here with.

1. Occupation : is the task which enabler a person to pursue an activity whether physical or mental

2. Trade crafts : it is a practical skill that requires a labour to invert experience related to theory and practical.
3. Apprenticeship : concerns a person trained in technical skills to attain a higher degree of skill in that specific trade or a skilled person not included in state affairs.
4. auxiliary technician person that in more skilled then ordering technician who may artist an skilled technician having been up graded to a technician.
5. Thirty degree technician a person with experience exercising a skilled related craft succeeded at related the examination to become a Thirty degree technician a person empowered to Thirty defects or enforced to change parts in defect, while paring the related examination.
6. Educated/skilled technician: a person graduated from high technician institute or the equivalent holding certificate or a diploma.
7. second degree technician.: a person upon graduating from secondary school, that has been technically trained
 - A. A minimum of two years training source related to the discipline.
 - B. A minimum of one year training in a technical discipline and has obtained two years experience afterwards.
8. Obtained further two years course to recognized high technical institute with three years experience (on job).
9. University graduate (professional): a person holding technical university degree.
10. The trade Graft *ibid*, technician. Is intended to point and the section of this law that permits to administer the appendence (trainee) auxiliary technician skilled technician and university graduate at technical discipline.

The vocabulary words trade Craft or technician shall generally be used the section of this law in its overall contention and skilled technician as F3, F2 and F, when treated specifically.

Article fifty six

Technocratic administration

This part of law is set to regulate the position grades and salary of the technician employees as shown in annexes.

Article fifty seven

Technician administration

1. The grades of technicians are specified as here below :
 - A. Intellectual
 - B. Technician
 - C. skilled
 - D. semi skilled
 - E. Assistant technician
2. Each position has grades and steps initial and highest salaries.
3. Each person who is among technician employees while considering level of examination passed or technician certificate possessed is positioned according to its right grade as indicated in annex 2 of this law.

Article fifty eight

Promotion

1. Technicians have a right for grade promotion.
2. The condition of grade promotion eligibility is as following.
 - A. Good examination performance
 - B. When a person come with a higher certificate to his/her previous one.
3. After an individual job performance person shall be eligible to a special promotion when he/she proves dedication had working honest.
4. A technician is not eligible for promotion unless he/she fulfills the conditions mentioned in this article

Article fifty nine

Evaluation exams for technician7skilled person(s) level

1. For purpose of capacity evaluation, the technician/skilled employees shall be every after two years go through competitive examination for promotion.
2. Whoever person/employee successfully passes the examination shall be up graded for one grade higher.
3. Technicians and skilled employees who worked at least two years shall be eligible for the competitive evaluation exams when the head of the institution recommends

Article sixty

Level of skilled person knowledge

1. A skilled person who needs to be the level of a technician should be knowledge of his/her particular field theoretically and practically and with the ability to use the designs related to that technical work.
2. The skilled person should at least work for two years in the 1st grade of his/her skill and pass in the examination of the skill before going to the next grade.
3. The first skilled person or higher who is up graded to a technician, the salary status will not change though by grade he/she is eligible to be technician for the field examined for.
4. The technocrat of grade one level with greater knowledge and experience and having consistent good reports, but failed in the examination to higher grade and at the same proved indispensably at work place may be encouraged by a rise in salary for every 3 years period the extend of the next upgraded level.

Article sixty one

Up grading of highly skilled person to a technician

1. The highly skilled person being upgraded to the grade of technician shall not change his/her salary status.

2. The highly skilled experienced person with a good working record who could not pass in the competitive examination for promotion to higher grade is entitled to receive salary increment for every three years.

Article sixty two

Professionals

The salary for the professionals shall be based on their degree and working experience

Article sixty three

Secondary school diploma

Skilled employee's holder of secondary school certificate and completed two years of technical training shall be qualified for grade F3.

Article sixty four

General secondary school certificate

Holder of secondary school certificate that has gained one year technical training or succeeded competitive exams for technician shall be qualified for grade F2

Article sixty five

Apprentice Enrollment

1. There shall be apprentices that enrolled to be trained for special skill
2. For the enrollment of the apprentices, the training authority shall follow procedures laid down for recruitment of non killed employees.
3. If proved in budget the government institution shall provide the apprentices daily service allowance equivalent to \$30-\$40 per Month.
4. The apprentice's person shall have the same safety insurance level as that of other Civil servants.
5. Upon completion of the training the apprentices shall go thorough competitive exams when their skills are requested by government authorities

Article sixty six

National Committee for trade-craft

1. For the promotion of trade-craft works regulated in this law, the Government establishes the National Commission of trade-craft which consists of Minister/representatives of Ministers and following committee.
 - A. Ministry of labor and development of Human resource.
 - B. National Civil Service Committee.
 - C. Ministry of manufacture and industry.
 - D. Ministry of land and air transport

- E. Ministry of education
 - F. Ministry of defense.
 - G. Ministry of public work
 - H. Ministry of fisheries and marine resources.
 - I. Ministry of minerals and water.
2. The ministry of labor and Human Resource shall be the secretary of Trade craft technicians.
 3. The Committee shall be Chaired by the Minister/Director General of the ministry of Public Works at ministerial or director General Levels respectively.

Article sixty seven

Responsibility of national tradecraft committee

1. Duty and responsibilities of the national trade-craft commission are:
 - A. Examination setting for the skilled person.
 - B. Evaluation of professional degrees and skilled person.
 - C. To make the skilled employees go through knowledge evaluation examination
 - D. To award a certificate of skill evaluation.
 - E. Set training programs for the skilled employees with the collaboration of the training section of the institution.
2. The national commission has the power to appoint a sub-committee composed of skilled persons for interviewing the skilled people in the section of skilled mentioned in this law.

Article sixty eight

Law enforcement

The skilled/trade-craft employees a part from this law shall be requested by Somali Civil Service Law

Article sixty nine

List of trade craft work state recognized

1. The names and number of tradecraft work shall be as shown to annex three of this law
2. In the event of funding of discovering a tradecraft work excluded from the list, the committee shall, after verify the existence shall include in to the list.

Chapter eleven

Insurance and allowances of employees

Article seventy

Employees insurance

The employees insurance shall have separate law that will be prepared

Article seventy one

Allowance

The issue that concerning allowances shall have separate law that will be prepared.

Chapter twelve

Retirement and benefits

Article seventy two

General procedure

1. The general procedure for retirement and benefits is as follows.
 - A. Retirement given government employees continuously for twenty 20 years or more than is as follows:
 - I. 65% of basic salary when the person has been in job 20 years but exceeding less than 25 years of working him.
 - II. 75% of the basic salary if the person has been at job for 25 years but less than 30 years.
 - III. 85% of the basic salary if the working period exceeds 30 years and above.
 - B. An employee who did not attain the retirement age but worked continuously for the government in ten years or more then shall be given, when the employment stops, has a right of benefit equivalent every year they worked.
2. Commencement of retirement
3. When considering the law, the basic salary is the monthly payment (basic) received when the service ended, while excluding all other allowance.
4. The general procedure of retirement written in this law the government institution is not entitled for any other right a part from the retirement benefit but if it happens job retirement after retirement benefit the last service shall be considering temporary employment and shall have the right of retirement benefit equivalent to working duration.
5. When an employee reaches retirement age dies the heir shall have the right of one benefit.
6. an employee who retired cannot service in Government in an official way.

Article seventy three

Conditions that shall not allow retirement and benefit

1. Retirement or benefit shall not be given to an office terminated from service for the following reasons:-
 - A. Disciplinary measures
 - B. Court judgement (sentence) not less than three 3 years, if accused of criminal case pertaining/related to official office position use illegally, public property stealing these cheating and any other case that penalizes an employee to service in the government.

2. Employee person who shall be in the existence of issues mentioned in letters A and B of the previous paragraph, will be entitled to money deductions for retirement or benefit.

Article seventy four

Personal service termination

1. an employee who personally leaves a government service cannot be entitled to pension benefit if did not complete twenty years in the service continuously. But if worked for five years or more then continuously he/she shall given one month salary basic every complete year worked.
2. an employee who worked a period less than five years at the same time the service termination has been legal has the right to be given paid the money deducted for pension benefit monthly.

Article seventy five

Retirement Financial

1. The financial matters for retirement shall be planned by the ministry of finance.
2. Upon recommendation of the minister of finance to the council of ministers shall in act by legal decree the law government retirement finance.
3. All government employees shall be deducted 5% his/her monthly basic salary to contribute to the retirement finance.
4. The government shall contribute to the retirement finance of the employee.

Article seventy six

Disability retirement

1. A part from the right of retirement or benefit, the government employee who retires from service due to disability encountered during the service and proven/certified by government medical doctor the degree of disability shall be entitled for the following right:-
 - A. 15% of his/her basic salary when the degree of the disability less than 20% or is little disability.
 - B. 25% of his/her basic salary when the disability degree is between 20% and 35% or is a middle disability.
 - C. 100% if disability degree is above 35% or is badly/heavy.

Article seventy seven

Retirement advance

Employees retirement existence article 73 or article 78 of this law, if request by written before retirement shall be entitled to retirement advance of $\frac{1}{4}$ the left $\frac{3}{4}$ retirement shall be paid to the end of every month.

Article seventy eight

The death of an employee in the government service

1. If an employee qualified retirement and still in service dies, due to injury infliction while performing his/her duty shall be entitled to a financial assistance equivalent to six months basic salary.
2. If an employee who did not qualify for retirement dies, due to injury while caring out the government service his/her (a beakdhurtenimes) next of kin inheritance shall be paid in accordance/procedure indicated in paragraph one of this article.
3. A government employee if die in a military operation or war while performing national obligations or providing a service in a war location defending the nation shall be treated/considered the way indicated in article 19 paragraph one and two of this law, retirement and benefits for the military personnel.

Article seventy nine orphaned children care

1. If an employee not qualified for retirement die, the children is entitled for monthly salary payment right the deceased used to get until the youngest child attains 18 years of age.
2. an employee person qualified for retirement but still working die of a natural death the children shall be served in accordance of paragraph one of this article.

Article eighty

Natural death to employee un qualified for retirement

1. If an employee not qualified for retirement die a natural death, the next of kin for inheritance shall be entitled to money equivalent to month basic salary for years worked and also government financial assistance equivalent to one month basic salary.

Article eighty one suspension and ineligibility of retirement

1. If an employee who is qualified for retirement and judged by court a jail sentence while in the government service at the same time proven guilty for the cases sentence indicated T of article 56 of this law, will immediately mis the right of retirement but entitled to be refunded the deductions.
2. If an employee qualified for retirement a per this law or already retired and judged ny court cases against Somali nation as indicated in chapter one of book two ascertaining criminal law that leads to death, life sentence or an imprisonment not less than ten years will immediately mis retirement right.
3. If an employee qualify for retirement as per this law or already retired convicted by different from the mentioned one in paragraph one this of article that can bring/stop

employment temporary interdictions shall be subject to retirement storage rights when in the situation of employment disqualification.

Article eighty two

Approved of retirement

Upon termination of employment relation between the employee and the institution worked for retirement and benefit shall be approved by the ministry of labour and human resource development after receiving employee confidential report the minister of finance shall pay the retirement & other benefits.

Article eighty three

Retirement and benefit that can not be handed over.

1. The retirement or benefit that mentioned in this law cannot be, handed over to any other person or authorized for it.
2. Retirement or benefit court can stop a credit or any thing also the government owns the person. The court can give an order of stoppage with holding so that credits owned by other people is paid which is acceptable by the Civil Law.

Article eighty four

An employee outside for service

A government employee sent out of the country for state function service if that duty delegation sent for bring a problem for it and could not be all to return back to the country, wife or children or other person (s) of dependent right earned before until be able to return to the country or shall be seen how his/her conditions will remain.

Article eighty five

Enforcement of retirement

After when this law shall be enforced returned employee shall have the retirement benefits rights this law will indicate provide.

Chapter XIII

Article eighty six

working hours

The government employees working hours are eight hours daily.

Article eighty seven
Defining transitional situation

1. scale of salaries shown as in annex to this law are not definitive and therefore shall be only until the TFG sit a final salary scale.
2. Payments indicated in paragraph one of this article shall be considered as allowances.
3. During this transitional period government employees shall be recruited under special contract not exceeding six months that is renewable.

Article eighty eight
abrogation of other Laws

Any other laws that are not compatible to this law shall be abrogated

Article eighty nine
Enforcement

This law shall be enforced when passed by the parliament and endorsed by the president of Somali republic

ANNEX I
SALARY SCALE MANAGEMENT

| GRADE A | PREVIOUS SALARY | | NEW SALARY | |
|----------------|------------------------|------|-------------------|------|
| A1 | So. Shs | 2000 | USD | 1910 |
| A2 | So. Shs | 1800 | USD | 1870 |
| A2-1 | So. Shs | 1600 | USD | 1830 |
| A2-2 | So. Shs | 1400 | USD | 1790 |
| A3-1 | So. Shs | 1300 | USD | 1750 |
| A3-2 | So. Shs | 1250 | USD | 1710 |
| A3-3 | So. Shs | 1200 | USD | 1670 |
| A4 | So. Shs | 1160 | USD | 1630 |
| A5-1 | So. Shs | 1150 | USD | 1590 |
| A5-2 | So. Shs | 1120 | USD | 1550 |
| A5-3 | So. Shs | 1090 | USD | 1510 |
| A6-1 | So. Shs | 1060 | USD | 1470 |
| A6-2 | So. Shs | 1030 | USD | 1430 |
| A6-3 | So. Shs | 1000 | USD | 1390 |
| A7-1 | So. Shs | 920 | USD | 1350 |
| A7-2 | So. Shs | 890 | USD | 1310 |
| A7-3 | So. Shs | 860 | USD | 1270 |
| A7-4 | So. Shs | 830 | USD | 1230 |
| A7-5 | So. Shs | 800 | USD | 1190 |
| A8-1 | So. Shs | 720 | USD | 1150 |
| A8-2 | So. Shs | 690 | USD | 1110 |
| A8-3 | So. Shs | 660 | USD | 1070 |
| A8-4 | So. Shs | 630 | USD | 1030 |
| A8-5 | So. Shs | 600 | USD | 990 |

ANNEX II
SALARY SCALE EXECUTIVES

| GRADE B | PREVIOUS SALARY | NEW SALARY |
|----------------|------------------------|-------------------|
| B7-1 | So. Shs 1060 | USD 860 |
| B7-2 | So. Shs 1030 | USD 840 |
| B7-3 | So. Shs 1000 | USD 820 |
| B8-1 | So. Shs 920 | USD 800 |
| B8-2 | So. Shs 890 | USD 780 |
| B8-3 | So. Shs 860 | USD 760 |
| B8-4 | So. Shs 830 | USD 740 |
| B8-5 | So. Shs 800 | USD 720 |
| B9-1 | So. Shs 720 | USD 700 |
| B9-2 | So. Shs 690 | USD 680 |
| B9-3 | So. Shs 660 | USD 660 |
| B9-4 | So. Shs 630 | USD 640 |
| B9-5 | So. Shs 600 | USD 620 |
| B10-1 | So. Shs 530 | USD 600 |
| B10-2 | So. Shs 510 | USD 580 |
| B10-3 | So. Shs 490 | USD 560 |
| B10-4 | So. Shs 470 | USD 540 |
| B10-5 | So. Shs 450 | USD 520 |

**ANNEX III
SALARY SCALE CLARKS**

| GRADE C | PREVIOUS SALARY | | NEW SALARY | |
|----------------|------------------------|-----|-------------------|-----|
| C8-1 | So. Shs | 930 | USD | 440 |
| C8-2 | So. Shs | 890 | USD | 435 |
| C8-3 | So. Shs | 860 | USD | 430 |
| C8-4 | So. Shs | 830 | USD | 425 |
| C8-5 | So. Shs | 800 | USD | 420 |
| C9-1 | So. Shs | 720 | USD | 400 |
| C9-2 | So. Shs | 690 | USD | 395 |
| C9-3 | So. Shs | 660 | USD | 390 |
| C9-4 | So. Shs | 630 | USD | 385 |
| C9-5 | So. Shs | 600 | USD | 380 |
| C10-1 | So. Shs | 530 | USD | 360 |
| C10-2 | So. Shs | 510 | USD | 355 |
| C10-3 | So. Shs | 490 | USD | 350 |
| C10-4 | So. Shs | 470 | USD | 345 |
| C10-5 | So. Shs | 450 | USD | 340 |
| C11-1 | So. Shs | 430 | USD | 320 |
| C11-2 | So. Shs | 410 | USD | 315 |
| C11-3 | So. Shs | 390 | USD | 310 |
| C11-4 | So. Shs | 370 | USD | 305 |
| C11-5 | So. Shs | 350 | USD | 300 |

**ANNEX III
SALARY SCALE UN SKILLED**

| GRADE D | PREVIOUS SALARY | NEW SALARY |
|----------------|------------------------|-------------------|
| D12-1 | So. Shs 430 | USD 250 |
| D12-2 | So. Shs 410 | USD 245 |
| D12-3 | So. Shs 390 | USD 240 |
| D12-4 | So. Shs 370 | USD 235 |
| D12-5 | So. Shs 350 | USD 230 |
| D13-1 | So. Shs 340 | USD 225 |
| D13-2 | So. Shs 330 | USD 220 |
| D13-3 | So. Shs 320 | USD 215 |
| D13-4 | So. Shs 310 | USD 210 |
| D13-5 | So. Shs 300 | USD 205 |
| D14-1 | So. Shs 290 | USD 200 |
| D14-2 | So. Shs 280 | USD 195 |
| D14-3 | So. Shs 270 | USD 190 |
| D14-4 | So. Shs 260 | USD 185 |
| D14-5 | So. Shs 250 | USD 180 |
| D15-1 | So. Shs 240 | USD 175 |
| D15-2 | So. Shs 230 | USD 170 |
| D15-3 | So. Shs 220 | USD 165 |
| D15-4 | So. Shs 210 | USD 160 |
| D15-5 | So. Shs 200 | USD 155 |

PROFESSIONALS AND TECHNICIANS ALLOWANCES TABLE

| GRADE A-AY | PREVIOUS SALARY | | CURRENT PROPOSED ALLOWANCES | |
|----------------------|-----------------|------|-----------------------------|------|
| 1 st Step | SO. SHS | 1800 | USD | 1800 |
| 2 nd Step | SO. SHS | 1000 | USD | 1000 |
| 3 rd Step | SO. SHS | 800 | USD | 800 |

| GRADE F | PREVIOUS SALARY | | CURRENT PROPOSED ALLOWANCES | |
|----------------------|-----------------|------|-----------------------------|------|
| 1 st Step | SO. SHS | 1400 | USD | 1790 |
| 2 nd Step | SO. SHS | 800 | USD | 720 |
| 3 rd Step | SO. SHS | 600 | USD | 620 |

TRADECRAFT ALLOWANCES TABLE

| GRADE X | PREVIOUS SALARY | | CURRENT ALLOWANCES | |
|----------------------|-----------------|------|--------------------|------|
| 1 st Step | SO. SHS | 1200 | USD | 1670 |
| 2 nd Step | SO. SHS | 600 | USD | 385 |
| 3 rd Step | SO. SHS | 450 | USD | 340 |
| 4 th Step | SO. SHS | 350 | USD | 300 |
| 5 th Step | SO. SHS | 120 | USD | 195 |

PROMOTION SYSTEM FROM MIDDLE LEVEL TO HIGHER LEVEL

| GRADE | JOB TRAINING | PROMOTION STEP |
|------------|--------------|-------------------|
| TECHNICIAN | 1 – 2 YEARS | MEDIUM TECHNICIAN |
| TECHNICIAN | 2 YEARS | MEDIUM TECHNICIAN |
| TECHNICIAN | 3 YEARS | MEDIUM TECHNICIAN |
| TECHNICIAN | 4 YEARS | HIGH TECHNICIAN |
| TECHNICIAN | 3 YEARS | HIGH TECHNICIAN |
| TECHNICIAN | 3 YEARS | HIGH TECHNICIAN |