



# **CIVIL SERVANTS LAW**

**ISLAMIC REPUBLIC OF AFGHANISTAN**

JUNE 2008

# In the Name of Almighty Allah, the Beneficent, the Merciful

## CIVIL SERVANTS LAW

### Chapter One

#### General Provisions

##### The Basis:

##### Article One

This law has been enacted in accordance with Article 50 (4) of the Constitution of Afghanistan for employment of competent people in civil service administrations and to regulate their relations with administration.

##### Objectives

##### Article 2:

The objectives of this law shall be:

1. Implementation of reforms in the system of government organisations for improvement of service delivery;
2. Employment of civil service workers on the basis of competence and merit, without any discrimination, on a transparent manner through open competition;
3. Regulation of rights and obligations of civil service workers and their personnel affairs;
4. Development of skills and retention of experienced civil service employees; and employment of professional and skilled candidates in government organisations;
5. Creation of a sound, professional, accountable and impartial administration which is free from corrupt practices and political interference to provide effective services to the people.

##### Definition of Expressions

##### Article 3:

In this law, the following expressions shall have the meanings set forth below:

1. **Civil Service:** Means executive and administrative activities of the State provided by civil servants;
2. **Civil Servants:** consist of civil employee and civil service contractual worker
3. **Civil Employee:** Means a person employed in government organisations on a permanent basis in compliance with the provisions of this law to provide services.
4. **Civil Service Contractual Worker:** consist of vocational and service workers employed in government organisations in compliance with the provisions of this law to provide services.

**5. Position:** Is a part of the organisational structure based on which civil servants perform assigned duties.

**7. Step:** is part of a Grade based on which civil servants promote to a higher step (salary scale) in the same Grade after successful annual performance appraisal.

**8. Job Description:** is the official document of the organization, in which the objectives, duties, responsibilities and requirements of the Grade are specified.

**9. Work Plan:** is activity planning of civil servants which is regulated based on the job description to achieve expected outputs.

## Scope

### **Article Four:**

Provisions of this Law are applicable to civil servants of ministries, Office of Attorney General, independent agencies and independent commissions, state owned enterprises, administrative affairs units of both Houses of National Assembly and administrative affairs units of judiciary.

Military personnel of ministries, military personnel of independent agencies, judges and lecturers of higher education institutions are excluded from this provision.

### **Abbreviated Name:**

### **Article Five:**

In this Law, hereinafter, civil servant shall be called employee and civil service contractual worker shall be called contractual worker.

## Civil Service Grade

### **Article Six:**

- (1) Civil Service shall have eight Grades; each Grade shall have five steps.
- (2) Grade and steps of civil employees and contractual workers and the salary scale shall be determined in accordance with Table #1 Annexed to this Law.  
Salary scale of the Grades and steps of employees and contractual workers are determined in accordance with the Article Twenty (4) of this Law.
- (3) Grades and steps of the lecturers, teachers of schools, madrasas, teachers training institutions and technical, professional and vital literacy schools and professional members of education curriculum organizations and science centre and supervision members of the ministry of education (supervisors) shall be regulated in accordance with Annex 2 of this Law and considering the relevant educational certificate.

## Chapter Two

### Conditions for Employment

#### Conditions for Employment of employee:

#### Article Seven:

- (1) A Person fulfilling the following conditions may be appointed as a Civil Employee:
- 1- Shall have Afghanistan's citizenship.
  - 2- Shall not be aged less than 18 and over 64 years.
  - 3- Shall have obtained health certification from the related authorities of the Public Health Ministry.
  - 4- Shall have obtained at least a high school graduation certificate from an officially recognised domestic or foreign educational institution.
  - 5- Has not been sentenced by a competent court for felony.
- (2) Members of scientific cadres of higher education institutions, Academy of Sciences, Office of Attorney General, Institute of Legislation and Scientific Legal Research of the Ministry of Justice, and the professional members of Ministry of Education satisfy relevant legislative documents in addition to the conditions mentioned in sections (1, 2, 3, and 5) of paragraph 1 of this Article.
- (3) Employees with education lower than 12<sup>th</sup> grade of high school and appointed in ministries/agencies before the legislation of Civil Servants Law, can get the civil service Grade through open competition if they meet the requirements of the Grade as in Article 8<sup>th</sup> of Civil Servants Law with considering education degree.
- (4) Only a person that fulfils the conditions mentioned in sections 1, 2, 3, &5 of Paragraph (1) of this Article may be employed as a contractual worker in civil service, Jobs of contractual workers will be regulated in a separate legislative document.
- (5) A person may not be appointed for a job the direct supervisor of which is one his first class relatives. For purposes of this provision, a first class relative means a father, mother, son, daughter, wife, husband, sister and brother.

#### Criteria of Employment for Grades:

#### Article Eight:

- (1) Only a person may be accepted in Grade 1 of civil service (General Department) that fulfils the following criteria as well as the conditions mentioned in Article 7 (1) of this Law:
1. Shall have obtained at least a bachelors degree;
  2. Shall have at least 4 years of work experience relevant to the job;
  3. Shall be able to formulate and determine policies of the relevant Organisation;
  4. Shall be able to lead and control the Organisation;
  5. Shall have competence and aptitude; [and]
  6. Shall have a decent character and prestige;
- (2) Only a person may be accepted in Grade 2 of civil service (Department) that fulfils the following criteria as well as the conditions mentioned in Article 7 (1) of this Law:
1. Shall have obtained at least a bachelors degree;
  2. Shall have at least 3 years of work experience relevant to the job;
  3. Shall be able to provide consultations concerning development of policies for the relevant Organisation;

4. Shall be able to lead and control the Organization;
  5. Shall have competence and aptitude; [and]
  6. Shall have a decent character and prestige;
- (3) Only a person may be accepted in Grade 3 of civil service (Directorate) that fulfils the following criteria as well as the conditions mentioned in Article 7(1) of this Law:
1. Shall have obtained at least above high school certificate;
  2. Shall have at least 2 years; of experience relevant to the job
  3. Shall be able to implement policies of the relevant Organisation;
  4. Shall be able to guide and control the relevant Organisation;
  5. Shall have competence and aptitude; [and]
  6. Shall have a decent character and prestige;
- (4) Only a person may be accepted in Grade 4 of civil service (Sub-Directorate) that fulfils the following criteria as well as the conditions mentioned in Article 7(1) of this Law:
1. Shall have obtained at least an above high school degree;
  2. Shall have at least 1 year of experience relevant to the job;  
Masters and PhD. Diplomas holders are excluded from this provision;
  3. Shall be able to implement policies of the relevant Organisation;
  4. Shall have competence and aptitude;
  5. Shall have a decent character and prestige;
- (5) Only a person may be accepted in Grade 5 of civil service (Division) that fulfils the following criteria as well as the conditions mentioned in Article 7(1) of this Law.
1. Shall have competence and aptitude;
  2. Shall have a decent character and prestige;
- (6) Only a person may be accepted in Grade 6 of civil service (Official) that fulfils the conditions mentioned in Article 7 of this Law.
- (7) Only a person may be accepted in Grade 7 of civil service (Sub-Division) that fulfils the following criteria as well as the conditions mentioned in Article 7 (1) of this Law.
1. Shall have a certificate of graduation from a technical or vocational training centre, or have skill and work experience;
  2. Shall be able to perform duties in accordance with his/her vocation or technical field.
- (8) Only a person may be accepted in Grade 8 of civil service that fulfils the conditions mentioned in Article 7.3 of this Law.

### **New Appointment of Employee:**

#### **Article Nine:**

(1) A person with high school certificate qualifying the conditions of this law can be appointed in step 1 of Grade 6, if s/he has a above high school certificate in step 2 of Grade 6, if s/he has a Bachelors Degree in step 1 of Grade 5, if s/he has a Masters Degree in step 1 of the Grade 4 and if s/he has a PhD Degree can be appointed in step 2 of Grade 4.

(2) A person with bachelor's degree can be appointed in step 2 of Grade 4, if s/he has a Masters Degree in step 3 of Grade 4 and if s/he has a PhD Degree can be appointed in step 3 of Grade 3 of higher education institutions of Higher Education Ministry.

## **Appointment of Employee:**

### **Article Ten:**

- (1) Where a [vacant] Grade is present, a person shall be selected on the basis of competency; professional skills (education, experience and other job qualifications) shall be identified, selected and appointed through open competition in the Step 1 of Grades mentioned in Article Eight (paragraph 1 to 6) of this Law and contractual workers will be selected and appointed in step 1 of Grades mentioned in paragraph 7 and 8 of the aforementioned Article.
- (2) No discrimination on the basis of sex, ethnicity, religion, disability, or physical deformity shall be permitted in acceptance of employees and contractual workers.
- (3) The following authorities shall approve the appointment of a civil employee referenced in Paragraph (1) of this Article:
  1. Employee of Grade 1 and 2, to be appointed upon identification and selection by the Appointment Board of Civil Service and the authorized representative of the relevant Organisation, proposal of the Chairperson of IARCSC and the approval of the President.
  2. Employee of Grade 3, 4 & 5 whether in the capital or provinces, and civil employees of Grade 6 in the capital, to be appointed upon identification and proposal by the Appointment Committees of the relevant Ministry or Agency and the approval of the Minister or Director of the Agency;
  3. Employee of Grade 6 in the Provinces, to be appointed upon identification and proposal by Provincial Appointment Committee and approval of the relevant provincial governor;
- (4) Contractual workers of Grades 7 & 8 in the capital, shall be selected upon identification, selection and proposal of appointment committees of the relevant Ministry or Agency and the approval of the Minister or Director of the Independent Agency; At the provinces and Districts, such selection shall take place upon identification and proposal by provincial or district appointment committee and approval of the governor for the relevant province or district.

## **Supervision**

### **Article Eleven:**

- (1) Supervision on identification and selection process pursuant to Article 10.3.1 of this law shall be exercised by Chairman of IARCSC.
- (2) Supervision on identification and proposing process by the committees referenced in Article 10.2 & 3 of this law shall be exercised in the capital by an authorized representative of Civil Service Appointment Board, and in the provinces and districts by a representative of the regional office of IARCSC.
- (3) The supervision procedure for identification, selection and proposing process for appointment of employees/contractual workers shall be regulated in accordance with separate procedure.

## Chapter Three

### Duties and Obligations

#### Duties

##### Article Twelve:

Employee/contractual worker shall perform their assigned duties in accordance with the job description and work plan, in compliance with the relevant applicable laws and regulations.

#### Obligations

##### Article Thirteen:

Employee and contractual worker shall have the following obligations during his/her service:

1. Carry out respective functions with due regard to the principle of impartiality;
2. Observing managerial hierarchy and abiding his/her supervisor;
3. Preserve job-related secrets, in accordance with the provisions of law;
4. Preserve prestige of the Organization;
5. Behave in good manner with colleagues and clients;
6. Protect public assets in the relevant Organisation;
7. Reasonable use of work related equipment in affairs related to the organisation;
8. Abstain from participation [as a bidder], whether for his personal or others interest, in tenders or sales concerning which s/he has been assigned to administer;
9. Avoid any action which [may] interrupt working affairs in the relevant organization;
10. Refrain from misuse of resources and information of the Organization, whether for his/her interest or others;
11. Avoid negligence in the discharge of assigned duties;
12. Follow training programs for development and enhancement of professional skills, which are provided through the Organization;
13. Refrain from using functional authorities for discharge of personal affairs.
14. Refrain from using official working hours for personal affairs;
15. Refrain from other actions which harm the organization;
16. Refrain from committing crimes, such as, bribery, embezzlement and other administrative corruption.

#### Responsibilities

##### Article Fourteen:

- (1) Employee/contractual worker shall be responsible for the duty or authority assigned or transferred to him/her in accordance with law.
- (2) In case an employee/contractual worker consider an order of his/her supervisor to be against the law or regulations, s/he shall inform the supervisor in written notification. If after receiving the notice, the superior emphasizes the fulfilment of the same order, then the employee or contractual worker is not obliged to fulfil the order.

## Status of Civil Employees

### Article Fifteen:

- (1) A Civil Employee/contractual worker shall have one of the following status during his/her service term:
  1. Original status
  2. Secondment [service mission] status
  3. Education status (for employee)
  4. Military service status
  5. Temporary severance status
- (2) The conditions and circumstances for status referenced in Paragraph (1) of this Article shall be regulated in the civil servants personal affairs regulation;

## Performance Appraisal of Civil Employees:

### Article Sixteen:

- (1) Employees shall be evaluated on the basis of job description of the Grade, work plan, and annual performance report.
- (2) In the event that an employee fulfils the required criteria upon an annual performance appraisal, the official may be promoted to the next higher salary Step of his/her Grade.
- (3) In the event that an employee does not meet the required criteria in annual performance appraisal, base on his/her status the following actions shall be taken:
  - i. Introducing to capacity building programmes in order to acquire necessary skills.
  - ii. Continuation of his/her job in the same Grade without increasing salary and step.
- (4) An employee whose Grade is removed, changed or re-advertised will remain on salary. The organisation can assign the employee who remains on salary to other job in accordance with Article 72 of Labour Law.
- (5) The annual performance appraisal form for employees is attached to this law as annex 5.
- (6) An employee that is not satisfied with the results of the performance appraisal may complain to the competent authorities.
- (7) Should justifiable reasons exist, IARCSC may propose to the Cabinet of Ministers to amend the annual performance appraisal form mentioned in Paragraph (5) of this Article. The Appraisal Form shall be effective upon approval by the Cabinet.
- (8) Contractual worker will be evaluated based on job description, work plan and annual performance report. Evaluation of contractual worker will be done in accordance with the form which will be prepared by Independent Administrative Reforms and Civil Service Commission.



## Chapter Four

### Rights and Privileges of Civil Employees

#### Rights and Privileges

##### Article Seventeen:

An employee/contractual worker have the following rights and privileges:

- (1) Signing a permanent employment contract in accordance with the provisions of this Law;
- (2) Receiving the Grade job description.
- (3) Receiving payment inclusive of all supplement and allowances in accordance to the provisions of the Labour Law, subject to the availability of the budget of the relevant organisation;
- (4) Occupying Grade and movement to higher steps;
- (5) Right of using the leave entitlement;
- (6) Pension right entitlement;
- (7) Rights to ensure welfare and health, in accordance to the article 113 to 117 and 119 of the Labour Law.
- (8) Appeals right from lack of Immunity from any kinds of discrimination by supervisors and colleagues in the work place based on gender, ethnicity, and social status, religion, political and marital status.
- (9) Rights to on the job training;
- (10) Social welfare in accordance with the provisions mentioned in articles 134 to 144 of the Labour Law;

#### Resignation

##### Article Eighteen:

- (1) An employee can resign from duty.
- (2) Conditions, proposing, approving and removing resignation will be regulated in the relevant legislative document.

#### Protection

##### Article Nineteen:

- (1) During the discharge of duty, an employee/contractual worker shall enjoy the following protections:
  1. An employee/contractual worker cannot be deprived of his/her right to work, without following principles of natural justice;
  2. Protection of human dignity, immunity against physical, psychological or moral torture;
  3. Protection of proper and safe work environment.
- (2) Regulation with respect to employees protections mentioned in paragraph (1) shall be regulated in the relevant legislated document.

## Salary

### **Article Twenty:**

- (1) From the date of approval of appointment, an employee/contractual worker shall deserve salary inclusive allowances.
- (2) Monetary allowance related to membership in academic and professional cadre may be regarded to be part of the employee /contractual worker's salary, separate regulations will be issued.
- (3) The salary, Grade, and steps of employee shall be determined in accordance with Annex 1 of this law.
- (4) For the purpose of promoting living standard and providing livelihood of employees and contractual workers the government will revise, when necessary, the salary scale mentioned in paragraph (3) of this Article upon due consideration of national economic development and financial ability of the government.

## Overtime Work

### **Article Twenty One:**

Work performed beyond normal working hours is considered as overtime work, and overtime payments of employees and contractual workers will be calculated on the basis of monthly salary attached to the Grade. The circumstances requiring overtime work shall be regulated according to Article 38 of the Labour Law.

## Leave

### **Article Twenty Two:**

An employee/contractual worker shall be entitled to leave with pay in accordance with provisions mentioned in article 39 to 58 of the Labour Law.

## Filling of Grade and Promotion of Steps:

### **Article Twenty Three:**

- (1) In accordance with this law, an employee may hold a higher Grade, on the basis of competition.
- (2) A civil employee cannot occupy the upper grade of similar job in less than one year and in none-similar jobs in less than two years. The nature of similar and none-similar jobs shall be regulated in accordance with job description by the relevant organization.
- (3) Promotion of a civil employee to a higher step of the same grade may take place on the basis of annual performance appraisal form.
- (4) Contractual worker may not promote to a higher Grade. Promotion to a higher step of the same Grade may take place on the basis of annual performance appraisal form.

## **Approval of promotion to higher step within the same grade**

### **Article Twenty Four:**

For Grades 1-8 in the capital, the authority for approval of promotion to higher steps within the same Grade shall rest with the Minister or Director of the ministry or independent agency. Promotion within the Grades 6, 7 & 8 in the provinces, such authority shall rest with the Provincial Governor and for Grades 7 and 8 in the districts, with the relevant District Governor.

## **Rewards for Employee**

### **Article Twenty Five:**

(1) An employee who duly complies with order and disciplines of work and the Code of Conduct for Civil Service Employees, and whose duty performance is higher than the criteria set in the job description and work plan, subject to financial resources of the organisation( annual budget), may be encouraged as follows:

1. Cash reward
2. Certificate of Appreciation
3. Certificate of Merit Grade 3
4. Certificate of Merit Grade 2
5. Certificate of Merit Grade 1
6. Award of decorations, medals, or honorary titles in accordance with provisions of the relevant law;

(2) Cash rewards, which consist of an amount equal to 10 days salary together with its allowances and supplements thereof, may be granted on the proposal of the relevant supervisor, approval of the Minister or the First Grade Award Authority, or directly by the mentioned authorities.

(3) A Certificate of Merit may entail an award of an amount equal to 15 days of salary, together with its allowances and supplements, and may be granted upon a proposal by the relevant supervisor, and approval of the Minister and First Grade Award Authority or directly by the mentioned authorities.

(4) Upon fulfilling the following conditions, an employee may receive a Grade Three Certificate of Merit:

1. Fulfilling the conditions mentioned in paragraph (1) of this Article;
2. Innovation and creativeness in work;
3. Performance of positive work for the Organisation, not included in its original duties;

A grade Three Certificate of Merit may result to an amount equal to 20 days salary together with its allowances and supplements may be granted upon the proposal of the relevant supervisor and approval of the Minister or First Grade Award Authority or directly by such Authorities.

(5) Upon fulfilling the following conditions, an employee may receive a Grade Two Certificate of Merit:

1. Fulfilling the conditions mentioned in paragraph (4) of this Article;
2. Presentation of constructive proposals and designs that have resulted in realization of efficient outcomes.

A grade Two Certificate of Merit may result to an amount equal to 25 days salary together with its allowances and supplements may be granted upon the proposal of the Minister or First Grade Award Authority and approval of the President of the Republic or directly by the President.

(6) Upon fulfilling the following conditions, an employee may receive a Grade One Certificate of Merit:

1. Fulfilling the conditions mentioned in paragraph (5) of this Article;
2. Having the ability of organising, coordinating and harmonizing of work.
3. Effective and thorough implementation of the State Policy in the area of work.

A grade One Certificate of Merit may result to an amount of 1 month salary together with its allowances and supplements may be granted upon the proposal of the Minister or First Grade Award Authority and approval of the President of the Republic or directly by the President.

(7) The amount of financial allocation for encouragements mentioned in this article will be determined by Ministry of Finance in the annual budget of the relevant organizations.

## **Rewards for contractual workers**

### **Article Twenty Six:**

(1) A contractual worker who duly complies with order and disciplines of work and whose duty performance is higher than the criteria set in the relevant job description and work plan, subject to financial resources of the organisation( annual budget), may be encouraged as follows:

1. Cash reward
2. Certificate of Appreciation
3. Certificate of Merit.

(2) Cash rewards for Contractual workers, which consist of an amount equal to 10 days salary together with its allowances and supplements, and Certificate of Merit which may entail an award of an amount equal to 15 days of salary together with its allowances and supplements, shall be granted on the proposal of the relevant supervisor, approval of the Minister or the First Grade Award Authority, or directly by the mentioned authorities.

(3) Upon fulfilling the following conditions, Contractual workers may receive a Certificate of Merit:

1. Fulfilling the conditions mentioned in paragraph (1) of this Article;
2. Presentation of constructive proposals and plans;
3. Ensuring coordination and harmonization in work; [and]
4. Application of methods that decrease delivery cost of products and services.

(4) A certificate of merit for Contractual workers may entail award of an amount equal to one month of Salary, together with its allowances and supplements and may be awarded on the proposal of the relevant supervisor, approval of the Minister or the First Grade Award Authority, or directly by the mentioned authorities.

(5) The amount financial allocation for encouragements mentioned in this article will be determined by Ministry of Finance in the annual budget of the relevant organizations.

## **Recording of rewards**

### **Article Twenty Seven:**

The rewards mentioned in this law shall be entered in the service record file of the employees/ contractual workers.

## Appeals

### **Article Twenty Eight:**

- (1) Candidate (applicant) for appointment in the civil service or other employees/contractual workers shall have the appeals right as in the following conditions:
1. Refusal to accept an application without justifiable reasons;
  2. Discriminatory and inequitable treatment by the Appointment Board of Civil Service, appointment committees and human resource departments of government ministries or agencies;
  3. Unjustified prescription of disciplinary measures;
  4. Illegal instructions or orders by supervisors;
  5. Prohibition on access of an employee or contractual worker to his/her personal records.
  6. Unjust and discriminatory treatment at the workplace by the supervisor or colleagues; [or]
  7. Other matters which are regarded by law as a violation.
- (2) Complaints concerning sections (1&2) of this Article shall be dealt by the Civil Service Appeals Board, while complaints related to sections 3,4,5,6, or 7 of paragraph (1) of this Article shall be dealt by dispute settlement commission of the relevant organization.
- (3) Whenever any of the parties is not satisfied with the decision of the Civil Service Appeals Board, such party may refer the case to the court.
- (4) The reviewing procedure of appeals in this article will be regulated based on a separate procedure.

## Retirement

### **Article Twenty Nine:**

- (1) An employee/contractual workers shall have the right to demand retirement from his/her work in accordance with the provisions provided in the Labour Law.
- (2) Approval for retirement, abrogation of retirement, resignation, and extension of service of employees/contractual workers shall be issued by the authorities mentioned in Article Ten of this law.
- (3) Regulation on determination of pension rights and procedures for payment of pension will be regulated in accordance with the relevant legislative document.

## Chapter Five

### Disciplinary measures

#### Cases for Disciplinary Measures

##### Article Thirty:

(1) In accordance with the provisions of articles 95 to 101 of the Labour Law employee/contractual worker may face disciplinary measures, first time in advice, second time warning, third time reducing five days salary, fourth time replacement to the same Grade in the following conditions:

- 1- Irregular attendance
- 2- Improper behaviour with the clients
- 3- Lack of attention in applying legal orders and assigned duties
- 4- Violating job description
- 5- Delay in performing duties and legal orders
- 6- Lack of attention in cleaning and focus on employees
- 7- Not observing work discipline
- 8- Pretexts to escape from work
- 9- Other similar affairs mentioned in code of conduct of civil service employees

(2) Advice and warning shall be the authority of first and second level supervisors linked to annual performance appraisal evaluation. Reduction of salary shall be the authority of Minister or authorized supervisor and replacement of civil employee shall be the authority of officials mentioned in the article 10 of this law.

(3) The procedure for paragraph (1) of this Article will be regulated in a separate procedure.

## Chapter Six

### Miscellaneous Provisions

#### Personal record

##### Article Thirty One:

A personal record file shall be prepared for newly appointed employee/contractual worker, the content and form of which shall be prepared by Independent Administrative Reforms and Civil Service Commission in cooperation with the Ministry of Justice and shall be approved by the Ministers' Council.

#### Implementation of the Provisions of Law

##### Article Thirty Two:

For better implementation of this law, government ministries and agencies shall be obliged to take appropriate measures in consultation with the Independent Administrative Reforms and Civil Service Commission.

## **Obligations of Independent Administrative Reform and Civil Service Commission**

### **Article Thirty Three:**

(1) The Independent Administrative Reforms and Civil Service Commission shall have the authority to regulate and process the required regulations for better implementation of the provisions of this Law.

(2) IARCSC shall supervise the implementation of and adherence to the provisions of this law in civil service organisations.

### **Approval of Conditions and Criteria:**

### **Article Thirty Four:**

Conditions and criteria for Grades mentioned in this Law shall be identified and prepared on the basis of job description of the Grade by the relevant organisation and will be approved by Independent Administrative Reforms and Civil Service Commission.

### **Enforcement**

### **Article Thirty Five:**

This law shall be effective from the date of signing by the President and shall be published in the Official Gazette. Upon the enactment thereof, Articles 3, 4, and Chapter Seven of Civil Service Law, published in Official Gazette # 861, dated, 20/06/1384 [Solar calendar] and Decree # (33), dated (21/04/1382), concerning Priority Reform and Restructuring of Ministries and agencies, published in the official gazette # (810), dated (30/05/1382) and any other inconsistent provisions shall be null and void.

**ANNEX 1**  
**Pay and Grading Pay Scale**

		<b>Final P&amp;G Pay scales By Ministry of Finance</b>	
<b>Grade</b>	<b>Step</b>	<b>Total salary- AFS</b>	<b>Difference between the steps</b>
<b>1</b>	5	32.500	1.400
	4	31.100	1.300
	3	29.800	1.300
	2	28.500	1.300
	1	27.200	<b>4.800</b>
<b>2</b>	5	22.400	1.000
	4	21.400	1.000
	3	20.400	1.000
	2	19.400	1.000
	1	18.400	<b>24.00</b>
<b>3</b>	5	16.000	750
	4	15.250	750
	3	14.500	750
	2	13.750	750
	1	13.000	<b>1.100</b>
<b>4</b>	5	11.900	500
	4	11.400	500
	3	10.900	500
	2	10.400	500
	1	9.900	<b>700</b>
<b>5</b>	5	9.200	300
	4	8.900	300
	3	8.600	300
	2	8.300	300
	1	8.000	<b>500</b>
<b>6</b>	5	7.500	250
	4	7.250	250
	3	7.000	250
	2	6.750	250
	1	6.500	<b>300</b>
<b>7</b>	5	6.200	150
	4	6.050	150
	3	5.900	150
	2	5.750	150
	1	5.600	<b>200</b>
<b>8</b>	5	5.400	100
	4	5.300	100
	3	5.200	100
	2	5.100	100
	1	5000	0



## ANNEX 2

(1) Lecturers and teachers of schools, madrasas, teachers training institutions and technical, professional and vital literacy schools and professional members of education curriculum organizations and science centre and supervision members (supervisors) of the ministry of education subject to the relevant educational certificate and work experience, follow the grades mentioned in Article 6(1) of this Law as follows.

1. A person with a PhD Degree in step three of grade five to step four of grade two
2. A person with a Masters Degree in step two of grade five to step two of grade two.
3. A person with a Bachelors Degree in step one of grade five to step four of grade three.
4. A person with above high school degree in step two of grade six to step four of grade four.
5. A person with high school degree in step one of grade six to step three of grade five.
6. Teachers and education supervision members graduated from tenth and eleventh classes (of high school) in step three of grade seven to step five of grade seven.
7. Teachers and education supervision members graduated from ninth class (of secondary school) in step two of grade seven to step four of grade seven.

(2) Employment qualification of people mentioned in sub-paragraph 6 and 7 of paragraph (1) of this annex who are currently employed and/or eligible to pension will be retained as previous.

(3) Conditions and way of promotion of steps in the relevant grades will be regulated in a separate procedure by Independent Administrative Reforms and Civil Service Commission in agreement with Ministry of Education and Ministry of Finance.

## Annex (3) Civil Servants Performance Appraisal Form

Page 1

<b>Name:</b>		<b>Father's Name:</b>		<b>Grand Father's Name:</b>		<b>Date of Birth</b>		
						Day	Month	Year
<b>Education</b>								
Lower than High School (12 <sup>th</sup> class)	High School		Above High School	Bachelor				
Masters Degree			PhD		Date of Primary Appointment			
<b>Education</b>		<b>Field</b>		<b>:</b>		Day	Month	Year
2-		3-		1-				
<b>Job Trainings :</b>						Date of Appointment through Competition		
						Day	Month	Year
						<b>Allowances and Salary Scale</b>		
Step ( ) Post ( ) Title of Position ( )						Pay ( )	Other Job Allowances ( )	Total of Salary and Allowances ( )
						Salary ( )	Point	Afs
<b>Job Location</b>	Ministry	Department	Directorate					
<b>Post Responsibilities in accordance with Job Description</b>						<b>Performance</b>		

Work Plan	Achievements	Performance Based on Annual Report	Reasons For nonperforming	Evaluation Results By Evaluated Employee	Evaluation Results By Direct Manager	Evaluation Results By Senior Manager								
				1 2 3 4 5	1 2 3 4 5	1 2 3 4 5								
<b>Total</b>														
<b>Scores</b>														
<b>Scoring Guidance for Annual Work Plan:</b> 1- When performance of the employee is more than 60 percent based on the implementation of work plan, scores will be from 17 -25 and the employee will promote to higher step. 2- When performance of the employee is 50-60 percent based on the implementation of work plan, scores will be from 13-16 and the employee will continue the job in the current step with required trainings related to the job. 3- When performance of the employee is less than 50 percent based on the implementation of work plan, scores will be from 12 or less his/her position will be re-advertised.				<b>Final Results of Evaluation By Authorized Manager:</b> 1- Promotion to higher step 2- Continuation of the job in the same step 3- Re-advertisement of the position  Name : _____ Date : _____ Signature : _____										
<b>Agreement or disagreement of evaluated Employee:</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Agreed</td> <td style="width: 50%;"></td> </tr> <tr> <td>Disagreed</td> <td></td> </tr> </table>  Signature of Evaluated Employee: _____				Agreed		Disagreed		<b>Approval of disapproval of Direct Manager :</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Approved</td> <td style="width: 50%;"></td> </tr> <tr> <td>Not approved</td> <td></td> </tr> </table>  Name and Signature of Direct Manager _____			Approved		Not approved	
Agreed														
Disagreed														
Approved														
Not approved														

**Additional Criteria for Annual Performance Appraisal of First and Second Grade Employees**

<b>Additional Criteria</b>	Evaluation Results By Evaluated Employee					Evaluation Results By Direct Manager					Evaluation Results By Senior Manager												
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5								
1 Ability in management and leadership (management skills, analyzing issues related to the Job)																							
2 Monitoring and supervising performance of subordinate employees																							
3 Technical capabilities(managing technical projects and delivery of professional services)related to the job																							
4 Skills in capacity enhancement of subordinate employees																							
5 Performances Accountability and transparency																							
6 Ability in decision making (individually or in group + effective discussion)																							
<b>Skills and capabilities Scores for first and second positions</b>																							
<b>Scoring Guidance for Additional Criteria of Employees :</b>  1- When performance of the employee is more than 60 percent based on the implementation of work plan, scores will be from 40-55 and the employee will promote to higher step. 2- When performance of the employee is 50-60 percent based on the implementation of work plan, scores will be from 28-39 and the employee will continue the job in the current step with required trainings related to the job. 3- When performance of the employee is less than 50 percent based on the implementation of work plan, scores will be from 27 or less his/her position will be re-advertised.								Summary of the performance evaluation Results of first and second positions employees by authorized Manager  <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Annual Work Plan score</td> <td style="width:50%;"></td> </tr> <tr> <td>Additional Criteria score</td> <td></td> </tr> <tr> <td>Total scores</td> <td></td> </tr> <tr> <td>Final Result of the Evaluation</td> <td>1-Promotion to Higher Step 2- Continuation of the Job in current Step 3-Re-advertisement of the Post</td> </tr> </table>								Annual Work Plan score		Additional Criteria score		Total scores		Final Result of the Evaluation	1-Promotion to Higher Step 2- Continuation of the Job in current Step 3-Re-advertisement of the Post
Annual Work Plan score																							
Additional Criteria score																							
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Agreed																							
Disagreed																							
Approved																							
Not -approved																							