

Republic of Liberia

**AN ACT REPEALING THE PUBLIC EMPLOYMENT LAW AND
AMENDING THE EXECUTIVE LAW TO CREATE A CIVIL SERVICE
AGENCY**

ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES

AN ACT REPEALING THE PUBLIC EMPLOYMENT
LAW AND
AMENDING THE EXECUTIVE LAW TO CREATE A
CIVIL
SERVICE AGENCY

It is enacted by the Senate And House of Representatives of the Republic of Liberia, in Legislature assembled:

Section 1. Title 30 of the Liberian code of Laws of 1956 entitled "Public Employment Law" as amended through the Fourth Regular Session of the Forty-Fifth Legislature is hereby repealed and the New Executive Law, passed and approved May 11, 1972, is hereby amended by adding thereto a new chapter to be Chapter 66 to read as follows:

Chapter 66. Civil Service Agency

- 66.1 Civil Service Agency Established
- 66.2 Purpose of the Agency
- 66.3 Duties, Functions and Responsibilities of the Agency
- 66.4 Personnel of the Agency

66.5	Duties of the Director-General of Civil Service
66.6	Duties of the Deputy Director-General of the Civil Service
66.7	Duties of the Asst. Director-General of the Civil Service
66.8	Administrative Organization of the Agency
66.9	Functions of the Recruitment, Examination and Certification Division
66.10	Functions of the Position Classifications, Salary Scale and Promotion Division
66.11	Functions of the Personnel Record and Research Division
66.12	Functions of the Retirement and Pensions Division
66.13	Functions of the Administration
66.14	Applicability of the Civil Service Agency Act
66.15	Exemptions from the Civil Service
66.16	Establishment of the Civil Service Grades and Categories
66.17	Eligibility for admission to, Promotion and Transfer in the Civil Service
66.18	Disqualification for Examination
66.19	Civil Service Examination
66.20	Filing of Vacancies
66.21	Examining Boards
66.22	Penalty for Influencing Results of Examinations
66.23	Board of Appeal
66.24	Establishment of Examining Committee, Method of Appeal
66.25	Functions of Examining committee
66.26	Compensation Plan
66.27	Vacation Leave
66.28	Sick Leave
66.29	Maternity Leave
66.30	Leave with Pay
66.31	Study Leave
66.32	Reporting of Leave

66.33	Employee Training
66.34	Resignation
66.35	Layoff
66.36	Suspension
66.37	Demotion
66.38	Dismissal
66.39	Rules And Regulation

66.1 Civil Service Agency Established:

There shall be established in the Executive Branch of Government and Agency and agency to be known as the "Civil Service Agency". Provisions for salaries of its officers and employees and or other expenses of its operations shall be included in the Annual Appropriation Act. The Civil Service Agency shall be independent of all other Ministries and Agencies of Government and reports concerning its operations shall be rendered to the president.

66.2 Purpose of the Agency

The purpose of the Civil Service Agency is to increase the efficiency of the Public Service and to secure for deserving employees a responsible tenure of office and an opportunity for advancement according to merit and seniority and to place the personnel employed by government a competitive merit system.

66.3 Duties, Functions and Responsibilities of the Agency:

Except as is otherwise provide therein, the Civil Service Agency shall have the following duties, functions and responsibilities:

- a. To recruit, examine, classify, certify and place Civil Servants; provide, however, Civil Servants Under category A, Section 66. 14 Shall be only subject to certification for employment.
- b. To keep and accurate and up-to-date record every individual employed in the Civil Service System.
- c. To establish, with the approval of the President, a classification plan in accordance with the provision of this Act based on the duties , responsibilities, and nature of work in the

Government Service, and to ensure the continued maintenance and admission of the classification plan.

- d. To issue, with the approval of the President, rules and regulations setting forth the conditions of employment for all Civil Servants.
- e. To protect the interest and rights of Civil Servants through the objective administration and enforcement of the provision of the Act and any rules and regulations promulgated there under.
- f. To formulate and establish effective liaison between the Civil Service and the National Social Security Agency.
- g. To maintain a record of all Personnel Action Notices of all Civil Servants to ensure that the person so employed is a classified Civil Servant.
- h. To establish and maintain Eligibility List of all Civil Servants.
- i. To conduct research and studies designed to improve the service

66.4 Personnel of the Agency: The President, by and with the advice and consent of the Senate, shall appoint as head of the Civil Service Agency a Director-General of the Civil Service who shall hold office at the pleasure of the President. In addition; he shall appoint with the advice and consent of the Senate, a Deputy Director-General and such Assistant Directors-General as may be necessary for the effective operation of the Agency. Other employees necessary for the effective operation of the Agency. Other employees necessary for the efficient operation of the Agency shall be recommended by the Director-General for approval and appointment by the president.

66.5 Duties of the Director-General of Civil Service:

- a. To supervise and direct the administration of the affairs of the Agency, under the direction of the President
- b. To submit to the President for transmissions to the regular session of the Legislature, an annual report in writing giving an account of all monies received and disbursed by him during the preceding year, and make any recommendations deemed necessary for the effectual accomplishment of the purpose of the Agency.
- c. To specify the duties of the officers of the Agency whose functions are not stated in this Act.
- d. To discharge such other duties as the president may from time to time prescribe.

66.6 Duties of the Deputy Director-General of Civil Service:

The Deputy Director-General shall be the principal assistant to the Director-General and shall perform such specific duties as may be delegated to him by the Director-General. In the event of Civil Service, the Deputy Director-General shall succeed the duties of the Director-General of Civil Service, until the Director-General shall return or until a successor is appointed. The Deputy Director-General may, at the discretion of the Director-General, sit as Chairman of Examining Boards whenever they are in session.

66.7 Duties of Assistant Director-General of Civil Service:

The Assistant Director-General shall be responsible for Personnel Administration in the Agency and may be assigned any other duty at the discretion of the Director-General.

66.8 Administrative Organization of the Agency:

The Civil Service Agency shall consist of, but shall not be limited to the following Divisions:

- a. Recruitment, Examination and Certification
- b. Position Classification, Salary Scale and Promotion
- c. Personnel Records and Research
- d. Retirement and Pensions
- e. Administrative.

66.9 Functions of the Recruitment, examination and Certification Div.

The duties of the Division shall include but not be limited to: Devising suitable aptitude and forms of tests and examinations for both entrance and promotional levels for all classifications of work in the Civil Service. Conduct periodic examinations and tests throughout the country. Ensure that classified eligible lists are maintained, and to conduct a recruiting program which has as its prime objective the attraction of qualified persons in each and every clans and area of the Civil Service.

66.22 Penalty for Influencing Results of Examinations:

No person employed in the Civil Service Agency shall aid or discredit either directly or indirectly any person who has taken an examination, by falsely marking, grading, estimating or reporting the examination.

Any officer or employees of the Civil Service Agency or persons temporarily assigned to the Agency as examiners who shall be found guilty of violating this section shall be summarily dismissed.

66.23 Board of Appeal:

- a. Establishment of the Board of Appeal:

There shall be established a Board of Appeal.

- b. Functions of the Board:

It shall be the duty of the Board of Appeal to hear all appeals from decisions of the Examining Committee hereinafter established, arising out of any action affecting employee status, or grievances arising out of the conditions of employment of any employee or any matter affecting his welfare.

- c. Composition of the Board

The Board shall consists of seven members including the Director-General, a decision by a majority of whom shall be final in, all matters of Appeal exception in cases of dismissal which shall be subjected to approval by the President. The President shall appoints as members of the Board the following:

Two Cabinet members

One Educator

Two Lawyers

The Director-General

One Senior Civil Servant

The President shall designated the Chairman of the Board

d. Eligibility for Membership:

No members of the Board shall hold an elective public office. All members of the Board shall be Liberian citizens.

66.24 Establishment of Examining Committee, Method of Appeal:

There is hereby established a Committee to be known as the Examining Committee of the Board of Appeal. The Examining Committee shall consist of three persons who shall include the Director-General as the Permanent member and two other members of the Board of Appeal to be designated by the Board from time to time. No persons shall serve on the Committee to examine.

D. PROFESSIONAL

- a. Engineers
- b. Educator
- c. Medical Doctors
- d. Social and Natural Scientists
- e. Lawyers
- f. Auditors
- g. Accountants
- h. Librarians
- i. Social Workers
- j. Career Foreign Service Officers
- k. Nurses
- l. Artisan

E. ADMINISTRATIVE

- a. Administrative Assistants
- b. Executive Secretaries

- c. Directors
- d. Assistant Directors
- e. Chief Clerks

66.15. Exemptions from the Civil Service:

Those exempted from the Civil Service Agency Act are as follows:

- a. Members of Legislature
- b. Other elected Officials
- c. Justices of the Supreme Courts
- d. Judges of Subordinate courts
- e. All appointed members of Boards and
- f. Cabinet Ministers
- g. Deputy Cabinet Ministers
- h. Assistant Cabinet Ministers
- i. Heads of Autonomous Agencies and Bureau
- j. Ambassadors
- k. County Superintendents
- l. Territorial Superintendents
- m. County, Territorial and other Commissioners
- n. Sheriffs
- o. All Commissioned and Non-Commissioned Officers and enlisted men of the Regular Armed Forces
- p. Law Enforcement & Security Officers
- q. All contract-employees of Government

66.16 Establishment of Civil Service Grades and Categories:

The followings Civil Service Grades and Categories are established:

Category	Grades
General	1-4
Clerical, Law Enforcement and Correction Officers	5-9
Fiscal, Professional and Administrative	10-25

66.17 Eligibility for Admission to, Promotion and Transferring in the Civil Service:

Any person of Liberian citizenship, either sex, of good character who is not less than 17 years of age and who is not disqualified under section 20 hereof may enter the Civil Service by examination.

No person shall be admitted to the Civil Service or certified as eligible for original Appointment unless he/she have passed a competitive examination.

No Civil Servant shall receive permanent promotion in a higher class of the Civil Service than that occupied unless he shall have established fitness for such promotion by competitive examination. A Civil Servant may be transferred from one ministry/agency/bureau to another without an examination provided that the grade he is transferring to is the same as the one he is leaving.

66.18 Disqualification for Examination:

The Director-General of Civil Services shall refuse to accept for examination applicants disqualified by reasons of:

- A. Dismissal from Public Service for delinquency within six months proceeding the date of application for examination.
- B. Physical or mental unfitness for the position for which the examination is to be given.
- C. Criminal conviction for crimes involving moral turpitude, infamous and dishonest conduct.
- D. International making a false statement in respect of any material fact, or practicing any fraud or deception in securing the examination.

66.19 Civil Service Examination:

Civil Service Examination shall be both written and oral. Examinations for admission to the Civil Service shall be theoretical and practical in character and framed for the purpose of testing fitness of applicants for public service and the position for which applicant is sought.

Civil Service Examination shall be held on the 2nd Monday in December, March, June and September of each year and shall be continued from day to until completed. Such examination shall be held principally in Monrovia.

However, the Director-General of Civil Service is authorized to hold examination once each year at Harper, Greenville, Buchanan, Robertsport, Voinjama, Gbarnga, Sanniquellie and Zwedru, as and when necessary.

Rating in Civil Service Examination shall be on the scale of 100%. All competitors rated at 75% or more in each subject shall be eligible for an appointment promotion, or transfer and their names shall be listed in order of rating

66.20 Filling of Vacancies:

All vacancies in the Civil Services shall be filled by ordinary appointments, promotional appointments, provincial appointments, re-employment, or the transfer. Whenever a vacancy in a position in the Civil Service is to be filled, the Administrative Head shall indicate by written request whether the position is regular or temporary. If the position is regular, he may request that the position be filled by original appointment, promotional appointment, re-employment or transfer.

66.21 Examining Boards:

The Director-General of Civil Service is authorized to request heads of Ministries, Bureaux or Agencies to designate suitable representatives to serve on the Examining Boards. In addition, when examinations are being conducted for positions in a particular ministry or agency, the Director-General of Civil Service is authorized to request the heads of such Ministry, Bureaux or Agency as may be necessary to assist in devising, administering and grading such test or examinations.

66.10 Functions of the Position Classification, Salary Scale and Promotion Division

It shall be the function of this Division to maintain both the classification and the salary plans by constant review and where necessary, revision. The Division shall be responsible for conduction periodic comparative salary studies. It shall also take what action is required in respect of promotion.

66.11 Functions of the Personnel Records and Research Division:

Functions of the Personnel Records and Research Division shall be the maintenance of personnel history records of all classified Government employees and all classified positions in the Government and to conduct all research necessary for the operations of the Agency.

66.12 Functions of the Retirement and Pensions Division:

It shall be function of this Division to establish and maintain proper record to assist the National Social Security and Welfare Corporation to administer the National Social Security Scheme.

66.13 Functions of the Administrative Division.

The Function of the Division shall include, but not be limited to the administration of the internal affairs of the Agency, including maintenance of budget and personnel records of the Agency itself.

66.14 Applicability of the Civil Service Agency Act:

Except as hereinafter provide in 66. 15, this Act shall be applicable to all officials and employees in the employ of the Liberian Government, or hereafter created, of whatever functions or designation, compensated by fixed salary. The following categories of Civil Servants are Established:

GENERAL, CLERICAL AND LAW ENFORCEMENT AND SECURITY OFFICERS, PROFESSIONAL, FISCAL AND ADMINISTRATIVE. The established Categories shall include by not limited to:

A. GENERAL

- a. Bailiffs
- b. Messengers
- c. Chauffeurs
- d. Caretakers
- e. Matrons
- f. Janitor

B. CLERICAL

- a. General Clerical
- b. Clerks of Court
- c. Office Equipment operators
- d. Supply Officers
- e. Customs and Revenue Officer
- f. Purchasing Officer
- g. Record Clerks

C. FISCAL

- a. Collectors of Custom
- b. Collectors of Internal Revenue
- c. Bookkeepers

an appeal affecting his Bureaux/Agency. If the matter being heard involves the Director-General or any other member of the Committee, he shall excuse himself and another member of the Board shall be appointed in his stead.

66.25 Functions of Examining Committee

The Examining Committee of the Board of Appeal shall first hear all appeals of a Civil Servant who feels that his suspension or dismissal is violation of the Civil Service Law. If either party is dissatisfied with the ruling of the Examining Committee, he may appeal to the Board of Appeal.

66.26 Compensation Plan:

The Salary Scale for all classes of positions held by Civil Servants shall be reflected in the annual budget base upon the projected revenue intake.

66.27 Vacation Leave:

Each full time Civil Servant shall accumulate vacation leave with pay at the rate of three working weeks per full year's service. Vacation with pay will not be schedule during an employee's first year of service in the Civil Service. Vacation shall be scheduled by the Administrative Head so as to meet the operating requirements of the ministry or agency concerned and the seniority and preference of employees. Vacation leaves shall not be cumulative.

66.28 Sick Leave:

Sick Leave with pay for all full-time Civil Servants may be granted for a period not exceeding fifteen days in any calendar year. Sick leave may be granted only for absence from duty because of personal illness or legal quarantine.

Additional sick leave may be granted in excess of the 15 days mentioned above but without pay. In case the Civil Servant has to receive extensive medical attention sick leave may granted for a period of not more than 60 days with pay but such requests must be accompanied by a medical certificate from a recognized medical doctor showing that physical incapacity of the Civil Servant warrants sick leave for the extended period.

Employees claiming sick leave in excess of two working days are required to file a certificate from a physician stating the nature of the sickness or injury and that the employee has been incapacitated to perform his duties. Claiming sick leave when physical fit shall be cause for dismissal.

66.29 Maternity Leave:

An expectant mother shall be granted 60 days leave absence with full pay to commence before and expire after confinement or 90 days leave on the recommendation of the attending physician subject to concurrence by a medical designee of the Ministry of Health and Social Welfare where such concurrence is deemed necessary. Such leave shall be separate and distinct from any other to which she may be entitled by virtue of her position in the service.

66.30 Leave with Pay:

Attendance of official meetings and conferences approved by the appropriate official of Government where the good of the Government service is involve shall be consider as time on duty within the meaning of this rule except that such attendance at meetings and conferences abroad must be approved by the President.