

# REPUBLIC OF LIBERIA

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



ENACTED BY SENATE AND HOUSE OF  
REPRESENTATIVES

APPROVED JULY 19,1973



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**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entitled "Public Employment Law" as amended through the Fourth Regular Session of the Forty-Fifth Legislature is hereby repealed and the New Executive Law, passed and approved on May 11, 1972, is hereby amended by adding thereto a new chapter to be Chapter 66 to read as follows: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 Civil Service
- 66.7 Duties of the Asst. Director-General of 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 Records & 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 Civil Service Grades and Categories
- 66.17 Eligibility for admission to, Promotion and Transfer in the Civil Service
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- 66.20 Filing of Vacancies
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- 66.34 Resignation
- 66.35 Layoff
- 66.36 Suspension
- 66.37 Demotion
- 66.38 Dismissal
- 66.39 Rules and Regulations

### **66.1 Civil Service Agency Established:**

There shall be established in the Executive Branch of Government an 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 Appropriations 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 on a competitive merit system.

### **66.3 Duties, Functions and Responsibilities of the Agency:**

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

- a. To recruit, examine, classify, certify and place Civil Servants; provided, however, Civil Servants under category A, Section 66:14 shall be only subject to classification but not to recruitment, examination and certification for employment.
- b. To keep an accurate and up-to-date record of every individual employed in the Civil Service System.
- c. To establish, with the approval of the President, a classification plan in accordance with the provisions of this Act based on the duties, responsibilities, the continued maintenance and admission of the 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 interests 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 Division:**

The duties of the Division shall include but not to 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 clan and area of the Civil Service.

**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 conducting 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 the 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 functions 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 provided 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 function 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 but 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

**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 All Contract-employees of Government
- q. All Contract-employees of Government

**66.16 Establishment of Civil Service Grades and Categories:**

The followings Civil Service Grades and Categories are established:

<b>Category</b>	<b>Grades</b>
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 shall 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 Service shall refuse to accept for examination applicants disqualified by reasons of:

- a. Dismissal from Public Service for delinquency within six months preceding 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. Internationally 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 Examinations 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 application is sought.

The Civil Service Examination will be held on the second Monday of December, March, June, and September each year. The examination will continue daily until all components are 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, Gbariya, 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 Service shall be filled by ordinary appointments, promotional appointments, provisional appointments, re-employment, or 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 tests or examinations.

#### **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 other matter affecting his welfare.

### **c. Composition of the Board:**

The Board shall consist of seven members including the Director-General, a decision by a majority of whom shall be final in, all matters of appeal except in cases of dismissal which shall be subject to approval by the President. The President shall appoint as members of the Board the following:

Two Cabinet members  
One Educator  
Two Lawyers  
The Director-General  
One Senior Civil Servant

The President shall designate the Chairman of the Board

### **d. Eligibility for Membership:**

No member 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 person shall serve on the Committee to examine 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 based 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 years' service. Vacation with pay will not be scheduled during an employee's first year of service in the Civil Service. Vacations 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 leave 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 be granted for a period of not more than 60 days with pay but such requests for sick leave 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 physically fit shall be cause for dismissal.

**66.29 Maternity Leave:**

An expectant mother shall be granted 60 days leave of 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 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 involved shall be considered 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.

**66.31 Study Leave:**

Any Civil Servant designated by his Ministry/Agency/Bureaux to pursue a course of study which would enable him to better perform his duties upon his return should, with the approval of the President, be granted study leave maximum period of six (6) months and 1/2 (one-half) salary for every six (6) months, and in no case, will any portion of the salary be continued after a maximum period of 24 months. If he refuses to return to the ministry which designated him, he shall be required to return his salary to Government for the period received even though he might be working for another Government Agency, unless approved by the designating ministry or agency. The Civil Servant shall be required to file an appropriate bond.

**66.32 Reporting of Leave:**

All leave taken by classified Civil Servants shall be reported to the Civil Service Agency on a quarterly basis. All agencies shall keep records of Classified Civil Servants and report to the Civil Service Agency.

### **66.33 Employee Training:**

In order that employees may perform their work more efficiently and that they may be able to qualify for positions of increasing difficulty and responsibility, the Director-General of the Civil Service may develop and prescribe training programs or refresher courses for persons in the Civil Service. Employees' participation in programs shall be on a voluntary basis and training meetings and courses may be held on employees' own time or, with the approval of appointing authorities, during official working hours.

### **66.34. Resignation:**

Any employee in good standing wishing to leave the Civil Service shall file with his Administrative Head at least one month before leaving; a written resignation stating the date the resignation takes effect and the reason for leaving. Failure to comply with this procedure may be considered cause of denying such employee future employment by the Government. Unauthorized absence from work for a period of fourteen consecutive days may be considered by the Administrative Head as a resignation. Ministry heads shall forward a certified copy of every notice as early as possible.

### **66.35. Layoff:**

The Administrative Head of any Ministry, Bureaux or Agency may layoff an employee in the Civil Service whenever such action is made abolition of a position, or because of changes in necessary by reason of shortage of work or funds, due to organizational changes. However, no regular employee shall be laid off while there are temporary, provisional, or probationary employee serving in the same class of position in the ministry or agency for which the regular employee is eligible and available. The Director-General of Civil Service shall prescribe procedures whereby layoff may be accomplished, which procedures shall include a consideration of length of service and level of reasons shall be placed on a re-employment list for a period of one year. If the position is recreated, the employee shall be reappointed according to his position on the re-employment list or the Civil Service Agency might find a comparable position for him elsewhere.

**66.36. Suspension:**

The Administrative Head may suspend a regular employee without pay for disciplinary reasons. Such suspension shall not exceed 30 days in any one calendar year. A written statement of the reason for the suspension shall be submitted to the Director-General of Civil Service and to the employee affected. In each case, such report to be submitted within 48 hours of the time the suspension becomes effective.

**66.37 Demotion:**

An Administrative Head may demote an employee for inefficient performance of his duty. A written statement of reasons for the demotion shall be submitted to the Director-General of Civil Service and to the employee affected in each case, such statement to be submitted prior to the effective date of the action.

**66.38 Dismissal:**

Any regular employee maybe recommended for dismissal by the Head of the Ministry, Bureaux or Agency with approval of the President but a written statement of reasons for the dismissal shall be submitted to the Civil Service Agency and the employee affected in each case at least one month prior to the effective date of dismissal or one month's payment in lieu of notice.

**66.39 Rules and Regulations:**

The Director-General is, subject to the approval of the President, hereby authorized to issue rules and regulations for the effective implementation of this Act.

**Section 2:**

This Act shall take effect immediately upon publication in hand-bills. Any law to the contrary notwithstanding. **Approved July 19, 1973**

