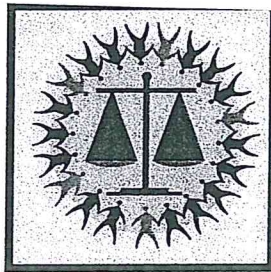


MINISTRY OF HEALTH
REGIONAL HEALTH AUTHORITIES



HUMAN RESOURCES
POLICIES & PROCEDURES MANUAL

Revised November 2006



**MINISTRY OF HEALTH
REGIONAL HEALTH AUTHORITIES**

**HUMAN RESOURCE POLICIES AND PROCEDURES
AND CONDITIONS OF SERVICE**

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1. DISCIPLINARY CODE

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**MINISTRY OF HEALTH
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**HUMAN RESOURCE POLICIES AND PROCEDURES
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1. INTRODUCTION

This manual sets out the Human Resource policies and procedures in force within the Regional Health Authorities (RHAs) and the standard practices to be observed by all levels of staff in order to achieve individual, departmental, facility and regional aims and objectives. The provisions do not constitute a contract between the Regional Health Authorities and their employees.

In keeping with the policy of the Ministry of Health, this manual is developed to communicate approved Human Resource (HR) policies, procedures and conditions of service for all levels of staff in the RHAs. It should be used in conjunction with, and should not take precedence over, the Staff Orders for the Public Service (Revised 2004) the Public Service Regulations, 1961, or any other Regulations applicable to the Public Service of Jamaica.

There are seven (7) main components:

- Employment policies and procedures
- Conditions of employment
- Health and Safety
- Business/ Work Ethics
- Employee Welfare and Development
- Grievance policy and procedures
- Communication

2. RESPONSIBILITIES:

It is the responsibility of all staff to familiarize themselves with the policies and procedures, as set out in this manual, and any updates or revisions made subsequent to this publication. It is also the responsibility of the employee to ensure these policies and procedures are consistently observed.

It is the responsibility of the Director, Human Resource & Industrial Relations to maintain this manual as an organized and controlled method of storing, classifying, disseminating and preserving policies and procedure, information and instructions relating to the Human Resource activities of the RHAs.

The manual remains the property of the RHA. The document is to be reviewed biennially or as the need may arise. It is the responsibility of the staff member, assigned by the

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Human Resource Managers in the parish or institution, to insert updates/revisions when they are issued and to keep the manual up to date at all times.

It is the responsibility of the RHA Board to approve and sign-off on all Human Resource Policies & Procedures and revisions, except those issued by the Office of the Services Commission and the Ministry of Finance and Planning. This should be preceded by consultation with the Permanent Secretary, Ministry of Health, to ensure that the proposals are consistent with Government guidelines or statutes.

It is the responsibility of all managers and supervisors to recommend revisions to established Human Resource policies and procedures whenever such revisions are recognized as being desirable and/or necessary. Such recommendations should be presented, in writing, to the Director, Human Resource & Industrial Relations through the office of the Parish Personnel Manager/Officer and appropriate channels.

Any employee of the RHA who desires to recommend an addition or modification to the Human Resource Policy and Procedure Manual may do so through his/her supervisor.

3. EMPLOYMENT POLICY

It is the policy of the RHA to ensure that all vacancies are filled, funds being available. Employment should be based on a fair and open assessment of individual's qualifications, capabilities, and in accordance with standards of professional best practice, thereby aiming to achieve the highest level of performance possible.

It is within the right of the RHA to make private inquiry into the character, professional and criminal history of all persons seeking employment with the Organization.

4. EMPLOYMENT PROCEDURES

4.1 RECRUITMENT

All vacancies will be advertised internally and/or externally.

4.1.1 Referrals

Recruitment may be done through personal contact or other types of referral. In all cases, only applicants who have a good record of performance and are of good character may be considered for employment with the RHA.

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4.1.2 Discrimination

The RHA will not discriminate against any person on the basis of race, sex, religion, sexual orientation, marital status, disability or membership in any legitimate organization.

The legitimate ages for employment are between 17 – 65 years of age. No prospective employee shall be discriminated against on the basis of age in relation to any particular position. Consideration may be given to the employment of persons beyond 65 years of age in keeping with existing policy.

4.1.3 Job Descriptions

Prior to recruitment, a detailed Job Description must be prepared or the existing one reviewed/revised. The classification of this post should be obtained from the Corporate Development Branch, Cabinet Office. This will guide the RHAs in setting salaries, which are in keeping with Government guidelines.

4.1.4 Vacancy Notification

Where a vacancy exists on the basis of resignation, death, job abandonment, promotion or transfers or any other circumstances, the immediate supervisor must notify the respective Manager **without delay**. The departmental Manager shall be responsible for advice to the Parish or Hospital Human Resource Personnel.

The HR Personnel in Parish/Hospital shall advise the Regional Human Resource Division of the following:

- The facility/department to which the employee is attached.
- Name of the employee
- Position of the employee
- Last date actually worked.
- All leave at credit.
- Date to which salary paid
- Any indebtedness/liability to the government

The Parish/Hospital HR Personnel will ensure that there is a clear vacancy, the post is classified and that all other relevant procedures are adhered to. A staff requisition may then be submitted, to the Director Human Resource & Industrial Relations, for approval by the Regional Director.

This process must be handled expeditiously.

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Standard office hours, for administrative staff, are as follows:

Monday to Thursday - 8.30 a.m. to 5 p.m.
Friday - 8.30 a.m. to 4:00 p.m.

Employees may be required to work beyond standard working hours from, time to time, in the interest of the work of the RHA as may be determined by the management.

The standard office hours do not apply to employees whose duties require them to work on a shift system. Employees who work on a shift system are required to work for any eight (8) hour period within a twenty-four (24) hour period.

Lunch break will normally be taken for one hour, but the time at which it is taken may be varied as necessary and as determined with the head of the relevant department.

The RHA may also introduce flexible working hours and/or shift systems where this may be considered to be advantageous or necessary for the achievement of organizational objectives and in the best interest of the client.

5.1.1 Attendance

Where an employee is unable to report for duty for any given shift or scheduled work day, the immediate supervisor is to be contacted, where possible, at least two (2) hours before the scheduled time of reporting. Where not possible, contact should be made within the first hour of the work period or as soon as possible thereafter.

In the event that telephone or other contact is not made with the immediate Supervisor, a detailed telephone message should be left with the facility's telephone operator, indicating name, department, work shift and expected time of resumption.

5.2 LEAVE

All employees shall be entitled to departmental, sick and vacation leave in keeping with rates approved by Government from time to time.

At the time of a general change in the Government rates, the RHAs will introduce new leave schedules in keeping with the principles under the Human Resource Policy and Procedures.

Applications for leave must be made through the employee's head of department or section and on the approved form in accordance with departmental directives. Vacation and departmental leave are calculated by the number of working days.

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5.2.1 Vacation Leave

All employees will be entitled to vacation leave on the completion of each year's service. During the first year of employment vacation leave may be granted, in special cases, on a pro-rated basis.

The Regional Director may at any time require an officer to proceed on such vacation leave as determined, or to which he/she may be entitled. Vacation leave must be applied for in writing, four (4) weeks in advance, except in cases of emergency.

Vacation leave must be taken annually. It is the policy that all employees take the equivalent of their annual leave entitlement. To this end, an annual vacation leave roster is to be submitted in January of each year. The grant of the vacation leave is subject to the exigencies of the service.

The Regional Director may, at any time, request an officer to proceed on such vacation leave as determined, or for which he/she may be eligible. The annual vacation leave entitlement may be accumulated with the permission of the Regional Director, for a maximum period of two (2) years. However, the accumulation of vacation leave is strongly discouraged.

5.2.1.1 Payment of Salary prior to Vacation Leave

Employees may be paid in advance the salaries and allowances to a maximum of two (2) months, when proceeding on vacation leave, subject to approval via the appropriate offices and the availability of funds.

5.2.1.2 Payment of Salary in lieu of Vacation Leave

Any employee who has been given permission and has accumulated vacation leave entitlement for up to two (2) years beyond the maximum, may apply to be paid salary in lieu of the vacation leave earned for two (2) year or any portion thereof, subject to the availability of funds.

The payment of salary in lieu of leave must be accompanied by an approval for the individual to proceed on vacation leave immediately following the expiration of the period of salary in lieu of leave.

No employee will earn further vacation leave until the amount at credit in respect of the two years accumulated has been taken or

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payment received in lieu thereof.

5.2.1.3 Extension of Vacation Leave

If an officer who is on vacation leave requires an extension of such leave, he/she must apply at least ten (10) working days prior to the expiration of the approved leave to allow for its consideration and for a reply to be made to him/her before the expiration of the original period of leave.

5.2.2 Sick Leave

Sick leave may be taken at one time or in short periods, provided that a medical certificate from a registered medical practitioner supports any absence of more than three (3) days on any occasion. If a permanent employee has exhausted all his sick leave entitlement and further leave is required for purposes of illness, he/she may utilize any unutilized sick and departmental leave from the previous two (2) years, departmental and up to fifty percent (50%) of vacation leave at credit, for that purpose.

In the event of illness, employees should notify the relevant supervisor/departmental head, within the first and subsequent days of absence, during which a medical certificate is not required. If an employee's illness necessitates a continuous absence that all accumulated sick leave and departmental leave plus fifty percent (50%) of vacation leave are utilized, the Regional Director may grant the employee special sick leave on the advice of the appropriate medical authority.

5.2.2.1 Medical Board

If an employee is absent from work due to illness for a ninety (90) calendar-day period, the Regional Director should request the Chief Medical Officer to consider the appointment of a Medical Board to examine the employee this is with the view to determine the employee's fitness to return to work, or for further service. The Medical Board should be made up of at least two (2) registered medical practitioners. Leave on full salary will be granted in such circumstances should the illness of this employee necessitate his/her further absence. The Board may grant special sick leave subject to the recommendation of a Medical Practitioner appointed by the RHA.

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5.2.3 Departmental Leave

Departmental Leave is not normally granted in excess of five days in any one instance, and is to enable staff to attend to urgent private affairs and to cover periods of illness as stated in section 5.2.2 above.

During the first year of employment departmental leave may be granted, in special cases, on a pro-rated basis.

Application for Departmental Leave should be applied for at least forty eight (48) hours in advance of the time required. Under normal circumstances, Departmental Leave cannot be taken immediately preceding and following vacation leave except in cases of illness.

5.2.4 Maternity Leave

A female employee who has been employed to the RHA for more than fifty-two consecutive weeks, may be granted leave for maternity purposes as follows:

- (a) Forty (40) working days maternity leave on full salary;
- (b) All the vacation leave for which she is eligible;
- (c) Leave without pay not exceeding sixty (60) working days

The grant of paid maternity leave will not be approved to any employee on more than three occasions.

5.2.5 Study Leave

The Board of the RHA must approve all grants of study leave with the exception of the Doctor of Medicine Programme for which the board will make recommendation. Study leave may be granted in accordance with any of the following categories (See Appendix 1):

- Government Mandated
- Job Related
- Future Advancement
- Personal Interest

Employees on government mandatory course who are granted study leave would qualify for full financial support with no forfeit of any vacation leave.

Employees who are selected to pursue job related and future advancement courses of study may receive the equivalent of up to 2 years fully paid leave. The officer would be required to forfeit leave or salary equivalent

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to 1 years leave entitlement. Any further leave required will be without pay.

Officers who are granted study leave to pursue personal interest courses of study may be granted vacation leave followed by leave without pay at the discretion of the Regional Director.

In normal circumstances, to qualify for study leave, an employee must have been continuously employed for two (2) years, performed satisfactorily, and the course must be related to job functions, or the skill needs of the Health Service. Where, however, there are special manpower needs, to add to or benefit the health service, the qualifying period may be less than two (2) years,

Officers on study leave should return to work during periods of break in the course of study.

The grant of study leave for courses costing in excess of \$25,000 will require recipients to be bonded in accordance with government regulations (see Appendix 1).

A Medical Officer will be granted study leave to pursue postgraduate courses, only after satisfactory completion of a minimum of two (2) years, post registration, in rural service.

If an employee terminates his/her employment before completion of any course of study, or before expiration of the agreed period of employment covered in the agreement above, he/she will be required to refund to the RHA such funds expended, or the amount assessed as relating to the course, except the portion paid in respect of vacation, recalled and recreational leave.

The employee should submit written reports from the Institution of study on his/her performance at the end of each semester, or at the end of the course, whichever is earlier.

Contract Officers will not normally be granted study leave with pay, except in exceptional circumstances.

The Authority is under no obligation to subsequently approve participation in any training programme commenced without prior approval. Disciplinary procedures will be instituted where employees fail to adhere to the stipulated guidelines.

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5.2.5.1 Day Release

Day release may be granted to employees who are undertaking job-related courses at an accredited institution and will be limited to employees who have served the Authority for a minimum of twelve consecutive months. Day release may be granted for a maximum of two days per week.

Leave granted for day release will be deducted from vacation leave at credit, up to the day prior to the first day of attendance. However, where persons do not have any vacation leave or if additional leave is required to complete the course, a maximum of 180 days at full pay may be granted.

5.2.6 Leave without Pay

The Regional Director may grant leave without pay to an employee for a maximum period of thirty (30) days in any one calendar year on the grounds of urgent private affairs. Application for no pay leave in excess of thirty (30) days will be referred to the Regional Board for consideration. Periods in excess of 180 days will be referred to the Ministry of Health. Approval of no pay leave is subject to the provision of documentary evidence in support of the request.

5.3 COMPENSATION

Compensation for all permanent positions will be in accordance with the salary scales approved for similar positions by the Minister of Finance and Planning. Where market conditions so determine and to attract scarce skills, the Regional Board may in the exercise of their discretion, recommend to the Minister of Health, the inclusion of special incentives in the compensation package.

Unless otherwise arranged, salaries quoted on an annual basis shall be paid monthly in arrears on the 25th day of each month, or the full working day prior to that date where it falls on a weekend or a public holiday.

Wages to weekly and hourly paid personnel shall be paid fortnightly in arrears on Thursdays.

5.3.1 Incremental Salary Increases- Within the Relevant Scale

Incremental salary increases shall fall due on the anniversary date of appointed or confirmed employment status, subject to a satisfactory performance review for the period under consideration .

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Increment may be paid to temporary employees in established posts, which are not vacant, subject to fully satisfactory job performance.

The incremental increase to an officer may be suspended/deferred if his service over the period under review is considered to be unsatisfactory.

Where the Regional Director considers that the suspension/deferral of an officer's increment is justified, he should notify the officer in writing at least one month before the date on which the increment is due of the reasons for which he considers that the increment ought not to be granted.

5.3.2 Seniority Allowance

An employee who holds a post to which an annual salary scale is attached, and who has served at the maximum salary of the scale for three (3) years, will be granted seniority allowance at a rate equivalent to one increment at a rate of the highest incremental rate of a salary scale.

A weekly paid employee who has served at the maximum salary of a scale for two (2) years will be granted a seniority allowance, at a rate equivalent to a further increment in the scale. Seniority allowance is to be applied for by the employee.

A second seniority allowance shall become due, three (3) years following eligibility for the first seniority.

Payment of a seniority allowance shall be subject to a satisfactory performance review for the relevant period.

The Regional Board may approve the establishment of incentive schemes for outstanding and meritorious performance.

5.4 HUMAN RESOURCE PLANNING

It is the policy of RHA to plan its human resource requirements for the future and take action to ensure that it has an adequate cadre of persons with the requisite skills, training and experience available at the required time to enable the RHA to achieve its' objectives.

5.5 PERFORMANCE EVALUATIONS AND MANAGEMENT

It is the policy of the RHA to encourage regular dialogue between staff and their managers to provide meaningful feedback on performance achievement and encourage superior performance aligned to corporate objectives.

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The Performance of every employee will be evaluated in order to measure how well the employee has executed the roles and functions assigned during the period under review. The performance of all employees on the job will be evaluated based on the targets set and other agreed performance standards, and the level of achievement of those targets and standards.

The objectives for each manager will be based on the overall goals and objectives of the organization. The performance standards by which employees will be measured will be the same for all persons performing similar jobs so that uniformity of judgement will be achieved and maintained.

Managers should review the performance of their employees on a continuous basis, as part of the day-to-day management process of coaching and guiding employees in their development to achieve superior performance.

The evaluation should identify the employee's strengths and weaknesses, so that appropriate action can be taken to develop the strengths and correct weaknesses. The evaluation of an officer's performance should be a continuous process, but at least once each year, by a date specified by the Board of the RHA, a formal session should be held between the employee and his supervisor to discuss and record the supervisor's formal assessment of the employee's performance.

The report should reflect the results achieved by the employee in relation to the overall work plan of the department or organization and the expected results; volume of work achieved, performance as a supervisor, if applicable, decision making capability, work attitude, ability to plan and organize, ability to work with others, and give a reasonable guide as to the employee's suitability for advancement or retention.

The report of the evaluation should be signed by both parties and form a part of the employee's personal record.

5.6 SUCCESSION PLANNING

It is the policy of the RHA to institute a succession plan, so as to prepare members of staff to meet the Authority's needs for skilled personnel over time. The Authority will identify, assess, develop, compensate and plan for talents that are aligned to the organizational values and competency.

Discussions between the individual and his/her manager during performance appraisal regarding realistic career aspirations should be considered when developing the succession plan and suitable development opportunities identified

The succession planning process must provide equal opportunity to all members of staff subject to performance, competence and merit. There is, however, no

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guarantee that a member of staff will be selected for a position for which he/she contends, unless he/she is the best candidate.

5.7 PERSONAL INFORMATION AND RECORDS

It is important that accurate and up-to-date personnel records be maintained in respect of each employee. All files must contain a certified copy of the officer's birth certificate, current address and telephone number, a passport size photograph, name, address and telephone number of next of kin, proof of educational achievements, TRN and NIS numbers and where relevant, certified copies of professional licenses.

All changes to personal information relating to the employee's address, telephone number, next of kin must be provided to the personnel department, which should be notified whenever there are changes. The Personnel Department must also be notified of changes in marital status and educational achievements and provided with certified copies of the relevant documents.

Personnel files are confidential and will not be for general circulation. Officers and/or their legal representatives will, however, have access to personal files, and these will be utilized in the presence of a Senior Officer.

5.8 TERMINATION

The RHA reserves the right to terminate the services of a member of staff in accordance with the provisions of the Disciplinary Code, or as otherwise stipulated in a contract, or for reasons of reorganization or changes in the establishment. In the latter two cases, consultation must be made with staff representatives and the benefits due to relevant employee paid.

5.8.1 Retirement

All permanent employees who are employed to the RHA will be required to retire from the service when they attain the stipulated age of sixty (60) or sixty five (65) years, whichever is applicable. Each employee so retiring will be eligible for a pension based on his or her entitlement under the RHA Pension Scheme, in keeping with Section 4 (3) of the National Health Services Act (1997).

5.8.2 Resignations

An employee may resign his/her job after giving the required notice as stipulated in his/her letter of appointment or contract. There will be an exit interview with the Personnel Manager or his/her designate to determine the employee's reasons for leaving and to gain his/her views on the organization's strengths, weaknesses, opportunities and threats.

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5.8.3 Other Forms of Separation

Should there be need for separation for reasons other than those already addressed in this document, this must be done in accordance with the relevant governing legislation, policies and procedures.

5.9 DISCIPLINE AND GRIEVANCE

In the interest of good order and the promotion of harmonious employee relations, the RHA will deal with grievances and matters of discipline in the manner set out in the Grievance and Disciplinary Procedures.

6 HEALTH AND SAFETY

It is the policy of the RHA to provide and maintain a safe and healthy workplace environment for staff, clients and visitors, and also to educate staff on health related matters and promote healthy lifestyles among staff members.

Employees are requested to report all unsafe conditions encountered.

All accidents must be reported immediately and a written account produced.

Employees are required to familiarize themselves with and adhere to the safety and security procedures of the organization.

6.1 INJURY ON THE JOB

When an officer is injured in the discharge of his/her duties, the matter should be treated in the manner prescribed with respect to industrial injuries, as stated in the Factories Act, Workmen's Compensation Act and in accordance with the National Insurance Act. This officer will be afforded free medical treatment in any public health facility.

6.2 LOSS OR DAMAGE OF EMPLOYEE PROPERTY

All claims for personal losses, injury and damage claims, submitted by Officers must be submitted to the Attorney General or other contracted Attorney to determine the liability of the RHA.

These claims should be accompanied by bills/receipts to substantiate costs, as well as written reports from the officer concerned and eyewitnesses where relevant. Compensation should not be granted where loss/damage is due to an Act of God, where the Officer was negligent, or recovery may be obtained through insurance coverage

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6.3 SECURITY

6.3.1 Identification

All employees will be provided with appropriate identification showing his/her full name, photograph and signature. Employees are required to display their identification badges when on the RHA premises. The Identification Badge is the property of the RHA and must be returned to the Personnel Department on termination of employment. The loss of an I.D. card must be reported immediately to the HR Department. Employees will be required to pay the cost of replacing lost identification badges.

6.3.2 Searches

The RHA reserves the right to conduct periodic searches (cars, lockers drawers, bags, etc.) of employees.

7 BUSINESS/WORK ETHIC

It is the policy of the RHA to promote and maintain the highest code of conduct in the execution of duties and interaction among staff, professional entities and the general public. All persons undertaking research projects should adhere to the protocols on Ethics emanating from the MOH's Research Ethics Committee. The Research Ethics Committee is chaired by the Chief Medical Officer and functions through the Advisory Panel on Ethics and Medical Legal Affairs. This Panel approves research protocols for studies that are to be conducted locally.

All persons employed to the RHA are expected to be of good character and conform to the highest standards of public behaviour at all times, whether on or off the job. Public and private morality must at all times influence the behaviour of staff members in the performance of their duties, particularly in the making of decisions, which affect other staff members and the public.

7.1 CONFIDENTIAL INFORMATION

Employees are expected to respect and treat as confidential, organizational information that comes to their knowledge during the course of their duties. Such information should not be repeated or divulged to anyone outside the organization or discussed with other employees except as necessary for the efficient performance of either employee's responsibilities.

Employees are currently governed by the Official Secrets Act, but must be aware of the policy of open Government. They will be governed by the Access to Information Act.

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All patient related information is held to be confidential except on a "need to know" basis.

7.2 DRESS CODE

All employees are expected to observe appropriate code of dress while on the job. Where uniforms are provided, staff is required to wear such uniforms while on the job. If unavoidable circumstances prevent the wearing of uniforms on any or specified days, the employee will be expected to provide a valid reason acceptable to the head of his/her department.

The alternative dress worn will in all material effects conform to the dress code of the RHA. Any breaches of the dress code will result in the possibility of the employee being sent home by departmental supervisors to change into appropriate attire, and may in addition be subject to further disciplinary action.

7.3 POLITICAL ACTIVITY

In accordance with Staff Order 4.2.6 members of staff are strictly forbidden to engage in active partisan politics. Breaches will be subject to disciplinary action.

7.4 HARASSMENT

It is the policy of the RHA to provide an environment that is free from harassment related to race, national origin, religion, sexual orientation, gender or of any other nature. It is considered that such conduct seriously undermines the atmosphere of trust and respect, essential to a healthy work environment.

Persons engaging in activity, which constitutes harassment, shall be subject to disciplinary action up to and including dismissal.

Sexual harassment may be deemed to consist of but is not limited to:

- Unwelcome physical contact.
- Language or conduct that is considered to be sexually offensive
- Seeking to use senior reporting or other relationships to influence sexual responses.
- Threat or denial of professional or other advancement opportunities, wages or benefits, in relation to negative responses to sexual advances.
- Display, viewing or distribution of lewd or pornographic material.

For address of matters of harassment, sexual or otherwise, a written report must be submitted. In all instances, the affected employee is advised to ensure that there has been clear and verbalized rejection of the offensive behaviour. Matters of this nature are to be handled with the utmost confidentiality and adherence to a "need to know" basis.

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7.5 EMPLOYMENT OF RELATIVES

As a norm, relatives should not be employed in positions with supervisory or audit relationships one to the other, or where such relationship may compromise operating procedures, control systems, financial or any other interest of the Regional Health Authority.

Relationships covered by this policy include but are not limited to: siblings, spouses, parents, grandparents, children, grandchildren, aunts, uncles, nephews, nieces and in-laws.

It is required that all relationships of the above nature be declared at the time of employment. Where such relationships are discovered to exist or evolve, post employment, the matter will be addressed as the circumstance dictates.

7.6 CONFLICT OF INTEREST DECLARATIONS

All persons employed to the RHA are required, under the Anti-corruption Act, to declare, in writing, particulars of any investment or shareholding that he may possess in any company, occupation or undertaking, or any other direct or indirect interest in such organization. This declaration must be made every three (3) years, or as circumstances change, whichever is earlier.

Employees are required to adhere to the tenets of their professional organizations, as well as to guidelines issued from time to time, by the Government through its Ministries and Agencies.

All employees will be treated with justice under a code of fair play, which will ensure that no favouritism or antagonism is shown towards any member of staff, and that there is objectivity and consistency in the treatment of all.

7.7 ACCEPTANCE OF GIFTS

Officers in their official capacity are forbidden to solicit or accept presents or gratuities, whether in the form of money or goods for the performance or neglect of official duties and responsibilities.

8 EMPLOYEE WELFARE

It is the policy of the Regional Health Authority to foster an environment that stimulates the achievement of the highest potential by training and developing staff to enable them to perform efficiently and effectively both on the job and within their communities.

The Regional Health Authority will also encourage and promote an environment that will heighten staff morale and stimulate a harmonious climate at the workplace.

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8.1 CIVIC DUTIES

Employees are encouraged to take part in civic, religious and community activities provided such activities do not conflict with job performance. The Regional Health Authority will facilitate such activities wherever possible, since they contribute to the overall development of employees as well as the community in general. In appropriate cases, staff will be released for community work and for important sports training and involvement, which conform with national policy.

8.2 VOTING

All employees are encouraged to fulfill their responsibilities as citizens by being enumerated and voting in local and general elections. The necessary time off will be granted, as stipulated in law.

8.3 NATIONAL REPRESENTATION

Members of staff who are selected by the appropriate authorities:

- to represent Jamaica or the West Indies in international sporting events;
- as an office bearer to represent Jamaica, CARIOM or international professional organisations
- to attend annual training with the Jamaica National Reserves;
- to attend International Cultural Events;
- to attend Scout/Girl Guide Jamborees

will be granted special leave for the duration of the event. Such leave with full pay will be limited to two calendar months in any one year. Formal letters of invitations from relevant organizations should accompany applications. Leave required for these purposes in excess of two months will be treated as vacation leave, if available, or leave without pay. The application must be made at least one month prior to the date of departure.

The Board may in its discretion consider and grant additional leave with pay, in cases where the period required extends beyond two months and a case of hardship is established.

8.4 JURY DUTY

Government employees are not normally required to perform Jury duty. Officers will be allowed to perform these civic duties, on presentation of evidence of call - up for duty.

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8.5 PROFESSIONAL AFFILIATION

Employees who are professionals have the right to affiliate with their professional organizations and societies.

Executives of Professional Associations may (will) be released to participate in official meetings and seminars of their association at the discretion of the Regional Health Authority and where the exigencies of the service permit.

8.6 UNION MEETINGS

The Unions, may, with the approval of the RHA, hold meetings of members on the premises of the RHA, at times and locations agreed between the unions and the RHA, provided that the unions give adequate notice of their desire to hold such meetings. Union meetings should not disrupt the normal operations of the facility.

9 GRIEVANCE POLICY & PROCEDURES

The Grievance and Disciplinary Procedures apply to **all** staff of the RHA and are in keeping with the provisions of the Labour Relations and Industrial Disputes Act and the Labour Relations Code. It is the duty of the management of the organization to act to avoid or forestall grievances and to establish an organization culture in which disciplinary situations are rare.

The underlying principle of these procedures is that each member of staff has a right to express grievances, and to a formal, transparent, objective and fair method of having grievances and issues of discipline dealt with in the workplace.

Where disciplinary proceedings progress beyond preliminary hearings, an employee has the right to be represented by a representative of a Union/Association, an Attorney-At-Law or a peer of his/her choosing.

No employee, whether directly or indirectly involved in a matter, should take any action, or enlist the aid of others to take action, that may have the effect of unduly influencing or thwarting the fair and just handling of a grievance or disciplinary matter in accordance with the procedures herein laid down.

All parties are expected to take all necessary steps to ensure the earliest possible resolution or disposal of grievances or disciplinary matters.

The employee must receive copies of all relevant documentation at each stage of the procedure. Any grievance not presented or carried forward in the specified time limit by the aggrieved, shall be considered abandoned by default unless the parties otherwise agree, or

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the cause for delay is demonstrably outside of the control of the party concerned.

9.1 GRIEVANCE PROCEDURE

Stage 1

Unless otherwise determined, **in the first instance**, the immediate Supervisor should deal with a reported grievance. It is the responsibility of the Supervisor to take such steps to resolve the matter directly, or to achieve a resolution through those empowered to do so.

Stage 2

If the aggrieved party is not satisfied with the Supervisor's determination, such employee(s) may, within seven (7) working days of the determination, have the matter referred to the Departmental/Divisional Head

Stage 3

If the aggrieved party is not satisfied with the determination by the Departmental/Divisional Head, such employee(s) may, within seven (7) working days of the determination, have the matter referred to the Parish Personnel Manager, or in a Regional Hospital to the Personnel Manager.

Stage 4

Should the matter not be resolved satisfactorily, the employee (s) may refer it to the Director, Human Resource Management and Industrial Relations (HRM & IR). This is to be done within seven (7) days of its disposal by the Parish Manager/CEO. A comprehensive report as well as supporting documents should be submitted to HRM&IR.

Stage 5

Should the matter not be resolved satisfactorily, the employee (s) may refer the matter to the Regional Director. A comprehensive report, along with the supporting documents, should be submitted within seven (7) days of its disposal by the Human Resource & Industrial Relations Division.

Stage 6

If the matter remains unresolved after deliberations by the office of the Regional Director, an appeal may be made to the Regional Board. This Appeal should be in writing and made within fourteen (14) days of its disposal by the Regional Director.

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If unresolved, either party may refer the dispute to the Ministry of Labour for conciliation. For seconded employees, this should be done through the Ministry of Health.

9.2 DISCIPLINARY PROCEDURES

Discipline is to be undertaken in accordance with the guidelines set out in the Disciplinary Code attached. Enquiries/hearings must be conducted where disciplinary action is indicated

The immediate Supervisor will investigate allegations of an offence. If the investigation determines that an offence has been committed, and this is a minor offence, the following guidelines will normally apply: -

- i) For the first offence, the immediate supervisor will administer an oral warning or counseling
- ii) Corrective counselling is the responsibility of the departmental Supervisor/Manager. The Parish Personnel Office and ultimately the Regional Human Resource Division functions as an advisory entity in this regard.
- iii) The employee can be reprimanded, suspended or dismissed in keeping with the guidelines set out in the Disciplinary code.
- iv) Where the disciplinary action for an offence is suspension or dismissal, the recommendation supported by the relevant documentation should be referred to the Director, Human Resource Management and Industrial Relations.
- v) Suspension or termination may not be effected without consultation with the Director, Human Resource Management and Industrial Relations.
- vi) Recommendations for the termination of employment, must be referred to the Regional Director.
- vii) Where the matter may progress toward implications for strong disciplinary action, the offices of the Parish Manager, Chief Executive Officer, Regional HRM&IR are to be involved.

9.3 PROCEDURE FOR CONDUCTING AN ENQUIRY/HEARING

If an Enquiry/Hearing is to be conducted, the following procedure should be followed:

- i) The employee(s) must be informed in writing of the charges being laid.
- ii) The employee must be provided with a copy of the evidence to be brought to the Enquiry/Hearing
- iii) If a written response to the charges is to be made, this must be done within seven days of the delivery of the written charges
- iv) Five days' notice of the date of the Enquiry/Hearing must be given to all parties.
- vi) The panel should comprise the immediate supervisor, Departmental

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- Manager, the Parish/Hospital Personnel Officer/Manager and any other officer so designated.
- vii) Consultation should occur with the Regional Human Resource Office, accompanied by a comprehensive brief and relevant documents/reports concerning the matter.
 - viii) The decision taken must be communicated in writing to the employee and his/her representative, the Head of Department, Parish Manager, CEO and the Director, HRM&IR.
 - ix) If action is brought against the Regional Director, the panel should comprise the Board Chairman and his/her nominees.

9.4 REGULATIONS

- i) No report shall be placed on an employee's personal file before it is discussed with him/her.
- ii) No Union Delegate shall be disciplined until the circumstances of the case are fully discussed with a full-time Union official.
- iii) No Supervisor shall have the right to suspend a worker.
- iv) All suspensions should be discussed with the Director, HRM&IR
- v) All dismissals must be authorized by the Director, HRM&IR
- vi) The penalty invoked should take into account the previous record of the employee and should be guided by the Disciplinary Code.
- vii) An officer may be sent on leave to facilitate proper investigation, if deemed necessary.

9.5 APPEALS

- i) Appeals should be made through the Director, HRM&IR to the Human Resource Committee of the Board. However, members who were intimately involved in any stage of the grievance procedure should not be a part of the appeal committee.
- ii) With respect to seconded/(transferred) officers, Appeals may be made to the Privy Council through the Ministry of Health.
- iii) For direct employees of the Regional Board, recourse may also be had to the Ministry of Health.

10. COMPLIANCE

Member of staff are expected to comply with all instructions given in the course of duty, save and except where those instructions are unlawful in nature or where they implicate life or limb.

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In the event of disagreement or difficulty with lawful instructions given, the primary modus operandi is expected to be compliance accompanied by use of the appropriate grievance procedure.

11. COMMUNICATION

It is the policy of the Regional Health Authority to communicate regularly with staff using a range of communication media and encouraging open and meaningful dialogue among staff, management, clients and other external stakeholders.

Designated officers will interface with the media on the approval of the Board of Directors of the Regional Health Authority. Due regard should be given to the Ministry of Health's Strategic Communication Policy.

12. EMPLOYMENT OF CONVICTED PERSONS

The Regional Health Authority may consider the employment of persons who have served prison terms, for rehabilitative purposes and dependant upon the nature of the crime committed.

Employment shall be in accordance with the specifications of the position and provided that the requisite support systems are in place.



Dr. E. Grace Allen-Young
Permanent Secretary
Ministry of Health

2006 November 01

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Appendix 1

STUDY LEAVE

1. DEFINITION

Study Leave is a period of absence granted to public employees to pursue courses of study, which may fall, into all of the following categories.

1.1 Category 1 Government Mandated

Programme of study initiated or mandated by the Government and therefore deemed to be in the national interest, e.g. government scholarships and awards to fill critical skill shortage areas, courses to meet future strategic needs, etc.

1.2 Category 2 Job Related

Programme of study undertaken voluntarily by individual public officers to improve their qualifications and skills in areas directly related to current functions.

1.3 Category 3 Future Advancement

- (i) Programmes of study undertaken voluntarily by individual officers to improve their qualifications and/or skills for future career advancement and employability in areas not necessarily related to current Ministry/Department but may be applicable to other Ministries/Departments.
- (ii) Programme of study undertaken voluntarily by individual public officers to improve their qualifications and/or skills for future career advancement and employability in areas not necessarily related to current Ministry/Department but may be applicable to other Ministries/Departments.

1.4 Category 4 Personal Interest

Programme of study undertaken voluntarily by individual public officers for personal interest or for growth and development.

2. SUPPORT FOR STUDY LEAVE

- (i) Officers who are granted Study Leave may be eligible for financial support depending on the category within which the course of study falls.
- (ii) Officers who are selected to pursue Government mandated courses of study (Category 1) would qualify for full financial support from public funds with no forfeiture of any accumulated vacation leave.

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- (iii) Officers who are selected to pursue job-related or future advancement courses of study Category 2 or 3 may receive the equivalent of up to two (2) years fully- paid leave. The officer would be required to forfeit leave or salary equivalent to his/her maximum leave accumulation. Any additional leave required to complete the course of study shall be without pay.
- (iv) Officers who are granted study leave to pursue courses of study under Category 4 may be granted vacation leave followed by leave without pay, at the discretion of the Permanent Secretary or Head of Department.

3. BONDING

Officers who are granted study leave and receive support from the public funds may be required to execute a loan agreement as outlined in sections 5.7 (iii-v), of these Orders.

4. DAY RELEASE

Officers may be granted a combination of day release during the academic year and full time study leave during the summer period to attend any approved tertiary institution. This will only be considered where evening classes are not available for the particular course. The following conditions will apply:

- (i) The officer will cease to earn vacation leave at the commencement of the course until its completion.
- (ii) The officer is expected to attend classes 1 or 2 days a week and where necessary on full time for 2 to 4 weeks during the summer period it required by the institution.
- (iii) The day(s) and full time period utilized for the course will be charged to his/her vacation. After the vacation leave has been exhausted, the officer will enter into a period of study leave which may be granted on full salary for a total period of up to 180 days, to be utilized as at (ii).
- (iv) On completion of the course the officer will be credited with vacation leave for the number of days on which he was not in attendance at classes, subject to the provision that vacation leave will not exceed the maximum prescribed.
- (v) Officer granted study leave as above are not entitled to recreational leave.
- (vi) Officers who are granted full time study leave Categories 2 or 3 to run consecutively with the day release should be credited with the vacation leave earned at (iv) prior to the commencement of the full time study leave.

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Appendix 2
**REGIONAL HEALTH AUTHORITIES
DISCIPLINARY CODE**

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Appendix 2
**REGIONAL HEALTH AUTHORITIES
DISCIPLINARY CODE**

Note:

- a. It is obviously not practicable to specify all offences and the foregoing schedule has been confined to those, which are more or less commonly encountered.
- b. This schedule will be generally followed but Regional Health Authorities reserve the right to treat any offence against these rules and regulations on the merit of the case and the disciplinary record of the offenses as recorded on the delinquent's file.
- c. Depending on gravity of offence the minimum penalty may be applied on the first offence.
- d. Suspension is without pay.

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No.	TYPES OF OFFENCE	1 ST OFFENCE	2 ND OFFENCE	3 RD OFFENCE	4 TH OFFENCE
1.	Absence from duty without permission or a reasonable excuse.	Oral warning and counselling	Written warning and counselling	Suspension (3 days)	Dismissal
2.	Absence without leave for five (5) consecutive days.	Dismissal	N/A	N/A	N/A
3.	Early departure or lateness except where approved by the officer in charge.	Oral warning and counselling	Written warning and counselling	Suspension (3 days)	Dismissal
4.	Causing damage to property: (a) Due to Negligence (b) Malicious intent (c) Failure to report damage	Written warning Suspension/Dismissal Written warning/ Suspension	Written Warning Dismissal Suspension/Dismissal	Suspension (5-10 days)	Dismissal N/A N/A
5.	Using/Issuing the Regional Health Authorities' property without permission.	Suspension/Dismissal (10 days)	Dismissal	N/A	N/A

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No.	TYPES OF OFFENCE	1 ST OFFENCE	2 ND OFFENCE	3 RD OFFENCE	4 TH OFFENCE
6.					
7.	Negligence	Written Warning	Suspension/Dismissal		
8.	Unsatisfactory performance/workmanship	Counseling	Written warning	Suspension (3-5 days)	Dismissal
9.	'Horse-play' or other similar conduct likely to cause injury to person or property.	Written warning	Suspension	Dismissal	N/A
10.	Fighting whilst on duty or on the premises.	Dismissal		N/A	N/A
11.	Provoking/Inciting to riot or disorder	Suspension (10-15 days)	Dismissal	N/A	N/A
12.	Coming to work under the influence of liquor and/or illegal drugs.	Suspension and professional counseling (10 days)	Dismissal	N/A	N/A
13.	The peddling/use of liquor and/or illegal drugs on the RHA premises.	Dismissal	N/A	N/A	N/A

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No.	TYPES OF OFFENCE	1 ST OFFENCE	2 ND OFFENCE	3 RD OFFENCE	4 TH OFFENCE
14.	Illegal possession of a firearm or other lethal weapon on Regional Health Authorities' property or while on the job.	Dismissal	N/A	N/A	N/A
15.	Gambling during working hours or on Regional Health Authorities' premises.	Written warning	Suspension without pay	Dismissal	N/A
16.	Use of Abusive or obscene language.	Written warning/ Suspension (3 days)	Suspension/Dismissal (10 days)	Dismissal	N/A
17.	Issuing of Threats	Suspension (5 days) /Dismissal	Dismissal	N/A	N/A
18.	Assault/Battery	Dismissal	N/A	N/A	N/A
19.	Fraud: - Commission - Aiding and abetting	Dismissal Suspension (10-15 days) /Dismissal			
20.	Sexual harassment	Suspension (15 days)	Dismissal	N/A	N/A
21.	Failure to comply with a reasonable instruction given by a supervising officer	Written warning/ Suspension/Dismissal	Dismissal Suspension/Dismissal (3-5 days)	Dismissal	N/A

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No.	TYPES OF OFFENCE	1 ST OFFENCE	2 ND OFFENCE	3 RD OFFENCE	4 TH OFFENCE
22.	Sexual encounters on Regional Health Authorities' premises.	Dismissal	N/A	N/A	N/A
23.	Stealing Regional Health Authorities' property and stealing from fellow workers and clients	Dismissal	N/A	N/A	N/A
24.	Falsification of report or record.	Dismissal	N/A	N/A	N/A
25.	Use or disclosure of confidential information obtained as a result of working at the office.	Suspension./ Dismissal (10-15 days)	Dismissal	N/A	N/A
26.	Acceptance of gifts (monetary and otherwise) in exchange for work-related favours/services	Suspension, without pay	Dismissal	N/A	
27.	Refusing to cooperate with security in the execution of their duties				

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