

Government of Ras Al Khaimah Human Resources Department

Date 1/4/2018

No: 477

Circular No (10) for the year 2018

Regarding

**Regulations of submitting and approving resignation application and exemption
from notice period**

To all governmental departments and authorities:

After Compliments,

Best regards and best wishes for continued progress and success from Human Resources Department, in pursuant to the provisions of chapter No 14 of human Resources Law regarding service termination, and following to the Circular No (4) for the year 2016 regarding the rules and the mechanism of calculating the dues and deductions of service termination, and to organize the process of submitting resignation application. We are very pleased to enclose to you regulations of submitting and approving resignation application and exemption from notice period.

The enforcement of the above mentioned shall commence from 01/01/2018.

We hope everyone shall follow what has been mentioned above.

Thank you

Dr. Mohammed Abdulatif Khalifa

G.M

Attachments:

- Regulations of submitting resignation application, approval and exemption from the notice period.
- Form of service termination decision.

Regulations of submitting and approving resignation application and exemption from notice period

(Circular No 10 for the year 2018)

- **Mechanism regulations of resignation submission and notice period:**
 1. The employee shall submit the resignation application in Mawardna System within maximum 3 days from the date requested for submitting the resignation. Paper application is not accepted, in case of not commit to that, the date of submitting the resignation is considered to be the actual inserting date in the system and not retroactively.
 2. The employee has the right to withdraw the resignation from the system within seven calendar days from the date of application being approved without any legal consequences.
 3. The resigned employee shall insert the date of last desired work day in the resignation application, in case of not inserting that, the date shall be calculated by default on the basis of the last day of notice period that prescribed legally or contractually in accordance with the job grade or the business contract.
 4. The resignation application is approved according to the series of fixed approvals within 7 working days from the date of inserting the resignation, the resignation will considered acceptable within two weeks from the date of submission if the governmental institution does not take any action in this regard according to Article No (152) of Human Resources Law.
 5. The human resources unit shall review the resignation from all aspects and not to refer it to the next accreditation authority unless after making sure that the employee has inserted all his leaves and his absence periods throughout his service and completing the employee's disclaimer application.
 6. In case of closing the system for the purposes of preparing the salaries, the human resources department shall informed about the resignation through electronic email, and then it shall be inserted immediately after the system being open by the employee or the human resources unit in case the resigned employee is not available.
 7. The service termination decision shall be downloaded and attached in Mawardna System after the notice period is finish as per the attached form.
 8. The actual notice period commences from the next day of resignation submission in view of the above regulations.
 9. The date of accepting the resignation shall be consider as the date which comes next the last working day of notice period.

10. In case of calculating the notice period, it shall be taken into consideration that the warning month (30 calendar day) and two months warning (60 calendar day).
11. The submission of resignation may result in suspending the salary within regular cycle till the final settlement of dues, obligations and deductions is done in view of the service termination procedure.

*** Exemption from the notice period regulations:**

It shall not be allowed to approve the exemption from the notice period by the governmental institution unless in accordance with an application from the employee along with justified and convinced reasons as follows:

- It is difficult to attend regularly due to the resigned health condition according to medical report.
- Not available in the country for the purpose of patient escort of first or second degree.
- Because of joining a military course or approved scholastic program during the period of warning.
- The Existence of legal obstacles which prevents the resigned employee from being abided by the notice period.
- The availability of the alternative professionally and immediately and no need to transfer the implicit and explicit knowledge and experience from the resigned employee to him.
- Expiry of the resigned employee during the notice period.

*** The Exemption from work regulations during the notice period in accordance with governmental institution request:**

The governmental institution has the right to terminate the employee from the service during the notice period and compensate him for this period in the following cases:

1. There are functional risks and may result into institutional defects to be evaluated in accordance with professional principles.
2. Requirements of Supreme interest of the state in accordance to the official letter in this regard.
3. The inability of the employee to cope with work developments during the notice period.
4. Making structural modifications shows that there no need for the employee to stay.

*** Government Financial Claims:**

* in case, the employee is financially indebted according to termination service procedure, the procedures of employee's subscription termination shall be suspended at site of Pensions and Social Security Authority till he pays the due amounts to the financial department and receives notice in this regard.

* For the non-native employee, the completion of service termination procedures included the experience certificate and the procedures of the registration shall be ceased until he pays the dues amount to the financial department and receives notice in this regard. In case of failure, legal actions shall be taken against him.

*** Mechanism of terminating the subscriptions of the native employees and the natives of the GCC at Pensions and Social Security Authority**

1. The procedures of terminating the employee's subscription at the Pensions and Social Security Authority are done through its electronic site as the employee receives the service termination notice from the human resources department if there are no any financial claims against the employee.

2. In case of availability of financial claims against the employee, the procedures of terminating the employee's subscription at the Pensions and Social Security Authority shall be ceased through its electronic site until the employee pays the amounts dues in favor of the government.

3. A copy of payment notice and service termination procedure shall be attached at the Pensions and Social Security Authority and Mawardna System in order to finish the subscription procedure.

4. The human resources unit shall inform the employee when finds shortfalls in order to complete the subscription termination.

5. After the subscription termination process finishes successfully, a copy of subscription termination procedure shall be attached in Mawardna System.

* Implementation Date:

The enforcement of the above mentioned on all kinds of service termination shall commence from January 2018.

Administrative Decision No () for the year

Regarding

Service termination of Mr.

- After studying the Human Resources Law for the year 22013
- And the appointment decision of Mr.
- And the job contract executed with Mr..... No date
- And in accordance with the resignation application submitted on
- Or according to the recommendation of Disciplinary Council on
- Or according to

The followings have been decided:

1. To accept the resignation of Mr.commencing fromtaking into consideration the second clause.
Or (terminating the service of Mr. commencing from)
Or (terminating the contractual relation with Mr. commencing from)
2. The employee shall be abided by the prescribed notice period in the Human Resources Law.
Or to be exempted from the prescribed notice period for a period of () day.
3. All the concerned bodies shall follow and take the required administrative procedures as per the directives and the enforceable regulations.