

GOVERNMENT OF RAS AL KHAIMAH
Human Resource Department

Date: 29/10/2015

No. 3315

Circular No. (24) of 2015
Conditions of Delegation & Secondment

By virtue of Human Resources Law of 2013, and in order to regulate movement of delegation and secondment, the following rules and guidelines are to be considered:

- Firstly: Delegation within a government department:

Definition of Delegation:

An assignment of an employee to officially carry out duties of a vacancy or in absence of its incumbent within the government department.

Delegation mechanism & authority:

Making a decision by the respective authority at the government department specifying accurately that the assignment is in the form of delegation.

Conditions of delegation:

1. Delegation must be for carrying out duties of a vacancy or a created budgeted job beside the duties of the original job.
2. The delegation will be for a period not exceeding six months, to be extendable for further six months.
3. Employee must have the qualifications, expertise and skills necessary for undertaking the duties of the job to which he is delegated.
4. Employee shall not be delegated to more than one job beside his original one.
5. The virtual degree of the job to which the employee is delegated must be equivalent to the degree of the delegated employee or two degrees higher maximum.
6. Employee shall not be delegated during probationary period.
7. Employee who has obtained a performance assessment rating less than meeting expectations in the last year preceding the delegation shall not be delegated.

8. Employee performance shall be assessed by the immediate supervisor of the job to which he is delegated, as well as the immediate supervisor of the original job, in accordance with the performance management system. The general rating shall be considered for both assessments; otherwise, delegation will be regarded as a role objective and the assessment of which will be considered.

9. Upon expiry of delegation period, employee may be transferred or promoted to the job to which he was delegated in accordance with the provisions of transfer and promotion set forth in Human Resources Law of 2013 and regulations thereof.

10. Employee's delegation may be terminated at any time prior to expiry of its period.

Delegation Allowance Payment Conditions.

1. Issuance of a decision in respect to delegation by the respective authority.

2. Delegation must be for a continuous minimum period of three months not exceeding one year as maximum.

3. Employee shall be granted a delegation allowance as of the date of undertaking delegation duties, and it shall be equal 25% of the basic salary of the first point of job degree to which he is delegated, only if the period of delegation is no less than three months.

4. Delegation allowance shall be paid after three months of the delegation period in case that delegation period has not been determined in the decision (on a retroactive basis of the delegation date).

5. Leaves periods (and official duties not related to the job to which the employee is delegated) shall be deducted from the allowance value.

Secondly: Secondment.

It is a secondment of employee to any local or Federal Government department in other emirates, to a private entity within the country of any governments, or Arab or international organizations in a full time or part-time for no longer than one year to be extendable.

Secondment Mechanism & Authority

- Upon a decision made by the respective authority based on a formal letter from the receiving department if the secondment is to a local or Federal Government department in other emirates or a private entity within the country.

- Upon a decision made by the Executive Council if secondment is to Arab or International Governments and Organizations subject to a formal letter in this regard.

Secondment Conditions

1. Respective authority's approval at the sending and receiving department.
 2. Employee's approval in writing for secondment and upon extension.
 3. Government department may fill the job that becomes vacant by reason of secondment.
 4. Employee shall not be seconded if his period of service is less than one year.
 5. Seconded employee's performance shall be assessed in coordination with the receiving department in accordance with the applicable performance management system at the receiving department or considering secondment duties as a role objective in cases of partial secondment.
 6. Seconded employee shall be during the period of secondment subject to the receiving department's applicable policies and procedures except for termination of service, which falls within the competence of his original department.
 7. Imposition of penalties against violations committed by the seconded employee shall fall within the competence of the receiving department in accordance with its applicable administrative procedures and penalties. Seconded employee's original department must be informed of the committed violations and penalties imposed.
 8. Secondment period shall be considered as a part of periods required for promotions.
 9. Seconded employee shall receive his full salary, leaves and other entitlements from the receiving department according to the secondment entitlements payment schedule. The Executive Council or whomever it authorizes, may exclude employee from such provision or granting him specific financial benefits if necessary.
 10. No leaves shall be carried forward or transferred to the receiving department after the expiry of the secondment period in case of full time secondment.
- 10 Secondment duration shall be considered as a part of the employee's period of service. The receiving department shall bear monthly retirement contributions in cases of full time secondment.

11 Upon employee's return from Secondment, government department should either reinstate employee to his original position or appoint him in another job equal or higher than the old one if appointment conditions are satisfied or fulfillment of promotion other requirements. Employee may also be transferred to the receiving department according to the transfer regulations.

12 Seconded employee shall be eligible for his annual allowance once it becomes entitled and to be paid by the receiving department except for case of partial secondment (less than 3 months).

Secondment Entitlements Payment Schedule and other employment matters

- Partial Secondment: the official working hours will be distributed between the receiving and sending entities upon mutual agreement.
- Full Secondment: The employee's work at the receiving department will be in a full time manner during the secondment period.

Secondment Entitlements Payment Schedule

Powers	Partial Secondment			Full time secondment				
	Within Government		Outside Government	Within Government	Outside Government			
	More than 3 months	Less than 3 months	Receiving department will bear 75% of salary as a minim.	Receiving Department				
Salary Payment	Total salary payment will be shared by the sending & receiving entities on a pro-rata basis.	Sending Department						
Secondment allowance payment	The receiving department and the value of which will be in the category of secondment allowance (25% of the salary first point of job degree to employee is delegated)							
Leaves	Sending Department		Receiving Department					
Promotions	Sending Department							
Penalties	Receiving department according to their applicable administrative procedures and penalties and informing employee's original department of committed violations and penalties imposed							
Performance assessment	General rating of both entities shall be considered or secondment duties will be regarded as role objective and the assessment rating of which will be considered.			In accordance with receiving department's performance management system				
Pensions	Sending Department			Sending department				

Authority Contributions			(contribution amount will transferred to sending department)
Annual Allowance	Sending department in sharing manner as being more than 3 months	Receiving Department	Receiving Department
Official and training assignments	In coordination between both entities		Receiving department along with informing the sending department accordingly.
End of service	Sending Department		
Any other procedures of financial impact related to employee's job related matters.	In coordination between both entities		

Expiry of Secondment

- Secondment shall expire in the following events:
 - (1) Expiry of secondment period or extension thereof.
 - (2) Upon a written request from employee and both entities' approval.
 - (3) Upon the legally respective authority's request at sending or receiving entities.
- The party who intends to terminate the secondment must send at least a one-month written notice before the expiry of secondment to the other party since it is a full time secondment exceeding 3 months.

Return to work

Seconded employee must return to his department within the following periods:

- (1) If the secondment is inside the country, employee shall return to work on the day following the expiry date of secondment.
- (2) If the secondment is outside the country, employee shall return to work within 5 days of the secondment expiry date.

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