

# **INDUCTION TRAINING FOR NEWLY RECRUITED STAFF IN KAMULI DISTRICT**

## **TERMS AND CONDITIONS OF SERVICE IN THE PUBLIC SERVICE**

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## **1 Target group**

All newly recruited staff in the FY 2020/2021

## **2 Objective**

To inform participants of their benefits, entitlements, obligations and the way of conducting business in the Public Service. By the end of this induction training session, participants will

- ▶ Know the various appointing authorities and their mandates;
- ▶ Know the different types of appointment in the Public Service;
- ▶ Know their benefits, entitlements and obligations;
- ▶ Be aware of the conditions for qualifying for such benefits, entitlements and allowances; and
- ▶ Appreciate Government's efforts to facilitate Public Officers;

## **3 The legal framework**

- i. The Constitution
- ii. The Local Governments Act, 1997(with its amendments)
- iii. The Employment Act 2006
- iv. The Public Service Commission Checklist
- v. Guidelines on the Management of Human Resources in Local Governments
- vi. The Acts of the Appointing Commissions
- vii. The Pensions Act, "Cap 281"
- viii. The Public Service Act
- ix. The Uganda Government Standing Orders
- x. Relevant Circular Standing Instructions
- xi. The Pensions Management Manual, 2000
- xii. Relevant Establishment Notices
- xiii. Relevant Circular Standing Instructions
- xiv. Letters of Appointment

## **4 Session outline**

- ✘ Introduction
- ✘ The basics of an employment contract
- ✘ Appointing Authorities and their mandates
- ✘ Conditions for recruitment of staff
- ✘ Types of appointment

- × Other Terms and Conditions of Service Incidental to Movement of persons within and outside the Public Service
- × Methods of Effecting Appointments
- × Medical examination
- × Oaths
- × Date of assumption of duty
- × Employees benefits, entitlements and obligations
- × Leave
- × Roles and obligations of public officers
- × Official Working Hours and Attendance to Duty
- × Handing-Over And Taking-Over of Office

## 5 Introduction

The public service refers to service in any civil capacity of the Government the emoluments for which are payable directly from the Consolidated Fund or directly out of monies provided by Parliament. A public officer is any person duly appointed by the appropriate Service Commission or other relevant Appointing Authority to hold or act in any office in the public service [Article 175 of the Constitution].

The Public Service exists to enable the Government to formulate and implement policies and programmes of Government for the development of Uganda and the quality of the human resources in the Public Service determines the quality of the services delivered. In order to achieve quality service delivery, the performance behavior in public service is regulated by employment contracts with terms and conditions of service derived from an elaborate legal framework.

It is therefore important to take all new entrants in the service through the key highlights of the terms and conditions of service since ignorance of any provisions of the said legislations cannot, in itself, be accepted as an excuse for the infringement of any part of the laws.

Before we delve into the foundations of the terms and conditions of your service, it is important to understand the basics of an **employment contract**.

## 6 The basics of an employment contract

An employment contract may be referred to as a **legally binding agreement between the employer and the employee** to perform the functions attached to the job for which he\she is employed.

The essential elements of a valid and legally enforceable employment contract, just like other forms of contracts, are that there must be an **offer** and **acceptance**. An offer is an expression of willingness to contract on certain terms and conditions made with the intention that a binding agreement will exist once the offer of appointment is accepted. Acceptance is an unconditional assent to all the terms and conditions of the offer and the acceptance must be received by the employer. There must be a meeting of the minds [**genuineness of consent**] between the employer and employee.

The intention is to **create legal relations** and not merely to exchange mutual promises, **both having promised to give something of value [consideration]**. The signatories to the letter of appointment must be those with the capacity to sign while the letter of acceptance of the offer must be signed by the successful applicant [**contractual capacity**].

It therefore follows that a public officer shall not after entering the Public Service, change his or her name otherwise than in accordance with the laws of Uganda. Change of the name in any other circumstances will require the production of a legal document effecting the change of.

## **7 Appointing Authorities and their mandates**

Appointing Authority means the President, relevant Service Commission or Authority or, where the President's powers under Article 172 of the Constitution have been delegated under Article 172 (3), to the Education Service Commission, the Health Service Commission, the Judicial Service Commission, the Public Service Commission and the District Service Commissions.

The power to establish and abolish offices in the Public Service of the Government of Uganda is vested in the President who may consult with the Minister responsible for public service and subject to the provisions of the Constitution and any other Law, a District or Urban Council may establish or abolish offices in the Public Service of a District or Urban Council.

The overall responsibility for the administration and management of the public service vests in the Minister responsible for the public service. The Minister is responsible for formulation of policies relating to the terms and conditions of service and the management of the public service.

The power to appoint, confirm, discipline and remove officers from office in the public service is vested in:

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- a) The President for Officers at and above the rank of Head of Department, on the advice of the relevant Service Commission or Authority;
- b) The relevant Service Commission or Authority for officers below the rank of Head of Department;
- c) The relevant Appointing Authority in case of a Government agency or institution;
- d) The relevant District Service Commission in the case of Local Government staff except the Chief Administrative Officer, Deputy Chief Administrative Officer, Town Clerk and Deputy Town Clerk of City and Town Clerks of a Municipal Council;
- e) The relevant Service Commission, with the consent of the President, in case of the President's personal staff; and
- f) The Head of a Mission, subject to the delegation in writing, in the case of locally recruited staff for the mission.

All agreements for employment in the Public Service, whether on pensionable or non-pensionable terms, are subject to the Laws of Uganda and International Labour and Employment Laws.

## **8 Conditions for recruitment of staff**

Appointment in the public service is subject to availability of a vacancy in the approved staff establishment and funds in the approved estimates [Section 3 A-c of the PSSO].

## **9 Types of appointment**

Appointment means an offer to a person of a job or position of responsibility in the Public Service. This includes promotion from one public office to another or transfers from one public office to another.

### **9.1 Appointment on Probation (UPSSO A - d)**

Appointment to a pensionable office shall be preceded by a six months probationary period which shall count from the date of assumption of duty. The Appointing Authority may use discretion to prescribe a shorter or waive a period of probation in any individual case. Appointment on probation to a pensionable office does not in itself confer any right of admission to the pensionable office.

A public officer, appointed on probation shall, during the probationary period, perform the duties of the post for which he or she was appointed and any other

relevant duties as may be assigned by the supervisor, in accordance with the terms of the appointment. During the probationary period, a public officer shall be on trial, with a view to learning his or her work and being tested so as to ascertain his or her suitability for retention in the public service;

Probation is intended to secure, in public interest, officers that are suitable for public service career and eliminate at an early stage those not suitable for permanent retention. During the probationary period, a public officer shall complete Staff Performance appraisal forms twice for assessment of his or her performance by the supervisor who shall submit them to the Responsible Officer.

A public officer on probation shall not be considered for promotion or assigned duties of a higher office or granted leave without pay. A public officer on probation shall not be permitted to proceed on a long term training course unless such training is a direct requirement for the confirmation of the officer in accordance with the schemes of service or addressing a critical skills gap.

A probationary appointment of a public officer may only be extended for justifiable causes, such as an officer not being able to pass or sit for the relevant examination for reasons beyond his or her control or owing to extended period of ill health. Where fully justified, a probationary appointment will be extended only once for a period not exceeding six (6) months.

A public officer who fails to fulfill the requirements for probation (with or without extension) such as failure on the part of the officer to master his or her official duties or responsibilities within the probationary period or failure to sit or pass the examination required for confirmation shall have the appointment terminated by the Appointing Authority on the recommendation of the Responsible Officer.

A public officer is eligible for confirmation in appointment at the end of a probationary period, subject to satisfactory performance, conduct and to any other prescribed conditions, which may include the following: passing of departmental examinations or tests; Completing prescribed courses of Instruction; and any other prerequisites laid down for any particular appointment.

A public officer on probation has a right to inquire from his or her supervisor about his or her prospects for timely confirmation. Where confirmation is not effected on the due date, the officer shall upon the lapse of one month from the



due date of his or her confirmation, appeal in writing to the Responsible Officer through the immediate supervisor.

A public officer's confirmation in a pensionable office is effective from the date his or her probationary appointment commences and subject to satisfactory performance and fulfillment of conditions for confirmation, he or she may be considered for promotion.

## **9.2 Appointment on Promotion (UPSSO A - g)**

Promotion is an appointment to a higher office and is accompanied with higher rank, responsibility and salary. Recommendation for promotion shall be considered only when a vacancy exists. An officer shall not be recommended for promotion while on probation. An officer shall not be recommended for promotion until he/she has served for a minimum of three years in his or her substantive grade. An officer shall not be recommended for promotion to a post more than one step up the promotion ladder.

If a Public Officer is found suitable for promotion to the next level before completing the 3 years in the substantive grade or to a post more than one step in the promotion ladder, it shall be referred to as accelerated promotion. An Officer may be considered for accelerated promotion if he/she has the set job competencies provided there is no other qualified officer for the position.

An Officer shall not be considered for promotion in the Service during his or her absence on a scholarship/training course, if after promotion he/she will not be able to assume duty within one month, or leave without pay.

## **9.3 Appointment on Local Contract Terms (UPSSO A - h)**

Appointment on local contract terms is applicable to employment of non-citizens; employment of citizens considered to be a medical risk for pensionable employment or where one cannot complete the qualifying period for pension before retiring on the due date; when a candidate is a retired officer and is receiving a pension from the Uganda Government; when a candidate is appointed for a specific period of time; or when the terms of employment for a particular post dictate so.

Candidates for appointments on local Contract terms with a gratuity and a specific period of service expressed must have qualifications and experience

which would have qualified them for pensionable appointment had this been open to them.

Appointments made under local Contract terms shall be for such periods, not being less than six months, as the Appointing Authority may direct, and or on the recommendation of the Responsible Officer. The duration of Service will be two (2) years unless otherwise specified by the Appointing Authority and shall include all leave entitlements. Extension beyond the maximum period of two years shall be subject to approval by the Permanent Secretary Ministry of Public Service.

A public officer appointed on contract terms shall only be allowed to undertake short term training not exceeding three (3) months duration.

#### **9.4 Appointment on Transfer within the Public Service**

An appointment on transfer within the service is where a confirmed serving public officer changes from one cadre to another within the Service, following proper appointment procedures. Appointment on transfer shall be in public interest and on the recommendation of the Responsible Officer. Appointment on transfer within the service shall be in the same grade, salary scale and level, subject to the direction of the Appointing Authority.

#### **9.5 Appointment on transfer of service from Central Government to a Local Government**

A public officer holding a pensionable office in a Central Government, once appointed to a post in a Local Government, such an appointment shall be referred to as appointment on transfer from a Central Government to a particular Local Government.

#### **9.6 Appointment on Transfer of Service from a Local Government to Central Government**

A Public officer holding a pensionable office in a Local Government, once appointed to a post in a Ministry or Department, such appointment shall be referred to as appointment on transfer of service from a particular Local Government to the Central Government.

## **9.7 Appointment on Transfer of Service from one Local Government to another**

A public officer holding a pensionable office in a Local Government, once appointed to a post in another Local Government, such appointment shall be referred to as appointment on transfer from a particular Local Government to another Local Government.

## **9.8 Appointment on Transfer from the Public Service to “Other Public Service”**

A person who is a Ugandan citizen and who holds a pensionable post in “Other Public Service” may apply for a job advertised either in a Central Government or Local Government. Once appointed to the Public Service, the Pensions Authority may agree to the officer being transferred to the Public Service of the Government of Uganda. In such circumstances, the officer’s pensionable service with the previous employer shall be permitted to count as qualifying service.

Before appointing such persons, the Appointing Authority shall consult the Responsible Permanent Secretary; about the status of the releasing authority in as far as pension matters are concerned. If a person appointed has received terminal benefits from the previous employer, appointment on transfer shall not arise. The Appointing Authority may consider other terms depending on the age of the candidate.

## **10 Other Terms and Conditions of Service Incidental to Movement of persons within and outside the Public Service**

Before assuming a new office, the transferred officer shall be permitted to exhaust all leave days due to him or her. If the transfer was granted in public interest, the officer may be permitted by the Appointing Authority of the receiving employer to retain a higher salary which he or she may have been earning on personal to holder basis, if the case so demands.

Where a public officer was bonded by the previous employer, the receiving Ministry, Department, or Local Government shall continue with the sponsorship.

A public officer who leaves the service under early retirement or on marriage grounds shall be allowed to join the Public Service on a new appointment in accordance with the appointment procedures

A public officer who resigns from the Public Service can only be re-appointed into the Public Service as a new applicant following the laid down procedures and the previous period served shall not be regarded as pensionable service.

Persons previously employed in the Public Service shall not be re-engaged after leaving the Service on abandonment of duty; retirement in Public Interest; and dismissal.

## **11 Methods of Effecting Appointments**

Appointments will be effected through directives of the Appointing Authority to the Responsible Officer. No appointment of any public officer shall be deemed to be effective until the Responsible Officer has made an offer to the officer and he or she has accepted the offer in writing. It follows therefore, that until the officer has formally accepted the offer in writing and reported to his or her posting duty station, where applicable, the salary attached to the appointment shall not be paid.

An offer of appointment not taken within a period of thirty (30) days from the dispatch date of the letter, shall be deemed as having been declined and the Responsible Officer shall declare the post to the appropriate Appointing Authority for filling thereafter

Any person, who presents false documents for the purpose of appointment into the Public Service, shall be liable for criminal proceedings in accordance with the law.

## **12 Medical examination**

A newly appointed public officer to the Public Service or any other form of reengagement must undergo medical examination and be found fit for the Public Service by a Government Medical Practitioner.

## **13 Oaths [UPSSO A-k]**

On assumption of duty, all newly appointed public officers shall take the Official Oath and Oath of Secrecy administered by the Chief Administrative Officer for Public Officers in the Local Governments.

Any person who declines, neglects or omits to take the required oath to make the required affirmation under Section 6 of the Oaths Act (Cap. 19), shall If he or

she shall have already entered his or her office be deemed to have vacated the office from the date of refusal; and If he or she shall not have already entered his or her office, be disqualified from entering the same.

It is the duty of every public officer who has been designated and has assumed duty to take an oath and if he or she has not taken the prescribed oath, to draw the attention of his or her Responsible Officer to the fact, so that arrangements can be made for the officer to take the oaths without delay.

#### **14 Date of assumption of duty**

Date of assumption of duty means the date specified by the Appointing Authority or the date an officer assumes the duties of the office after the directive of the Appointing Authority which is always a future date.

#### **15 Employees benefits, entitlements and obligations**

Standing Orders make provision for what is authorized. Where there is no provision, there is no authority. Anything done for which there is no provision is, therefore, void and any cost to public funds may be recouped from the person who benefited or failing this from the person who authorized the expenditure.

##### **15.1 Payment of Salary [UPSSO B-a]**

Salary is a payment to a public officer during the course of executing his or her official duties while in the employment of the public service. Salary does not include acting allowance or any other allowance whatsoever. A public officer who has been properly appointed, deployed and has assumed duty of the post, has a right to receive a salary in return for the services he or she renders to Government.

Except as may be specifically stated, the salary entry point attached to a post will be the minimum salary point of the salary scale. The effective date of payment of salary is the officer's date of assumption of duty whether recruited in Uganda or outside Uganda in accordance with the provisions of sub-section A - c, 13 effective date of assumption of duty.

The salary structure for the Public Service shall be determined in accordance with the pay policy of the Public Service. The Salary Structure shall indicate salaries attached to each salary scale in the public service and shall be issued by the Responsible Permanent Secretary through circulars issued from time to time

[CSI No. 08/2020 current]. Salaries shall be fixed at annual rates and paid in twelve (12) equal installments. No increases in salaries may be implemented without the approval of the Responsible Permanent Secretary, except the prescribed annual increment for which an officer may be eligible in accordance with the provisions of Chapter (B-c) of the Standing Orders. Salaries for Public officers shall be paid monthly in arrears by the 28<sup>th</sup> of every month through individual bank accounts.

The Accounting Officer shall ensure that the Public officer accesses the payroll within four (4) weeks from the date of assumption of duty. Payment of a salary to a Public officer shall be stopped immediately the officer ceases to render services to Government under whatever circumstances including death.

When a Public officer is reduced in rank arising out of disciplinary action, he or she shall receive a salary of the post to which he or she has been demoted. When a post has been downgraded by the Standing Grading Committee, a public officer occupying the post will have the right to retain his or her previous salary on a personal to holder basis until the salary level in the grade reaches his or her level. Only new entrants shall start from the new entry point.

The Accounting Officer shall deduct any monies due to Government from an Officer's salary by way of housing deductions for Government quarters and water charges, where applicable; statutory taxes, e.g. Pay As You Earn (PAYE); any advances of salary or advances of allowances not properly accounted for; any over-payments or other unauthorized payments from public funds made to the officer; the cost or part of the cost of any losses of public funds or property damages attributable to the officer's negligence; any other outstanding debts to Government owed by the officer; being a judgment debtor.

A public officer's individual contractual obligations such as hire purchase, loan, and contributions to saving schemes, trade unions and staff associations may be deducted from his or her salary in accordance with the regulations. Total deductions from an Officer's salary shall not exceed 50% of the Officer's gross salary in any one month. The statutory deductions, that is to say, Government taxes, shall take precedence.

A public officer who knowingly and deliberately causes his or her monthly salary to drop to zero or negative pay, commits an offence and shall be liable to appropriate disciplinary action by the Responsible Officer. When an officer is indebted, the Government may offset any outstanding debts owing from the

officer against any other payments due to him or her from any Government source or require the officer to clear such debts direct from his or her own sources. Government will not assume any liabilities on behalf of the officer benefiting from a hire purchase or loan scheme but will merely facilitate the hire purchase or loan transaction by remitting monthly payments from the officer's salary.

Training lasting for a period of nine months or more and leading to a relevant qualification will attract one salary increment. This provision is not applicable to staff earning fixed salary, officers earning a salary on personal to holder basis and officers who have reached the highest segment of the salary scale.

A public officer who holds a post graded in a salary scale with incremental levels, shall receive annual increments up to the maximum of the salary scale, provided his or her work during the year has been satisfactory. Annual salary increment shall not be more than one notch on the salary scale segment and shall not exceed the maximum salary on the salary scale attached to the post.

In the case of a public officer serving on probation, no increment of salary will be paid to him or her on expiry of his or her prescribed probationary period until he or she has been confirmed in appointment. Following the confirmation of a public officer, his or her terms of appointment reflected on the payroll shall be adjusted from probation to permanent and pensionable to facilitate automatic award of annual increments. Annual salary increments shall only be paid within the financial year of occurrence.

The incremental date of a public officer is the first day of the month in which he or she assumes duty.

## **15.2 Allowances**

An allowance in the Public Service is a payment in cash additional to salary payable to an officer to facilitate the proper execution of an assignment or duty. The allowance is not assignable from one officer to another, in whole or in part.

An allowance is paid to a Public officer to compensate an officer for extra exertion on his or her part arising out of the additional duties or responsibilities he or she may be required to carry out or shoulder over a period of time; and to meet out of pocket expenses that a public officer may incur from time to time in the course of official duties in furtherance of public interest.

The rates of allowances or the conditions for which they are claimed shall be determined from time to time by the Responsible Permanent Secretary to take into account pertaining circumstances, and where applicable in consultation with the Ministry responsible for finance.

The rates of allowances are expected to cover all personal expenses including; accommodation, meals, hired transport, grateful gratuities, entertainment, and other incidentals. Should any exceptional circumstances arise when in an individual case, the allowance proves inadequate, presentation should be made for reimbursement to the Accounting Officer with proof.

Allowances may be taxed in accordance with the law. All claims for payment of allowances must be submitted and processed following the laid down procedures and within the approved budget. Any allowance payable shall be claimed within the financial year of accrual **Par 16 Ch (E-a)**

#### 15.2.1 Travel Allowances (E - b)

##### *15.2.1.1 Night Allowance in Uganda and Away from Officer's Station*

Night allowance shall be paid to an officer when he or she is necessarily absent from his or her duty station travelling on duty, in Uganda. The rates and conditions shall be laid out in Circular Standing Instructions issued from time to time by the Responsible Permanent Secretary. The allowance will be claimed only for the actual nights spent away from the usual place of residence and no receipted account will be required.

Night allowance may be claimed for the number of nights an officer is absent from his or her station on official duty to a maximum of 21 consecutive nights of stay in one place. Beyond 21 days, the officer shall be regarded as being on official duty at that alternative station and no additional night allowance shall be paid. The payment of night allowance per officer shall be restricted to a maximum of 150 nights in any one financial year.

Table 1: Night allowances within Uganda for public officers

Category	Rate per night in UGX
Head of Public Service/Secretary to Cabinet	170,000



<b>Category</b>	<b>Rate per night in UGX</b>
Deputy Head of Public /Secretary Administrative Reform	165,000
Permanent Secretary	160,000
Director General of Health Services	160,000
Senior Medical Consultant	150,000
Deputy Secretary to the Treasury	150,000
Secretary Uganda Land Commission	150,000
Accountant General	150,000
Director	150,000
Chief Administrative Officer	150,000
Assistant Inspector General of Police	150,000
Medical Consultant	140,000
Ambassador/FSO Gr. I	140,000
Deputy Director	140,000
Head of Department US1E	140,000
Other Officers in Scale U1E	130,000
Officer in Scale U2	120,000
Officers in Scale U3 & 4	110,000
Officer in Scale U5	100,000
Officer in Scale U6	90,000
Officer in Scale U7	70,000
Officer in Scale U8	55,000

#### **15.2.1.2 Night Allowance outside Uganda**

Night Allowance outside Uganda is an allowance payable when a public officer is absent from his or her duty station while on official duty outside Uganda. The allowance shall be claimed for the actual nights spent outside Uganda. An officer may not claim night allowance for his or her spouse unless written permission has been given by the Responsible Permanent Secretary for him or her to be accompanied by the spouse on a particular trip. If permitted, the rate of allowance for the spouse will be two thirds of the rate of the officer.

When a public officer is travelling by air on duty and has to "night stop", the allowance under this section may be claimed only when the cost of the night stop is not borne by the airline; the night stop is not caused by the failure of the officer to board a connecting flight on which he or she was booked, or other default; or the officer did not for personal reasons choose to travel on an air

craft which had a scheduled night stop when he or she had a choice for a direct flight; or the officer did not make the night stop for any personal reasons.

Table 2: Night allowances for public officers outside Uganda

Category	Rate per night
Head of Public Service/Secretary to Cabinet	\$570
Deputy Head of Public /Secretary Administrative Reform	\$510
Permanent Secretary	\$500
Director General of Health Services	\$500
Senior Medical Consultant	\$450
Deputy Secretary to the Treasury	\$450
Secretary Uganda Land Commission	\$450
Accountant General	\$450
Director	\$450
Chief Administrative Officer	\$450
Assistant Inspector General of Police	\$450
Medical Consultant	\$390
Ambassador/FSO Gr. I	\$390
Deputy Director	\$390
Head of Department	\$390
Other Officers in Scale U1-U8	\$360

### 15.2.1.3 Safari Day Allowance in Uganda

Day allowance (in Uganda) is an allowance which an officer may claim when he or she is absent from duty station within Uganda for a period of six hours or more in any one day, although he or she may return to the duty station the same day. In order to claim the allowance, an officer must travel a distance of 40 kilometers or more from his or her station by the most direct route. If a public officer is absent from his or her station on duty for less than six hours in any one-day under circumstances in which he or she must purchase a meal, and the appropriate Accounting Officer considers the claim reasonable, the allowance may be paid. The Safari Day Allowance cannot be claimed concurrently with Night Allowance.

Table 3: Safari day allowances for public officers within Uganda

Category	Rate per day
Head of Public Service/Secretary to Cabinet	17,000

<b>Category</b>	<b>Rate per day</b>
Deputy Head of Public /Secretary Administrative Reform	16,000
Permanent Secretary	15,000
Director General of Health Services	15,000
Senior Medical Consultant	14,500
Deputy Secretary to the Treasury	14,500
Secretary Uganda Land Commission	14,500
Accountant General	14,500
Director	14,500
Chief Administrative Officer	14,500
Assistant Inspector General of Police	14,500
Medical Consultant	14,000
Ambassador/FSO Gr. I	14,000
Deputy Director	14,000
Head of Department	14,000
Other Officers in Scale U1	14,000
Officer in Scale U2	13,000
Officers in Scale U3 & 4	12,000
Officer in Scale U5	12,000
Officer in Scale U6 - U8	11,000

#### **15.2.1.4 Lunch and Dinner Allowance**

Lunch and dinner allowance is payable for certain categories of public officers who are required to remain in their offices, during lunch or dinner time. Such staff shall be paid an allowance to cater for either lunch or dinner or both. Accounting Officers are left with the discretion of identifying the officers who may from time to time qualify for lunch or dinner allowance. The rates currently stands at UGX 3,000 for officers in salary scale U7 and above and UGX 2,000 for officers in salary scale U8.

#### **15.2.1.5 Out of pocket Allowance**

Out of pocket allowance is paid to a public officer to cater for incidentals when expenses of meals and accommodation are fully covered by Government or sponsor. It is not paid concurrently with night allowance [20% of a night allowance].

#### ***15.2.1.6 Warm Clothing Allowance***

A warm clothing allowance shall be paid to a Public officer who proceeds on duty overseas to temperate and cold climates. This allowance will not be paid more than once in any period of three consecutive years for the same officer at USD 465. The allowance may be claimed before the departure of the officer for his or her duty trip overseas. In the case of Foreign Service Officers, the Allowance will be paid every three years provided the officer remains posted in a temperate or cold climate outside Uganda.

#### ***15.2.1.7 Kilometrage Allowance***

Kilometrage allowance shall be paid to a public officer who is authorized to use his or her personal vehicle for home to office running and for official duties within a radius of 40 kilometers from the duty station. Kilometrage allowance shall be paid as a consolidated monthly allowance commensurate with the officer's grade and shall be determined by the Responsible Permanent Secretary from time to time.

In the event that a public officer uses his or her vehicle for official duty beyond a radius of 40 kms from the duty station, Kilometrage allowance will be paid in accordance with the distance covered and according to the capacity of the vehicle at the rates prescribed from time to time by the Responsible Permanent Secretary.

A public officer who is provided with a Government aircraft, motor vehicle, motorcycle or bicycle for official use is not entitled to any kilometrage allowances in respect of journeys, which were or could have been undertaken on the Government aircraft, vehicle or bicycle.

Monthly consolidated allowances are given on the understanding that the officer will be resident in his or her duty station for the whole of each month. If an officer who is in receipt of such an allowance is absent from his or her station either on duty or leave for a week or more, his or her consolidated allowance for that month must be reduced proportionately.

In all other cases, use will be made of the public transport service, and the officer may claim appropriate public fares on such services.

#### ***15.2.1.8 Disturbance Allowance***

Disturbance Allowance is an allowance which a public officer may claim to offset additional household expenses incurred when he or she is compulsorily transferred from one station or mission to another, whether during a period of work or on return from leave, and as a direct result has to, or is directed to, move his or her living quarters; or from Uganda to a mission or vice versa or from one mission to another; when the distance between an officer's previous living quarters and his or her new living quarters is not less than 40 kilometres by road by the most direct route; when the transfer is caused by the needs of the service and not as a result of a request by an officer to transfer for personal reasons; and when the transfer, at the time it is made, is not expected to be for a period of less than two months.

Disturbance allowance is payable from a vote of the receiving Ministry, Department or Local Government when a public officer is on transfer from his or her duty station, subject to approval by the Accounting Officer. The allowance shall be equivalent to one months' basic salary of the officer being transferred.

#### ***15.2.1.9 Installation Allowance***

Installation Allowance is an allowance which an officer on overseas terms may claim on first appointment to assist him or her to equip himself or herself for work in the Uganda Public Service. The allowance payable will be the equivalent of the expatriate officer's full monthly basic salary.

#### ***15.2.1.10 Settling-in Allowance***

A settling-in allowance is payable to an officer, on first appointment, to whom installation allowance does not apply, consisting of the following: a non-accountable sum representing 50% of the officer's basic monthly salary; and an optional advance of up to 50% of the officer's basic monthly salary.

### **15.3 Extra Duty Allowances**

#### ***15.3.1.1 Acting Allowance***

An Acting Allowance shall be paid to an officer when he or she has been appointed to act in an office higher than his or her substantive office by the Appointing Authority, in accordance with the Constitution. Where a public officer is acting in a higher office, he or she shall be remunerated during his or her acting period as if he or she had been promoted to the higher office. The officer's acting

allowance will be the amount arrived at by subtracting his or her substantive current basic monthly salary from the monthly remuneration for the higher office. Acting allowance commences 48 hours before the substantive or the holder of the post ceases to perform the functions of his or her office and ends 48 hours after another holder of the office, whether acting, on trial or substantive, assumes or resumes duty.

Acting allowance payment is not payable unless the acting appointment lasts for at least 30 consecutive days, when the acting allowance becomes payable for the whole of the acting period; not payable where the salary of the acting officer is already equal to or higher than the fixed or the maximum salary on which the higher post is graded; not payable for any period in excess of 15 days during which the acting officer does not exercise the functions of the higher office for any reason, such as leave, training or unrelated assignments to the office to which the officer is acting; and not paid indefinitely but lapses after six months unless specifically renewed or extended by the Appointing Authority.

#### ***15.3.1.2 Duty Allowance***

Duty allowance is payable to an officer for carrying out responsibilities of a higher office in addition to the duties attached to the substantive appointment. Duty allowance cannot be paid simultaneously with acting allowance. Duty allowance is payable where the post is a pure vacancy or temporarily vacated by its substantive holder.

Computation of duty allowance shall be based on basic salary of the post. The formula for computation of duty allowance shall be as follows:- Where an officer is assigned duties of a post one step above his or her substantive post, he or she shall be paid the full difference between the minimum salary of the higher post and the basic salary of his or her substantive post; In the rare event that an officer is assigned higher responsibilities in a post which is two steps above his or her substantive post, the formula applicable shall be a half (1/2) of the full difference between the minimum salary of the higher post and the basic salary of his or her substantive post; and Where the responsibilities of a higher post are shared by two or more officers the allowance arrived at (a) or (b) above will be divided equally between the officers. Duty allowance does not continue indefinitely but lapses after six months' payment.

#### ***15.3.1.3 Honoraria***

Every public officer is employed on the understanding that the whole of his or her time is at the disposal of Government. Whenever it becomes necessary, an officer may work outside office hours without extra remuneration. There are, however special circumstances in which it is not reasonable to apply this principle strictly and payments may be made as honoraria in accordance with the regulations.

Honoraria is an allowance payable when Government wants a particular piece of work to be carried out by an officer within a specified period of time which:-

- (a) Is of exceptional importance to Government;
- (b) Is outside the normal scope of the officer's official duties;
- (c) Involve disproportionate amount of his or her official and private time;
- (d) Involve temporary additional responsibilities; and
- (e) Requires the direct use of the officer's special talent or professional skill or his or her active participation in the actual work.

The circumstances above may be regarded as fulfilled when a public officer is required:-

- (a) To serve as Chairperson, Deputy Chairperson, Secretary, Assistant Secretary, Member or as one of the supporting staff members of any Commission of Inquiry or Review or any adhoc committee set up by the Government; or
- (b) To undertake a special task set up by the Government.

Honoraria shall be paid on satisfactory completion of the assignment at the rates determined by the Responsible Permanent Secretary from time to time.

#### ***15.3.1.4 Sitting Allowance***

Sitting allowance is payable per sitting to a person appointed or co-opted on a Commission, Board, Committee, Tribunal or any other Committee established by law or order or Responsible Officer.

A Responsible Officer may constitute a committee or task force for a specific assignment and members of such a committee may be paid a sitting allowance.

#### ***15.3.1.5 Overtime Allowance***

The salary of a public officer holding an established office save for support staff is fixed on the assumption that his or her whole time is at the disposal of the Government, and if the usual office hours are insufficient to deal with the

pressure of work, it is his or her duty when called upon to do so, to work overtime without extra remuneration.

A twenty four hours' continuous rest period in any week is essential for the welfare of officers and Responsible Officers should see that this rest period is not encroached upon by work unless it is essential and in public interest. In such circumstances, the Responsible Officer on the recommendation of the Head of department may ask a public officer to deal with a piece of work outside the office hours.

Overtime, means any period of work on weekends, public holidays or in excess of 7  $\frac{3}{4}$  hours on any day, from Monday to Friday. When a support staff works under circumstances stated above, he or she shall be paid an overtime allowance.

Overtime which invariably no driver can avoid has been consolidated for drivers so that such drivers shall get a consolidated overtime payment calculated as 30% of their monthly basic salary.

#### ***15.3.1.6 Consolidated Health Allowance***

This is paid to health workers for risks based on the salary scale: U8 UGX 46,000 p.m. and U7 above UGX 78,475p.m.

#### ***15.3.1.7 Hard to Reach Allowance [CSI NO. 2 of 2010]***

Paid to employees working in areas defined as "hard to reach" encompassing elements of hard to stay and hard to work. This excludes employees working in Town Councils and Municipalities. It is 30% of the basic monthly salary

#### ***15.3.1.8 Retention Allowance***

This is paid to Medical Officers working at Health Centre 1V as a motivation to work at that level. It is UGX 1,500,000p.m.

#### ***15.3.1.9 Training Allowances (E - d)***

A training allowance is an allowance payable to facilitate a Government sponsored Public officer while undertaking a training programme whether a short term or long term course inside and outside Uganda where applicable. The course must have been duly approved and study leave granted to the officer before leaving his or her duty station to attend the course.



All claims or appeals arising out of the Standing Orders or any other instructions concerning the Service must be made within a reasonable time of the events giving rise to such claims or appeals occurring. No claims for payment or requests for re-assessment of salary or appeals shall be considered unless when lodged with the Responsible Officer or the Responsible Permanent Secretary, as appropriate, within 12 months of the event occurring, which first gave rise to such claims, requests or appeals.

Monies paid to an officer in contravention of any provisions of the Standing Orders or in excess of any provision made therein are recoverable by the Government through its Accounting Officer by deduction from any monies owing to the officer or in the absence of any monies owing to the officer, from the officer himself or herself.

#### 15.4 Leave

The main purpose of leave is diversion, recreation, relaxation and recuperation with a view to restoration or improvement of a public officer's efficiency, effectiveness and output.

Annual leave is a right only applicable to a public officer employed on full time basis and when due, it shall be obligatory. While the wishes of an individual officer to take leave at a particular time may be taken into account, the approval of such leave is subject to the exigencies of the Service and, unless otherwise stated in these Standing Orders, will be at the discretion of the Responsible Officer. A public officer may be permitted to reserve a few days which could be utilized in case of personal emergency in the course of the year.

##### 15.4.1 Annual Leave (C - b)

Annual entitlement of leave is leave which all public officers are entitled to with the exception of Public officers who have passage rights related to tours of duty to their countries of origin outside Uganda; and Public officers who are not employed on full time basis.

<b>Salary Scale</b>	<b>Annual entitlement</b>	<b>Monthly Entitlement</b>
U2 and above	36 days	3 days
U7 to U3	30 days	2 1/2 days
U8	24 days	2 days

Annual entitlement of leave vests on 1st January of each year for all officers who are in employment by 1<sup>st</sup> January and it can be taken at any time during a particular calendar year, provided it is anticipated that an officer will be in employment throughout the year.

When it is necessary due to the exigency of the service to defer or carry forward leave in the next calendar year, Authority shall be sought and approval granted in respect of the Head of Public Service, from the Minister responsible for Public Service; in respect of Permanent Secretaries, from the Head of Public Service with a copy to the Responsible Permanent Secretary; in respect of any other Public officers from the Responsible Permanent Secretary.

A request to carry forward annual leave must be submitted to the relevant offices for approval by 15th December. Leave cannot be accumulated from one calendar year to another unless authority is sought for and is obtained as provided for.

#### **15.4.2 Leave without Pay (C - c)**

Leave without pay is leave granted for the sole purpose of preserving continuity of service and the duration of that leave is qualifying period for purposes of the Pension but it does not attract other privileges and benefits. Leave without pay shall be granted in the public interest on the recommendation of the Responsible Officer. This shall be granted, when a pensionable officer is employed with an international body, against a national quota of personnel vacancies and when it is in Uganda's interest to fill its quota of places on the staff of that body.

A Public officer shall only proceed on leave without pay after obtaining approval from the Responsible Permanent Secretary. A public officer shall be required to hand over all Government property under his or her possession before proceeding on the leave. Leave without pay shall be granted for a period not exceeding five (5) years.

#### **15.4.3 Study Leave (C - d)**

Study leave shall be granted in the public interest to enable a public officer to pursue studies. The course content must be relevant to the performance needs of the Ministry, Department, Local Government, or the career progression of the officer. Once a public officer has been identified for a full time training course, the officer will be granted study leave for short-term training by the Responsible Officer; and for long-term training by the Appointing Authority. Approved study

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leave shall be on full salary. Any public officer who proceeds for full time studies without authority shall be regarded as having abandoned duty

#### **15.4.4 Sick Leave (C - e)**

Any period during which a public officer is absent from duty because of illness or convalescence shall be considered as sick leave. Any officer who cannot attend work because of illness should report the matter to his or her immediate supervisor.

A public officer who is unable to attend work because of sickness for a period exceeding two (2) working days shall be required to be examined by a Government Medical Officer or a certified medical practitioner for purposes of obtaining a medical report. On the recommendation of a Government Medical Officer, a public officer may be granted sick leave on full pay by his or her Responsible Officer up to 90 days in any period of twelve months. This period may be extended to 180 days on full pay in any period of 12 months if a Government medical officer is satisfied that the officer will be fit to resume duty within a reasonable time. If there is doubt about the officer's being able to resume duty within a reasonable period of time because of sickness, the Government Medical Officer may recommend for the constitution of a Medical Board.

#### **15.4.5 Special Leave of Absence (C - f)**

Special leave of absence is leave, other than annual entitlement, study leave, sick leave and maternity leave, granted for a specific purpose subject to the discretionary approval of a Responsible Officer where a public officer is to participate or otherwise be involved in an activity or event through which the public interest or national prestige will directly or indirectly, be served or enhanced; or where a public officer is proceeding to another part of Uganda, in order to collect his or her children from school for the holidays or return them to school at the end of the holidays; or where a public officer suffers a personal catastrophe or tragic loss; or when public officer is attending to a sick member of his or her family.

Approval of special leave of absence will be at the discretion of the Responsible Officer. Permission must be sought in writing before the officer leaves his or her official duties to attend the event in question. For avoidance of doubt, if the Responsible Officer deems it unnecessary to grant special leave of absence, the officer may, if the exigencies of the service permit, be allowed to be absent

provided the period in question is to be off-set against his or her earned annual entitlement of leave. Special leave of absence will be granted for a period not exceeding 10 days in any calendar year and such leave will be on full pay and will not count against annual leave entitlement. In the event where an officer has exceeded the 10 days limit, the excess days shall be offset from the officer's annual leave entitlement, if permitted to proceed for the activity in question.

#### 15.4.6 Maternity Leave (C - g)

A female officer regardless of status and terms of service is entitled to 60 working days of maternity leave on full pay. A female officer should be allowed to go on maternity leave, when she is between 36 and 38 weeks pregnant as determined by the Government Medical Officer.

#### 15.4.7 Paternity Leave (C - h)

After a wife of a Public officer has had a delivery or miscarriage, the Officer shall immediately be entitled to 4 working days of paternity leave on full pay.

#### 15.4.8 Sabbatical Leave (C - i)

Sabbatical leave shall be granted to an officer to join and work for another organization or for the purpose of study, tour or research for a limited period. The eligible beneficiaries are confirmed public officers who have served the public service for a continuous period of 10 years. Sabbatical leave shall be granted for a maximum of 12 months with pay in every ten 10 years by the Responsible Permanent Secretary. There must be evidence that the leave will benefit both the officer and the Ministry/ Department/ Local Government of deployment; and the receiving organization shall take care of duty facilitating allowances.

#### 15.4.9 Public Holidays (C- j)

The observance of Public Holidays by Government Ministries, Departments and Local Governments is governed by the public holidays Act, 1965 (Section 3) by which the Government is bound as declared from time to time under Statutory Instruments provided for the following public holidays:-

<b>Public holiday</b>	<b>Date</b>
New Year's Day	1 <sup>st</sup> January
Liberation Day	26 <sup>th</sup> January
Idd el Fitr	As announced
Idd Adhuha	As announced

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Public holiday	Date
Good Friday	
Easter Monday	
Women's Day	8 <sup>th</sup> March
Labour Day	1 <sup>st</sup> May
Martyrs Day	3 <sup>rd</sup> June
Hero's Day	9 <sup>th</sup> June
Independence Day	9 <sup>th</sup> October
Christmas Day	25 <sup>th</sup> December
Boxing Day	26 <sup>th</sup> December

If due to the exigencies of the service, a Responsible Officer retains an officer on duty on a Public Holiday, he or she shall make arrangements for the officer to take another day off on full pay.

## **16 Roles and obligations of public officers F-a]**

- i. A public officer, like any other citizen, is subject to the laws of Uganda.
- ii. A public officer shall maintain a high standard of personal conduct and integrity both in public and private life.
- iii. A public officer is employed in public trust and on the clear understanding that the whole of his or her time is at the disposal of Government.
- iv. A public officer is a servant of the public and is required to give services to members of the general Public as a duty.
- v. A public officer shall be loyal to Government and implement Government policy without fear or favour to ensure economy, efficiency and effectiveness in utilization of public resources.
- vi. A public officer must adhere to the Code of Conduct and Ethics for the Public Service. In addition, a public officer is subject to the Code of Professional Ethics and Practice as may be applicable to a particular profession to which the officer belongs.
- vii. A public officer shall perform his or her duties with dedication, diligence, integrity and justice.
- viii. In addition to the normal duties of the post to which an officer has been appointed, he or she may be required to perform any other appropriate duties upon which the Government may find it necessary to employ him or her, expressed through the normal public service channels.
- ix. It is an essential part of the duties of any officer to coach and mentor staff working under him or her.

- x. A public officer is expected to obey official and lawful instructions of his or her supervisors and must not refuse to carry out reasonable orders. If for any reason, the order strikes him or her as beyond the limits of recognized propriety, he or she may register a protest in writing, and such protest shall not count against the officer.
- xi. A public officer, undertaking official assignment or trip, shall promptly make a written report through the supervisor to the Responsible Officer.
- xii. Any public officer who wishes to leave his or her duty station to another country, in the case of home service or from a country of accreditation in the case of Foreign Service officer must first obtain permission of the Responsible Officer or Head of Mission.
- xiii. A public officer shall not hold two appointments concurrently and shall not draw more than one salary from public funds.

## **17 Official Working Hours and Attendance to Duty (F - b)**

Government official working hours are Monday to Friday 8:00 a.m. - 12.45 p.m. 2:00 p.m. - 5:00 p.m. Officers shall attend to duty punctually and efficiently utilize the time during office hours. Public officers shall not absent themselves without approval of the supervisor. A public officer may be required to work beyond these official hours due to the exigency of the service.

A public officer shall attend to members of the public promptly. In his or her absence, the job holder shall delegate his or her responsibilities to another officer. The attendance of public officers shall be monitored using the register and shall be signed by all public officers in Ministries, Departments and Local Governments.

The supervising officer shall be responsible for the proper maintenance of the registers which will usually be kept at a convenient place in the office premises. The register shall be availed for signatures every working day between 8:00 a.m.- 8:30 a.m. after which, the register will be withdrawn. The supervisor shall submit the attendance register to the Head of Division or Institution for analysis on the 30th day of every month.

The Government reserves the right to take disciplinary action against an officer including making deductions from his or her pay for any period during which he or she is absent from work without permission.

## **18 Handing-Over and Taking-Over of Office (F - d)**

The efficiency of the Public Service demands that when a public officer leaves temporarily or permanently he or she shall hand-over his or her duties to another officer. The procedure for handing over must be systematic and thorough.

Before the arrival of the incoming officer, the outgoing officer must make a conscientious effort to clear his or her "IN" and "PENDING" trays. If there is any backlog of work to hand over, it must be done, through the supervisor to the Responsible Officer with a copy to the incoming officer.

The hand-over report shall be signed by both parties and shall include, but not limited to major policy issues which the officer shall be involved with for continuity; Government property under the custody of the officer; Specific assignments to be handled and any pending cases; and Organizations/clients the officer has been involved with in the course of performing his or her duties.