



# PANAFRICAN AGENCY OF THE GREAT GREEN WALL

## DRAFT OF STAFF STATUS



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**TITLE I: GENERAL PROVISIONS**

**CHAPTER I: DEFINITIONS**

**Article 1:** In terms of the regular of Agency words here after are defined:

1. « **Agency**»: Panafrican Agency of Great Green Wall (PAGGW)
2. “ **Year**”: The period of twelve consecutive months except contrary provisions
3. “ **Commercial year**”: The months of year begin on January first, and end on December 31st of the same year;
4. “ **blocked increasing**”: The suspension of salary increasing of a civil servant till the next period of increasing;
5. “**Denial increasing**”: Forfeiture right of a civil servant for the increasing of a salary on appropriate and graing
6. “**CREP**”: Committee of Recruitment, Evaluation and Promotion
7. “**Household leaves**”: Leaves allowed to a civil servant every two years in order enabling him as well as people who are under his charge;
8. “**Caring for married people**”: Legal married person to a civil servant who is jobless or his/her incomes is raised necessary amount that cannot enable him/her to benefit from rewards of married people;
9. “**Adviser**” : person or advising office that is hired to provide services within time limit and according to specific conditions known in advance or three(3) months maximum;
10. **Contract**”: Employment agreement between Agency and a civil servant for a known period and all service conditions.
11. **Convention**”: Convention creating the Panafrican Agency of Great Green Wall (AAGGW);
12. **Appointment**”: Appointment of civil servant of Agency or of a branch of Agency to another institution for a determined period during which he is paid by the host institution and ruled by it status and regulation, but, he keeps his rights with branch or state member which has appointed him;
13. “**Political elected** ”: Elected civil servants or nominate by an elected political man;
14. “**Child to be cared for**”: Natural child unmarried or legally adopted by a civil servant , he is less than 21/24 years, he is still cared for by a civil servant;

15. **”Moral, physical and handicap child”**: He’s a child who cannot attend a normal school because of his handicapped situation, but he is in need of special school or a special training in order to be useful for a society;
16. **“Civil servant”**: He is the person who is hired by the Agency permanently or based on a determined time contract with a daily salary or monthly salary according to the status;
17. **“ Elected civil servant”**: **Person elected or appointed by the Conference of head** of state and government or the council of ministers to occupy a position of manager in one organ of the Agency
18. **“Special civil servant”**: He’s the person who is nominated by an elected civil servant in order to occupy a position in the office of the Agency, in his discretion till the end of the content;
19. **“Auto finance Training”** : Training or the expenses are not in charged by the Agency or its partner.
20. **“Staff training“**: The activity which is linked to staff training including career organization/promotion, supervision, training, supervision, delegation, workshop and seminaries;
21. **“Professional fees”**: All fees which are allowed and committed to a civil servant during his mission or any other activity allowed by Es;
22. **“Additional hours”**: Hours which are more than 40 hours of work per week done by a civil servant officially;
23. **“Calendar days”**: All consecutive days including week ends;
24. **“Working days”**: All days, Monday through Friday accept holidays and week ends;
25. **“Dismissal”**: a civil servant of Agency stops working because his rude behavior against the status and regulation;
26. **“Procedures manual”**: A document which is describing the nature and content of tasks which must be executed for each operation of administrative, Accounting and financial management working of the Agency in details;
27. **“Members of family to be cared for”**: A couple or children who are cared for by a civil servant. Then, their scholar, medical and trip fees are paid by the Agency according final provision of interior regulation;
28. **“Mission”**: Every official trip of civil servant out of his place of working professional reason;

29. **“Commercial month”**: Each period starts the first day of a month including holidays and weekends on 28, 29, 30 or according to member of days in given month;
30. **“People who are indirectly cared for”**: Father or mother of a civil servant or his wife/her hand.
31. **“Staff or salary man”**. All civil servants and workers of the Agency except the contrary;
32. **“Appointed staff”**: person of a state member or a shifted organization for occupying temporary functions in one branch of Agency according to terms and specific conditions which are known before;
33. **“World hired staff”**: People who are employed out of their country and they are not citizens of a host country;
34. **“Staff of the Project”**: The employees hired to work about a project have fixed terms and conditions in advance for a period not overtakes the during of the project
35. **“Hired staff about international plan”**: The hired employees out their origin country and those are not citizens of guest country at the place of the mutation.
36. **“Local employed staff”**: People who are locally hired and working in their own countries;
37. **“National staff of professional category”**: Local people hired to occupy a position in their own country;
38. **“Interior regulation of the status”**: The amended and approved documents council of Ministers indicating modalities and activities of the Agency;
39. **“Short practical period training”**: Practical training including seminars, workshops, symposiums, research trip, appointments and similar training activities lasting at least three months.
40. **“Status”**: Staff status adopted and amends from time to time by capable organs of the Agency to regulate status, nomination all essential conditions of civil servants of Agency.

**Artile2:** Words and phases used in the status have the same meaning as well as those used in interior regulation and in procedures Manual of Agency.

## **CHAPTER II: OBJECT**

**Article 3:** The status is to state general principles which regulate employment conditions notably employment and administrative policies as well as rights and obligations of civil servants. It is supplying the interior regulation of the Agency.

### CHAPTER III: APPLYING FIELDS

**Article 4:** It is applied to state members and to any civil servant of Agency and the accepting of employment of Agency earning the full right of becoming part of the status.

**Article 5:** The status the copy of which is attached to the employment law of any civil servant whatever his place of working is.

**Article 6:** Not knowing all status provision by a civil servant apolizing for having broken down its provision.

## TITLE II: DUTIES, OBLIGATIONS AND INCOMPATIBILITIES

### CHAPTER 1: RIGHTS AND DUTIES

**Article 7:** Agency protects fundamental human rights, dignity and right of all its civil servants such as defined in the status and other international judiciary tools. No civil servant can be facing any discrimination because of his position in the Agency.

**Article 8:** A civil servant uses civic and moral rights in the limits which have been described in the status, notably on chapter 2 of title II and in the Interior Regulation.

**Article 9:** A civil servant is submitted ES authority. Regarding his position, He is responsible in front of him and in front of any other people who was given power by delegation for the case mentioned.

**Article 10:** When a civil servant accepts a nomination for a position, he is bonded to constraints link to the position of a member of the Agency and he is committed to fill up his roles and to behave according to higher interest of the Agency.

In this case, when a civil servant is working,

- He is focused on probity, impartiality, equity, honesty and truth;
- He maintains the highest levels of efficiency, competence and integrity;
- He must be awake about his private life professional activities and his behavior must not break the credibility of the Agency. For this reason, he must behave in a seven way and he must give up all actions which are incompatible with international principles to which a civil servant of his rank must be submitted.

## CHAPTER II: OBLIGATIONS AND INCOMPATIBILITIES

**Article 11:** A civil servant must not attend a political activity which is not according to the status of international worker or it can damage the interest of the Agency.

**Article 12:** A civil servant must strictly be neuter about opinions or considerations which are notably political and religious in the state member where he is hired to work.

**Article 13:** A civil servant may not be member a political party or a political leader in hi country or in any other state member.

**Article 14:** A civil servant is committed to fill up his work position by focusing on the interest of the Agency only.

For this reason:

- He is submitted to the authority of ES and remains independent towards any other authority, notably those of national administrations of state members, sub-regional organizations, regional and international organizations as well as private companies with which he is allowed to cooperate;
- 
- He must take oath when starting a work or the Agency or one of there organs as follows:

*“I undersigned \_\_\_\_\_(name), I take oath, as a civil servant to be faithful and loyal for the Agency not to communicate or reveal directly or indirectly any document or information from my position to any one else who is not from the Agency only to the. I am allowed to share with; not to use information of which I possess as a civil servant against the interest of Agency, even after having stopped working for Agency. Else where, I solemnly am committed to execute loyally, confidentially and adopt consciously all tasks, to achieve tasks and adopt a good behavior regarding the interest of the Agency, and not to ask or accept commands from any external authority out of the Agency or government as far as my status obligations are concerned”*

- he cannot be member of any association which is incompatible with the independence and impartiality that are demanded by the Agency. He cannot fill up his position or doing any other paid job without the authorization of Executive Secretary;
- he cannot, without the authorization of ES in advance do the following activities which are link to objectives, interests of the Agency:



- (i) speaking to radio or other mass media;
- (ii) accepting to address audience;
- (iii) attending movies, plays, published, radio and television programs
- (iv) Or any other action that has an impact on credibility and development of the Agency.

**Article 15:** Any documents, article, reports or information tools made by a civil servant as well as the certificates he earned from his activities in the Agency strictly belong to the Agency, except the contrary provision mentioned in the terms of arrangement, contract and convention.

For this reason, a civil servant can neither publisher, nor publish a text which is committing the Agency without the agreement of the ES. He also cannot communicate or transmit information and letters that he has or he knew because of working for Agency and those information are not published yet.

Bankruptcy, subtraction or destroying of any non authorized document as well as the communication or recording of official files which are strictly forbidden, otherwise there will be discipline sanctions.

**Article 16:** According to the international status of a civil servant, that is link by the obligation of professional secret and loyalty and he cannot and he cannot communicate, transmit to anyone, any cooperation, any document, information dealing with his position in the Agency only by the Executive Secretary's authorization.

**Article 17:** A civil servant must not use titles or infrastructures to particularly get profit from third of people.

**Article 18:** Out of his obligations, his wages or particular instructions, he cannot make any decision or any consideration which is likely committing the Agency or State members and their governments.

**Article 19:** Any professional activity of the spouse of a civil servant must be announced to the Agency at the moment of employment or as soon as it has taken place or otherwise making any measurement to save interest.

**Article 20:** Any fraud revelation of information, any false declaration as well as mentioned below, can entail discipline mistakes which are likely to entail a dismissal regarding article 35 of the status.

**Article 21:** Out of distinction and advantages granted by service done before being employed, by the Agency; a civil servant is supposed to be given decoration, honorable consideration,

advantages or a reward by a government, university, public organism and NGO, this must be transmitted to the official responsible of the Agency first before acceptance

**Article 22:** In terms of his, a civil servant must take care of equipment, materials and other furniture at Agency disposal. He will be responsible of loss or destroying of wells and equipment of Agency, if he seems to be guilty. In this case, he can be given taking order to pay back the value of wells or the lost document.

**Article 23:** A civil servant must respect normal work hours, safety and health instructions of the Agency. Any way, he can be commanded to work over in the case of necessary service.

**Article 24:** Obligations here after mentioned come in force within three years after stopping to work for Agency, except special derogation given by Executive Secretary.

## **TITLE II: ADVANTAGES, IMMUNITIES, PROTECTION AND SAFETY**

### **CHAPTER I: ADVANTAGES AND IMMUNITIES**

**Article 25:** A civil servant benefit from advantages, immunities such as scheduled in the agreement of Headquarter, interior regulation of Agency, international conventions and the status.

**Article 26:** Civil servants of Agency except civil servants from host countries, enjoy the same advantages. They enjoy, without national, citizen and sex considerations on the territory of all state members including host country, advantages as well as immunities. Those advantages and immunities are granted to civil servants in the interest of Agency. Anyway, they cannot prevent him from executing all his private obligations, nor observing strictly applying legislation instead of using his position at the Agency.

**Article 27:** Agency provides workers with travel papers and travel rewards during their missions out of the place of their work or within a country.

**Article 28:** Executive Secretary determines from time to time, on the basis of international conventions, general conventions of African Union on advantages and Immunities and the agreement of Head quarter, conditions in which the civil servants enjoy immunities and advantages.

In some circumstances, notably in the terms of interest of justice, Executive Secretary can take advantages and immunities granted to a civil servant of the Agency.

### **CHAPTER II: PROTECTION AND SAFETY**

**Article 29:** Agency cooperates with governments in order to implement necessary means to protect and keep Venues and wells for ensuring the safety of workers and guests and the events of the Agency.

**Article 30:** Agency ensures as possible as the safety and the protection of civil servants against attacks, violence, harassment, aggression, insults or defamations that they can be facing during their activities.

## **TITLE IV: EMPLOYMENT CONDITIONS**

### **CHAPTER IV: CLASSIFICATION OF POSITIONS**

**Article 31:** Positions in the Agency are classified notably according to the nature and level of responsibility which are signed down:

- 1) Category I: Elected civil servant of special grade 3;
- 2) Category II: Professional civil servant of grade D, P1 to P2;
- 3) Category III: special civil servants of grades P1 to P6;
- 4) Category IVA: Special civil servants of general departments of grades A1 to A6;
- 5) Category IV B: Auxiliary civil servants of grades B, to B10;

**Article 32:** Basically qualifications required by different categories positions thus are defined and will be précised within procedures manual:

- Category I of elected civil servants, nominated by Heads of states' and governments' is a scientific personality of high level position having less than 20 years of experiences and ten years as a leader of national or international institutions;
- Categories II and III: Professional civil servants are opened to people earning professional or university diplomas of colleges and universities known or homologated according University to doctorate, master, engineer, master or equivalent diploma having the experience of less than (15) years in national, international sectors,
- The category IVA of general departments is opened to any holder of minimum Advocate advanced diploma or advanced level with more that five years of experience;
- The category IVB of auxiliary department is opened to any holder of professional qualifications;

**Article 33:** employment modalities, reclassification and grading to any within categories mentioned as well as those of the nomination are précised in the procedures manual;

**Article 34:** Executive Secretary can submit to the council of Ministers for the approval of relevant modifications in terms of objectives to be reached.

## **CHAPTER II: CONDITIONS AND EMPLOYMENT PROCEDURES**

### **SECTION 1: EMPLOYMENT CONDITIONS**

**Article 35:** Any candidate applying for a position in different categories of positions must full fill to be elected regarding the following conditions:

- be national from state members
- be 24 years old January 1<sup>st</sup> from the day of employment;
- enjoy civil rights and be in good morality
- be in good health according to the medical check up;
- be free from any commitment vis à vis of other employer;
- to present to employment procedures such as defined procedures manual;

**Article 36:** Executive Secretary taking into consideration the Agency priorities proposes the approval of the lists professional civil servants' position to be fulfilled to the council of Ministers as well as those who are promoted.

**Article 37:** Any employment is focused on the existence of vacancy position or official creation budget pocket and it's processed by vacancy announcement at international stage and the evaluation and the classification by CREP. Any way, for more logic, ES can choose among his advisers, special civil servants of Cabinet attaché, particularly his assistant or attaché cabinet.

**Article 38:** Any vacancy announcement and opening position are published greatly at internal and external stages of state members. For this reason, in addition to the publishing on internet sites and the useful link of news papers, the Agency also communicates the list of needs to be provided with by radio.

**Article 39:** any vacancy announcement or creation o position has a clear description of position, notably indicating the qualifications, aptitudes, required experience as well as the salary. The age limits the work place and job conditions. Candidates must provide with names, contacts of three references that the Agency has a right to check information at any time about diplomas and certificates given a candidate.

## **SECTION 2: COMMITTEE OF RECRUITMENT, EVALUATION AND PROMOTION (CREP)**

**Article 40:** In order to guarantee transparency and equity in employment, evaluation and promotion system, it's set up according to interior regulation in the Agency; an Ad hoc committee called committee of Recruitment, Evaluation and Promotion. The role CREP is established announcement and recommendations to the Executive Secretary on technical evaluation and classification of files interns of hiring, promotion and reclassification;

**Article 41:** The CREP is made of:

President: Executive Secretary or his representative

- Members:
- Directors of Agency organs
  - Internal auditors and control manager
  - advisor of legal affairs
  - Highly experience civil servant in the area
  - one (01) external personality resource out of Agency committed by ES;

The committee staff meets once a year or in the emergency case, the President calls them for a meeting.

The Secretariat of CREP is ruled by the responsible of human Resources who writes the report in trios (03) copies which is signed by all members and the administration and finance Director and double signed by the President of the CREP.

**Article 42:** Working modalities of CREP are précised in procedures manual of Agency

## **SECTION 3: EMPLOYMENT PROCEDURES**

**Article 43:** All candidacies for a category position must be accompanied of curriculum vitae and certified copies of university diplomas and motivation letters indicating reasons and aptitudes of candidates for a position.

**Article 44:** Files of candidacies are receivable after being selected in advanced by the administration and Finance Direction following the selection procedures which are defined in Procedures manual and led by the CEEP.

**Article 45:** Falsification of required File for employment as well as any false declaration noticed during or after the employment of a civil servant can be a proof or dissimilar without any judiciary court reporting.

**Article 46:** During the employment, the civil servant confirms by written document the truth of the official information enabling to establish his administration situation regarding the staff status and provide with true notifications.

For this reason, any civil servant or person in his charge, arrested, guilty or condemned to be fined or jailed for a breach, he must inform the AFD within 48 hours. Any breach to the principles can entail a discipline sanction.

**Article 47:** Agency must ask any civil servant, when it finds it necessary to provide with by writing the information about his previous facts related to his nomination or dealing with integrity, behavior, morality and activities as a civil servant of the Agency and likely to shift his aptitude to influence the Agency according to interior regulation.

#### **SECTION 4: EMPLOYMENT**

**Article 48:** The employment aims to ensure the Agency, the contribution of staff that is highly skilled with good integrity and satisfaction link to the category and position.

**Article 49:** It aims at people from the state members without any origin, sex and religions consideration. Then, he must be from one nationality if he's from several nationality, he must precise the one of which he wants to use for his commitment. The nationality that is chosen can be mentioned in commitment.

**Article 50:** A person who is proposed to hire by the CREP is submitted to a medical check up by an agreed doctor by the Agency. He receives after validation of the choice by the Executive secretary according to contract for determined duration or a permanent contract followed by attempt practical training lasting or one to three months and précising ingredients and levels of salaries, job condition and some of rights and obligations of staff status or the category position.

**Article 51:** A definite employment, the salary and advantages come into force as soon as the work starting certificate is signed by Executive Secretary. A staff file of which the management ways are defined in procedures Agency and it is then opened or the civil servant.

**Article 52:** A person who has relatives such as husband, wife, father, mother, son, daughter, brother or sister cannot be hired in the Agency except the case if this person fulfills the conditions below:

- (i) When there was not a skilled candidate to occupy this position and the employment aims at other position which is different from the relations' position. In this case, the contract is limited for a short time;
- (ii) When the member of family is hired in another organ of the Agency;

- (iii) When a civil servant is married to another civil servant, both are employees' of the Agency. In this case, they are not appointed to the same department, and the marriage does not disturb the contract status of the two spouses, but the rights and other advantages from which they benefit are consequently modified. Anyway in the case where husband and wife are appointed to different places, they can conserve the rights and advantages individually provided the measure is according to status provision.

If the civil servants are already hired by the Agency before their marriage or if they are hired by two different organs, nobody has a family link with the civil servant such as defined in the article 52, cannot be elected.

Candidates who are relatives must mention in the application forms their names, and other information related to family's link in the Agency. When, such a piece of information is missed; and the Agency discovered after that a candidate has a family's link with a civil servant, he is going to be sacked from the Agency.

If the first employee is deeply aware of the missing, the Agency will consider the lack like a bad decision and then, there is discipline measurement against him.

The Agency has mentioned on each application form a part dealing with family's link to be filled up. When a candidate does not fill this part up, he is going to be blamed if the Agency happens to discover this.

## **CHAPTER III: PAYMENT**

### **SECTION 1: PAYMENT STRUCTURE**

**Article 53:** The payment of civil servant includes:

- basis of payment related to his filing classification;
- rewards, additional wages

This payment is annual it is done monthly on the right date.

**Article 54:** The salary given by the African Union, The Economic Community of West African States (ECOWAS), the Monetary Economic Union of West Africa as well as the NEPAD Planning and Coordinating Agency have served as reference, in order to fix and adjust the scale of the Civil servants.

**Article 55:** A civil servant from categories I, II, and III of Agency has a right regarding his position and responsibilities dealing with payment, rewards and other advantages decided by the council of Ministers. These deals particularly with civil servants are rewarded more than their basic salaries, such as responsibilities rewards, accommodation rewards, spouse, children and position rewards.

**Article 56:** As an elected civil servant of the Agency, the ES starts his job as the high personality of the institution. He has the same advantages like the Commissioner of African Union as defined in the Status and interior regulation of the African Union.

**Article 57:** Salaries are paid according to US dollar, for expatriate civil servants.

**Article 58:** Civil servants who are hired for short time period don't benefit from some advantages except the contrary provision.

**Article 59:** Civil servants are paid after the decreasing such as:

- Contributions for social security and retreated;
- Taxation paid to organs of Agency;
- Contribution for salary which is paid according the status of Agency.

**Article 60:** civil servants can benefit from annual bonus by a decision of Executive Secretary.

## **SECTION 2: REVISION OF SALARY PAYMENT**

**Article 61:** An achieved revision of payment levels comes every five (5) years in order to ensure the equity and supervise the competence. More over, the five years revision, a revision can be done if the conditions are normal for it.

## **CHAPTER IV: EVALUATION – GRATING – PROMOTION – DECORATION**

**Article 62:** A civil servant is evaluated periodically. This enables the Agency to check the capacity and progress of a civil servant for the responsibilities and development of the Agency.

Implemented conditions and modalities of the evaluation are in the procedures manual.

**Article 63:** The grating consists of moving civil servant from one level to a higher within the same grade or from one grade to another within the same category at the same category. It takes place every two (02) years according to merit

The civil servant whose services were considered exceptionally meritorious after the evaluation, may be granted in exceptional accelerated advancement decided by the Executive Secretary (CEO) on the advice of CREP

The accelerated advancement cannot be granted more than two (02) times to the employee.



The advancement takes effect from the date fixed by the decision, however may be suspended by duly documented decision of the Executive secretary

**Article 64:** The promotion is for the employee in the passage from one category to another. The promotion is always dependent on the existence of a budget due to a vacancy or to a vacant or new post

Article 65: The Civil servant during or close to retirement may benefit decorations awarded by the Executive Secretary for the services doing to the Agency.

#### **CHAPTER V: RELIEVE OF EXECUTIVE – COMPETENCE – DEVELOPMENT**

**Article 66:** In order to guarantee the long lasting of relevance, ensure in efficient work and ensure the relieve of Executive and competence development; the civil servants benefit from job career plan and professional perfection that are likely to satisfy the need of the Agency in technical and managerial order and to develop skills of each worker.

**Article 67:** To promote the job career plan and professional development of staff member, the Agency implements training plans based on appropriate programs through seminars, workshops and specialized courses at the expense of the Agency or self-financed training after authorization wherever possible.

**Article 68:** Agency can host trainees according to the conditions mentioned in procedures manual.

#### **CHAPTER VI: POSITIONS**

**Article 69:** Activity is the position of an employee who performs the duties of the job assigned and in accordance with the Agency requirements.

During his activity period the staff member may, for operational requirements, subject to mutation , placed in a position of mission, detachment, availability , acting or at holiday.

**Article 70:** All conditions and modules link to these positions are in procedures manual.

#### **CHAPTER VII: DISCIPLINE PROCEDURE**

**Article 71:** Any act contrary to constitution provision, interior regulation and staff status by a committed by the staff member in performance of its job, or behavior may be subject to sanction of order administrative or disciplinary action.

**Article 72:** Administrative measurements may be either a warning or an injunction.

**Article 73:** Disciplinary sanctions are in order of severity.

a) first degree sanctions:

- a written warning, without mentioning in the personnel record;
- written warning with mentioning it in the personnel record;
- the censure with mentioning it in the personnel record;
- the layoff of eight days maximum.

b) Second degree :

- suspension of increment;
- suspension with total or partial treatment for a period exceeding one month and not till six months);
- Backing down from one to several increments;
- Dissimissal with warning in advance, with or without rewards.

**Article 74:** Discipline procedure is précised in procedures manual

## **TITLE V: DEFINITE WORK CEASING**

**Article 75:** Stop working definitely entails loss of status of civil servant in the Agency:

- Resignation;
- Dissimissal;
- Admission to retreat for a civil servants
- Death;
- End of the contract,
- admission to retirement.

**Article 76:** All conditions link to different types of ceasing work are defined in procedures manual.

## **CHAPTER I: RETREATED PROCEDURE**

**Article 77:** A civil servant is affiliated to the pension plan of the pension fund approved by the Agency or the national provident Fund from his country of origin.

When the member staff both chooses the national provident funds and pension funds approved by the Agency, the Institution does not pay its contribution to only one of these structures in ways that will be specified

## **CHAPTER II: DEATH**

**Article 78:** When a member staff is dead, all his salaries and allowances of any type to which he could claim return automatically to its beneficiaries.

Agency is in charge of transport fees of corpse of late civil servant and the members of his family as well as the luggage fees.

In case of death of a spouse or dependent child the member of staff, the Agency supports the costs of transporting the body as defined above.

Anyway, the Agency grants money for funeral ceremony.

### **CHAPTER III: DEPARTURE REWARDS**

**Article 79:** A compensation leave is paid to a civil servant, either permanent or under a regular contract, or on fixed term contracts which were terminated the appointment because of the suspension of posts, reduction of staff or because the physical and mental health of the member of staff no longer allows him to work.

No compensation is paid to the member of staff who:

- Resigns from his post;
- dies in service ;
- was not confirmed after the probationary period prescribed,
- Leaving the services of the Agency at normal expiry date of his fixed term contract and short term;
- was dismissed for misconduct or being where he was terminated his services as provided in the staff regulation, up to twelve (12) years.

The compensation of leave is equivalent to the net monthly salary for each year of reglementary service, up to a maximum twelve (12) years.

**Article 80:** In case of definite termination of function, the Executive Secretary obligatory remits to the member of staff a certificate stating the nature of duties performed and the total period of employment and proof of final settlement signed by the officer and the head of Human Resources.

## **TITLE VI: SCHEMA OF MEDICAL AND SOCIAL PROTECTION**

### **CHAPTER I: MEDICAL PROTECTION**

**Article 81:** The civil servant benefits from service in case of illness or maternity, accident or invalidity dully registered.

The civil servant and his family members can continue to benefits from such services after his admission to retirement.

He must undergo periodic medical tests provided by the agency. All refusals on his part can expose him to a disciplinary sanction.

## **CHAPTER 2: DISEASES AND INDUSTRIAL ACCIDENTS**

**Article 82:** in case of disease, industrial or non industrial accident dully registered which places the civil servant in impossibility to continue to exercise his function and under reserve that he produces in three days of their disease a medical certificate by a medical practitioner known provision in the limit of the term of his engagement:

- Full treatment during three (03) months;
- Half treatment during next nine (09) months.

The human resource manager can require the second medical visits with the medical practitioner on his choice.

Out of above verified period if he civil servant is not able to start again an activity his is submitted, for approval, to ES.

If the stoppage of work has for origin an industrial work or an industrial disease, the civil servant preserve the full salary during a maximum period of thirty six (36) incapacity months dully known by the medical practitioner approved by the Agency.

When the civil servant suffers from the long disease which this list established by the human resource unit, he his places under industrial disease situation of long term as for the civil servants by successive period of more than six months, and twelve (12) for successive period of three (3) months as or the auxiliary agents in the term of the benefit of the half of the salary in the limit of his engagement.

The civil servant has his complete salary during first three (3) months and half of this one during two following years; seven months for all the salary and give (5) months for the benefits of half of the salary if he is an auxiliary civil servant.

## **CHAPTER III: COMMITTEE OF HYGIENE, INDUSTRIAL HEALTH AND SECURITY**

**Article 83:** In order to improve the working conditions of the personal a Committee of Hygiene, industrial Health and Security is put in place which the composition and working will be determined by the Executive Secretary.

The staff must meet the general requirements indicated by the regulations regarding hygiene and safety. It must comply with all general or special directives issued by the Executive Secretariat and brought to its attention

Generally the premises must be maintained clean. The staff must notably use the duty in and basket at his disposal, the personal must extinguish the light and the machine he uses, close doors and windows when he leaves his work at the end of the day. The sanitary facilities must be maintained in clean conditions and be used according to their object or the proper functioning of the Agency.

Any intervention on the security system, notably for their neutralization is strictly forbidden.

The staff must observe the security orders in case of fire and notably make sure to free access to the material means of fight (extinguished, fire hose etc).

The orders in force to observe in AAGGW in case peril and especially in case of fire must be scrupulously observed, the material of fight against fire must not be used in other case or displaced for any necessity of have blocked access.

It is forbidden to stay in the premises of AAGGW in case of evacuation order given by Executive Secretary or a superior.

It is for each staff member to take care of its own health and safety but also that of other persons which may be concerned because of his acts or misconducts.

The civil servant to drive AAGGW's vehicles must comply with the provision of the road regulation.

In case of violations, the penalties will be in charge of the driver of the vehicle.

Any corporal accident even in minor importance of industrial accident or on the way occurred to a civil servant, like any corporal damage caused to the third by this one must be in the brief delay brought to the knowledge of the ES so that all measures should be taken notably those related to treatments and formalities.

#### **CHAPTER 4: INSURANCE**

**Article 84:** The Agency contracts at the profit of the civil servant, an insurance of group covering the following risks:

- Death;
- Temporary disablement;
- Permanent, total or partial disablement;
- Disease;
- Accident

A special individual assurance covering the maritime risks, air and land is equally subscribed at the profit of the civil servant or his family members.

## **TITLE VII: SETTLEMENT OF DISPUTES**

### **CHAPTER I: INDIVIDUAL DISPUTES**

**Article 85:** Under reserve of the concert of the two (02) parties in disputes, all individual disputes, no matter how the object is brought before the ad hoc commission set up in advance by the Agency. If this consent of the two (02) parties done, the commission attempts to conceal them.

If conciliation, is prepared a report with transaction applies and is enforceable

In case of non-conciliation, a report of none conciliation is drawn up. I the conflict concerns the interpretation of the statute, the commission two (02) parties is not done, there are free to cease the competence jurisdiction.

### **CHAPTER 2: COLLECTIVE DISPUTES**

**Article 86:** The Collective disputes are examined on demand of one of the parties by the ad hoc commission in order to seek friendly solution

## **TITLE VIII: FINAL PROVISIONS**

### **CHAPTER I: DATE OF EFFECT, DECISION AND NOTIFICATION**

**Article 87:** The present statute takes effect in back date manner from June 1<sup>st</sup> 2010. It applies to all contract of employments set up and filed from this date.

It is validated by the council of Ministers and can be revised in the same condition of content in form.

The amendment can be made to this statute all five (05) years. A copy of the statute which is a comprehensive contract of work is notified to each salaries employee. A copy is attached to contract submitted to the new salaried employs.

### **CHAPTER 2: AMENDMENTS OF STATUTES**

**Article 88:** The statute may be revised, completed or modified by the Council of Ministers in the condition of the majority provided in interior regulation of the Agency.

Any state member, signatory of the constitution act and acceding to his statute can submit the amendments.

The propositions are sent to the Executive Secretary at least ninety (90) days before the opening of session of Ministers which will submit to the council of ministers of the Agency.

### **CHAPTER III: AUTHENTIC TEXTS**

**Article 89:** Are authentic, French, English and Arabic tests.

In witness, where of, the under signed plenipotentiaries accredited and dully authorized by their respective government have initialed the statutes are the indicated date above their signature.

**Done in N'Djamena, .....**

**For the Council of Ministers**

**The President**

**SE Monsieur Hassan TERAP**

**Minister of Environment and Fishery Resources**

**Republic CHAD**

N'djamena .....

**The Council of Ministers**

**The President**

**His Excellency Mr. HASSANE TERAP**

**Minister of Environment and  
Fishing Resources of the Republic of Chad**