



LOCAL GOVERNMENT SERVICE

CONDITIONS OF SERVICE FOR STAFF

LGSS

University Post Office

P. O. MB396, MINISTRIES, ACCRA, GHANA

Tel. + 233 – 302 – 662799, 677929

Website: <http://www.lgs.gov.gh/>

E-mail: secretariat@lgs.gov.gh

FOREWORD

A comprehensive programme of Local Government and Administrative Reform is being implemented through decentralisation by the Government of Ghana. The programme as outlined in the 1992 Republican Constitution of Ghana and other Laws, introduced broad-spectrum structural and systemic changes in Ghana's Public Service.

To ensure an effective and sustainable implementation of this massive decentralisation programme, a separate Public Service, the Local Government Service has been created by an Act of Parliament – The Local Government Service Act, (Act 656) of 2003.

Section 14 of Act 656 creates the Local Government Service Secretariat, to among other responsibilities, provide technical and other support to the Service and its Governing Council so to ensure the effective implementation of the mandate of the Service.

Pursuant to section 6 of Act 656, the Local Government Service Council in consultation with the Local Government Workers Union and the Senior Staff Association of the Local Government Service (LGS), and with the approval of the Sector Minister, issue these Conditions of Service as a standard guideline to manage the human resources within the Service (LGSS, RCCs MMDAs).

The Ministry of Local Government and Rural Development would like to thank our Development Partners, and other sister Service, Civil Service, the Ghana Health Service and especially the Management Services Department of the Civil Service who generously assisted us with technical and financial support in the preparation of this Staff Conditions of Service.

HON. SAMUEL OFOSU-AMPOFO

MINISTER OF LOCAL GOVERNMENT & RURAL DEVELOPMENT

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CHAPTER ONE

INTRODUCTION

1.1. THE LOCAL GOVERNMENT SERVICE

1.1.1. Establishment

The Local Government Service (LGS) is one of the Public Services. The Service is established by Local Government Service Act 2003 Act 656. The objective of the Service is to secure effective administration and management of local government in the country.

1.1.2. Membership of the Service

Membership of the Service comprise of persons holding non-elected public office in:

- (a) Regional Co-ordinating Councils;
- (b) District Assemblies;
- (c) Sub-Metropolitan District Councils, Urban, Zonal, Town and Area Councils;
- (d) The Secretariat of the Service; and
- (e) Such other persons as may be employed for the Service.

1.1.3. Functions of the Service

For the purpose of achieving its objectives, the Service is mandated to perform the following functions:

- (a) provide technical assistance to District Assemblies, and Regional Co-ordinating Councils to enable the District Assemblies and the Regional Co-ordinating Councils effectively perform their functions and discharge their duties in accordance with the Constitution and the Local Government Act, 1993 (Act 462);
- (b) conduct organisational and job analysis for the Regional Co-ordinating Councils and the District Assemblies;
- (c) conduct management audits for Regional Co-ordinating Councils and District Assemblies in order to improve the overall management of the Service;
- (d) design and co-ordinate management systems and processes for Regional Co-ordinating Councils and District Assemblies;
- (e) assist the Regional Co-ordinating Councils and the District Assemblies in the performance of their functions under the Local Government Act, 1993, (Act 462), the National Development Planning (Systems) Act, 1994, (Act 480) and under any other enactment;
- (f) perform such other functions incidental or conducive to the achievement of the objects of this Act.

1.1.4. Mission

To support Local Government to deliver value for money services through the mobilization, harmonization and utilization of qualified, human capacity and material resources to promote local and national development

1.1.5. Vision

A world-class, decentralized and client oriented service

1.1.6. Purpose of the Condition of Service

A comprehensive programme of Local Government and Administrative reforms is being implemented through decentralization in Ghana. The programme is outlined in the 1992 Republican Constitution of Ghana and other Laws. To ensure an effective and sustainable implementation of this massive decentralization programme, a new Public Service known as the Local Government Service has been created by an Act of Parliament-The Local Government Service Act, (Act 656) of 2003.

The Local Government Service is mandated to ensure Administrative Decentralization which is one of the major pillars in the decentralization agenda. The objective of the administrative decentralization is “to improve the administrative and human resource capacity of the entire membership of the Service and other local government stakeholders to ensure effective service delivery”.

The purpose of this Conditions of Service is to help manage the human resources of the Service with respect to their recruitment, career progression and development for industrial harmony.

The document among others specifies the following:

- a) Recruitment procedures for members of the Service;
- b) Promotion procedures for members of the Service;
- c) Disciplinary procedures for members of the Service;
- d) Transfer and posting procedures for members of the Service.
- e) Institutional co-operation between the Local Government Service and other public services.

1.2. APPLICATION/SCOPE

These Conditions of Service shall apply to all Local Government Service Personnel, including Officers on secondment, transfer or attachment to the Service.

1.3. IMPLEMENTING AUTHORITY

The Local Government Service Council (LGSC) shall be the authority for appointments, promotions, disciplinary matters and setting of Human Resources Management and Development standards etc, and for the implementation of these Conditions of Service within the Local Government Service.

1.4. EFFECTIVE DATE

In the exercise of the powers conferred on the Local Government Service Council, by Act 656 Sec. 32(2), and in consultation with the Local Government Workers Union and other stakeholders of the Local Government Service (LGS); these Conditions of Service are made and take effect from this 28th day of June 2010.

2. CHAPTER TWO

2.1. EMPLOYMENT

2.1.1. The Structure of the Local Government Service

The Departments, Divisions and Units within the Local Government Service as established by Law are provided in the organizational structure of the Service as per Schedule I.

2.1.1. Scheme of Service

The Scheme of Service is a management tool crafted to provide a coherent framework to facilitate:

- the recruitment;
- development and career progression of staff.

The relevance of such a document is so critical in the evolution of the Local Government Service, as a distinct Public Service organization in Ghana and in compliance with the provisions of the Local Government Service Act, Act 656. A comprehensive Scheme of Service has been developed as a separate document for all classes within the Service.

2.1.2. Categories of Posts

Staff within the Local Government Service has been grouped into six (6) main categories for ease of administration of this Conditions of Service. The categories as defined in the Conditions of Service document are unique and applicable to the Local Government Service and shall not be varied without the express authorization of the Council.

The appointing authorities for these categories of personnel are provided in Part III of these Conditions of Service. The under-listed categories shall prevail in the Local Government Service.

CATEGORIES	GRADE OF STAFF
A1	Head of Service, Regional Co-ordinating Directors/ Chief Directors
A2	National Directors, Regional Directors, District Co-ordinating Directors, District Departmental Directors
B	Deputy Directors and analogous grades at the National Headquarters, Regional and District levels
C	Middle level management and support grades
D	Junior support service staff
E	Sub-technical/auxiliary grades
F	Utility grades

2.1.3. Grades of Staff

Categories A1 and A2 are equivalent to Public Service Commission's category A and B. Grades of staff comprise a summary of both the managerial and technical positions as defined in the Schemes of Service of the Local Government Service. Staff seconded from organizations outside the LGS may be classified based on the criteria defined in the Scheme of Service for the LGS.

Detailed classification of posts and the various grades of officers as they relate to Departments, Units, etc. within the Service are stipulated in the respective Schemes of Service.

2.1.4. Creation of a Department

Proposals for the creation of a new Department shall be submitted by the Regional Co-ordinating Council (R.C.C) and Metropolitan, Municipal, and District Assemblies (M.M.D.A.) to the Local Government Service Council for consideration and approval. The proposals shall specify the following:-

- a) proposed name of the new Department;
- b) justification for creating the new Department;
- c) objectives and functions of the Department;
- d) number of departmental and general posts that may be created and grouped into the new Department;
- e) Scheme of Service of the new Department.

2.1.5. Creation of Posts

- a) The creation of all Local Government Service posts shall be approved by the Local Government Service Council which shall be the authority in this matter.
- b) Applications for the creation of any post shall be submitted by the appropriate organization (LGSS, Regional Co-ordinating Council /Metropolitan, Municipal, District Assembly) to the Local Government Service Council. The application shall indicate the following:-
 - i) The title of the post to be created;
 - ii) The justification for creating the post;
 - iii) The total complement of staff required;
 - iv) Statement of duties and qualifications;
 - v) Salary Scale;
 - vi) Scheme of Service (for new post).
- c) The Local Government Service Council in conveying approval shall state:
 - i) the title of the new post;
 - ii) the salary level;
 - iii) the qualifications;
 - iv) progression and the complement of posts;
 - v) whether the new posts are general or departmental.

2.1.6. Departmental and Grade Transfers

Transfers of officers in the Service from one Department to another or the transfer of officers from one grade in an occupational group to another may be considered by the relevant appointing authority. Officers wishing to transfer from one grade in an occupational group or Department to another may after obtaining the necessary clearance from their Head of Department or occupational group to which they wish to transfer, submit a request for consideration by the Head of Service.

2.1.7. Methods of Filling

The mode of filling vacancies shall be by promotion, demotion and direct appointment through external/internal advertisement, secondment and transfer into the Service.

2.2. APPOINTMENT

All appointments in the Service shall be by the President on the advice of the Local Government Service Council given in consultation with the Public Services Commission.

2.2.1. Category ‘A’ Posts

The appointing authority for Category ‘A’ posts in the Local Government Service shall be the President of Ghana, acting on the advice of the Local Government Service Council given in consultation with the Public Services Commission.

2.2.2. Categories ‘B’ to ‘F’ Posts

The appointing authority for Categories ‘B’, ‘C’, ‘D’, ‘E’ and ‘F’ posts shall be the Local Government Service Council in consultation with the Public Service Commission in accordance with the approved Scheme of Service.

2.3. CONDITIONS FOR APPOINTMENT

Appointments into the Local Government Service shall be subject to a candidate satisfying the conditions specified for entry into the grade, and must be declared medically fit by a Medical Officer of a government hospital. Except otherwise stated, all appointments in the Service shall be full time and occupants shall be substantive. Any activities outside the scope of the appointment, carrying additional remuneration can only be accepted or undertaken with the permission of the Council.

2.3.1. Effective Date of Appointment

The effective date of appointment upon entry into the Service shall be the date on which the officer reports for duty.

2.3.2. Acceptance of Appointment

Acceptance of fresh appointment shall be notified not later than the stated deadline in the appointment letter. After the stipulated period, the appointment shall be deemed to have lapsed and the appointing authority shall reserve the right to offer the appointment to another candidate.

2.3.3. Appointment of Convicted Persons

Convicted persons, other than those convicted on grounds of dishonesty, homicide and moral turpitude may be considered for appointment into the Local Government Service. Persons convicted of dishonesty, homicide and moral turpitude may, however, be considered for appointment subject to the lapse of at least ten years after such conviction or unconditional pardon granted by the President of the Republic of Ghana.

2.3.4. Appointment of Non-Ghanaians

The Service may appoint non-Ghanaians where there is no Ghanaian expertise available in the relevant fields on limited engagement basis. The procedure for appointing non-Ghanaians into the Local Government Service shall be in accordance with the laws of Ghana.

2.4. ACTING APPOINTMENT/ASSIGNMENT

Where it becomes imperative to request an officer to perform the functions of a superior officer for a period exceeding three (3) months, an acting appointment shall be conferred on him by the Head of Service. The President shall be the appointing authority for acting appointments in respect of the Head of Service. Conditions for acting appointments are as follows:-

- a) no officer shall be appointed to a position which is more than one step above his/her present grade;
- b) the officer holding the acting appointment shall be paid the difference between his/her salary and the entry salary point of the grade for which he/she has been appointed to act;
- c) no acting appointment shall exceed a period of one year;
- d) an officer who has performed satisfactorily in an acting capacity for more than one year may be considered for promotion to the grade for which he/she acted;
- e) allowances/benefits attached to the position shall be paid to the officer occupying the acting position.

Acting assignments may be made under the following circumstances:

- a) Upon the death of the substantive officer;
- b) When the substantive officer resigns, or retires, or vacates his/her post;
- c) When the substantive officer proceeds on course, duty overseas or leave without pay;
- d) When the substantive officer is dismissed, removed, suspended or interdicted from duty.

2.5. LIMITED ENGAGEMENT/CONTRACTS

The appointment on limited engagement terms of retired staff shall be on monthly or yearly basis. The period may, however, be renewed by the appointing authority. For the avoidance of doubt, no retired staff who is sixty-five (65) years old or above shall benefit from this dispensation.

2.6. APPOINTEE'S PARTICULARS

Letters of appointment shall specify the following terms of the appointment:

- a) Job title;
- b) Type of appointment (permanent, temporary, contract, etc.)
- c) Effective date of appointment;
- d) Probation period (if any);
- e) Salary scale and starting point;
- f) Brief job description;
- g) Posting instructions (where applicable);
- h) Other relevant benefits as contained in the approved Conditions of Service.

2.7. OATH OF SECRECY/ALLEGIANCE

All Officers who occupy the position of Director, their analogous grades and above shall swear the Oath of Secrecy and allegiance to be administered by the Head of Service and that of the Head of Service to be administered by the Council Chairman.

2.8. HOURS OF WORK

The standard working hours shall be forty (40) hours per week with 8 hours a day. The hours of work starts from 8:00 am to 5:00 pm with a one (1) hour break at 12:30 pm.

Senior staff may be required to work beyond normal working hours if the job requires it. This extra work will not attract overtime allowance.

2.9. PROBATION

A newly-appointed officer of the Local Government Service shall serve a probationary period of six (6) months with effect from the date he/she assumes duty. Where the appointing authority is not satisfied that the conduct and job performance of the officer have been satisfactory, it shall proceed to either terminate the appointment or extend the probationary period by a further period of three (3) months. The probation period is counted as part of the minimum years new entrants shall serve before they are considered for promotion.

2.10. CONFIRMATION

A formal letter of confirmation shall be issued accordingly. Unless informed in writing to the contrary, a newly employed staff who has completed such probationary period, shall be deemed to have been confirmed in his/her post.

3. CHAPTER THREE

3.1. STAFF MANAGEMENT

- 1) Staff List
- 2) Performance Management
- 3) Promotion
- 4) Postings & Transfers
- 5) Secondment
- 6) Leave

3.2. STAFFING NORMS

The Local Government Service has developed a separate document which details the minimum and maximum staff requirements for all categories of staff.

3.3. PERFORMANCE MANAGEMENT

As part of its mandate the Service shall develop a comprehensive performance management system to agree, monitor, review and evaluate the performance of all staff annually. The appraisal report shall form part and parcel of staff promotion and personal development.

3.3.1. Annual Performance Agreement

All officers holding the post of Chief Director, Coordinating Directors, Directors and analogous grades shall enter into a Performance Agreement with his/her superior officer. The evaluation of the performance of this category of officers shall be done annually by a team of evaluators to be appointed by the Head of Service in consultation with the Council.

3.3.2. Staff Performance Appraisal

- i) A staff Performance Appraisal Report shall be prepared annually on every confirmed officer, officers on limited engagement and every salaried employee;
- ii) There shall be at least two reviews of the agreed targets within the appraisal year;
- iii) The Performance Appraisal Report shall be completed by the substantive reporting officer who has continuously supervised the work of a subordinate officer for at least six (6) months. Where the substantive reporting officer is expected to be away at the time the reports are due, he/she shall leave a note for the guidance of the officer who is to complete and submit the report in his/her absence;
- iv) Reporting officers shall discuss with their subordinate officers, the contents of the Staff Performance Appraisal Reports, and the subordinate officers shall be entitled to make their own observations on their reports and sign them, prior to submitting them to the Appointing Authority;
- v) When an officer is posted to or transferred from one Department or Region/District to another, his/her former Head of Department shall send to his/her new Head of

Department a copy of the officer's Service Record together with copies of his/her last four annual Staff Performance appraisal reports and any other papers concerning his/her performance and behaviour during the previous four years.

3.4. PROMOTIONS

3.4.1. Promotion Authorities

Promotion into the various grades within the Service shall be initiated at the departmental level and effected by the appropriate appointing authority.

3.4.2. General Conditions for Promotions

The procedure for making promotions shall be in accordance with the relevant Scheme of Service and subject to the availability of vacancies in the grade. Promotions shall be based on merit. In determining merit, the following shall be taken into account:

- a) efficiency;
- b) qualification and experience in area of work;
- c) attitude towards work and general behaviour;
- d) leadership qualities;
- e) satisfactory performance;
- f) seniority shall be taken into consideration when all things taken are the same;
- g) seniority shall be determined from the date of last promotion.

3.4.3. Effective date of Promotion

The effective date of promotion shall not be earlier than the date on which the vacancy for a position became due. The appointing authority shall convey to the officer the effective date of his/her promotion. The promotion letter shall specify whether the date of promotion is notional or effective for purposes of salary.

3.5. POSTINGS, TRANSFERS AND SECONDMENTS WITHIN THE SERVICE

3.5.1. Postings

General

All grades of staff within the Local Government Service shall be subject to posting to any part of the country as a way of enhancing their skills and also subject to the exigencies of the Service. The Service shall not use postings, transfers and secondment as a punitive measure.

Inter-Regional Postings

Postings of staff of the Service from one region to another shall be effected by the Local Government Service Secretariat in consultation with the relevant Regional Co-ordinating Council.

Intra-Regional Postings

Postings from one part of a Region to another shall be effected by the Regional Co-ordinating Council in consultation with the Local Government Service Secretariat.

Intra-District/Municipal/Metropolitan Assembly Postings

Postings of staff of the Local Government Service within the Metropolitan, Municipal and District Assembly (MMDA) shall be effected by the Metropolitan, Municipal, District Co-ordinating Director.

3.5.2. Transfer

Eligibility and Conditions for Transfer from the Local Government Service

Consideration for transfer of personnel of the Local Government Service into any of the Public Services of Ghana may be given subject to the following conditions:-

- a. the applicant shall have done at least five (5) years in the Local Government Service;
- b. the organization to which the applicant wishes to transfer shall be responsible for the salary and other conditions of the transferred member of staff;
- c. while on transfer, the officer will not be eligible for promotion within the Local Government Service;
- d. an officer returning from transfer shall apply for re-entry into the Service through his/her Head of Department. Such an application for re-entry shall be forwarded to the appropriate appointing authority.

Conditions for Transfer into the Local Government Service

- a. Personnel within the Public Services of Ghana may be transferred to the Local Government Service, subject to the needs of the Service. All applications for transfer into the Local Government Service shall be lodged with the appropriate appointing authority of the Service for consideration and approval.
- b. The Local Government Service shall be responsible for the payment of salary, allowances and other conditions of service of the transferred staff.

3.5.3. Secondment

Permission may be granted by the Local Government Service Council for personnel of the Local Government Service to be seconded to any agency within the Public Services. The Service may also allow staff from other Public Services to be seconded to the Local Government Service.

Eligibility for Secondment of Local Government Service Personnel

Only personnel of the Local Government Service who have done at least three (3) years continuous service will be considered for secondment outside the Service. Persons

against whom disciplinary action may be pending shall not be considered for release on secondment.

Conditions for Secondment of Local Government Service Personnel

Applications for secondment of Local Government Service staff shall be considered subject to the following conditions:

- a. evidence that the receiving organization has offered appointment to applicant;
- b. the secondment of the applicant must be endorsed by the applicant's Head of Department;
- c. secondment shall not exceed a period of two years (2) with an extension period of one year on approval, after which period the officer shall exercise his/her option to remain with the agency or return to the Service.
- d. In the absence of notification to return to the Service, the officer shall be deemed to have elected to remain with the agency and shall accordingly be informed by the appointing authority of the Service;
- e. while on secondment, the officer shall be entitled to all the allowances and benefits of the public service agency to which he/she has been seconded. The parent employer will be responsible for the salary and promotion of the officer.

Secondment into the Local Government Service

- a. All applications for secondment from personnel outside the Local Government Service into the Service shall be addressed to the Head of Service for consideration and approval.
- b. All such applications must have the endorsement of the applicant's new Head of Department.
- c. All conditions attached to the secondment of Local Government Service Personnel shall apply to officers who opt for secondment into the Local Government Service.
- d. Before the expiry of two (2) years, however, the Local Government Service will be required to inform the seconded officer whether or not it intends to retain his/her services with the Service.
- e. The Service shall not be responsible for the salary, allowances and other conditions attached to public service personnel seconded to the Service after such notification.

3.6. LEAVE

3.6.1. Annual Leave

An annual leave is a period of rest from work granted to an employee of the Service. Every employee of the Service is entitled to proceed on an annual leave when he can be absent from work for a period of time but still receive his/her full salary. Annual Leave must be earned, calculated from the date the worker starts work and accrues for 12 months excluding Saturdays, Sundays and Public Holidays. Leave accrued within a year may not be carried forward to the next year, unless in exceptional circumstances and with the approval of the head of organization through the Human Resource Department.

All grades of staff shall be entitled to annual vacation leave as follows:-

- | | |
|---------------------|-----------------|
| a. All senior staff | 36 working days |
| c. All other staff | 28 working days |

3.6.2. Maternity Leave

- A female employee of the Local Government Service who is pregnant shall be entitled to maternity leave to enable her deliver and nurse her baby. Maternity leave should start not less than thirty (30) days before the expected date of delivery (as assessed by an approved medical officer).
- The female employee on maternity leave shall be on full pay for a maximum period of three (3) calendar months. After her resumption from duty she is entitled to Two (2) hours feeding time per day for a further period of Six (6) months on full pay. Maternity leave shall be additional to leave entitlements

3.6.3. Sick Leave

- Sick leave is granted to an employee who has been examined by a recognized medical practitioner and has certified that he/she is not fit to work.
- Application for sick leave shall be routed through the Head of Department and the District/Regional Co-ordinating Director to the Head of Service for approval.
- The classification below shows the maximum period for a staff to benefit from full salary, half salary and without salary while on sick leave:

CATEGORY	MAXIMUM PERIOD OF FULL SALARY	MAXIMUM PERIOD OF HALF SALARY	MAXIMUM PERIOD WITHOUT SALARY
Employees with 5 years or more continuous service	12 months	12 months	Sick leave in excess of 24 months
Employees who have served for less than 5 years but more than 3 years	12 months	8 months	Sick leave in excess of 20 months in any period of 4 years
Employees with less than	4 months	4 months	Sick leave in excess of

3 years service but more than 1 year			8 months in any period of 3 years
Less than 1 year service	1 month	2 months	Sick leave in excess of 3 months in any period of 12 months

3.6.4. Study Leave with/without Pay

- A study leave is leave taken when an employee of the Service is absent from his/her normal place of work for the reason of undertaking an approved training course.
- An employee of the Service is eligible for study leave if approved by the appropriate authority which in this case is the Head of Service.
- All applications for the grant of study leave with or without pay shall be forwarded to the approving authority through the applicant's Head of Department, the relevant MMDA and RCC. While forwarding the application to the approving authority the various levels shall indicate whether or not they endorse (with reference to the existing eligibility criteria) the application and for what reasons.
- The approving authority shall indicate its approval or otherwise to the applicant through the applicant's RCC & MMDA.
- Applicants shall secure approval of their application before starting the course
- Study leave may be granted with or without pay.

3.6.5. Eligibility for grant of Study Leave with/without Pay

Applications for study leave with/without pay shall be expected to satisfy the following requirements:-

- applicant must hold a permanent appointment with the Service;
- applicant must have done a **MINIMUM** of four (4) years continuous service in the Local Government Service;
- applicant must not be subject to any disciplinary action.

3.6.6. Particulars required for Study Leave with Pay

The approving authority may, subject to the submission of the following particulars, consider an application for study leave with pay and convey the decision through the applicant's RCC And MMDA:-

- Title, venue and duration of the course;
- Responsibility for funding the course;
- Relevance of course to applicant's career development and the needs of the Local Government Service;
- Justification for the course, if course is not relevant as (c) above;

- e) Evidence of consent by Head of Department of applicant to release applicant to undertake the course;
- f) Length of service of applicant;
- g) Evidence of officer's admission to the course;
- h) Details of applicant's outstanding or other financial obligations to the Local Government Service;
- i) Whether there is any disciplinary action pending against the applicant.

3.6.7. Conditions attached to the grant of Study Leave with Pay

The grant of study leave with pay shall be subject to the following conditions:-

- a. applicant will not be eligible for promotion and annual leave during the period of the course;
- b. the facility shall be subject to the normal duration of the course;
- c. applicants who undertake courses locally may be required to contribute stated amount towards the cost of boarding and lodging;
- d. application for extension of study leave with pay shall be submitted for consideration by the approving authority through the MMDA & RCC of the applicant;
- e. courses to be pursued shall not be changed without the written permission of the applicant's Head of Department through the MMDA & RCC for the approval of the approving authority;
- f. applicants shall enter into bonds to complete the course and will be required to return to the Service to serve in any establishment within the Local Government Service of which they may be posted for the periods specified in their bonds (see schedule);
- g. the continued enjoyment of the facility shall depend on the applicant's satisfactory performance while on the course;
- h. the period of study leave with pay shall be leave consuming but not leave-earning.
- i. successful completion of the course shall not lead to automatic promotion, upgrading or conversion in the Service.

3.6.8. Conditions for Study Leave without Pay

Applications for the grant of study leave without pay shall be subject to the conditions and rules attached to the applications for study leave with pay. All other conditions attached to the grant of study leave with pay shall apply except that applicants for the facility shall not be bonded to serve for a specified number of years after their return from study leave without pay.

3.6.9. Study Leave With/Without Pay – Approving Authority

The approving authority for the grant of study leave with/without pay shall be the Head of Service.

3.6.10. Application for Leave without Pay

A member of staff wishing to proceed on leave without pay shall apply to the Head of Service through his/her Head of Department who shall indicate whether or not he/she

endorses such application. Thereafter the HOD shall forward such application to the District Coordinating Director who will forward the application to the Head of Service through the Regional Coordinating Council for approval or otherwise.

3.6.11. Conditions for the grant of Leave without Pay

Leave without pay should not be confused with study leave without pay. All officers who have served for Three (3) continuous years can request for leave without pay. The conditions for the grant of leave without pay are stated as follows:

- i) on grounds of ill-health;
- ii) nursing mothers who encounter problems about caring for their babies after maternity leave;
- iii) to join spouse on posting to approved Service in Ghana Missions abroad or on posting to international organization;
- iv) to work with an approved organization outside the Public Service;
- v) unforeseen circumstances requiring urgent and sustained attention of the officer;
- vi) application must be endorsed by the relevant authority;
- vii) leave without pay shall not exceed a total period of two (2) years.

An application for leave without pay shall specify the following;

- i) name and rank of applicant;
- ii) length of Service of applicant;
- iii) period of leave without pay being requested for;
- iv) reasons for making request for leave without pay;
- i) undertaking to return to the Service after the expiry of the period granted.
- ii) leave without pay cannot be extended beyond two (2) years

3.6.12. Lapse of Leave without Pay

An officer who fails to return to his/her post within two weeks after the expiration of the approved leave period shall be deemed to have vacated his/her employment.

3.6.13. Disembarkation Leave

- a) An officer of the Service who travels from abroad to assume duty after a course of study shall, on arrival, be granted some days of rest known as disembarkation leave.
- b) Disembarkation leave shall start from the day following the date of disembarkation for duration as follows:
 - i) 3-5 months study - 3 days disembarkation leave
 - ii) 6-12 months study - 5 days disembarkation leave
 - iii) over 12 months of study - 10 days disembarkation leave.

3.6.14. Casual Leave

- a) Casual leave is a short leave taken when an employee has exhausted his/her annual leave. It is usually intended to cover urgent private and personal affairs.

- b) Every full time employee of the Service is entitled to a casual leave of 10 working days in any given year.
- c) Application for casual leave shall be in writing or annual leave application forms may be used.
- e) Approval shall be by the District/Regional Coordinating Director, or Head of a Directorate as appropriate.

3.6.15. Examinations Leave

A permanent staff of the Service shall be entitled to an examination leave to enable him/her write an examination which is related to his/her technical and managerial competence. This leave shall be additional to the annual leave of the staff.

3.7. STATUTORY PUBLIC HOLIDAYS

All staff of the Service shall be entitled to enjoy any public holiday announced by the government.

3.8. HANDING OVER NOTES

- a) An employee proceeding on leave, or transfer, or leaving for any reason as stated under “Leaving the Service” shall hand over all Service property under his/her stewardship, including official premises, vehicles, furniture, tools, equipment, papers, books, stores, cash, etc. to the reliever before he/she leaves.
- b) The one handing over should give a detailed statement as regards all matters affecting his/her duties noting down particulars of any unfinished assignments, matters needing follow- ups, etc for the guidance of the employee taking over.
- c) Should it be detected that an employee has left without a thorough handing over either as regards the information supplied or the handing over of any property of the Service, etc. the employee shall be recalled to do a proper handing over.
- d) The out-going employee shall be held liable for the loss of any Service property which cannot be traced as a result of his/her failure to comply with acceptable handing over procedure.

4. CHAPTER FOUR

4.0. COMPENSATION & BENEFITS

- Salaries;
- Statutory deduction;
 - SSNIT Contribution;
 - Taxes;
 - Provident Fund;
- Transports;
- Accommodation.

4.1. SALARY

Salaries within the Local Government Service shall be determined by Job Analysis and Job Evaluation. Salaries for the various grades shall be based on the negotiated and approved Pay and Grading Structure.

4.1.1. Points of Entry/Salary Structure

- a. The salary payable to any employee shall be in accordance with the approved salary structure of the LGS;
- b. The point of entry in the salary structure of a newly appointed staff shall be fixed by the Local Government Service;
- c. In determining the point of entry, experience and qualifications relevance to the post shall be taken into account as defined in the Scheme of Service;
- d. All salaries shall be paid monthly direct into any bank in Ghana nominated by the employee;
- e. Remittances or allotments to home countries outside Ghana shall be made at the employee's own expense and in accordance with the government regulation in force.

4.1.2. Annual Salary Increment

- a. All personnel of the Local Government Service shall, subject to satisfactory conduct and job performance, be eligible to earn annual salary increment according to prevailing scales of salary increment.
- b. Personnel whose job performance and conduct have been found to be unsatisfactory shall not qualify to earn annual salary increment.
- c. Where in the opinion of a superior officer, the performance of a subordinate officer has not been satisfactory, he/she shall notify the Head of Department of his intention to withhold the increment of the subordinate and state reasons why the increment must be so withheld. If, in the opinion of the Head of Department, a case has been made for withholding the annual increment, he/she shall proceed to order the withholding of the increment accordingly.

4.1.3. Deductions from Salary

- a) Only statutory deductions and payments as may be determined from time to time by the Council shall be deducted from an employee's salary.
- b) Unless otherwise provided, examples of such charges and deductions are:
 - i) income tax deductions;
 - ii) deductions made under the Social Security Act;
 - iii) repayment of loans and salary advances;
 - iv) rent deductions when the employee is provided with an accommodation by the Service;
 - v) staff welfare fund deductions;
 - vi) trades union dues.

4.2. ALLOWANCES

The staff of the Local Government Service shall be paid appropriate allowances as authorized by the Council with the recommendations of the Head of Service.

4.2.1. Responsibility Allowance

Local Government Service personnel in top management positions at the National Headquarters, Regional Coordinating Council, and Metropolitan, Municipal, District Assembly levels shall be entitled to the payment of responsibility allowance. This allowance shall be commensurate with their level of operation. The value of this allowance shall be determined by the Council.

4.2.2. Vehicle Maintenance Allowance

Members of staff who possess means of transport shall be paid appropriate allowance to maintain them. Eligibility for this allowance shall be subject to the nature of the duties of the applicant and his/her level of seniority.

4.2.3. Fuel Allowance

This allowance shall be paid to members of staff in Categories A & B who possess means of transport and who qualify for the payment of car maintenance allowance. The value of this allowance shall be determined by the Council.

4.2.4. Travelling and Transport Allowance

This allowance shall be paid to officers who undertake journeys to perform official duties without using official means of transport. Such allowances shall be paid at the beginning of the month following the month during which the trips were made. Payment of this allowance to personnel with their own means of transport will have their allowances based on kilometre while personnel without their own means of transport will have theirs calculated on prevailing approved transport fares. Where necessary an officer shall be given an accountable imprest.

4.2.5. Commuted Kilometer Allowance

Commuted kilometer allowance at appropriate rates shall be paid on monthly basis to officers with their own means of transport who reside within fifteen kilometers radius from their work place. In addition, officers who use their own means of transport to undertake official trips shall be paid at rates to be determined by the Local Government Service Council.

4.2.6. Out of Station/Night Allowance

Personnel of the Service shall be eligible for payment of out-of-station/night allowance for each night spent on approved duty outside their stations in Ghana. The rates of allowance prescribed are subject to abatement of one-third where either board or lodging is provided free and of two-thirds where both are provided free. Allowances to be paid shall be determined from time to time by the Local Government Service Council.

4.2.7. Accommodation Allowance

Where official accommodation is not allocated or available to senior management staff (Categories “A” and “B”), an appropriate rent allowance of 25% of gross monthly salary shall be paid. Categories “C” and “D” staff shall be eligible to rent allowance equivalent to 20% of gross month salary in the absence of appropriate residential accommodation.

4.2.8. Rent Deduction

Personnel who reside in accommodation provided by the Service shall be liable for rent deduction from source at the prevailing government rates.

4.2.9. Domestic Servant Allowance

All personnel in Categories “A” and “B” posts shall be eligible for the payment of monthly domestic servant allowance in lieu of the provision of utility domestic staff. He/she shall not be eligible to the domestic utility staff allowance if such staff are provided by the Service. The quantum shall be as approved from time to time by the Local Government Service Council.

4.2.10. Security Guard Allowance

Security Guard allowance shall be paid monthly to all personnel holding category ‘A’ and “B” posts.

4.2.11. Annual Leave Allowance

All personnel of the Service shall be eligible for the payment of annual leave allowance equivalent to one month basic salary.

4.2.12. Warm Clothing Allowance

Warm Clothing allowance at appropriate rates and under conditions to be determined by the Ministry of Finance shall be paid to officers who travel outside the country to temperate areas of the world on study leave. Officials on official assignment other than study leave may be considered for the allowance at the discretion of the Head of Service.

4.2.13. Subsistence Living Allowance

An unaccountable per diem allowance shall be paid to officers who travel outside the country on official duty at rates to be determined by the Ministry of Finance.

4.2.14. Hardship Allowance

This allowance is expected to serve as an incentive to attract and retain staff to deprived areas which are characterized by the lack/absence of basic services and amenities. This allowance shall be fixed at rates to be determined by the Local Government Service Council

4.2.15. Overtime Allowance

Junior Officers who are authorized by their Heads of Department to work beyond the normal working hours may be paid overtime allowance at a rate to be determined by the Local Government Service Council and approved by the Ministry of Finance..

4.2.16. Special Project Allowance

Personnel of the Service, who, in addition to their normal schedule of duties, work on projects, shall be paid Special Allowance during the period of the special project being undertaken. Such allowance shall be determined by the Local Government Service Council.

4.2.17. Posting/Transfer Allowance

The Service shall be responsible for the provision of transport for an employee who is posted /transferred from one District to another District within the same Region, or to a District in another Region, or from one district/region to the national level. Where the Service is unable to provide free transport to the employee, the employee shall be eligible for the payment of a non-refundable grant of two (2) months basic salary as a means of resettling him/her at his/her new place of work. The amount shall be paid when the officer reports for duty at his/her new station. Transfers not exceeding two (2) months shall be considered as temporary transfers and shall attract out-of-station allowance and traveling expenses but not transfer allowance.

4.2.18. Entertainment Allowance

Entertainment allowance at rates to be determined by the Council shall be paid to Regional and District Coordinating Directors as well as the Head of Service and his/her deputy and Directors at the Headquarters of the Service on monthly basis. This allowance is to enable these officers to receive or host visitors for and on behalf of the Service.

4.2.19. Acting Allowance

An acting allowance shall be paid to an officer who has been requested in writing by the appointing authority to perform duties of a higher grade or in another job position in addition to his/her normal work schedule. An acting allowance shall be the difference between the employee's gross monthly salary and the first point in the salary scale of the grade for which he/she is acting.

4.2.20. Risk Allowance

Risk and height allowance, which shall be determined by the Local Government Service Council, shall be paid to personnel whose duties involve high risk as well as climbing heights.

4.2.21. Disability Allowance

Every physically challenged employee of the Service shall be entitled to the payment of a special Guide/Commuted Travelling Allowance of 20% of his/her monthly basic salary.

5. CHAPTER FIVE

WELFARE

5.0. GENERAL

The following welfare benefits shall apply to all personnel of the Local Government Service provided they become eligible for them. The quantum of payment of benefits shall be determined from time to time by the Local Government Service Council in consultation with accredited representatives of the staff of the Local Government Service.

5.1. SPECIAL ADVANCE

- a) Subject to availability of funds, a special advance may be paid to a member of staff of the Local Government Service under terms and conditions to be determined by the Local Government Service Council. The conditions under which the special advance may be paid are:
 - i) bereavement of spouse, father, mother or children (not exceeding two);
 - ii) disaster such as destruction of staff's house by fire, flood or any other unforeseen circumstances;
 - iii) the payment of rent advance;
 - iv) purchase of furniture/fittings or domestic appliance;
 - v) any other critical situation in which staff finds himself/herself.
- b) The repayment of the special advance shall be over a two (2) year period by monthly deductions from the salary at source.

5.2. FUNERAL GRANT ON DEATH OF STAFF

- a) Funeral grant shall be paid as donation to the family of a deceased employee of the Service at rates to be determined by the Local Government Service Council.
- b) The Service shall arrange a vehicle to transport members of staff to attend the funeral of a deceased member of staff.

5.3. SALARY ADVANCE

- a) Subject to availability of funds, a permanent member of staff may apply to his/her Head of Department for salary advance not exceeding two months of his/her basic salary once a year.

- b) Eligibility for the grant of salary advance shall be subject to at least one year continuous service on the part of the officer making the request.
- c) The officer shall be required to repay the loan from source over a period of twelve (12) months.

5.4. MEDICAL/DENTAL CARE

Medical and dental care shall be provided for the personnel of the Service as well as dependents for diseases not covered under the National Health Insurance Scheme.

5.5. LOANS TO PURCHASE/REPAIR MEANS OF TRANSPORT

- a) All senior personnel of the Local Government Service may, subject to the nature of their duties, be eligible for the grant of a loan to purchase or repair a means of transport, i.e. a car. The loan granted shall be deducted from the officer's salary for a period to be determined. Applications for car loan by senior personnel shall be approved by the Head of Service on the recommendation of the Metropolitan, Municipal and District or Regional Coordinating Director as the case may be.
- b) Junior personnel of the Service may apply for and be granted a loan to purchase a motor bicycle or a bicycle for the performance of their duties.
- c) Applications for loans for the purchase/repair of means of transport may be granted subject to the availability of funds.

5.6. PUBLIC SERVANTS HOUSING LOAN SCHEME

Personnel of the Local Government Service may be entitled to loans from the Public Servants Housing Loans Scheme.

5.7. LONG SERVICE AND MERIT AWARDS

5.7.1. General

The Service shall institute schemes to motivate staff to high performance levels. The awards will recognize meritorious service, good conduct and selfless service, service in deprived areas.

5.7.2. Long Service Awards

The following shall be the conditions to be considered in the award of long service awards:

- iii) ten years of continuous service;
- iv) twenty years of continuous service;

- v) twenty-five years continuous service and above.

5.7.3. Merit Awards

The Service shall set up “Best Worker Nomination Teams/Committees” at all levels. The committees shall constitute panels with clear, operational guidelines to screen staff nominated for exemplary and significant achievements and innovative approaches to service delivery. All districts, regions and directorates shall nominate and select Best Workers in designated fields.

- 5.7.4.** At the national headquarters, the Head of Service in consultation with the Council shall constitute the panel for nominating and selecting the overall best worker. Such a scheme shall be institutionalized at all levels and shall be awarded on yearly basis.

6. CHAPTER SIX

LEARNING, TRAINING & DEVELOPMENT

6.1. GENERAL

The Service shall establish in-service training programmes at all levels with a view to promoting sustained improvement in quality of services by nurturing a high level of performance. The Service shall prioritize training at pre-service, in-service and post-basic levels.

6.2. IN-SERVICE TRAINING

- a) The Service shall formalize and institutionalize a system of in-service training programme based on the Schemes of Service for the benefit of all employees.
- b) The types of In-Service Training Programmes include the following:
 - i) Orientation/Induction training;
 - ii) Remedial training;
 - iii) Management Development;
 - iv) Attachment training;
 - v) Study tours;
 - vi) Self development.
- c) In-service training shall embrace staff at all levels in all categories. The proposal is that each staff shall benefit from formal in-service training at least once every three years.

6.3. POST-BASIC TRAINING

- a) Post-basic training shall refer to formal training received after the basic training received before joining the Service. Such training will be a post-certificate or diploma or graduate training which will usually result in additional qualification – certificate, diploma, advanced diploma or degree.
- b) Post graduate training shall refer to formal training leading to the award of a Masters or specified postgraduate diploma obtained from programmes based in formal universities or similar accredited institutions.
- c) Staff shall also be expected to undertake structured schemes of service training programmes to be organized by relevant and accredited institutions as well as other courses relevant to their professional progression.

6.4. SPONSORSHIP FOR TRAINING

- a) Sponsorship for training shall cover both in-service training and post basic/post-graduate training programmes approved by the Service. It will also cover both approved local and external training programmes as defined in the approved Scheme of Service, Service Training Priorities and Plans.
- b) A staff training and development plan shall be developed for the Service. The training and development plan is expected to have a multidisciplinary character and ensure fair regional and district equity.
- c) Staff who accept postings to deprived communities shall be given priority in sponsorship packages.

6.4.1. Eligibility for Sponsorship

- a. Staff applying for sponsorship for training programmes must have served for a minimum of four (4) years to qualify for a long course lasting for at least two (2) years.
- b. Staff application forms must be addressed to the Head of Service through their respective MMDAs and RCCs for approval.
- c. Service in the rural areas or other deprived settings will be an advantage in the selection of candidates.
- d. Eligible candidates must show evidence of satisfactory performance appraisal in the last Four (4) years;
- e. Self-sponsorship and private sector sponsorship will also be encouraged;
- f. The duration of sponsorship for training programmes will be defined prior to the commencement of the training and may be varied only by the approval of the Head of Service.

6.5. ADDITIONAL QUALIFICATIONS

- a) An additional qualification which is relevant to the Service will be recognized but will not guarantee automatic promotion, upgrading/conversion in the Service.
- b) Relevance of training will relate to the usefulness of the course of training to the Service and the relationship of the additional qualification to the primary/original professional qualification of the employee.
- c) The additional qualification must be an approved course of study.

6.6. BONDING

Officers on study leave with pay or are being sponsored for training programmes lasting beyond six (6) months shall enter into bonds to complete the courses and return to the Service to serve in any establishment under the Local Government Service they may be posted for the periods specified in their bonds.

Please refer to the table below:

6.6.1. Study Leave with Pay (Bonding Periods)

COURSE DURATION	BOND PERIOD (LOCAL PROG.)	BOND PERIOD (FOREIGN PROG.)
Less than one (1) year	12 Months	18 Months
One year but less than two (2) years	24 Months	30 Months
Two (2) years or more	48 Months	60 Months
Three (3) years	72 Months	84 Months

7. CHAPTER SEVEN

EMPLOYEE HEALTH & WELLBEING

7.1. GENERAL

1. Health and Medicals
2. Safety

The Local Government Service shall, where necessary, install appropriate means for the maintenance of safety, such as fire prevention, fire alarms, etc in accordance with the Factories, Offices and Shops Act.

7.2. APPLICATION OF WORKMEN'S COMPENSATION LAW, 1987 (PNDCL 187)

The provisions of the Workmen's Compensation Law, 1987, (PNDCL 187) shall apply to workmen employed by the Local Government Service. Any workman or family of any workman may, however, seek remedy under the common law or any other law applicable, to obtain satisfaction in case of injury or death.

7.2.1. Employer's Liability

- a) The Local Government Service shall be liable for the compulsory payment of workmen's compensation arising from injury or death as provided for under the Workmen's Compensation Law.
- b) The Local Government Service shall defray the reasonable expenses incurred by a workman of the Service within Ghana or, with the approval of the Director-General of the Ghana Health Services outside Ghana, as a result of an accident arising out of and in the course of his employment. Compensation shall be paid in case of the following:-
 - i) in respect of temporary incapacitation;
 - ii) in respect of disfiguring injuries;
 - iii) in respect of permanent incapacitation;
 - iv) in respect of fatal cases.

7.2.2. Notification of Accidents

The Local Government Service shall give notification in respect of the following as provided under the Factories, Offices and Shops Act, 1970 (Act 328):

- a. Notification of accidents;
- b. Notification of dangerous occurrences;
- c. Notification of industrial diseases.

7.3. HEALTH AND SAFETY

- a) All Office furniture, furnishings and fittings of the Local Government Service shall be kept clean;
- b) As much as possible, over-crowding which may cause risk or injury to the health of officers shall be avoided;
- c) Provision shall also be made for ventilation, washing facilities, good and suitable lighting, whether natural or artificial, drainage of floors, sanitary conveniences, drinking water, accommodation for clothing where necessary, adequate sitting facilities, removal of dust or fumes in the case of workshops and the like;
- d) The Local Government Service shall, where necessary provide suitable protective clothing and appliances under terms to be negotiated, to all personnel who are employed in any activity involving excessive exposure to wet or any injurious or offensive substance;
- e) Any personnel who fails to use the protective clothing and appliances shall be liable for misconduct;
- f) Noise and vibrations which are likely to affect the health of personnel of the Local Government Service in any office or premises shall be reduced as far as possible by appropriate and practicable measures;
- g) First aid boxes shall be provided for personnel of the Service;
- h) No officer in the course of his/her work shall be required to lift, carry or move any load so heavy as to be likely to cause injury to him/her.

8. CHAPTER EIGHT

DISCIPLINE

8.1. GENERAL

The policy of the Service on discipline is to deter employees from committing infractions of rules and to reform them in order to effect improvement in their conduct and make them more productive thereafter. It is expected that personnel of the Local Government Service shall obey the rules of conduct and procedures established within the Service.

8.2. DISCIPLINARY AUTHORITY

The highest disciplinary authority shall be Local Government Service Council which may delegate this authority as it deems fit.

CATEGORY OF POSTS	PERSONS TO WHOM AUTHORITY MAY BE DELEGATED
a. Categories A1 and A2	Local Government Service Council
b. Categories A,B,C,D, & E in the Local Government Service Secretariat or the Regional Co-ordinating Council	Head of Service, Regional Co-ordinating Director
c. Categories B, C, D, E and F in Metropolitan, Municipal, District Assembly	The Metropolitan, Municipal, District Co-ordinating Director

8.3. OFFENCES

There are two categories of offences: Major and Minor.

8.3.1. Major Offences:

- i) coercion, intimidation, threatening of fellow employees;
- ii) use of insulting language towards another employee;
- iii) deceit of public officer in the performance of his/her duties;
- iv) sexual harassment, physical assault, or fighting on premises;
- v) gross dereliction of duties, gross insubordination,
- vi) stealing, misappropriation of funds, fraud, or falsification of records, extortion,
- vii) willful damage to state property;
- viii) incitement of employees to engage in illegal strikes;
- ix) habitual lateness to work;

- x) sleeping on duty by security staff;
- xi) absence from work for ten (10) consecutive working days
- xii) improper influence;
- xiii) false and misleading information;
- xiv) unauthorized disclosure of official information
- xv) persistent alcoholism, drug abuse, etc.

8.3.2. Minor offences:

- i) sleeping during working hours;
- ii) leaving place of work before closing without permission;
- iii) trading on official premises;
- iv) failure to comply with reasonable instructions;
- v) minor damage to government property through negligence;
- vi) gambling in the office;
- vii) non-compliance with official dress code.

8.4. MISCONDUCT

Any act done by an employee without reasonable cause constitutes misconduct if it:

- a) amounts to failure to perform in a proper manner any duty imposed on him/her; or
- b) contravenes any enactment relating to the Local Government Service; or
- c) is otherwise prejudicial to the efficient conduct of the functions of the Local Government Service; or
- d) tends to bring the Local Government Service into disrepute.

8.5. DISCIPLINARY PROCEDURE

8.5.1. Interdiction

Interdiction may be ordered:

- i) where further disciplinary proceedings are to be taken against an officer;
- ii) where the officer is the subject of criminal investigation or offence, whether or not connected with the officer's work;
- iii) where the continued presence of an officer at his/her work-place may influence investigations into an offence allegedly committed by the officer.

During the period of interdiction which should not exceed six (6) calendar months, the interdicted officer shall be paid one-half of his/her salary provided he/she is not indebted to the government.

8.5.2. Interdiction arising from Criminal Investigation

Where interdiction is the result of criminal investigation leading to prosecution, and the interdicted officer is subsequently convicted in a court of law of the criminal offence

involving fraud or theft or is sentenced to a term of imprisonment, the officer shall be summarily dismissed from the Service and shall forfeit the salary withheld upon interdiction.

8.6. FORMAL PROCEEDINGS

- a) Where it is considered necessary to institute formal proceedings against an officer, the appropriate authority shall frame a charge or charges against the offending employee in writing. The authority may consult the Attorney-General with respect to the terms of the charge or charges.
- b) When a copy of the charge or charges together with a brief statement of the allegation on which the charge is based has been forwarded to the offending employee, he/she shall be required to state in writing, within seven (7) days, any grounds upon which he/she wishes to exonerate himself/herself. Failure on the part of the officer to react within the period of seven (7) days may be deemed to mean that he/she has no defence to the charge or charges.
- c) The appropriate disciplinary authority may proceed to take relevant decision. When a statement submitted by the offending employee is not considered satisfactory, the disciplinary authority shall proceed to refer the matter to a committee for further inquiry. The committee may, when the need arises, request for the assistance of professional or technical persons.

8.6.1. Disciplinary Committee

The composition of the Disciplinary Committee shall be as follows:

- a) Human Resource Director or his/her representative;
- b) Representative of local union or staff association;
- c) Any other senior staff appointed by management;
- d) Any other relevant technical or professional persons(s).

8.6.2. Evidence

The offending officer shall be required before the holding of the enquiry to provide a list of persons whom he/she wishes to give evidence on his/her behalf; or to produce exhibits on his/her behalf. An offending officer shall be permitted to be present at the enquiry but where he/she fails to be present without permission, the committee may proceed with its enquiry without him/her. Any documentary evidence which has a bearing on the subject matter of the enquiry shall be made available to the offending officer for examination, inspection, and study before-hand.

8.6.3. Legal/Union/Association Representation

An offending officer may be represented at an enquiry or an investigation by a legal counsel or local union/association official. The offending officer may be allowed to cross-examine witnesses himself/herself or do so through his/her legal counsel or union/association official.

8.6.4. Attendance of Witness

Where the evidence of a witness or the production of an exhibit is vital to an inquiry but the witness refuses to appear before the Committee, the Committee of Inquiry shall report such development to the disciplinary authority who shall decide whether or not the Committee should proceed without that piece of evidence. Any officer of the Local Government Service who refuses or fails to testify at an inquiry shall be guilty of misconduct and shall accordingly be disciplined. Public officers who attend inquiries as witnesses or to produce exhibits shall be treated as being on duty and shall be eligible to receive travelling and transport allowances at the appropriate rates. Non-public officers who attend disciplinary inquiries to give evidence or to produce exhibits shall be paid appropriate allowances as the Inquiry Committee may determine.

8.6.5. Incriminating Evidence

No person shall be required to give evidence which may incriminate him/her.

8.6.6. Records

A record of proceedings during the inquiry shall be kept confidential.

8.6.7. Additional Charges

Where the Committee of Inquiry considers it appropriate to frame additional charge or charges, it shall immediately inform the disciplinary authority in writing, and if the disciplinary authority agrees with the request for additional charge or charges, the same procedure adopted for the remaining of the earlier charges shall be followed.

8.6.8. Submission of Report

- a) On completion of the inquiry, the Committee shall submit a written report to the disciplinary authority which appointed it. The report shall comprise the following:-
 - i) record of evidence;
 - ii) documents tendered in evidence;
 - iii) findings as to whether charge or charges have been proved;
 - iv) brief statement of reasons for the findings and observations;
 - v) recommendations.
- b) If the disciplinary authority is satisfied that the charges have been established, he/she shall consider what penalty should be imposed, if any.

8.7. DISCIPLINARY ACTION AND CRIMINAL PROCEEDINGS AT COURT OF LAW

Where criminal proceedings are pending against an officer of the Local Government Service in any court of law, no disciplinary proceedings upon any grounds involved in criminal charge or charges shall be taken or continued until the conclusion of the criminal proceedings and the determination of any appeal there-from.

8.8. DISCIPLINARY ACTION ON ACQUITTAL

If criminal proceedings result in the acquittal of an officer of the Service, he/she shall not be dismissed or otherwise punished in respect of any charge upon which he/she had been acquitted. However, the officer may be dismissed or otherwise punished for any other charges arising from his/her conduct in the matter, unless the charges in substance raise an issue on which he/she has been acquitted. In the event of an officer being acquitted of a criminal charge or charges in any court where it is proposed to commence disciplinary proceedings arising out of his/her conduct, the draft charges shall be forwarded to the Attorney-General for his/her advice as to whether the charges can be properly made.

8.9. PROCEDURE UPON AND AFTER TRIAL

Where an officer of the Local Government Service has been convicted of a criminal charge by a court of law, the appropriate level of the Local Government Service shall demand the report on the out-come from the court. In the event of an appeal by the convicted officer, the result of the appeal shall be demanded by the appropriate level of the Local Government Service from the Court which heard the appeal.

8.10. DISMISSAL UPON AND AFTER TRIAL

Where an officer of the Local Government Service is convicted of an offence involving fraud or theft for which he/she is sentenced to imprisonment, the appointing authority shall dismiss him/her forthwith and this will take effect from the date of judgment by the court and a copy of the judgment should be placed on the officers file.

8.11. PENALTIES

Disciplinary action may involve the imposition of a major or minor penalty depending on the gravity of the offence.

8.11.1. Major Penalties

For the purposes of these Conditions of Service, the following shall be considered as major penalties:

- a) dismissal;
- b) termination;
- c) removal;
- c) reduction in rank;

8.11.2. Minor Penalties

The following shall be considered as minor penalties:

- a) surcharge;
- b) reduction in salary;

- c) suspension with or without salary and allowance for a period not exceeding ten (10) days;
- d) withholding or deferment of increment;
- e) stoppage of increment;
- f) written warning or reprimand;
- g) verbal warning.

8.12. GRIEVANCE RESOLUTION

A grievance may be deemed to have arisen when a staff of the Local Government Service thinks that he/she is being wrongly or unjustly treated by his/her colleagues, supervisor, superior or head of department, e.g. where he/she is being unjustly picked upon or victimized, unfairly appraised in his/her staff performance appraisal report; unfairly denied or blocked for promotion, salary increment or discriminated against on grounds of race, tribe, religion, sex, age or disability or HIV/AIDS status, etc.

8.12.1. Grievance Reporting and Resolution Procedure

- a. Any officer of the Service who has any complaint or grievance against the Service or any officer of the Service shall lay such grievance or complaint before his/her immediate superior in the first place. The staff shall request a meeting with the sectional head in the presence of the local union/staff association representative and this meeting shall normally be held within three (3) working days. The sectional head shall promptly investigate and address the grievance in writing within two (2) working days.
- b. Where the immediate boss of the officer reporting the grievance is unable to resolve the matter or grievance within five (5) days, the officer shall report in writing to the superior of his/her immediate superior with copy to the officer's boss for his/her comments within three (3) days.
- c. If the grievance is not resolved through the procedure outlined in steps (a) and (b) above, the employee, with the local union representative, may present the grievance in writing within five (5) days to the Head of Department. An answer shall be received within three (3) working days from the Head of Department to whom the sectional head reports.
- d. Where no response is received from the Head of Department within the stipulated period, the employee and union representative shall notify the head of the respective level of the Local Government Service in writing with a copy to the departmental head within a period of ten (10) working days (after step c) requesting for a meeting with the Head of Service.
- e. No grievance shall be reported to the next highest authority until the hierarchy in the Service has been exhausted or there is an indication that the matter cannot be resolved by the hierarchy to which the grievance has been reported.
- f. The final authority for resolving all grievances shall be the Local Government Service Council.

8.12.2. Grievance Presentation

All grievances from personnel of the Service must:

- a. be in writing and signed or marked by the originator;
- b. state the nature of the grievance;
- c. specify the authority against which the grievance is being made;
- d. state the remedy being sought;
- e. be copied to the authority against which the grievance is being made.

8.12.3. Right of Representation

These Conditions of Service shall allow for the involvement of an individual's or group's trade union or staff association representative(s) in the presentation or discussion of a grievance if the officer so desires.

8.13. REVIEW OF DISCIPLINARY ACTION

All disciplinary action taken against staff shall be reviewed after six (6) months except for dismissal and removal from work.

8.14. RIGHT OF APPEAL

Any officer of the Local Government Service who is aggrieved by any action taken against him/her by his/her superior or higher authority shall have the right to appeal in writing against such action or decision. Such appeal shall be expected to be considered by the authority to which the appeal has been laid and the result of such consideration shall be communicated to the officer making the appeal as early as possible.

8.14.1. Limitation Period for Making Appeals

An officer, against whom an action, ruling or decision such as dismissal, suspension, interdiction, removal or termination has been taken, whether initially or in subsequent appeals, shall have a right to lodge an appeal with the appropriate authority within one calendar month after the action, decision or ruling has been communicated to him/her. Failure to lodge an appeal within the time limit shall render the appeal invalid.

9. CHAPTER NINE

SEVERANCE

9.0. GENERAL

Employees of the Service may leave the Service under the following circumstances:

- a) Retirement on medical grounds;
- b) Premature retirement;
- c) Compulsory retirement;
- d) Removal from office;
- e) Termination of appointment;
- f) Dismissal;
- g) Resignation/resignation without approval;
- h) Vacation of post;
- i) Redeployment;
- j) Death.

9.1. ABOLISHING OF POSTS

If in the opinion of an officer's Head of Department, the conduct or work performance of an officer has not been consistently satisfactory, he/she may recommend to the appropriate appointing authority for the removal of such officer from office.

The appointing authority, in authorizing the removal, shall indicate whether the removal shall be accompanied by loss of benefits to the officer and if so the quantum of such loss in percentage terms.

9.2. RESIGNATIONS

- a) An officer who wishes to resign from the Service shall submit an application to that effect to the appointing authority through his/her Head of Department for consideration;
- b) Such an application as in (a) above, must be submitted at least three (3) months and one (1) month in the case of senior officers and junior officers respectively, or pay three months or one month salary respectively in lieu of notice to the Service;
- c) An officer who submits a request for resignation shall not leave his/her post unless such request has been approved and communicated to him/her;
- d) Permission to resign from the Service shall be withheld where there is evidence of criminal or disciplinary proceedings pending against the applicant who is on interdiction.

- c) An officer of the Local Government Service who resigns subject to approval shall be paid gratuity and shall also be entitled to earned leave and other facilities due him/her.

9.2.1. Resignation without Permission or Approval

An officer of the Local Government Service who resigns without obtaining permission to do so or without giving the required notice will be regarded as:

- a) having severed his/her connection with the Local Government Service on the date on which he/she ceases to attend duty;
- b) be entitled only to earn leave;
- c) in the case of a non-Ghanaian, having lost the right to receive any assistance towards the cost of passage;
- d) having forfeited any right to any gratuity or other award for which he/she should, otherwise, have been eligible.

9.3. TERMINATION OF APPOINTMENTS

An officer's appointment may be terminated on the following grounds:-

- i) abolition of office or grade;
 - ii) poor job performance or conduct.
- b) An officer whose appointment is so terminated shall be entitled to his/her benefits as may be determined by the Service.

9.4. SEVERANCE PAY (COMPENSATION)

Where an employee's service is terminated as a result of re-organization, redundancy and re-arrangement or any other similar situation causing a severance of the relationship of the employee and the Service and causing the employee to suffer any diminution in his/her terms and conditions of employment, he/she shall be paid compensation in addition to other entitlements as follows:

- a. under one (1) year but above probationary period, (1½) months salary;
- b. between one year and above four (4) years but not more than five (5) years - two and a half (2 ½) months salary for each year of service;
- c. over five (5) years and above – three and a half (3½) months pay for each year of service.

9.5. RIGHT SIZING OF ORGANIZATIONS

- a) In the event of any right sizing exercise, the Service shall inform the Union/Association of the names, categories, grades and dates of employment of those whose appointment it wishes to deployment not less than three months to the date on which the appointment will terminate.
- b) In the event of recruitment after redeployment preference shall be given to the laid-off employee if available for re-engagement.
- c) Employees who will be affected by redeployment shall be informed of the termination of their appointments not less than two (2) months prior to the date of termination.
- d) In preparing a list of probable redeployed workers, the policy of “first employed last to be laid off” and “last employed, first to leave” shall be the working basis subject always to the Service to retain such staff no matter when engaged, of the highest qualifications, merit and experience as would ensure optimum productivity and efficiency in the Service’s work.
- e) Where the Council exercises the right to retention referred to in sub-paragraph (d) of this Article, it shall provide a list of names of all employees so retained, giving brief particulars of the qualifications, service and experience (whether within or without the Service) of each employee retained and the Union may call on the Service to justify the retention of such employee not retained who has a longer period of service with the Service.

9.6. DISMISSAL

An employee may be dismissed from the Local Government Service with consequential loss of benefits if his/her conduct and work have been found to be unsatisfactory after three (3) repeated written warnings.

- b) Other grounds upon which an employee may be dismissed are:-
 - i) gross dereliction of duty;
 - ii) criminal conviction;
 - iii) bringing the Service into disrepute;
 - iv) persistent insubordination.

9.7. RETIREMENT

- a) Where medical evidence indicates that an employee can no longer continue to exercise his/her functions, such an employee may be retired on medical grounds.
- b) Retirement on medical grounds shall be effected only when a Medical Board comprising not less than three Government Medical Officers appointed by the Director-General of Ghana Health Service on request by the Officer’s Head of Department, has indicated in a

written report that the officer by reason of physical or mental infirmity can no longer perform the duties attached to his/her office.

- c) In the case of officers in the senior grades whose appointing authority is other than the Local Government Service Council, the decision to retire an officer on medical grounds shall be forwarded to the Local Government Service Council for implementation.

9.7.1. Premature/Voluntary Retirement

Where an employee below the age of fifty-five (55) years wishes to retire from the Service, he/she shall submit an application for premature retirement to his/her appointing authority through his/her Head of Department.

Such an application as in (a) above, must specify the reasons for the retirement from the Service. The appointing authority may, subject to such checks as may be necessary, grant approval for the applicant to proceed on premature retirement.

9.7.2. Compulsory/statutory Retirement

Any officer who reaches the age of sixty (60) years shall be retired compulsorily from the Service.

Where an officer is about to reach the compulsory retirement age of sixty (60) years, his/her Head of Department shall notify the officer at least twelve (12) clear months prior to the effective date of retirement.

Notwithstanding this rule, an officer who reaches the compulsory retirement age of sixty (60) years shall be expected to cease to perform his/her functions with effect from the date he/she attains the age of sixty (60) years and shall be deemed to have left the Service.

9.7.3. Vacation of posts

An officer shall be deemed to have vacated his/her post if he/she fails to report for duty for more than ten (10) consecutive working days without permission or reasonable excuse.

- b) In such circumstances, the Head of Department of the officer concerned shall proceed to recommend the dismissal of the officer to the appropriate appointing authority who shall confirm the dismissal accordingly.

The decision of the appointing authority shall be communicated to the officer by his/her Head of Department.

SCHEDULE II

CATEGORIES	GRADE OF STAFF
A1	Head of Service, Deputy Head of Service
A2	National Directors, Regional/District Coordinating Directors
B	Deputy Directors and analogous grades at the National Headquarters, Regional and District levels
C	Middle level professionals and support grades
D	Junior Professional and Junior support service staff
E	Sub-technical/auxiliary grades
F	Utility grades