



MANUAL ON WORK-LIFE BALANCE MEASURES



OFFICE OF THE PRINCIPAL PERMANENT SECRETARY
OFFICE OF THE PRIME MINISTER



MANUAL
ON WORK-LIFE BALANCE
MEASURES

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This Manual is applicable
also to Public Sector Employees.

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Introduction

The Public Service is a model employer in the creation and promotion of work-life balance. The aim of these benefits is to create a better balance between workplace and workforce needs. This manual delineates the wide range of measures that public employees may benefit from to achieve a healthy work-life balance.

This manual is divided into three (3) different sections as follows:

1. PAID LEAVE FOR FAMILY REASONS APPROVED BY DIRECTORS
2. UNPAID LEAVE FOR FAMILY REASONS APPROVED BY DIRECTORS
3. OTHER MEASURES FOR WORK-LIFE BALANCE

As regards the 'Reckoning of Paid/Unpaid Leave for the purpose of Service in the Grade', attention is being drawn to PAHRO Circular No 4/2015.

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1.1 Marriage/Civil Union Leave¹

Eligibility

Public employees who contract marriage / civil union.

Duration

Three (3) working days.

Application Procedure

The respective employee is to request such leave at least one (1) week in advance. The respective Director/Head of Department/Organisation shall, in due course, verify such absence in terms of Directive 3.

Conditions

Marriage/Civil Union Leave can only be availed of at a stretch and should not start later than the first working day following the occasion.

1.2 Release to Attend Ante-Natal Examinations²

Eligibility

Pregnant employees are entitled to attend ante-natal examinations, if these take place during working hours, without loss of pay or any other benefit.

Duration

Up to confinement.

Application Procedure

The employee is to inform one's respective Director/Head of Department/Organisation, as soon as practicable. When returning to work, the employee is to provide to the respective Director/Head of Department/Organisation verifiable documentation supporting such absence.

¹ OPM Circular No 23/79 and OPM Circular No 103/80

² LN 439/2003

1.3 Maternity Leave and Breastfeeding Facilities³

For the purposes of this Section the following definitions apply:

- 'pregnant employee' means an employee who informs her respective Director of her pregnancy in writing and, who within the subsequent fifteen (15) calendar days, presents her respective Director with a certificate issued by a registered medical practitioner or midwife confirming her pregnancy and the expected date of confinement;
- 'breastfeeding employee' means an employee who is breastfeeding during a period of twenty-six (26) weeks after her date of confinement and who has informed her respective Director by means of a certificate issued by a registered medical practitioner or midwife;
- 'confinement' will be taken to mean the birth of a living child or a stillbirth (at or after 22 weeks of pregnancy or as certified by the competent authorities).

Applicable Occupational Health and Safety Regulations are published under the Occupational Health and Safety Authority Act (CAP 424).

Eligibility

Pregnant employees.

Duration

An uninterrupted period of eighteen (18) weeks. The first fourteen (14) weeks of maternity leave on full pay may be availed of as follows:

- i. a period of six (6) weeks immediately after the date of confinement;
- ii. the remaining eight (8) weeks may be availed of immediately before or after confinement.

An employee may choose to avail herself of up to four (4) weeks additional maternity leave beyond the fourteen (14) weeks. This additional maternity leave may be availed of, in whole or in part, immediately after the above period. If the employee is unable to avail herself of the maternity leave entitlement before the date of confinement, such remaining balance of entitlement may be availed of after confinement. During this additional four (4) week period of maternity leave, the employee shall be entitled to the applicable benefits in terms of the Social Security Act.

In cases where, owing to a pathological condition arising out of confinement, an employee is unable to resume duties at the end of the maternity leave, she will be entitled to a further period of absence of up to five (5) weeks. Such absence shall be deducted from

³ PAHRO Circular No 1/2012 , MPO Circular No 173/2007, MPO Circular No 55/2003, OPM Circular No 48/2001, OPM Circular No 16/2001, MPO Circular No 68/97 and OPM Circular No 47/1981
LN No 439 of 2003
LN No 130 of 2011

the period of paid sick leave to which the employee may be entitled to at the time of the absence. Any period of absence in excess of the paid sick leave entitlement is reckoned as sick leave without pay. The rules regarding sick leave, including the regulations concerning notification of sick absence, shall apply.

Application Procedure

At least four (4) weeks prior to the commencement of maternity leave, the employee is required to submit the application form (vide Appendix 1) to the respective Director/Head of Department/Organisation. The application form should be supported by a certificate issued by a registered medical practitioner or midwife indicating the expected date of confinement. If the application form is not submitted in due time the employee will only be entitled to that part of the maternity leave which includes the confinement date and the period of six (6) weeks following such date.

The Director/Head of Department/Organisation is to acknowledge and approve on the request within three (3) working days. The DCS shall, in due course, confirm the birth of the child through the Common Data Base (CDB), if such birth is registered in Malta.

Conditions

1. During pregnancy, as well as during the twenty-six (26) weeks starting from the date of confinement in the case of a live birth, and fourteen (14) weeks in the case of a stillbirth, Directors should take measures to protect the health and safety of an employee, after a risk assessment has revealed a risk to the safety or health, or an effect on the pregnancy or breastfeeding of the employee. Measures may include the temporary adjustment of the working environment, the assignment of employee to suitable alternative work and/or the adjustment of hours of work of the employee concerned. Any request for alternative duties/work arrangements should be made within reasonable time to allow for adequate arrangements to be made.

When an employee cannot be given suitable alternative working arrangements, she shall be granted special maternity leave for the whole period necessary, up to the time limits stipulated in the previous paragraph. During the special maternity leave, the employee shall be paid a special allowance, in lieu of the salary, equivalent to the rate of sickness benefit payable in terms of the Social Security Act. An employee who without justification refuses to perform suitable alternative work provided by her Director/Head of Department/Organisation, which is considered acceptable in the circumstances by the OHSa, shall not be entitled to the special allowance.

If during the period of special maternity leave:

- a. the Director/Head of Department/Organisation either takes the necessary measures to ensure that the employee is no longer exposed to any risk by virtue of which she was given special maternity leave, or is able to provide suitable alternative working arrangements:
 - i. the Director/Head of Department/Organisation shall notify the employee in writing that she can return to work on her previous tasks or other suitable work arrangements in view that exposure to that risk has been addressed.
 - ii. the special maternity leave shall cease seven (7) days after the notification is received by the employee, or on the day as formally notified by the employee and approved by the respective Director/Head of Department/Organisation, she returns to work on her previous duties or on alternative working arrangements, whichever is the earlier.

2. In cases of employees who resume duties on a reduced hours schedule, the six (6) months shall be computed on a pro-rata basis.
3. An employee who fails to resume duty after the utilisation of maternity leave (including any further period of absence owing to a pathological condition), or who after having resumed work resigns or abandons employment without sufficient cause prior to the six (6) months obligatory service period(s), shall be liable to pay Government a sum equivalent to the salary received during the maternity leave period(s).
4. An employee on a definite contract shall not be liable to refund the salary received during maternity leave if her contract of employment is not extended at the employer's discretion, for up to a period of time which is sufficient for her to fulfil the six (6) month obligation.
5. If after availing herself of maternity leave a public officer is transferred or promoted to another post/position in the Public Service, the six (6) months service required after maternity leave may be rendered in her new post, provided there is no break of service. This applies also if the new post/position is in a different career stream.

Breastfeeding Facilities

In line with Government's policy to promote breastfeeding, the conditions of work of breastfeeding employees should be facilitated through the temporary adjustment of the work environment and/or the hours of work of the employee concerned.

Absences of a maximum of one (1) hour each working day availed of by breastfeeding employees for the expression of milk or to leave the place of work for breastfeeding, shall not incur loss in pay. Such absences may be taken in the form of:

- i. One 60 minute interval;
- ii. Two 30 minute intervals;
- iii. Three 20 minute intervals.

In case of requests for breastfeeding facilities, Ministries should provide employees with adequate, clean and private facilities for the expression and storage of milk. The breastfeeding mother can opt to breastfeed in such facilities.

Even where Ministries provide breastfeeding facilities, the employee may still request to be allowed temporary adjustment to the working environment and/or the hours of work, including the possibility of reporting for work closer to home, provided that this is technically viable. Requests to "work close to home" are to be considered "technically viable" only if it is possible for the individual to work within the same Department or Directorate but closer to home.

The alternative working arrangement to "work closer to home" is limited to a maximum period of twenty-six (26) weeks from confinement of birth of a child who is being breastfed for the whole period.

Employees who are allowed to "work closer to home" are to endorse an agreement, countersigned by the employee's Director/Head of Department/Organisation, outlining the:

- i. conditions tied with the approval of the temporary alternative work arrangements;
- ii. duration period and termination date upon which the employee will be bound to resume one's normal duties with the parent department.

Employees who refuse to return to the original workplace at the end of the twenty-six (26) week period shall be liable to disciplinary proceedings.

1.4 Paternity Leave⁴

Eligibility

Fathers.

Duration

Five (5) working days paid leave on the birth of each child.

Application Procedure

The respective employee is to request such leave as soon as practicable following the birth of one's own child. The DCS shall, in due course, confirm the birth of the child through the Common Data Base (CDB), if such birth is registered in Malta.

Conditions

- i. This leave is to be availed of at a stretch, within fifteen (15) days following the birth.
- ii. This leave is also applicable in the case of stillbirths (as defined in the Maternity Leave policy).
- iii. Fathers shall not be obliged to work overtime for a period of twelve (12) months from the birth of their child.

⁴ OPM Circular No 23/1979

1.5 Leave for Medically Assisted Procreation (I.V.F. Leave)⁵

Eligibility

Prospective parents.

Duration

The public employee who is undergoing the process of medically assisted procreation and / or will receive the embryos is granted 60 hours of paid leave, which can be taken in a continuous manner or in hours. In case of hours, these should also be covered by a note from a medical practitioner prior to such leave being availed of.

The other prospective parent is entitled to 40 hours of paid leave, which can be taken in a continuous manner or in hours.

Application Procedure

At least two weeks (2) prior to the commencement of leave for medically assisted procreation leave (I.V.F. Leave), whether in Malta or abroad, a prospective public employee is required to submit a request to the respective Director/Head of Department/Organisation indicating the date or dates when s/he intends to avail of such entitlement. The request should be supported by full documentation, which shall include a written certification by the medical practitioner in charge of the procedure of medically assisted procreation. The Director/Head of Department/Organisation is to acknowledge and communicate the decision within three (3) working days.

Authorisation for paid I.V.F. leave, as outlined in the duration section of this policy, is to be granted by the respective Director responsible for People Management, after having consulted the central authority and/or the designated agency.

Conditions

1. In those cases where the prospective parent wishes to avail of the I.V.F. leave in a non-continuous manner, the public employee shall present the employer with relevant certification every time s/he wishes to use part of that leave, and such certification shall be forwarded to the employer at least two (2) working days before each part of the leave commences.
2. As this entitlement of a maximum of sixty (60) and forty (40) hours per process (as indicated above) is available for a maximum of three (3) processes, it is important that a record is kept of every entitlement utilised.

⁵ P&SD Circular No 19/2017

1.6 Adoption Leave⁶

Eligibility

Adoptive parents.

Duration

Public employees may apply for paid adoption leave for an uninterrupted period of eighteen (18) weeks.

In cases of international adoptions which involve lengthy processing abroad, special consideration will be given for the granting of additional separate periods of unpaid leave, which should not exceed three (3) months in aggregate.

Application Procedure

At least four (4) weeks prior to the commencement of adoption leave, the employee is required to submit an application form (vide Appendix 2) to the respective Director/Head of Department/Organisation. The application form should be supported by full documentation. The Director/Head of Department/Organisation is to acknowledge and communicate the decision within three (3) working days.

Authorisation for paid and unpaid adoption leave, as outlined in the Duration section of this policy, is to be granted by the respective DCS, after having consulted the central authority and/or the designated agency.

Conditions

1. Adoption leave may be availed by either of the adoptive parents or shared by both adoptive parents if they are both public employees, provided that the aggregate adoption leave availed of between the two does not exceed the prescribed limit. Adoption leave should be taken in one uninterrupted period. If adoption leave is shared by both adoptive parents, it may be taken concurrently.
2. Adoption leave commences on the day that a child passes into the care and custody of the adoptive parents. Those employees who fail to resume duties at the expiration of this leave, or who, after having resumed duties, resign or abandon their employment without sufficient cause within six (6) months from such resumption, shall be liable to pay government a sum equivalent to the salary they received during the paid adoption leave. If adoption leave is shared, the obligation of six (6) months service to government is computed pro-rata, with each parent being bound by his/her respective period of service.
3. Public employees will be entitled to their full salary for the first fourteen (14) weeks adoption leave. If the employee chooses to avail oneself of leave beyond the paid fourteen (14) weeks, the additional four (4) weeks may be availed of in whole or in part immediately after the above period and will be considered as special leave and payable at a fixed weekly rate equivalent to the Maternity Leave allowance in terms of the Social Security Act.
4. In cases of international adoptions, prospective adoptive parents may utilise one (1) week adoption leave from the eighteen (18) weeks entitlement for travel purposes, in connection with the last court session for the award of the adoption decree, i.e. before the adoption is officially approved by the competent authorities. Applications to utilise the one (1) week adoption leave must be recommended by the applicant's Director, before being sent to the People Support & Wellbeing (PSW) Directorate for approval. Applications should include the relevant documentary evidence. In exceptional and specially deserving cases, the PSW Directorate may consider extending this special concession from one (1) week to two (2) weeks.
5. If the adoption is not approved by the competent authorities, the prospective adoptive parents shall have the equivalent amount of hours deducted from their vacation leave entitlement. If the vacation leave entitlement would have been exhausted, the equivalent amount would be deducted from the salary. In cases of international adoptions, prospective adoptive parents may also apply for periods of unpaid leave as outlined in the duration section of this policy.

⁶ PAHRO Circular 2/2012

6. Adoptive parents may utilise one (1) year unpaid parental leave for each adopted child and a once only career break of a maximum of five (5) years for the same purpose, subject to the provisions outlined in these policies.
7. A public employee who has been granted paid adoption leave is required to work for an uninterrupted period of six (6) months for each period of adoption leave. The six (6) month period must be actual service and may not be covered by any leave, other than vacation leave or sick leave, and may be worked either before or after utilisation of parental leave/career break on no pay.
8. An employee on a definite contract shall not be liable to refund the salary received during adoption leave if his/her contract of employment is not extended at the employer's discretion, for up to a period of time which is sufficient for him/her to fulfil the six (6) month obligation.
9. If a public employee is transferred or promoted to another post/position in the Public Service, after having availed oneself of adoption leave, the six (6) months service may be rendered in the new post/position, provided there is no break of service. This applies also if the new post/position is in a different career stream.
10. Public employees shall not be obliged to work overtime for a period of twelve (12) months from the effective date of adoption of their child.
11. Public employees who benefit from adoption leave are precluded from performing private work during this leave, even after official hours.

1.7 Bereavement Leave⁷

Eligibility

All employees who suffer the death of a near relative, namely spouse/partner in a civil union, mother or father (or the person who at the time was acting as mother or father), son or daughter, brother or sister.

Duration

Two (2) working days.

Application Procedure

The respective employee is to inform one's respective Director/Head of Department/Organisation as soon as practicable. The respective Director/Head of Department/Organisation shall, in due course, verify such absence in terms of Directive 3.

Conditions

1. Bereavement Leave can only be availed of at a stretch and should start on the first working day following the occurrence.
2. When a near relative dies abroad, additional paid leave may be granted on authority of the officer's Director.
3. Following bereavement, employees who would like professional and confidential support may access the services of the Employee Support Programme (ESP) Unit for an appointment. Further information about the services provided by the ESP Unit is available at www.esp.gov.mt. The ESP Unit may also be contacted on 2200 1210.

⁷ OPM Circular No 23/1979

1.8 Urgent Family Leave⁸

Urgent family leave may be utilized for urgent family reasons in cases of sickness or accident which require the immediate presence of the employee.

Urgent family leave is granted when the immediate family of the employee is involved in accidents, sudden illness or sickness requiring assistance or presence of the employee and presence during births and deaths.

Immediate family is taken to mean spouse/partner in a civil union, children, mother, father, brother and sister.

Eligibility

All employees.

Duration

A maximum of sixteen (16) hours per calendar year can be taken in not more than four (4) sessions.

Application Procedure

The employee is to inform one's respective Director/Head of Department/Organisation as soon as practicable. In cases where the employee has to leave the workplace, s/he is to inform his/her direct superior prior to leaving the workplace. On the first day of one's return to work, the employee is to provide to the respective Director/Head of Department/Organisation verifiable documentation supporting such absence.

Conditions

1. Vacation leave used for the purpose of urgent family leave is deducted from the employees' annual vacation leave entitlement.

⁸ MPO Circular No 9/2004, MPO Circular No 3/2008

1.9 Donation of Vacation Leave/Time-Off-In-Lieu (TOIL) for Humanitarian Reasons

This policy provides for the voluntary donation, in part or in full, of:

- the statutory 200 hours of vacation leave entitlement⁹ and/or any accumulated vacation leave/TOIL.
- vacation leave and/or TOIL of public employees due to retire and who for some reason could not avail themselves of such.

At any time during the calendar year, public employees may, at their discretion, donate any amount of their vacation leave/TOIL:

- to the Central Fund;
- on a person to person basis (to a specific employee).

Prior to donating hours, employees are to ensure that they retain a balance of hours to be utilised for their own personal needs.

The respective DCS/Head of Organisation is responsible for assessing and approving, or otherwise, requests for the utilisation of donated vacation leave/TOIL.

The People Support & Wellbeing (PSW) Directorate is responsible for the management of the central fund and for the co-ordination and monitoring of the distribution of the donated vacation leave and TOIL across the Public Administration.

DONATION OF VACATION LEAVE/TOIL IN THE CENTRAL FUND

1. By Employees Collectively

DCSs/Heads of Organisation should, during the first week of December, request their employees to indicate whether they intend to utilise, accumulate or donate, in part or in full, their unutilised balance of vacation leave/TOIL for that calendar year.

Processing Procedure

Employees wishing to donate any amount of vacation leave/TOIL shall notify the respective DCS/Head of Organisation, who shall fill in Appendix 3, and insert the aggregate amount of hours donated by all employees. The form shall be endorsed by the DCS/Head of Organisation and submitted to the PSW Directorate which, on its part, shall issue a confirmation receipt confirming the deposit of the donated hours in the central fund. The DCS/Head of Organisation shall inform the respective employees that donated hours have been deposited in the central fund.

The DCS/Head of Organisation is to ensure that records of all employees donating vacation leave/TOIL are updated.

⁹In the case of teaching grades, the special leave entitlement applies for donation purposes.

2. By Individual Employees

An employee may, at any time of the calendar year, donate vacation leave/TOIL in the central fund to be utilised for justified humanitarian reasons.

Processing Procedure

The employee shall submit the completed form at Appendix 4 to the respective DCS/Head of Organisation.

After having verified the employee's vacation leave/TOIL records, the DCS/Head of Organisation shall endorse the form and forward it to the PSW Directorate which, on its part, shall issue a confirmation receipt confirming the deposit of the donated hours in the central fund. The DCS/Head of Organisation shall inform the respective employee of the donated hours in the central fund.

In the event of unforeseen circumstances arising from urgent personal/family matters, the employee donating vacation leave/TOIL retains the right to utilise, by the end of the calendar year, any balance of hours indicated for donation, provided that hours in the central fund are not exhausted. The employee shall inform the DCS/Head of Organisation of the balance of hours to be utilised accordingly.

3. Donation Of Vacation Leave/TOIL Due To Retirement

Prior to the date of retirement, public employees due to retire and who for some reason could not avail themselves of all of their vacation leave and/or TOIL, may choose to donate the unavailed hours by indicating this in writing to their DCS/Head of Organisation.

Public officers who decide not to utilise their pre-retirement leave, whether in part or in full, will have half of the unutilised balance deposited in the central fund. Such balance will be directly transferred to the central fund by the respective DCS, the day following the employee's retirement.

REQUEST FOR THE UTILISATION OF DONATED HOURS FROM THE CENTRAL FUND

Eligibility criteria for receiving donated hours

1. Donated vacation leave and TOIL is used for justified humanitarian reasons such as:
 - a. when public employees themselves, or a family member up to the fourth degree, or a member officially residing in the same household, is suffering from a serious and prolonged illness;
 - b. when public employees are undergoing a full-time substance abuse rehabilitation programme and are required to undertake any part thereof during office hours.
 - c. when public employees are undergoing a full-time residential / semi-residential medical assistance programme for the treatment of eating disorders and weight behavioural problems.

2. Donation of vacation leave/TOIL is regulated by the following parameters:
 - a. Employees suffering from personal illness may only avail themselves of this policy after they would have exhausted their own vacation leave (the present year's entitlement, calculated on a pro-rata basis and the full amount of vacation leave accumulated from the previous year), TOIL and full pay sick leave (including any accumulated full-pay sick leave).
 - b. Employees benefiting from donated vacation leave/TOIL, for any humanitarian reason other than personal illness, may only avail themselves of this policy after having exhausted their own vacation leave (the present year's entitlement, calculated on a pro-rata basis and the full amount of vacation leave accumulated from the previous year) and TOIL.

Supporting Documentation

The request for the utilisation of donated hours must be supported by documentary evidence as listed below:

1. In the case of serious and prolonged illness, a certificate from a medical specialist certifying the illness, as well as a medical certificate to cover for the period of absence. In those cases where the donated vacation leave is to be utilised for the care of a family member up to the fourth degree, or a household member, a certificate from a medical specialist certifying the illness and the familial relationship between the employee and the sick individual is to be provided.
2. In the case of substance abuse, a specialist certificate from the Rehabilitation Centre to confirm enrolment in a full-time substance abuse rehabilitation programme.
3. In the case of eating disorders and weight behavioural problems, a specialist certificate from the confirming enrolment in a residential medical assistance programme.
4. A declaration whether the applicant is already in receipt of donated hours, on a person to person basis and/or from the central fund.
5. A declaration whether the applicant is already in receipt of any related financial assistance from Government.

Processing Procedure

Employees shall submit the completed form at Appendix 5 to the respective Director/Head of Department at least ten (10) working days prior to the day(s) needed, or as soon as practicable.

The request must be recommended by the employee's respective Director and forwarded to the respective DCS/Head of Organisation for approval within two (2) working days of receiving the request. Within three (3) working days of receiving the Director's recommendations, the respective DCS/Head of Organisation shall submit the approved request, along with medical documentary evidence, to the PSW Directorate, copying the prospective beneficiary.

In those cases where a request is not recommended or approved, the employee may appeal to the respective Permanent Secretary who shall investigate the case and decide whether to accede to the request or otherwise.

The PSW Directorate shall, subject to the availability of donated hours in the central fund and after taking into account the number of requests, transfer, in full or in part, the amount of hours requested from the central fund to the respective Ministry/Organisation for utilisation in terms of the specific request. A confirmation receipt shall be issued by the PSW Directorate, within three (3) working days, confirming the transfer of donated hours from the central fund. The DCS/Head of Organisation shall inform the employee accordingly.

Managing the Donated Hours in the Central Fund

1. Allocation of hours will be based on a first come first served basis, following the recommendation from the employee's Director and approval from the respective DCS/Head of Organisation.
2. Employees may benefit from this policy more than once. However, in order to ensure a fair and equitable distribution of accumulated hours to as many individual humanitarian cases as possible, employees who have applied for the first time, and therefore, have not benefited from this policy, will be given priority. Persons who are applying for a second time will be considered when requests from persons applying for the first time have been satisfied.
3. In cases where requests cannot be considered owing to a depletion of donated hours in the central fund, the PSW Directorate may issue a notice requesting the donation of vacation leave/TOIL. Unsatisfied requests will be placed on a waiting list and will benefit from this policy if and when further vacation leave or TOIL is donated to the central fund.
4. The balance of unutilised hours in any calendar year will accumulate in the central fund.

DONATION OF VACATION LEAVE / TOIL ON A PERSON TO PERSON BASIS

A public employee or a group of employees may, for justified humanitarian reasons, donate hours of vacation leave/TOIL to support a specific employee, within their Ministry or any other Ministry.

Processing Procedure

The employee/s donating hours shall notify the respective DCS/Head of Organisation by filling Appendix 6, including details of the person who shall be receiving the donated hours. The DCS/Head of Organisation shall approve, or otherwise, within three (3) working days of receiving the completed application, and shall immediately inform all parties concerned of the approval, or otherwise.

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In computing special unpaid leave every day of absence is to be counted. Saturdays, Sundays and public holidays falling at the beginning or at the end of such leave are, however, to be excluded. This provision does not apply in respect of those categories of staff for whom Saturdays and Sundays are normal working days.

Any of the unpaid leave entitlements in section 2 of this Manual as well as all special unpaid leaves granted not on grounds of public policy (details are shown in the Manual on Special Leaves), may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

Before utilising unpaid leave, applicants must utilise their vacation leave which must be computed pro-rata to the period of service actually worked during the calendar year prior to commencement of the unpaid leave.

Approvals of special leave without pay are to be recorded in the officer's Personal Record Sheet (GP 46) and the Service and Leave Record Form (GP 47). The Gozo Salaries section shall also be notified accordingly.

Officers in the teaching profession who avail themselves of unpaid leave are allowed to resume duty by the end of February, or in September, at the end of the scholastic year, after the summer holidays. This is intended to minimise as much as possible the disruption of classes.

Officers on unpaid leave are not entitled to any paid benefits before they resume duty.

If officers resume duty on the summer time-table following unpaid leave or reduced hours, they should be paid for the actual hours worked, unless they opt to compensate for the shortfall in hours by working longer hours.

Officers who have been away from work for two (2) years or more will have to undergo an induction course, on resuming duties.

All unpaid leave, even for family reasons, is not reckonable as service for Treasury pension purposes and if officers retire while on unpaid leave, their Treasury pension will be based on the last salary earned, before availing themselves of unpaid leave.

When officers fail to resume duty at the expiration of unpaid leave, necessary action should be taken in terms of the **Disciplinary Procedure in the Public Service Commission Regulations.**

2.1 Leave To Accompany Spouse/Partner in a Civil Union on Government-Sponsored Courses or Assignments¹⁰

Eligibility

Public employees who have successfully completed their respective probationary period.

Duration

A maximum of four (4) years unpaid leave, renewable on application yearly. These four (4) years may be utilised at a stretch or broken up by periods of resumption of duty.

Application Procedure

At least one (1) month prior to the commencement/renewal of this leave, the employee is required to notify the respective Director/Head of Department/Organisation, in writing, that s/he intends to avail him/herself of this leave. The request should be supported by full relevant documentation. The Director/Head of Department/Organisation is to communicate the decision, in writing, to the applicant copying the respective DCS, within five (5) working days from receipt of notification. Refusals should include a justified reason.

2.2 Parental Leave - Applicable to Parents, Legal Guardians and Foster Carers¹¹

Eligibility

Public employees who have successfully completed their respective probationary period, are entitled to unpaid parental leave on the grounds of birth, adoption, legal custody, and foster care of children who are under ten (10) years of age.

Duration

A maximum of twelve (12) months, which may be utilised in aggregates of four (4) month, six (6) month, nine (9) month periods or the maximum of twelve (12) months. Four (4) months of the parental leave entitlement may be broken down in periods of one (1) month at a time. The Director concerned, together with the employee, may decide that these four (4) months are granted on a full-time or a part-time basis, in a piecemeal way or in the form of a time credit system.

Application Procedure

Employees are required to apply at least, three (3) months in advance by filling in the application at Appendix 7 and submitting it to the respective Director/Head of Department/Organisation. In cases where parental leave does not exceed three (3) months, the three (3) month period is reduced to one (1) month. The requested period/s of unpaid leave must be declared in the application (vide Appendix 7) and any changes may only be made by giving three (3) months' advance notice in writing.

¹⁰ MPO Circular No 70/2004 and MPO Circular No 31/2005

¹¹ OPM Circular No 117/92, MPO Circular No BI/6/94, MPO Circular No 28/96, OPM Circular No 15/1998, OPM Circular No 29/1998, MPO Circular No 108/2005 and MPO Circular No 3/2008

Requests should be supported by full documentation. The Director/Head of Department/Organisation is to communicate the decision in writing, to the applicant, copying the respective DCS, within ten (10) working days from receipt of notification.

DCSs and/or HR Managers are to invariably keep records of the parental leave granted to each employee. This is necessary to maintain reliable, accurate and timely data for utilisation by the ministry concerned, the beneficiary and the Research & Personnel Systems Directorate within the People & Standards Division.

Conditions

1. The maximum of twelve (12) months unpaid leave may be availed of in respect of each child.
2. Parental leave may be availed of by either of the parents or shared by both parents, if they are both public employees, provided that they do not utilise parental leave concurrently and that together they do not exceed the prescribed limit.
3. Any parental leave declared in the application form which has not been availed of, is forfeited and may not be utilised at a later date.
4. Female employees, who have availed themselves of the fourteen (14) weeks paid maternity leave, are bound by a six (6) months service obligation. The six (6) months service must be actual service and may not be covered by any leave other than vacation leave or sick leave, and may be worked either immediately before or immediately after the utilisation of the parental leave and/or the career break.
5. Parental leave of foster carers shall commence from the date when the employee provides either official documentation issued by the Fostering Board or by the central authority, as the case may be, that the employee has been accepted as a foster carer, or with official documentation provided by the Fostering Board that the review report drawn up by an accredited agency has been accepted by the Fostering Board in terms of the Foster Care Act, whichever is the latest.
6. Officers occupying a Headship/Directorship/Assistant Directorship position are entitled to avail themselves of a period of up to four (4) months unpaid parental leave on the grounds of birth, adoption, fostering or legal custody of a child. This period may be utilised at any time until the child attains ten (10) years of age. The following provisions apply:
 - i. up to 4 months unpaid parental leave may be availed of in respect of each child;
 - ii. the Headship/Directorship/Assistant Directorship need not be terminated;
 - iii. any period taken as unpaid parental leave will be reckonable as forming part of the six (6) years of creditable performance in the position concerned, required for tenure as Officer in the respective Grade;
 - iv. this leave shall be availed of in established periods of one (1) month each, and, in agreement between the Director/Head of Department/Organisation and the officer concerned, may be taken on a full-time or a part-time basis or in a piecemeal way.

7. Public employees in the teaching profession who avail themselves of parental leave are allowed to resume duties by the end of February, or in September, at the end of the scholastic year, after the summer holidays. The date of resumption has to be declared when employees apply for parental leave. In those cases where the resumption of duties at the end of February or at the end of the scholastic year, in September, results in the utilisation of parental leave in excess of the twelve (12) months entitlement, the resultant balance is to be covered by career break. Any outstanding period of the twelve (12) months parental leave not availed of, is forfeited.
8. Upon returning from parental leave, an employee may request changes to the working hours and patterns for a specific period of time. Directors shall consider and respond to such requests in terms of the policy being applied for, taking into account the needs of both the workplace and the employee.
9. In an effort to explore arrangements for any appropriate reintegration measures as may be required and in order to facilitate return to work following the utilisation of parental leave, the Director and the employee concerned are encouraged to liaise prior to the return to work of the officer.
10. Parental leave is specifically meant to assist parents/legal guardians/foster carers in taking care of their children who are under ten (10) years of age. Engagement in full-time or part-time employment or the exercise of one's profession concurrent with the utilisation of parental leave constitutes an abuse of such leave¹².

SUSPENSION AND POSTPONEMENT OF PARENTAL LEAVE¹³

1. Parental leave may be suspended in the public interest by the respective Director and the employee may be recalled for duty. In other circumstances, the employee shall retain entitlement to the balance of unutilised parental leave. For Parental Leave to be suspended by the respective Director or the return of the employee to work prior to the agreed date of resumption of duties, both the employee and the respective Director would need to agree accordingly. Employees who at their own request resume duties earlier than the agreed date of resumption, forfeit the balance of unutilised parental leave.
2. Directors may postpone the granting of parental leave for justifiable reasons related to the operations of the place of work. Within two (2) weeks of the date of the request for parental leave, the Director is bound to inform the employee in writing of the reasons necessitating the postponement of parental leave. When parental leave is postponed, employees retain the right to avail themselves of parental leave. If any entitlement is still unutilised by the time the child reaches ten (10) years of age, employees shall be immediately entitled to utilise the unavailed balance of parental leave.

¹² MPO Circular No 36/2010

¹³ LN No. 225 of 2003

2.3 Career Break

Eligibility

Parents/legal guardians, who have successfully completed their respective probationary period, are entitled to unpaid Career Break to be utilised for the care of child/children under ten (10) years of age.

Duration

A maximum of five (5) years.

Application Procedure

Employees are required to apply, at least, three (3) months in advance by submitting the application at Appendix 8 to the respective Director/Head of Department/Organisation. In cases where such leave does not exceed three (3) months, a one (1) month notice would suffice. The period/s of unpaid leave to be availed of must be declared in the application and any changes may only be made by giving three (3) months' advance notice.

Requests should be supported by full documentation. The Director/Head of Department/Organisation is to communicate decision, in writing, to the applicant copying the respective DCS within ten (10) working days from receipt of notification.

Conditions

1. The five (5) years must be utilised in aggregate, and may be reduced by multiples of three (3) months. Any career break declared in the application form which has not been utilised, is forfeited and may only be taken for the care of another child/children. Unpaid leave from the entitlement of five (5) years may be shared once by both parents, for each child.
2. Public employees in the teaching profession may need to utilise part of the career break to meet the specific requirements stipulated in clause 7 under conditions in section 2.2 of this Manual. In such cases, any period of the career break utilised for this purpose shall be deducted from the total five (5) year entitlement, without prejudice to the employees' right to utilise the remaining balance of the career break.
3. Unless worked after the maternity leave or parental leave, the six (6) months which have to be worked by female employees who avail themselves of paid maternity leave must be worked immediately before/after the career break.

2.4 Responsibility Leave¹⁴

Eligibility

Public employees who have successfully completed their respective probationary period may avail themselves of unpaid responsibility leave to take care of dependent elderly parents, sons and daughters, or the spouse/partner in a civil union.

Duration

The approved arrangement is valid for twelve (12) months, which may be renewed on a yearly basis.

¹⁴ OPM Circular No 25/1999

Application Procedure

Applications/renewals for Responsibility Leave are to be submitted in writing to the respective Director/Head of Department/Organisation at least one (1) month in advance. In serious humanitarian cases, this one (1) month period may be waived owing to humanitarian reasons. Employees are required to submit, together with their application, a certificate by a medical specialist outlining the situation of the dependent they wish to look after. The Director/Head of Department/Organisation is to communicate decision, in writing, to the applicant copying the respective DCS for administrative purposes, within ten (10) working days from receipt of notification.

Conditions

1. In cases requiring care of children, this unpaid leave may be availed by either of the parents or shared by both parents, provided that this leave is not taken concurrently and that together they do not exceed the prescribed limit. If both parents intend to avail themselves of responsibility leave, the leave of each parent should be taken in one period.
2. In cases requiring care of an elderly parent/spouse/partner in a civil union, the dependent must have no other responsible persons living with him/her during the day. It must be certified by a medical specialist that the dependent requires care. If both elderly parents are alive they must be certified as being dependent on care.
3. If the reason for which the Responsibility Leave was approved is no longer applicable, the employee is required to resume duties provided an advance notice of one (1) month is given. Employees who resume duties will not normally be allowed to avail themselves of Responsibility leave again for the same specific reason, before the lapse of twelve (12) months. Exceptions may be made in special circumstances.
4. Responsibility leave should be availed of for the purpose for which it is authorised and employees who abuse of this concession will immediately have their approval withdrawn and will be liable to disciplinary action.

2.5 Leave for a Special Reason¹⁵

Employees working on full-time or part-time basis are allowed a maximum of three (3) months special leave without pay, for a special reason (including work-life balance reasons), in any period of twelve (12) months.

Application Procedure

Applicants should submit the request to the respective Director at least two (2) weeks in advance, attaching the relevant documentation. The respective Director shall consider the request and communicate the decision in writing, to the employee, copying the respective DCS, within five (5) working days from receipt of full documentation.

¹⁵ OPM Circular No 117/92

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Each internal policy may include such clauses as:

- i. core hours (i.e. the hours when employees' availability is required) ;
- ii. staff ratios (i.e. the proportion of employees that are required to be in the office. Difference is to be made between core hours and the remaining office hours);
- iii. particular requirements resulting from operational demands of the Department/ Directorate concerned;
- iv. arrangements for employees working on a shift/roster basis;
- v. arrangements regarding technical support (i.e. equipment required, telephone diversion etc.);
- vi. training requirements;
- vii. impact on counterparts who are not benefitting from Work-Life Balance Measures.

The internal policy shall be communicated to all employees.

When considering applications for any of these measures (including renewals), Directors/ Heads of Department are encouraged to convene a meeting with the applicant to discuss whether:

- i. the application/renewal/modification is in line with the PSMC parameters and the Department's internal policy; and
- ii. the reason for which the work-life balance measure was requested still applies; (in the case of renewals).

Attention is also drawn to the Guidelines on the Drawing up of Internal Policies for the Management of Work-Life Balance Measures at Appendix 9. This document mandates Directors to ensure that service quality standards and efficiency are maintained when approving work-life balance measures and to consider the re-engineering of work processes to accommodate requests for work-life balance measures. However, the considerations listed in the Guidelines Document are not an exhaustive list and there may be Ministry/Department-specific circumstances and/or operational demands which may also be included in such internal policies.

- i. are availing themselves of parental leave or would, had they applied, have been entitled to parental leave;
- ii. are availing themselves of responsibility leave or would, had they applied, have been entitled to responsibility leave. Employees on parental or responsibility leave are allowed to suspend the unpaid leave and return to work on reduced hours, provided that they apply at least one (1) month in advance of suspending the unpaid leave;
- iii. produce a medical specialist's certificate that for medical or serious humanitarian and/or family reasons, they may not attend their duties on a full-time basis.

This is not an exhaustive list and therefore other reasons may also be considered.

3.1 Work On Reduced Hours¹⁶

Eligibility

Public employees who have successfully completed their respective probationary period are eligible to apply for Reduced Hours. Eligibility includes employees who:

- i. are availing themselves of parental leave or would, had they applied, have been entitled to parental leave;
- ii. are availing themselves of responsibility leave or would, had they applied, have been entitled to responsibility leave. Employees on parental or responsibility leave are allowed to suspend the unpaid leave and return to work on reduced hours, provided that they apply at least one (1) month in advance of suspending the unpaid leave;
- iii. produce a medical specialist's certificate that for medical or serious humanitarian and/or family reasons, they may not attend their duties on a full-time basis.

This is not an exhaustive list and other reasons may also be considered.

Duration

The approved arrangement is valid for twelve (12) months, which may be renewed yearly.

Application Procedure

Eligible employees who wish to apply for work on a reduced time-table shall complete the Application for Reduced Hours form available at Appendix 10. Completed application forms are to be submitted to the respective Director/Head of Department/Organisation for approval, at least one (1) month in advance, attaching the supporting documentation, where applicable.

Employees who wish to renew their reduced time-table for a further period of twelve (12) months, under the same terms and conditions, shall complete the Renewal of Reduced Hours application form available at Appendix 11. On the other hand, if at the renewal stage, the applicant requests to change his/her existing arrangements, s/he is to fill in the Application for Reduced Hours form available at Appendix 10. Completed renewal forms are to be submitted to the respective Director/Head of Department/Organisation for approval, at least one (1) month in advance.

Besides considering the potential impact on the operations of the Directorate concerned, the Director/Head of Department/Organisation should take into consideration the individual needs of the applicant. Director/Head of Department/Organisation shall consider the request/renewal and inform the employee of the decision in writing, copying the respective DCS, within ten (10) working days. Refused applications should include a justified reason.

Conditions

1. Reduced Hours may be allowed until the child reaches the age of sixteen (16) years;
2. Employees who are required to work a forty (40) hour week schedule may opt to work between twenty (20) and thirty-five (35) hours, to the nearest hour, per week. In the case of employees who are required to work on an alternative time-table, the hours may vary between 50% and 87.5% of their usual working hours.
3. Employees may work on a different time-table in winter and in summer.
4. During the approved period to work on reduced hours, employees shall not be entitled to the grant of unpaid leave or to revert to their normal work time-table, unless proof is given that the reason for which the reduced time-table was requested no longer applies. An advance notice of at least one (1) month must be given to the applicant's Director/Head of Department/Organisation.

¹⁶ OPM Circular No 25/1999, MPO Circular No 108/2005, MPO Circular No 101/2009 and MPO Circular No 18/2010

5. An approval granted for working on reduced hours may, for operational reasons, be revoked by the Director/Head of Department/Organisation, provided that a valid reason and two (2) months' notice in writing is given to the employee. However, the Director/Head of Department/Organisation may revoke approval with immediate effect, when it results that the employee is using reduced hours for a purpose other than that for which it was approved.
6. Employees who resume full-time duty after a period of reduced hours will not be allowed to take reduced hours again for the same specific reason before the lapse of twelve (12) months from the date when they resume full-time duty. Exceptions may be made in special circumstances.
7. Working on a reduced time-table does not prejudice the seniority of employees in the particular grade, or the opportunities of these employees for training, or for applying for calls for applications.

Pay and other benefits

Employees working on a reduced time-table are entitled to the following pay and benefits:

1. their current salary, on a pro-rata basis, depending on the chosen number of hours;
2. any allowances, on a pro-rata basis, which are linked to their duties and to which they would have been entitled to had they been working on a full time-table. Exceptions are made in the payment of the following allowances:
 - i. qualification allowance, which is paid in full;
 - ii. shift allowance, which is not applicable to employees working on a reduced time-table;
 - iii. disturbance allowance, which is paid as indicated in point (5) below.
3. all leave benefits on a pro-rata basis. Vacation leave is to be calculated using the formula at paragraph 3.1.8 in the PSMC. In the case of employees on reduced hours who opt to work a four (4)-day week while their full-time counterparts work a five (5)-day week, the following points should be adhered to:
 - i. If sick leave is taken at a stretch for a whole week, it is computed as five (5) days. If, however, sick leave is taken on separate days, it is to be counted on a one (1) day basis; and
 - ii. if a public holiday falls on the off-day of the employee working on reduced hours no extra compensation is called for.

In the case of employees whose full-time counterparts work a six (6)-day week but who opt to spread their hours over five (5) days, the number five (5) should be substituted by six (6) in (i).

4. sixteen (16) hours urgent family leave, to be taken in not more than four (4) sessions, as applicable to all employees.
5. When employees on reduced hours are required to work beyond their usual weekly hours, they are paid at the normal hourly rate for the extra hours worked. Extra hours worked that exceed the weekly hours worked by a full-time counterpart, are paid at overtime rates.

Employees entitled to a disturbance allowance instead of overtime, will be paid their normal hourly rate for extra hours worked beyond their reduced time-table, and the disturbance allowance when they exceed the weekly hours worked by a full-time counterpart. All extra hours worked beyond one's reduced weekly hours, as well as hours worked beyond the weekly hours worked by a full-time counterpart must be invariably recorded and certified by the respective Director/Head of Department.

6. Employees who are engaged on a performance agreement in a top management category 'A' position (e.g. Assistant Director, Director, Director General, Permanent Secretary) will have the period of time of the performance agreement and the satisfactory service required for them to be tenured in the grade of their position extended pro-rata according to the reduced time-table worked. While on reduced hours, the expense allowance is paid pro-rata. The communication allowance, the fully expensed car and approved fuel consumption continue to be paid in full. The performance bonus will be adjusted pro-rata depending on the circumstances of the employees' performance.
7. Service on a reduced time-table counts in full for the purposes of salary increments.
8. The first 365 days or twelve (12) months of work on a reduced hour time-table is reckoned as full-time service for progression/promotion purposes and for eligibility purposes when applying for posts/positions in the Public Service; subsequent periods of work on a reduced hours time-table is reckoned pro-rata. This applies each instance an officer is due for progression to a higher scale within the same grade or for promotion to a higher grade after a number of years' service in terms of the Classification Agreements, and for eligibility for calls for applications where applicable.

Pensionable service

For the purpose of the Treasury Pension, service on reduced time-table which is not less than 50% of the normal time-table, will count in full. The Social Security contributions are based on the income earned by the employee at the rate of 1/10 by the employee and 1/10 by the employer. If the income is less than the minimum weekly wage, then the basic Social Security contribution by the employee is applicable. The Social Security Pension is computed in accordance with the Social Security Act (Cap. 318) which currently bases the pensions on the income of the best three (3) years in the last ten (10) years of service.

3.2 Teleworking

A detailed policy entitled 'Teleworking Policy and Guidelines on its Implementation' is at Appendix 12.

Eligibility

Public employees who have successfully completed their respective probationary period and whose job performance, traits and skills as well as the nature of their job, are suitable for telework.

Duration

A telework agreement is valid for a period of twelve (12 months, which may be renewed yearly. However, employees who find the teleworking arrangements unsatisfactory should be allowed to opt out of the agreement.

Application Procedure

Eligible employees who wish to apply for telework shall complete Section 1 of the Application for Telework form (vide Appendix 13 and submit the application form to the respective Director/Head of Department/Organisation for approval, at least two (2 months in advance. Supporting documentation should be attached, where applicable.

The Director/Head of Department/Organisation must consider the needs of the applicant and also ensure that the output and timeliness of the organisation are maintained. For these objectives to be reached, the prospective teleworker and the job must be carefully evaluated. If the job suitability and employee suitability criteria (Section 2 of the application form are all marked as 'Yes', the employee and Director/Head of Department/Organisation shall jointly discuss Sections 3 and 4.

The Director/Head of Department/Organisation should make recommendations to the respective Permanent Secretary through the Ministry's HR Office (DCS. The Permanent Secretary shall consider the request and inform the employee of the decision in writing. The whole process shall be concluded within six (6 weeks of receipt of full and complete documentation. The DCS shall keep record of approved applications for administrative purposes. Refused applications should include a justified reason. In cases where changes are required to be made during the effective teleworking period, the employee is required to complete the Modification form attached at Appendix 14.

The revised telework arrangement in terms of the Modification form shall be effective for the remaining period of the current Telework agreement.

Employees who wish to renew their Telework arrangement for a further period of twelve (12 months, shall complete the Renewal form available at Appendix 15. If at renewal stage, the teleworker requests changes to his/her existing agreement, the applicant is to fill in the respective fields specifying the new arrangements being requested. Completed renewal forms are to be submitted to the respective Director/Head of Department/Organisation at least two months before the termination of the current telework arrangement. The Director/Head of Department/Organisation shall use his/her discretion, in order to make recommendations on the application for renewal, to the Permanent Secretary through the Ministry's HR Office (DCS. The decision shall be communicated to the employee in writing, in line with Directive 8.1 parameters.

Conditions

1. The teleworking arrangement is entirely voluntary and may neither be imposed by the Director/Head of Department/Organisation nor demanded as of right by the employee.
2. The office telephone line must be diverted to the teleworker's home landline so as to reduce added workload on non-beneficiaries and to ensure better service delivery.
3. Teleworkers should make use of the log book to record any files that are being used at home.

3.3 Flexi-time

Eligibility

Public employees who have successfully completed their respective probationary period, provided that operational requirements are met.

Duration

Flexi-time arrangements are valid for a period of twelve (12 months, which may be renewed yearly.

Application Procedure

Eligible employees who wish to apply for work on a Flexi-Time arrangement shall complete the application form available at Appendix 16. Completed forms are to be submitted to the respective Director/Head of Department/Organisation for approval, at least one (1 month in advance, attaching the supporting documentation, where applicable.

Employees who wish to renew their existing Flexi-Time arrangement, under the same conditions, for a further period of twelve (12 months, shall complete the Renewal form available at Appendix 17. On the other hand, if at the renewal stage, the applicant requests to change his/her existing arrangement, s/he is to fill in the Application for Flexi-Time form available at Appendix 16. Completed renewal forms are to be submitted to the respective Director/Head of Department/Organisation for approval, at least one (1 month in advance.

The Director/Head of Department/Organisation is to discuss the arrangement with the respective employee. Besides considering the needs of the applicant, the Director should also take into consideration the potential impact on the operations of the Directorate concerned, including but not limited to ensuring that:

- The hours of work requested matches the number of hours of work required to be worked in a particular day;
- The service is not negatively affected;
- No extra cost shall be incurred to accede to such requests.

Approvals, of original requests and renewals to work on a flexi-time arrangement is at the discretion of the applicant's Director/Head of Department/Organisation, whose decision

should be communicated to the employee, in writing, copied to the respective DCS (for administrative purposes), within ten (10) working days. Refused applications should include a justified reason.

Conditions

1. Employees may work on different time-tables in winter and in summer.
2. Employees working on a Flexi-Time arrangement are entitled to their salary in full, as well as any other benefits received by counterparts on a normal working time schedule. Hours worked in excess of the normal weekly hours worked by a full-time counterpart are paid at overtime rates.
3. An approval granted for working on a Flexi-Time arrangement may, for operational reasons, be temporarily/permanently suspended by the Director/Head of Department, provided that a valid reason and one (1) month notice is given to the employee in writing.
4. When a Flexi-Time beneficiary would like to revert to the Directorate's normal working time schedule earlier than the agreed date, s/he shall submit a written request to the respective Director/Head of Department/Organisation, giving one (1) month notice. Approval for reversion to a normal working time schedule is subject to the respective Director/Head of Department/Organisation's approval.

Appendix 1.

APPLICATION FOR MATERNITY LEAVE

Date of request: _____

(applications should be made in conformity with the provisions of the PSMC Manual on Work-Life Balance Measures and Directive 8.1)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

SECTION 2: MATERNITY LEAVE APPROVED BY DIRECTORS <i>(tick and fill in as appropriate)</i>	
Maternity Leave	fourteen (14) weeks <input type="checkbox"/> additional four (4) weeks <input type="checkbox"/>
Expected date of confinement:	
Period of Maternity Leave being requested: from _____ to _____	
Document(s) supporting request enclosed with application:	YES <input type="checkbox"/> NO <input type="checkbox"/>
I intend to resume duties on :	

An employee who has been granted paid Maternity Leave is required to work for an uninterrupted period of six (6) months for each period of maternity leave

I, the undersigned, declare that the information and documentation submitted in this application is correct.	
Signature of Applicant:	Date:

For Official Use: Acknowledged and approved by:	
Signature of Director/Head of Dept :	Date:

Directors should take disciplinary action when officers fail to resume duty at the expiration of Maternity Leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 2.

APPLICATION FOR ADOPTION LEAVE

Date of request:

(applications should be made in conformity with the provisions of the PSMC Manual on Work-Life Balance Measures and Directive 8.1)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

SECTION 2: ADOPTION LEAVE APPROVED BY DIRECTORS <i>(tick and fill in as appropriate)</i>	
Adoption Leave:	fourteen (14) weeks <input type="checkbox"/> additional four (4) weeks <input type="checkbox"/>
Period of Adoption Leave being requested:	from _____ to _____
International Adoptions:	Additional unpaid leave <i>(cross out if not applicable)</i> from _____ to _____ <i>(not exceeding three (3) months in aggregate)</i>
Document(s) supporting request enclosed with application:	YES <input type="checkbox"/> NO <input type="checkbox"/>
Is spouse / partner in a civil union benefiting from this policy?	YES <input type="checkbox"/> NO <input type="checkbox"/>
I intend to resume duties on :	

An employee who has been granted paid Adoption Leave is required to work for an uninterrupted period of six (6) months for each period of adoption leave. If Adoption Leave is shared, the six (6) months service will be computed pro-rata according to the period of paid Adoption Leave utilised by each parent.

I, the undersigned, declare that the information and documentation submitted in this application is correct.

Signature of Applicant:

Date:

For Official Use: Approved Not Approved *(if not approved please state reason)*

Signature of

Director/Head of Dept :

Date:

Directors should take disciplinary action when officers fail to resume duty at the expiration of Adoption Leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 3.

DEPOSIT OF DONATED VACATION LEAVE/TIME-OFF IN LIEU NOTIFICATION FORM

The _____ is transferring _____ of donated vacation leave and _____ of donated time-off-in-lieu to be deposited in the Donated Vacation Leave/ Time-Off-In Lieu Central Fund.

To be filled in by the respective Director responsible for People Management/ Head of Entity

Official Stamp

Signature:

Date:

The information supplied in this application form shall be used exclusively by the employing Ministry and the PSW Directorate for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 4.

DONATION OF VACATION LEAVE/TIME-OFF-IN-LIEU FORM

Ministry/Entity:
Department::
Directorate:
Section/Unit:

Employee Details:	
Name:	ID Card No.:
Surname:	Office Tel:
Grade/Postion:	
Salary Scale:	

Hours of Vacation Leave donated
Hours of Time-off-in-lieu donated

Signature of Applicant:	Date:
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For Official Use:
Verification by the respective Director responsible for People Management/Head of Entity

Official Stamp

Signature:	Date:
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The information supplied in this application form shall be used exclusively by the employing Ministry and the PSW Directorate for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 5.

REQUEST FOR THE UTILISATION OF DONATED HOURS

Ministry:	Department:
Directorate:	Section/Unit:

Employee Details:	
Name:	ID Card No.:
Surname:	Office Tel:
Grade/Postion:	
Salary Scale:	

Donated Hours Requested	
Start Date:	End Date:

I, the undersigned confirm that the information and documentation submitted with this request is factual and updated.	
Signature:	Date:

For Official Use	
Recommendation by the respective Director (tick as applicable)	
The request is recommended <input type="checkbox"/>	The request is not recommended <input type="checkbox"/>
Director's Signature: _____	Official Stamp of respective Director
Date:	
Approved <input type="checkbox"/> Not Approved <input type="checkbox"/>	Official Stamp of respective Director
Signature of Approving Authority: _____	
Date:	

The information supplied in this application form shall be used exclusively by the employing Ministry and the PSW Directorate for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 6.

DONATION OF VACATION LEAVE/TIME-OFF-IN-LIEU ON A PERSON TO PERSON BASIS

(If donation is not within the same Ministry, this request requires mutual consent of the respective HR Departments)

(Please fill in either Part 1A or Part 1B as applicable)

Part 1A Employee donating hours (Donor)	
Name:	ID Card No.:
Surname:	
Grade/Postion:	
Salary Scale:	
Ministry:	Department/Entity:

Part 1B Employees donating hours collectively (Donors)	
<i>(Please attach list of employees and number of hours donated by each)</i>	
Ministry:	Department/Entity:

Part 2 Employee receiving donated hours (Beneficiary)	
Name:	ID Card No.:
Surname:	
Grade/Postion:	
Salary Scale:	
Ministry:	Department/Entity:

Documentary evidence provided	YES <input type="checkbox"/>	NO <input type="checkbox"/>
--------------------------------------	------------------------------	-----------------------------

Number of hours donated	VL _____
	TOIL _____

continued overleaf

Part 3 Director responsible for People Management/Head of Organisation of Donor

I, hereby, approve the donation of hours on a person to person basis and certify that the amount of donated hours has been noted and deducted from the donor's / donors' vacation leave/TOIL entitlement.

Official Stamp

Signature:

Date:

Part 4 Director responsible for People Management/Head of Organisation of Beneficiary

I, hereby, approve the donation of hours on a person to person basis and certify that the amount of donated hours has been noted and added to the beneficiary's vacation leave/TOIL entitlement.

Official Stamp

Signature:

Date:

The information supplied in this application form shall be used exclusively by the employing Ministry and the PSW Directorate for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 7.

APPLICATION FOR PARENTAL LEAVE

Date of request: _____

(applications should be made in conformity with the provisions of the PSMC Manual on Work-Life Balance Measures and Directive 8.1)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

SECTION 2: PARENTAL LEAVE APPROVED BY DIRECTORS <i>(tick and fill in as appropriate)</i>	
Parental Leave	
four (4) months broken down in periods of one (1) month at a time <input type="checkbox"/>	
four (4) months <input type="checkbox"/> six (6) months <input type="checkbox"/> nine (9) months <input type="checkbox"/> twelve (12) months <input type="checkbox"/>	
Period of Parental Leave being requested: from _____ to _____	
I declare that I am: a parent <input type="checkbox"/> a legal guardian <input type="checkbox"/> a foster carer <input type="checkbox"/>	
Document(s) supporting request enclosed with application: YES <input type="checkbox"/> NO <input type="checkbox"/>	
Is spouse / partner in a civil union / partner a Public Employee? YES <input type="checkbox"/> NO <input type="checkbox"/>	

(If yes, please attach declaration by the employing Ministry/Entity/Department/Directorate confirming, or otherwise, that your spouse/partner in a civil union/partner is applying for parental leave. If in the affirmative, the dates and duration of this leave are to be indicated).

I intend to resume duties on :	
I, the undersigned, declare that the information and documentation submitted in this application is correct.	
Signature of Applicant:	Date:

For Official Use: Approved <input type="checkbox"/> Postponed <input type="checkbox"/> <i>(if postponed please state reason)</i>	
_____ Signature of Director/Head of Dept : _____ Date: _____	

Directors should take disciplinary action when officers fail to resume duty at the expiration of Parental Leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 8.

APPLICATION FOR CAREER BREAK

Date of request: _____

(applications should be made in conformity with the provisions of the PSMC Manual on Work-Life Balance Measures and Directive 8.1)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

SECTION 2: CAREER BREAK APPROVED BY DIRECTORS <i>(tick and fill in as appropriate)</i>	
Period of Career Break being requested:	from _____ to _____
I declare that I am:	a parent <input type="checkbox"/> a legal guardian <input type="checkbox"/>
Document(s) supporting request enclosed with application:	YES <input type="checkbox"/> NO <input type="checkbox"/>
Is spouse / partner in a civil union / partner a Public Employee?	YES <input type="checkbox"/> NO <input type="checkbox"/>

(If yes, please attach declaration by the employing Ministry/Entity/Department/Directorate confirming, or otherwise, that your spouse/partner in a civil union/partner is applying for Career Break. If in the affirmative, the dates and duration of this leave are to be indicated).

I intend to resume duties on :
I, the undersigned, declare that the information and documentation submitted in this application is correct.
Signature of Applicant: _____ Date: _____

For Official Use: Approved <input type="checkbox"/> Not Approved <input type="checkbox"/> <i>(if not approved please state reason)</i>
_____ Signature of Director/Head of Dept : _____ Date: _____

Directors should take disciplinary action when officers fail to resume duty at the expiration of Career Break.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 9.

GUIDELINES ON THE DRAWING UP OF INTERNAL POLICIES FOR THE MANAGEMENT OF WORK-LIFE BALANCE MEASURES

1.0 Document Overview

This document is intended to provide the line Ministries and departments with guidance on the drawing up of internal policies for the management and implementation of work-life balance measures. It identifies those areas which Directors should address when devising, reviewing and implementing Department/Directorate-specific policies for the management of work-life balance measures.

2.0 Considerations for the Internal Policy

2.1 Identifying task and employee suitability

In evaluating requests for teleworking and in granting approval, it is the responsibility of Directors to ensure that tasks can be carried out remotely. For example, tasks which require the employee's on-going physical presence at the office, or jobs that require face-to-face interaction with the public and/or other members of staff, are not to be considered as suitable for Teleworking.

In this light, Section 2 of the 'Application for Telework' entitled Job and Employee Suitability is to be filled in carefully by the respective Director.

In evaluating each and every request, it is the responsibility of Directors to ensure that service quality standards and efficiency are maintained by teleworkers at the same level as when the same tasks and duties are carried out from the office.

In those cases where tasks are not deemed as suitable for Teleworking, Directors shall consider whether these may be re-engineered to accommodate teleworking requests. In so doing, Directors are to evaluate the application for Telework by assessing:

- the need for the identified task;
- why it is better to perform such task/s by Telework; and
- what are the expected results of such a proposed arrangement.

However, the main focus should remain on job performance and meeting business demands.

Similarly, when considering requests and in granting approval for reduced hours and flexi-time, it is the responsibility of Directors to ensure that tasks can be carried out without any impacts on service delivery. For example, tasks which require face-to-face interaction with the public during specific business hours are not considered as suitable for such arrangements if the requested hours do not match the opening hours. However, even in such cases, Directors are to consider alternative solutions in an effort to accede to these requests.

2.2 Level of Proficiency

Directors are to ensure that an adequate level of proficiency is reached before approval is granted for work-life balance measures. This is particularly, but not only, relevant in applications for telework in view that the beneficiaries would be working without direct supervision for a proportion of their working time.

Such a measure would ensure that the established and agreed standards are met and that the applicant can work with limited supervision from home before approval is granted. For example, for qualitative work that requires the drawing up of reports, review of documentation or drafting of replies to correspondence that requires a degree of research and consultation, it should be ascertained that the officer in question is well aware of procedures and stakeholders that would help to effectively deliver results for such tasks. These officers should also be able to deliver tasks in a timely manner with minimal supervision.

2.3 Monitoring of Performance

With a view to ensuring that the quality of work and general job performance are not in any way jeopardised, Directors or their delegates (who should be in a senior/middle management position such as Heads of Sections), are required to monitor telework on a regular basis. This should take place in the context of open and constructive feedback.

It may therefore be appropriate to determine and clearly explain the methods which are best suited to monitor the particular tasks identified as suitable for teleworking before such tasks are assigned. For example, a Director may establish that the assessment of quantitative tasks reaching a set quota may be the performance measure whilst for a task involving report writing one may identify the timeliness, conciseness, comprehensiveness and quality of drafts produced as the performance measures that will be monitored.

Although the frequency of monitoring depends on the nature of the work, particularly if this is predictable and quantifiable, ideally such monitoring should be carried out on a regular basis, such as on a weekly/monthly basis, or, in less quantifiable scenarios, as often as required. It may also be appropriate that teleworkers submit periodical reports in connection with the work carried out remotely, especially if the work is of a qualitative nature and not easily measurable.

2.4 Adequate Resourcing

It is the responsibility of Directors to ensure that effective contact facilities with the public and other sections within the Departments are provided at all business times (including instances of employees on telework/flexi-time arrangements). Therefore, the approach to be followed must be built around equitable arrangements that effectively take into consideration the needs of office-based workers and those of work-life balance measures beneficiaries.

In practice, this may entail that Directors establish in their internal policy the staff complement required at the office at particular times and that this will be one of the factors considered when evaluating requests for work-life balance measures.

Job shadowing is encouraged as this allows management to give parallel tasks to different members of staff, ensuring that duties related to such tasks can be performed and followed up as necessary. Job shadowing would make it possible to retain employees trained in particular areas of the service and ensure a smooth continuation to tasks that may not always be possible when staff members are availing themselves of work-life balance measures.

2.5 Renewal of Agreements

Requests for the renewal of work-life balance arrangements should be treated in line with the timeframes stipulated in Directive 8.1. It is to be emphasised that the renewal of such arrangements is not to be taken for granted and prior to approving such requests, Directors should consider whether there is still a valid reason for the employee to avail of such measures or whether previous arrangements require changes to provide such opportunities to a new or pending application.

Furthermore, Directors could consider aligning the termination date of all agreements regulating work-life balance measures to allow for better overall visibility, especially when considering both existing and new applications and evaluating their impact at work. Any new applications received throughout the rest of the year, if considered eligible, could be accommodated through an agreement with a shorter timeframe that terminates concurrently with the other agreements.

2.6 Core Hours

It is essential that core hours are established during which all staff members are expected to be reachable and in a position to adequately respond to all requests (including those made by phone). Applications for Reduced Hours and Flexi-time should ideally also be considered and approved in line with these hours. As regards Telework, during such hours, beneficiaries would be expected to be reachable within the same response time as during office work.

2.7 Twilight Hours¹⁷

Directors are to explore the feasibility of establishing twilight hours for front office operations (in the case of flexi-time) and back office/administrative duties in the case of teleworking. In the former scenario, this may be beneficial for external clients, who would have the possibility of accessing services before / after normal office hours.

¹⁷ Twilight hours are hours of work outside (both before and after) the normal office hours / official working hours.

When such a system is adopted, senior and middle management are required to be readily available during such hours and to reach an agreement with the pertinent sections within the Ministry or Department about logistical arrangements, including opening of offices, monitoring attendance, security issues, etc.

2.8 Work Distribution

In cases where tasks assigned for telework do not exactly replicate the way the same task is carried out by an office based worker, for example because of reengineering (see section 2.1), Directors may consider assigning different quotas or performance measurements from those assigned to office workers, as long as this is adequately and fairly justifiable.

If, for instance, a Teleworker is required to assess more claims than an office worker doing the same work on the grounds that the Teleworker has less disruptions at home, the additional quota assigned to the teleworker must be directly linked to the amount of time the teleworker is saving by not being disrupted and which in turn is converted to additional work. It is advisable that prior to implementing such a procedure, more thorough job analysis exercises are carried out for both office workers and teleworkers so that the established quotas are fair and reasonable.

Conversely, section heads may consider, rather than assigning additional quotas to teleworkers, to give lower quotas to office workers on the grounds that the latter are asked to perform additional routine office tasks as a result of their colleagues not working from the office. Even in such cases, the lower quota assigned to the office worker must be directly linked to the amount of time the office worker is taking to perform these additional routine office tasks.

2.9 Prioritization

Notwithstanding that giving a justification/reason is not a mandatory requirement in the applications for work-life balance measures, when such information is voluntarily provided by the applicant, Directors could consider giving due weight to the reasons provided when evaluating requests.

This may come particularly useful when, despite having implemented one or a number of the measures/guidelines outlined in the previous sections, a Director is still in a position where s/he cannot accommodate multiple applications. For the sake of transparency and fairness, such prioritization should be stated in the Directorate's internal policy.

3.0 Conclusion

It should be noted that the outlined above-listed considerations are not an exhaustive list and there may be department-specific circumstances and/or operational demands which may also require inclusion in the departmental Internal Policy for the Management of Work-Life Balance Measures. It is further recommended that any internal policies adopted by Line Ministries/Departments/Directorates are periodically reviewed to ensure alignment with the evolving requirements and/or circumstances

Appendix 10.

APPLICATION FOR REDUCED HOURS

Attention all applicants - Any false statement, misrepresentation or concealment of material fact on this form or any document presented in support of this application may constitute grounds for disciplinary action.

Date of request: _____

(applications should be made at least one (1) month in advance)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

Period of Reduced Hours being requested:	from		to	
Reason for request:				

<i>(Reason for request is not mandatory, however, it is recommended that a reason is stated as this will assist management in making an informed decision).</i>				
Document(s) supporting request enclosed with application:			YES <input type="checkbox"/>	NO <input type="checkbox"/>

SECTION 2: WORK SCHEDULE *(to be agreed between Director/Head of Department and applicant)*

Winter Work Schedule: 1 October - 15 June

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Summer Work Schedule same as Winter Work Schedule.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>(If yes, there is no need to fill in the Summer Work Schedule below).</i>		

Summer Work Schedule: 16 June - 30 September

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

continued overleaf

SECTION 3: ENDORSEMENTS

Approved NotApproved *(if not approved please state reason)*

Employee

Full Name:

Signature:

Date:

Director/Head of Department

Full Name:

Signature:

Date:

Director/Head of Department's endorsement is the effective date of agreement.

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 11.

RENEWAL OF REDUCED HOURS

N.B. This form is to be filled in only by those employees who will be renewing their Reduced Hours Work Schedule under the same terms and conditions.

If the proposed Reduced Hours Work Schedule differs from the existing work schedule please fill in the Application for Reduced Hours (Vide Appendix 10).

Date of request: _____

(applications should be made at least one (1) month in advance)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position:	
E-mail:	

SECTION 2: REQUEST
I am hereby requesting a renewal of the Reduced Hours Work Schedule, for a period of one year with effect from / /
Reason for request: _____ <i>(Reason for request is not mandatory, however, it is recommended that a reason is stated as this will assist management in making an informed decision).</i>
Document(s) supporting request enclosed with application: YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION 3: ENDORSEMENTS
Approved <input type="checkbox"/> <i>(Reduced Hours Work Schedule renewed under the same terms and conditions)</i>
Not Approved <input type="checkbox"/> <i>(if not approved please state reason)</i>

Employee
Full Name: _____ Signature: _____ Date: _____
Director/Head of Department
Full Name: _____ Signature: _____ Date: _____

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 12.

TELEWORKING POLICY AND GUIDELINES ON ITS IMPLEMENTATION

People Support & Wellbeing Directorate
People & Standards Division
Office of the Prime Minister

Updated February 2017

The People & Standards Division acknowledges the input of the NCPE, the ETC/Jobsplus and a number of individuals and organisations that took part in the pilot teleworking project and/or gave essential input in the formulation of this policy.

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11	Organisation of Work
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17	Conclusion

1.0 Introduction

The purpose of this policy is to set up a formal framework for the administration of telework in the Public Administration of Malta. This policy document outlines the general principles on which telework should be administered in the Maltese Public Service and Public Sector. Line Ministries and public entities¹⁸ interested to offer teleworking to their employees should adhere to these guidelines.

2.0 Scope And Definitions

This policy applies to all Public Service and Public Sector employees including entities in Government control, Government funded entities and entities with public majority shareholding.

Telework

Telework is a way of working using information and communication technologies to perform a job independently of location. Telework is not a job but a method of working, and provides flexibility in the locations where employees may perform their jobs, be it at home, at an alternate office closer to home, or at other defined locations on a regular basis. In the context of the ongoing societal developments, most notably the rapidly increasing pervasiveness in IT literacy of the Maltese Society, telework is a methodology of work that should be embraced as it will be set to become more mainstream in the Maltese workforce.

Teleworker

A teleworker is any employee carrying out telework as defined above.

Head of Department

For the purpose of this document, the term Head of Department includes also Directors and the equivalent authority in the relevant Public Sector Entity.

3.0 Eligibility To Telework

In principle, all employees whose job performance, traits and skills as well as the nature of their job are suitable for telework, can engage in telework. Qualifying employees whether engaged on a full-time or part-time basis, including persons working on reduced hours, on a definite or indefinite contract can telework.

4.0 General Provisions

4.1 Teleworking is voluntary and therefore cannot be demanded as a right by the employee neither can it be enforced as an obligation by the Head of Department. In considering whether to agree to a telework arrangement, the Head of Department shall take into account both the operational requirements of the entity, as well as the reasons brought by the employees who wish to engage in telework.

¹⁸ Public Entities include all centrally-funded public entities, authorities, foundations, agencies, public corporations and limited liability companies with public majority shareholding and not quoted on a stock exchange

- 4.2 Employees who find the teleworking arrangements to be unsatisfactory should be provided with the option to opt out.
- 4.3 Unless an employee is on an employment contract which engages him/her for less than one (1) month and/or a working week not exceeding eight (8) hours or of a casual and/or specific nature, the line Ministry or Entity should provide the teleworker with relevant written information on the essential aspects of the contract or employment relationship and in accordance with the 'Employer's obligation to inform employees of the conditions applicable to the contract or employment relationship. These obligations emerge from the relevant Directives and Council Directive 91/533/EC¹⁹. Some of these aspects include, but are not limited to, the nature or category of the work for which the employee is employed, length of notice period, length of the employee's normal working day or week and a written contract of employment and/or a letter of engagement.
- 4.4 Teleworking is not designed to be a replacement for appropriate dependent care. Although an individual employee's schedule may be modified to accommodate dependent care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective teleworkers should discuss these expectations of telework with family members and the relevant Director, prior to entering into a trial period.
- 4.5 Individuals requesting telework as an alternative work arrangement will be evaluated according to specific criteria. The teleworker and his/her Director, with the assistance of the Director responsible for People Management will evaluate the suitability of such an arrangement by completing the Application for Telework at Appendix 13 of this Manual. Particular attention is drawn to equipment requirements and to job & employee suitability as indicated in Sections 9 and 13 of this document.
- 4.6 Teleworking only modifies the way in which work is performed and should not affect the teleworker's employment status. A worker's refusal to opt for telework is not, as such, a reason for terminating the employment relationship or changing the terms and conditions of employment of the worker.
- 4.7 There will be a one-month trial period during which time the teleworking arrangement may be reversible at any time at the request of either the teleworker or the line Ministry/Entity. At the end of the trial period, the Director makes an evaluation of the arrangement and makes recommendations for the continuation, modification or termination of the agreement. Following a successful trial period, teleworking arrangements are subject to review every three (3) months for another six (6) months and then every six (6) months for the period during which the employee is teleworking. The Director reserves the right to terminate a teleworking arrangement by giving the employee adequate notice as stipulated in Section 6 in the Application for Telework.
- 4.8 The Director must monitor the work on a regular basis. Failure to meet the agreed standards and workload entails immediate termination of telework. The employee may then appeal the decision in terms of Directive 8.1.

¹⁹ These Directives may be accessed in the EUR-LEX Section on www.europa.eu

5.0 Short-Term Telework

It is possible for an employee to make a request for a temporary teleworking arrangement in order to complete a task away from the office. These arrangements should not involve Government in any additional expenses. Such requests should be driven by the need to focus on a specific assignment that requires a higher degree of concentration, which may not always be possible in a shared office environment.

In this context, an employee who requires some time away from the office to complete a task by a pre-agreed deadline may discuss the case with his/her superior. The superior may, on the merit of each individual case, grant permission to an employee to work from home for a pre-defined and mutually agreed period to complete the job. Once the assignment is completed the employee shall return to his/her office.

Such cases should not be considered as formal teleworking arrangements and hence the employer and the employee will not be bound by any terms of the teleworking agreement. Should the employee consider adopting telework as a formal work arrangement s/he will undergo the process as defined by this document.

6.0 Employment Conditions

Teleworkers benefit from the same rights, guaranteed by applicable legislation and collective agreements, as comparable workers at the employer's premises. However, in order to take into account the particularities of teleworking please refer to Section 6: Terms and Conditions in the Application for Telework (Appendix 13 of this Manual).

Particular aspects, which are specified in the Application form include:

- Place of work
- Hours of work
- Address at which the employee carries out telework
- Contact number, where the teleworker can be contacted during office hours
- Notice of termination period
- Duration of trial period and periodical reviews of teleworking arrangements

7.0 Data Protection

7.1 The Line Ministry or Entity authorizing telework is responsible for taking all appropriate measures in order to ensure that any data used by the teleworker in connection with his/her teleworking activity is fully protected. The Director should indicate to the teleworker the applicable rules and regulations concerning data protection. It is the teleworker's responsibility to comply with these rules and regulations and in case of any breaches, the teleworking agreement of the faulting teleworker can become nullified. The revocation of the teleworking agreement would not prejudice further actions, deemed appropriate in cases of data protection breaches by Government employees.

- 7.2 The Data Protection Act²⁰ refers, among other responsibilities, to the controller's responsibilities for the fair and lawful processing of personal data, and that such data should not be kept for a period longer than necessary. Therefore, in order to safeguard the requirement defined in the Act, the total management of the data security is to be considered by the Director before any data is passed to the teleworker for processing.
- 7.3 The security of equipment, assets, information, confidentiality, and copyright should be in accordance with Government's relevant policies. A teleworker will ensure the protection of any work-related and customer information accessible from their home-office. Measures include, but are not limited to, use of locked file cabinets and desks, regular password maintenance and other appropriate measures consistent with the nature of work. In particular, teleworkers should ensure that other household members or friends should not have access to personal data as defined by the Data Protection Act.
- 7.4 The Director is additionally responsible of informing the teleworker of his/her responsibility to abide by the Government Policies and Standards²¹ on MAGNET connectivity, e-mail and Internet use policies, use of software such as anti-virus and spam control, and any applicable security and technical issues as advised by MITA, being the provider of technology services to the Government.
- 7.5 The European Directive on Privacy and Electronic Communications (2002/58/EC) imposes special rules concerning the processing of personal data and the protection of privacy in the electronic communications sector. The Director authorizing telework should likewise familiarize him/herself with this Directive, and is therefore responsible to ensure that the teleworker is aware of the Articles that are deemed relevant to his/her work.

8.0 Privacy

The Director must ensure that security norms are in place; but the privacy of the teleworker must be respected, and any monitoring systems put in place must be proportioned to the objectives to be achieved and in accordance with Directive 90/270/EC²² on visual display units. This Directive contains a requirement which stipulates that in designing tasks and choosing software, no qualitative or quantitative checking facility may be used without the knowledge of the worker. Employees should be advised in cases where their activity is being monitored. This includes cases of the utilization of key-logging software where all activity on the employee's computer can be tracked and recorded, or where the computer is being controlled remotely.

²⁰ The Data Protection Act (Chapter 440 of the Laws of Malta) may be accessed on www.justiceservices.gov.mt

²¹ Documents include: Connectivity to MAGNET Policy (v2.0); Connectivity to MAGNET Directive (v1.0); Connectivity to MAGNET Standard (v1.0); Information Security Policy; Minimum Information Security Directive (v2.0); all of which may be accessed on www.mita.gov.mt

²² This Directive may be accessed in the EUR-LEX Section on www.europa.eu

9.0 Equipment

- 9.1 The Government or an Agency commissioned by the Government is responsible for providing, installing and maintaining the equipment necessary for regular telework unless the teleworker uses his/her own equipment. Based on the nature of work to be conducted by the teleworker, the Director will determine the appropriate equipment for the teleworker. Installation and operational costs for the voice communication system and other equipment necessary to conduct teleworking will be borne by Government.
- 9.2 Technical requirements for the teleworker are being defined according to the level of access required by the teleworkers to conduct the work in an effective and efficient manner as if s/he is performing at the office. The categories of teleworkers are divided into three Tiers:

Tier 1

For some employees, teleworking may be performed successfully using e-mail and possibly a standard telephone contact or other means of verbal communications (e.g. VOIP) as established a priori with the respective line Ministry/Entity. As long as the documents are not of a sensitive nature, these may be e-mailed across locations or transported on physical media.

Tier 2

Other users would require access to applications or data directly from a server, and therefore a higher degree of security is required. In these instances it is necessary that the connection is made over a Virtual Private Network (VPN)²³ with a Digital ID²⁴.

Tier 3

Users who only require access to specific files or systems within their respective line Ministry/Entity and therefore a secure VPN connection will be sufficient.

- 9.3 The type of equipment required, liability and the corresponding estimated costs of each type of user are to be clearly defined before starting telework.
- 9.4 Where appropriate, desktop support and call centre services will be provided by MITA, which will assume the management and control function of the teleworker's support. In cases where a laptop requires hardware or software maintenance, the teleworker should deliver the computer to the office and advise the Director for the necessary follow-up.
- 9.5 Any damages sustained to the equipment should be immediately reported to the superior. Furthermore, a teleworker who presents a successful application to conduct telework will, in addition to signing a formal agreement, be required to sign a Declaration of Asset Inventory form which defines the responsibilities of the teleworker with respect to the Government equipment in his/her possession.

²³ A VPN is a network that uses a public telecommunication infrastructure, such as the internet, to provide remote offices or individual users with secure access to their organisation's network while maintaining privacy through security procedure and tunnelling protocols.

²⁴ A Digital ID is a set of information that uniquely identifies a client to a computer system. Examples of an electronic identity include a username or digital certificate identifier.

- 9.6 In order to ensure work continuity, the employee should accept any temporary arrangement provided by his/her Director. This arrangement shall remain in force until the equipment's functionality is fully restored.
- 9.7 Hardware used for telework will be governed by the relevant policies on the use of ICT in Government; this applies to whether the equipment is provided by the employer or whether it belongs to the employee. The teleworker must sign a statement attesting to the Government-owned property in his/her possession and pledges to protect the items from damage or theft. Upon termination of employment or the teleworking agreement all Government property must be returned to the Government.
- 9.8 The employee must establish an appropriate work environment within his/her home for work purposes. The Government will not be responsible for costs associated with the initial setup of the employee's home office such as remodeling, furniture or lighting, nor will it be responsible for repairs or modifications to the home office space to accommodate telework. After all equipment has been delivered, the teleworker will sign and return a checklist of all hardware and software provided.

10.0 Health and Safety

- 10.1 The employer is responsible for the protection of occupational health and safety of the teleworkers in accordance with Council Directive about 'the introduction of measures to encourage improvement in the health and safety of workers at work' (Directive 89/391/EC)²⁵ and relevant directives, national legislation, namely the Occupational Health and Safety Authority Act²⁶, and collective agreements. Given the very limited control over the teleworker's physical movement and activity whilst engaged in telework, the employer's health and safety responsibility in respect of the teleworker is limited only to the workstation where approved telework is performed and which was assessed for risk by the employee as specified in Section 10.2 in this Policy.
- 10.2 The employer shall ensure that initial installation of equipment shall be of such safety standards as are applicable if the equipment were to be installed at an "on-site" workplace and it shall be carried out in such a manner as to ensure safe operation. Given the nature of the equipment and the area in which it shall be operated, due consideration is to be given to family and social factors in the said area and the employee is to be properly instructed in the safe use of the equipment. Moreover, the employee should attend compulsory training session/s provided by the Government on the design of appropriate and risk-free workstations. Following the successful completion of this training the employee is required to conduct a risk assessment of the workstation prior to the commencement of telework, from where s/he is intended to perform such telework.

²⁵ This Directive may be accessed in the EUR-LEX Section on www.europa.eu

²⁶ The Health and Safety Authority Act (Chapter 424 of the Laws of Malta) may be accessed on www.justiceservices.gov.mt

10.3 The employer shall carry out periodic, pre-announced visits to examine the equipment and workplace and if necessary may request adjustments to the workplace including modification to the placement or positioning of the equipment, at the employee's expense and subject to the employee's consent. In the event that the employee does not consent to visits or modification/repair, the employer shall have no liability whatsoever in the event of injury or incapacity caused by the equipment or the work-process occurring since installation or the last visit performed, as the case may be.

The employer shall at his complete discretion be entitled to terminate the teleworking arrangement in the event that circumstances so require.

10.4 The employee shall take reasonable care of the equipment and shall examine such equipment from time to time with a view to ensuring that it remains functional and safe for him/herself and other family members or visitors. Furthermore, the employee shall not make any modification to the equipment or the placement thereof within the operating area and shall not attach thereto any other equipment other than with the consent and under the supervision of the employer.

11.0 Organisation Of Work

11.1 There is a risk that a teleworker may experience social isolation, therefore arrangements should be put in place to ensure that teleworkers have the same access to Government information as their office-based colleagues.

11.2 Part of the working time (a minimum of 10% of the total time a teleworker works per month) is to be spent at the employers' premises and face to face meetings unless otherwise agreed between the employee and the Permanent Secretary.

11.3 All internal communications such as memos and newsletters are to reach the teleworker promptly by e-mail.

11.4 In those cases where the completion of a job requires the effective accessibility to the intranet, the teleworker should be provided with access to the relevant Government and public entity intranets.

11.5 The office telephone line must be diverted to the teleworker's home landline so as to reduce added workload on non-beneficiaries and to ensure better service delivery. The teleworking employee has no right to be refunded of any telephone or mobile expenses made in connection with teleworking.

11.6 A teleworker is expected to regularly check the e-mail.

11.7 Under normal circumstances the employee is not expected to be available before and after the specified core hours with the exception of those employees whose job responsibilities require them to be contactable after normal working hours.

12.0 Training

12.1 Teleworkers have the same access to training, career development opportunities and promotions and are subject to the same appraisal policies as the office-based workers at the employer's premises.

Core areas may include:

- Job-related skills - those specific to the particular requirements on the job;
- Generic skills - including competence in IT and the use of new communications methods, report-writing skills and effective telephone communication skills; and
- Self-management skills, including training in time management

12.2 Training is to be organized for the teleworker prior to engaging in teleworking in order to ensure that the employee possesses all the skills and knowledge necessary to telework successfully and maximise productivity. The necessary skills would include time management and basic ICT competencies, which would permit the teleworker to conduct his/her job efficiently.

12.3 Teleworking, particularly when it involves prolonged spells away from the office necessitates specific training to ensure that employees are working efficiently and safely. Supervisors and Directors, who normally have difficulty in managing subordinates at the office, would find it even more difficult to manage them at a distance. Information and training sessions targeted at management are thus to be organized to ensure that managers are able to adapt to new modes of interaction with teleworkers and more importantly to exercise the same level of management effectiveness as when the teleworker is carrying out his/her duties at the office.

12.4 Persons in authority who will be assessing applications for telework shall also be regularly briefed about the characteristics of this working arrangement such that an objective appraisal of the applications is promoted.

13.0 Job And Employee Suitability

Job Suitability

13.1 Jobs suitable for telework include those involving a high degree of information processing that also have clear objectives, measurable outputs and minimal requirements for supervision. Some jobs that are not suitable in their entirety may be broken down into separate tasks and performed partly through telework. It is the responsibility of the Director to ensure that the tasks to be performed as telework are substantial enough to occupy the teleworker for a minimum of two (2) days per week for at least the next six (6) months. If it is estimated that the tasks to be performed amount to less than this workload, the request for teleworking should be declined.

13.2 This minimum threshold is necessary to ensure that expenses related to the hardware installation are 'recuperated', which may not be possible within the short-term. Other teleworking arrangements are possible on an ad hoc basis in order to accommodate temporary cases of teleworking such as project-based telework as specified in Section 5 of this Policy.

- 13.3 Jobs that require employee's ongoing physical presence and jobs which require face-to-face contact with the public and or other staff members are not suitable for telework.
- 13.4 Security and/or confidentiality issues and requirements of access to material that cannot be moved from the office environment will prevent the job from being accomplished at an alternative workplace.
- 13.5 Jobs that are suitable for teleworking must have the following minimum characteristics:
- require mostly thinking and writing rather than acting;
 - heavy on information/data processing;
 - are clearly defined;
 - have clear objectives and measurable outputs; and
 - have minimal requirements for supervision.
- 13.6 Few examples of jobs that can be potentially performed through telework include data inputters, computer programmers and other employees whose job consists mainly of desk-based research.
- 13.7 In cases where jobs only meet some parts of the criteria, the Director may consider that the specific part of the job which completely satisfies the criteria may be carried out through telework.

Employee Suitability

In order for an employee to conduct telework successfully, the employee must possess all of the following traits and skills:

- 13.8 **Ability to work independently and without constant supervision**
Employees engaged in telework are not working in the immediate proximity of their superiors and are less likely to benefit from face-to-face and prompt advice, clarifications and supervision. Teleworkers should therefore, exercise sufficient independence when performing their work in locations other than the normal office environment.
- 13.9 **Competence in time management skills**
Time management skills are key to achieving set goals in a timely manner and to attaining a reasonable balance between work and life commitments without compromising work productivity. Thus, teleworkers who have consistently proved to have poor time management skills are not suitable for telework.
- 13.10 **Ability to work on own initiative**
The voluntary adoption of telework should motivate employees to work on their own initiative with minimum supervision. A teleworker is expected to think proactively and suggest new work methodologies, which shall lead to an improvement in the overall performance of his/her teleworking experience. Such innovative ideas or initiatives, if effective, should be reflected in the Performance Appraisal System, and where applicable, disseminated as an example of 'good practice' to other teleworkers.

13.11 **ICT Literate**

The employee must possess sufficient ICT literacy to conduct teleworking effectively. As a minimum, a teleworker should be able to use basic office applications, Internet and e-mail.

13.12 **Track record of past performance to meet deadlines and deliverables**

Employees on a teleworking arrangement should ideally have a proven track record of good performance and sustained productivity. The employee must not have received any suspension or demotion due to misconduct or poor performance within the two (2) years prior to the start of telework.

13.13 **Core Categories**

For the purpose of these guidelines, jobs that are deemed suitable for telework are categorised in two broad groups:

Work of support functions based on contact times

Workers in this category normally carry out supporting roles in office environments including customer care, filing of documents, photocopying, visual scanning of newspapers, making basic use of computer applications and keeping records. Therefore, whilst the suitability of a job for telework remains situation-specific, it is safe to assume that many workers in this category perform a mixture of tasks, of which only a portion can be effectively performed as telework. Furthermore, in any given working day, an employee is likely to perform multiple jobs, some of which are teleworkable whereas others are not. This occurs because no particular task is probably substantial enough to require a whole working day. Hence, a reorganization of tasks may be required to allow individuals to provide this supporting role through telework. Normally the productivity of these employees can be measured in quantitative terms.

Knowledge-based work on deliverables

Workers in this category have deliverables that generally require more thinking and writing and are rather heavy on information, analysis and interpretation of data. Such workers are likely to be in the professional and managerial grades and may include architects, accountants, IT specialists and project managers amongst other professionals. The completion of some projects will require the inputs of other employees hence effective voice and other types of communication are of particular importance for workers in this category. Security issues related to the accessibility of sensitive information should also be taken into consideration. These workers, most often, have pre-defined deliverables.

14.0 **Applying For Telework**

Employees who wish to apply for telework are to complete Appendix 13 as specified in the Application Procedure as detailed in Section 3.2 of this Manual.

All applications are to be submitted in terms of the timeframes established in Directive 8.1.

In order to accept an application from an employee to telework, it is essential that the required work assignments can be achieved with limited guidance and are of the same quality as when the employee is working within the office environment. Each request is evaluated on a case-by-case basis on the criteria laid down in the application form.

15.0 Temporary Change In The Agreed Working Schedule

Should the need arise for ad hoc changes to the agreed working schedule in the application for telework, for example due to meetings where the employee is expected to be present, a notice of two (2) working days should be given to the teleworker prior to the meeting.

16.0 Teleworking Agreement

A teleworking agreement is valid for a period of twelve (12) months which may be renewed yearly. In cases when employees find the telework arrangements unsatisfactory, these are to be given the possibility to opt out from such an agreement.

17.0 Conclusion

This policy is directly in line with Government policy to encourage work-life balance measures. A sustained effort to facilitate the take-up of such arrangements, while ensuring that the Department/Entity's output and timeliness are maintained, is strongly encouraged.

Appendix 13.

APPLICATION FOR TELEWORK

Attention all applicants – Any false statement, misrepresentation or concealment of material fact on this form or any document presented in support of this application may constitute grounds for disciplinary action.

Once endorsed by all parties, this Application constitutes the teleworking agreement between the employee and employer as indicated in the Teleworking Terms & Conditions listed in this Application.

Date of request: _____

(applications should be made at least two (2) months in advance)

SECTION 1: APPLICANT’S DETAILS <i>(to be completed by the applicant)</i>	
Name:	ID Card No.:
Surname:	Home/Mob:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

Period of Telework being requested: from _____ to _____
Reason for request: _____
<i>(Reason for request is not mandatory, however, it is recommended that a reason is stated as this will assist management in making an informed decision).</i>
Document(s) supporting request enclosed with application: YES <input type="checkbox"/> NO <input type="checkbox"/>
I accept the Terms & Conditions as stipulated in Section 6 YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION 2: JOB AND EMPLOYEE SUITABILITY <i>(to be completed by the Director/Head of Department)</i>		
Job’s Suitability*	YES	NO
Employee can perform duties without a high degree of interaction with clients		
Employee can perform duties without a high degree of interaction with colleagues		
Employee can perform duties without need to access secure files or documents that cannot be removed from the workplace		
Duties can be performed at a remote location		
Duties can be split up into different tasks, some of which can be performed remotely and collectively amount to a minimum of two days of teleworking per week		

Employee's Suitability*	YES	NO
Employee has successfully completed his/her respective probationary period		
Employee is able to work without constant supervision		
Employee is able to work on own initiative		
Employee is competent in time management skills		
Employee is ICT literate		
Employee is reliable with respect to security of data		
Employee has a proven track record of past performance with proven ability to meet deadlines and deliverables		

*One negative marking makes this application unsuccessful.

SECTION 3: AGREED ARRANGEMENTS (between Director/Head of Department and Applicant)

Winter Work Schedule: 1 October - 15 June

(specify the working schedule indicating the start/end time and breaks)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Office						
Telework						

Summer Work Schedule same as Winter Work Schedule.
(If yes, there is no need to fill in the Summer Work Schedule below).

YES NO

Total no. of hours at the Office: _____

Total no. of hours being teleworked: _____

Total no. of weekly hours (grand total): _____

Summer Work Schedule: 16 June - 30 September

(specify the working schedule indicating the start/end time and breaks)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Office						
Telework						

Total no. of hours at the Office: _____

Total no. of hours being teleworked: _____

Total no. of weekly hours (grand total): _____

FUNCTIONS TO BE PERFORMED: *(List all the tasks that are to be performed remotely from the office)*

LOCATION DETAILS:

(Please specify the address from where you will be e-working and where you need the e-work facilities installed)

SECTION 4: IT REQUIREMENTS

Hardware

(Tick the one applicable)

At work, do you use a desktop or a laptop? Desktop Laptop

Software

(Please list specific software / services / applications you need access to)

I need access to the standard Office Automation software only.

In addition to the standard Office Automation software, I need access to the following:

Connectivity Requirements

(Tick the one applicable)

Tier 1: Internet, E-mail

Tier 2: Internet, E-mail, VPN

Tier 3: VPN

SECTION 5: ENDORSEMENTS

Employee

Full Name: Signature: Date:

Director/Head of Department

Full Name: Signature: Date:

Recommended Not Recommended

Director responsible for People Management

Full Name: Signature: Date:

Recommended Not Recommended

Permanent Secretary

Full Name: Signature: Date:

Approved Effective Date:
From date requested by the applicant
From / /

Not Approved *(if not approved please provide reason)*

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

SECTION 6: TELEWORKING TERMS & CONDITIONS

The Terms & Conditions listed hereunder apply to employees hereinafter referred to as “teleworker” who are entering into a teleworking arrangement with their employing Ministry/Entity.

Prospective teleworking applicants should read all terms & conditions before filling in the Application for Telework which constitutes of the teleworking agreement between the employee and employer.

1. Teleworking arrangements are subject to renewal every 12 months.
2. The terms of telework are based on the policy principles outlined in the “Teleworking Policy in Public Administration” and the “Guidelines on the Implementation of Teleworking by Public Employees” which documents have been made available to the employee who confirms understanding thereof.
3. Teleworking is based on a voluntary agreement between the employee and the employing Ministry/Entity.
4. Termination of the teleworking agreement can be instigated at any time by either party by giving thirty (30) working days’ notice in writing. The teleworker’s failure to meet the agreed standards and workload entails immediate termination of telework.
5. The employee must be contactable by phone during normal office hours and available at their place of telework during the agreed core hours.
6. In the event that the telephone number provided by the teleworker where s/he can be contacted during normal office hours becomes unavailable or if the telephone number is changed, the employee is obliged to inform the employer as soon as possible and in any event by not later than one (1) working day from the number becoming unavailable or being changed.
7. The teleworker is subject to the same working conditions in terms of responsibilities, liabilities, policies, employment conditions and all other legislation, regulations, determinations and code of conduct, etc. that are applicable at the central workplace. The employee and Director/Manager are to agree in advance on the deliverables as happens with employees working at base.
8. The teleworker will still be considered as a regular employee, and shall be eligible to participate in all activities and enjoy the same benefits as any other employee not on teleworking. In the same manner a teleworker will still be bound by the policies, rules and regulations of the employer and is liable to these in the same manner as any other employee.
9. The employer shall ensure that initial installation of equipment, which shall be of such safety standards as are applicable if the equipment were to be installed at an “on-site” workplace, shall be carried out in such a manner as to ensure safe operation. Given the nature of the equipment and the area in which it shall be operated, due consideration being given to family and social factors in the said area. The teleworker is properly instructed in the safe use of the equipment.

10. The employer may carry out periodic, pre-announced visits to the workplace to examine the equipment and workplace and shall direct modifications or repairs as may be required to the workstation. This shall be at the expense of the teleworker, including modification to the placement or positioning of the equipment, subject to the teleworker's consent thereto. In the event that the teleworker does not consent to visits or modification or repair, the employer shall have no liability whatsoever in the event of injury or incapacity caused by the equipment or the work-process occurring since installation or the last visit performed as the case may be. The employer shall at his complete discretion be entitled to terminate the teleworking arrangement in the event that circumstances so require.
11. The employee should attend compulsory training session/s provided by the Government on the design of effective and risk-free workstations. Following the successful completion of this training the employee is required to conduct a risk assessment of the workstation, from where s/he is intended to perform telework.
12. All equipment provided by the employer shall remain the property of the employer and the teleworker is bound by all policies and regulations related to such matters as applied in the central workplace. Any security arrangements for equipment and assets and all procedures for securing the confidentiality, protection of information and intellectual property therein are to be in accordance with organisational policy or practice. If a policy is not in place it is the teleworker's responsibility to take such measures as would be taken in a non-teleworking environment, including the physical securing of equipment and assets, to protect the interests of the employer.
13. The teleworker is bound by regulations governing use of ICT in Government. All relevant policies are to be observed irrespective of where the teleworker is working and whether the equipment being used for teleworking has been provided by the employer or is the employee's own.
14. The equipment used for teleworking will be used according to standards and security measures conformant to Government policies and recommendations, and may be subject to keystroke or call listening/recording. By entering into a teleworking agreement, the employee is consenting to all reasonable methods of surveillance by the employer to ensure the proper performance by the employee of the duties of employment.
15. It is to be ensured that work deliverables are monitored and it is the responsibility of the teleworker to adhere to all the reporting mechanisms which may be laid down by the employer.
16. The employer is responsible for the provision and maintenance of equipment if this is deemed necessary. An agreed list of equipment is to be attached to the telework application and signed by the employee and the Director/Manager. Any changes to this list shall be made in writing and signed by both parties.
17. The teleworker is responsible to take reasonable care of all equipment provided and should periodically examine it to ensure that the equipment remains functional and safe to him/her and other family members or visitors. The teleworker shall not make any modification to the equipment other than with the consent and under the supervision of the employer. Furthermore the employee is liable for any damage caused due to negligence on his or her part.

18. In order to ensure work continuity, whenever any equipment requires repairs, the teleworker should accept any temporary arrangement provided by the Director. This arrangement shall remain in force until such time as the equipment's functionality is fully restored.
19. Teleworking arrangements are subject to review every 3 months during the six-month trial period. Reviews will then be reduced to every six months for the remaining teleworking period.
20. The location, type of work, results measurements, contact and working arrangements are to be agreed to between the employee and the Director/Manager. The employer/Director through the respective Director responsible for People Management, should endorse any other proposed changes to the conditions of employment. In case of disagreement, the changes should be endorsed by the respective Permanent Secretary. These arrangements should be documented, signed by both the employer and the teleworker and attached to the telework application. Any changes to these arrangements should be agreed to and signed by both parties. A copy of the telework application is to be kept by the employee and another copy inserted in the employee's personal file.

Appendix 14.

MODIFICATION FORM

(To be used during the effective period of the Telework Agreement)

Date of request: _____

(applications should be made at least one (1) month in advance)

SECTION 1: APPLICANT'S DETAILS <i>(to be completed by the applicant)</i>	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	
Home/Mob:	

Request:

I am hereby requesting modifications to my Telework Agreement effective from

___ / ___ / _____ up to ___ / ___ / _____ for the current remaining effective period

under the same Terms & Conditions as the original agreement.

Reason for requesting modifications:

(Reason for requesting modifications is not mandatory, however it is recommended that a reason is stated as this will assist management in making an informed decision).

Document(s) supporting request enclosed with application: YES NO

(Please specify the modifications requested by filling only the relevant fields below. Please cross out where not applicable).

SECTION 2: AGREED ARRANGEMENTS *(between Director/Head of Department and Applicant)*

Winter Work Schedule: 1 October – 15 June

(specify the working schedule indicating the start/end time and breaks)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Office						
Telework						

Summer Work Schedule same as Winter Work Schedule.
(If yes, there is no need to fill in the Summer Work Schedule below).

YES NO

Total no. of hours at the Office: _____

Total no. of hours being teleworked: _____

Total no. of weekly hours (grand total): _____

Summer Work Schedule: 16 June – 30 September

(specify the working schedule indicating the start/end time and breaks)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Office						
Telework						

Total no. of hours at the Office: _____

Total no. of hours being teleworked: _____

Total no. of weekly hours (grand total): _____

FUNCTIONS TO BE PERFORMED: *(List all the tasks that are to be performed remotely from the office)*

These Tasks Supersede The Previously Agreed Tasks

These Tasks Are Additional To The Previously Agreed Tasks

LOCATION DETAILS:

(Please specify the address from where you will be e-working and where you need the e-work facilities installed)

SECTION 3: IT REQUIREMENTS

Hardware

(Tick the one applicable)

At work, do you use a desktop or a laptop? Desktop Laptop

Software

(Please list specific software / services / applications you need access to)

I need access to the standard Office Automation software only.

In addition to the standard Office Automation software, I need access to the following:

Connectivity Requirements

(Tick the one applicable)

Tier 1: Internet, E-mail

Tier 2: Internet, E-mail, VPN

Tier 3: VPN

SECTION 4: ENDORSEMENTS

Employee

Full Name:

Signature:

Date:

Director/Head of Department

Full Name:

Signature:

Date:

Recommended

Not Recommended

Director responsible for People Management

Full Name:

Signature:

Date:

Recommended

Not Recommended

Permanent Secretary

Full Name:

Signature:

Date:

Approved

Not Approved

(if not approved please provide reason)

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 15.

RENEWAL OF TELEWORK AGREEMENT

Date of request: _____

(applications should be made at least two (2) months in advance)

SECTION 1: APPLICANT'S DETAILS <i>(to be completed by the applicant)</i>	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	
Home/Mob:	

Request:

I am hereby requesting a renewal of the Telework Agreement originally effective from

___ / ___ / _____ (first telework agreement) and last renewed on

___ / ___ / _____ (Mark with a '-' if not applicable) for a period of one year with

effect from ___ / ___ / _____.

Reason for request:

(Reason for request is not mandatory, however it is recommended that a reason is stated as this will assist management in making an informed decision).

Document(s) supporting request enclosed with application: YES NO

Telework Agreement Renewal requested under the same Terms & Conditions

Telework Agreement Renewal with modifications

(If the Telework Renewal is requested with modifications, please specify the modifications requested by filling only the relevant fields overleaf. Please cross out where not applicable).

SECTION 2: AGREED ARRANGEMENTS *(between Director/Head of Department and Applicant)*

Winter Work Schedule: 1 October – 15 June

(specify the working schedule indicating the start/end time and breaks)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Office						
Telework						

Summer Work Schedule same as Winter Work Schedule. YES NO
(If yes, there is no need to fill in the Summer Work Schedule below).

Total no. of hours at the Office: _____

Total no. of hours being teleworked: _____

Total no. of weekly hours (grand total): _____

Summer Work Schedule: 16 June – 30 September

(specify the working schedule indicating the start/end time and breaks)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Office						
Telework						

Total no. of hours at the Office: _____

Total no. of hours being teleworked: _____

Total no. of weekly hours (grand total): _____

FUNCTIONS TO BE PERFORMED: *(List all the tasks that are to be performed remotely from the office)*

These Tasks Supersede The Previously Agreed Tasks

These Tasks Are Additional To The Previously Agreed Tasks

LOCATION DETAILS:

(Please specify the address from where you will be e-working and where you need the e-work facilities installed)

SECTION 3: IT REQUIREMENTS

Hardware

(Tick the one applicable)

At work, do you use a desktop or a laptop? Desktop Laptop

Software

(Please list specific software / services / applications you need access to)

I need access to the standard Office Automation software only.

In addition to the standard Office Automation software, I need access to the following:

Connectivity Requirements

(Tick the one applicable)

Tier 1: Internet, E-mail

Tier 2: Internet, E-mail, VPN

Tier 3: VPN

SECTION 4: ENDORSEMENTS

Employee

Full Name:

Signature:

Date:

Director/Head of Department

Full Name:

Signature:

Date:

Recommended

Not Recommended

Director responsible for People Management

Full Name:

Signature:

Date:

Recommended

Not Recommended

Permanent Secretary

Full Name:

Signature:

Date:

Approved

Not Approved

(if not approved please provide reason)

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 16.

APPLICATION FOR FLEXI-TIME

Attention all applicants - Any false statement, misrepresentation or concealment of material fact on this form or any document presented in support of this application may constitute grounds for disciplinary action.

Date of request: _____

(applications should be made at least one (1) month in advance)

SECTION 1: APPLICANT'S DETAILS	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	
Home/Mob:	

Period of Flexi-Time being requested: From _____ to _____
Reason for request: _____ <i>(Reason for request is not mandatory, however, it is recommended that a reason is stated as this will assist management in making an informed decision).</i>
Document(s) supporting request enclosed with application: YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION 2: WORK SCHEDULE					
Winter Work Schedule: 1 October - 15 June					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Summer Work Schedule same as Winter Work Schedule. <i>(If yes, there is no need to fill in the Summer Work Schedule below).</i>				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Summer Work Schedule: 16 June - 30 September					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

SECTION 3: ENDORSEMENTS

Approved

Not Approved *(if not approved please provide reason)*

Employee

Full Name:

Signature:

Date:

Director/Head of Department

Full Name:

Signature:

Date:

Director/Head of Department's endorsement is the effective date of agreement.

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.

Appendix 17.

RENEWAL OF FLEXI-TIME

N.B. This form is to be filled in only by those employees who will be renewing their Flexi-Time Work Schedule under the same terms and conditions.

If the proposed Flexi-Time Work Schedule differs from the existing work schedule please fill in the Application for Flexi-Time (Vide Appendix 16).

Date of request: _____

(applications should be made at least one (1) month in advance)

SECTION 1: APPLICANT'S DETAILS <i>(to be completed by the applicant)</i>	
Name:	ID Card No.:
Surname:	Office Tel:
Ministry/Entity:	
Department/ Directorate:	
Grade/Position	
E-mail:	

Request:

I am hereby requesting a renewal of the Flexi-Time Work Schedule, for a period of one year

with effect from ___ / ___ / _____

Reason for request:

(Reason for request is not mandatory, however, it is recommended that a reason is stated as this will assist management in making an informed decision).

Document(s) supporting request enclosed with application:

YES

NO

SECTION 2: ENDORSEMENTS

Approved *(flexi-time work schedule renewed under the same terms and conditions)*

Not Approved *(if not approved please provide reason)*

Employee

Full Name:

Signature:

Date:

Director/Head of Department

Full Name:

Signature:

Date:

The information supplied in this application form shall be used exclusively by the employing Ministry for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.



OFFICE OF THE PRINCIPAL PERMANENT SECRETARY
OFFICE OF THE PRIME MINISTER