



Independent State of Papua New Guinea

GENERAL ORDER NO. 11

EMPLOYMENT OF NON-CITIZENS

Being a General Order, to effect the policies of the National Executive Council on the employment contracts of non-citizens in the Public Service. This General Order covers the terms and conditions of employment of non-citizens, and training and localisation in the Public Service.

Made under the:-

Public Services (Management) Act 1995 (as amended)

I, **John M Kali OBE**, Departmental Head of the Department of Personnel Management, by virtue of the powers conferred by Section 70 of the *Public Services (Management) Act 1995*, and all other powers me enabling, hereby issue General Order No 11 as part of the Fourth Edition of General Orders effective on and from 1st January 2012 and to remain in force until further notice.

JOHN M KALI OBE
Secretary

GENERAL ORDER NO. 11

EMPLOYMENT OF NON-CITIZENS

TABLE OF CONTENTS

<u>Subject Matter</u>	<u>Section</u>
General Policy Objectives	11.1 - 11.6
A. General	
General Conditions for Employment of Non-Citizens	11.7 - 11.10
Training and Localisation	11.11 - 11.16
B. General Orders Applicable to Non-Citizen Officers	11.17 - 11.18
C. Recruitment of Non-Citizen Contract Officers	
Approval to Recruit Non-Citizens	11.19 - 11.20
Recruitment & Selection Procedures	11.21 - 11.30
D. Performance Appraisal	11.31 - 11.34
E. Promotion and Transfers of Non-Citizen Employees	11.35 - 11.40
F. Terms & Conditions of Employment – Non Citizen	11.41 - 11.49
Authorisation of Dependants	11.50 - 11.53
Point of Origin	11.54 - 11.57
Disciplinary Procedures	11.58
Nomination of Beneficiary	11.59
Effective Date of Contract	11.60 - 11.61
Termination of Contract on Medical Grounds	11.62 - 11.65
Higher Duties Allowance	11.66
Payment of Termination Benefits	11.67
G. Contract Renewal/Extension	11.68 - 11.71
H. Employment of Non-Citizen Spouses	11.72
I. Recruitment of Non-Citizen Volunteers	11.73 - 11.75
J. Non – Citizen Contract Officers in the Teaching Service	11.76 - 11.78
K. Non – Citizen Contract Officers Employed in Other Public Authorities	11.79 - 11.80
Catalogue of Non-Citizen Contract Documents	Schedule 11.1
Overseas Advertising Format	Form NCE11.1
Allowances and Expenses	Schedule 11.2
Approval to Apply for Transfer/Promotion	Form NCE11.2

GENERAL ORDER NO. 11**EMPLOYMENT OF NON-CITIZENS****GENERAL POLICY OBJECTIVES**

- 11.1 This General Order covers the employment policy for all categories of non-citizens employed by the Papua New Guinea Government, under the provisions of the *Public Employment (Non-Citizen) Act*. This General Order applies in the Public Service, the Teaching Service, other State Services and where so determined by the Act, in other public authorities.
- 11.2 The Secretary, Department of Personnel Management has sole discretion over decisions to employ or not to employ non-citizens under the *Public Employment (Non-Citizen) Act*, and there is no provision in the Act to devolve these powers.
- 11.3 All Non-Citizen officers shall be employed on fixed period contracts executed by the Secretary, Department of Personnel Management for a minimum of 1 year and maximum of 3 years duration..
- 11.4 The Major Categories of Non-Citizen Contracts are as follows:
- (a) **Breadwinner Contract:**
 - Accompanied Status
 - Unaccompanied Status
 - (b) **Dependant Contract:**
 - Overseas Recruit
 - Local Recruit
 - (c) **Volunteer Workers:**
- 11.5 The definitions of and eligibility for different contract types, are stated in the terms and conditions of employment of each contract. A list of contract documentation approved by the Secretary, Department of Personnel Management, for use by Departments is shown in Schedule 11.1.
- 11.6 This General Order is divided into 11 sections:
- A. General
 - B. General Orders Applicable to Non-Citizen Employees
 - C. Recruitment of Non-Citizen Contract Employees
 - D. Performance Appraisal
 - E. Promotion/Transfer of Non-Citizen Employees
 - F. Terms and Conditions of Employment - Non-Citizens
 - G. Contract Renewal/Extension

- H. Employment of Non-Citizen Volunteers
- I. Recruitment of Non-Citizen Volunteers
- J. Non – citizen contract officers in the Teaching Service
- K. Non – citizen contract officers employed in other Public Authorities

A. **GENERAL**

General Conditions for Employment of Non-Citizens

- 11.7 The Papua New Guinea Government employs non-citizens to provide specialist technical and managerial skills. All such employment is on the basis of a fixed term contract of employment, and the Department of Personnel Management is responsible for entering into contracts on behalf of the State in accordance with the *Public Employment (Non-Citizen) Act*.
- 11.8 **The most basic pre-requisite for the employment of a non-citizen is that no suitably qualified and experienced Papua New Guinean is available to fill the vacant position.** The requirement to establish this before initiating overseas recruitment is part of the Selection process for appointing non-citizens detailed later in this General Order.
- 11.9 **Under no circumstances shall a non-citizen be recruited to a vacant position if a suitably qualified Papua New Guinean is available either from within or outside the Public Service.** Also, a non-citizen shall not be recruited to a position unless that position cannot be localised within a reasonable period of time, or unless the job is of a temporary nature. This should be an important consideration for Departments in the design and preparation of new projects and activities.
- 11.10 The *Public Employment (Non-Citizen) Act* is silent on the age of retirement of non-citizens and the compulsory retirement age of 60 years for citizens does not automatically apply to non-citizens. Therefore, provided that a non-citizen satisfies the requirements of the Act and remains fit and able to meet the job requirements, the Secretary, Department of Personnel Management may, in the interest of the State, recruit or retain the services of a non-citizen beyond the age of 60 years in his or her sole discretion.

Training and Localisation

- 11.11 Training of Papua New Guinean staff by non-citizen officers is a priority in the Public Service. The most important objective of this training is to achieve localisation without loss of efficiency.
- 11.12 All non-citizen contract officers have a responsibility to train national officers. This requirement is specifically stated in all non-citizen contracts of employment.
- 11.13 Departmental Heads also have a responsibility to provide proper training and localisation plans, to ensure that non-citizen contract officers undertake effective training and that Papua New Guinean officers take full advantage of on and off the job training which is provided.

- 11.14 Effective localisation requires significant commitment from non-citizen contract officers and from each Departmental Head. Detailed training and localisation programmes must be implemented and training will be monitored by the Department of Personnel Management.
- 11.15 Renewal of individual contracts shall be assessed by the Secretary, Department of Personnel Management in relation to the effectiveness of training and localisation programmes. **Where it is established that no training or development has been undertaken, contract renewal will not be approved.**
- 11.16 The cost of employing non-citizen officers is sometimes fully or partly met by an external development partner. Such arrangements are preferable from a budgetary viewpoint, providing that the recruitment itself is necessary, and the Secretary, Department of Personnel Management will consider whether or not development partner funding provides a reasonable alternative.

B. GENERAL ORDERS APPLICABLE TO NON-CITIZEN OFFICERS

- 11.17 The following General Orders apply to non-citizen contract of employment:

G.O. 13.14 to 13.17	Basic Conditions for Salary Determination
G.O. 13.23	Payment of Higher Duties Allowance
G.O. 13.56 to 13.57	Normal Hours of Duty
G.O. 13.58 to 13.59	Duties Outside of Normal Hours
G.O. 13.87 to 13.94	Duty Related Allowances
G.O. 13.95 to 13.107	Travel Allowances
G.O. 13.108 to 13.120	Miscellaneous Allowances

- 11.18 Other General Orders may be added to this list as determined by the Secretary, Department of Personnel Management from time to time. With the above listed General Order, the term "Officer" shall be deemed to include the term "Employee" as referred to in the Non-Citizen Contracts of Employment under the General Order.

C. RECRUITMENT OF NON-CITIZEN CONTRACT OFFICERS

Approval to Recruit Non-Citizens

- 11.19 If a position is vacant and funded, then advertisement and selection may proceed. The Departmental Head must ensure that non-citizen staffing ceilings are not exceeded.

Advertising Overseas

- 11.20 All vacant funded positions should be first advertised within Papua New Guinea. However, if a Departmental Head can produce evidence that no qualified Papua New Guinean is available, then he/she can seek approval from Secretary, Department of Personnel Management, to advertise overseas. Departments shall prepare an advertisement for placing overseas using **Form NCE11.1** and select the most appropriate journals/press for advertisement.

Recruitment and Selection Procedures

- 11.21 Departments will be responsible for meeting all advertising costs and arranging for placement of advertisements, following approval by the Department of Personnel Management. Applications should be sent to the Department where the vacancy exists (this should be specified in the advertisement).
- 11.22 In order to appoint a non-citizen contract officer through the proper selection procedures, there are a number of steps which a Department must follow. Failure to follow the correct procedures may result in delays or in certain cases, may render a selection decision invalid. Each of the major steps is summarised in **Diagram 1**, attached.
- 11.23 The quorum for the Selection Committee shall be three members, including the Chairperson and the Departmental Head (or Deputy Secretary) and the HR Manager, and members of the Selection Committee are not, while acting as such, subject to direction or control by any person or authority. Before taking up their selection duties, the members of the Committee shall take the Oath of Office on Form RS3.3 in General Order 3.
- 11.24 The Department where the vacancy exists will be responsible for administering the process. And the Selection Committee will receive and acknowledge applications and prepare a list of applicants. The Selection Committee will prepare a shortlist of candidates for interviewing using appropriate selection criteria, and shall inform applicants that they are to be interviewed and reject unsuccessful applicants.
- 11.25 The Department will be responsible for appointing a suitable representative to interview the shortlisted candidates. The Department will be responsible for paying all interview costs, including all associated costs of travel and office hire. The representative chosen should be the HR Manager or other senior officer from the Department with appropriate technical and managerial skills to be able to properly evaluate shortlisted applicants.
- 11.26 Guidelines for the conduct of interviews are detailed in General Order 3. It should be noted that at the interview stage, under no circumstances should the interviewer make any commitment to the applicant on behalf of the State. Following the interview, the Departmental representative will be responsible for preparing interview reports for each of the interviewed applicants and for forwarding these reports to the Selection Committee for their consideration
- Note that all foreigners entering Papua New Guinea to work must provide a Police Clearance from their home countries, and from countries in which they have worked previously.**
- 11.27 The Selection Committee will then consider all shortlisted candidates and make conditional offer(s) indicating the requirement for the successful applicant(s) to obtain a full medical report before a final offer can be made. Each applicant will be responsible for obtaining a medical report and sending it to the Selection Committee concerned.

- 11.28 The Selection Committee will approach the Department of Foreign Affairs for required character checks, and each applicant shall provide a Police Report verifying that they are free from convictions. Having received these reports the Selection Committee will make a recommendation to the Secretary, Department of Personnel Management to recruit the said applicant for the issue of a contract of employment.
- 11.29 The Secretary, Department of Personnel Management, on approving the recommendation, shall notify the migration office and offer the contract to the successful applicant. If the applicant accepts the offer, the applicant will sign the contract, and obtain the necessary entry visa to work for the government.
- 11.30 The employing Department or Department of Personnel Management (where appropriate) shall be responsible for the following expenses for recruitment:
- (a) Airfares for the most direct and economical route to Papua New Guinea,
 - (b) Medical Report,
 - (c) Entry Visa(s),
 - (d) Shipping of Personal Effects as specified in Schedule 11.2,
 - (e) Overnight accommodation reimbursement for unavoidable stop over. Rates are in Schedule 11.2,
 - (f) Shipment of Professional Items such as tools, textbooks, etc., up to a maximum of half a cubic meter in size, and
 - (g) Initial hotel accommodation expenses as specified in the contract of employment.

D. PERFORMANCE APPRAISAL

- 11.31 All Non-Citizen contract officers shall be appraised as outlined in General Order 6, so that in the event that the Head of Department wishes to renew the Officer's contract in the same or any other position, then justification shall be supported with the Performance Appraisal Reports completed during the preceding contract period.
- 11.32 The Departmental Head shall pay particular attention to the role of the Officer in fulfilling responsibilities under the training and localisation programme for the Department. The Officer's ability to transfer skills and knowledge to National officers is of critical importance, and it is not sufficient for the Officer to perform the "hands-on" duties of the role only.
- 11.33 The Secretary, Department of Personnel Management, may request that the Officer to attend an assessment interview to be conducted by a Department of Personnel Management Assessor/Inspector in order to verify the Department's Performance Appraisal Reports, and to assess the effectiveness of training and localisation efforts.
- 11.34 Non-citizen officers are not however subject to salary increases based upon performance. They are engaged initially at Grade Mid-Point salary and remain for the contract duration on the assumption that they are performing at a Competent and experienced rate from date of engagement.

E. PROMOTION AND TRANSFERS OF NON-CITIZEN EMPLOYEES

- 11.35 It is not the policy of Government to promote and transfer non-citizen contract officers during the currency of a contract, other than in the interest of the State, and therefore subject to the latter paragraphs of this General Order.
- 11.36 In accordance with General Orders 5 and General Order 6, each Department shall have a Training and Localisation Plan. As stated in this General Orders, contract officers may be appointed only in the absence of a suitably qualified and experienced Papua New Guinean officer. In order to fill a position with a non-citizen, the Department shall have fulfilled all steps required under General Orders 5 and General Order 6.
- 11.37 Therefore only in so far as promotion or transfer of the contract officer can be demonstrated by the employing Department to clearly aid more effective training and more speedy and efficient localisation, then consideration can be given to such a course of action.
- 11.38 The Secretary, Department of Personnel Management, shall in his/her sole discretion determine whether or not a contract officer may be included in the Selection process during the currency of his contract by the employing Department. A copy of the Selection Certificate authorised by the Secretary, Department of Personnel Management, (Form NCE11.2) must be signed by the Secretary, Department of Personnel Management, and provided to the Selection Committee.
- 11.39 In the event that approval is given by the Secretary, Department of Personnel Management, only then may the contract officer be included by the Departmental Head in the Selection Process.
- 11.40 Promotion and transfer of non-citizens is conducted solely at the discretion of the State (the Departmental Head, and Secretary, Department of Personnel Management) and that in accordance with the Contract Terms and Conditions, the contract officer is not free to participate in the Selection process of General Order 3 and shall not of his/her own accord apply for positions which are advertised in the Government Gazette. Variation to an officer's Employment Agreement is solely at the discretion of the State.

F. TERMS AND CONDITIONS OF EMPLOYMENT - NON-CITIZENS

- 11.41 The terms and conditions of employment of non-citizens including salary, International Market Allowance (IMA), entitlements, disciplinary provisions etc, are determined and regulated by:
- a) The ***Public Employment (Non-Citizens) Act***; and
 - b) The General Orders; and
 - c) The Non-Citizen's Contract of Employment.

Any queries relating to terms and conditions of employment of non-citizens shall be directed to the Secretary, Department of Personnel Management.

11.42 Throughout all contracts for non-citizens the "Head of Department" is the Head of the Department in which the Employee holds his/her position as stated in the Employment Agreement.

Salary Administration and International Market Allowance (IMA)

11.43 A range of Salary Points exists for a given job designation/classification/grade in Schedule 13.1. **However the Mid-Point Salary Point shown in the range shall be used to determine the Base Salary and International Market Allowance applicable to contract officers.**

11.44 The International Market Allowance is an allowance which is paid in addition to the Single Line (Base) Salary determined by the Salary Grade applying to the position held, in order to attract suitably qualified personnel from overseas.

11.45 In the event that it becomes necessary to establish "Special IMA" for a particular occupational category, then the "Special IMA" may be applied to all contract officers in service in that occupational category at the sole discretion of the Secretary, Department of Personnel Management.

11.46 In general, the International market Allowance will be the minimum additional amount over and above Single Line (Base) Salary required to attract non-citizens from the major overseas recruitment markets as assessed by the Secretary, Department of Personnel Management.

11.47 All Non-Citizen Contracts of Employment indicate separately the Single Line (Base) Salary and International Market Allowance to arrive at the Employee's Total Salary. A Department experiencing difficulty in recruiting suitably qualified overseas personnel may make a submission to the Secretary, Department of Personnel Management, to review the level of IMA with a request to increase the level of IMA as appropriate.

11.48 In the submission, a Department will need to provide evidence that salary levels are a major cause of the difficulties being experienced in recruitment. The submission should include the following information as part of its justification:

- a) **Previous Advertisement Copy**
Recent advertisements (with dates) in the major recruitment countries.
- b) **Previous Advertisement Response**
Total numbers of applicants responding to previous advertisements and reasons for applicants unsuitability. Number of provisional offers made, and the numbers accepting/declining offers with reasons if known.
- c) **International Salary Levels**
Information concerning salary levels for comparable jobs in the main overseas recruitment markets, particularly the United Kingdom, Australia and New Zealand, and the Indian Sub-Continent.

Copies of advertisements from overseas journals/newspapers and the results of enquiries made of overseas employers including other Governments.

- d) **Consideration of Alternatives**
Whether or not alternatives to contract officer employment have been considered including approaches to development partners for technical assistance.
- e) **Training Programme**
Any plans for transferring skills to national officers.
- f) **Financial Implications**
The financial implications of awarding the increase in IMA and the number of non-citizens affected.
- g) **Recommendation**
Clear recommendation of IMA level required.
- h) **Departmental Head's signature**
The submission shall be signed by the Departmental Head.

11.49 The Secretary, Department of Personnel Management will consider the application and notify the Department of its decision.

Authorisation of Dependants

11.50 For the purpose of providing benefits in respect of an Officer's dependants, authorisation may be granted by the Secretary, Department of Personnel Management, solely in accordance with this General Order. Such dependants shall be known as Authorised Dependants, who shall be limited solely to the following categories of dependants:

- (a) A spouse (one only shall be authorised); and
- (b) A natural or legally adopted child of the Officer, aged 18 years or below who shall be wholly dependent upon the Officer.

11.51 The Officer shall provide prior satisfactory documentary evidence to the Secretary, Department of Personnel Management, to establish:

- (a) date, place and custom of marriage in respect of a spouse; and
- (b) identity and birth date of each natural child; and
- (c) full legal custody of each child claimed as an adopted child.

11.52 Each child shall be wholly dependent upon the Officer as determined under the Taxation laws of Papua New Guinea. At recruitment, the employing Department through the selection process shall take all measures to limit the number of Authorised Dependants over and above a spouse and two children, at recruitment only, as an exception to this General Order.

11.53 Authorised Dependants shall be resident in Papua New Guinea, and for this purpose, children who meet the criteria in paragraph 11.51 and are schooling overseas shall be considered as resident provided that the Officer's spouse (where relevant) is also resident in Papua New Guinea. In the event that a person classed as an Authorised Dependant resides outside of Papua New Guinea for a period greater than three months and/or a dependent child turns 19 years of age during the currency of the contract, then that person shall cease to be classed as an Authorised Dependant.

Point of Origin

11.54 The country and town/city to which the State is required to repatriate the Officer upon termination of employment shall be known as the Point of Origin which shall be determined in accordance with this General Order, solely by the Secretary, Department of Personnel Management.

11.55 The Point of Origin shall be determined at the time of recruitment, and shall be the main airport in the province or region closest to the Officer's normal abode as determined by the Secretary, Department of Personnel Management. The Officer's normal abode shall be the place of residence in the country in which the Officer has citizenship, or in the country from which the Officer was recruited, as determined by the Secretary, Department of Personnel Management.

11.56 The Point of Origin shall remain unchanged throughout the period of the Officer's employment, unless and in the event only that the Officer requests a change of Point of Origin to a place with lower cost of return airfares as approved by the Secretary, Department of Personnel Management.

11.57 Should the Officer be recruited from within Papua New Guinea, then the Point of Origin shall be a place within the Officer's country of citizenship as defined in paragraph 11.54 or a place with lower cost return airfares, as requested by the Officer.

Disciplinary Procedure

11.58 All disciplinary matters affecting the Officer shall be resolved through the following procedures:

- a) where the Officer is alleged to have committed an offence under Section 18 of the Terms and Conditions of Employment, the Departmental Head shall formally charge the Officer in writing, with the offence allegedly committed;
- b) the Officer shall formally respond to the charge in writing to the Departmental Head within seven days of the charge being laid;
- c) the Departmental Head shall submit a copy of the charge, the Officer's formal response, any other relevant evidence, together with recommended action to the Secretary, Department of Personnel Management; and the decision of the Secretary, Department of Personnel Management shall be final.

- d) In the event that the Departmental Head fails to fulfill his/her obligations under this Section, then the Secretary, Department of Personnel Management may lay charges against the Officer and conclude the disciplinary proceedings in the manner described.

Nomination of Beneficiary

- 11.59 The State may need to identify the Officer's nominated beneficiary, or next of kin, in the event of the Officer's death in service. This will speed up the payment of termination benefits.

The Officer is required to inform the Secretary, Department of Personnel Management in writing the details of nominated beneficiaries and keep these details up to date for the duration of the contract period.

Effective Date of Contract

- 11.60 The initial contract offer shall be made by the Secretary, Department of Personnel Management, and a signed employment agreement and terms and conditions will be forwarded to the prospective officer for his acceptance. **The effective date of contract will be determined at such time as the officer reports for work in Papua New Guinea in accordance with General Order 11.61, and the initial contract shall have no force or effect until such time as the officer arrives in Papua New Guinea, and reports to a designated official of the State.**
- 11.61 The effective date of contract shall be the date on which the officer departed from his/her country of recruitment or Point of Origin, provided that:
- (a) the officer travels by the most direct route in accordance with instructions from the employing Department; and
 - (b) the maximum allowed time shall not exceed three days in duration.

Termination of Contract on Medical Grounds

- 11.62 A contract officer's services may be terminated on medical grounds, if a Departmental Head believes, after receiving advice, that the officer can no longer continue to effectively carry out duties in the Public Service because of mental or physical illness or disability.
- 11.63 The Departmental Head shall report to the Secretary, Department of Personnel Management an officer who is unable to perform duties due to an apparent longer term mental or physical illness or disability and the contract officer shall submit to a medical examination by a registered medical practitioner nominated by the State.
- 11.64 The Secretary, Department of Personnel Management, shall nominate three registered medical practitioner (public or private) to provide a medical opinion as to whether the officer is likely to recover sufficiently from illness or disability to allow him/her to continue to work in the Public Service.

- 11.65 A decision to terminate the contract shall be made at the sole discretion of the Secretary, Department of Personnel Management and termination will be effected in accordance with the officer's Contract Terms and Conditions.

Higher Duties Allowance

- 11.66 This General Order shall be read in conjunction with General Order 13, which together determines the payment of Higher Duties Allowance for non-citizen contract officers.

Higher Duties Allowance will count as salary as defined under the Terms and Conditions in the calculation of Contract Gratuity, but will not count as Salary for the purpose of calculating Recreation leave pay, Sick pay, or any payment made in lieu of notice.

Payment of Termination Benefits - Final Clearance Certificate

- 11.67 At such time as employment under the contract is terminated, termination benefits that may be due to the Employee shall be paid only upon final clearance . The final clearance as issued by the Department of Personnel Management from time to time, shall be signed off by a nominee of the Head of the Employing Department.

G. CONTRACT RENEWAL/EXTENSION

- 11.68 The rules governing contract renewal are determined by the Secretary, Department of Personnel Management in accordance with the *Public Employment (Non-Citizen) Act*, as outlined in Non-Citizen Contracts of Employment and this General Order. In particular General Orders relating to Selection of Papua New Guinea officers, (advertising in country) to performance appraisal and to training and localisation shall be fulfilled to the satisfaction of the Secretary Department of Personnel Management.

- 11.69 The period of employment under a contract may be extended by recommendation of the head of the employing agency and by mutual agreement between the Officer and the Secretary, Department of Personnel Management for such further period and upon such terms and conditions as may be agreed.

- 11.70 The Secretary, Department of Personnel Management, shall notify the Employee in writing at least 3 months prior to the expiry of the contract of the State's intention regarding extension or renewal of contract.

- 11.71 The Employee shall notify the Secretary, Department of Personnel Management in writing of his/her intention with regard to extension or renewal of the Contract, within 1 month of receiving the offer made by the State.

H. EMPLOYMENT OF NON-CITIZEN SPOUSES

- 11.72 A spouse of a contract officer, the latter being employed by the State or another employer, has been classified as a Dependant, and may-be employed on contract on approval by the Secretary,

Department of Personnel Management, as follows:

Dependant - Overseas Recruit:

Recruited from outside Papua New Guinea together with a spouse because of special skills required to fill vacancies which are not close to localisation: *Overseas Dependant Terms and Conditions of Employment*.

Dependant - Local Recruit:

Recruited from within Papua New Guinea, because of special skills required to fill vacancies which are not close to localisation. Maximum contract duration, one year only: *Papua New Guinea terms and conditions of employment*.

I. RECRUITMENT OF NON-CITIZEN VOLUNTEERS

- 11.73 A number of overseas based volunteer organisations are recognised by the Government to provide non-citizen volunteers for specific technical purposes. Departments must first obtain approval to recruit a volunteer from the Secretary, Department of Personnel Management.
- 11.74 In the event that a Department wishes to recruit a volunteer identified from a particular volunteer agency, a recommendation shall be made to the Secretary, Department of Personnel Management. The submission shall provide details of the vacancy concerned and the required length of contract (this will normally be 2 years). Should the standard volunteer contract of employment not be appropriate, the Department should seek appropriate variations from the Secretary, Department of Personnel Management.
- 11.75 In the event that the Secretary, Department of Personnel Management approves the Department's recommendation, the Department of Personnel Management will prepare a contract (in standard format) to be issued to the volunteer concerned, and the volunteer will be responsible for signing the contract and arranging his/her personal affairs before arriving in Papua New Guinea.

J. APPLICATION OF GENERAL ORDER 11 TO NON-CITIZEN CONTRACT OFFICERS IN THE TEACHING SERVICE

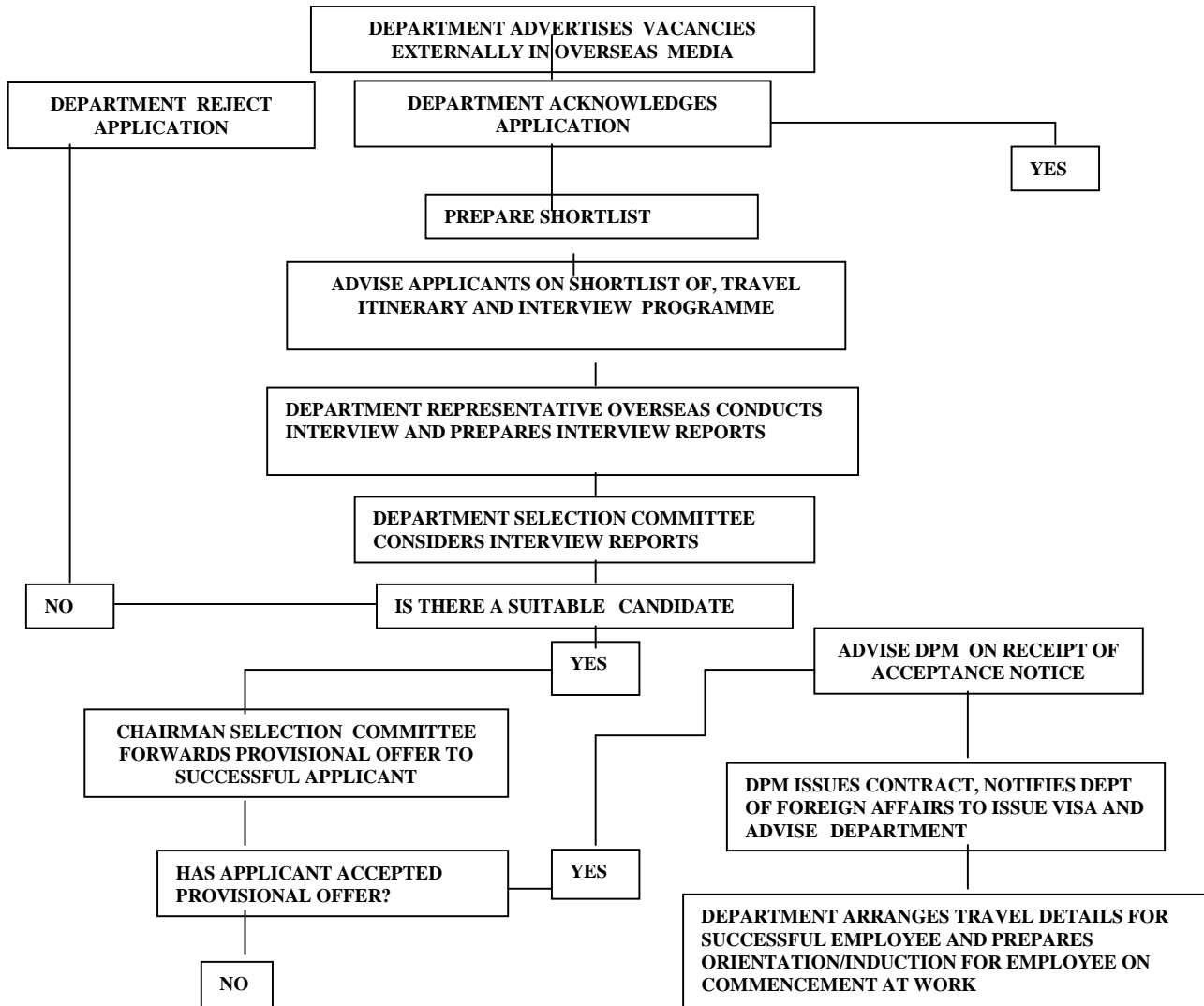
- 11.76 Contract officers in the Teaching Service are employed under the *Public Employment (Non-Citizens) Act*, whilst being subject to the policy and direction of the Teaching Service Commission under the Teaching Service Act and the *Teaching Service (Auxiliary Members) Act*, and by the respective Education Boards throughout the country.
- 11.77 The provisions of General Order 11 shall apply, and from time to time, following consultation with the Secretary, Department of Personnel Management, the Teaching Service Commission shall issue General Orders under the *Teaching Service (Auxiliary Members) Act* which shall apply to non-citizen contract officers in the Teaching Service, in addition to these General Orders herein.
- 11.78 Teaching Service Regulations in respect of discipline, and penalties for breaches of the Regulations and General Orders shall apply in addition to the Contract Terms and Conditions listed herein.

K. APPLICATION OF GENERAL ORDER 11 TO NON-CITIZEN CONTRACT OFFICERS EMPLOYED IN OTHER PUBLIC AUTHORITIES

- 11.79 Contract Officers in other State Services and other Public Authorities, employed under the *Public Employment (Non-Citizen) Act* will be subject to General Order 11 by resolution of the governing body as determined under the legislation setting up the Public Authority.
- 11.80 Variations or additions to General Order 11 for application to non-citizen contract officers employed by a State Service or Public Authority shall be made following consultation with the Secretary, Department of Personnel Management, and approval of the *Salaries & Conditions Monitoring Committee*.

Diagram 1

RECRUITMENT AND SELECTION PROCEDURES FOR NON-CITIZENS



CATALOGUE OF EXPATRIATE CONTRACT DOCUMENTS**STANDARD TERMS AND CONDITIONS**

Breadwinner	-	Accompanied
Breadwinner	-	Unaccompanied
Dependant	-	Local Recruit
Dependant	-	Overseas Recruit

STANDARD EMPLOYMENT AGREEMENTS

Breadwinner	-	Accompanied
Breadwinner	-	Unaccompanied
Dependant	-	Local Recruit
Dependant	-	Overseas Recruit

OVERSEAS ADVERTISEMENT FORMAT

Designation: _____

Department: _____

Duties: _____

Requirement to Train: _____

Length of Contract: _____

Accompanied or Unaccompanied Status: _____

Average Annual Approximate Cash Value of the Contact K_____ p.a.
(After Tax including Base Salary, International Market Allowance and Gratuities).

In addition:-

- Rent Free Accommodation
- 6 weeks annual fares
- Mid-contract leave fares
- Education Subsidies
- Recruitment and repatriation fares

Exchange Rate:

(a) Current: K_____ (Australia/NZ/UK, etc)

(b) Average last three years K_____ (Australia/NZ/UK, etc)

Details of net contract value and exchange rates must be obtained from Department of Personnel Management.

SCHEDULE OF ALLOWANCE AND EXPENSES

1. SHIPPING OF PERSONAL EFFECTS:

Solely for the purpose of reimbursing a proportion of the cost of shipping personal effects to and from Papua New Guinea, at Recruitment and Repatriation, the following allowances will be payable:-

<u>Country of Recruitment</u>	<u>Single</u>	<u>Accompanied</u>
Canada } New Zealand } India/Sri-Lanka } United Kingdom } United States }	K2,000	K4,000
Australia } Philippines } Hong Kong } Singapore }	K1,500	K3,000

In addition, K250 for each dependent child accompanying the employee at recruitment and repatriation. The allowance will be paid as a reimbursement for expenses incurred in packing, shipping or excess baggage charges.

2. SHIPMENT OF PROFESSIONAL EQUIPMENT

Shipment of tools, text books, and instruments required for normal performance of professional technical, or trade duties will be reimbursed to a maximum volume of half cubic metre, or cost of K1,500 whichever is the less, provided that approval has been given by the employing Department in advance of shipment and the items are not available in the employing Department.

3. RECRUITMENT EXPENSES - EN-ROUTE ENFORCED STOPOVER

Provided that the employee (and where appropriate authorised dependants) travel in accordance with instructions, from the Department of Personnel Management, reasonable hotel accommodation expenses incurred by the Employee as a result of enforced stop-overs may be claimed on production of receipts subject to approval by the Secretary, Department of Personnel Management.

4. MEALS SUBSISTENCE ALLOWANCE - ARRIVAL IN PAPUA NEW GUINEA.

If on arrival in Papua New Guinea, an employee (and where appropriate authorised dependants) are accommodated in a hotel whilst awaiting suitable housing, the State will pay for hotel room charges, and in addition, the maximum daily allowance for meals as follows:

Employee	-	K180	Spouse	-	K180
Child	-	K100.			

Any charges incurred by the employee for meals over and above this amount and any other charges will be to the employee's account.

5. SHIPMENT ALLOWANCES FOR RECRUITMENT/TRANSFER WITHIN PAPUA NEW GUINEA.

Where movement of personal effects from previous to a new work location is necessary, the employing Department shall pay for road and/or sea freight costs of up to 2 cubic metres for an employee on unaccompanied status, and up to 5 cubic metres for an employee on accompanied status

**APPROVAL FOR NON-CITIZEN CONTRACT OFFICER TO
BE INCLUDED IN SELECTION AND APPOINTMENT PROCEDURE**

To the Chairperson Selection Committee

Department
of: _____

In accordance with General Order 11.38.

I wish to have _____ considered by a Selection Committee for appointment to the following position:-

Department: _____

Job Title: _____

Position
Number: _____

I certify that to my certain knowledge:-

- (a) the position has been advertised, and there is no suitably qualified and experienced Papua New Guinean who can adequately perform the job;
- (b) the process of training and localisation would be supported by the appointment of the contract officer; and
- (c) arrangements are being made to understudy the position.

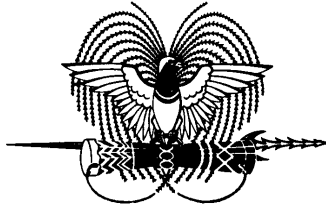
Signed: _____ Date: _____

HEAD OF DEPARTMENT AUTHORISATION

In accordance with the undertakings given above, and General Order 11, I hereby authorise, _____ a non-citizen contract officer to be included in the Selection process for the above stated position.

Signed: _____ Date: _____

SECRETARY - DEPARTMENT OF PERSONNEL MANAGEMENT



Independent State of Papua New Guinea

**NATIONAL PUBLIC SERVICE
GENERAL ORDERS**

**RECOMMENDATION TO THE SECRETARY, MR JOHN M KALI OBE, TO APPROVE
GENERAL ORDER NO. 11 OF 1ST JANUARY 2012**

EMPLOYMENT OF NON-CITIZENS

To: Secretary

Date: 08 March 2012

We, the under-signed, confirm that **General Order No. 11 of 1st January 2012**, hereto attached, has been drafted in accordance with Government policies and the appropriate Sections of the *Public Services (Management) Act*, and the **Regulations** and reflects:

- (a) all policy changes made by the National Executive Council in the period 1st June 2002 to 31st December 2011;
- (b) all changes to the *Organic Law on Provincial & Local Level Governments* and the *Public Services (Management) Act 1995*, to effect implementation of the Provincial and Local Level Government Reforms; and,
- (c) all other changes to the *Public Services (Management) Act 1995*, which have been brought into force since 1st June 2002.

On behalf of the Executive Management Team, we recommend that the Secretary authorise this General Order for publication and distribution to line Departments and Agencies.

AGNES FRIDAY
Executive Manager, HRAS

ISIKEL MESULAM
Director, Legal & Investigations

RAVU VERENAGI
Deputy Secretary, Policy

RAVU VAGI
Deputy Secretary, Operations