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OF THE COUNCIL OF THE AMHARA NATIONAL REGIONAL STATE
IN THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

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The Amhara National Regional State City Administrations and Municipalities Manpower Administration Determination, Council of the Regional Government Regulation.

REGULATION NO. 25/2005
A Council of Regional Government Regulation Issued to Determine the Manpower Administration of the City Administrations and Municipalities of the Amhara National Regional State.

Whereas, the revised proclamation No 91/2003 has been issued, in the Amhara National Regional State, to provide for the re-establishment, re-organization as well as the definition of powers and duties of urban centers;
Whereas, it has been found appropriate to enable those cities qualified to take over local self-government to have a favorable and legal manpower administration framework so that they could put in place good governance and a democratic system in which the resident public may directly participate thereof;

Whereas, it has, on the other hand, been found necessary to design and implement a manpower administrative system which may enable those municipalities and emerging cities that are not capable of taking over full local self-government in order to carry out the responsibilities bestowed upon them by the proclamation;

Whereas, the proclamation stipulates that the principles, on which the manpower administrative law is established, ought to be formulated on the basis of labour and the Regional Civil Service Laws;

Whereas, it is believed- that this manpower administration on determining regulation with regard to cities and municipalities should have a manpower system as to consist of the force known for its efficiency and speed as well as rectifiable according to the circumstances, sustainable, armed with transparency, participatory and result-oriented;

Whereas, a sufficient level of awareness has been maintained that the manpower system should be organized in such away as to enable the cities and municipalities to attract efficient and diligent employees, retain same with their duties, motivate them for a better performance and decide their future destiny as well as ensure respect for thire rights and obligation thereof;
PART ONE

GENERAL

This Regulation may be cited as The Amhara National Regional State Cities Administration Council Staff Regulation in accordance with the powers and duties prescribed in Regulation No. 9.2/2003.

1. Short Title

Now, therefore, the Council of the Amhara National Regional Government, in accordance with the powers and duties vested in it, under the provisions of Art. 58 sub-art. 7 of the revised Regional Constitution and Art. 53 of the Staff Regulations, 9/1/1996, issues this Regulation as follows:

Whereas, it has been found necessary to establish the manpower administration system for the Amhara National Regional State Cities Administration Council to enable the cities and municipalities to carry out the duties and responsibilities vested upon them by the Staff Regulations and to ensure that the principle of "equal pay for equal work" is observed, to that effect,

Whereas, it is believed that any payment of salary and benefits should be based on the job placement and the consequent results and competences of the employees and municipalities should be based on the performance thereof;

Whereas, it is believed that any payment of salary and benefits should be based on the job placement and the consequent results and competences of the employees and municipalities should be based on the performance thereof.
and Municipalities Manpower Administration Determination, Council of the Regional Government regulation No. 25/2004."

2. Definitions

Unless the context otherwise requires, in this regulation:


2. "Mayor's Committee" means the body established under art 21 sub art 1 of the proclamation.

3. "City Services' Manager" means the body referred to under art. (24) sub-art. (1) of the proclamation.

4. "Municipality Manager" means the body referred to under art. (35) sub-art. (1) of the proclamation.

5. "Emerging Towns" means those towns referred to under art (43) sub-art. (1) of the proclamation.


7. "Employee" means any natural person who, pursuant to this regulation, has a permanent or temporary employment relationship with a city administration, municipality or emerging towns.

8. "Employment Injury" means an injury sustained while on duty or disease that is caused due to work as it is defined under arts. 97 and 98 of the labour Proclamation.
9. "Mayor" means a representative of city dwellers elected and designated by the city council as such, pursuant to the provisions of art. (11) sub art. (2) (b) of the proclamation.

10. "Council" means a city council established as such, pursuant to art. 10, sub-art. 1 of the proclamation.

11. "City-focussed Laws" means those Laws referring to local ordinances and directives that a city council may issue by virtue of the powers vested in it under the provision of art. (11) sub-art. (2) (a) of the proclamation.

12. "Municipal City Council" means the body referred to under art. (32), sub art. (1) of the proclamation.

3. Scope of Application

1. This regulation shall apply to employment relations emanating from contracts of employment concluded by and between the cities of the National Regional State and their staff thereof.

2. Notwithstanding the provision of sub-art. (1) of this article hereof, the regulation may not be applicable to such persons as are specified herebelow:
   a. judges of city affairs, court;
   b. members of city police;
   c. The city council's speaker, deputy speaker, mayor and members of the mayoral committee;
4. Organizational Structure

1. The city council and the mayoral committee shall, according to the order of priority of their naming, have the power to establish the executive bodies of the city administration as well as examine and decide on the drafts of their organizational structure.

2. The organizational structures and possible job titles that the executive bodies work out and submit shall be determined by the mayoral committee taking into account the assumptions specified herebelow:

a. the purpose as well as powers and functions of the city administration or municipality along with the relevance attached to same with the view to classifying such functions and organize them in type;

b. the extent of the splendid service expected of the city administration or municipality and the amount of resource it has to invest thereof;
c. the need attached to the working system which is fast, effective and compatible with the circumstances; and

d. the special character of tasks which the city administration or the municipality may have.

5. Assignment

1. Each city administration or municipal city shall assign job titles with work division and grades, taking into account the assumptions specified herebelow:

   a. the activities which the institution carries out and the type of service it renders, the difficulty and complexity of the work as well as multiplicity of divisions of work and the amount of responsibility thereof.

   b. educational qualification, working experience, knowledge and skills which the job may require.

2. A job may be re-classified where:

   a. the first assignment is found incorrect;

   b. new circumstances make the re-classification of the work obligatory.

3. It is prohibited to recruit, promote, transfer or demote an employee on a job title which is not previously classified.
PART THREE

SALARY, ALLOWANCE AND
OTHER BENEFITS

6. Salary Scale

1. Each city administration or municipal town shall, on the basis of the initial study undertaken and the proposal put forward by the Bureau determine the salary scale of its executive bodies and municipal employees. Such salary scale shall be founded on the principle that "Job titles having equal significance shall have starting salaries of equal value."

2. The salary scale of officials and employees shall, pursuant to this regulation, be prepared taking into account the following assumptions:

a. Attractiveness and hence competitiveness in an effort to recruit, retain and motivate a competent management and staff;

b. The overall capacity and financial position of the city administration or municipal town concerned.

3. The salary scale may have a starting salary determined for each position of work as well as the steps indicating increments to be made each and every time.

4. City administrations and municipalities shall have the right to submit a request to the Council of the Regional Government through the Bureau to benefit from a reform.
of an effective salary scale at least once in five years duly and other circumstances pertaining thereto.

5. City administrations and municipalities shall participate in the study to be carried out by the Bureau in accordance with sub-art. 1 of this article hereof.

7. Time of Payment

1. Each city administration or municipal town shall pay salary to its employees at the end of every month.

2. There may be regulated by an executive directive that some employees assigned to certain job titles be provided with their salaries within the period shorter than a month.

8. Salary Increments

1. The employees of city administrations and municipalities may be able to obtain salary increments on periodic terms pursuant to a directive to be issued for the execution of this regulation. Each city administration or municipality shall decide by itself the amount of increments hereof.

2. The amount of salary increments to be made in favor of the employees may vary depending on the performance evaluation results pertaining to each employee. The performance of employees shall, for the purpose of salary increments, have such steps as "satisfactory," "high" and "quite high."

3. The provision of sub-art 1 of this article
hereof, may not apply to those employees who haven't obtained satisfactory performance evaluation results.

9. Withholding and Deducting Salary

1. The salary of any city administration or municipal employee may not be withheld or deducted except where:
   a. the employee himself has consented to that effect;
   b. there is a court order; or
   c. provisions of law warrant the action.

2. The sum total of monthly deductions from the salary of an employee to be made pursuant to sub-art 1 (a-c) of this article hereof may not exceed one-third of the said salary.

10. Allowance and Benefits

1. Where each city council is convinced that it is of necessity to motivate the staff with the view to having its duties performed in an effective and efficient manner, it may, in particular, legislate, considering its financial position, various allowances, incentives and benefits to be paid for the employees, with a city oriented law or directive; provided, however, that such decision shall be effected after it has been approved by the Council of the Regional Government upon its submission by the Bureau.

2. The city council or a body so designated by it shall, pursuant to this regulation, cause the undertaking of a study which enables one to identify job titles and conditions of work
entailing payment of allowances and benefits, and it may, whenever necessary, consult the Bureau on such matters, as well.

PART FOUR
RECRUITMENT

11. Filling of Vacancies

1. It may be possible to fill the vacancies available in any city administration or municipal town by transfer, promotion or recruitment.

2. Filling of vacancies either by transfer or promotion may be accomplished by means of a competition to be carried out among its executive bodies, where the vacant employment position has been created in a city administration; and among the municipalities, where such a vacancy has been created within the string of municipalities embraced in one woreda administration.

3. Where the vacancy has to be filled through recruitment, it shall be conducted in an official notice as well as a competition, as the case may be favorable.

4. An employee may be assigned to a vacant position only where it is proved that he has the necessary skills required for the post; provided, however, that, where the competitors who fulfill such a requirement are more than one, the person having better skills, as compared to others, shall be
selected.

5. Notwithstanding the provisions of sub-art 4 of this article hereof, persons with disabilities who have obtained the least passing point among the competitors may be given priority to be selected for recruitment.

6. Despite the fact that no person has shown up having fulfilled the necessary skills among the competitors, the mayoral committee or the municipal town may, where circumstances make the recruitment of an employee obligatory, allow the recruitment of such an employee who is found to have been better than the other competitors.

12. Vacancy Notice and Examination For Recruitment

1. City administrations or municipalities shall, whenever they have vacancies to be occupied by new employees, invite applicants by issuing notice.

2. The city council may determine by a directive the ways on how to post vacancy notices, prepare and administer exams as well as announce results of same thereto.

13. Incapacity for Recruitment

1. The following are, pursuant to this regulation, in capable of being recruited as employees of city administrations or municipalities:
   a. a person below the age of 18 years;
14. Proofs of Medication and Innocence from Crime

A person who is able to have registered the highest score among the competitors and passed the examination thereof shall produce a medical certificate indicating that he is fit for the job title as well as police evidence affirming his innocence from those criminal offences stated under art. 13 sub-art. 1 (b) of this regulation hereof.

15. Recruitment Salary

A new employee recruited pursuant to this regulation shall be entitled to a payment of the starting salary determined for the job as per the salary scale indicated under art. (6) hereinabove, provided, however, that, under compelling circumstances, and where it is believed that the duty demands a special profession, but impossible to easily find a professional, the mayor may, depending on the proposal of the city manager, allow a payment of salary which might be greater than the starting salary so as to
obtain the required efficient and competitive employee.

16. Probation Period

1. Unless the head of any sectoral office within the organization of a city administration, the manager of city services or municipal town officially decides to have such a period reduced up to three months with due consideration of each and every separate case is point, any new employee shall have a six-months' probation period.

2. Without prejudice to the provisions of sub art. (1) of this article hereof, the reduction of a probation period up to one month might be possible only where the employee has served for not less than two years in the profession he has been recruited for and when it is proved that he is efficient in the profession during his three months performance.

3. The probation period may be extended for another three additional months' time where it has been found necessary to further monitor and observe the performance of an employee or other circumstances warranting the extension of such period are created thereof.

4. The employee may be presumed to have successfully accomplished his probation period, had he not suffered from a special measure taken against him within the specified period of time; provided, however, that the head of such an employee failing to carry out the desired evaluation shall be liable to that effect.
5. An employee who is on probation may not have the right to be entitled to the benefits available for those employees who have completed such period.

6. An employee who is on probation may resign without prior notice. A city administration or municipality may as well terminate such an employment relation without prior notice.

17. Permanent Employment

1. The body or official competent thereto pursuant to the relevant law or administrative directive, shall supply the employee with a letter of recruitment upon successful completion of his probation period.

2. The letter of recruitment shall indicate the title of the job, the effective date of the recruitment, the nature of the job, the accountability of the employee and the amount of his salary. A job description manual shall also be rendered to the employee together with the recruitment letter.

18. Temporary Employment

1. Where the nature of the work is related to the normal duties and there by requires additional manpower if it is to be completed within a short space of time, it may be possible to recruit an employee for a limited while.

2. Temporary employment may not be exercised within the city administrations and municipalities for a period, longer than two...
years; provided, however, that such a period may be extended for one additional year.

3. The manager of city services or the municipal management may prescribe by a directive those activities readily-available for occupation by temporary employment.

PART FIVE
RANK PROMOTION

19. Objective
The main objective of promotion to be made from a lower grade to the higher one is to improve the efficiency of a city administration or municipality.

20. Transparency of the Rank Promotion Award Procedure
1. The rank promotion award applicable to the employees of city administrations and municipalities shall be conducted on the basis of transparent competition and selection procedures.
2. Any employee may be eligible for promotion where he has the ability required by the new job title and managed to prove his competence by an outstanding performance.
3. Where there are more than one competitors, the provision of art. (11) sub-art. (4) of this regulation shall apply having due regard to the circumstances.
4. The city administration or municipality may establish a committee consisting of representatives of the management and the
employees vested with the powers to advise the managing head as regards recruitment and promotional affairs as well as conduct activities of prior selection therewith.

5. Details shall be stated in a directive to be issued by the mayoral committee or city council, as deemed appropriate.

PART SIX
TRANSFER

21. Execution of Internal Transfer

1. Any city administration or municipality may, whenever circumstances so require it, transfer any employee from a position he holds to another position of equal or similar grade and salary or from one place of work to another place of work or institution under its supervision.

2. Where more than one employees apply for a transfer, the selection shall be decided on the basis of competition. In such an instance, the average performance result of the employee and his possible suitability for the vacant position shall be the main criteria of the selection hereof.

3. Where circumstances compel such an action, it may be possible to transfer a permanent employee and thereby assign him to work in a higher position with a payment of an acting allowance, for a period not exceeding one year; provided, however, that the manager of the city services or the
municipality shall facilitate conditions in which the vacancy is to be filled by permanent employee prior to the expiry of the said fiscal year.

22. Transfer Between City Administrations or Municipalities

Transfer of employees to be made between city administrations or municipalities shall be carried out through bilateral arrangements between the two parties taking into account the respective interests of the transferees.

23. External Transfer

Matters relating to manpower transfer to be carried out among city administrations or municipalities and other government offices shall be determined by a directive to be issued on the basis of this regulation.

PART SEVEN
PERFORMANCE EVALUATION

24. Objective and Principles

1. The objective of performance evaluation is to enable the activities of the city administration or municipal staff become effective, efficient and service-oriented.

2. The performance of employees shall be evaluated on the basis of work goals and implementation stages formulated by the management of the city administration or municipality. The employees shall have full
participation in the preparation of these work goals and implementation stages thereof.

3. The activities of the evaluation shall be carried out in a transparent manner. Employees and their immediate superiors shall discuss the evaluation results. Such discussions shall focus on the identification of the strong and weak sides of the employees as well as ways of improving their performance in the future.

4. Employees shall have the right to be informed of their performance evaluation results.

5. Other particulars concerning the performance evaluation shall, according to the circumstances, be stipulated by internal directives of the mayoral committee or the manager of the municipal town.

25. Evaluation Period

The performance evaluation of each city administration or municipal employee shall be conducted by his immediate superior, every six months.

26. The right to submit complaints

Any employee, who claims to have been evaluated in a wrong way and is dissatisfied to that effect, shall have the right to submit a complaint to the senior official in charge of his immediate superior. Details shall be stated by a directive to be issued for the execution of this regulation.
PART EIGHT
WORKING HOURS AND
OVERTIME WORK

27. Normal Working Hours
The normal working hours of an employee shall, taking into account the special nature of the sector, be determined by the city administration or municipal town; provided, however, that the total working time in a week may not exceed 39 hours.

28. Overtime Work
1. All duties shall be performed during normal working hours; provided, however, that the mayoral committee or the manager of the municipality may, with sufficient justification, decide cases of overtime work.

2. Where overtime work is introduced with sufficient justification, the employee may be compelled to accomplish such duties as are assigned to him; provided, however, that the working time may not exceed 2 hours a day, 20 hours a month and 80 hours a year.

3. Unless determined otherwise due to compelling reasons, a compensatory leave shall be rendered to an employee who has engaged himself in overtime work.

4. Where an overtime pay is to be effected for work done in excess of normal working hours, the amount of such pay shall be determined by a directive to be issued by the mayoral committee or municipal town council; provided, however, that the amount may not exceed one and half times of the regular pay.
29. Public Holidays

1. The salary of any city administration or municipal employee may not be deducted as a result of his not doing work on public holidays or any other days that are officially declared "day offs".

2. An employee, who may have been instructed to work on public holidays due to compelling reasons, shall be entitled to compensatory leave thereof; provided, however, that the mayor of the city, city-related services' or municipal manager may decide on an overtime pay, instead of the compensatory leave, with sufficient justifications.

PART NINE
LEAVES

30. Annual Leave

1. The purpose of annual leave is to enable an employee find leisure and thereby resume work with a renewed energy.

2. Any employee may not have the right to be granted annual leave before having rendered service for one year in a city administration or municipality; provided, however, that, where the service of an employee who has completed his probation period is terminated before one year, such an employee shall be entitled to an annual leave pay commensurate with the time of service rendered thereof.
31. Duration of Annual Leave

1. Any employee shall be entitled to an annual leave of 20 working days for the first year of service he has rendered.

2. An employee, having rendered service for more than one year, shall be entitled to an additional leave of one working day for every additional year of service; provided, however, that the maximum duration of the said annual leave may not exceed 30 working days.

32. Granting of Annual Leave

1. Annual leave shall be granted for an employee within the limit of a fiscal year in accordance with the plan prepared by the city administration or municipality having due regard to its own interests and the needs of its employees respectively.

2. Annual leave may be divided and granted
33. Transfer of Annual Leave

1. The managing head of the city administration or municipality may, with sufficient cause, authorize the postponement of an employee's annual leave for three consecutive fiscal years.

2. Where the annual leave has been transferred pursuant to sub-art. 1 of this article hereof, the city administration or the municipality shall facilitate the suitable time of taking same in future.

3. Where the managing head of the city administration or municipality decides with sufficient cause, an employee who is on annual leave may be made to terminate such leave and show up for work; provided, however, that a favorable condition shall, in such an incidence, be created so as to enable him to enjoy in future the unused time of leave, as may be necessary.

4. Where the contract of employment is lawfully terminated, any annual leave, not taken by the employee, shall be substituted for cash and be paid to him accordingly.

5. Any employee, whose annual leave has been postponed for three consecutive fiscal years pursuant to this regulation, may be able to claim for a payment in cash in lieu of said
34. Maternity Leave

1. A pregnant employee of city administration or municipality shall be entitled to
   a. paid leave for medical examination in accordance with doctor’s recommendation;
   b. paid leave before delivery if recommended by a doctor.

2. A pregnant employee shall be entitled to a period of 30 consecutive days of maternity leave before delivery and 60 consecutive days of maternity leave after delivery with pay.

3. Where a pregnant employee of a city administration or municipality delivers before the 30 days period has elapsed, the post-natal leave shall commence.

4. Where the pregnant employee does not deliver within the 30 days maternity leave which was already taken, she may be provided with an additional leave until delivery upon the recommendation of a doctor.

5. Without prejudice to the provisions stipulated hereinabove, the city administration or municipality shall ensure that the working condition of pregnant women remains convenient and favorable to their safety. Consequently, it is prohibited to make a pregnant employee engage in work from 10
p.m in the evening up to 6 a.m in the morning, participate in overtime work or get dismissed from work prior to having reached four months as from the time of her delivery.

35. **Sick Leave**

1. Any employee of the city administration or municipality shall be entitled to a sick leave where he is unable to perform his duties due to sickness.

2. The maximum duration of the sick leave may not, in any case, exceed eight months in one year or twelve months in four years' time, having been calculated starting from the first day of the employee's sickness.

3. The sick leave to be granted pursuant to sub arts. 1 and 2 of this article hereof shall be as follows:
   
   a. for the first three months, with full pay;
   
   b. for the next three months, with half a pay;
   
   c. for the two months remaining, with no pay.

4. Where any employee is absent from work due to sickness, he shall have the obligations to
   
   a. report his illness to the city administration or municipality as quickly as possible unless prevented by reasons beyond his capacity; and
   
   b. produce a medical certificate to that effect, if his absence has been continued for three or more consecutive days or six months in one fiscal year.
36. **Sick Leave to be Granted for Temporary Employees**

Sick leave so demanded by any temporary employee shall be granted in accordance with the terms of the employment contract pertaining thereto.

37. **Marital Leave**

Any employee of the city administration or municipality shall be entitled to three days leave with pay for the conclusion of his marriage.

38. **Mourning Leave**

1. Any employee of the city administration or municipality shall be entitled to a mourning leave for 3 consecutive days in an event of the death of his spouse, child, parents or any other first degree relative by consanguinity or affinity.

2. Any employee of the city administration or municipality may be entitled to mourning leave for not more than five days in one fiscal year in case he has encountered grief due to the death of his close relatives other than those specified under sub-art.1 of this article hereof.

39. **Special Leave with Pay**

Any employee of the city administration or municipality shall be entitled to special leave with pay where:

1. he has been summoned by a court or any other competent organ, for the period of time required thereof.
he had to participate in the national, regional or local elections, for the time so taken by the said participation;

3. he had to participate in educational and training programs, having recourse to a detailed implementation directive to be issued in the future with regard to such leaves.

40. Special Leave without Pay

Any employee of the city administration or municipality may be entitled to special leave without pay where he has applied for same on convincing grounds; provided, however, that the interest of the employer is not to be jeopardized as a consequence.

41. Medical Services

1. Every permanent employee of the city administration or municipality shall have the right to obtain medical services free of charge from the medical institution with which the employer had made an agreement for the purpose such medical services may, pursuant to the provisions of a future directive appropriate thereto, include the coverage of an expense incurred to purchase drugs or substitute artificial limbs.

2. The city administrations and municipalities throughout the regional state may, in cooperation with one another, establish a medical fund in pool with the view to covering the medical expense of their permanent employees.

3. Every permanent employee of the city administration or municipality shall make a
contribution for such a medical fund. The amount of contribution shall be determined by the directive establishing the fund perse.

4. The coverage of the medical benefits may be stipulated with the view to extending its applicability to the members of the employee's family.

5. The kind of medical benefits to be available for the use of temporary employees shall be identified and determined within the contract of employment signed by and between the city administration or municipality and the employees thereof.

6. The existing rules and working procedures governing the provision of medical benefits shall remain in force until such time that the medical fund comes into being.

PART TEN

SAFETY AND HEALTH IN WORK-PLACE

42. Principle

1. Every city administration or municipality shall have the responsibility to take measures with the view to safeguarding its employees from employment injuries in accordance with law.

2. Every city administration or municipality shall have the responsibility to sensitize its employees on safety protective measures and directives as well as to supply them with devices and facilities designed to prevent accidents.
3. Employees of the city administration or municipality shall have the responsibility to:
   a. duly respect the directives issued for the purpose as well as properly utilize those devices and facilities available to prevent accidents;
   b. immediately inform same to the division head concerned, whenever they have anticipated the existence of such conditions as likely to cause accidents thereof.

43. Responsibility

1. Any city administration or municipality is responsible for employment injuries suffered by the employee while at work.

2. Notwithstanding the provision of sub art. (1) of this article hereof, the employer may not be responsible for injuries that the employee causes on himself deliberately.

3. An employee shall be presumed to have deliberately caused employment injury on himself where any one of the following conditions is encountered:
   a. disregard for explicit safety directives and rules for the prevention of accidents handed down by the employer; or
   b. presences at work, having been intoxicated or poisoned by addictive substances.
44. Benefits and Leave Periods Granted due to Employment Injury

1. The medical expense incurred by the employee due to employment injuries shall be covered by the employer.

2. An employee who has sustained employment injury shall be entitled to sick leave with pay until such time that he will have recovered and resumed work or been medically certified to have lost his working capacity for good; provided, however, that the leave so granted to him may not, under any circumstances, exceed twelve months in total.

3. Any employee who could not recover from his injury and resume work within the period of twelve months shall be entitled to the benefits indicated under art (45) of this regulation.

4. Where the employee delays his recovery by not properly following the treatment or by his non-observance of the physician's recommendations, his entitlement to the benefits specified under sub-arts. (1-3) of this article hereof shall cease.

45. Gratuity due to Injury and Compensation

1. Any employee who has permanently lost his whole working capacity due to employment injury shall be entitled to the benefits as determined by the relevant pension laws.

2. Without prejudice to the provision of sub-
3. ለወንወስት የሆኑ የቀባብቸውን የሆኑ ወጥን ያሰጠ ይህ የሆኑ መምሪያ ይነበር ከማን ከአቀፍ ግ የአቀፍ 2 ከር ትወቀ ያስልክ ይህ የማስቻል እያገነጡ ይሆና ይታወቋቹ፡፡

4. የሆኑ የቀባብቸውን ወጥን ያሰጠ ይህ የሆኑ የቀባብቸውን የሆኑ ወጥን ያሰጠ ይህ የሆኑ መምሪያ ይነበር ከማን ከአቀፍ ግ የአቀፍ 2 ከር ትወቀ ያስልክ ይህ የማስቻል እያገነጡ ይሆና ይታወቋቹ፡፡

5. ለወንወስት ያለ የቀባብቸውን ወጥ ያሰጠ ይህ ላሌ ከማን ከአቀፍ ግ የአቀፍ 2 ከር ትወቀ ያስልክ ይህ የማስቻል እያገነጡ ይሆና ይታወቋቹ፡፡

art (1) of this article hereof, an employee who has lost his full working capacity for good due to employment injury shall be entitled to a payment of compensation, the amount of which is to be determined by a directive issued by the pertinent city administration or municipality; provided, however, that such a payment of compensation may not be less than birr 10,000 or the totality of his two years salary or any greater than of the two options.

3. Any employee who has sustained permanent disability may not be barred from obtaining the compensation specified under sub-art .2 of this article hereof, although he is not covered by pension laws.

4. Where any injury has occurred to an employee, not covered by pension laws, and has thus resulted in the permanent loss of even his partial working capacity, the amount of compensation to be paid thereof shall be determined by the mayoral committee or municipality taking into account the provision of sub art. 2 of this article hereof and the degree of the injury sustained.

5. Where an employment injury entails the death of the employee, the employer shall, in addition to those specified hereinabove, cover the expenses of his funeral ceremony; provided, however, that such a payment may not exceed two months salary of the employee.
46. **Benefits of Temporary Employee with Regard to Injuries**

Any temporary employee shall, in case of having permanently lost his full working capacity, be entitled to the benefits specified under art. 45 sub-art. 3 of this regulation or obtain what has to be determined pursuant to the provision of art. 45 sub-art. 4 hereof where the said permanent loss relates to his partial working capacity.

47. **Covering the Expense of Payment of Compensation Sought from Third parties**

1. Where the injury sustained by an employee is disclosed to have been caused due to the fault of a third party, the employer shall have the right to claim for the recovery of the expenses paid out for same from such a party who has brought the harm.

2. Where the employee has already received compensation from the third party, the employer shall have the right to reduce such an amount of money from the package of compensation payable to the employee and retain thereof.

**PART ELEVEN**

**TRAINING OF EMPLOYEES**

48. **Objective**

The objective of training is to improve the ability of an employee so as to enable him register better performance result in his duties and thereby get prepared for an advanced position on the basis of professional career.
49. Planning and Implementation of Training Programs

1. Every city administration or municipality shall, in relation to the training of employees, carry out the following activities in order of priority:
   a. identification of the training needs of the employees by undertaking studies enabling one to ascertain the necessity of such training;
   b. preparation of the appropriate plan and implementation budget to conduct the desired training;
   c. follow up as to the proper implementation of the training plan;
   d. undertaking periodic evaluations with the view to ascertaining the efficiency of the training programs.

2. Every employee shall have the obligations indicated herebelow
   a. to cooperate with the employer in the implementation of activities provided for under sub-art. 1 of this article hereof;
   b. to enhance his capacity through training program in which he participates; and
   c. to render service to his employer for the period specified within the training agreement.

50. Responsibility of the Bureau

The bureau shall coordinate and support those training programs in which city administrations and municipalities participate or put in place.
PART TWELVE
MAINTENANCE OF PERSONNEL FILES AND STATISTICAL RECORDS

51. Employee's Personal File
1. Every city administration or municipality shall maintain and keep a personal file of each employee under its administration which contains the relevant information. Such personal file shall, in particular, be organized in such a way as to demonstrate the life history of the employee, times of recruitment and promotion, type of work, amount of pay as well as his principal rights and obligations.

2. Any employee shall have the right to look into the records kept in his personal file.

3. No person shall be allowed to look into an employee's personal file with the exception of those individuals authorized to do so in an internal directive.

4. There may not be kept, in an employee's personal file, any piece of document without his prior knowledge.

52. Statistical Records
1. The Bureau may collect and organize information concerning the employees of city administrations and municipalities.

2. The Bureau may, in cooperation with the Regional Civil Service Commission, issue a
PART THIRTEEN
OBLIGATIONS OF CITY ADMINISTRATIONS OR MUNICIPALTIES AND THEIR EMPLOYEES

53. Obligations of City Administrations or Municipalities

Any city administration or municipality shall have the following obligations:

a. to create, as much as possible, a favorable working atmosphere for the employees so as to enable them accomplish the tasks of the city administration or municipality in an appropriate, effective and efficient manner;

b. to outline the duties and responsibilities of the employees in an explicit way as well as to provide the instruments and utensils necessary to carryout their duties or to facilitate the provision of such supplies thereof;

c. to clearly indicate the results expected of the performance of employees and set out the criteria in which such a performance might be evaluated;

d. to duly pay to the employees salary and benefits on time;
54. Obligations of the Employees of city Administration or Municipality

Any employee of city administration or municipality shall have the obligations indicated here below:

1. to be present on duty with full physical and mental conditions;
2. to accomplish the tasks stated in the job description manual in a manner that enables one to attain the results expected of him;
3. to handle, with appropriate care, his employer’s working tools and utensils which happen to come into his hands and stand responsible for any property lost or damaged due to his negligence or deliberate act;
4. to devote all his working time and energy for the service of his employer;
5. to abide by the city-focused laws and
2. No city administration, municipal town or sectoral office may penalize an employee due to an act or omission which is not specified as a disciplinary breach in that directive.

3. No employee may receive any type of disciplinary penalty prior to having been notified of the offence he is alleged to have committed thereof and given an opportunity to defend himself.

57. Rigorous Disciplinary Offences

The following acts or omissions are pursuant to this regulation, rigorous disciplinary offences:

a. Absence from duty for five consecutive working days, or seven working days in a month or twenty working days in a year, without sufficient cause;

b. Frequent non-observance of working hours, without sufficient cause;

c. Disobedience to the relevant division heads within the organization of the employer;

d. Being present on duty having been intoxicated with alcoholic drinks or poisoned by addictive substances or drugs;

e. Misuse of property and finance belonging to the employer with the view to obtaining undue advantages for himself or any other third party;

f. Inflicting damage to the property of the employer an intentionally or by negligence;

g. Unlawful stoppage of work or being an
obstacle to work, deliberately delaying performance thereof or so collaborating with others in respect to the commission of such fault;

h. Provocation of violence, engaging in physical assault or initiation of riots at work place;

i. Committing an act of theft, breach of trust, deceit or fraud;

j. Being found through judgment guilty of any criminal offence which renders him unfit and incompetent for the position he holds;

k. Having been found committing disciplinary offences of the like gravity which might clearly be stipulated in the city-focused regulations and directives to be issued by the city administration or municipality.

58. Disciplinary Penalties

1. Depending on the gravity of the fault, one or more than one of the penalties stated hereunder may be imposed on an employee who has committed a rigorous disciplinary offence

a. verbal warning;

b. written reprimand;

c. a piece of reprimand;

d. fine reaching up to one month's salary;

e. fine reaching up to three months' salary;

f. demotion from the current position;

g. dismissal from work.

2. Unless the case is entertained by the disciplinary
committee of the city administration, municipality or sectoral office and thereby approved by the managing head of such an institution upon the committee's proposal, rigorous disciplinary penalties specified under sub-art(1) (d-g) of this article hereof may not be enforced against an employee. Details shall be determined by a directive.

3. Where the offence, of which an employee has been accused, is likely meant to entail his dismissal from work or his stay on duty would possibly harm evidence or abstract in any way the activities of the employer, he may temporarily be suspended from work; provided, however, that such period of suspension may not exceed one month.

59. Execution of Disciplinary Measures

1. Every city administration, municipal town or sectoral office shall establish a disciplinary committee vested with the powers to inquire into disciplinary cases and submit to the managing head recommendations thereof together with corresponding measures which should be taken, as a consequence.

2. The committee shall, after having examined the case referred to it, submit its recommendation to the managing head within one month to the latest; and the mayor or manager of the city shall study the proposal so submitted to him and render decision within 15 days.

3. Any employee dissatisfied with the decision rendered hereof may institute an appeal to the appellate tribunal.
60. Period of Limitation

1. No action may be instituted against an employee in any disciplinary offence unless such an offence has been inquired into within one year from the date of having been disclosed that it was committed perse.

2. Notwithstanding the provision of sub-art. 1 of this article hereof, the managing head who, although he has had sufficient evidence as to the offence of an employee and was provided with the proper recommendation, rather fails to take disciplinary actions, shall be liable by law.

PART FIFTEEN
TERMINATION AND RENEWAL OF SERVICE

61. Reasons for Termination of Service

The main reasons for the termination of service in a city administration or municipality pursuant to this regulation shall be as follows:

a. Voluntary resignation;
b. illness disabling to carryout one's duties;
c. lack of efficiency;
d. imprisonment or other reasons compelling the employee not to show up for duty and thus attributable to force majeure;
e. lay off;
f. penalty to be imposed due to rigorous disciplinary offence;
62. **Voluntary Resignation**

Any employee of the city administration or municipality may resign at any time giving in writing a one month prior notice.

63. **Termination due to illness**

1. The contractual agreement of an employee of the city administration or municipality may be terminated due to illness where
   a. The sick leave so granted to him pursuant to this regulation has expired; or
   b. It is certified by a physician that he has permanently lost his working capacity due to an employment injury.

2. Termination of the contract of employment due to illness shall be carried out only after a one month prior notice has been served on the employee in writing.

64. **Termination due to Lack of Efficiency**

1. The contractual agreement of an employee of a city administration or municipality may be terminated due to lack of efficiency where his performance evaluation result has not been found to be satisfactory or more so for three consecutive years; provided, however, that the said city administration or
municipality may alter and use periods in which to measure the performance evaluation results of the employee by a particular directive, as deemed favorable for its purpose.

2. Notwithstanding the provisions of sub-art. (1) of this article hereof, a service may be terminated due to lack of efficiency only where it is known that the effort exerted to improve the employee’s performance through training and other methods has not been able to bear fruit.

3. Without prejudice to the provisions stipulated under sub-arts. (1) and (2) of this article hereof, no contract of employment may be terminated due to lack of efficiency prior to a one-month notice having been granted in writing to the employee in advance.

65. Termination due to Imprisonment or other Reasons Attributable to Force Majeure

1. The contractual agreement of any permanent employee shall, pursuant to this regulation, be terminated where he has been absent from duty for three consecutive months due to imprisonment or any other reason attributable to force majeure.

2. The contractual agreement of any temporary employee shall be terminated where he has been absent from duty for one month due to imprisonment or any other reason attributable to force majeure.
66. Layoff
1. It may be decided to dismiss an employee by lay off where
   a. his position is eliminated; or
   b. there exists an extra manpower.

2. The employee shall be provided with a three-month prior notice in writing before he is dismissed from duty by layoff.

67. Dismissal from work due to Disciplinary Breach
The contractual agreement of an employee shall cease forthwith where a final decision has been rendered as to his dismissal from work due to a rigorous disciplinary offence.

68. Expiry of an Employment Contract
Any temporary employee shall be dismissed from work at the expiry of his contract of employment.

69. Retirement
1. Any employee shall be made to resign where he has attained the retirement age as provided by law.
2. Any employee shall be notified in writing of his retirement three months in advance.

70. Extension of Tenure
1. It may be decided to extend a permanent employee's tenure beyond his retirement
age for a period up to two years at a time; provided, however, that the totality of such an extension may not exceed ten years.

2. The extension of tenure in accordance with sub-art. (1) of this article hereof shall be decided where:
   a. the efficiency, skill and ability of the employee is found to be of an essential service to the employer;
   b. it is believed that an easy replacement of the employee could be impossible using all available opportunities;
   c. it is proved with sufficient evidence that the employee is fit for the duty;
   d. the employee has consented to such an extension of tenure.

3. Any decision regarding an extension of tenure shall, where the employee is not a member of the management, be submitted to and approved by the manager of the city-related services or the municipality or the sectoral office pertinent thereto, and the mayoral committee or the council of the municipal town, where he is a member the management, as may be appropriate.

71. Benefits Payable due to Severance of Service

1. Any employee covered by pension laws shall be entitled to a pension allowance upon attaining the retirement age pursuant to such laws establishing the pension fund.
2. Any employee, not covered by pension laws, shall receive at once his provident fund accumulated thereto upon attaining a retirement age.

3. Where any employee, whose contract of employment has been terminated pursuant to this regulation, is not covered by pension laws or the provident fund, he shall have the right to obtain payments indicated herebelow:

a. for the first service year, a one month salary;

b. for every additional service year, one-third of his monthly salary, being added; provided, however, that the total pay may not exceed his twelve months' salary.

4. The pay to be effected in accordance with this regulation for an employee who has completed his probation period and rendered service for less than one year shall be calculated in consideration of the duration of his service.

5. The benefits to be provided for a temporary employee due to termination of service shall be determined in accordance with the contract of employment.

6. Where permanent employee has died while on duty, any benefits stipulated in his favor under sub-arts. (1-4) of this article hereof, shall be paid to his heirs.
PART SIXTEEN
SYSTEMS OF PENSION AND PROVIDENT FUND

72. Applicability of the Federal Government Pension System

The pension system of the Federal Government may be applicable to permanent employees of city administrations and municipalities covered by pension laws.

73. System of Provident Fund

1. Where it has been decided by the Council of the Regional Government as to the inapplicability of the Federal Government pension system or such a system of city administrations or municipalities has not been established, each city administration or municipality shall put in place a system of provident fund for the use of its own permanent employees.

2. The amount of respective contributions to be made by the city administration or municipality and the employee shall be determined by the directive establishing the fund; provided, however, that the contributions available by the former and the latter may not be less than 6% and 4% of the employee's monthly salary.

3. The conditions in which any temporary employee could benefit from the provident fund may be stipulated by the directive establishing such fund.
PART SEVENTEEN

APPELLATE TRIBUNAL FOR THE
EMPLOYEES OF CITY
ADMINISTRATIONS AND
MUNICIPALITIES

74. Establishment

There is hereby established an appellate body vested with the powers to hearing grievances brought about by the employees against final decisions passed by the city administrations and municipalities with regard to matters concerning manpower administration, pursuant to the provisions of art.(52). sub-art. (3) of the proclamation hereof.

75. Structure, Membership Composition and Domicile of the Appellate body

1. The appellate body shall, in those metropolitan city administrations or zonal capitals, where the former have not been established, be constituted by a directive to be issued by the Bureau in such a way as to comprise members from five through seven, including the chair-person.

2. The tribunal shall have its own office as well as a permanent secretary with the expense necessary to undertake its business to be covered by the pertinent city administrations and municipalities thereof.
76. Tenure and allowance of Members of the Appellate Tribunal

1. The term of office of members of the appellate tribunal shall be five years; provided, however, that any member may be re-elected only for one more term if he is so confided in.

2. Members of the tribunal shall be paid allowance whenever they meet their official duties. The amount of such an allowance shall be studied by the bureau and determined by a directive to be issued by the Council of the Regional Government.

3. The secretary of the tribunal shall be selected from among the employees of the relevant city administrations or municipalities and assigned thereto on the initiation of the chairperson.

77. Powers and Duties of the Appellate Tribunal

The tribunal shall, pursuant to this regulation, render decisions by having examined cases of grievance brought about before it by the employees on the following matters:

1. Complaints submitted due to actions resulting in an unlawful suspension from duty or termination of service.

2. Complaints submitted against the decision entailing a rigorous disciplinary penalty;

3. Complaints submitted against the withholding of salary or other payments due to inappropriate administrative

78. Meeting and Working Procedures of Members of the Appellate Tribunal

1. Members of the tribunal shall meet, as deemed necessary.
2. The presence of more than half of the members at the meeting shall constitute a quorum.
3. Decisions of the tribunal shall be rendered by a majority vote of the members present at the meeting; provided, however, that, in case of a tie, the chairperson shall have a casting vote.
4. The secretary of the tribunal shall have the responsibility to take complete minutes of the meetings and records thereto.
5. Without prejudice to the provisions of this article hereof, the tribunal may issue its own specific directive designed to determine detailed procedures and conditions of work.

79. Decision of the Tribunal

1. The tribunal shall, after having examined the grievance submitted to it and listened, as deemed necessary, to the response which might be delivered by the party accused thereof, have the power to quash, vary or confirm the decision rendered against the complainant.
2. The copy of such decision shall be communicated to both disputing parties in writing.

3. The decision rendered by the tribunal with regard to the questions of fact shall be final; provided, however, that, where one of the disputing parties has raised an issue asserting possible error in any point of law, may submit his appeal to the high court having local jurisdiction within 30 days of the tribunal having handed down as verdict.

80. Execution of Decisions

1. Any city administration, municipal town or sectoral office shall be duty bound to implement forthwith the decisions rendered by the tribunal in accordance with this regulation.

2. Where the beneficiary of the decision applies for an action alleging that such decision has not been executed in his favor upto 30 days from the date of its issuance, the tribunal shall refer his submission for the implementation of the decision to the first-instance court of the regional state pertinent thereto.

3. The managing head of the city administration, municipal town or sectoral office failing to have the decision of the tribunal executed, shall be liable for any damage which might be caused to the employee as the result of delay in such an execution.
PART EIGHTEEN
MISCELLANEOUS PROVISIONS

81. Inapplicable Laws

Any other regulation, directive or customary practice inconsistent with this regulation may not apply to matters provided for in this regulation.

82. Transitory Provision

All cases being handled by the competent authority, prior to the coming into force of this regulation, shall be finalized in accordance with those laws, regulations and directives applicable thereto.

83. Power to Issue Directives

Without prejudice to the powers specifically granted to various bodies under this regulation, the mayoral committees and the councils of municipal towns shall, as appropriate, have the power to issue directives necessary for the full implementation of the regulation.

84. Effective Date

This regulation shall come into force as of the date of its publication in the Zikre Hig Gazette of the Regional State.

Done at Bahir Dar
This 8th Day of May, 2005

Yosef Reta
Head of Government of the Amhara National Regional State