

Federal Government Public Service Rules

020307: - Transfer from one senior post to another or from one class to another within the Federal Public Service requires the prior approval of the Federal Civil Service Commission or appropriate board of relevant agency. An Officer must have served for a minimum period of six (6) months in his original Post before seeking transfer to another Post. An application for such transfer must be submitted to the Permanent Secretary/Head of Extra-Ministerial Office or Agency of the applicant and must state the applicant's reasons for desiring a transfer and his qualifications for the work to be undertaken. Such application should be forwarded to the Federal Civil Service Commission by the Permanent Secretary/Head of Extra-Ministerial Office together with a statement as to:

- (i) how applicant has performed his duties;
- (ii) whether the applicant is considered to be well qualified for the post desired; and
- (iii) recommendations as to the grant or refusal of the application.

SECTION 4: - SHORT TERM APPOINTMENTS

020401 There may be circumstances in which specialized skills or new/emerging skills which may or may not have been prescribed in the Schemes of Service are required in the Public Service. In order to fill the observed gaps and/or to shore up the capacities of existing Officers, appointments may be made for a prescribed period of time in the following categories: Contract Appointments, Sabbatical Appointment, Career Exchange Programme, Talent Sourcing Strategy, Internship and Volunteerism in the Federal Service.

020402: A Contract Appointment is temporary appointment (which does not provide for the payment of pension) to a post of the level to which appointment is made by the Federal Civil Service Commission/ Governing Board in case of Parastatals and Agencies for a specific period as opposed to appointment on pensionable terms. A contract appointment must be recorded in a formal document of agreement.

020403 - Contract appointment may be offered;

- i) if it is established that the Service no longer has Officers with specific skills, as provided in the approved Schemes of Service that can perform the related functions;
- (ii) based on the circumstances arising from emerging cadres, courses, skills and the creation of new ones as well as prevailing reality;
- (iii) be tied to funded projects/programmes with specified life span;
- (iv) to expatriates only when suitable Nigerians are not available;
- (v) to Nigerians, if:
 - a) they are pensioners;
 - b) they are 50 years of age or over at the time they are being appointed;
 - c) they specifically request to be employed on contract terms and it is deemed in the best interest of the Service; and

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within the
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d) the candidate possesses specialized competencies or skills and provided such posts are duly advertised in at least three national newspapers.

020404: - (i) The conditions of service of an Officer on a short-term appointment are those provided for in his contract. The privileges, emoluments or allowances described in these Rules do not apply to him unless they are so stated in the contract itself. Any question of the interpretation of a contract affecting his conditions of service should be referred to the Office of the Head of the Civil Service of the Federation.

(ii) For non-Nigerians, the provisions of the Public Service Rules regarding contract appointments shall apply in all cases, except for those persons married to Nigerians (see appendix G)

(iii) Spouses married to Nigerians should remain on contract until granted Nigerian citizenship before being considered for permanent appointment (see appendix G)

020405: PROCEDURE FOR PROCESSING CONTRACT APPOINTMENT

(i) MDAs through their SSC are to undertake identification of required skills and defend the skills at the OHCSF whose responsibility shall be to work out and approve waiver for the desired skills;

(ii) The prospective applicant must apply for such position through the submission of a duly filled FCSC Form 2 as required, being a post of the level which appointment is made by the Commission;

(iii) FCSC shall ensure that contract appointment is based on approved waiver and skills identified. The Post to which contract appointment shall be made must not be below SGL. 12;

(iv) Contract appointment shall be based on merit through a fair, open and competitive selection process and shall not jeopardize the career prospects of serving Officers;

(v) In case of contract appointment for non-Nigerians, Government shall undertake all immigration responsibilities (relevant working/residence permit);

(vi) All questions of interpretations of a contract appointment affecting the proposed employee's conditions of service should be referred to the OHCSF and;

(vii) The duration of contract appointment should be one (1) or two (2) years and renewable but not more than four (4) years in all

020406: RULES GUIDING THE CONDUCT OF AN OFFICER ON CONTRACT APPOINTMENT

i The contract Officer must, as part of his duties, be responsible for mentoring serving Officers as a condition for the offer of the contract appointment;

ii Contract Officer shall sign an undertaking to accept posting or transfer to any part of the country;

iii Officers appointed on contract shall be subject to performance appraisal through confidential report as applicable in the Service and; Circumstance

s that may
warrant offer

of Contract
Appointment
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iv Contract staff must sign the oath of secrecy in line with PSR 020210

Termination

Contract020407: - (a) An appointment on contract may be terminated by the Government at any time in accordance with the terms specified in the contract itself. A recommendation to the Federal Civil Service Commission for the termination of the appointment of a contract Officer of shall be accompanied by a full statement of the consideration which has prompted it. On receipt of the recommendation, the Federal Civil Service Commission shall decide whether the appointment should be terminated forthwith in accordance with the terms of the contract or whether the Officer should be offered an opportunity, to submit any formal representation if he so wishes before a final decision is taken.

(b) The termination of a contract appointment by the holder is subject to the terms of the contract and any question concerning the waiving of any of the penalty under a contract agreement shall be referred to the Office of the Head of the Civil Service of the Federation.

020408: - An Officer serving on contract who desires re-engagement, shall so inform the government in writing through the Permanent Secretary /Head of Extra-Ministerial Office not less than four months before his leave is due. In the absence of such notification, it may be assumed that an Officer serving on contract does not desire re-engagement.

020409: - On receipt of such notification expressing an Officer's wish to be re-engaged, the Permanent Secretary/Head of Extra-Ministerial Office shall obtain the consent of the Office of the Head of the Civil Service of the Federation to the re-engagement before forwarding recommendation to the Federal Civil Service Commission enclosing an up-to-date confidential report on the Officer (unless such report has been forwarded within the previous two months). In reply the Permanent Secretary/Head of Extra-Ministerial Office will receive any of the following: -

(a) authority to inform the Officer that arrangements will be made to offer him re-engagement during the course of his leave and the details of the terms proposed. The Permanent Secretary/Head of Extra-

Ministerial Office shall inform the Officer accordingly without delay;
(b) the original and duplicate of the re-engagement contract duly signed on behalf of government. In this case, the Permanent Secretary/Head of Extra-Ministerial Office shall obtain the Officer's witnessed signature to both copies, deliver the duplicate to the Officer, and return the original to the Office of the Head of the Civil Service of the Federation.

Appointment.

Re-

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Staff)

Re-

engagement

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Permanent
Secretary)

020410: - As soon as it is clear to the Permanent Secretary/Head of Extra- Earlier Ministerial Office that he will be unable, for whatever reasons, to recommend Notification the re-engagement of an Officer serving on contract, he will seek the approval of

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of the Federal Civil Service Commission to inform the Officer that he will not Non-Re be re-engaged and, on receipt of such approval, will inform the Officer without Engagement delay.

020411: Provided re-engagement is completed by the signing of a new contract before the end of vacation leave granted under an expiring contract, service under the new contract will be treated as continuous.

020412: - Where retired Officers from the Service are re-engaged into career posts, the appointment shall be on grade level immediately below that on which they retired and be eligible to maintain their last step at retirement. The remuneration of non-Public/Civil Servants shall be based on negotiable terms by the parties concerned.

SABBATICAL APPOINTMENT

Continuity of

Contract

Service

Remuneration

on Contract

Appointment

020413: Sabbatical Appointment as it applies to the Service is the appointment of an officer on GL 15 (or equivalent) and above, for the purpose of research Sabbatical and professional development of the Officer. The appointment shall be for a Appointment period of 12 calendar months.

020414: Host MDA/Organization shall be responsible for the payment of the travel expenses, lodging, and sundries while the parent MDA/Organization will continue to pay the salary of the Officer for the duration of the leave.

INTERNSHIP

Remuneration

on Sabbatical

Appointment

020415: Internship connotes a structured experience that relates to a student's/graduate's discipline or career goal and which helps to enhance Internship academic, career, professional and personal development. Internship period is to facilitate acquisition of practical skills, workplace experience and greater knowledge of that profession.

VOLUNTEERISM

020416: Volunteerism denotes a practice of offering one's time or talents for charitable, educational, or other worthwhile activities, especially in one's community. Volunteers are driven by passion to leave a noble legacy of service to humanity. In a nutshell, it is the sacrifice of time, skills or resources with the Volunteerism aim of making a positive change either as an individual or group (formal or informal).

020417: PROCEDURES FOR ENGAGEMENT OF INTERNS AND VOLUNTEERS INTO THE PUBLIC SERVICE

(i) Focal Office shall be established in the OHCSF to be responsible for identifying the fields/tasks available for volunteer programme and disseminate the information. MDAs in supportive role are required to

establish Desks for the two programmes.

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(ii) The Focal Office shall upload skills highlighting benefits and conditions of engagements, with requisite qualifications into the website of OHCSF.

(iii) Prospective volunteers with specialty in preferred specified fields/disciplines to apply for engagement in response to the advertisement in the OHCSF Website

(iv) Prospective Volunteers must be certified medically fit and suitable for the assignment by a recognized Healthcare Provider (HCP) and obtain security clearance from the Police before engagement.

(v) Interns to be engaged directly by MDAs shall submit reference letter from their respective institutions.

(vi) Stipends paid to interns shall be at the rates prescribed by relevant circulars issued from time to time.

(vii) Successful candidates shall be given letters of commendation at the end of the programmes.

020418: Interns shall be engaged for 3 to 6 months on part-time during an academic session and for a period of not more than 12 months on full-time, while Volunteers shall be engaged for a maximum of 12 months at a time.

020419: Stipends for Volunteers shall be in accordance with the rate contained in the National Volunteering Policy by the Office of Secretary to the Government of the Federation. Host MDAs shall be responsible for the payment of stipends to Volunteers during the period of their service.

020420 Interns must be postgraduates, undergraduates, or students in other tertiary institutions while volunteers must possess a University Degree, Higher National Diploma (HND), National Certificate of Education (NCE), National Diploma (ND) and Senior Secondary School Certificate Examination (SSCE).

020421: LEGAL FRAME WORK FOR PROCESSING SHORT TERM ENGAGEMENTS

(a) To ensure that due processes are followed in the negotiation, drafting and execution of contracts of engagement by the parties on all the short term appointments, the basic norm shall be that, the following Departments/Units must be represented at the discussions:

(i) The Human Resources Management;

(ii) The Finance and Accounts Department;

(iii) The User Department(s)/ Unit(s);

(iv) The Legal Unit; and

(v) Representation shall be at the level of director.

(b) After negotiations, a letter of appointment shall be issued to the employee duly endorsed by Permanent Secretary or Chief Executive indicating the terms of the contract of engagement by the Parties.

The template of short-term engagement is in Appendix G. Tenure for Internship

and

Volunteerism

Remuneration

for Internship

and

Volunteerism

Qualification

for Interns
and
Volunteers

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SECTION 5:- TRANSFER AND SECONDMENT

020501 - (a) Transfer is the permanent release of an Officer from one scheduled Service to another or from one class to another within the same Service.

(b) Secondment means the temporary release of an Officer to the service of another Government approved body or any recognized International Organization or body for a specified period.

020502: - The Authority to process
secondment: inter-service transfer and

(i) Applications for Transfer/Secondment to posts graded G.L 09 and below shall be considered by the appropriate committee of the benefitting Ministry/Extra-Ministerial Office and approved by the Permanent Secretary/ Head of Extra-Ministerial Office.

(ii) Application for Transfer/Secondment to post graded GL.07-10 in any Ministry/Extra-Ministerial Office shall be determined by the Federal Civil Service Commission. Officers seeking transfer from scheduled Establishments on Salary GL.07 - 10 are required to sit for the Annual Competitive Civil Service Entry Examination.

020503: - The following procedures shall apply in processing transfer and secondment

a) Confidential reports covering the last three years (or whole service if less than three years) of the officer's service shall be furnished.

b) Officer on transfer from States to Federal Service shall be placed on a grade level lower than his current grade level.

c) Transfer to the Federal Service shall be limited to posts graded level 07 to 14 or its equivalent.

d) Officer on transfer/secondment must have been confirmed and his qualifications, experience and career progression are in accordance with the Schemes of Service.

e) There must be evidence of concurrence to the transfer/secondment of Officers by the releasing and accepting agencies.

f) Secondment of an Officer(s) to the Service of another Government, or approved body or recognized International Organization shall be for a maximum period of two years in the first instance after which the Officer may apply for extension, seek for transfer or return to his former post. All extensions must be approved by the appropriate Committees and the Federal Civil Service Commission/ Board. The total period of such secondment must not exceed four (4) years.

Authority to

process

Transfer/Seco

ndment

Procedure for

Transfer/

Secondment

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g) if it is in the public interest to second an Officer to the Service of another Government, approved body or recognized international organization, the period of secondment shall not exceed six years.

h) During the period of secondment the Officer shall continue to hold his substantive post and be entitled to increment and promotion and will be treated as having been posted on special duty.

020504:- During the period of such secondment, the benefiting organization shall be responsible for the Officer's emoluments. However, where an Officer is released on a secondment in public interest, and there is a differential in payments between the releasing and receiving MDAs, the MDA with the higher pay shall be responsible for the payment of the salary, notwithstanding, all non-salary allowances shall be paid by receiving MDAs.

020505:- The emoluments and incremental date of an Officer on transfer is governed by Rule 040103.

020506: - No applicant shall be considered for transfer-on-promotion to any MDA except in response to an advertised post.

020507 (i) An applicant shall be considered for transfer:

(a) If the MDA is satisfied that there are vacancies not only in the relevant grade but also in the applicant's discipline or area of specialty;

(b) provided the contemplated transfer would in no way jeopardize the promotion prospects of serving Officers;

(c) if he has been confirmed in his previous service and his qualifications, experience and career progression are in

accordance with the Schemes of Service of the grade/ post; and

(d) if he has served in his current grade for the stipulated minimum number of years prescribed for promotion to an advertised post.

(ii) No Ministry shall transfer/second any senior Officer to any Parastatal under its supervision either as a take-off or at the request of the Agency without approval of the Federal Civil Service Commission/Board;

(iii.) No Ministry shall accept any staff seconded to it without the endorsement of the Federal Civil Service Commission/Board;

(iv.) Officer on secondment shall be appraised by the MDA he is seconded to.

Payment of

Salary of

Staff on

Secondment

Salary on

Transfer.

Conditions

for transfer

020508: - Junior Posts - Transfer from one junior post to another within the Transfer on Federal Public Service may be arranged, with the consent of the Officers Junior Posts being considered for transfer, at the mutual discretion of their Permanent Secretary/ Heads of Extra-Ministerial Offices.

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020509: - MDAs shall make quarterly returns to the Federal Civil Service Quarterly

Commission and/or the Office of the Head of the Civil Service of the Federation returns on the number of staff on transfer/secondment to other Services. In the same vein the Federal Civil Service Commission shall furnish MDAs on quarterly basis the approved list of staff seconded/transferred to other services.

SECTION 6: POSTING OF OFFICERS

020601:- Posting is the initial assignment of an officer to position/job schedule in an MDA or reassignment to another position/job schedule within or outside his current MDA/Department. Posting helps employees acquaint themselves with the activities of various offices they are posted to and thereby gain wide experiences on the intricacies of government business.

020602: - The following rules will guide posting of officers

- i. All senior staff can be posted and/or redeployed to new post in accordance with the approved employee mobility Policy;
- ii. Posting of Officers to posts outside their Professional Cadres prohibited.
- iii. Posting of pool Officers in the Service shall be mandatory after every four (4) years.
- iv. is

Failure of an Officer to proceed on posting shall be regarded as misconduct and Ministries or Extra Ministerial Departments/ Agencies who reject pool Officers deployed to them shall be made to face appropriate sanctions.

020603: - In implementing postings decision, fairness to all Officers shall be an underlying principle in order to ensure that the system is not used as a tool for coercion, punishment or cronyism. Consideration shall be given to the following:

- i.
- ii. Posting does not result in the loss of institutional memory in any Department, Division or Unit nor impair its ability to continue to provide quality service to both internal and external stakeholders; and Posting does not result in the loss of an employee involved in any service-wide project designated as high priority during the lifespan of the project.

020604: - To ensure every employee is given the opportunity to acquire as much of the "whole-service" work experience as possible and to guide the posting of pool staff, posting shall be done in line with the approved Employee Mobility Policy

Definition

Conditions for

Posting

Procedure for

Posting

Guide to

Posting

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020605: -The Director HR shall be expected to submit a Report on compliance to posting instructions to the relevant pool office within three weeks of the release of the instruction.

Duty of DHR
on Posting

020606: - Officers may seek for redress where he is of the opinion that his Posting movement to another job/ location has not been done in line with the provision Complaints of extant rules. Any complaints/grievances with respect of posting instructions

should be submitted through appropriate channel within three working days the posting is released.

020607: - The cost of entitlements due to the employee whose posting requires a change of duty station shall be borne by the posting MDA.

020608: - An Officer who desires to live and work in the location where his spouse lives shall be allowed to do so provided the branch of his MDA can be found in the spouse's location and that there is relevant established post at the branch. Government shall not be responsible for cost of relocating an Officer whose posting is at his request.

020609: -The primary responsibility of all employees of the Federal Government is to discharge the duties assigned by their employer to the Nigerian public in a timely and efficient manner. Therefore, notwithstanding involvement in staff union activities, officers are obligated to comply with the provisions of extant circulars, PSR, etc. and obey all legitimate directives issued by appropriate authorities;

020610: - Labour Union Executives shall not be posted out of their MDAs until the expiration of their tenure in office;

020611: - No Union Executive member at the expiration of tenure in office shall decline redeployment, posting or reassignment of schedule of duties.

020612: Trade Unions/Staff Associations are mandated to introduce tenure limit of two (2) terms in their Constitutions. The duration for each tenure shall not be more than 2 years.

Posting

Entitlements

Provision for

Posting to

Spouse's

location

Responsibility

of Union

Executives

Posting of

Union

Executives

Redeployment

of Past Union

Executives

Tenure/

Duration of

Union

Executive

SECTION 7: - ACTING APPOINTMENT

020701.- Where it is necessary that a particular duty post (of status not lower than SGL 14 Chief X Officer) should continue to be filled at a time when no Officer of corresponding substantive rank is available for posting thereto, another Officer may, with the approval of the Federal Civil Service Commission/ Board, be formally appointed, by notice in the gazette, to act in the duty post and assume either fully or in part, the duties and responsibilities thereof.

When made

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020702. - The mere fact that the substantive holder of a duty Post will be

absent therefrom for a short period (e.g. on casual leave or sick leave) does not in itself justify an acting appointment; there may however be circumstances (such as compliance with statutory provisions) which necessitate the making of an acting appointment for a relatively brief period. The decision whether an acting appointment is necessary or desirable in any particular case will rest with the Federal Civil Service Commission/Board.

020703. - Acting appointment is not intended as a means of testing the suitability of Officers for promotion; they will normally be made only in order to fill posts that are temporarily vacant and their duration should be limited accordingly.

020704. - (a) Recommendations for acting appointment which shall not exceed a period of one year must be forwarded to the Federal Civil Service Commission on General Form 66 and must include thereon a certificate to the effect that the acting Officer will assume the full duties and responsibilities of the post in question. Approved acting appointment shall be gazetted by the Federal Civil Service Commission but it will on no account be back-dated to a period in excess of six months of the date of receipt of the recommendation by the Commission.

(b) The period of acting appointment shall not exceed one year, but in exceptional circumstances may be extended for another one year.

020705: - The date on which an acting appointment commences will be indicated in the gazette notice authorizing the appointment. Normally, the gazette date of commencement will be that on which the acting Officer takes over the duties and responsibilities of the post, except that if he takes over from the substantive holder the gazetted date of commencement will not be earlier than that on which the latter, after handing over:

(a)

(b)

(c) leaves the station or the post;

takes over substantively or himself acts in another post in the same station, or

commences vacation leave in the same station, whichever is applicable according to circumstances.

020706: The date on which an acting appointment ceases will be indicated in the gazette notice reverting the Officer's appointment.

Normally, the gazetted date of cessation will be that on which the acting Officer relinquishes the duties and responsibilities of the post, except that if he hands over to the substantive holder, the gazetted date of cessation Not made unless necessary.

Not a form

of trial for

Promotion

Procedure

Date of

Commencement

Date of

Cessation