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GOVERNMENT OF THE PUNJAB
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION
(17 of 2020)

07 February, 2020

Notification No.PHC/687/CEO, dated 28.01.2020, issued by Punjab Healthcare Commission, is hereby published in official Gazette for inviting objections and suggestions:

Secretary
Government of the Punjab
Law and Parliamentary Affairs Department

"DRAFT

PUNJAB HEALTHCARE COMMISSION

HUMAN RESOURCE REGULATIONS, 2020

PUNJAB HEALTHCARE COMMISSION

DRAFT HUMAN RESOURCE REGULATIONS, 2020

Lahore, dated 28 January, 2020

NOTIFICATION

Notification No.PHC/687/CEO.- In exercise of the powers conferred under section 40 of the Punjab Healthcare Commission Act, 2010 (XVI of 2010), the Punjab Healthcare Commission is pleased to publish the draft 'Punjab Healthcare Commission Human Resource Regulations, 2020' to invite thereon, public suggestions/ objections, if any, which may reach the office of the Commission, 185 Ahmed Block, New Garden Town, Lahore within fifteen (15) days of the publication of this Notification in the official Gazette and objection and suggestions, if received, shall be taken into consideration on 22nd February, 2020 at 09:30 a.m. in the said office in the presence of those who care to be present. No objection/ suggestion will considered after stipulated time.

DRAFT REGULATIONS

CHAPTER I – PRELIMINARY

1) **Short title and commencement.** – (1) These Regulations may be called the Punjab Healthcare Commission Human Resource Regulations, 2020.

(2) These Regulations shall come into force at once.

(3) These Regulations shall apply to all employees and interns of the Commission.

2. **Definitions:** – (1) In these Regulations, unless there is anything repugnant in the subject or context: -

(a). "Act" means the Punjab Healthcare Commission Act, 2010.

(b). "Appointment" means the acceptance of an offer of employment, made by the appointing authority, by an applicant culminating into a mutual agreement.

(c). "Base Station" means any office of the Commission where an employee is posted on orders of the Competent Authority to carry out his duties, and includes field offices as well as the head office.

(d). "Board" shall have the same meaning as defined under Section 2 (ii) of the Act.

(e). "Board Secretary" means an officer nominated by the Board to act as secretary to the Board.

(f). "Break in Service," means the period of leave without pay of an employee from service of the Commission.

(g). "Competent Authority" means the Board, the Human Resource Sub-Committee of the Board, or any other officer authorized by the Board to perform such functions as may be delegated.

(h). "Commission" means the Punjab Healthcare Commission established under the Act.

(i). "Completed Year of Service" means a period of twelve months from the date of continuous service of an employee with the Commission and each successive period of twelve months.

(j). "Consultant" means a person with whom the Commission enters into an agreement for services or products deliverable.

(k). "Day" means a calendar day, beginning and ending at midnight.

(l). "Demotion" means reduction of an employee to a lower position or grade/level.

(m). "Director" means a Director in the service Punjab Healthcare Commission.

(n). "Directorate" means any Directorate of Punjab Healthcare Commission.

(o). "Duty" means time spent on work assigned by the Commission/Competent Authority and includes time spent on authorized travel/tour and leave; and/or any extra work to be performed, under the orders/directions of the competent authority.

(p). "Employee" means an individual legally hired for a wage, salary, fee or payment to perform work for the Commission.

(aa). "Number" means and include singular and plural.

(bb). "Pay" means the amount drawn daily or monthly by an employee as remuneration in accordance with the terms and conditions of his employment agreement.

(cc). "Pay Scale" means and includes a salary range for a certain Grade/Level.

(dd). "Promotion" means appointment of an employee to a higher position and/or Grade/Level.

(ee). "Public Conveyance" means a conveyance to which the public or a portion of the public has access, and a right to use for transportation and includes an aeroplane, train, bus and taxi cab, etc.

(ff). "Re-employment" means appointment to a level for which a current or former employee is re-employed.

(gg). "Regular Contract Employee" means an employee who has successfully completed probationary period for any position.

(hh). "Senior Management" means Chief Executive Officer and Directors of the Commission.

(ii). "Service" means the duty performed by an employee in accordance with his job description.

(jj). "Service Period" means the period during which an employee remains in service of the Commission and includes the period of duly sanctioned leave;

(kk). "Harassment" means any unwelcome sexual advance, request for sexual favors or other verbal or written communication, or physical conduct of a sexual nature, or sexually demeaning attitude, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant who has lodged a complaint of harassment, for refusal to comply with such a demand, or is made a condition for employment.

(q). "Family" means parents, spouse and children of the employee, residing with and wholly dependent upon him.

(r). "Fare" means price of conveyance or passage in a bus, train, aeroplane, or other vehicle.

(s). "Full-time Employee" means an employee whose work schedule is equal to 100% of the full-time equivalency established for the position.

(t). "Gender" means and includes male, female and transgender.

(u). "Grade/Level" means a group of positions sufficiently similar with respect to their duties and responsibilities that the same title may be reasonably and fairly used to designate each position allocated to that Level. Substantially the same minimum qualifications may be required and the same range of compensation may be applied with equity.

(v). "Holiday" means a day declared as such, by order of the Commission and includes optional or national/local holiday(s), announced by the provincial/federal government.

(w). "Sub-Committee of the Board of Commissioners" means Human Resources Sub-Committee of the Board or such other Sub-committee(s), as may be constituted by the Commission for such specific purposes and with such powers as may be deemed appropriate by it, from time to time, for the purposes of the Act.

(x). "Intern" means an individual who is temporarily engaged by the Commission, primarily to gain on-the-job training and self-improvement.

(y). "Misconduct" has the same meanings as defined under Section 2(n) of The Punjab Employees Efficiency, Discipline and Accountability Act, 2006 and/ rules made there under.

(z). "Month" means calendar month.

(ll). "Human Resource Manual" means a manual laying down Standard Operating Procedures (SOPs) as prescribed by the Board.

(mm). "Transfer" means a horizontal or lateral movement of an employee from one job, department, directorate, shift or position to another at the same or another place where his salary and Grade/Level are the same, in order to perform such duties as are assigned by the Competent Authority.

(nn). "Week" means a period of time from midnight between Sunday and Monday to following midnight Sunday, or any period of seven consecutive days.

(oo). "Working Day" means Monday through Friday, or as notified by the Board from time to time.

(2) All other words, terms and expressions used but not defined in these Regulations shall have the same meaning as are assigned to them under the PHC Act 2010.

CHAPTER II – EMPLOYMENT CONTRACTS

4. **Authority to enter into contract** – (1) Subject to the provisions of the Act, all contracts shall be made on behalf of the Commission by its Chief Executive Officer or any other officer authorized by the Board in this behalf.

(2) No contract shall be binding on the Commission unless it is made in conformity with the provisions of the Act and these Regulations.

5. **Employees to be governed by these Regulations and subsidiary orders:** The service of all employees, the terms etc., shall be governed by the Act, these Regulations, and such special orders, as may be issues by the Board from time to time.

6. **Working of employees:** – Unless provided to the contrary, the Commission may assign any relevant duty to its employee, without claim for additional remunerations.

7. **Liability to serve in any post, etc. –** An employee shall be liable to serve in any part of Punjab at any given post, office or project of the Commission.

CHAPTER III - APPOINTMENT

PART I – GENERAL PROVISIONS

8. **Appointment to be made against Regular Contractual posts** – All appointments in the Commission shall be made against sanctioned posts as approved by the Board from time to time, on Contract basis.

9. **Classification of Employees: -** (1) The employees are classified and graded into following categories:

i. **Regular Contract Employee** means and includes an Employee who enters into a regular service contract as approved by the Board, on completion of initial period of probation.

ii. **Staff taken from Government on Deputation: -** A deputationist means a government servant borrowed by the Commission from his parent department through the prescribed process to perform duties on a post with the Commission. The tenure, and the terms & conditions of deputation shall be governed by the applicable deputation policy notified from time to time by the federal or provincial government and contained in their respective Estacodes, as the case may be.

iii. **Daily Wagers and/or Contingent Work Force: -** Employees engaged to perform duties on short-term assignments on daily wage basis for a specific and limited period and/or Employees engaged for a specific

period and governed solely by the terms and conditions of their contract.

Note: Provided that, any benefit conferred under these Regulations shall not apply to employees who are not Regular Contract employees as mentioned at para (i); unless otherwise expressly specified.

(2) **Intern: -** The Commission may permit retention of interns on payment of stipend or otherwise, for training for such period as considered appropriate.

10. **Levels/Grades** – Service in the Commission shall fall under following levels:

11.

LEVEL/GRADE	JOB TITLE
MP-1 equivalent	Chief Executive Officer
Level 1	Director
Level 2	Additional Director
Level 3	Deputy Director
Level 4	Manager/Senior Manager/Assistant Director
Level 5	Officer/Senior Officer/Assistant Manager
Level 6	Receptionist/Document Controller/ Personal Assistant/ Stenographer
Support Staff-I	Driver/Dispatch Rider
Support Staff - II	Office Boy/Cleaner/Security Guard

Appointment and qualification etc.: -

(1) Appointment to a post shall be made on Regular Contract basis by one or more of the following methods, namely: -

(i) Initial appointment for CEO in accordance with Part II and for Regular Contract Employees and deputationists as per Part III of this Chapter;

(ii) By promotion in accordance with Part IV of this Chapter; and

(iii) By transfer

(2) The pay scale in which a post is classified, method of appointment, qualification, experience and other conditions, relating to various posts shall be, such as laid down in the Human Resources Manual.

(3) Upper age limit for initial appointment/induction against any vacancy at the Commission shall be 62 years on the date of appointment.

(4) All the vacancies shall be filled after advertising the same in at least two newspapers of wide circulation and on the website of the Commission.

12. Appointing Authority: – The authority competent to make appointment to various posts shall be:

Level	[illegible]	[illegible]
Chief Executive Officer	Human Resource Sub-Committee	Board of Commissioners
Level 1	Human Resource Sub-Committee	Board of Commissioners
Level 2	Directorate of Human Resources & Support Services	Human Resource Sub-Committee
Level 3	Directorate of Human Resources & Support Services	Human Resource Sub-Committee
Level 4	Directorate of Human Resources & Support Services	Human Resource Sub-Committee
Level 5	Directorate of Human	Chief Executive Officer

	Resources & Support Services	with the prior approval of Human Resource Sub-Committee
Level 6	Directorate of Human Resources & Support Services	Chief Executive Officer with the prior approval of Human Resource Sub-Committee
Level SS I	Directorate of Human Resources & Support Services	Director Human Resources & Support Services
Level SS II	Directorate of Human Resources & Support Services	Director Human Resources & Support Services

PART II – THE CHIEF EXECUTIVE OFFICER

13. **Appointment of the Chief Executive Officer.** – (1) The Board shall appoint a Chief Executive Officer of the Commission in accordance with the provisions of the Act, Regulations and the SOPs provided in Human Resources Manual.

(2) **Qualification & Experience for the Chief Executive Officer**: The Board shall appoint a person as Chief Executive Officer of the Commission, who has the qualifications as laid down in the Act.

PART III – APPOINTMENT OF REGULAR CONTRACT EMPLOYEES

14. **Appointment on Regular Contract** – An applicant may be appointed on Regular Contract or borrowed on deputation by the Commission, using transparent recruitment/selection process and subject to such terms and conditions as specified in the SOPs as laid down in Human Resource Manual. The recruitment and selection process will ensure that:

i. All vacant positions are advertised properly

ii. Recruitment and Selection processes are fair and transparent

iii. Professional standards are maintained at all times

iv. Equality of opportunity is an integral part of recruitment and selection process

15. **Commencement of Service**: Service of an employee shall commence from the day, the agreement of service is executed and subsequent call for duty.

16. **Tenure of Contract**: On successful completion of probationary period, an employee will initially be offered a renewable regular contract for a period not exceeding three (3) years. At the end of the said contract period, depending upon his performance, the Board may in its discretion, renew the contract for further period of up to three (3) year's term, subject to these Regulations.

PART IV - APPOINTMENT BY PROMOTION

17. **Eligibility for promotion:** – (1) Eligibility for the promotion of an employee shall be based on his fulfilling the following criteria:

i. Existence of a vacant position within the **Department/Directorate.**

ii. Meets minimum academic qualifications & experience required for the next level/position.

iii. Minimum **Two years** of continuous service with the Commission at the current position/level for first promotion.

iv. Minimum **Four years** of continuous service at current position/level for all further promotions.

v. No "red entries" in the personnel folder.

vi. Meets suitability and seniority cum Fitness criteria.

vii. All promoted employees shall be on probation for three months.

(2) Fitness cum Merit and performance shall be the sole criteria for promotion and no employee shall claim promotion as a matter of right.

18. **Reversion/Demotion:** - Reversion/Demotion is a movement of an employee to a position/level/grade, lower than the position/level/grade currently held by that employee. PHC reserves the right to review/revise an employee's job description at any given time in accordance with the SOPs as laid down in Human Resources Manual as per following:

i. A promoted employee, shall be liable for reversion to his previous level/grade, at any time during the probationary period, and/or

ii. As a disciplinary action, and/or

iii. In instances where an employee demonstrates that he/she is unable to perform specified task of his assigned position, PHC may, where an alternative position exists for which the employee is qualified, offer the employee the option to take the alternate position.

PART V – PROBATION

19. **Appointment to be on probation** – (1) Employees appointed through initial appointment or promotion shall remain on probation for a period of six months.

20. **Completion of probationary period** – On completion of probationary period, an employee may be confirmed unless otherwise informed by the Competent Authority.

21. **Termination of service for unsatisfactory performance** – Where, in the opinion of the Competent Authority, the conduct or performance of an employee on probation is not satisfactory, it may: -

(a) Discharge the employee in case he is appointed through initial appointment; or

(b) In case of a promoted employee, revert him to the post from which he is promoted.

22. **Termination of probation in case of initial appointment subject to satisfactory character and antecedents** – Subject to Part III, in the case of initial appointment to a post, an employee shall not be deemed to have completed his period of probation satisfactorily, until his character and antecedents have been verified as satisfactory by the Competent Authority.

PART VI – EMPLOYEES' EMOLUMENTS

23. The Commission shall pay such emoluments to its employees which are competitive, market based and performance oriented.

24. **Payment of salary:** Pay and allowances of a month shall be paid in the first week of the subsequent month and/or otherwise specified. The pay and monthly allowances of employee(s) shall be directly credited to their designated bank accounts.

CHAPTER IV

EMPLOYEE BENEFITS

25. All employees of the Commission are entitled to Pay and Allowances as per terms & conditions enumerated in the contracts. However, only Regular Contract employees of the Commission shall be entitled to Employee Benefits in addition to Pay & Allowances (remuneration).

26. **Statutory Benefits** – (1) The Commission may offer benefits to its employees, in such manner and subject to such conditions, as may be prescribed under these Regulations including but not limited to the benefits as provided under Section 32 (3)(a) read with Section 4 (2)(n) of the Act.

(2) Without prejudice to the generality of sub-regulation (1), the Commission shall provide the following benefits to its employees in addition to the pay and allowances:

(a). **Health & Life Insurance coverage for employees:** The Commission shall develop a policy for Health Insurance, covering Out-Patient & In-Patient Diagnostic and Treatment Services, for its employees and their spouse, children and parents. The Commission shall also provide Life Insurance for natural and/or accidental death of its employees in accordance with the SOPs as laid down in Human Resources Manual.

(b). **Gratuity & Provident Fund:** All Regular Contract Employees shall be entitled to receive Gratuity and Provident Fund in accordance with the respective Trust Deeds.

Provided that employee(s) on deputation shall not be eligible to become members of the Provident & Gratuity Funds.

(c). **Retirement Plan:** The Commission shall provide Retirement Plan to its employees who have completed at least 2 years of continuous service with the Commission, in accordance with the SOPs as laid down in Human Resources Manual.

Provided that no such plan shall be extended to the employees who are already drawing pension from public funds.

(d). **Additional Charge Allowance:** (1) The Competent Authority may in its discretion provide Additional Charge Allowance, in accordance with the SOPs as laid down in Human Resources Manual, to such employees who have been assigned responsibilities of a similar or a higher post, in addition to their regular position.

(2) An employee who has been assigned an additional charge in accordance with the sub-regulation (1) shall not be entitled to additional charge allowance unless such assignment is for at least one (1) calendar month or more.

(3) An additional charge assigned to an employee, in accordance with sub-regulation (1), shall not exceed a period of three (3) months. However, in case where this arrangement is deemed necessary for an extended period, same shall be subject to the approval by the Competent Authority.

(4) In case an employee is assigned additional charge of more than one post, s/he shall be entitled for the additional charge allowance for one post only.

(e). Any other welfare scheme and monetary benefit/program as the Commission may deem fit for its employees from time to time.

27. **Leave:** – All Regular Contract employees of the Commission shall be entitled to leave of absence as laid down in Human Resources Manual.

28. **Official Travel:** - The Commission shall have a comprehensive travel policy for its employees regarding their travel in discharge of their duties. The Commission shall pay to its employees Travel Allowance/Lodging and Daily Allowance as laid down in Human Resources Manual.

29. **Vehicle policy:** - PHC while taking into consideration its financial position. will provide official vehicles with driver or monetization in lieu thereof, to its senior management staff of Level 2 and above, as part of their compensation and benefits package. The Commission shall also provide fuel allowance to all its Regular Contract employees in accordance with the provisions as laid down in Human Resources Manual.

30. **Overtime:** The Commission shall pay Overtime Allowance to such employees of Levels 6, SS-I & SS-II, in accordance with the provisions as laid down in Human Resources Manual.

CHAPTER V
RETIRMENT, RESIGNATION AND TERMINATION

31. **Retirement from Service** – Subject to terms of the Contract, all employees of the Commission shall retire from service on attaining the age of superannuation **i.e. 65 Years**.

32. **Resignation subject to prior notice** – (1) Subject to sub-regulations (3), an employee may resign from his post by giving one-month's advance notice in writing, which shall only become effective upon its acceptance by the Competent Authority, or one month's pay in lieu thereof. During the notice period, the employee shall continue to perform duties and shall not absent himself without sanctioned leave. Any violation of this provision shall amount to misconduct for the purposes of these regulations.

(2) Final financial settlement of an employee shall be subject to recovery of all dues from the employee, if any.

(3) In case where disciplinary proceedings are pending against an employee, his final settlement shall be subject to the finalization/outcome of such proceedings.

33. **Termination of service** – (1) The Competent Authority may terminate the contract of service of an employee without assigning any reason after giving **one-months'** notice or pay in lieu thereof.

(2) Where, on the abolition of a post or reduction in the number of positions, the services of an employee are required to be terminated, the affected person shall be given **Three (3) months'** pay in lieu of notice period.

CHAPTER VI

34. **Harassment Policy of the Commission:** - Any case of misconduct including harassment, if reported, shall be promptly investigated by the Commission and immediate corrective action/measures shall be taken accordingly. The management of the Commission shall ensure strict implementation of the anti-harassment measures as defined in Protection against Harassment of Women at Workplace Act, 2010.

CHAPTER VII

CODE OF CONDUCT & DISCIPLINE

35. These Regulations determine the limits of acceptable and un-acceptable behavior of the employees and ensure discipline in order to enhance the smooth working of the Commission and its employees.

36. **Disciplinary proceedings:** - The Competent Authority may initiate disciplinary proceedings against any of the employee(s) of the Commission as per the principles of Natural Justice.

37. **Penalties:** – The Competent Authority may impose penalty(ies) upon any of the employee(s) of the Commission as provided under section 4 of The Punjab Employees Efficiency, Discipline and Accountability Act, 2006.

38. **Right of Appeal** – Any employee, if aggrieved by any of the decisions/orders of any superior Authority other than Board, being other than the Board itself, may within fifteen (15) days from the date of receipt of such decision/order of the Competent Authority, file a representation before the Board challenging the same.

CHAPTER VIII
RECORD OF SERVICE

39. **Record of service of each employee to be maintained** – (1) Record of service of each employee of the Commission shall be kept by the Directorate in hard as well as soft/electronic form.

Provided that, the record of the employees no longer in the Commission's employment, shall be maintained by the Human Resources Directorate in soft/electronic form and hard copies of record of such employees shall only be kept for six (6) years, commencing from the date, the said employee left the Commission.

(2) The Commission shall record the age of every employee at the time of his appointment and cause such fact to be verified by the concerned employee. Employees for this purpose shall produce such documents as proof of their age as may be required by the relevant law. No alteration in the date of birth shall be allowed subsequently.

CHAPTER IX
GENERAL & MISCELLANEOUS PROVISIONS

40. **Interpretation of Regulations** – In case of any confusion regarding the interpretation of these regulations and/or SOPs, as laid down in Human Resources Manual, a reference shall be made to Estacode to seek clarity. However, the Board shall take the final decision in this regard.

41. **Savings** – Orders, instructions or policies made or enforced by the Commission under the Human Resources Policies & Procedures Manual, before coming into force of these Regulations, shall be deemed to have been made under these Regulations.

42. **Repeal** – Upon coming into force of these Regulations, the currently in place Human Resources Policies and Procedures Manual shall stand repealed.

43. **Relaxation** – The Board may, for reasons to be recorded in writing, relax any of these regulations in an individual case, keeping in view the best interest of the Commission.

Chief Executive Officer
Punjab Healthcare Commission "