



Al-Quds University

University By-Laws

(2)

Regulations of the Administrative and Technical
Employees

Chapter 1

Regulations of the Administrative and Technical Employees

Article (1): These By-laws shall be titled “ Al-Quds University 2003 Amended By-laws of the administrative and technical employees and shall come into force from the date of its approval by the Board of Trustees.

Article (2): Unless the context otherwise requires, the following words and expressions shall have the meanings ascribed thereto herein below:

Regulation	Regulation of the administrative and technical employees at Al-Quds University
University	Al-Quds University
Board of Trustees	The Board of Trustees of Al-Quds University
University's Council	Al-Quds University's Council
President	President of Al-Quds University
Vice-President	The Vice-President of Academic Affairs
Dean	The dean of any faculty at Al-Quds University
Administrative Department	Any administrative department constructed at the University under its articles of association
Manager	The higher officer of any administrative department at the University
Administrative employee	Any person appointed by resolution of the competent reference at a position enrolled at the table of the University's administrative and technical positions at the administrative and academic departments
Employee	Whoever occupies a position at Al-Quds University
Medical Committee	The medical reference approved by the University's administration
Committee of Appointment	The committee of appointing faculty members at the University
Overtime Work	Any work assigned to the faculty member after the end of his/her official working hours
Ranking	Enrolling the faculty member's name for the first time for an academic job with full burden after the end of the probation period.

Article (3):

- a) The provisions hereof shall apply to all employees and officers appointed in the University before the validity date hereof in 2003.
- b) The employees appointed after the approval hereof shall be governed by the Palestinian Labor Law No. 7 of 2000.
- c) The persons who contract with the University shall be governed by the contracts mutually concluded by them

Chapter 2

Categories of positions and the administrative and technical employees

Article (4):

- a) The names, sequences, degrees and salaries of the administrative positions at the University shall be specified in the table of the administrative and technical positions ranking. This table is approved by the Board of Trustees.
- b) The President shall be competent to appoint employees and officers at the request of heads of the concerned administrative and academic departments and upon instructions issued by the Vice- President.

Chapter 3 Appointment

Article (5): The University shall form a committee for the appointment of the administrative employees, technicians and employees. This committee shall consist of 3 regular members with administrative and/ or academic degrees. The committee members shall be appointed for two years by the President; however, they shall not be authorized to take resolutions regarding the relevant reappointments based on their administrative positions to ensure the validity of appointment procedures as outlined in Article "6" below.

Article (6): **Conditions of Appointment**

1. Vacancy announcement under the approved budget of the department shall be published in the local newspapers. Applications shall be submitted to the department of personnel affairs.
2. The qualified applications shall be referred to the concerned head of department who reports his / her recommendations, after adequate study, to the deputy head of the administrative and financial affairs department.
3. Procedures of recommendation include the appointment of interview committee that consists of the head of department, the managing director, the manager of personnel affairs department and any person selected by the deputy head of department.
4. Appointment shall relate to the vacant positions only
5. It is required that the person who assumes positions at the University must:
 - a) Be more than 18 years old under a ratified official document
 - b) Be medically fit pursuant to report approved by the medical committee
 - c) Not subject to a judgment of felony or misdemeanor rendered by a competent court under non-conviction certificate issued by the competent court.
 - d) Meet the requirements and conditions of the position as outlined in the table pertaining to the ranking of jobs at the University.
 - e) Be able to bear responsibilities and obligations of working at the University as per the applicable laws and By-Laws.

Article (7):

- a) The first year during which the employee occupies a vacant job shall not be added to the period of service and shall be deemed as probation period. The University may dismiss the worker during this period without showing any reason for dismissal.
- b) The University shall serve a two-week notice of dismissal to the worker who fails to successfully pass the probation period.
- c) During the first three months of probation period, the employee shall charge a monthly fixed salary and shall be added to the unified cadre during the remaining term of probation period,
- d) The employee shall be classified by the committee of appointment within one month maximum from the end of probation period.
- e) The employee shall not be promoted during probation period) Probation period shall be deemed as actual service after its end

Article (8): **Calculation of Experiences**

The employee's experiences preceding his / her appointment at the University shall be calculated after obtaining the minimum scientific qualification necessary for the job as outlined in the unified cadre of the Ministry of Higher Education, Only half of the period of the employee's experiences before obtaining the required scientific qualification shall be calculated, provided the worker shall spend this period working in his / her specialization.

Article (9):

- a) The President may contract with employees to occupy specialized positions at the University for limited period and in consideration of a monthly fixed salary in accordance with the conditions mentioned in their employment contracts.

- b) The administrative or technical employee who obtains a higher scientific qualification after his / her ranking shall be promoted only if there a vacant job that needs such qualification.

Article (10):

- a) The employee may be dismissed after his / her ranking only by causative resolution issued hereunder or if there is a process of downsizing or dismissal at his / her department.
- b) At the of the President and based on the University Council's recommendation, the Board of Trustees shall declare the downsizing or dismissal at any department that leads the latter to leave some of its ranked employees.

Chapter 4

Employees' Rights and Leaves

Article (11):

Salary: The employee shall be entitled to the salary mentioned in the unified cadre adopted by the Ministry of Higher Education.

Article (12):

Annual Increase:

- a) The employee shall be entitled to annual increase when due unless withheld hereunder.
- b) The employee shall be entitled to additional annual increase if he / she was awarded a degree of very good and above in two annual reports of two successive years.

Article (13):

Overtime Work:

The employee may charge remuneration in consideration of the works assigned thereto outside the official working hours by resolution of the Vice President for Administrative and Financial Affairs, provided:

- a) The work to be performed must be seasonal and urgent and cannot be performed during the official working hours.
- b) The amounts paid against the overtime work shall not exceed half of the concerned employee's monthly salary.
- c) The remuneration of overtime work shall be paid to the executive employees only (not the heads) on the basis of hourly rate.

Article (14):

Annual Leave:

- a) The ranked employee shall be awarded an annual leave of 24 days and 21 days for the non- ranked employees. This leave shall be exploited in one or more times as the work conditions permit. Days of Eids and official holidays shall not be considered as a leave if they fell within them. The technicians appointed before 1996 shall enjoy the same leave awarded to the academics.
- b) It is not possible to combine the employee's annual leave for more than two successive years unless the department rejects the leave in writing due to work conditions, In such case, the non-exploited leave shall be added to the employee's balance or overtime allowance shall be charged.
- c) The annual leave shall commence on 1 October, and the leave of year fracture shall be proportionally calculated.
- d) The employee shall be entitled to his / her full salary and bonuses for the annual leave period.
- e) The employee shall submit an approved application for leave two days at least before the date of leave. The leave shall become valid only after its signature by the competent officer and the receipt of written notice in this regard.

Article (15):

Sick Leave:

- a) The employee shall be entitled a paid sick leave of two weeks per year, provided that submitting a medical report.

- b) The employee shall charge his / her full salary and bounces during the first four months of the sick leave approved by the medical committee, and half of his / her salary and bounces during the next four months.
- c) If the employee remained sick after the end of the first eight months, he / she shall be checked by the medical committee again. If the medical committee concluded that the employee's disease is not healable, the employee's service shall end and the latter shall obtain his / her entire rights. However, if the medical committee concluded that the employee's disease is healable but he / she cannot return to work at this time, the employee's sick leave shall be extended for further four months with half salary and bounces.
- d) The sick leave not supported by a medical report issued by the concerned entity shall be deducted from the annual leave.
- e) The employee shall return to work during his / her sick leave under item "b" and "c" of the same article only by report issued by the medical committee proving that he / she can work again.

Article (16): Maternity Leave:

- 1) The female employee shall be entitled to a maternity leave of 3 successive months before and after delivery
- 2) The employee shall apply for the leave two months at least before the expected date of delivery
- 3) The employee shall charge her salary and bounces in full during this period
- 4) The nursing employee shall be entitled to leave work an hour before the scheduled time of departure for one year from the date of delivery. In addition, she is entitled to unpaid leave of one year to care for her child.

Article (17): Hajj Leave:

- a) Throughout the period of his / her service at AI-Quds University, the employee shall be entitled to leave to perform Hajj (pilgrimage). The period of this leave is 30 days when the employee shall charge his / her salary and bonuses in full.
- b) If the employee desires to perform Hajj again, the period of absence shall be deducted from his / her annual leave.

Article (18): Casual Leave:

- a) The employee shall be entitled to causal leave with full pay for not more than 11 days in the following occasions:
 - 1) Marriage- 5 days
 - 2) Death of relatives of the first degree -3 days
 - 3) Death of relatives of the second degree -1 day and not more than 3 days per year
- b) Other cases are to be approved by the line manager who shall advise the manager of personnel affairs department about how to calculate the leave.

Article (19): Unpaid Leave:

- a) The employee shall be entitled to obtain unpaid study leave for one year maximum by resolution of the President. The President may extend this period based on the recommendations of the employee's line manager, provided the total period of leave shall not exceed 4 years. In order to obtain this leave, the employee must spend two years at least in service and the leave must aim at improving the employee's occupational performance in coordination with the department where the employee works.
- b) In exceptional conditions, the employee may obtain unpaid leave for non-study reasons for one year maximum by resolution of the President and based on the recommendations of the employee's line manager

Article (20): General Provisions

- a) The terms, conditions and forms of leave shall be specified by instructions issued by the University Council

- b) If the employee is absent without leave or without immediate reporting in cases of diseases, two days shall be deducted for every day of absence or the day of absence shall be deducted in addition to taking the disciplinary procedures.
- c) The University's annual calendar shall specify Eid leaves and official holidays
- d) The Department may call the employee during his / her annual leave in case of necessity

Article (21):

Exemptions:

- a) Sons of the employees who completed 10 years of actual service at the University shall be exempted from tuition fees in full
- b) The first son of the employees who completed less than 10 years and more than 5 years of actual service at the University shall be exempted from tuition fees in full (100%), 50% for the second son and 25% for the rest of sons. In addition, the husband of the employee who completed 5 years of actual service at the University shall be exempted from tuition fees.
- c) The first son of the employees who completed less than 5 years and more than 3 years of actual service at the University shall be exempted from tuition fees by 50% and 25% for the second son, while the employee's third son or husband shall not benefit from any exemptions.
- d) For the purpose of calculating the ratio of exemption in items "b" and "c" above, the son who graduates or leaves study for any reason shall be replaced by the son who comes after him / her / her in the order.
- e) An exemption from 50% of tuition fees in the second university degree shall be granted to the sons of employees who completed 15 years of actual service at the University.
- f) Provisions of the above items shall apply as per the years of actual service to the University's classified employee after his / her death, end of service due to disease or attaining the legal age of retirement.
- g) Students (workers' sons) who fail to pass any course shall bear the costs required to repeat the course or to study alternative one.
- h) The central committee of regulation may take the proper actions hereunder, including the withholding of exemption granted to workers' sons for a specific period of time.

Article (22):

Health Insurance:

- a) The University shall contribute by the prescribed health insurance fees with the Palestinian National Authority, and the employee shall pay any amounts that so exceeds.
- b) The University shall provide insurance for its employees against accidents during their work, including their direct way to and from their place of work and during their delegation for works outside the University.

Article (23):

Work Injury If the employee sustained work injury while performing his / her work, including their direct way to and from the place of work and accommodation, the employee shall obtain the sick leave determined by the competent medical committee. This leave shall not be deemed within the sick leaves prescribed hereunder. The employee shall charge his / her salary in full during the period of his / her sick leave.

Article (24):

For the purposes of leave and compensation, salary is the total salary charged by the employee in the last month.

Article (25):

Saving Fund:

- The University shall construct an independent saving fund whose savings consist of.
- a) The employee's contribution by ratio of his / her salary to be determined as per the unified cadre
 - b) The university's contribution by ratio equivalent to double of the employee's contribution to be determined as per the unified cadre
 - c) The revenues of the Fund's investments
 - d) Gifts and donations sent to the fund

Chapter 5

Employee's Obligations

- Article (26):**
- a) The relationship between the University and employee is based on the fact that the latter is to provide decent, sincere, successful and economic services for the University.
 - b) The employee shall:
 - 1. Personally fulfill the occupational requirements by allocating the official working hours for productive work. The employee may be requested to perform works outside the official working hours if the public interest so requires, provided the employee shall obtain remuneration against the overtime work. The employee shall not perform any work that conflicts with his /her job or occupational obligations.
 - 2. Execute the orders and instructions issued thereto by his / her managers, perform his / her work accurately, honestly and as quick as possible and comply with the applicable laws and by-laws.
 - 3. Develop the experiences and information required to practice his / her powers and perform his / her duties whenever required to do so. 4. Help his / her colleagues to grow, bear larger responsibilities and develop their skills and efficiencies
 - 4. Evaluate the works of his / her employees and their behaviors to estimate their numerations or to take disciplinary actions against them if their performance does not meet the required level.
 - 5. Maintain the University's interests, monies, properties and rights
 - 6. Comply with the applicable laws and by-laws and avoid their breach or violation
 - 7. Behave in a polite and good manner with his / her managers, colleagues, subordinates and reviewers, show good conduct and comply with the professional ethics, at all times, inside and outside the University.

- Article (27):**
- Adherence to Official Working Hours:
- 1. The official working hours are 8 hours per days, including lunch hour. The commencement and end of these hours are to be determined as per the line manager's instructions.
 - 2. The provisions of this article shall apply to all administrative employees, lab technicians, workers and contracting parties.

- Article (28):**
- The Employee shall not:
- 1. Leave, cease or refrain from the execution of his / her works for any reason whatsoever without consent of his / her manager and/ or in violation of these by-laws.
 - 2. Divulge any official information to any entity whether during or after the end of his / her service
 - 3. Perform any occupational works outside the university, with or without consideration, without prior written consent of the President
 - 4. Preserve any document, correspondence of documents or official correspondences pertaining to his/her department or other departments or any copy of these documents for himself.
 - 5. Divulge the University's secrets or allow any unconcerned persons from inside or outside the University to review any document or correspondences related to the University, including all matters handled during the meetings of councils and committees.
 - 6. Accept any presents, gifts or tips from any entity for a work executed, to be executed, not to be executed according to his / her position
 - 7. Take part in the purchase and sale of any supplies, works or properties of the University with aim of direct or indirect trading
 - 8. Perform any work or show any behavior outside the University that prejudices the occupational dignity and University's prestige
 - 9. Violate the applicable laws and instructions of the University.

Article (29): Chapter 7 hereof specifies penalties for the violations mentioned in the above three items.

Chapter 6 Performance Assessment and Incentives

Article (30): The administrative and technical employees shall be assessed annually as per the form allocated for this purpose:

- a) This form shall include the employee's efficiencies, behavior and activities. The employee's performance shall be assessed as per the percentages set forth in the form. This assessment shall consider the fulfillment of duties and methods of work in terms of compliance, personal conduct and attributes in the light of which he / she fulfills his / her obligations and takes his / her decisions.
- b) Reference shall be made to this assessment with regard to the employee's promotion, remuneration or end of service.
- c) The line manager shall subjectively, accurately and honestly assess the performance of his / her employees as per the specified form of item "a". This form may not be withdrawn or amended after its sending to the Vice President for Administrative and Financial Affairs, and no data of this form may be erased
- d)
 1. Notice shall be served to the administrative employee who obtains medium performance assessment
 2. Warning shall be served to the administrative employee who obtains poor performance assessment
 3. Dismissal of the administrative employee who obtains poor performance assessment for more than two years shall be considered.

Chapter 7 Penalties

Article (31):

- a) If the employee violated the University's articles of association and the by-laws and laws issued thereby, he / she shall be subject to the following disciplinary actions as per the nature of his / her violation:
 1. Alert or notice: and penalty of warning shall apply to the employee if the penalty of notice was applied to him / her /her for three times.
 2. Warning: and penalty of final warning shall apply to the employee if the penalty of warning was applied to him / her for three times
 3. Final warning: The employee to whom the above penalties were applied shall be referred to Disciplinary Council in case of committing a new violation
 4. Deduction from the salary: This deduction shall not exceed 5 days per violation
 5. Deprivation from bonus for not more than 6 months per violation
 6. Deprivation from promotion for not more than one year
 7. Reducing the occupational rank
 8. Dismissal from service without depriving the employee from his / her dues
 9. Dismissal from service without compensations
- b)
 1. The managing director or department manager may apply the penalties (1:3) of the above item, each within his / her specialization
 2. Employees shall be referred to the disciplinary council to determine the penalty provided for herein (4) - (9)
 3. The President may alleviate the penalties (1:7) of item "a" based on the complaint filed by the violating employee within 2 weeks from the date of having knowledge about this penalty. The President's resolution shall be final and non-challengeable.

4. University Council may alleviate penalties Nos. 8 and 9 based on the complaint filed by the violating employee within 30 days from the date of receiving a notification in this regard

Article (32):

- a) The disciplinary council shall consist of:
 1. Vice President for the Administrative and Financial Affairs or his / her representative "Chairman"
 2. Faculty member from Faculty of Law "Member"
 3. Representative of Workers Union
- b) The President may add two members to the council if he / she sees suitable: One of them shall be a head of department at the University, and the second one shall be an administrative employee at the concerned department.
- c) The disciplinary council shall convene by call of its chairman and its resolutions shall be issued by the majority of votes "Member"

Article (33):

- a) The line manager shall notify the employee to be referred to the disciplinary council in writing of the statement of violations attributed thereto one week at least before the date scheduled for the committee convention.
- b) The administrative employee referred to the disciplinary council shall have the right to defend and refute the accusations he / she is charged with.
- c) The disciplinary council shall report the resolutions issued thereby to the chairman, including the grounds on which the council depended to issue such resolutions.
- d) The private committee formed by the chairman as per item "b-3" of the above article shall report its recommendations to the chairman, including the grounds on which the committee depended to issue such resolutions.
- e) Vice President for the Administrative and Financial Affairs shall refer the violations reported to the disciplinary council and notify the violating employee and the relevant departments of the penalties issued by the disciplinary council, University Council or President.

Article (34):

- a) The President may suspend the employee referred to the disciplinary council from work duties, and may partially retain his / her salary until the disciplinary council issues its final resolution.
- b) If the suspended worker was proven innocent, he / she shall retrieve his / her suspended rights and shall be exculpated by written letter issued by the chairman
- c) If the worker referred to the disciplinary council was proven innocent, he / she shall be exculpated by written letter issued by the Vice President for the Administrative and Financial Affairs.

Article (35):

Pursuant to these By-laws, the employee may not be referred to investigation for a disciplinary violation detected since more than 6 months.

Article (36):

If the violations attributed to the employee require his / her suspension, detention or investigation and lie outside the scope of his / her job, the entity which takes this resolution shall immediately notify the President to consider the aforesaid violations hereunder.

Article (37):

The employee in default shall be exempted from the disciplinary penalty only if it was proven that he / she committed the relevant violation pursuant to a written order issued thereto by his / her manager although the employee notified his / her manager of this violation, provided this violation shall not be a felony or misdemeanour that requires penalty under the applicable penal law.

1. Penalty shall be forfeited if it was proven that the employee's behavior and work became satisfactory after penalty by:
 - a) Six months in case of notice or warning
 - b) One year in case of the penalties Nos. (3:6) of item "a" of Article 31
 - c) Two years in case of penalty No. (7) of item "a" of Article 31
2. The entity concerned with the determination of penalty shall nullify the same

Chapter 8

Scientific Scholarships and Courses

Article (38): The President may, at the request of the competent departments and recommendations of the Committee of scholarships, send employees abroad for scientific scholarships, training courses or conferences that aim to raise the level of occupational performance for the employees working in the University by means of the completion of their studies, obtainment of scientific degrees, specialization in various fields of sciences and familiarity with the theoretical and applied knowledge.

Chapter 9

Transfer, Delegation, Loaning and Agency

Article (39):

- a) The President may, by resolution of the Vice President for the Administrative and Financial Affairs and in consultation with the concerned departments, transfer and delegate the employee from a job to another one in the same department or in another one inside the University subject to the employee's nature of work and work requirements.
- b) The employees transfer or delegation shall consider the University's interest, costs saving and good benefit from the employees' services. The request of transfer or delegation must be causative. e) The employee may not be transferred to another job with inferior rank or degree

Article (40):

- a) The period of delegation shall not exceed one working year
- b) The delegated employee shall obtain financial reward in consideration of assuming the additional job for which he / she is delegated beside his / her original job. The value of this reward shall not exceed 25% of the gross salary of the additional job

Chapter 10

End of Service

Article (41): The employee's service shall end in any of the following cases:

- **First: Resignation**
 1. The administrative employee may resign from his / her job by virtue of a written request sent to the President by his / her line manager subject to the administrative sequence, which letter shall be sent one month at least before the date of the employee's desire
 2. The President shall decide on the request of resignation within 30 days maximum from the date of receiving the same.
 3. Resignation shall be deemed as accepted if not decided on within the period specified in item "2" above. leave work.
 4. The resignation submitted by the employee referred to resignation shall not be accepted
 5. The employee shall continue in his / her work until the receipt of written notification of accepting the request of resignation or until elapse of the period specified in item "2" above.
 6. Resignation shall be accepted after its submission for the third time within one year from the date of submitting the first one.
- **Second: Los of Job**

The employee shall lose his / her job in the following cases:

 - a) If he / she is absent for more than 15 successive days without plausible excuse accepted by the President
 - b) If he / she is absent without leave or plausible excuse for more than 30 interrupted days during the academic year. In such case, the employee's

service shall be deemed as ended on the next day that comes after the end of this period provided the employee shall receive a written notice after being absent for 15 days.

- c) If the employee refrained from going to work for 5 days after receiving a written notice about the necessity to return to his / her work.
- d) If the employee resigned and left his / her work in violation of Item "First" above
- e) The resolution of job loss shall come into force after notifying the employee under written notice or publishing the resolution in a local newspaper without receiving a written objection from the employee within 3 days from the date of this notification or publication.

- Third: Dismissal

- a) The administrative employee shall be dismissed if he / she is convicted under final judgment issued by a competent court for felony or misdemeanour against honor or honesty.
- b) The administrative employee shall be dismissed if the competent authority resolved to penalize him / her by dismissal hereunder.

- Fourth: Physical Unfitness

Employee shall be dismissed if the competent medical committee concluded that he / she is physically unfit for work.

- Fifth: Dispensing with Job

If the department or division where the employee was dismissed and the University could not find a suitable vacant job or if the employee rejected the offered job, the University shall have the right to dispense with this employee and deprive him / her from his / her entire rights.

- Sixth: Attainment of Retirement Age:

The employee's service shall end once he / she attains 60 years old under the official document approved at the time of his /her appointment.

- Seventh: Death

Article (42):

- Compensation:

- The following financial rights shall be granted to the employee whose service ends in all the aforesaid cases subject to the provisions hereof:

- a) Gratuity of one month salary for every year of service at the University for the employee who completes 16 years of actual service, and salary of one month and half for every year of actual service for the employee who completes more than 16 years of service at the University. This gratuity shall be paid on the basis of gross salary charged by the employee.
- b) The amounts due to the employee in Saving Fund
- c) The employee dismissed from work shall be entitled only to his / her subscription in Saving Fund and the investments of subscription ratio
- d) The employee whose service ends within less than one year from the date of joining shall not be entitled to any reward.
- e) Part-time employee shall not be entitled to end of service gratuity

- Second: Heirs of the employee who dies during service shall be entitled to:

1. Full salary and bonus for the month when the employee passed away
2. Full salary and bonus for other two months
3. Full salary and bonus for annual leave balance due to the employee upon his / her death
4. Heirs of the employee appointed under annual contract shall be entitled to the deceased employee's salary until the end of this contract
5. The items outlined in clause "First" above ("a" and "b")

Chapter 11

General Provisions

- Article (43):** All the matters not specifically mentioned in these by-laws or other by-laws of the University shall be governed by the following laws successively:
1. Higher Education Law No. 6 of 1998 and other by-laws issued by Ministry of Higher Education
 2. Civil Service Law No. 4 of 1998
 3. Palestinian Labor Law No. 7 of 2000
- Article (44):** Article (44): The articles hereof may be amended by resolution of the Board of Trustees