

# DRAFT



## **UNIVERSITY “UKSHIN HOTI” PRIZREN**

Rruga e Shkronjave No. 1, 20000

Prizren, Republika e Kosovës

[www.uni-prizren.com](http://www.uni-prizren.com)

# **WORKING HOURS AND ANNUAL LEAVE REGULATIONS OF ADMINISTRATIVE PERSONNEL**

Prizren, October 2022

The Governing Council of the University "Ukshin Hoti" Prizren, based on the provisions of article 22 paragraph 1.6 of the University Statute no. 04-V-621 dated 30.05.2013, the legal provisions of Labor Law No. 03/L-212, the provisions of the Law on Public Officials No. 06/L-114 as well as Regulation no. 12/2020 on working hours and holidays of public officials, at the meeting held on xx.xx.xxxx, approves the following:

## WORKING HOURS AND ANNUAL LEAVE REGULATIONS OF ADMINISTRATIVE STAFF (NON-ACADEMIC) OF THE UNIVERSITY

### **Article 1**

#### **The Objective**

1. Through this regulation the rights and duties of the personnel related to working hours and annual leave rights will be determined accordingly with the legislation in power.
2. This also regulates working hours for third parties, namely the working hours for the services the University provides for the students and other parties.

### **Article 2**

#### **Scope**

1. The provisions of this Regulation are applicable to the categories of employees according to Article 67 paragraph 8 and 9 of Law No. 06/L-114 in relation to Article 168 of the University Statute.
2. The provisions of this Regulation are also applicable for the technical staff, while they can be correlated to the staff of the rector's cabinet, if the head of the cabinet has expressly provided on his decision.
3. The provisions of this regulation do not apply to personnel from Article 67 paragraph 7 of Law No. 06/L-114 (academic personnel) in relation to article 167 of the University Statute.

### **Article 3**

#### **Working hours**

1. The management staff and non-academic staff start work at 08:00 and end at 16:00. They work five (5) days a week, starting from Monday to Friday.
2. The provisions of this Regulation are also applied in the Central University Library, until the competent authority of the Central University Library issues a decision (other legal act) of this nature.

3. Within the working hours under this Article, the public official shall be entitled to one (1) hour of a break during the working hours every day in the middle of the working hours.
4. In special cases, for reasons of the specific nature of the work, the institution may set different working hours from that defined in paragraph 1 and 2 of this Article. The different working hours can only be applied if they can start up to one hour later than the regular working hours. The General Secretary decides for the implementation of these flexible working hours. For the execution of the full monthly payment, the approval of the direct superior and the General Secretary is required.
5. In any case, the regular schedule cannot exceed forty-(40) hours of work per week and 8 hours per day, including one (1) hour of rest. Working hours above this rate are considered overtime work.
6. The working hours shall be posted by each institution in a visible place on a notice board, as well as on the institution's website. There is no time limit in the form of (work with parties).

#### **Article 4**

##### **Part-time working hours**

1. Part-time working hours shall be working hours shorter than full-time working hours.
2. The public official who works part-time shall enjoy all the rights and obligations derived from the employment relationship as of the full-time public official, in proportion to the working hours the public official works.

#### **Article 5**

##### **Official visits and trainings**

1. Time spent on official visits or training is considered as time spent at the workplace.
2. When trainings are held on weekends, those days will be compensated with rest days.
3. Before an official visit or training within the country a request should be filled up. This request will be approved by the General Secretary and a copy of that request remains in the General's Secretary office.
4. The official who makes the official visit within the country is recorded in the register at the beginning and at the end of the working hours.
5. Before going on an official visit abroad, the official must have a written approval accordingly with the standard form of official abroad visits (2<sup>nd</sup> Appendage of this regulation). For each official visit abroad of non-academic personnel, the decision is made by the General Secretary.
6. The time spent on an official visit abroad is considered as time spent at work. Nevertheless, if those official visits occur on a weekend or an official holiday, they are not considered as overtime work.

## **Article 6**

### **Overtime work**

1. On special occasions, due to the big amount of work or other institutional requirements, the employee must work overtime, or be on call, work at night, during official holidays or during the weekend.
2. Overtime work is implemented with the request of the General Secretary or by the special requesting unit approved by the General Secretary. The same request is sent to the Management Unit of Human Resources.
3. Overtime work will be prolonged as it is deemed necessary by the institution, but not more than eight (8) hours per week.
4. Overtime work shall be compensated by an additional of fifty percent (50%) as a percentage of the basic salary or by an additional of fifty percent (50%) of the basic annual leave calculated as follows:
  - 3.1 30% allowance per hour for overtime hours;
  - 3.2. 20% allowance per hour for on-call duty;
  - 3.3. 30% allowance per hour for night work hours;
  - 3.4. 50% allowance per hour for working during holidays; AND
  - 3.5. Additional 50% per hour for working during the weekend.
5. The public official may request from the employer to receive days off in compensation for the additional salary for overtime work under paragraph 3 of this Article.

## **Article 7**

### **Compliance with the working hours**

1. During working hours, all public officials are obliged to be at the workplace. Working hours of all public officials shall be recorded in the electronic register or in the work attendance book. The waiting in the electronic register is up to fifteen minutes (+-15min.) assuming that the 8-hour work, respectively 40 hours per week schedule, is respected.
2. Failure to comply with the working hours shall constitute a disciplinary breach.
3. For the work attendance of the public officials the General Secretary is responsible.
4. Management Unit of Human Resources is obliged to keep evidence on work continuity for internal needs of the institution as well as for external audit or inspection needs.
5. Unapproved work absences by the competent official and legally uncorroborated, The Management Unit of Human Resources subtracts those days from annual leave and also notifies the General Secretary.
6. Management Unit of Human Resources, by the 5th of each month, issues a report on the work attendance as well as absences of the personnel administration.
7. When there is no annual leave day left to subtract for the absence, the absence will be compensated from the salary. Repeating such behavior or other delays at work will be treated accordingly with the paragraph 2 of this article.

8. For any departure from the workplace during the working hours, the public official must notify the General Secretary. The General Secretary regulates and manages on how the notifying form should be done.

## **Article 8**

### **Annual leave**

1. The public official shall be entitled to a paid annual leave for each calendar year for a duration of twenty (20) working days.
2. The extension of annual leave shall be defined based on seniority work experience, whereby one (1) day shall be added for every five (5) years of service.
3. Public servicers, who before the enforcement of this law had the status of civil servicers, the annual leave, which has been earned based on work experience is granted by the law of civil services. The determination of annual leave will be done based on paragraph 2 of this article from the approval date of the Law on Public Officials (Record of Judgment no. K0203/19, published on:13.07.2020), and on the total number of days earned accordingly to the law of civil servants.
4. Management Unit of Human Resources every year updates the days of annual leave of the administration personnel based on the enforcement of the legislation and the Regulation.
5. Mothers or guardian/single parent of a child up to three (3) years old, as well as a person with disabilities, shall benefit from two (2) additional working days to their paid annual leave.
6. During the paid annual leave days, neither the sick leave time nor the official holidays shall not be counted as annual leave.
7. The newly employed public official shall be entitled to annual leave only after six months of uninterrupted work.
8. In case of termination of the employment relationship in the institutions of the Republic of Kosovo, the public official shall be compensated in cash calculated for the unused days of annual leave. In the opposite case, when the days of annual leave are used prior to obtaining the right to annual leave, the relevant amount for the days thus used shall be withheld from the salary.
9. In case of employment relationship transferred between institutions, the public official shall be entitled to transfer the unused annual leave.

## **Article 9**

### **Use of annual leave**

1. The annual leave may be used until June 30 of the following year, in two (2) or more parts.
2. Each immediate supervisor shall draft and forward to the General Secretary and to the Management Unit of Human Resources within January, the orientation plan for the

use of annual leave by public officials in accordance with requests of such officials and the institution's needs.

3. The General Secretary, every year, by the end of February at the latest, issues a decision on the use of annual leave in accordance with the annual leave orientation plan in coordination with Management Unit of Human Resources, respecting the provisions from paragraph 5 of this article.
4. The use of annual leave is done by signing the form of the annual leave and by the decision of the General Secretary.
5. Despite the provisions mentioned above, 50% or at least 60% of the basic annual leave (20 days) of the administrative staff must be concentrated in the period of collective leave determined by the University.
6. The institution's decision on collective leave, which concerns the administrative staff, must be in agreement with the provisions of this regulation.

## **Article 10**

### **Sick leave**

1. In case of sickness or temporary disability at work, the public official shall inform, during the day, their immediate supervisor, the General Secretary as well as the Management Unit of Human Resources and justify their absence through a certificate issued by the competent medical body.
2. The public official shall be entitled to sick leave of up to twenty (20) working days within one (1) year with 100% salary compensation.
3. The public official may also use the medical leave days provided for under paragraph 2 of this Article in case of illness of his/her child upon presenting the certificate issued by the competent medical body.
4. The public official shall be entitled to compensation for sick leave as a result of an injury at work or occupational illness related to the performance of works and services for the institution for up to ninety (90) days with compensation of 70% of their salary.
5. The certificate of the competent medical body according to paragraphs 1 and 3 of this Article shall mean the evidence, which states clearly the days of absence from work due to his medical condition. Such certificate must protect the personal data of a public official in accordance with applicable legislation.
6. After expiration of the paid leave period, accordingly with the provisions noted, the public official may continue his/her leave upon recommendation of the competent medical body, but such extended leave shall be without pay.

## **Article 11**

### **Maternity leave**

1. Female public officials shall be entitled to maternity leave in accordance with the provisions of the Law on Maternity leave.
2. The right to maternity leave from paragraph 1 of this Article shall be used by presenting medical evidence issued by a competent medical body.

## **Article 12**

### **Paid absence from work**

1. The public official shall be entitled to paid absence from work in such cases:
  - 1.1. Five (5) days in case, he/she gets married;
  - 1.2. Five (5) days in case of the death of a close family member;
  - 1.3. Three (3) days for a childbirth;
  - 1.4. One (1) working day for each case of voluntary blood donation.
  - 1.5. Up to three days within the year with the General Secretary's permission, for other cases determined by the Collective Agreement, the Internal Act and/or the Employment Contract.
2. The right to paid absence from work the public official may use it by submitting a request through the official email upon presenting of relevant proof.

## **Article 13**

### **Unpaid absence from work**

1. 1 Public officials shall be entitled to unpaid absence from work in accordance with the provisions of the Law on Labor.
2. In exceptional cases, the public official may be entitled to unpaid leave for purposes of:
  - 2.1. Higher professional education and training;
  - 2.2. Their or close family members' health;
  - 2.3. Temporary transfer to other duties inside or outside the country;
  - 2.4. Running in municipal or central elections.
  - 2.5. For other cases, if the work process is not hindered with the approval of the National Audit Office.

3. For the realization of the right to unpaid absence from work according to paragraph 2 of this Article, the public official must submit a reasoned request for unpaid absence from work. The request must be submitted not less than fifteen (15) days in advance to the immediate supervisor, who then forwards it, together with his/her recommendation, to the General Secretary of the institution for decision-making. The decision is submitted immediately to the relevant public official and the Management Unit of Human Resources.
4. For the time of unpaid absence from work under paragraph 1 of this Article, the public official's rights and duties arising from the employment relationship shall be terminated, except for the rights for return to his/her job or equivalent position of the same level. Absence from work without pay can last a maximum of (one year) 1 year.

#### **Article 14**

##### **Transitional and final provisions**

1. The amendment and completion of this Regulation can be done in congruence with the legal provisions in the same procedure as its approval according to the needs and dynamics of the University.
2. Issues that are not included in this regulation are handled in congruence with the provisions of the Labor Law, the Law on Public Officials and the University Statute.

#### **Article 15**

##### **Repeal**

1. Upon the entry into force of this Regulation, any internal act of this nature that has to do with the personnel of the administration ceases to operate.

#### **Article 16**

##### **Regulation entry into force**

1. This regulation shall enter into force on 01.01.2023.

**Kryesuesi i Këshillit Drejtues**

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**Prof. Asoc. Dr. Arif Murrja**