



No: SHA/29/2022-MGR(HR)-Part (1) Dated: 07.09.2024

CIRCULAR

- Sub: Leave rules and attendance of contractual employees under SHA - reg
Ref: 1. Minutes of the 1st EC of SHA, held on 19.05.2020-Agenda No: 11
2. Minutes of the 4th EC of SHA, held on 06.06.2022-Agenda No: 08
3. This office order no: SHA/26/2022-MGR(HR) Dated: 30.08.2022
4. This office order no: SHA/29/2022-MGR(HR)- Part (1) Dated: 23.11.2022
5. Circular No: Rules-2/90/2019 Adm. Reforms (Rules) Dept. Dated:17.08.2019
6. Circular No: Rules-2/138/2019 Adm. Reforms (Rules) Dept. Dated:17.08.2019
7. Circular No: Rules-2/70/2023 Adm. Reforms (Rules) Dept. Dated: 07.11.2023

The employees of State Health Agency, Kerala are directed to adhere and follow the rules and regulations below.

1. OFFICE HOURS

- i. The office hours of the SHA state office is from 10:15 am to 05:15 pm on normal working days. Ten minutes (up to 10.25 am) of grace period is allowed to each employee in case of delay due to unforeseen circumstances in the morning. This period of grace time may be condoned unless it becomes a matter of frequent habit. If found needy, the employee is liable to be present at the office or any other place SHA needs to perform duty by the employee, irrespective of the timings noted above.
- ii. Accordingly to above, the office hours of the District Implementation Unit(s) will be with respect to the standing government orders on working time for offices at corporation, municipal, and other areas as per reference (5), (6) & (7) above. i.e. 10.15 am to 05.15 pm in municipal / corporation areas and 10.00 am to 05.00 pm in other areas.
- iii. Usually, Sundays and all public / festival holidays declared by the government will be holidays to the state office and DIUs. In addition, the Restricted Holidays (RH) and holidays of any other mode (if any) will be applicable as per the direction from the Government at that time or as per the direction of the Executive Director.
- iv. Local Holidays declared by the government in single or selected districts due to any reason will apply to the employees whose workstation is in that district. The employee concerned has to intimate this to the reporting officer and to the Manager HR.
- v. The staff shall avail lunch break only during specified hours (i.e., between 01:15 pm to 02:00 pm).

- vi. Any means of wilful absconding from the workplace during office hours will be taken seriously and disciplinary actions will be initiated in such cases.
- vii. The District Project Coordinators should ensure that the above directions are properly followed by all staff in the respective District Implementation Units.

2. ATTENDANCE & LEAVE

- i. All staff including the daily wage category should be enrolled in the bio-metric attendance monitoring system. The staff should mark their attendance both in the *Bio-metric Attendance Device* and the *Attendance Register* provided at the administrative office in the morning and evening which is mandatory. Failure will be treated as an Unauthorized Absence of the employee.
- ii. Late attendance of up to an hour for not more than two occasions in a month with prior permission may be condoned by the Joint Director (Finance & Administration). Half-day Casual Leave will be debited for reporting late on the third occurrence. If the CL balance of the employee is nil, it will lead to a Loss of Pay for the full day. However, the excuse which may be granted by the authority, for late entry and early leaving from the office is limited to 300 minutes in a month.
- iii. All the employees should obtain prior written sanction from the competent authority to journey for official purposes. Failure to do so will be treated as Unauthorized Absence from the office. The Outside Duty (OD) of the officials should be intimated and recorded separately by the HR division prior to the day of duty.
- iv. Employees should be very serious while handling the attendance register. The entries to the attendance register like marking OD, leave, absent, etc. should be done only by the authorized officers who are entrusted to perform so. All other employees are permitted to mark their signature ONLY, for entering or leaving duty and NO other markings should be done by them.
- v. Attendance register(s) should not be taken away from the office for any reason without permission. A separate attendance register should be maintained at District Implementation Unit (DIU)(s), for which the duty, tour and attendance of the HR posted at District Implementation Unit (DIU) should be monitored by the District Project Coordinator, who is designated as the charge officer of the District Implementation Unit (DIU).
- vi. In case of early leaving from the office, this should be with the permission of the Joint Director / Reporting Officer concerned and intimation to the HR division. However, the matter of early leaving should NOT become a matter of frequent habit.
- vii. Leave should be applied through the prescribed leave application form only (*Annexure (1)*).
- viii. Employees while availing leave on unforeseen or emergency circumstances, may get *at least* a verbal approval from the reporting officer with an intimation of leave to the HR division. Such a leave availed should get post-approved in the proper channel on the next day on duty.

- ix. The District Project Coordinators and the Field Officers (or any district-level employee) should submit the leave application through the e-office (or as directed). Only such applications will be considered for approval. The approval should be granted only as per the table below. District Project Coordinators should submit leave application to Manager PFO and Field Officers to Manager A&C through District Project Coordinator concerned. For higher approvals or any clarification in the leave rules or procedure, those Managers should forward the file to Manager HR with their remarks.
- x. The District Project Coordinators and the Field Officers (or any district-level employee) are also directed to submit the monthly attendance (*Annexure (2)*), and tour reports (*Annexure (3)*) through the e-office. The attendance should be sent to the reporting officer and after verification forward the same to Manager HR with remarks for further action. However, the attendance report should reach the HR division latest by 12.00 noon in the first working day of every month.
- xi. The HR division should forward the abstract of the monthly attendance statement to the Finance division for preparing the salary bill. The monthly salary will be disbursed only based on this.
- xii. There is NO provision for “*work at home*” for the employees of SHA under any circumstances, unless there are government orders in this regard.
- xiii. There is NO provision for “*compensation holiday*” unless agreed by the competent authority based on a written order in this regard.

3. PROCEDURE FOR GRANTING LEAVE

- i. Approval authority for leave(s) of various kinds. (*Table (i)*)

| Sl. No. | Leave type & Duration | Approving Authority |
|---------|---|---|
| 1. | 01 to 03 days (CL only) | Manager / Joint Director (concerned) |
| 2. | 01 to 03 days (LOP / EL) | Joint Director (Finance & Administration) |
| 3. | 04 to 10 days (CL / LOP / EL) | Joint Director (Finance & Administration) |
| 4. | 11 to 30 days (LOP) | Executive Director |
| 5. | Above 30 days up to 60 days (Max.) (LOP) | Executive Director |
| 6. | Maternity Leave (180 days) | Executive Director |
| 7. | Miscarriage (42 days) | Executive Director |
| 8. | Terminal Illness Leave (60 days) | Executive Director |

- ii. The grant of leave to the employee is governed by the SHA Leave Rules. All leave should be availed only with prior approval from the authority concerned.
- iii. Leave cannot be claimed as a matter of right. Based on the SHA’s requirement or public exigencies or government direction, leave can be denied.

- iv. The employee or the approving officer may clarify the eligibility of leave applied from the HR division, if needed.
- v. The leave sanctioning authority may refuse leave of any kind but CANNOT alter the kind of leave due and applied for (Except in the case of Casual Leave).
- vi. The reasons for leave should invariably be indicated in the leave application and the leave application should be properly & completely filled out while submitting.
- vii. Any pre-planned leave for more than two days should be applied at least 5 days before the start of the leave.
- viii. On return from a leave of more than ten days, the employee should report (in writing) for joining duty at the HR division.
- ix. In cases of leave approved on medical grounds, the employee should submit a fitness certificate from the registered medical practitioner concerned at the time of rejoining duty.
- x. The leave should be submitted to the reporting officer, as directed, and (if required) the leave application shall be forwarded to the final approval authority concerned through the HR division, however as applicable. The approval should be granted only as per the table above.
- xi. Absence of duty for a long period without prior approval or intimation to the authority will constitute an interruption of contractual service.
- xii. While placing the application for leave, it should NOT get bypassed to higher authorities until it is directed to do so due to circumstance.

4. EXTENSION OF LEAVE

- i. Requests for extension of leave should be avoided as far as possible. Applications for extension of leave should be submitted in advance of the date of expiry of the leave already sanctioned. It should not be assumed that an extension will always be granted.
- ii. If an employee is unable to resume duty on the due date on account of any unforeseen circumstances, he/she must send an immediate intimation in writing to the JD concerned through the proper channels and to the Manager HR, stating the reason for his inability to attend Office on the due date.
- iii. Extension of leave without proper sanction or if the employee is absent without proper sanction of leave, it will be treated as an unauthorized absence and further disciplinary action will be initiated.

5. CANCELLATION OF LEAVE

- i. Cancellation of leave by the employee should be reported to the HR division and get approved by the authority, however as applicable.
- ii. In crucial circumstances, if found needy, NO leave will be permitted to any employee.

- iii. Any type of leave (other than statutory) that is pre-approved may be cancelled by the Executive Director and the employee may be asked to rejoin duty if it is found needy by any means.

6. KINDS OF LEAVE

i. Leave Type 1: CASUAL LEAVE (CL)

- a. All contractual employees who entered the contract will be eligible for 20 days of casual leave during the contract period from April to March. As 1.5 CL for every completed month and a half CL as an additional bonus for each quarter.
- b. Not more than 07 CL can be availed by an employee at a stretch. Where, the employees may be allowed to combine (prefix or suffix or intervening) casual leave with weekly off and other authorized holidays provided only, however resulting period of absence from duty shall not exceed 10 days at a stretch. If it is exceeded by any means, the whole period may be treated as LOP.
- c. Those employees who join during the middle of the year (contract period) will be eligible for 1.5-day CL for every completed month of the initial contract period of 3 months or up to the 31st of March of the FY. He/she will be eligible for CL for the rest of the period as per the proportion specified in the first point of this title, subject to the extension of the employee's contract after the initial three months.
- d. For employees who resigned or are terminated from service during the contractual period, the eligible number of casual leave shall be calculated at 1.5 CL per month of service and an additional half CL for every quarter. If the employee has already availed CL more than the calculated figure, such excess shall be treated as Loss of Pay and the same will be deducted from the final settlement.
- e. Casual leave shall not be combined with Loss of Pay leave in any manner. Casual leave can be combined with Special Casual Leave (applicable only as per GoK guidelines for contractual employees from time to time) but NOT with any other kind of leave.
- f. Sundays / Weekly Off and Holidays falling during a period of Casual Leave are not counted as part of Casual Leave.
- g. Casual Leave can be taken while on tour, but no TA/DA will be admissible for the period.
- h. Casual leave can be taken for half a day also. If CL is availed forenoon, then the person must join duty by the end of lunch hours.
- i. Casual leave cannot be accumulated. Leave not availed in a particular contract period will lapse at the end of that period.
- j. The request for advance availing of casual leave may be sanctioned only with the clearance from the HR division.

ii. **Leave Type 2: MATERNITY LEAVE (ML)**

Women employees will be eligible for 180 days of Maternity leave with pay during the contract period. The application for leave should be supported by a certificate from the medical officer. However, maternity leave can be granted only up to 180 days or till the last day of the contract period of the individual whichever is the earliest. The remaining portion of maternity leave will be automatically cut off since the individual will not have any valid contract beyond the contract period. The individual will not be eligible for continuation of maternity leave if she re-joins with a fresh contract. Maternity leave should ideally start 03 weeks before EDC as detailed in the Maternity Benefit Act, 1961. No employee shall be entitled to the above benefits unless she has worked under SHA for a period less than 80 (Eighty) days immediately preceding her expected date of delivery. Re-joining should be reported to the approving authority through the proper channel. *(This will be subjected to the guidelines from the Government of Kerala in this regard from time to time).*

iii. **Leave Type 3: LEAVE FOR MISCARRIAGE**

42 days leave with pay will be given for women employees in this regard based on medical certificates. No employee shall be entitled to the above benefits unless she has worked under SHA for not less than 80 (Eighty) days immediately preceding her date of miscarriage. The individual will not be eligible for continuation of leave with benefit for miscarriage if she re-joins with a fresh contract. Re-joining after the period of leave should be reported to the approving authority through the proper channel. *(This will be subjected to the guidelines from the Government of Kerala in this regard from time to time).*

iv. **Leave Type 4: TERMINAL ILLNESS LEAVE**

Those employees or very close relatives of the employees like spouses or children of the employee who undergo chemotherapy or radiation treatment for terminal diseases will be eligible for special casual leave for two months (60 days) either continuous or discontinuous, subject to the production of a medical certificate from a doctor in a government institution. Re-joining after a long term of such leave should be reported to the approving authority through the proper channels.

v. **Leave Type 5: LOSS OF PAY LEAVE (LOP)**

A maximum of two months' loss of pay can be sanctioned for an individual during a contract period of one year. The LOP is either continuous or altogether, the maximum limit is two months (60 days) throughout the one-year contractual period. If they exceed the limit of LOP, the case shall be specially examined by the authority before the contract renewal, at the time of annual performance appraisal. In case the Employee avails loss of pay leave without prior sanction from the competent authority during the contract period,

this will be considered as unauthorized absence and his/her service shall stand automatically terminated with effect from the date of commencement of absence, with (or without) possible intimations to the employee in this regard. Re-joining after an approved long-term LOP leave should be reported to the approving authority through the proper channel. No LOP leave is permitted during the initial contract period and notice period. Half-day LOP leave is not permitted. However, the approval of LOP leave is fully at the discretion of the approval authority. The holidays in between and suffix to LOP leave will be considered as LOP leave.

vi. **Leave Type 6: EARNED LEAVE (EL)**

- a. The Earned Leave (EL) here ordered is permissible only for contractual employees in SHA.
- b. The EL on full pay will be calculated at 1/22nd of the period spent on duty subject to a maximum of 15 days in a financial year. The leave may be granted for not more than 15 days in a financial year on the production of a medical certificate if demanded by the competent authority.
- c. The benefit of surrender of leave is permitted (applicable only as per GOK guidelines for contractual employees from time to time).
- d. It is permitted only to avail the eligible Earned Leave towards the credit of the employee. Advance availing of the EL will not be permitted at any circumstances. Only the eligible EL will be approved at a time.
- e. Employees planning to avail EL should submit the application for leave in the prescribed form for SHA employees at least 03 to 05 days before the date of entering leave. It's the sole responsibility of the employee to ensure the EL is approved before entering leave.
- f. Employee or Recommending or Approving officer may clarify the eligibility of EL from the HR division if needed. Recommending officer: 01 to 03 days- Reporting Officer and 04 to 10 days – Joint Director concerned in writing and transfer the application to HR division before employee entering leave. The Earned Leave will be approved by the Joint Director (Finance & Administration).
- g. Post-approval of EL will NOT be permitted, in such cases the days of absence may be treated as CL or LOP or Unauthorized Absence. Half-day EL is not permitted.
- h. The EL cannot be clubbed with Casual Leave in any manner. May only suffixed or prefixed with Weekly Holidays, Public or Festival Holidays, and LOP leave. If there is an intervening holiday(s) in between the period of EL applied, the holiday(s) shall be treated as EL itself, depending on the eligibility. On the other hand, the excessive days may be treated as LOP. However, it will be permitted to avail 10 days EL at a stretch.

- i. The EL which is pre-approved may be cancelled by the authority and the employee may be asked to rejoin duty if it is found needy for any means.

7. MOVEMENT AND OUTSIDE DUTIES

For the employee moving out during office hours either for personal or official purposes, it is compulsory to mark the 'Movement' in the register which should be provided at the state office and DIUs. The Movement shall be with intimation and permission of the reporting officer, in writing or verbal intimation at least. Any change in the *Tour* plan of employees including District Project Coordinators / Field Officers should be reported to the Reporting Officer.

The SHA employees as part of their duties may proceed with inter or intra-district visits as directed below.

- i. SHA state office employees for any official visit within the Thiruvananthapuram district, should be with the permission of the JD concerned and intimation to the HR Division.
- ii. All Inter-district travel should be approved by the Joint Director (Finance & Administration) and should proceed only with prior written approval for the same.
- iii. In cases of moving outside the state for the official purpose. The pre-approval should be obtained from the Executive Director or the Govt. of Kerala. A separate written order for permitting the employee to interstate travel needs to be issued. Especially in the case of Air travel.

Any visits with violation of the above directions will not be considered as duty and will be treated as Unauthorized Absence or Loss of Pay leave. Considering the above order(s) only, the TA/DA claims of the employee will be granted.

The Manager - Human Resource & Administration is fully entrusted to ensure all the above directions are strictly followed in the State Office and District Implementation Units.




Dr. Rathan U Kelkar IAS
Executive Director
State Health Agency

Copy to:

1. All Employees of State Health Agency, Kerala