

KINGDOM OF CAMBODIA

Nation-Religion-King



MINISTRY OF HEALTH

**MERIT BASED PAY INITIATIVE
OPERATIONAL MANUAL**

Revised July 2007

Abbreviations:

AOP	Annual Operational Plan
CAR	Council for Administrative Reform
DFID	Department For International Development
HPs	Health Partners
HSSP	Health Sector Support Programme
MBPI	Merit Based Pay Initiative
MoH	Ministry of Health
MoU	Memorandum of Understanding
MEF	Ministry of Economy and Finance
NCHADS	National Centre for HIV/AIDS, Dermatology and STIs
PHD	Provincial Health Department
PMG	Priority Mission Group
RGC	Royal Government of Cambodia
WB	World Bank
WHO	World Health Organization

MINISTRY OF HEALTH MERIT BASED PAY INITIATIVE

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MINISTRY OF HEALTH MERIT BASED PAY INITIATIVE

OPERATIONAL MANUAL

1. INTRODUCTION

During the past decade, Ministry of Health (MoH) has initiated measures to strengthen the health care delivery system to ensure adequate coverage and reasonable quality of the services, particularly in the remote and rural areas with specific focus on poor women in the reproductive age group and children under five years of age. The Health Sector Strategic Plan (2003-2007), adopting a Sector Wide Management (SWIM) approach, is the basis for improving the health service delivery, behavioural change, quality improvement, health financing and institutional development. MoH, with the support of Health Partners, has also introduced several innovative approaches such as contracting, health equity funds, health insurance and user fees to improve the quality of services as well as to enhance the morale of the staff with incentives and capacity building.

However, MoH has also recognized the need to develop the capabilities of managers at Central MoH level, as well as in PHDs, to manage service provision at the facility level more effectively. MoH has developed a Merit Based Pay Initiative [MoH-MBPI] scheme as an incentive model for management and administrative staff at Central MoH and Provincial levels. Similar schemes are already being implemented by National Centre for HIV /AIDS, Dermatology and STIs (NCHADS) with DFID support and Ministry of Economy and Finance (MEF) with support from donor agencies funding following the Priority Mission Group (PMG) model of Council for Administrative Reforms (CAR). The design of the MoH MBPI also builds on the experience of the MEF in implementing a Merit Based Payment Initiative (MBPI).

This Manual sets out the principles under which the MoH Merit Based Pay Initiative will operate.

1.1. OBJECTIVES

The MoH Merit-Based Pay Initiative has three objectives:

- To improve the productivity and effectiveness of the MoH in fulfilling its functions by providing its staff with improved financial and managerial incentives
- To implement the objectives of the Health Sector Strategic Plan by improving the management of the health sector in Cambodia
- To improve the quality, efficiency and equity of health service delivery.

1.2. DESIGN

This initiative in the Ministry of Health will be implemented in two phases:

- **Phase I** will commence in 2007 and last for up to 15 months until the end of 2008. Phase 1 will be divided into two stages. Phase 1, Stage 1 will cover up to 160 positions in the central ministry. The enhancement of the core central ministry managerial functions would enable the Ministry to deliver health services more effectively. Phase 1, Stage 2 will cover the preparatory work for an MBPI for managerial and administrative staff in four Provincial Health Departments [PHD], and two National Centres [NC] (selected in consultation with Health Partners), further enhancing the management and supervision of health services.
- **Phase 2**, commencing in 2009 after a fiscal sustainability analysis and a joint performance and financial audit in 2008, will cover progressively the remainder of the PHDs and National Centres.

Not more than 160 'core posts' will be defined, within the Ministry's existing organizational structure, to deliver its essential managerial and technical functions. Competent staff will be recruited into these posts under contracts that will provide enhanced pay but will also set out clearly defined obligations to work productively under performance management arrangements and will prohibit work in the private sector and the receipt of payments from other sources.

At the same time, MoH has introduced a performance management system to ensure that the additional financial rewards afforded by the MoH-MBPI are translated into increased staff efficiency and productivity.

1.3. THE `CORE POSTS`

The main criterion to be used to define `core posts` is that they will make a significant and necessary contribution to the Ministry's essential functions. These are as follows:

- Health service planning and policy management
- Health budget management (including funds disbursement and auditing)
- Health sector staff management and development
- Health information management
- The management of external relations
- The procurement of goods and services
- The regulation of health services
- Performance management

2. ELIGIBILITY AND PARTICIPATION

2.1. ESTABLISHMENT OF MOH-MBPI POSTS:

MBPI Posts will be defined in the context of Organizational Development Plans – for the MoH Headquarters these will be the Departmental Organisational Development Plans. One purpose of these Plans is to identify and establish the key functions of each Department within the central MoH and the human resources required to deliver those functions to a high degree of competency. The detailed steps for this process, together with a flow diagram, are set out in Annex A

Each department Director will develop a Departmental Organizational Development Plan that details the roles and functions of the Department, the proposed development activities and the outputs to be delivered over the next 3 years. The plans will identify the number and nature of posts required for the department to deliver these outputs. The OD plans will serve as the basis for MoH-MBPI post establishment in each department.

The department directors will be provided with key documents such as Functional Analysis-2005, Performance Management System Information and Annual Operational Plans to assist them in this task. MoH with TA assistance will conduct training sessions for all the department directors to enhance

their capacity to implement the MoH-MBPI in their respective departments.

Directors General as members of the Minister's High Level Group (HLG) will lead the process of consolidating the Department MoH-MBPI Posts within the 160 positions limit, obtaining approval for their establishment and their management structure from the Minister. Careful attention will be paid to issues arising from overlapping functions to facilitate the proper distribution of the MoH-MBPI posts across the departments in the central MoH.

MBPI post descriptions will be prepared on the basis of the approved OD plans defined against the following requirements of the posts:

- Expertise required to do the job
- Judgment required to do the job
- Extent to which the post holder will be expected to make independent decisions and to be accountable for the use of resources, the performance of the staff and the quality of services.

The approved posts will be subjected to a job evaluation to determine the appropriate pay band for each. Once the OD plans and the MoH-MBPI posts are approved, the recruitment and selection process will commence. See *Annex-A*

2.2. ELIGIBILITY

Applications will be considered for the scheme based on the following priorities. If no suitable candidate[s] apply from the First Priority category, then posts will be advertised for Second Priority candidates, and again if no suitable candidate[s] apply then the posts will be advertised publicly for Third Priority candidates.

- First Priority: Permanent MoH staff
- Second Priority: Cambodian Civil Service staff, including non-permanent MoH staff.
- Third Priority: Cambodians resident in Cambodia or abroad.

Applications will be assessed against the following criteria for all applicants:

- Expertise (knowledge and experience derived from doing the job before), ability and skills
- Professional , vocational and educational qualifications
- Training related specifically to the post requirements

3. REMUNERATION AND CONDITIONS OF EMPLOYMENT

3.1. CALCULATING MOH-MBPI PAYMENTS

The pay structure illustrated below (referred to as 'MBPI pay bands') is monthly consolidated pay and includes normal civil service salaries, functional allowances if appropriate, PMG payments or their equivalent if appropriate and additional MoH-MBPI incentive payments. During the transition period it may also include previously agreed salary supplements [see Section 3.5]. It excludes mission per diems and other travel allowances where these have been included in departmental work plans and AOPs.

Band		Grades	Monthly pay (USD)
T	Senior manager	Standard	850
U	Manager	Upper	750
	Manager	Standard	575
V	Senior Professional	Upper	650
	Senior Professional	Standard	500
W	Junior professional /supervisor/ technician	Upper	475
	Junior professional /supervisor/ technician	Standard	340
	Administrator/Secretary/ clerical	Upper	234
X	Administrator/Secretary/ Clerical	Standard	180
	Basic technician/ general service	Standard	110

The MoH-MBPI component from the Trust Fund to be received may vary each year and is calculated from the formula:

$$TFC = PBR - [BS + FA + OA + PMG + MBPIA + [ESS]]$$

Where

- TFC = Trust Fund component
- PBR = Target pay band rate
- BS = base salary

- FA = functional allowance
- OA = other allowances including monetary and non-monetary
- PMG = PMG allowance or its equivalent
- MBPIA = special and annually increasing MBPI allowance from 2009 onwards
- [ESS] = existing salary supplement if applicable [see Section 3.5]

3.2. PAY BANDS

Staff will be selected for posts which have been previously assigned to MoH-MBPI pay bands. Each pay band will have two grades: "Standard" and "Upper" without a performance related bonus. Staff newly appointed to MoH-MBPI posts will enter at the standard grade. Performance will be assessed at the end of 12 months and staff who have performed **well beyond that required by the post** will be considered for promotion to the upper scale. Continued receipt of upper pay band rates will be contingent on continued high level performance.

There will be no annual pay increments other than the pay increases indicated in the table above based on outstanding performance.

3.3. CONDITIONS OF APPOINTMENT

Selected staff will be appointed by MoH to the MoH-MBPI initially for a period of five years. The conditions of appointment are set out in *Annex D*. They include agreements by the selected candidates to work under performance management agreements and to forgo remuneration from all other sources.

3.4. RESTRICTIONS ON REMUNERATION FROM OTHER SOURCES

The purpose of the scheme is to ensure all the staff under MoH-MBPI Scheme devote all of their work time to MoH duties and to improve their work efficiency. Once the staff are selected for MBPI posts and the pay bands they will enter into a contract with MoH. The contract (*see Annex D*) and appointment letter (*see Annex C*) set out obligations to work productively under performance management system and prohibits:

- Work in non-government sectors and in private practice
- Receipt of any salary supplement payments or allowances from any donor funding programmes.

- Receipt of payments of any kind as compliments or presents.

Staff not selected for the scheme will not be eligible to receive any salary supplement payments or allowances from any donor funding programmes.

3.5. TRANSITIONAL ARRANGEMENTS

Transitional arrangements will apply to individual civil servants in departments or units when MoH-MBPI payments commence and who have existing contractual arrangements for salary supplementation extending beyond the date of that commencement.

- No new arrangements involving salary supplementation will be made from the signing of the Memorandum of Understanding on MoH-MBPI that extend beyond January 1, 2008
- Staff who are selected for MoH-MBPI positions may continue with the contract but the salary supplementation will be taken into account in calculating the allowance from the Trust Fund so that the total salary received will not exceed the nominated MoH-MBPI pay band [see Section 3.1].
- If a staff member is selected for an MoH-MBPI position and the total of existing base salary, all allowances and PMG or its equivalent payment and the existing contractual salary supplementation exceeds the MoH-MBPI pay band for the position then that staff member will receive no less than their current remuneration until the end of the contract and then revert to the MoH-MBPI pay band amount
- Staff who are in departments or units when MoH-MBPI payments commence and who are not appointed to MoH-MBPI positions will cease to receive salary supplementation from the date MoH-MBPI payments commence

4. RECRUITMENT AND SELECTION PROCESS

4.1. RECRUITMENT COMMITTEE:

MoH will establish a “MBPI-Recruitment Committee “consisting of:

- Secretary of State (Chair)
- Director General (Health)
- Director General (Admin & Finance)
- Director General (Inspection)
- Representatives from MEF and CAR
- External Consultant (Committee Secretary)

The purpose of the Committee is to ensure that a rigorous and transparent recruitment and selection process is followed and to:

- Mitigate any claims of unfairness during the selection process
- Minimize the alienation of unsuccessful staff applicants and
- Provide the Ministry with most capable and committed staff to carry out the core functions.

This committee will be responsible for ensuring that the agreed processes are followed, that all MoH-MBPI posts are filled and that all successful candidates understand the terms and conditions of their appointment and sign their contracts.

An external agency or consultant will assist the MoH in this recruitment process including: advertisement of MoH-MBPI posts; distribution of post descriptions and application forms; receiving all the applications; screening and short listing candidates in consultation with the recruitment committee; the arrangement of selection activities and the communication of selection outcomes. In addition, the external agency or consultant will provide technical support in the development of interview tools and participate in the interview process.

4.2. RECRUITMENT SEQUENCE

It is assumed that the selection of existing Directors General, Deputy Directors General and Department Directors are automatic. The selection and recruitment of other staff for MoH-MBPI posts will proceed in waves, beginning with more senior posts such as those posts assigned to MoH-MBPI Pay band V. The respective Directors General and the Department Directors will be responsible for the selection and recruitment of

their departmental teams consistent with the approved number of MoH-MBPI posts in the appropriate pay bands.

Refer to Annex B for the details of the selection process

5. CONTROL SYSTEMS

5.1. PERFORMANCE MANAGEMENT SYSTEM:

MoH has a Performance Management System (PMS) operating in the central Ministry. This will continue to be developed and used as a means of reaching agreement with the staff on their required outputs and in making annual assessments of the staff performance. The key focus will be on the:

- Identification and approval of team annual objectives
- Develop team and individual quarterly work plans
- Review team and individual quarterly work plans
- Conduct of team and individual annual performance evaluations.

The effective operation of the performance management system is the responsibility of all managers throughout the central MoH. Directors General oversee the use of PMS in their respective directorates, as PMS provides them with assurance that department plans contribute to MoH objectives and the feedback and evaluation assures them that the objectives are being achieved. Similarly with Department Directors and Team Leaders – all benefit from the use of PMS as tool to achieve their objectives.

The PMS is administered by the Department of Personnel and their responsibility is to ensure:

- The PMS user manual and all forms are up to date and available to all the departments of the central MoH ;
- All the managers throughout the central MoH are familiar with the PMS and able to use it and to conduct training as required;
- Copies of all individual annual performance evaluation forms are placed on personnel files.

MoH has a Performance Review Committee whose primary role is to monitor the effectiveness of the PMS and its outcomes. The committee is appointed by the Minister and the

members include Secretary of State as Chair; Director General for Administration and Finance; Director General for Health; Director General of Inspection and Director of Personnel Department as Secretary. PRC will meet annually in the month of December to:

- arrange the annual review of the performance of the PMS in order to identify potential improvements to the system ;
- arrange the spot checks to ensure the proper use and functioning of the PMS
- act as an appeals body for disciplinary action taken as a result of unsatisfactory performance and ;
- investigate any irregularities or allegations of collusions in the implementation of PMS.

The PMS manual provides for the process and procedures for the effective implementation and also makes provision for the removal of the non-performing staff from the scheme.

5.2. INTRODUCTION OF ATTENDANCE SYSTEM:

An attendance system will be developed for the staff under MoH-MBPI scheme to ensure that all the staff under the scheme devote their working time as agreed in the contract. The staff will be required to sign in for morning and afternoon attendance in the prescribed register maintained at each department. The register will be verified on a daily basis and the system of attendance will be one of the agenda items for the monthly departmental meeting.

5.3. MANAGEMENT OF NON PERFORMING STAFF:

The quarterly PMS performance assessment will identify the low performers. Their department director will identify development needs and provide support with in house training. If any staff shows consistently low performance in all the four quarterly assessments, they will be discharged from the scheme, will be redeployed in their original post and will be entitled only for Government salary. The staff showing 50 per cent performance will be given one more year to reach 75 per cent performance.

In the case of serious contravention of the scheme the policies and disciplinary measures outlined in Annex E will be invoked.

6. MONITORING MECHANISM AND SANCTION POLICY

The purpose of this mechanism is to develop a sound monitoring mechanism and appropriate sanction policy, in compliance with the existing Cambodian legal framework in the implementation of the MoH-MBPI.

6.1. MONITORING MECHANISM

The following mechanism shall be followed for monitoring and reporting the misappropriation (or potential of misappropriation) by MBPI recipients contrary to the Memorandum of Understanding and this Manual.

6.2. REPORTING

Any MoH officer (either MBPI recipient or non-recipient) who observes or is aware of any wrong-doing by MBPI recipient(s) must report this to the Director of the Department.

The Director of the Department will review and, if in agreement that the information provided constitutes a material breach of the guidelines in this Manual, will report the matter to the Department of Personnel.

Should the Director decide that the information provided does not constitute a material breach of the MoU and this Manual then the Director should confirm this in writing, with reasons, to the reporting MoH officer.

Following a report should a) no action be taken by the Director of the Department to report to the matter to the Personnel Department and b) the MoH reporting officer remain concerned that wrong doing has occurred then the officer may contact the Personnel Department directly.

In all cases the Department of Personnel will without exception notify the Performance Review Committee of all reports from Directors or individual MoH officers.

Failure to report by MoH officers or Directors of any wrong doing which they have knowledge of will result in implementation of the appropriate sanction policy, as stipulated below. Reporting of any wrong-doing in bad faith or for malicious reasons will also result in appropriate sanction policy.

6.3. CONSULTATION AND INVESTIGATION COMMITTEE

Once notified, the Performance Review Committee will consult with the responsible Director, Department of Personnel and the Internal Audit Department on the availability of any evi-

dence of the scope and level of wrong-doing that confirms the information supplied.

In the event that sufficient evidence exists from consultations that suggests a case of wrong-doing needs to be answered then:

- In the case the wrong doing appears to be minor the Performance Review Committee will request the Department of Personnel to issue a warning to the concerned individuals. The warning will state that any further wrongdoing will result in the concerned individuals being investigated.
- In the case that the scope appears to be significant or complex, an investigation committee should be immediately set up. The committee shall be led by a deputy secretary general and include a representative from Department of Personnel, and a representative from the Department[s] involved. When such an investigation is instituted the individuals concerned will immediately be suspended from the MPBI pending the outcome of the investigation.

Upon conclusion of the investigation, the investigating committee shall prepare a written report, including its findings and conclusions, and forward it to the Performance Review Committee. Except in the case of extremely complex investigations, as agreed with the chairman, the committee will report its findings within 14 days.

In the event that consultations or investigations reveal evidence of bad faith or reporting for malicious reasons on the part of the reporting MoH Officer(s) then the Chairman will recommend immediate application of the sanctions policy outlined in Annex E.

The final decision on whether sanctions will be applied will be communicated to all parties concerned. Statistics on the number of reports, warning and investigations and their outcomes will be reported to the Minister on a quarterly basis.

7. MANAGEMENT OF THE NON SELECTED STAFF:

It is unlikely that MoH-MBPI Scheme will be applicable to all the staff of central MoH as the maximum number of staff under the scheme is limited to 160.

Staff not selected for the MoH-MBPI Scheme will not be eligible to receive donor or other incentives.

MoH will reach agreement with CAR on the management of the staff not selected under the scheme. The options include:

- Keeping the non-selected on the regular government payroll until their superannuation and not to fill such posts
- Redeployment to Provinces /Operational Districts /National Programs
- Finding alternative positions in other ministries
- Providing one off separation grants for voluntary redundancy

8. ANNEXES:

ANNEX A: DEPARTMENTAL ORGANIZATIONAL DEVELOPMENT PLANS AND POST ESTABLISHMENT PROCESS

1. ESTABLISHMENT OF ORGANIZATION DESIGN

- Final agreement by HLG on MoH core functions and the department structure required to effectively deliver them
- Director post descriptions are developed by Directors General with consideration of functional analysis findings and recommendations
- Approval of department core function structure and Director job descriptions gained from Minister.

2. APPOINTMENT/CONFIRMATION OF DIRECTORS INTO DIRECTOR POSTS

- MBPI agreement offered to each Director by Directors General.
- Upon acceptance, Minister confirms Directors into their posts.
- Assumption that there will be no change to department structure and that incumbents will be confirmed into their posts

3. 'MANAGING WITHIN ORGANIZATIONS' TRAINING

Delivery of 'Managing within Organizations' module of the HMDP Phase II will provide

- Directors with the skills to analyze the functional analysis findings and organizational strategies to develop logical OD objectives and plans,
- Department and team structures with clearly defined team and post responsibilities.

4. ESTABLISHMENT OF DEPARTMENT OD PLANS AND TEAM DESIGN

- OD Plans will be completed by Directors using a template and with technical assistance from OPM.
- The OD Plans will have a two-year timeframe and will focus on establishing an effective MBPI structure and

establishing/improving systems and processes within the department to effectively deliver core functions.

- They will use the Functional Analysis findings and recommendations and the development objectives from the department Annual Operational Plan to identify OD objectives and establish plans for achievement of these objectives.
- The OD plans will include a proposal for the establishment of a MoH-MBPI post structure and MoH-MBPI post outlines.

5. APPROVAL OF DEPARTMENT OD PLANS BY DIRECTORS GENERAL/MINISTER

- DGs/Minister approve department OD Plans with consideration of MoH-MBPI post establishment numbers and core functional requirements.

6. ESTABLISHMENT OF POST DESCRIPTIONS IN EACH DEPARTMENT

- The Director will use a simple job analysis approach to complete a post description template for each approved post in the OD Plan with technical assistance from OPM.
- The job analysis and post description template will be designed to provide:
 - information required in the job evaluation
 - skill/competency requirements for use in the recruitment process

7. CONDUCT JOB EVALUATION OF EACH POST

- A job evaluation process will be used to assign each post to a 'job family' pay band by assessing the expertise, judgment and accountability of each post.

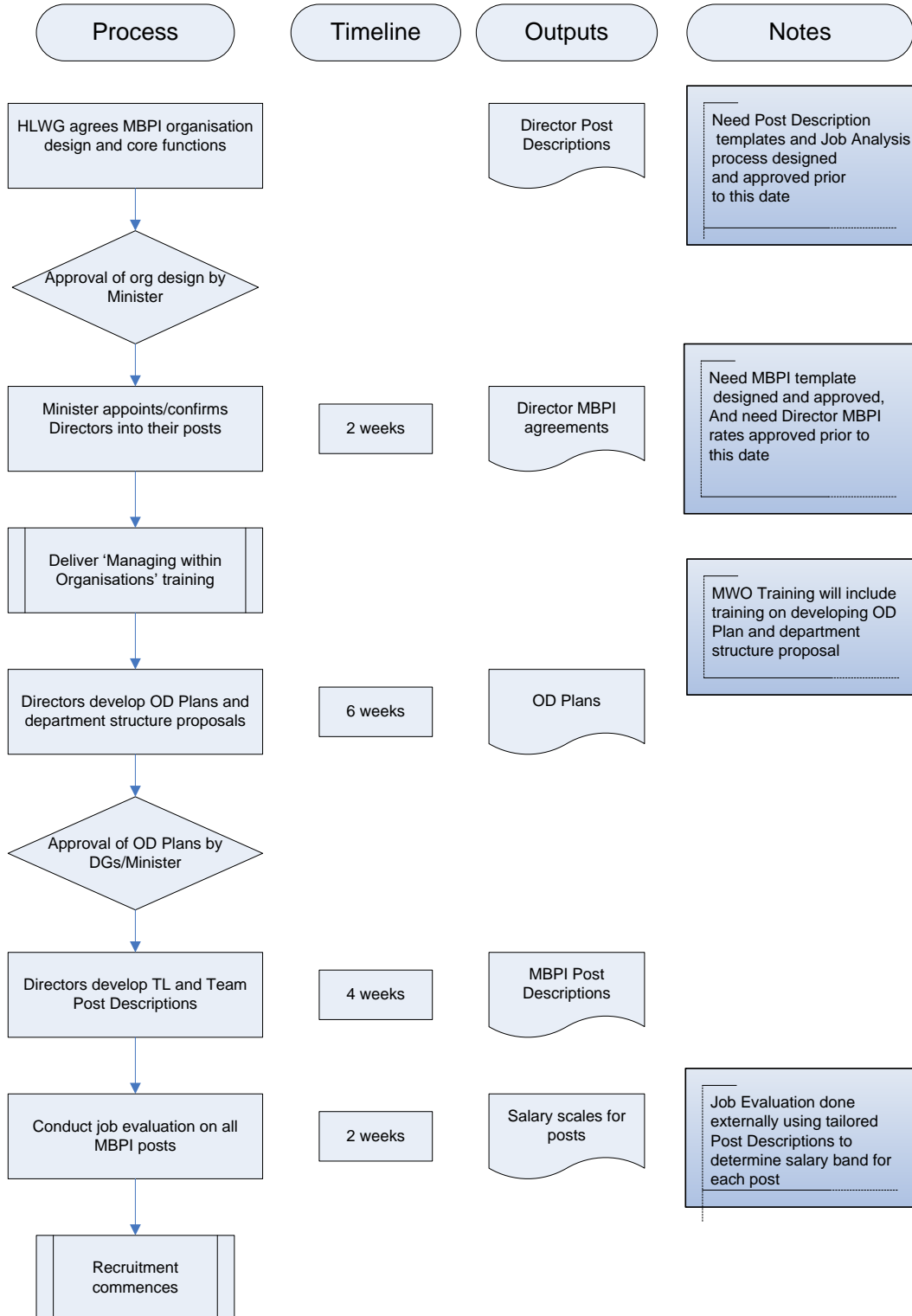
8. COMMENCEMENT OF RECRUITMENT PROCESS

- The recruitment process for MoH-MBPI posts can now commence using the skill/ competency requirements contained in the post descriptions and the pay bands identified in the job evaluation.

See diagram next page.

Organisation Design Process

From MBPI Approval to Recruitment



Annex B: MoH-MBPI Selection Process

1. APPLICATIONS:

A tailored made application form will be designed to ensure that applicants provide all the relevant information and to provide equal opportunity for the candidates. The Department of Personnel with the technical support from the external firm or consultant is responsible for the post advertisement (first internal advertisement within the central MoH); distribution of standard application forms; receipt of the application forms from the applicants.

2. SCREENING:

Screening is the process of analyzing all applications to remove those that do not meet minimum selection criteria and thus are not valid. Minimum selection criteria are defined prior to the start of the selection process and usually presented to potential applicants as part of the recruitment campaign to provide guidance on their suitability for the position.

Minimum selection criteria are the minimum level of demonstrable skills and ability that a person must have to be able to do the job, and often include:

- Demonstrated knowledge
- Area(s) of experience;
- Years of experience;
- Academic qualification(s);
- Language proficiency
- Computer Application Skills

Screening for the MoH-MBPI post selection will be conducted by a panel comprising of the three Directors General and the external firm or consultant.

3. SHORT LISTING

This is the process of analyzing all valid applications to determine the leading candidates by comparing the experience and abilities of each applicant using an objective assessment process. Applicants will be assessed against selection criteria that are determined prior to the start of the recruitment process.

In order to minimize time and resources, a specified number of candidates will be chosen for the final selection process for each available post. Short listing will be unnecessary if there

are fewer valid applications than the number of places available in the final selection process.

The short listing process will be conducted by a panel comprising the three Directors General and the external firm or consultant. Using rigorous short listing tools, they will determine the leading applicants for each position and forward these applications to the selection panel for the final selection process.

4. SELECTION PANEL:

A selection panel will be appointed for each departmental MoH-MBPI recruitment process. This will consist of the respective Director General; Director of the concerned Department and the external firm or consultant. The selection panel will receive all the short listed applications and be responsible to conduct the final selection process to determine the preferred candidates. The panel will use interview as the method of selection and the interview will be conducted by the selection panel using a standard and structured interview questionnaire adapted minimally for each post. Ability testing will also be carried out for some positions such as accounting, secretarial, communications and IT positions and standard ability tests will be used for the appropriate positions. The list of selected candidates will be then submitted with recommendations to the Recruitment Committee for appointment to the MoH-MBPI Post.

5. EMPLOYMENT RECORD/ REFERENCE CHECKS:

Employment Record/Reference Checking is the process of verifying information received and conclusions drawn during the selection process. This is usually done to validate a selection decision, but can also be used to differentiate between top candidates as part of the final decision-making process.

The most common approach is to ask written or oral questions of designated "referees", usually previous managers or colleagues, but this may also be done by checking employment records (applicable for internal applicants) or other sources of information. If used as part of the final decision-making process, care must be taken to remain aware of potential referee bias if asking for opinions.

Reference checking will be used to validate selection decisions made by the selection panels. Checks of employment information held by the Personnel Department to confirm previous employment will also be carried out, and reference checks

may be done with previous and current managers to confirm abilities and experience.

6. EXAMINATION:

Current civil service law requires the successful completion of a “civil service” examination as part of the recruitment process prior to employment as a civil servant. Any external recruitment process must thus include this examination if candidates are to become civil servants (see MBPI Employment Agreement Considerations paper). This will be done after short listing but prior to the selection process.

7. RECRUITMENT FROM OTHER MINISTRY DEPARTMENTS AND NATIONAL CENTRES:

If a PHD or National Centre candidate is short listed, approval will be sought from the department or programme director prior to participation in the selection process. If the candidate is selected permission will be granted to the PHD or National Centre to appoint replacement staff of similar calibre

If appointments are made from elsewhere in the Ministry, there may be justification for backfilling of these positions. The Department director with the vacancy may make submissions to the Department of Personnel to justify filling the vacated position.

8. APPOINTMENT PROCESS

Once the department selection panel has identified a preferred candidate, they will make a recommendation to the Recruitment Committee. The Recruitment Committee is then responsible for consolidating and checking all the recommendations to ensure all positions are filled and that individuals are not appointed to more than one position.

The Recruitment Committee then sends the appointment recommendations summation to the Minister for approval.

After approval by the Minister, the Recruitment Committee is responsible for producing performance agreements for each successful candidate and coordinating the signing of contract agreements. The Directors General will sign the contract agreements with the appointees in their Directorate. (See Annex C)

Once contract agreements have been signed they will be forwarded to the Department of Personnel who will make any necessary adjustments to files and records and forward details

of the appointments to the Budget Department and any other relevant agencies according to normal procedures.

9. LEVELS OF AUTHORITY

Entity	Level of Authority
Minister for Health	Approve final appointments
Directors General	Take part in short listing of candidates. Sign contract agreements with successful candidates for each MBPI post
Department Director	Sign performance agreements with successful candidates for each MBPI post
Recruitment Committee	Approve recommendations of Selection Panel and forward to Minister
Selection Panel	Identify preferred candidate for MoH-MBPI post, recommend and forward to Recruitment Committee
External Recruitment Agency	Assist the department of personnel in screening and short listing candidates and forward best suitable candidates to selection panel and participation in the selection process with the selection committee.

ANNEX C APPOINTMENT LETTER

Name

Address

Position

Service Number

Dear,

Ref: Appointment to MoH-MBPI Post

As part of the Institutional Development Project, the Ministry of Health has identified core MoH-MBPI posts within the central Ministry that shall receive a monthly merit-based payment in place of the normal civil service salary.

These posts shall be responsible for defined work functions and for achieving tasks and objectives as agreed in the Ministry of Health Performance Management System. Monitoring and annual evaluation shall take place according to the Performance Management System.

Following your application, I have the pleasure of offering you an appointment to a MoH-MBPI post. Please read the attached agreement carefully, sign both copies and return one to me by (date to be specified) .If you have any questions, please contact me as soon as possible before this date.

Congratulations and I look forward to working with you,

Yours Sincerely

Name

Director General (Designation)

Date/Month/Year

ANNEX D: CONTRACT AGREEMENT:

1. APPOINTMENT

The Ministry of Health (hereafter called as “the Ministry “) hereby appoints:

Name and address (hereafter called as “the appointee “)

Civil Servant Number: to the post of in the Department of

The post holder is part of the Team and reports to

2. DURATION OF AGREEMENT:

This appointment is effective from (specify the date) and shall remain valid up to five years from this date, or until superseded by another agreement. However, the appointment shall be reviewed annually and may be terminated earlier according to conditions detailed in clause 8.

3. RESPONSIBILITIES:

The appointee is responsible for all functions associated with the post and is required to complete all tasks in individual quarterly work plans to an acceptable standard. In doing so, the appointee shall abide by all terms and conditions of their employment with the Ministry of Health and of this agreement.

4. MERIT-BASED PAYMENT:

The appointee will receive the normal government salary and allowances and together a merit-based payment of US \$..... /month for each month that he/she holds the above post.

5. HOURS OF WORK:

The appointee’s hours of work shall be a minimum of 7.5 hours per day, from Monday to Friday, except for official government holidays .The appointee is expected to be available at the Ministry of Health for work during these hours. The appointee will be required to work any reasonable additional hours which are necessary to perform his/her duties and the appointee shall not be entitled to any additional payment for hours worked in excess of the normal working hours.

6. ABSENCE:

Any planned absence will be with the express permission of the Director or Director General. Any unplanned absence for sickness or other reasons must be communicated to the line manager as soon as possible

7. **OTHER REMUNERATION:**

The appointee shall not accept remuneration from any other source during the term of this agreement without the prior written permission from the Director General. This includes remuneration generated from personal or family business, "supplementary salary" of any kind from the donor supported programmes, consultancy or any other form of employment or engagement. The appointee shall not accept any gifts or other inducements offered in connection with the employment at the Ministry of Health.

8. **PERFORMANCE MANAGEMENT:**

The appointee shall meet with the Team Leader on a quarterly basis to discuss and agree Individual Quarterly Work Plans and at the end of the each quarter to conduct the Individual Quarterly Work Plan Review, as detailed in the Ministry of Health Performance Management System User's Manual.

9. **PERFORMANCE EVALUATION**

At the end of the year, the appointee shall meet with the Team Leader to conduct an Individual Performance Evaluation. The results of this evaluation shall be used to review the appointment. The review shall be conducted according to the procedure detailed in the Ministry of Health Performance Management System User's Manual.

10. **DISCIPLINARY PROCESS:**

If the appointee does not abide by the terms and conditions of their employment with the Ministry of Health or of this agreement, or meet the performance targets agreed in individual quarterly work plans, they may be subjected to the disciplinary process as detailed in the Ministry of Health Performance Management User's Manual, which may result in removal from the MoH-MBPI post. If as a result of disciplinary action the appointee is removed from the MoH-MBPI post, he/she shall return to their normal duties within the Ministry of Health and revert to the normal government salary and allowances.

11. RIGHT OF APPEAL:

If the appointee is not satisfied with the decisions made as a part of this agreement, they may appeal to the Performance Review Committee using the process detailed in the Ministry of Health Performance Management System User's Manual.

This offer is made on the ...day ofmonth, 2007 and valid until the ...day ofmonth, 2012.

Signed

..... (Director General)

I have read and understood the terms and conditions of my appointment and confirm my acceptance of the above MoH-MBPI post.

Signed (Appointee) Date:

ANNEX E: SANCTION POLICY

PURPOSE OF THE POLICY

The main objective of this policy is to prevent MoH-MBPI recipients from being involved in wrong-doing or actions contrary to the MoH-MBPI scheme either intentionally or unintentionally. Moreover, it also tries to ensure the effective and efficient implementation of the scheme. The Policy is in compliance with the existing law covering Civil Services in Cambodia (in particular, the Civil Service Statute No. 06, N.S.94, dated October 26, 1994). If a case of wrong-doing is found and confirmed by the Performance Review Committee, the disciplinary sanction policy stipulated in Article 40 of the Civil Service Statute will be applied (see below for details).

Examples of wrong-doing contrary to the MoH-MBPI MoU and this Manual include; but are not limited to:

- Sharing MoH-MBPI among MoH-MBPI recipients and non-recipients,
- Making or receiving a bribe for nomination of MoH-MBPI position,
- Asking or receiving a bribe when checking attendance, etc.
- Any falsification of documentation or records relating to the MPBI scheme.
- Any other actions that seek to undermine the objectives of the MoH-MBPI scheme as outlined in the General Guidelines.

POLICY ON LONG TERM ABSENCE

Officials have to ask for permission for absence or sick leave (Article 34 of Civil Service Statute). Any absence without official permission will result in the suspension of salary and MoH-MBPI payment. Moreover, if appropriate, the disciplinary sanctions (articulated in Article 40) will also be applied.

For absence, leave for officially approved training or sick leave with official permission the MoH-MBPI payment is still made for a maximum period of 3 months.

ARTICLE 40 OF THE CIVIL SERVICE CODE

1. Level 1 Sanction

This level of sanction occurs when any Civil Servant and therefore any MoH-MBPI recipient unintentionally or carelessly engage in wrong-doings.

Disciplinary Sanction Steps

- a. Warning
- b. Written warning and incorporate into official(s)'s record.
- c. Remove from current position
- d. Removal from promotion list

Level 1 sanction is issued by the letter from the Minister and sent to the involved officials. In case of c and d, the sanction shall be issued by Royal Decree, Sub-Decree or Prakas.

2. Level 2 Sanction

This level of breach occurs when MoH-MBPI recipient(s) intentionally involve in the wrong-doing for reasons that related to either personal or group gain. For example, the case of sharing MBPI among MoH-MBPI recipients and non-recipients, receiving bribe for nomination of MoH-MBPI position, asking or receiving bribe when checking attendance, etc.

Disciplinary Sanction Steps

- Severely written warning, which might lead to removal from promotion list or delay in promotion but not more than two years.
- Temporary suspension without salary for not more than one year.
- Demotion by one rank or more
- Force to retire before term or dismissed
- Removal of Government official status.

Level 2 sanctions have to be issued by Royal Decree, Sub-Decree or Prakas after receiving opinion from Disciplinary Committee.