



University President Decision No. (3) of 2024
In Issuance of the
Administrative Employee Bylaw at the University of Khorfakkan*

We, Sultan bin Mohammad Al Qasimi, Ruler of the Emirate of Sharjah, President of the University of Khorfakkan,

After the perusal of:

- Law No. (6) of 2015, concerning the Emirate of Sharjah Human Resources, and its Executive bylaws and amendments;
 - Law No. (5) of 2018 concerning Social Security in the Emirate of Sharjah;
 - Decree-Law No. (1) of 2022 concerning the Organization of the University of Khorfakkan, and its executive bylaws,
 - Amiri Decree No. (40) of 2022 concerning the establishment of the University of Khorfakkan,
 - And based on the approval of the Board of Trustees, and upon public interest,
- We hereby issue the following decision:

Article (1)

This decision shall be named the “Administrative Employee Bylaws at the University of Khorfakkan” and shall apply to non-academic staff at the University.

Definitions

Article (2)

In the application of the provisions of this decision, the following terms and expressions shall have the meanings assigned to them unless the context requires otherwise:

The Country	The United Arab Emirates.
The University:	University of Khorfakkan.
The Board:	University Board of Trustees.
The President:	President of the University and Chairman of the
Board. The Finance Committee:	Board of Trustees Finance Committee.
The Chancellor:	Chancellor of the University.
The Vice Chancellor:	Vice Chancellor for Financial and Administrative
Affairs. The Dean:	College Dean or equivalent
The Director of the Department:	Director of the concerned department to which the employee belongs.
The Department:	Department of Human Resources.
The Committee:	Employee Affairs Committee.
The Employee:	Each person appointed by decision of the competent authority, according to the provisions of this decision.

Article (3)

The University annual budget shall specify the number of staff positions at the University, including details on the grades/ranks for each position and the financial allocations for the positions in terms of salaries, increments, and allowances.

Article (4)

The University shall have a structural and organizational hierarchy and a table of appointments approved by the Board, based upon the recommendation of the Finance Committee.

Employee Affairs Committee

Article (5)

1. The Employee Affairs Committee shall be formed by decision of the Chancellor, and include the following members:

a. Vice Chancellor	Chairman
b. Director of Human Resources Department	Member
c. Professor from the College of Law	Member
d. Two University employees	Members
2. Upon the recommendation of the Vice Chancellor, the Chancellor may form other employee affairs committees with respect to job grades and include in the decision the mandate of the committee.

Article (6)

The mandate of the Employee Affairs Committee is to:

1. Consider the actual needs of all University units in terms of administrative and technical staff.
2. Conduct placement interviews for all unit/department requirements in terms of administrative and technical staff.
3. Study grievances and complaints submitted by University staff and provide recommendations in this regard.
4. Review staff performance appraisals.
5. Any other authorities stated in this decision or delegated by the Chancellor or Vice Chancellor.

Article (7)

1. The committee shall convene at least once a month upon an invitation from the committee chairperson. Meetings shall be considered a quorum in the attendance of the majority of the committee members. Recommendations shall be decided upon by the absolute majority of committee members present. When the votes are equal, the side of the committee chairperson shall carry the motion. Committee recommendations shall be implemented upon the approval of the Chancellor.
2. The committee may invite whomever it views appropriate to attend its meetings without voting privileges.

Article (8)

1. Committee proceedings shall be confidential, and the minutes of the meetings shall be disclosed only upon the directives of the Chancellor or the committee chairperson.
2. The committee shall submit a report on its activities to the Chancellor every six months, which shall include its accomplishments and suggestions for developing its work.

Appointments

Article (9)

Through the Department, the University shall attract and appoint various qualified administrative personnel from inside and outside the country. Priority in hiring shall be given first to UAE nationals and then to GCC nationals, Arab nationals, and other nationalities, in such order. The University shall follow the latest scientific and technical means for reviewing and evaluating job applications to ensure hiring the best administrative staff.

Article (10)

Types of positions shall be defined within the appropriate job grade and in accordance with job descriptions approved by the Board, according to the table of salaries and allowances attached to this decision.

Article (11)

Authority for appointing staff at the University shall be according to the following job grades:

1. Employees in grades 1 and 2: by decision of the Chancellor, based upon the approval of the Finance Committee.
2. Employees in grades 3 and lower: by decision of the Vice Chancellor upon recommendation of the Committee.

Appointment Provisions

Article (12)

1. Appointment to one of the University job grades stated in Article (11) of this decision requires the candidate to:
 - a. Be a UAE national or a GCC national, Arab national, and other nationality, in such order.
 - b. Possess the qualifications and experience required for the position.
 - c. Demonstrate good behavior and conduct.
 - d. Be at least 18 years of age.
 - e. Successfully pass the tests required for certain positions and the personal interview pertaining to the position.
 - f. Not have been convicted of a crime or deprived of liberty due to a public breach of trust unless pardoned by the competent authorities or exonerated, according to the law.
 - g. Not have been dismissed from his/her job by a court order or final disciplinary decision unless at least four years have passed since the issuance of the order or decision.
 - h. Pass a medical exam administered by the competent authorities.
 - i. Receive satisfactory feedback from his/her previous employer.

2. The Committee shall adhere to the regulations governing any conflict of interest, as established by the Board, especially regarding the appointment of relatives.
3. The President may make an exception with respect to some of the hiring provisions stated in this article, based upon the recommendation of the Chancellor.

Article (13)

Appointment to the University positions referred to in Article (11) shall be according to the following regulations:

1. Appointments shall be made according to the placement order of (successful) candidates approved by the committee in the area of specialization of the applicants.
2. When necessary, appointments may be made from the list of successful candidates in the previous round of interviews if no more than six (6) months have lapsed since the candidate's interview.
3. Candidates shall be hired according to the position required and salaries shall be determined according to degree qualifications and work experience.
4. A former employee may be reappointed to his/her previous position or to a position of an equal job grade and salary. Employees who have attained higher qualifications or gained appropriate experience may be reappointed to a higher job grade. In all cases, no more than five (5) years shall have lapsed since the employee's end of service, and it shall not have been due to a court action or disciplinary decision.

Article (14)

If an employee does not report to work within (15) fifteen days from his/her work commencement date (for which s/he was notified), the decision to appoint him/her shall be cancelled without any liability to the University.

Article (15)

1. An employee appointed to any position at the University for the first time shall be subject to a probation period of six months from the date that s/he commences work.
2. An employee's services may be terminated during the probation period by decision of the concerned hiring authorities if the employee is found to be unsuitable for the position to which s/he has been appointed. Otherwise, the employee shall be instated in the position, and the probation period shall be counted as part of his/her period of service.

Qualifications Required for Appointment

Article (16)

An employee shall have attained the following qualifications to be appointed at the University:

1. Appropriate qualifications and experience for job grades 10-12.
2. High school certificate/diploma, or the equivalent, for job grades 7-9, in addition to the appropriate work experience in the job specialization.
3. University degree, or equivalent, for job grades 1-6 and above, in addition to the appropriate work experience in the job specialization.

Announcing Positions

Article (17)

1. Vacant administrative positions shall be announced through local and foreign newspapers, websites and recruiting agencies (if necessary) after first verifying the non-availability of qualified UAE nationals to fill the positions in the Sharjah Government Directorate of

Human Resources database.

2. Vacant positions shall be announced upon the approval of the Vice Chancellor.
3. University employees may apply for positions announced by the University if they meet the announcement requirements, subject to the approval of the department director or college dean to which they report and after at least one year has lapsed since their having commenced work in their current position. The new position shall be considered a reappointment, and the employee shall retain his/her previous period of service. The employee's job status shall be adjusted in accordance with the new position, and s/he shall be entitled to periodic increments in accordance with the provisions of this decision.

Work Hours and Timings

Article (18)

1. Official daily work hours for University staff are (8) hours a day, excluding the daily break, which equals (40) hours per week from Monday through Thursday.
2. The Chancellor, or whomever he delegates, may change the work timings as deemed appropriate depending on the nature and/or requirements of the job.

Overtime

Article (19)

Upon the approval of the vice chancellor and the recommendation of the respective college dean or department director, employees in job grades (4 and below) may be requested to work overtime if the job so demands, and the overtime hours shall be paid according to the basic salary.

Leaves and Vacations

Annual Vacation Article

(20)

1. Approval for an employee's annual vacation leave shall be issued by his/her direct supervisor and the University Chancellor.
2. Employees are entitled to annual vacation leave as follows:
 - a. Forty-five (45) days for grades (1 - 3).
 - b. Forty (40) days for grades (4 and 5).
 - c. Thirty-five (35) days for grades (6 - 9).
 - d. Thirty (30) days for grades (10 - 12).
3. Employees shall be entitled to their full salary for the annual leave period granted.
4. With the exception of cases issued by decision of the Board, employees are required to utilize their annual vacation during the year, whether consecutively or intermittently or otherwise forfeit the leave period. When work circumstances prevent the employee from taking their entitled leave, in whole or in part, the remaining period shall be retained in the employee's leave balance for the following year.
5. If necessary, an employee may be recalled during their annual vacation leave to attend to their job duties, or any other duties, in return for compensation for the days forfeited from their annual leave, which shall be calculated according to the basic salary.
6. An employee is entitled to an annual vacation leave after the probation period ends and his/her instatement in the position. The duration of the annual leave is granted based on the duration of time spent in the position.

7. The employee shall not be entitled to annual vacation leave for periods spent on a study leave, scientific mission, special unpaid leave, or secondment.
8. Without prejudice to the disciplinary provisions stated in this decision, employees who do not report directly to work at the end of their leave will have their salary suspended, starting from the first day following the end of the leave.
9. Upon the receipt of an acceptable excuse submitted by the employee, the Chancellor may deduct the period of work absence from the employee's annual leave balance (if any) and grant the employee his/her salary for that period or consider it unpaid leave if the employee has no vacation balance.
10. The provisions regarding annual leave for the university employees who are not members of the academic staff shall be governed by the terms of the employment contract and the current and subsequent amended regulations.

Emergency Leave

Article (21)

1. Employees are permitted to take emergency leave for which they are unable to give advance notice for a period not to exceed five (5) intermittent or consecutive days, which shall not be preceded or followed by annual leave or leave without pay.
2. The employee's entitlement to emergency leave shall be forfeited at the end of the year for which it was entitled.
3. Following his/her return from the leave, the employee is required to submit a statement clearly stating his/her reasons for wishing the period absent to be considered an emergency leave, which the director of his/her department may accept or reject. If the statement is rejected, the days of absence will be considered an annual leave, an unpaid leave, or absence from work.

Sick Leave

Article (22)

An employee is entitled to sick leave according to the following:

1. Short Sick Leave:

- a. Employees are permitted up to five (5) consecutive days at a time for each sick leave up to a maximum of (15) days total per annum, provided that they submit a sick leave certificate from a certified medical authority. If the leave continues beyond this period, approval is required pursuant to a medical report issued by the authorized medical committee, determined in a decision from the Chancellor.
- b. Employees are required to notify their department officially of a sick leave within five (5) workdays.

2. Long Sick Leave:

The period shall not exceed 60 days with full pay. If the employee is unable to return to work at the end of the sick leave, the Vice Chancellor may grant him/her an extension for another similar period at half his/her salary and a third period at a quarter of his/her salary (both based upon a report from the concerned medical committee). Upon expiration of the third leave extension, and the likelihood that the employee may not recover, the employee's services may be terminated due to health-related reasons by decision of the Chancellor.

Hajj (Pilgrimage) Leave

Article (23)

Employees are entitled to a fully paid leave of up to (20) days to perform the Hajj duty one time only during their work period at the University, provided the period of the employee's

service at the University has been at least one year.

Maternity Leave

Article (24)

1. Female employees at the University are entitled to a fully paid parturition (maternity) leave for a period of 90 days, which may be granted two weeks prior to the expected date of delivery, based upon a certified medical report prepared by the concerned physician. Days exceeding the (90) days approved maternity leave shall be deducted.
2. After maternity leave, female employees are also entitled to a “nursing period” over the course of one year, which they may take at the beginning or end of the workday, with the exception of the month of Ramadan as follows:
 - a. Two (2) hours per day during the first six months.
 - b. One (1) hour per day during the second six months.
3. The maternity leave, annual leave and unpaid vacation leave periods may be combined for up to 120 days at most, starting from the beginning of the maternity leave in all cases, provided the leave is continuous (consecutive days).
4. The maternity leave shall end in the case of a newborn child’s death, and the female employee shall be entitled to the following:
 - a. Maternity leave of (40) days, beginning as of the delivery date or the period remaining if the baby passes away during this period.
 - b. If the baby passes away after the maternity leave stated above, the employee shall be entitled to a demise leave of five (5) days, beginning from the date of the baby’s death.
5. If a miscarriage occurs during pregnancy, the female employee shall not be eligible for the maternity leave but shall be entitled to a sick leave if recommended by the concerned medical authority, provided the leave is approved in accordance with the regulations in this regard.

Paternity Leave

Article (25)

Male employees with newborn children residing inside the country are entitled to a paid paternity leave of three (3) consecutive workdays during the first month of the child’s birth.

Medical Treatment Escort Leave

Article (26)

1. Non-national employees may be granted a leave, not to exceed one month, to accompany a first- degree relative for treatment outside the country based upon a certified medical report stating the patient’s condition and clearly stating the patient’s need to be accompanied. Upon the approval of the Chancellor, the leave may be extended for a period determined by the competent medical authority if it is recommended that the patient should be accompanied during the treatment period. The leave period shall be deducted from the employee’s leave balance, and any period beyond the leave balance shall be considered an unpaid leave.
2. If the vacation balance is deplete, the remaining leave days shall be considered a leave without pay for up to one month, or the remaining period, whichever is less.
3. The provisions stated in Law No. (6) of 2015, regarding the Emirate of Sharjah Human Resources, and its executive bylaws and amendments shall be applied in the case of a national employee who seeks the medical treatment escort leave inside or outside the country.

Unpaid Leave

Article (27)

1. By decision of the Vice Chancellor, employees with no annual leave balance may be granted an unpaid leave of one month at most per annum, based upon the recommendation of their direct supervisor, which may be extended another time for the same period.
2. The period of the unpaid leave shall not be calculated as part of the employee's annual leave balance. The employee shall bear the cost of payments to the Sharjah Social Security Fund during the leave period with respect to national and GCC employees. Non-national employees shall not be paid the end-of-service gratuity for the period of the leave duration.

Demise Leave

Article (28)

1. A Muslim female employee whose husband passes away is eligible to take a fully paid leave for the period of four (4) months and ten (10) days from the date of death.
2. Employees are entitled to a demise leave for the period of three (3) consecutive days in the event of the death of a spouse or the death of an immediate first-degree relative.

Article (29)

In the case of the demise of a University employee:

1. If the deceased employee has no relatives, a staff member from the University will accompany the body of the deceased. The staff member shall be granted a seven-day paid leave if the body requires transport to another country.
2. The University staff member accompanying the body shall be provided a round-trip air ticket in addition to AED1500 for travel expenses.
3. The family of the deceased employee shall be entitled to the following:
 - a. The total of one month's salary for the month in which the death occurred.
 - b. The total of the following three months' salary.
 - c. The end-of-service gratuity for the period spent at work.

Delegation

Article (30)

1. By decision of the Chancellor, or whomever he delegates, and upon the recommendation of the Vice Chancellor or Department Director, an employee may be delegated within the University to undertake other vacant job duties, or those of an absent staff member, provided the job duties fall within the delegated employee's same grade or no more than one grade higher.
2. Delegation of an assignment may be in addition to the employee's normal tasks. In all cases, the employee shall be assigned to no more than one department/unit at the same time. The assignment period shall be for no more than one year and may be extended by exception for at most one additional year.

Article (31)

An employee who is delegated an assignment for more than three (3) months shall be granted a monthly allowance for the period of the assignment in the amount of (20%) of the beginning salary range for the position to which s/he is delegated if the assignment is in addition to the staff member's normal workload.

Transfers

Article (32)

1. A staff member may be transferred from one University department to another by decision of the Chancellor, in consultation with the concerned department director.
2. The department director may transfer a staff member from one position to another equal position within the same department.
3. The transfer of a staff member shall not result in the postponement of his/her seniority required for promotion.
4. The transfer of a staff member shall not impact his/her job grade or level.

Secondment

Article (33)

1. Upon the approval of the Chancellor, University employees may be seconded to the following organizations:
 - a. Local government entities or federal establishments in the country.
 - b. Corporations to which the state contributes to their capital and entities and associations of public benefit.
 - c. Arab and foreign regional or international organizations.
2. The seconded employee will receive his/her salary and benefits from the party to which the employee is seconded.
3. The seconded employee will receive his/her vacations/leaves from the party to which s/he is seconded in accordance with the said party's regulations.
4. At the end of secondment period, the seconded employee shall resume his/her original position and commence work at the University. By decision of the concerned authority, another candidate may be appointed to the seconded employee's position. In this case, the seconded employee shall maintain his/her original job status in a vacant post of an equal financial grade to that of his/her original position.
5. The secondment period shall be calculated within the employee's service period for the purposes of periodic increments, salaries and end-of-service benefits. The seconded employee shall retain all of the position benefits that s/he had prior to the secondment.
6. The employee may be seconded another time upon the approval of the concerned party, provided such approval is granted after the employee has resumed work at the University for a period equal to that of his/her first secondment period.

Employee Delegation

Article (34)

Employees may be delegated to participate in official duties inside the country by decision of the Chancellor, and upon the recommendation of the Vice Chancellor or concerned department director, each within his/her authority, according to the approved regulations in this regard.

Article (35)

1. Subject to the provisions of this decision, administrative staff members shall be classified according to the following categories:
 - a. First category: Vice and Assistant Chancellors.
 - b. Second category: Directors of departments and centers.
 - c. Third category: Other staff.
2. Delegation of staff members in the first category shall be by decision of the Chancellor. For

all other categories, delegation shall be by decision of the Vice Chancellor. The decision shall include details on the nature of the mission, names of the persons to whom the mission is assigned, whether it is a delegation or one person, the destination and the period required to complete the mission.

Article (36)

The delegated employee may leave the country before the date of the mission and return at its end so long as the nature of the assignment requires such and the extended period exceeds no more than three days under any circumstances. The delegated staff member will be required to explain the reasons for the extended period. If the task is completed and the extension is approved by the Chancellor, the extended period will be calculated under travel allowance and transfer expenditures.

Article (37)

The University shall undertake the travel expenses of delegated staff members from different categories as follows:

1. Vice and Assistant Chancellors: business-class air tickets or the equivalent by means of other transportation.
2. All other staff members in different grades: economy-class air tickets or the equivalent by means of other transportation.

Article (38)

1. Staff members delegated on an official mission outside the country shall be entitled to a per diem travel and transportation allowance as follows:
 - a. Vice Chancellors: AED2200.
 - b. Assistant Chancellors or the equivalent: AED1800.
 - c. Department Directors: AED1500.
2. Other staff members, according to their grades:
 - a. Grades 2 - 4: AED1000.
 - b. Grades 5 - 7: AED800.
 - c. Grades 8 - 12: AED600.

This allowance shall be granted for each day or partial day that the delegate spends abroad to perform the mission to which s/he has been assigned.

Article (39)

If the hosting party fully covers the expenses of the delegate, the delegate shall be entitled to (50%) of the travel allowance for the days spent on the mission.

Article (40)

The travel allowance indicated in Article (38) shall be increased by 20% for the head of the delegation named by the delegation decision and commissioned with an official task outside the country to represent the University at a conference, symposium or meeting organized by an international organization or body.

Article (41)

Subject to the approval of the Chancellor, the University may cover the following expenses and fees for official delegations to represent the University outside the country:

1. Fees to participate in conferences, symposiums, and meetings.
2. Fees to obtain entry visas to hosting countries.
3. Departure fees at airports.

4. Luggage transport fees and fees for official documents.
5. Other expenses necessary to implement the mission.

Delegation for Training Sessions

Article (42)

To keep pace with the latest developments and to develop the work skills and capabilities of staff, staff members may be sent outside the country to undertake training sessions in accordance with the approved regulations in this regard.

Higher Academic Degree Allowances

Article (43)

National employees who obtain a doctorate degree shall be granted an allowance of AED2000, while those obtaining a master's degree shall be granted an allowance of AED1000 if the degree specialization is consistent with the nature of the employee's job, according to discretion of the concerned hiring authorities. Otherwise, the allowance for those obtaining a doctorate shall be AED1000 and AED500 for those obtaining a master's degree

Housing Allowance

Article (44)

The following regulations shall apply regarding the housing allowance:

1. If the husband and wife are both in the service of the government (Government of Sharjah only) or if one of them is in its service and the other is working at a public institution, authority, or company to which the government contributes, the housing allowance shall be paid as follows:
 - a. The housing allowance shall be granted to whoever receives the highest salary.
 - b. If both spouses work at different places at a distance of at least 100 kilometers apart, the single status category shall apply to each of them.
 - c. If one of the spouses receives a housing allowance, the other shall not receive it.
2. The wife is entitled to the (single category) housing allowance in full if the husband works in the private sector and receives a housing allowance from his place of work (with the exception of institutions for which the government owns more than 25% of their capital).
3. The wife is entitled to the single status housing allowance if the husband is retired, works independently, or is unemployed.
4. The (single status category) shall apply to the married female employee whose husband has passed away, or if she is divorced and without dependent children. The married status category shall apply if the female employee has dependent children and if her husband has passed away or is unable to work, or if she is divorced and her ex-husband is unable to work, so long as she provides evidence of such, certified by the relevant UAE authority.

Employment Contracts

Article (45)

Employees are appointed at the University as per the following contracts:

1. Unlimited Contracts (UAE Nationals):

This type of contract is entered into with a national employee for an unlimited period, whereupon the employee shall carry out duties and work tasks on a continuous basis, according to the job description for his/her position.

2. Fixed Term Contracts (Non-UAE Nationals):

This type of contract is entered into with the employee for a fixed term whereupon the

employee shall carry out his/her duties and work tasks on a continuous basis, according to the contract term. The contract expires at the end of the contract term unless the employee is notified in writing (within the notification period stated in the contract) of his/her renewal.

3. Temporary Contracts:

This type of contract is entered into with the employee for limited work on a non-continuous basis as required by the nature of the task, the completion of which shall take place in a period not to exceed six months. The contract may be extended for a similar period one time only and shall expire at the end of this period or when the work is completed, whichever is less.

Allowances

Article (46)

1. Employees are eligible for periodic increments in accordance with their job grade and are entitled to a periodic allowance after one year has lapsed from the date of their appointment or the last date of the periodic allowance to which they were entitled.
2. The regulations and procedures for entitlement to the periodic allowance shall be determined by decision of the Chancellor

Article (47)

1. Upon the approval of the Chancellor, or Vice Chancellor based upon the recommendation of the concerned department director and work requirements, employees whose performance report is (noticeably above expectations) may be granted an incentive bonus.
2. An employee shall not be granted more than one incentive bonus over a two-year period.

Incentives and Benefits Children's Education Allowance

Article (48)

1. The University shall cover the cost of annual tuition fees for the children of administrative staff enrolled in primary school (KG1) through high school inside the country in the amount of at most (AED15,000) for one child and at most (AED30,000) for three children in accordance with the benefits table and schedules approved by the University Administration.
2. The payment of tuition fees shall be made against official receipts or original invoices.
3. The University shall cover the cost of tuition fees for two children of University employees, provided the study program is at the University of Khorfakkan in accordance with the approved procedures in this regard.

Air Tickets

Article (49)

Employees are entitled to air tickets for their annual vacation leave in accordance with procedures determined by the Chancellor.

Health Insurance

Article (50)

Administrative staff and their family members shall receive health insurance in accordance with procedures determined by the decision of the Chancellor.

Performance Reports

Article (51)

1. Employees shall be evaluated annually through the administrative performance system approved by the chancellor, which begins by the employee setting his/her own objectives (performance indicators), in cooperation with his/her direct supervisor. The objectives shall be evaluated at the end of the performance cycle, and the evaluation shall be connected to

- the annual increment.
2. The annual evaluation shall be according to the rating scale determined by the Finance Committee.

Promotions

Article (52)

Promotion within the employee's same job grade and promotion to the next grade higher shall be in accordance with the following provisions:

First: Promotion to grades (1) and (2), the position of an administrative director, shall be upon the approval of the Finance Committee.

Second: Promotion to the remaining grades shall be as follows:

1. Promotion from one grade to another:

Promotion from one job grade to another shall be by decision of the Chancellor, based upon the nomination of the concerned department director and approval of the Department, Committee and Vice Chancellor after the following conditions have been met:

- a. Promotion shall be requested by the employee's department director and supported with the proper justifications, and shall be in the interest of the University and consistent with its needs.
 - b. The new position title and job grade requested shall be available in the organizational chart and approved within the budget.
 - c. The employee shall meet the conditions and evaluation criteria determined in a decision issued by the Finance Committee.
2. Financial promotion (salary increase):
The financial promotion (salary increase) of an employee shall be by decision of the Chancellor, based upon the recommendation of the employee's director and approval of the Department, Committee and Vice Chancellor after the following conditions have been met:
 - a. Promotion shall be requested by the employee's department director and supported with the proper justifications, and shall be in the interest of the University and consistent with its needs.
 - b. The employee's annual performance evaluation regarding his/her last two (2) years of service shall be no less than (exceeds expectations).

Article (53)

Promotion decisions shall be issued by the concerned appointment authority, and the promotion shall be considered effective as of the date specified in the decision. The promoted employee shall be entitled to the first salary step of the grade to which s/he is promoted or to a one-step salary increase.

Article (54)

Employees may apply to a vacant position in a higher job grade, according to the hiring procedures at the University.

Duties

Article (55)

The employee shall carry out the duties assigned to him/her with precision and integrity and shall dedicate official work hours to undertaking his/her job duties. Employees shall observe the provisions of the laws, bylaws and regulations and the instructions of managers. If necessary, employees may be assigned tasks outside official work hours in accordance with the

bylaws in this regard.

Article (56)

Employees are prohibited from committing any act considered contrary to the duties of their job or the established code of conduct and ethics. Employees are especially prohibited from:

1. Disclosing any information or data to which s/he may be privy as a part of his/her work.
2. Personal or third party interest in any business or contracts related to the business of the University.
3. Carrying out paid or unpaid work for others during official work hours or other times without prior permission from the Chancellor or Vice Chancellor.
4. Buying or renting real estate or movable assets belonging to the University or exploiting such in relation to his/her work.
5. Committing any acts of dishonor or disrespect with regard to his/her work.
6. Requesting or accepting for himself or others any in-kind benefits of any type or promising such in return for the undertaking of his/her job duties.
7. Keeping in his/her possession any original copies of official work documents even if related to the work assigned to him/her.

Investigation, Liability and Penalties

Article (57)

Without prejudice to civil and criminal liability, any employee who acts in contravention to the regulations stipulated in this decision or deviates from his/her job requirements shall be subject to disciplinary action.

Article (58)

1. A disciplinary council shall be formed by decision of the Chancellor and shall be chaired by the Vice Chancellor. Its membership shall consist of two faculty members (one from the College of Law) and two department directors at the University.
2. Council meetings shall be considered a quorum in the attendance of two thirds of the council members. Recommendations shall be issued by the majority vote of those present. When the votes are equal, the vote of the council chairperson shall carry the motion.

Article (59)

1. The concerned hiring authorities may suspend the employee from work as a precautionary action if the welfare of the investigation so requires. The suspension shall be for no more than three months and may be extended only by a decision from the Disciplinary Council.
2. The suspension of the employee shall result in the withholding of half of his/her basic salary, starting from the date of suspension.

3. If the employee is acquitted, issued a penalty of a warning or notice or the case is closed, the deducted salary shall be paid. If the employee receives a stronger penalty, the committee issuing the penalty shall decide what will follow with respect to the withheld salary.

Article (60)

1. An employee pending detention shall be suspended from work by decision of the Chancellor, and half of his/her basic salary shall be withheld, provided the employee returns to work. The employee shall be paid the deducted salary the after detention period ends if the investigation finds the him/her innocent of the charge. Otherwise, the salary shall be withheld from the employee.
2. An employee who is detained or imprisoned by a court order for a felony or crime that is not dishonorable or dishonest shall be suspended from work by the decision of the chancellor. The salary of the employee shall be withheld throughout his/her detention/imprisonment, and his/her services shall be terminated if the period of detention exceeds three (3) months, starting from the date of detention.

Article (61)

The following disciplinary penalties may be imposed on employees, according to job grades:

1. Penalties for employees in grades 1 and 2 include:
 - a. Written notice of caution.
 - b. Written warning.
 - c. Unpaid suspension from work for a period of not more than three months.
 - d. Termination of service with the right to receive one's salary or bonuses or withholding at most one quarter of the amount of either one or the other.
2. Penalties for employees in other job grades:
 - a. Written notice of caution.
 - b. Warning.
 - c. Deduction of no more than one quarter of the employee's salary for a maximum of two months per annum.
 - d. Withholding the annual increment.
 - e. Suspension from work at half of the employee's salary for a period of not more than three months or lowering the salary within the job grade limits or demoting the employee to one job grade lower or both.
 - f. Termination of service with the right to receive one's salary or bonuses or withholding at most one quarter of the amount of either one or the other.

Article (62)

1. Penalties stipulated under item (1) of Article (61) in this decision shall be imposed as follows:
 - a. By decision of the Vice Chancellor, for penalties stated in sub-clauses (a, b, c).
 - b. By decision of the Disciplinary Council, for the penalty of termination of service.
2. Penalties stipulated under item (2) of Article (61) in this decision shall be imposed as follows:
 - a. By decision of the Vice Chancellor, for penalties mentioned in sub clauses (a, b, c, d, e).
 - b. By decision of the Department Director, for penalties mentioned in sub-clauses (a, b, d).
 - c. By decision of the Disciplinary Council, for all penalties mentioned under item (2) of Article (61) in this decision.

Article (63)

1. An investigative committee shall be formed by decision of the Chancellor at his discretion or based upon a request concerned department director to whom the employee reports.
2. An investigative committee may call upon whomever it views appropriate to complete procedures regarding the violation attributed to the employee.
3. The investigative committee shall file a report containing its recommendations to the Chancellor, who may apply one of the penalties recommended in the report, according to his authorities stated in Article (61) of this decision, or refer the employee's case to the Disciplinary Council.
4. The decision to refer an employee to the Disciplinary Council shall be issued by the Chancellor based upon the recommendation of the investigative committee and shall include a statement of facts regarding the employee and the accusations leveraged against him/her.
5. The employee shall be informed of the referral decision and date of the council session in writing. The employee may defend him/herself and be heard before the investigative committee and the Disciplinary Council.

Article (64)

When deciding upon a penalty from Article (61) of this decision, the Disciplinary Council shall observe the proportionality between the punishment and the violation committed. Two penalties may not be imposed for the same violation.

Article (65)

Disciplinary Council decisions shall be issued inclusive of the reasons and grounds upon which a decision was derived from the investigation statements based upon the provisions of this decision and declared in a council session set for that purpose. The employee shall be notified in writing of the decision and the reasons for the decision within (10) days of the date of issue.

Article (66)

1. The employee in job grades (6) and above may appeal disciplinary decisions issued by the Chancellor to the President or whomever he delegates. Employees in lower job grades may appeal decisions to the Chancellor. An appeal shall be submitted within (10) days from the date the employee is notified of the decision in writing.
2. The appeal shall be considered accepted if no decision is taken within 30 days from the date of its submission.

Article (67)

Employees suspended from work for investigative purposes or pending detention and subject to disciplinary proceedings shall maintain their right to promotion and a response regarding such by the said promotion date if during the period of suspension or proceedings they are acquitted or receive a penalty of no more than a five-day salary deduction. If a stricter penalty is imposed, the employee shall be prohibited from promotion for the period of one year from the designated promotion date.

Article (68)

In cases other than those exempted by a decision of the President, upon the recommendation of the Chancellor, an employee's resignation shall not avert his/her disciplinary proceedings, and the employee's resignation shall not be approved if the employee has been referred to the Disciplinary Council.

Article (69)

Disciplinary proceedings shall be dropped if three years have lapsed since the said violation. Disciplinary proceedings shall also be dropped in the event of the employee's demise or the lapse of three years since the end of his/her services at the University.

Article (70)

The promotion of an employee shall not be permitted if the employee is charged with a felony or crime related to a breach of public trust or integrity. The employee shall retain his/her right to promotion if the promotion date occurs during the time of the trial and the employee is acquitted, and the promotion shall be considered effective as of the said promotion date.

Article (71)

1. Disciplinary actions imposed on employees shall be withdrawn with the lapse of the following periods:
 - a. Six months in the case of cautionary notices, warnings or the salary deduction of no more than five days.
 - b. One year in the case of a salary deduction of more than five days.
 - c. Two years in the case of withholding the annual increment.
2. Disciplinary actions may be rescinded by decision of the Chancellor if the reports submitted regarding the employee's conduct and performance are considered satisfactory since the date the penalty was imposed. The cancellation of a penalty shall revoke it for future considerations, and the employee shall be entitled to all due rights and compensations. Any documents relating to the penalty shall be removed from the employee's personal file, which the HR Department shall remove with no need for a request from the employee.

End of Service

Article (72)

The services of University employees shall be terminated for the following reasons:

1. Death.
2. Job dismissal by decision of the President.
3. Withdrawal or revoking of UAE citizenship for national employees.
4. Reaching the age of retirement unless services are extended.
5. Being physically unfit.
6. Lacking job competency.
7. Accepting an employee's resignation.
8. Cancellation or termination of contract before the end of the contract period by decision of the Chancellor.
9. Taking a leave from work without approval for (15) consecutive days or (30) intermittent days during the year.
10. Dismissal from services as a disciplinary action or by a court order.
11. Final conviction resulting in a penalty that prohibits liberty due to a felony or misdemeanor in breach of public trust.
12. Replacement in accordance with the Emiratization of jobs.
13. Restructuring.

Article (73)

Except for dismissal from services by decision of the President, the decision to terminate the service of the employee shall be issued by the Chancellor for the reasons stated in Article No.

(72) of this decision in accordance with the following:

First: Death:

1. The date of dismissal shall be considered the same date as the date of death in the event of the demise of the employee. The decision to terminate services shall be based upon a death certificate issued by a competent authority in the country.
2. In cases other than suicide, if the employee dies while on duty, the University shall pay his/her salary for the month of death as well as the employee's salary for the following three months and the end-of-service gratuity (as a lump sum) to those dependent upon the employee at the time of death. If the employee has no dependents, the sum shall be distributed to his/her legal heirs by the competent court.
3. The University shall bear the expenses of transporting the body of the deceased non-citizen employee and the economy-class air tickets for his/her dependent family members to his/her home or residence.

Second: Withdrawal or revoking of UAE citizenship for the national employee:

The services of a national employee whose nationality is withdrawn or revoked shall be terminated from the date of issuance of the decision to withdraw or revoke citizenship by the competent authority in the country.

Third: Reaching the retirement age unless the service is extended:

1. When a non-national employee reaches the age of retirement (60), his/her services shall be terminated, and shall not be entitled to the non-notice compensation.
2. The Director may extend the service of a non-national employee for one year or more for a maximum period of five (5) years if the interest of work so requires. The extension shall be based upon a certificate approved by a medical committee, determined by a decision from the Chancellor, which makes evident the employee's physical fitness for the job. This shall be a new contract starting from the day after the non-national employee reaches the age of (60). The duration of the contract shall be considered continuous when calculating the end-of- service gratuity.
3. The provisions of Law No. (5) of 2018 regarding the Emirate of Sharjah Social Security and Government of Sharjah Human Resources Law with respect to the termination of service by the retirement age shall apply to UAE nationals, GCC citizens and children of female nationals.

Fourth: Inadequate Health:

The employee's physical fitness to perform his/her job shall be determined by a decision from the medical committee, designated by a decision from the Chancellor.

Fifth: Job Incompetency:

The job incompetency of an employee shall be demonstrated by the performance appraisal, according to the level and timeframe set for this purpose by the performance appraisal system.

Sixth: Accepting a Resignation:

1. The employee shall submit a written request of resignation to the Department Director stating his/her desire to conclude his/her services at the University (30) days prior to the date of resignation, unless otherwise specified in the job contract.
2. The Department Director shall record the date of receipt on the resignation request, which shall be considered the date of submitting the resignation, and a copy shall be given to the employee.
3. The employee's services shall be concluded based upon the issuance of a resignation decision by the Chancellor. The resignation shall be deemed accepted (30) days from the date of its submission.
4. An employee shall not be permitted to leave work prior to the date specified regarding acceptance of the resignation or after the lapse of (30) days from the date of its submission unless the Chancellor exempts him/her from the said period and accepts the resignation before the specified date. If the employee leaves his/her work during the (30) day period without an acceptable excuse, the provisions and procedures for such stated in this article shall apply.
5. An employee's resignation shall not be accepted if s/he is placed in custody or referred to the Investigation Committee or a criminal trial related to a public breach of trust or integrity.
6. An employee may not rescind his resignation once a decision has been issued accepting it from the Chancellor or after the lapse of (30) days from the date of its submission considered acceptable.

Seventh: Expiry or termination of the contract before the expiry of its term by decision of the Chancellor:

1. The University shall notify the employee of his/her termination due to the expiry of the contract period according to the period specified in the contract.
2. The employee shall be entitled to his/her total salary until the end of the contract period or two months' salary, whichever is less, if his/her service ends for non-disciplinary reasons during the validity of the contract and after the expiry of the probationary period.

Eighth: Absence from work without an acceptable excuse for a period of (15) continuous days or (30) separate days during the year:

1. In the case of absence from work for a period of (15) consecutive days, the employee's services may be terminated from the beginning date of the absence unless the employee gives reasons acceptable to the Chancellor within (30) days from the date returning to work, taking into account the following:
 - a. Suspension of salary from the beginning date of the absence.
 - b. If the Chancellor does not accept the excuse, the employee's services shall be terminated from the beginning date of the absence.
 - c. If the employee does not communicate with the University, despite being notified of his/her absence, his/her services may be terminated from the beginning date of absence without taking into account the period of the 30 days referred to above.
 - d. If the excuse is accepted by the Chancellor, the period shall be settled as an annual leave or leave without pay.
2. The service of an employee who has been absent from work for a period of (30) intermittent days during one year without an excuse may be terminated.

3. Termination of service because of absence from work, provided for in paragraph (1) in the eighth item of this article, shall not be considered a disciplinary violation requiring disciplinary action.
4. The employee's services shall be deemed terminated from the beginning date of absence from work, in the case of continuous absence, or the day following his/her return to work after exhausting the period of time regarding intermittent absence.

Ninth: Dismissal from Service as a Disciplinary or Court Ruling:

In the event that the employee is dismissed from service as a disciplinary action, based upon a violation committed by the employee, or if s/he is dismissed from work by a court ruling from a competent court, his/her services shall be terminated from the date of suspension or from the date that the court ruling was issued.

Tenth: A final verdict issuing a penalty restricting liberty in the case of a felony or misdemeanor due to a public breach of trust or integrity.

The services of an employee shall be terminated if s/he receives a final verdict issuing a penalty restricting his/her liberty in the case of a felony or misdemeanor due to a public breach of trust or integrity. The termination shall be considered permissible irrespective of a suspension of implementation. The employee's services shall be terminated from the date of the final verdict or from the date of his/her suspension if it falls within the period of pending detention or imprisonment by implementation of a court ruling.

Eleventh: Work replacement according to Emiratization Plans:

A non-citizen employee shall be given two months' notice in case of his/her work replacement in accordance with Emiratization plans.

Twelfth: Restructuring

An employee's services may be terminated in the interest of work, effective as of the issuance of a decision to reorganize and restructure the University.

End-of-Service Gratuity

Article (74)

1. Non-national employees are entitled to an end-of-service gratuity as follows:
 - a. One month's basic salary for each year of the first five years of service.
 - b. One month and a half of the basic salary for each of the next five years of service.
 - c. Two month's basic salary for each year beyond the period stated in the two previous items.
2. Non-national employees shall not be entitled to the end-of-service gratuity if their service at the University has been less than one full year.
3. For the purposes of calculating the end-of-service gratuity, periods of absences and unpaid leaves shall be excluded from service periods. A partial month shall be considered a full month during the first year only in the case of death or the ending of service by a decision (non- disciplinary) of the University.
4. The end-of-service gratuity shall be granted to non-national employees who acquire Emirati citizenship on the basis of their last basic salary received before acquiring the Emirati citizenship.

5. UAE nationals shall be subject to the provisions of the Sharjah Government Social Security Fund. GCC nationals shall be subject to the pension and social security laws of their own countries.

Article (75)

The University shall not pay the end-of-service gratuity to non-national employees before they have complete all of the necessary clearance procedures, including the cancelling and transferring of their residency visa and the recovery of licenses or documents given to them relating to University sponsorship or work.

Article (76)

The University may withhold all or part of an employee's end-of-service gratuity and travel tickets if the employee fails to observe the notice period specified in the employment contract for the acceptance of his/her resignation, or if the employee leaves work before his/her resignation is accepted.

Final Provisions

Article (77)

For all else not stated in this decision, employees shall be subject to the provisions of Law No. (6) of 2015, regarding the Emirate of Sharjah Human Resources, and its executive bylaws and amendments.

Article (78)

The Chancellor may delegate some of his authorities as stated in this decision.

Article (79)

The periods and terms stated in this decision shall be calculated according to the Gregorian calendar.

Article (80)

1. The Chancellor, upon the recommendation of the Vice Chancellor, shall issue the decisions, procedures and regulations required for the implementation of the provisions of this decision.
2. The financial amounts specified for allowances, incentives and benefits may be amended by a decision from the Finance Committee if necessary.

Article (81)

This decision shall become effective as of the date of issue, and all parties concerned shall act in its accordance. Any provision that contradicts with this bylaw shall be repealed to the extent required, and this decision shall be published in the Official Gazette.

Issued by us on:

Monday, Rajab 17, 1445 A.H.

Corresponding to: January 29, 2024, A.D.

**Sultan bin Mohammad Al Qasimi,
Ruler of the Emirate of Sharjah
President of the University of Khorfakkan**