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28 March 28, 2018

PARLIAMENTARY PAPER No. 100 of 2017
AUDIT OF 2016 ACCOUNTS

SUPPLEMENTARY QUESTIONS - PUBLIC ACCOUNTS COMMITTEE

Question:

7.5 Excessive Annual leave

- During the submission, the Ministry had clarified that the General Order authorizes the PS to allow officers to carry over more than ten working days leave entitlement to the next leave year in exceptional cases.
- The Committee requests for a copy of the General Orders to confirm this. Clarity is also being sought on what qualifies as an exceptional case in this situation.

Ministry Response:

Annual Leave is outlined in the General Orders 705 (e) which states “Any officer who has his annual leave deferred whether at his own request or by management for a period not to exceed six months shall not be granted additional leave nor shall forfeit any leave from his leave entitlement”. **(Refer to Annex 1.0)**

The Ministry has a Leave Policy aligned to this provision in the General Orders which states in clause 8.1.3 that “Employees are only entitled to carry forward 10 days of annual leave to the next leave year. Annual Leave days in excess of 10 days will be forfeited at the end of each year unless an officer seeks prior approval from the Permanent Secretary stating reason of not being able to fully utilize their leave days”. **(Refer to Annex 2.0)**

The Ministry highlights that exceptional cases are deliberated on a case by case basis at the absolute discretion of the Permanent Secretary as per Clause 127 (8) of the Constitution. In most instances, approval is only given where scarce skills is identified as the reason for the officer not being able to go on leave and there is a high demand for that service.

With regards to the payment of excessive leave in respect of the officers highlighted in the report, this is facilitated in line with Section 30 (1) of the Employment Relations Act (ERA) 2007 where it states “Upon termination of a contract of service, the employer must pay to the worker all wages and benefits due to the worker by the end of the following working day”. **(Refer to Annex 3.0)**

Question:

7.7 Anomalies in engagement of ISO Auditor

- With respect to the recruitment of external auditors from Malaysia for the Ministry’s ISO certification, the Committee requests for documentations of the authorized payment and a copy of the EOI which was published as well as that of its approval.

Ministry Response

The 7th component of Fiji’s labour reform was the Operational Management Reform. The strategic intent is to get the operational management systems and processes of the Ministry certified to the ISO 9001:2008 Quality Management System. This is to improve the standard, governance, and reduce the turnaround time of service delivery to customers.

The strategic decision to engage the Independent European Certification Group (IECG) was made in 2012 by the Permanent Secretary given the above strategic intent. In 2012, the IECG (accredited under UKAS) who were based in Malaysia were engaged

as consultants by the National Training Productivity Center (NTPC) through the Asian Productivity Organization (APO) network. This was an in-country programme hosted by NTPC, Fiji's National Productivity Organization (NPO). Moreover, in 2012, there were no certified local providers to provide the ISO 9001:2008 QMS Training.

Therefore, as the IECG were already in the country in 2012, through the APO Training, we saw that this opportunity would not only save the Ministry cost in terms of airfares, but the fact that NTPC was utilizing their services also proved that they were a legitimate consultancy group recognized by the APO.

After conducting an extensive search on our records, we advise that we could not locate an Expression of Interest (EOI) that was done to engage the IECG. The engagement of IECG was a management decision taken at that time to save costs and also that the IECG were already in the country, they were a credible institution after our background check, and there were no certified local provider of ISO 9001:2008 QMS in Fiji.

To date, seven of the nine Strategic Business Units (SBUs) have been successfully certified to ISO 9001:2008 QMS. The certification of our operational management system to ISO 9001:2008 adds value to the quality of service delivery to our customers as well as improving the overall governance of our operational management system.

Please find attached as **Annex 4.0** are the approval from the:

- Permanent Secretary of Employment, Productivity and Industrial Relations;
- Contract signed between the Ministry and the organization (IECG); and
- Approval from Ministry of Economy for the payment of more than \$50,000.00.

On our way forward the Ministry will prepare an Expression of Interest when the current contract expires this financial year and the new contract will be legally vetted before engaging a service provider.

North Pole Hotel Refund On Accident Involving Mr. Poasa Matai

Please note that a letter was written to North Pole on this but they are still relying on the agreement our officers had signed at that time when the service was provided.

The Ministry will take the North Pole Hotel to Small Claims Tribunal.

Update On National Employment Centre (NEC) Identity Cards And Database

1. NEC Identity Card machines have been delivered last week and will be set up this week after testing and training.
2. NEC Database has been upgraded and will be accessible in the coming weeks.