Amending Directive 9.2

DELEGATION OF AUTHORITY TO CONDUCT INDUSTRIAL RELATIONS AND TO CONDUCT SELECTION PROCESSES AND MAKE APPOINTMENTS IN THE MALTA PUBLIC SERVICE

Issued on 2 September 2022 by the Principal Permanent Secretary in terms of the Public Administration Act.

1. Applicability

1.1 This directive adds to Directive 9 and replaces Directive 9.1 with regard to the delegation of authority to conduct Industrial Relations, and applies to all Ministries and Government departments through their respective Permanent Secretaries.

2. Delegating the authority to conduct Industrial Relations

2.1 The Industrial Relations Unit (IRU) within the People and Standards Division is the central regulatory body with regard to industrial relations across the Public Service. The process concerning negotiations with employees' representatives with respect to Documents/Agreements or any other negotiating processes regulating salary structures and working conditions is being clarified as explained hereunder in respect of approvals and in the light of fiscal responsibility.

2.2 The IRU is to be informed, at the very initial stages, of any negotiation processes to be undertaken with the management and/or employees' representatives, through the respective Permanent Secretary. Heads of Department, after consultation with the respective Permanent Secretary, are to engage the IRU in the negotiations and design or amendments of salary structures and/or negotiations regarding working conditions undertaken with employees' representatives. The Head of Department and IRU will then agree on an official position and the IRU will assist the Head of Department throughout the negotiating process. Full responsibility of any process, including implementation, lies with the Head of Department through the respective Permanent Secretary. The final version will be as endorsed by the IRU supported with financial approval by the Ministry responsible for Finance.

2.3 Should the Head of Department opt to not involve the IRU in negotiations, this shall be endorsed by the respective Permanent Secretary. The negotiating team will invariably still require the approval from the IRU on a negotiation position as well as the financial approval from the Ministry responsible for Finance. The IRU is to inform the respective Head of Department and the Permanent Secretary on whether, in its opinion, the intended negotiating position conforms to central policies adopted across the Public Service and informs the Ministry responsible for Finance accordingly. The respective Permanent Secretary is obliged to ensure that the process is concluded within the parameters established by the IRU. Any process, including implementation, lies within the responsibility of the Head of Department through the respective Permanent Secretary.

2.4 A revised "Manual on Industrial Relations and the Selection and Appointment Process under Delegated Authority in the Malta Public Service" (Version 5) is attached to this Directive.

3. Implementation

3.1. The People and Standards Division shall retain its assigned regulatory and monitoring role with a view to ensure strict compliance with the provisions of the Manual, which is to be abided with and

supersedes earlier versions. By force of this Directive the delegated authority may be withdrawn in cases of failure to adhere with recommendations of IRU or the People & Standards Division.

3.2 The contents of Directive 9 remain in force, and the contents of Directive 9.1 are hereby being replaced.

3.3. This Directive shall come into force on **2 September 2022** and is indefinitely applicable unless otherwise withdrawn.

Attached:

Manual on Industrial Relations and the Selection and Appointment Process under Delegated Authority in the Malta Public Service (Version 5.0)

Tony Sultana
Principal Permanent Secretary