

REPUBLIQUE DU CAMEROUN

Paix-Travail-Patrie



REPUBLIC OF CAMEROON

Peace-Work-Fatherland

**MINISTRY OF LABOUR
AND SOCIAL SECURITY**

**ADMINISTRATIVE PROCEDURES
MANUAL**

VOLUME 3

REGIONAL DELEGATION

*Prepared with the technical assistance of the Ministry of Public Service
and Administrative Reform*

2022 Edition



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FOREWORD

Through Cameroon's National Development Strategy for the 2020-2030 period (SND30), the Government has resolutely undertaken to proceed with the implementation of the modernisation policy of its administration which aims at establishing an efficient and citizen-oriented administration that effectively serves the user.

One of the core areas of this policy is the streamlining of structures and administrative procedures whereby the Government seeks to simplify the functioning of its administration, and render it more flexible and efficient, and shift from a manual to a more digitalised administration.

To support the implementation process, managerial tools have been provided, prominent among which are the Administrative Procedures Manuals and Public Administration User's Guides.

The Administrative Procedures Manual is a tool that aims to improve the performance of services in terms of effectiveness, efficiency, transparency and quality of service provided to users.

The objectives of the APM are threefold: to improve the reception and information of public service users; to enhance organisation efficiency and control of administrative work; and to promote diligence, transparency and integrity within the public service based on the principle of "workstation".

The Ministry of Labour and Social Security in collaboration with the Permanent Secretariat of Administrative Reform, has undertaken to develop its APM with the aim of improving on its mission; its effectiveness, as well as developing, implementing and evaluating Government policies in the area of labour and social security.

It is expected that this document would enable public service users to be properly informed and edified on the essential procedures in force, and serve as a reference to the entire administrative staff, irrespective of their rank, for an objective processing of files on a daily basis.

Finally, it is hoped that this APM of the Ministry of Labour and Social Security would be a tool for good governance as advocated by the Head of State, His Excellency, Paul BIYA, and also contribute to combat malpractices of all sorts within the Ministry. /-

The Minister of Labour and Social Security.

LIST OF ABBREVIATIONS AND ACRONYMS

CPA:	Cameroon Public Administration;
DRP:	Department of Industrial Relations;
DRTSS:	Regional Delegation of Labour and Social Security;
DSST:	Department of Health and Safety at Work;
GAP:	Government's Anti-Corruption Programme;
IA/OD:	Occupational Accidents/Occupational Diseases;
IB:	On an interim basis;
MINTSS:	Ministry of Labour and Social Security;
PAP:	Priority Action Plan;
PPBS:	Planning, Programming, Budgeting, Monitoring-Evaluation;
PROMAGAR:	Programme for the Modernisation of Cameroon's Administration through the introduction of Results-based Management.
RDLSS:	Regional Delegation of Labour and Social Security;

LEXICON

Absence of Trade Unions: Document issued by the competent labour inspector to certify that trade unions are not represented in a given enterprise.

Administrative Procedures Manual: A validated document by a competent authority, which describes in detail, each administrative procedure of an organisation. It gives the comprehensive list of instruments, outputs or services expected from the organisation, as well as the modalities and steps to obtain them.

Amendment: Changing of the initial provisions of a contract or license.

Application file: A list of documents required by the user and documents to be consulted by the administration.

Collective Agreement: Legal document negotiated by the social partners of a branch of activity to manage industrial relations between the parties.

Collective/Individual Dispute: Refers to any conflict characterised by the intervention of a group of employees organised or not in professional groups where the collective nature of the interest is at stake.

Deadline: Time limit to process a file.

Documents to be consulted: Documents available in an administration and indispensable for the processing of the user's file.

Documents to be submitted: Set of documents required from the user benefiting from the service and indispensable for the processing of their file.

Employer: Promoter of a production unit of goods and services.

Enterprise: A production unit which can extend to several establishments.

Establishment: A subsidiary of an enterprise.

Fascicle: The Employer's Register

Flowchart: A diagram or a graphic display of a sequence of operations which helps to clarify and synthesize information.

Force majeure: An external factor which can disrupt the normal operation of a production unit such as a natural disaster, a fire etc.

Industrial Accident: Any accident that occurred because of work or in the course of doing work, during the round trip or during travels when expenses are borne by the employer.

Initiating Structure: Work unit (office, service, unit etc.) charged with preparing the draft instrument or the service requested.

Initiator of the Procedure: Natural person or legal entity that rolls out the process of granting the service or issuance of an instrument.

Labour Medal Diploma: The diploma to reward seniority and hard work.

Management Rules: Description of work tasks or constraints related to the issuance of a document or service.

Occupational Disease: Any disease resulting from the exercise of certain professional activities.

Occupational Physician: An occupational health physician is a physician who specialises in work related conditions and who has a license to practice occupational medicine through an order signed by the Minister of Labour and Social Security.

Quality Manager: Personnel in the processing chain, whose task is to ensure that standard and quality of the service rendered to the users are respected.

Reference Instrument: Legislative or regulatory document (law, decree, order, decision, circular, service note, etc.) providing a framework for a benefit or service.

Requirements: Conditions to be fulfilled by the user or the initiator of the procedure.

Signatory of the instrument: Official authorised to sign the instrument requested.

Social Partners: They are trade unions and Employers' Associations.

Social Security: It is a protection granted by the society to protect its members against risks such as old age, disability, death, industrial accident, occupational diseases, maternity, family expenses, unemployment and natural disease.

Staff Representative: An elected workers' representative in a company.

Title of the expected instrument: Name given to a service provided or benefit granted by the administration to a user

User's Guide: Document containing FILE information required from the user seeking for service from the administration. It is also a collection of key procedures of an administration and is made solely of the cover pages of the Procedures Manual.

LIST OF PROCEDURES

1.	Obtaining an authorisation to work overtime
2.	Obtaining an authorisation to dismiss a staff representative
3.	Obtaining a business closure certificate
4.	Obtaining the state of contributory earnings in the event of a business closure
5.	Investigating occupational disease and occupational accident
6.	Obtaining a certificate of inability to work
7.	Settling an Individual or collective Labour Disputes
8.	Obtaining a certificate of absence of trade unions
9.	Obtaining an exemption from keeping booklet No. 1 and/or No. 2 of the employer register
10.	Obtaining an establishment opening statement
11.	Obtaining the establishment closure statement
12.	Obtaining a statement of failure to deliver pay slips
13.	Signing the internal regulations
14.	Dismissing on economic grounds

PART 1:
COVER PAGE AND PROCESSING OF FILES

REGIONAL DELEGATION

PROCEDURE No. 01/DR/II

OBTAINING AN AUTHORISATION TO WORK OVERTIME

TITLE OF THE EXPECTED INSTRUMENT: Authorisation to work overtime.

INITIATOR OF THE PROCEDURE: Persons concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation of Labour and Social Security (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No. 95/677/PM of 18 December 1995 on exemptions to the legal number of hours of work;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Be an employer.

APPLICATION FILE:

- ***Documents to be submitted:*** An unstamped application addressed to the Labour Inspector stating the period, the number of workers concerned and the exemption to be made to the establishment's working hours.
- ***Documents to be consulted:*** Directory of approved companies or establishments.

SIGNATORY OF THE INSTRUMENT: The relevant Labour Inspector / Labour and Social Security Delegate.

DEADLINE: Fifteen (15) days.

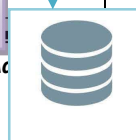
DELIVERY METHOD: Collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 01/DRTSS/II <u>OBTAINING AN</u> <u>AUTHORISATION TO WORK</u> <u>OVERTIME</u>	Deadline	Procedure Date: July 2022
		15 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div>Person icon</div> <div>Persons concerned</div> </div> <div> <div>Person icon</div> <div>Head of the Mail Office</div> </div> <div> <div>Person icon</div> <div>Regional Delegate</div> </div> <div> <div>Person icon</div> <div>Labour Inspector</div> </div> <div> <div>Person icon</div> <div>Regional Delegate</div> </div> <div> <div>Person icon</div> <div>Head of the Mail Office</div> </div>	<pre> graph TD A[File submission] --> B{Reception Control Registration Transmission} B --> A B --> C{Reception Control Endorsed} C --> D[Reception Registration Initiation of the draft letter authorising to work overtime Transmission of file with the draft] D --> E{Reception Control Signature} E --> D E --> F[Formalisation Notification Classification] F --> E </pre>	<div>1</div> <div>1</div> <div>11</div> <div>1</div> <div>1</div>	<p>R1: Ensures that there is an application highlighting:</p> <ul style="list-style-type: none"> -The period; -The list of workers concerned; -The exemptions to be made to the legal working hours. <p>R2: Ensure that the rule of one application per semester is respected.</p>



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PROCEDURE No. 02/DR/II

**OBTAINING AN AUTHORISATION TO DISMISS
A STAFF REPRESENTATIVE**

TITLE OF THE EXPECTED INSTRUMENT: Authorisation to dismiss a staff representative.

INITIATOR OF THE PROCEDURE: Persons concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation of Labour and Social Security (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Be an employer.

APPLICATION FILE:

- ***Documents to be submitted:***
 - An unstamped application addressed to the Labour Inspector;
 - Disciplinary record of the person concerned.
- ***Documents to be consulted:***
 - Internal regulations;
 - Any other relevant document.







SIGNATORY OF THE INSTRUMENT: The Labour Inspector.

DEADLINE: Thirty (30) days.

DELIVERY METHOD: Notification to the person concerned.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 02/DRTSS/II <u>OBTAINING AN AUTHORISATION TO DISMISS A STAFF REPRESENTATIVE</u>	Deadline	Procedure Date: July 2022
		30 days	Procedure Version: 1.0
Participants	Operations	Deadline	Management rules
<div> <div>Persons</div></div> <div> <div>Head of the Mail Office</div></div> <div> <div>Regional Delegate</div></div> <div> <div>Labour Inspector</div></div> <div> <div>Regional Delegate</div></div> <div> <div>Head of the Mail Office</div></div>	<div><div>File submission</div><div></div><div><div>- Reception</div><div>- Control</div><div>- Registration</div><div>- Transmissio</div></div><div></div><div><div>- Reception</div><div>- Control</div><div>- Endorsed</div></div><div></div><div><div>- Reception</div><div>- Registration</div><div>- Field visit for investigation</div><div>- Analyse</div><div>- Initiation of draft letter authorising or refusing</div><div>- Transmission the file</div></div><div></div><div><div>- Control</div><div>- Signature of the letter</div></div><div></div><div><div>- Formalisation</div><div>- Notification</div><div>- Files</div></div></div>	<div>1</div> <div>1</div> <div>27</div> <div>1</div>	<div>R1: Ensure the person concerned is an employer or its legal representative:</div> <div>-Ensure the respondent is a staff representative</div> <div>-Ensure that the grounds invoked by the employer are not based on the respondent's political or trade union linings</div> <div>- Ensure that the respondent has indeed committed an offence.</div>



REGIONAL DELEGATION

PROCEDURE No. 03/DR/II

OBTAINING A BUSINESS CLOSURE CERTIFICATE

TITLE OF THE EXPECTED INSTRUMENT: Business closure certificate.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Regional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No. 84/007 of 4 July 1984 amending law No. 69-LF-18 of 10 November 1969 setting an Old-age, invalidity and death pensions scheme;
- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.2011/408 of 09 December 2011 to reorganise the new Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Has been an employee in a company that has shut down.

APPLICATION FILE:

- **Documents to be consulted:** Directory of approved companies.
- **Documents to be submitted:** An unstamped application addressed to the Labour Inspector.

SIGNATORY OF THE INSTRUMENT: Labour Inspector






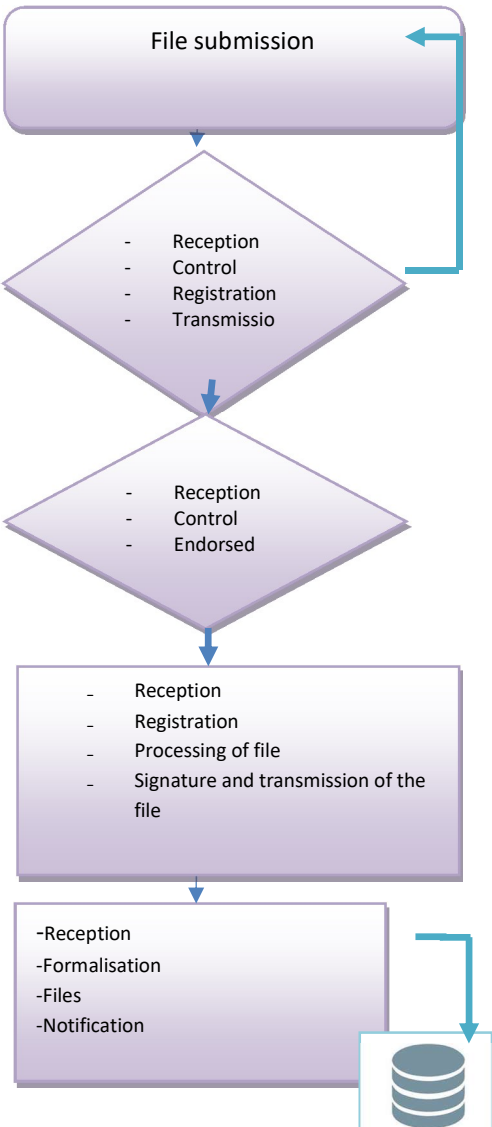
DEADLINE: Fifteen (15) days.

DELIVERY METHOD: Collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	<u>Procedure No. 03/DRTSS/II OBTAINING A BUSINESS CLOSURE CERTIFICATE</u>	Deadline	Procedure Date: July 2022
		15 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception
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Files
Notification] E --> F[(Database)] F --> A </pre>	<div>1</div> <div>1</div> <div>12</div> <div>1</div>	<p>R1: Ensure that the person concerned has worked in a company that has shut down</p>

-Archives

PROCEDURE No. 04/DR/II

**OBTAINING THE STATE OF CONTRIBUTORY EARNINGS IN THE EVENT OF
A BUSINESS CLOSURE**

TITLE OF THE EXPECTED INSTRUMENT: State of contributory earnings.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Regional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No. 84/007 of 4 July 1984 amending law No. 69-LF-18 of 10 November 1969 setting an Old-age, invalidity and death pensions scheme;
- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Have been an employee in a company that has shut down.

APPLICATION FILE:

- *Documents to be submitted:* An unstamped application addressed to the Labour Inspector.
- *Documents to be consulted:* List of authorised companies.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.

DEADLINE: Thirty (30) days.

DELIVERY METHOD: Collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

PROCEDURE No. 05/DR/II

**INVESTIGATING OCCUPATIONAL DISEASE AND
OCCUPATIONAL ACCIDENT**

TITLE OF THE EXPECTED INSTRUMENT: Report of investigation of occupational disease and industrial accident.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Has been a victim of an industrial accident or have suffered from an occupational disease.

APPLICATION FILE:

- ***Documents to be submitted:***
 - Occupational accidents and occupational disease report;
 - Medical certificates.
 -
- ***Documents to be consulted:***
 - List of compensable occupational diseases;
 - Register of industrial accidents and occupational disease;
 - Records of Police/Gendarmerie.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Medical Inspector/Labour Inspector.






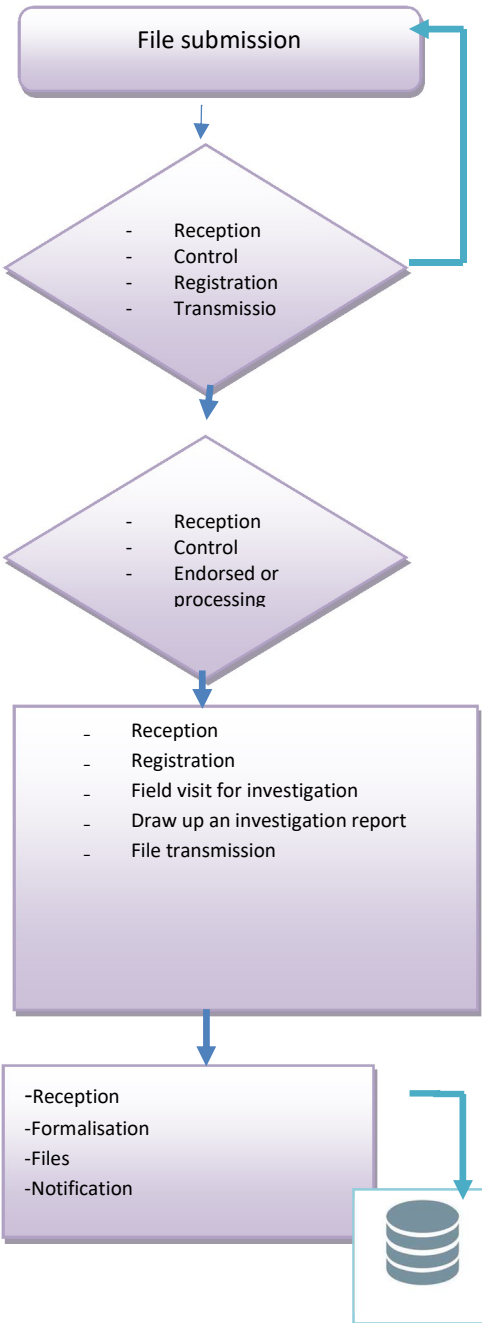
DEADLINE: Twenty (20) days.

DELIVERY METHOD: Collection/Notification

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 05/DRTSS/II <u>INVESTIGATION REPORT OF</u> <u>OCCUPATIONAL DISEASE AND</u> <u>OCCUPATIONAL ACCIDENT</u>	Deadline	Procedure Date: July 2022
		20 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector /Head of Health and Safety at Work Office</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception
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Registration
Field visit for investigation
Draw up an investigation report
File transmission] D --> E[Reception
Formalisation
Files
Notification] E --> F[(Database)] </pre>	<div>1</div> <div>1</div> <div>17</div> <div>1</div>	<p>R1: Ensure that the industrial accident or occupational disease is related to or caused by the work.</p>

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PROCEDURE No. 06/DR/II

OBTAINING AN INABILITY TO WORK CERTIFICATE

TITLE OF THE EXPECTED INSTRUMENT: Inability to Work Certificate.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Be an inactive employee due to force majeure.

APPLICATION FILE:

- ***Documents to be submitted:***
 - An unstamped application addressed to the Labour Inspector;
 - Letter of dismissal.
- ***Documents to be consulted:*** List of companies that have made cutbacks.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.






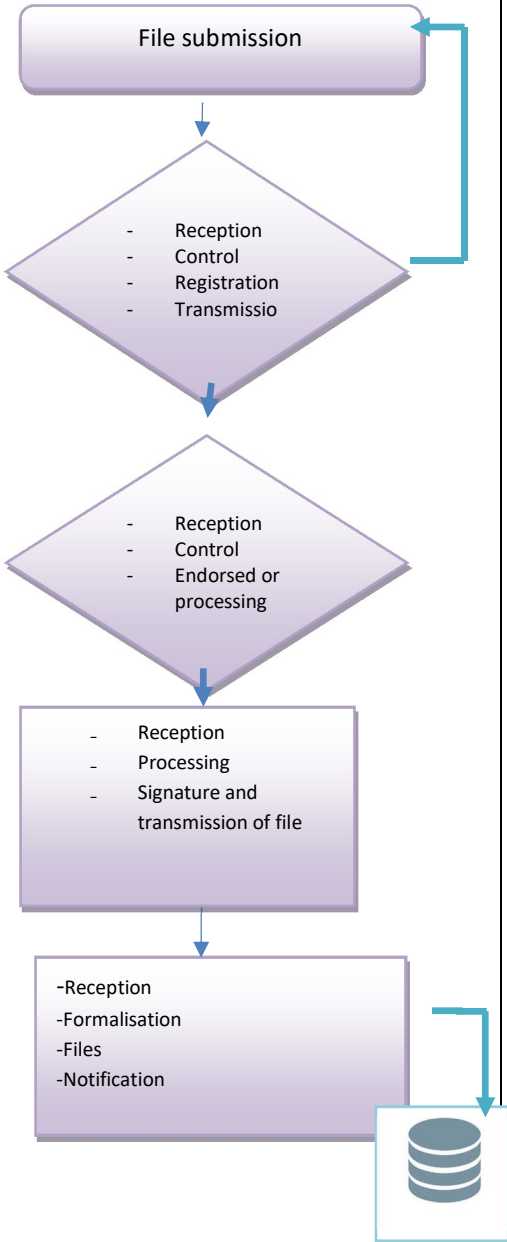
DEADLINE: Five (05) days.

DELIVERY METHOD: Notification/collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 06/DRTSS/II <u>OBTAINING AN INABILITY TO WORK CERTIFICATE</u>	Deadline	Procedure Date: July 2022
		05 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div>  <div>Persons</div> </div> <div>  <div>Head of the Mail Office</div> </div> <div>  <div>Regional Delegate</div> </div> <div>  <div>Labour Inspector</div> </div> <div>  <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception, Control, Registration, Transmissio} B --> C{Reception, Control, Endorsed or processing} C --> D[Reception, Processing, Signature and transmission of file] D --> E[-Reception, -Formalisation, -Files, -Notification] E --> F[(Database)] F --> A </pre>	<div>1</div> <div>1</div> <div>2</div> <div>1</div>	<p>R1: Ensure that the person concerned has worked in a company that has shut down or experienced layoffs</p>

-Archives

PROCEDURE No. 07/DR/II

**SETTLING OF LABOUR INDIVIDUAL
OR COLLECTIVE DISPUTES**

TITLE OF THE EXPECTED INSTRUMENT: Statement of the settlement of individual or collective labour disputes.

INITIATOR OF THE PROCEDURE: Persons concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Be a party to the individual labour dispute.

APPLICATION FILE:

- ***Documents to be submitted:*** Request from Person concerned.
- ***Documents to be consulted:***
 - Rules of procedure;
 - Collective agreements/establishment or company agreements;
 - Staff Statute;
 - Pay Slip;
 - Worker's contract.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.







DEADLINE: Sixty (60) days.

DELIVERY METHOD: Collection/notification

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 07/DRTSS/II <u>OBTAINING A STATEMENT (Individual or Collective Labour Disputes)</u>	Deadline	Procedure Date: July 2022
		15 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div><div></div><div>Persons</div></div> <div><div></div><div>Head of the Mail Office</div></div> <div><div></div><div>Regional Delegate</div></div> <div><div></div><div>Labour Inspector</div></div> <div><div></div><div>Head of the Mail Office</div></div>	<div><div>File submission</div><div><div><div></div></div><div><ul style="list-style-type: none">- Reception- Control- Registration- Transmission</div></div></div> <div><div><div><div></div></div><div><ul style="list-style-type: none">- Reception- Control- Endorsed or processing</div></div></div> <div><div><ul style="list-style-type: none">- Reception- Processing- Signature and transmission of file- In case of non-conciliation, file the report on the collective dispute within 8 days with the competent Court of Appeal</div></div> <div><div><ul style="list-style-type: none">-Reception-Formalisation-Notification of parties to the individual dispute-Files</div><div><div></div><div>-Archives</div></div></div>	<div>1</div> <div>1</div> <div>57</div> <div>1</div>	<div>R1: Attempt to conciliate parties with fairness;</div> <div>R2: Ensure that legal and regulatory provisions on the issues in dispute are respected</div>

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PROCEDURE No. 08/DR/II

OBTAINING A UNION ABSENCE STATEMENT

TITLE OF THE EXPECTED INSTRUMENT: Union Absence Statement.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 setting substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: No unionised workers in the company.

APPLICATION FILE:

- **Documents to be submitted:** An unstamped application addressed to the relevant Labour Inspector.
- **Documents to be consulted:**
 - Pay Slip;
 - Personnel file of the company concerned;
 - Membership file.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.

DEADLINE: Ten (10) days.

DELIVERY METHOD: Withdrawal/notification

QUALITY MANAGER:

- Head of the Mails and Liaison Office
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 07/DRTSS/II <u>OBTAINING A UNION ABSENCE</u> <u>STATEMENT</u>	Deadline	Procedure Date: July 2022
		10 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div>Persons</div> <div>Head of the Mail Office</div> <div>Regional Delegate</div> <div>Labour Inspector</div> <div>Regional Delegate</div> <div>Head of the Mail Office</div>	<pre> graph TD A[File submission] --> B{Reception, Control, Registration, Transmissio} B --> C{Reception, Control, Endorsed or processing} C --> D[Reception, Processing, Conduct field investigations, Produce a report, Elaborates the draft statement, Transmission of file] D --> E[-Reception, -Signature, -Transmission] E --> F[-Reception, -Formalisation, -Files, -Notification] F --> G[(Database)] G --> A </pre>	<div>1</div> <div>1</div> <div>7</div> <div>1</div>	<p>R1: Ensure that employees do not belong to any trade union by reviewing pay slips and the membership files, if any.</p>

REGIONAL DELEGATION

PROCEDURE No. 09/DR/II

OBTAINING AN EXEMPTION FROM KEEPING BOOKLET No. 1 AND/OR No. 2 OF THE EMPLOYER REGISTER

TITLE OF THE EXPECTED INSTRUMENT: Letter of exemption from keeping the booklet No.1 and/or No.2.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 establishing substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security;
- Order No. 013/MTPS/DGRE of 18 June 1968 on Employer Register.

REQUIREMENTS: Have a Computerised Personnel Management System.

APPLICATION FILE:

- ***Documents to be submitted:*** An unstamped application addressed to the relevant Labour Inspector.
- ***Documents to be consulted:*** Extract from the computerised file.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.







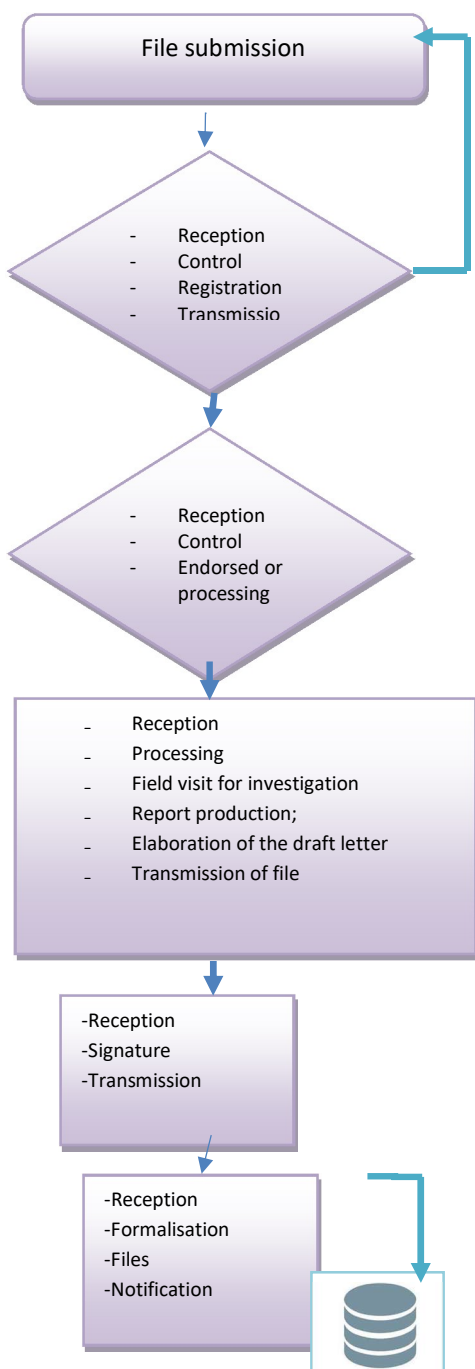
DEADLINE: Seven (07) days.

DELIVERY METHOD: Collection/notification.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 09/DRTSS/II <u>OBTAINING AN EXEMPTION FROM</u> <u>KEEPING FASCICLE NO. 1 AND/OR NO. 2</u> <u>OF THE EMPLOYER REGISTER</u>	Deadline	Procedure Date: July 2022
		<i>07 days</i>	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception Control Registration Transmissio} B --> C{Reception Control Endorsed or processing} C --> D[Reception Processing Field visit for investigation Report production; Elaboration of the draft letter Transmission of file] D --> E[-Reception -Signature -Transmission] E --> F[-Reception -Formalisation -Files -Notification] F --> G[(Database)] G --> A B --> A </pre>	<div>1</div> <div>1</div> <div>4</div> <div>1</div>	<p>R1: Ensure that the employer has an IT system that can replace these fascicles</p>

-Archives

PROCEDURE No. 10/DR/II

OBTAINING AN ESTABLISHMENT OPENING STATEMENT

TITLE OF THE EXPECTED INSTRUMENT: Establishment Opening Statement.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 setting substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Have opened a production facility in the locality for at least one month.

APPLICATION FILE:

- ***Documents to be submitted:*** Printed version of declaration duly completed and signed.
- ***Documents to be consulted:***
 - Trade Register;
 - Taxpayer's Card;
 - Memorandum of Association of the Company.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.






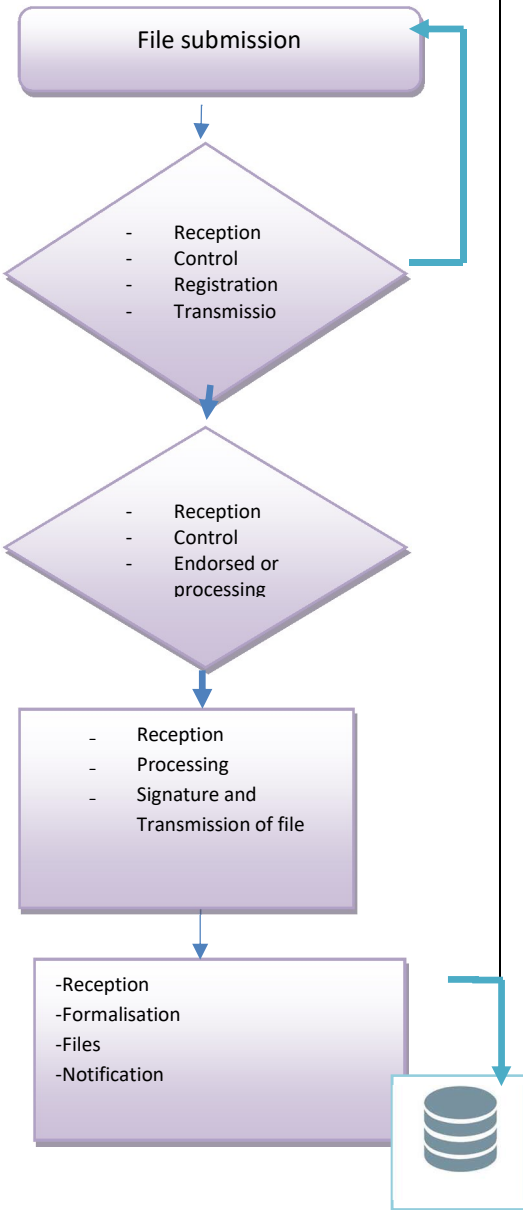
DEADLINE: Seven (07) days.

DELIVERY METHOD: Collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 10/DRTSS/II <u>OBTAINING AN</u> <u>ESTABLISHMENT OPENING</u> <u>STATEMENT</u>	Deadline:	Procedure Date: July 2022
		07 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception Control Registration Transmissio} B --> C{Reception Control Endorsed or processing} C --> D[Reception Processing Signature and Transmission of file] D --> E[-Reception -Formalisation -Files -Notification] E --> F[(Archives)] F --> A </pre> <p>The flowchart illustrates the process of file submission and archiving. It begins with 'File submission', followed by a decision point for 'Reception Control Registration Transmissio'. This leads to another decision point for 'Reception Control Endorsed or processing'. The process then moves to 'Reception Processing Signature and Transmission of file', and finally to a box containing '-Reception -Formalisation -Files -Notification'. This box is connected to an 'Archives' icon, which in turn loops back to the 'File submission' step.</p>	<div>1</div> <div>1</div> <div>4</div> <div>1</div>	<p>R1: Review the company's memorandum of association:</p> <ul style="list-style-type: none"> -Trade Register; -Taxpayer's Card; -Memorandum of Association of the Company.

REGIONAL DELEGATION

PROCEDURE No. 11/DR/II

OBTAINING AN ESTABLISHMENT CLOSURE STATEMENT

TITLE OF THE EXPECTED INSTRUMENT: Establishment Closure Statement.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 setting substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: To be out of business in a locality.

APPLICATION FILE:

- ***Documents to be submitted:***
 - An unstamped application addressed to the Labour Inspector;
 - tripartite minutes (workers - labour inspector - employer).
- ***Documents to be consulted:*** Audit report.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.






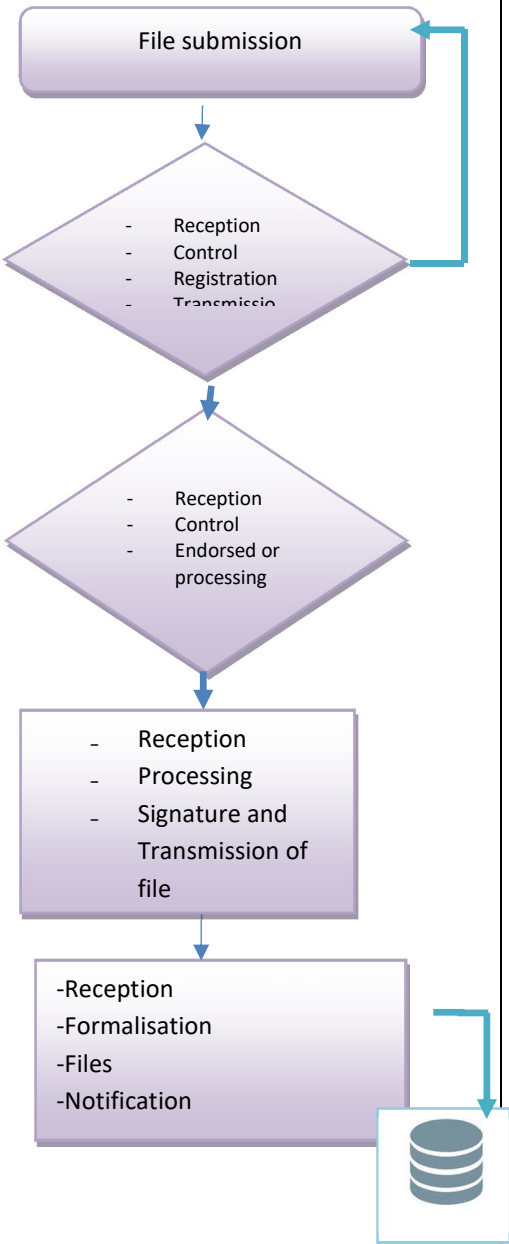
DEADLINE: Seven (07) days.

DELIVERY METHOD: Collection/notification

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 11/DRTSS/II <u>OBTAINING AN</u> <u>ESTABLISHMENT CLOSURE</u> <u>STATEMENT</u>	Deadline	Procedure Date: July 2022
		07 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception Control Registration Transmission} B --> A B --> C{Reception Control Endorsed or processing} C --> D[Reception Processing Signature and Transmission of file] D --> E[Reception Formalisation Files Notification] E --> F[(Archives)] F --> E </pre>	<div>1</div> <div>1</div> <div>4</div> <div>1</div>	<div>R1: Review the tripartite minutes and the audit report</div>

PROCEDURE No. 12/DR/II

**OBTAINING A STATEMENT OF FAILURE TO DELIVER
PAY SLIP**

TITLE OF THE EXPECTED INSTRUMENT: Statement of failure to deliver pay slips.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 setting substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS:

- Has been an employee in a company that has shut down;
- Failing to obtain pay slips during the reference period.
- Have lost the pay slips for the reference period.

APPLICATION FILE:

- ***Documents to be submitted:***
 - Application addressed to the Labour Inspector;
 - Work Certificate;
 - Any documents attesting to their status as workers, including: letter of employment, NSIF registration booklet.
- ***Documents to be consulted:*** List of companies.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.






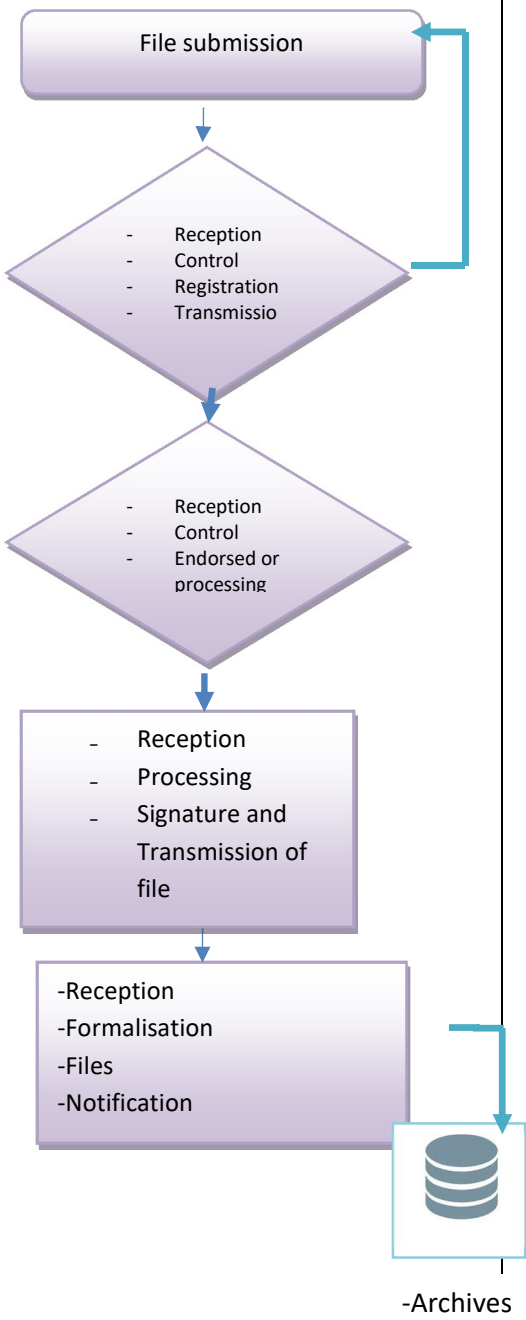
DEADLINE: Seven (07) days.

DELIVERY METHOD: Collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	<div>Procedure No. 12/DRTSS/II</div> <div><u>OBTAINING A STATEMENT OF</u></div> <div><u>FAILURE TO DELIVER PAY</u></div> <div><u>SLIPS</u></div>	Deadline	Procedure Date: July 2022
		07 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div>  <div>Persons</div> </div> <div>  <div>Head of the Mail Office</div> </div> <div>  <div>Regional Delegate</div> </div> <div>  <div>Labour Inspector</div> </div> <div>  <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception Control Registration Transmissio} B --> C{Reception Control Endorsed or processing} C --> D[Reception Processing Signature and Transmission of file] D --> E[Reception Formalisation Files Notification] E --> F[(Archives)] B --> A </pre>	<div>1</div> <div>1</div> <div>4</div> <div>1</div>	<p>R1: Verify the authenticity and accuracy of any document attesting that the company has shut down; That the person concerned was employed and had failed to obtain pay slips for the reference period</p>

PROCEDURE No. 13/DR/II

SIGNING THE RULES OF PROCEDURE

TITLE OF THE EXPECTED INSTRUMENT: Internal regulations.

INITIATOR OF THE PROCEDURE: Person concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Divisional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 setting substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS: Have a staff of at least 11 workers.

APPLICATION FILE:

- ***Documents to be submitted:***
 - An unstamped application addressed to the Labour Inspector
 - Three (03) copies of the draft internal regulations;
 - Opinion of the staff delegates, if any.
- ***Documents to be consulted:*** Personnel file.

SIGNATORY OF THE INSTRUMENT: Relevant Labour Inspector.






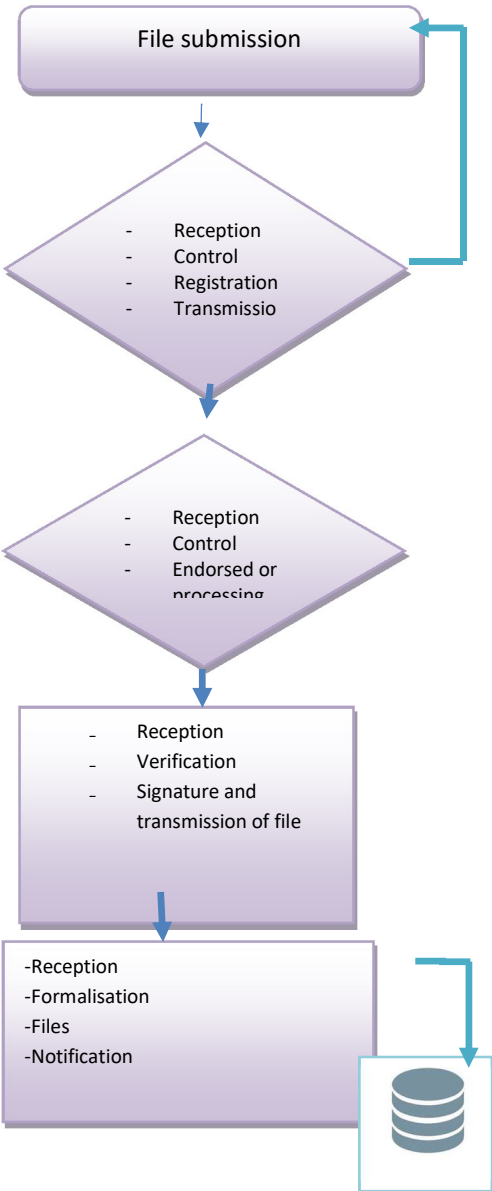
DEADLINE: Fifteen (15) days.

DELIVERY METHOD: Collection/notification

QUALITY MANAGER:

- Head of the Mail and Liaison Office;
- Labour Inspector;
- Inspector General.

MINTSS	Procedure No. 13/DRTSS/II <u>SIGNATURE OF THE RULES OF PROCEDURE;</u>	Deadline	Procedure Date: July 2022
		15 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception Control Registration Transmissio} B --> C{Reception Control Endorsed or processing} C --> D[Reception Verification Signature and transmission of file] D --> E[-Reception -Formalisation -Files -Notification] E --> F[(Archives)] B --> A F --> E </pre> <p>-Archives</p>	<div>1</div> <div>1</div> <div>12</div> <div>1</div>	<p>R1: Ensure that the provisions of Section 29 of the Labour Code have been respected, particularly the existence of the draft internal regulations in triplicate, and the opinion of the staff delegates, if applicable.</p>

REGIONAL DELEGATION

PROCEDURE No. 14/DR/II

DISMISSING ON ECONOMIC GROUNDS

TITLE OF THE EXPECTED INSTRUMENT: Report.

INITIATOR OF THE PROCEDURE: Persons concerned.

PLACE OF SUBMISSION OF FILE: Mail Office of the Regional Delegation.

INITIATING STRUCTURE: Regional Delegation (Labour and Social Security Inspectorate).

REFERENCE INSTRUMENTS:

- Constitution;
- Law No.92/007 of 14 August 1992 on the Labour Code;
- Decree No.93/578/PM of 15 July 1993 setting substantive and formal conditions to which Collective Agreements apply;
- Decree No.2011/408 of 09 December 2011 to reorganise the Government;
- Decree No.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security.

REQUIREMENTS:

- Be an employer whose company is in economic distress or undergoing restructuring;
- Have used all options provided for in Article 40 of the Labour Code below:
 - ◆ Reduction of working hours;
 - ◆ Shift work;
 - ◆ Part-time work;
 - ◆ Lay-off;
 - ◆ Review of various allowances and benefits;
 - ◆ Wage cuts.

APPLICATION FILE:

- **Documents to be submitted:** Conclusions of negotiations.
- **Documents to be consulted:**
 - Memorandum of agreement;
 - Any document attesting to the company's economic difficulties.

SIGNATORY OF THE INSTRUMENT: Worker – Relevant Labour Inspector – Employer.






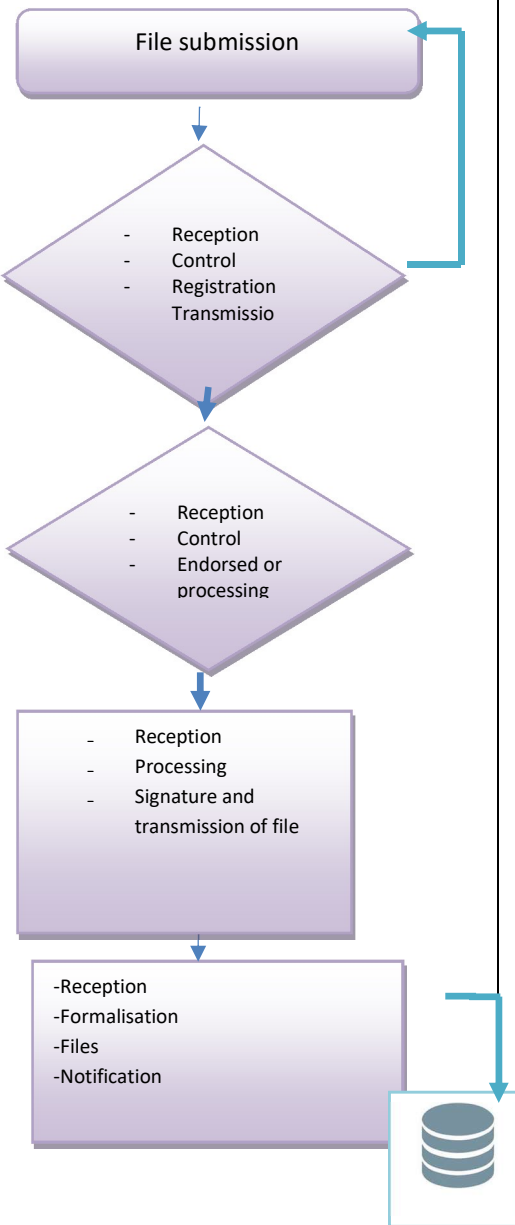
DEADLINE: Sixty (60) days.

DELIVERY METHOD: Collection.

QUALITY MANAGER:

- Head of the Mail and Liaison Office
- Labour Inspector;
- Inspector General.

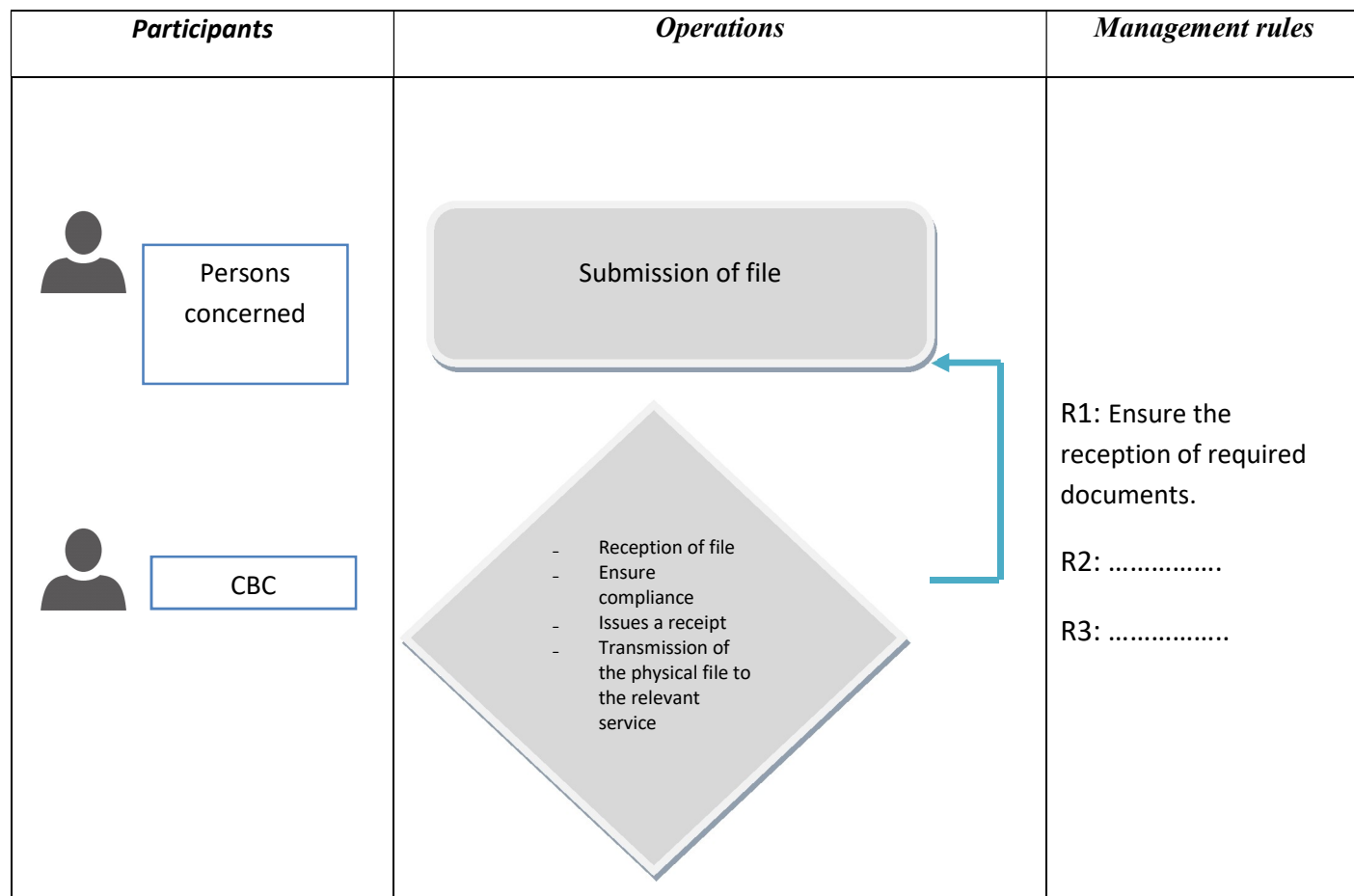
MINTSS	Procedure No. 14/DRTSS/II <u>OBTAINING A STATEMENT OF</u> <u>DISMISSAL ON ECONOMIC</u> <u>GROUND</u>	Deadline	Procedure Date: July 2022
		60 days	Procedure Version: 1.0

Participants	Operations	Deadline	Management rules
<div> <div></div> <div>Persons</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div> <div> <div></div> <div>Regional Delegate</div> </div> <div> <div></div> <div>Labour Inspector- Employer-Staff Representative</div> </div> <div> <div></div> <div>Head of the Mail Office</div> </div>	 <pre> graph TD A[File submission] --> B{Reception Control Registration Transmissio} B --> C{Reception Control Endorsed or processing} C --> D[Reception Processing Signature and transmission of file] D --> E[Reception Formalisation Files Notification] E --> F[(Archives)] B --> A </pre> <p>The flowchart illustrates the process of file submission and archiving. It begins with 'File submission', followed by a decision point for 'Reception Control Registration Transmissio'. This leads to another decision point for 'Reception Control Endorsed or processing'. The process then moves to 'Reception Processing Signature and transmission of file', and finally to 'Reception Formalisation Files Notification'. The final step is archiving the files, represented by a database icon and the label '-Archives'. There is a feedback loop from the first decision point back to 'File submission'.</p>	<div>1</div> <div>1</div> <div>57</div> <div>1</div>	<p>R1: Ensure that the provisions of Section 40 of the Labour Code are respected</p>


PART 2:
**STANDARD OPERATIONS OF PARTICIPANTS IN
THE PROCESSING CHAIN**

I. PROCESSING OF FILES AT THE MAIL OFFICE


a) AT THE BEGINNING OF THE PROCESS



b) During the transmission of a file to another administratin


<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div data-bbox="260 790 489 884" style="border: 1px solid black; padding: 5px; display: inline-block;">CBC</div>	<div data-bbox="560 745 1066 972" style="border: 1px solid black; padding: 10px; background-color: #f0f0f0;"> <ul style="list-style-type: none"> - Reception of the physical file; - Consultation of the physical file; - Transmission of the file to the head of the unit concerned </div>	<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: Ensure that there is no mistake with the recipient;</p> <p>R3: Ensure that the recipient's name is correct.</p>

c) AT THE END OF THE PROCESS


<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div>CBC</div>	<ul style="list-style-type: none"> - Reception of the decision; - Consultation of file; - Proceed to the reprography of the instrument; - Formalisation of the instrument and copies; - Registration and codification of the instrument; - Registration of the outgoing of the instrument; - Classification a copy of the instrument; - Transmission of file substance and a copy of the instrument to the person concerned; - Transmission of the original of the instrument to the concerned. 	<p>R1: Ensure compliance with page numbering</p> <p>R2: Ensure that confidentiality is respected</p>

II. PROCESSING AT THE SECRETARIAT


a) AT THE RECEPTION OF A FILE

<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div>Secretary</div>	<ul style="list-style-type: none"> - Reception of the physical file and electronic data - Ensures compliance of physical data with electronic data - Registration of the incoming physical file - Endorse the transmission slip - Print reception slip - Submission of the physical file to the hierarchy 	<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: Ensure that confidentiality is respected;</p> <p>R3:</p>


b) AT THE OUTGOING OF A FILE

<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div>Secretary</div>	<ul style="list-style-type: none"> - Reception of the physical file - Registration of the outgoing physical file - Print transmission slip - Transmission of electronic data to the concerned unit - Hand over the physical file to the Liaison Officer for transmission to the concerned unit. 	<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: Ensure that there is no mistake with the recipient;</p> <p>R3: Ensure that the recipient's name is correct.</p>

AFTER THE SIGNATURE OF THE INSTRUMENT



<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div>Secretary</div>	<ul style="list-style-type: none"> - Reception of the physical file and the signed decision - Transmission of the decision to the Head of the Reprography Bureau - Print the transmission slip - Proceed to the electronic signature of the instrument - Registration of the outgoing file - Hand over the signed document to the Liaison Officer for transmission to the Head of the Mail Office. 	<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: Ensure that there is no mistake with the recipient;</p> <p>R3: Ensure that the recipient's name is correct.</p>

III. PROCESSING AT THE LIAISON OFFICERS



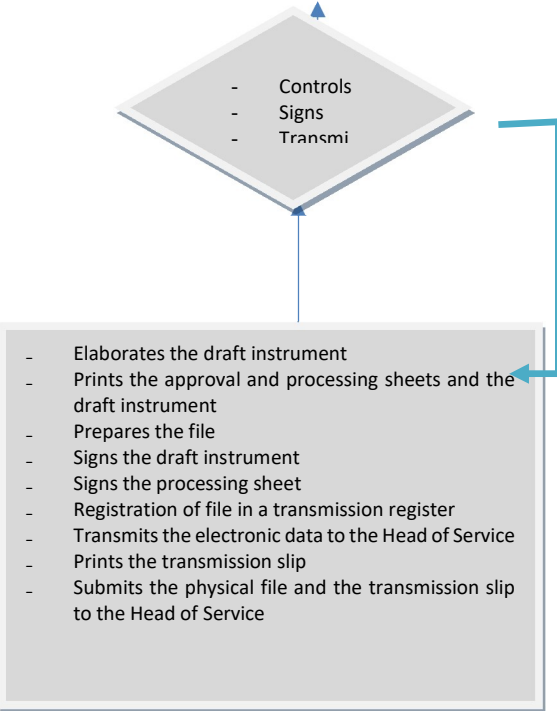
<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div>Liaison Officer</div>	<ul style="list-style-type: none"> - Reception of the physical file - Hand over the physical file to the recipient's secretary 	<p>R1: Ensure that there is no mistake with the recipient.</p> <p>R2: Ensure that the recipient's name is correct.</p>

IV. PROCESSING AT THE TECHNICAL DEPARTMENT


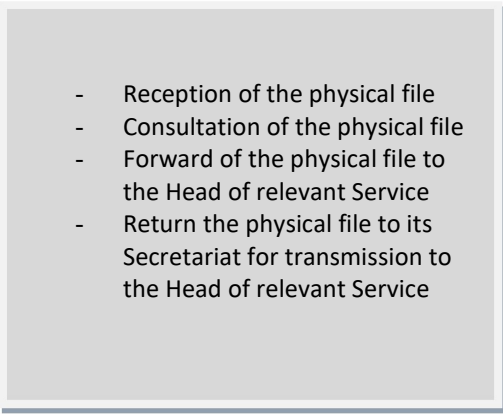
a) Incoming file

<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div>Relevant Service Head</div>	<ul style="list-style-type: none"> - Reception - Consultation - Endorsement 	<p>R1: Ensure compliance of physical data with electronic data</p> <p>R2: ...</p> <p>R3:</p> <p>R4:</p>
 <div>Head of the Relevant Office</div>	<ul style="list-style-type: none"> - Reception of the physical file and transmission slip against discharge; - Reception of electronic data and printing of reception slip; - Ensure compliance of data in the physical file 	

At the outgoing of a file


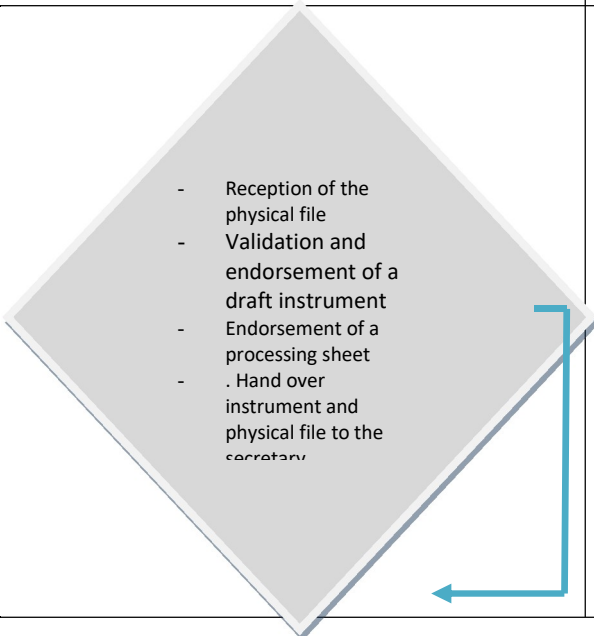
Participants	Operations	Management rules
 Unit Head  Office Head		<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: ensure that the business requirements related to the work requested are respected;</p> <p>R3: ensure compliance with the hierarchical line;</p> <p>R4:</p>

V. PROCESSING AT OTHER POSITIONS OF RESPONSABILITIES
a) AT THE RECEPTION OF A FILE

Participants	Operations	Management rules
 Regional Delegate		<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: Ensure compliance with the hierarchy;</p> <p>R3:</p>

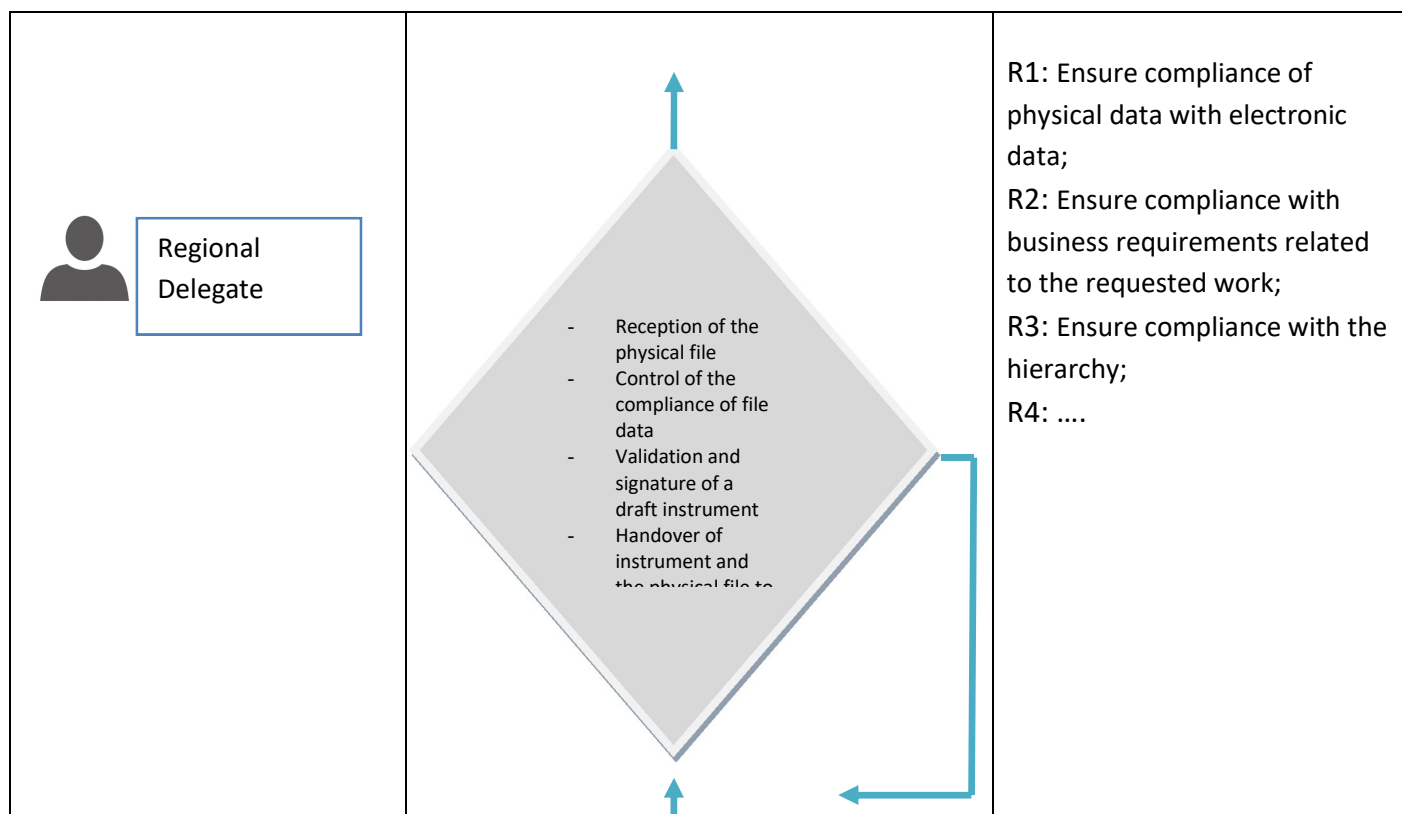
a) AT THE OUTGOING OF A FILE

Outgoing of a file from the Regional Delegation

<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
 <div data-bbox="240 633 470 757" style="border: 1px solid black; padding: 5px; display: inline-block;">Regional Delegate</div>	 <ul style="list-style-type: none"> - Reception of the physical file - Validation and endorsement of a draft instrument - Endorsement of a processing sheet - Hand over instrument and physical file to the secretary 	<p>R1: Ensure compliance of physical data with electronic data;</p> <p>R2: Ensure compliance with business requirements related to the requested work;</p> <p>R3: Ensure compliance with the hierarchy;</p> <p>R4:</p>

Internal file of the Regional Delegation

<i>Participants</i>	<i>Operations</i>	<i>Management rules</i>
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APPENDIX