



SERVICE RULES FOR NON-TEACHING STAFF

Preamble

Keeping in mind the vision, mission of the College and to ensure excellence, commitment, equity and trust among all staff members of the College, the Governing Body of St. Alphonsa College of Arts and Science has resolved to frame a set of Service Rules to optimize the working conditions of the teachers in the College.

Therefore, the Governing Body adopted a resolution framing the following rules governing the conditions of service for the teachers of the College. These Service Rules has been adopted by the Governing Body in its meeting, held on July 15, 2017.

1. Title

The rules shall be termed “Non-Teaching Staff of St. Alphonsa College of Arts and Science”.

2. Extent of Application and date of commencement

These rules are applicable to the Non-Teaching Staff of St. Alphonsa College of Arts and Science. They shall come into force with effect from August 1, 2017.

3. Definition of terms:

- 3.1 COLLEGE or INSTITUTE means St Alphonsa College of Arts and Science, Soosaipuram, Karinkal, Kanyakumari District, Tamilnadu.
- 3.2 FOUNDER BODY means the Diocese of Thuckalay that had established, runs and administers the College.
- 3.3 GOVERNING BODY or MANAGEMENT means the BODY constituted by the Founder Body.
- 3.4 SECRETARY AND CORRESPONDENT means the member of the Diocese of Thuckalay who is appointed by the Founder Body to the post.

3.5 PRINCIPAL means the Head of the Institution.

3.6 STAFF or EMPLOYEE means teaching Staff employed in the College or any other staff involved for maintenance of standards in Education, administration, quality functioning and services, as decided by Governing Body.

4. Categories of Non-Teaching Staff: The categories of non-teaching staff is in the following, though it is not an exhaustive list:

4.1 Office Superintendent

4.2 Placement and Public Relations Officer

4.3 Campus Care Manager

4.4 College Counselor

4.5 Accountant

4.6 Lab Assistants

4.7 Library Assistants

4.8 System Administrator

4.9 Clerical Staff

4.10 Maintenance Staff, such as, Electrician, Plumber, etc.

4.11 Drivers

4.12 Support Staff (Sweepers)

4.13 Gardener

4.14 Security

5. Recruitment

5.1 The Governing Body will constitute a Selection Board. The appointment will be made on the recommendation of the Selection Board.

5.2 The Selection Board comprises of the following members

(a) Manager

(b) Secretary and Correspondent as Convenor

(c) Principal

- (d) Director
- (e) Dean / Vice Principal
- (f) Coordinator of IQAC
- (g) One teacher representative

5.3 Qualification: The Qualification shall be fixed as per the post by the Governing Body.

5.3.1 Probation and Confirmation:

5.3.2 An appointed candidate shall be on probation for a period of one year from the date of joining. The Governing Body may extend this period for another year with stated reasons. Notice of extension of probation / termination will be given to the employee in writing, one month before the end of the probationary period.

5.3.3 The employee cannot take for granted the continuity / confirmation of service unless and until it is given in writing by the Secretary and Correspondent on behalf of the Governing Body.

6. Salary and Benefits

6.1 The College works out **College's Own Salary** according to its particular situation and has it approved by the Founder Body.

6.2 The College is contracted with a particular teaching staff and therefore, it has the discretion to pay the salary it is able to / deems fit.

6.3 No staff of the College has the right to make claims of additional salary based on the emoluments / allowances / facilities provided to another appointed staff in the College.

7. Service Agreement

7.1 At the time of recruitment to the post in the College, a service agreement should be executed between the College and the staff concerned and a copy of the same should be deposited with the Secretary and Correspondent duly signed by both the parties.

7.2 Depending on the category of the post, the staff trainings are compulsory.

7.3 The training programs may be in house or in other institutions.

8. Working Hours

- 8.1 The working hours shall be determined according to the category of staff and the post in which a particular staff is appointed.
- 8.2 The daily working hours shall be clearly informed to the staff at the time of appointment / joining a category of post in the College.

9. Code of Conduct

9.1 All the Staff shall observe the following code of conduct:

- (a) Every employee shall, at all times, maintain absolute integrity and devotion to duty and abstain from any activity that is unbecoming of an employee of an educational institution.
- (b) Every employee shall abide by and comply with the rules and regulations of the Institution and directions of his / her superior authorities, under whose superintendence or control, he / she is placed.
- (c) Every employee shall extend utmost courtesy and attention to all persons with whom s/he is to deal with in the course of his / her duties.
- (d) Every employee shall endeavour to promote the interest of the Institution and shall not act in any manner prejudicial thereto.
- (e) No employee shall engage in any political activity within the premises of the Institution.
- (f) No employee shall engage directly or indirectly in any trade or business or undertake any other employment. For undertaking honorary work of a social and charitable nature or work of a literary, artistic or scientific character the employee shall obtain prior permission of the authority.
- (g) An employee of the College shall strictly abstain from intoxicating drink or drug while in the campus.
- (h) Obligation to maintain secrecy: Every employee shall maintain the strictest secrecy regarding confidential matters concerning the institution and shall not divulge, directly or indirectly, any information of confidential nature either to a member of the public or

another staff, unless instructed to do so by a superior authority in the discharge of his / her duties.

- (i) An employee of the College shall not, without the prior permission of the Secretary and Correspondent / Principal, engage in any trade or business or adventure by himself or through any member of his / her family, undertake, accept, engage, solicit or seek any outside employment or office while on duty whether stipendiary or honorary.
- (j) No employee of the College shall enter into any partnership, accept any fees, endowment or commission whatsoever from any part other than the College, except with the prior permission of the Secretary and Correspondent / Principal.
- (k) Acceptance of gifts: An employee shall not solicit or accept any gift from a student of the College or from any subordinate employee, provided that such gifts, grants and donations shall be received by an employee in the official discharge of his duties for the College.
- (l) Sexual abuse of another staff / students / minors elicits dismissal of the employee without any prior notice.

10. Leave Rules

- (a) Leave is earned by actual duty only.
- (b) Leave cannot be claimed as a matter of right. When the exigencies of service so require discretion to refuse or revoke leave of any description is reserved to the College authority to grant it.

10.1 Casual Leave

10.1.1 All probationary and permanent employees are entitled to 12 days of casual leave.

10.1.2 Casual leave is not a matter of right; it has to be sanctioned prior to the day of leave. The staff needs to make necessary adjustments to take care of the duties and responsibilities that are assigned to them with other staff while on leave.

10.1.3 Casual leave may be affixed or prefixed to any holiday or Sunday but the total period including the holiday or Sunday shall not exceed 5 days at a time. Sundays and holidays falling within the period of casual leave shall not be counted as part of the casual leave. Casual leave shall not be affixed or prefixed to any long vacations.

10.1.4 Temporary employees / employees on contract after three months of service may get a

proportionate number of days for casual leave.

10.1.5 Casual leave cannot be accumulated and cannot be combined with any other kind of leave and vacation.

10.2 Medical Leave

10.2.1 15 days of medical leave is permitted to all permanent employees during the course of the year. A medical certificate with supporting documents such as records of admission in hospital, hospital discharge summary, etc. are to accompany the leave application for such leave.

10.3 Maternity Leave

10.3.1 Female employees with a permanent appointment are entitled to maternity leave for three months with full salary and allowances, or as applicable with their membership in Employees' State Insurance Corporation (ESIC).

10.3.2 In calculating three months, calendar months are taken into account and all holidays occurring in those months are included in maternity leave.

10.3.3 Notice of maternity leave should be given at least one month prior to the leave.

10.3.4 Maternity Leave is to be taken at least two weeks prior to confinement.

10.3.5 Maternity leave may also be granted in case of mis-carriage; subject to the condition of availing such leave for not more than 30 days and the application for leave is supported by a medical certificate.

10.3.6 Maternity leave can be availed maximum of twice in entire service career.

10.3.7 In the case of still-born delivery, the grant of Maternity leave exceeding the above limit shall also be admissible. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

10.3.8 Maternity leave more than twice may be availed without salary.

10.4 Study Leave

10.4.1 Study leave with benefits is permitted only for those with the status of permanent appointment. The staff is required to obtain permission or notify the College authorities prior to enrolment in courses for professional and academic enhancement.

10.4.2 With the prior sanction of the Governing Body, a study leave not exceeding 10 days

may be sanctioned to staff members who are appearing for an examination to further their qualifications.

10.4.3 Study leave without pay for one / two years can also be granted to a confirmed member of the staff on condition that the course of study enhances his / her contribution to his post / duties and responsibilities in the College.

10.5 Duty Leave

10.5.1 Duty leave may be given for attending meetings in the affiliating University or where a staff is invited to share expertise in the field of work, government or NGO; and

10.5.2 For performing any other duty assigned by the College that may require such leave.

10.5.3 The duration of leave should be such as may be considered necessary by the College authority on each occasion.

10.5.4 The leave shall be granted on full pay, provided that the staff do(es) not receive remuneration for the services rendered.

11. Application for other employment opportunities

A permanent staff may apply for other employment opportunities, with timely information to the Secretary and Correspondent through the Principal of the College in writing with details of the post and the institution / organisation.

12. Age of Superannuation

12.1 The retiring age for permanent staff is the same as that of the employees of the Government of Tamilnadu.

12.2 Subject to availability of vacant position, need and fitness, staff shall also be re-employed on contract appointment beyond retirement by superannuation. Re-employment beyond the age of Superannuation shall, however, be done selectively, for a limited period of 2 years in the first instance and then for another further period of 1 years purely on the basis of merit, experience, area of specialization and only against available vacant positions without affecting selection or promotion prospects of other eligible staff.

13. Resignation from Service

13.1 A probationer may resign or be terminated from his / her service with one month's notice or by payment of one month's salary in lieu of such notice and / or as per the service conditions in the appointment letter.

13.2 A confirmed employee may resign from his / her service with 45 days' notice or one and half months' (45 days) salary in lieu of such notice and / or as per the service conditions in the letter of confirmation.

14. Compulsory Retirement

14.1 If an employee becomes permanently incapacitated by any physical injury or mental infirmity, the Governing Body will have the discretion to retire him / her compulsorily notwithstanding the provision regarding age of retirement under the provision of the Service Rules.

14.2 A teacher who is compulsorily retired under the provision of this clause shall be entitled to all the retirement benefits viz. provident fund, Gratuity, etc.

14.3 If situation arises, an expert opinion will be sought by Governing Body. The Governing Body may instruct the person concerned to undergo a fitness test.

15. Misconduct, Suspension, Penalties, Appeal

15.1 Violation of the Code of conduct by an act of commission or omission will be constructed as misconduct. Any act of misconduct by a staff shall call for appropriate disciplinary action.

15.2 These act of commission or omission could be summed up under the following list which is illustrative and not exhaustive:

- (a) Neglect of duty by way of sleeping on duty, or lax behaviour and attitude towards time.
- (b) Want of diligence in the performance of duty, or violation of the orders of the College authority or officer / person(s) appointed in supervisory roles.
- (c) Irregularity in attendance, taking leave without sanction.
- (d) Insubordination
- (e) Moral delinquency affecting the discipline, moral standards and reputation of the College.
- (f) Theft or causing damage to property, fraud
- (g) Holding any meeting, distributing handbills, notices, leaflets, booklets, pamphlets, posters in the College premises without prior written permission from the College

authority.

- (h) Using indecent language or making false allegations.
- (i) Unauthorised collection of money, carrying on any kind of business in the College premises.
- (j) Coming to work in a state of drunkenness or getting drunk during the period of work; being under the influence of drugs.
- (k) Violation of confidentiality or giving information to unauthorised persons.
- (l) Non-acceptance of a College notice at the registered address of the employee.
- (m) Any other act or omission that in general understanding would be detrimental to the objectives of the College.

15.3 The College has the right to impose penalties or call for disciplinary action after assessing the gravity of the misconduct.

15.4 Penalties:

15.4.1 Minor penalties may include Censure, or Recovery of damage or loss incurred by the College from the individual, or Suspension from duty without pay for a period not exceeding seven days.

15.4.2 Major penalties may consist of (a) Withholding of increment (b) Compulsory termination of service (c) Dismissal. The application of the above penalties shall be decided by the Competent Authority.

15.5 Disciplinary Authorities

15.5.1 The Secretary and Correspondent, on behalf of the Governing Body, shall be the Disciplinary Authority in respect of all acts of misconduct which warrant only minor penalties as defined above. He shall refer to all actions proposed to be taken, to the Governing Body, and the Governing Body shall advise the Secretary and Correspondent as to the action to be taken against the delinquent staff member.

15.5.2 The Secretary and Correspondent shall appoint a 5 member Disciplinary Committee consisting of Principal / Director / Dean / Vice-Principal / HoD / teaching staff / Non-teaching staff and a Female Member of the Staff in respect of all cases of misconduct, which warrant the imposition of a major penalty as defined above. The Disciplinary Committee shall act also through the Grievance Redressal Cell in ordinary and

extraordinary matters of complaints concerning the staff. The Grievance Redressal Cell consists of the Secretary and Correspondent / Principal / 2 senior lay staff, one being a lady, and a nominee of the Founder Body, according to the nature of the complaint.

15.5.3 The Founder Body shall be the Appellate Tribunal in respect of all cases where a major penalty is sought to be imposed against a member of the staff. The Founder Body shall have the power to reconsider all the evidence produced in the case, admit fresh evidence, if necessary, hear the parties concerned and confirm, modify or set aside any decision of the Governing Body. In which case:

15.5.4 The Founder Body shall appoint an Investigative Team consisting of:

- (a) One representative of the Governing Body.
- (b) One representative of the aggrieved staff member.
- (c) One person not connected with either of the two above mentioned categories of whom one shall be a female member, to be appointed by the Founder Body, who will also act as Chairman of the Investigative Team. The decision of the Investigative Team will be considered by the Founder Body by vote and shall be final in regard to the imposition of major penalties.

15.6 Procedure for Imposing Minor Penalties

15.6.1 No order imposing any of the minor penalties specified above shall be imposed except after:

- (a) The staff member has been informed in writing by the Secretary and Correspondent of the College of the action proposed to be taken against him / her. The letter to be sent by the Secretary and Correspondent of the College will be accompanied by allegations on the basis of which action is proposed to be taken. The concerned staff member will have to make his / her representation to the Secretary and Correspondent of the College against the action proposed to be taken, within one week from the date of receipt of the notice and s/he shall also intimate as to whether s/he wishes to be personally heard in respect of the allegations against him / her.
- (b) The Secretary and Correspondent has considered the representation, if any, of the concerned member of the staff, and has granted him / her a hearing, if so desired.
- (c) The Secretary and Correspondent has, thereafter, submitted a report to the

Governing Body.

15.6.2 The Governing Body shall consider the report submitted by the Secretary and Correspondent in connection with the case, and shall advise him concerning the penalty proposed to be imposed on the concerned member of the staff.

15.6.3 The Secretary and Correspondent shall proceed to impose such penalty as he may be advised by the Governing Body. The staff member thus penalised, however, is free to appeal to the Founder Body as provided earlier. The decision of the Governing Body shall be final with respect to Minor Penalties.

15.7 Procedure for Imposing Major Penalties

15.7.1 No order imposing on a staff / employee any of the major penalties specified herein except after holding an enquiry in the manner hereby prescribed.

15.7.2 The Secretary and Correspondent shall submit a report to the Governing Body in case of serious misconduct by a member of the staff / employee which may warrant the imposition of a major penalty or penalties, specified above. On consideration of the said report, the Governing Body may direct the Secretary and Correspondent to issue a charge-sheet to the concerned member of the staff / employee. In such a case, the Governing Body shall appoint an Investigation Team to conduct the enquiry against the delinquent.

15.7.3 The staff / employee shall be supplied with a copy of the charge-sheet or / and charges together with a statement of the allegation on which they are based.

15.7.4 S/he will be required to submit to the Secretary and Correspondent of the Governing Body within seven days of the receipt of the charges and allegations, a written statement in his / her defence and also state whether s/he desires to be heard in person.

15.7.5 The Investigation Team will conduct the Enquiry considering the charge-sheet and written statement of the staff / employee, if any, and giving him / her a hearing, if so desired.

15.7.6 The Investigation Team will prepare a Report on the Enquiry with their findings on each of the charges together with reasons and he / she will send the Report to the Secretary and Correspondent of the Governing Body.

15.7.7 The Governing Body will be at liberty to either accept or reject the Report and may

order a fresh Enquiry on either the full or partial aspect of the charges.

15.7.8 The Governing Body will take steps as are considered fit and proper on the basis of the findings of the Investigation Team. If a penalty is to be imposed, the staff / employee may be called upon by the Governing Body to show cause within 10 days concerning the quantum of the penalty.

15.7.9 On receiving the cause shown, if any, or after 10 days from the second show-cause notice served to the concerned staff / employee, the Governing Body will proceed to impose such penalties, as it thinks fit. The staff / employee thus penalised may, however, prefer an appeal against such order of penalty in the manner provided below. During this process, if the act was a public scandal, the defaulter may be kept under suspension from duties.

15.8 Appeal

15.8.1 Appellate Tribunal - Founder Body

- (a) A Staff / Employee against whom an order proposing to impose any of the penalties referred to above has been passed may prefer an appeal to the Founder Body within 15 days of the date of the receipt of such order. During the period of 15 days, the penalty proposed to be imposed shall be kept in abeyance, and if an appeal is preferred, the penalty proposed to be imposed shall remain in abeyance till the disposal of the appeal.
- (b) After considering all aspects of the case, including the submission made by the concerned staff member, the Governing Body and the Investigation Team, the Founder Body as the Final Appellate Tribunal shall pass such orders as it thinks fit and proper and its decision shall be final.

15.9 Bar on Representation by Legal Practitioners

15.9.1 No legal practitioner shall be allowed to represent either a staff / faculty / employee in the disciplinary and appellate proceedings as described above.

15.9.2 The representation shall be made by the person concerned and the authorized representative of the Governing Body.

15.10 Suspension

15.10.1 The Secretary and Correspondent of the College may, in cases of gross misconduct,

indiscipline or negligence of duties, place a staff / employee under suspension pending further action by the Governing Body, which has to confirm or annul the action taken by the Secretary and Correspondent within 15 days.

15.10.2 The Secretary and Correspondent of the College, on the instruction of the Governing Body, shall place a staff / employee of the College under suspension in the following cases:

- (a) Where an Enquiry against him / her is contemplated or where such an Enquiry is pending.
- (b) Or, where a case against him / her in respect of any criminal offence involving turpitude is under investigation or on trial.
- (c) Any form of publicity that goes against the institution in media or in any other mode.
- (d) Any injury done to students: physical, moral or emotional.
- (e) Such suspension as provided here shall not be construed as a penalty as indicated elsewhere in this document.

15.10.3 A staff / employee placed under suspension shall be entitled to receive from the College a monthly subsistence allowance in the following manner:

- (a) During the first two months of the period of suspension at the rate of fifty per cent of his / her total emoluments.
- (b) If there is a delay on the part of Governing Body beyond two months in arriving at a decision, the subsistence allowance will continue to be paid at the rate of seventy-five per cent of his / her total emoluments until the Governing Body of the College communicates its decision to the staff / employee concerned.
- (c) If the member takes up any other paid employment during the period of suspension, s/he shall not be entitled to any subsistence allowance for the period he / she is thus otherwise employed.
- (d) If the staff / employee is exonerated from all charges, all arrears of pay and allowances will be paid to him / her for the total period of suspension, after adjustment of the subsistence allowance paid.

15.11 Grievances

- 15.11.1 A grievance is a genuine complaint an employee may have against the College with regard to the work or benefits due to him / her.
- 15.11.2 A grievance is to be presented in writing to the Grievance Redressal Cell; if the matter needs further consideration, the same shall be forwarded to the Governing Body who will recommend the action to be taken.
- 15.11.3 If the action proposed or taken is not satisfactory to the aggrieved employee an appeal may be made by him / her to the Founder Body.
- 15.11.4 The Founder Body shall appoint a committee with due legal consultations and the decision of the Body shall be binding to settle the matter.
- 15.11.5 Violation of the Code of Conduct by an act of commission or omission will be constructed as misconduct. Any act of misconduct by a staff shall call for appropriate disciplinary action.

16. Retirement benefits

- 16.1 Every employee who has completed 5 continuous years of service in the College may be entitled to Gratuity as per rules contained in the Gratuity Act and its amendments, which shall apply to all non-teaching staff at the time of retirement.

17. Amendment:

- 17.1 The Governing Body reserves the right to add, alter or amend any of the above rules as and when necessary. The proposal for amendment may be submitted in writing by a member of the Governing Body to the Secretary and Correspondent of the Governing Body at least 3 months before the meeting of the Governing Body.
- 17.2 All such amendments so decided by the Governing Body shall be submitted by the Secretary and Correspondent to the Founder Body for the final approval and implementation.

