



HANDBOOK FOR TEACHERS

Produced by:
Teaching Service Commission
WAIGANI

5th January 2021

First Edition

For more information

Contact:

The Teaching Service Commission

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Published by the Teaching Service Commission

P.O.Box 6268 Boroko, NCD

Papua New Guinea

Tel: 3288800

ISBN 978-9980-912-20-6

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MESSAGE FROM THE MINISTER FOR EDUCATION

Teachers, you are the front line in delivering and providing education and teaching services to the children of this country. You are also the implementers of education and teaching service policies.

In some places, especially the most isolated and remote locations you are the only “government face”. You are commended and acknowledged for this. You are responsible for the education of the young children placed in your charge.

While you are busy delivering teaching and educational services you need to know what your rights and entitlements are as a teacher. This Handbook is for you.

It outlines information which you as a teacher need to know. This includes legislations which you need to know, entry qualifications into the teaching service, teacher appointments, entitlements including salaries and allowances, leaves, discipline among others.

Details of many of the information contained in this handbook can be seen obtained from handbooks on Teacher Appointment Processes and Procedures, Teacher Discipline Processes and Procedures and Teacher Entitlements Handbook.

As a member of the Teaching Service (teacher), you need to know or align yourself with the Teaching Service Act 1988 and any other legislations relating to education matters outlined in Section 1 of this handbook. As a member of the Teaching Service you are expected to know the laws of the country especially laws governing and regulating education matters in this country and any other laws because the parents and the community expects you to live and behave within the confines of the requirements under the various laws of the land.



HON. JIMMY UGUERO MP
Minister for Education



FOREWORD BY THE COMMISSION

The functions of the Commission amongst others are to exercise a critical oversight of all matters relating to the terms and conditions of service and welfare of members of the Teaching Service (teachers).

The Commission also ensures that decisions of other authorities under the *Teaching Service Act 1988* or the *Education Act 1983* or any other law relating to education matters do not infringe or abrogate the rights of conditions of service of its members.

You as teachers are expected to know the laws of the country because the parents and the community expect you to live and behave within the confines of the requirements under the various laws of this land.

This Handbook is for all members of the Teaching Service. It is a compressed Handbook from different handbooks produced by Teaching Service Commission under the authority of the Teaching Service Act and the Education Act.

Members of the Teaching Service are encouraged to read the Handbooks produced by the Teaching Service Commission as they set out in detail what you need to know.

This handbook also provides a summary of three other TSC Manuals-the Appointment Processes and Procedures manual, Teacher Entitlement Handbook, and the Teacher Discipline Processes and Procedures Manual.

This handbook sets out what you need to know about your entitlements, your rights and responsibilities as members of the teaching service. Please do keep it within reach so you can consult it every now and then.


SAMSON WANGIHOME
AI Chairman – TSC


JOEL NAVA LLM
AI Commissioner Policy


MAINI MKE UGAIA
Commissioner Operations

SECTION: 1 – LAWS

A member of the Teaching Service is required to know the laws governing the teaching service in the country and any other laws relating to education matters. Not only have that, a member of the teachings service is also expected to know other laws that govern both citizens and non-citizens in the country.

Teachers must therefore have access to relevant laws which include the following –

1. The Constitution of Papua New Guinea
2. The Criminal Code 1974 (amended to 2002)
3. The Teaching Services Act 1988
4. The Education Act 1983
5. The Public Services Management Act 1995
6. The Public Finance Management Act 1995
7. The Lukautim Pikinini Act 2015
8. Adultery and Enticement Act 1988
9. Defamation Act 1962
10. Whistle Blowers Act 2020

Members of the Teaching Service must make it their business to read and understand the application of these laws.

The Constitution

It is the country's mother law. It covers the rights of the people, their duties and obligations to other people. It establishes all Constitutional Offices and provides for all duties and obligations of the various government institutions.

It requires every citizen the right to have formal education.

The Criminal Code

It sets out all types offences in the country. Under the Teaching Service Act, the following offences are criminal offences and are examples of serious disciplinary offences.

1. Providing false certificates, diplomas, degrees
2. Sexual relations with students under 16 years
3. Sexual touching, rape
4. Being in possession of pornographic materials
5. Assaulting teachers and students
6. Stealing from school funds

7. Providing false information against other persons.
8. Committing other crimes within the meaning of the Criminal Code
9. Providing fake certificates, forging signatures etc
10. Official corruptions such as bribery
11. Misappropriation and misuse of school funds such as TFF

Offenders including teachers can be arrested by police and charged under the Criminal Code Act.

The Teaching Service Act 1988

It is a vital tool for teacher because it provides the legal frame work for the management of their affairs by the Teaching Service Commission. It sets the relevant laws of teacher appointment, disciplinary processes for members of the Teaching Service, all types' teacher personnel matters including leaves, housing and payroll issues and many others. It covers all aspects of the Teacher employment in the Teaching Service. (Note: various matters covered under this Act would be addressed later in this booklet).

The Education Act 1983

It is another important reference material for teachers. Among others it provides the teachers' qualification standards, inspections and the duties of the education authorities in the education system. It covers school enrolment, student discipline, fees and the school management.

The Public Services Management Act 1995

The Public Service Management Act and the Public Service General Orders do not apply to teachers. It provides the employment terms and conditions for other public servants. It is important for the teacher to know the general provisions of the Public Service Management Act because teachers are expected to provide information to the community when requested.

The Public Finance Management Act

The Public Finance Management Act covers the Government's policy on the administration, disbursement and expenditure of public money. The teacher, Principals and the school administrators, have a duty to understand the provisions of the Act in order to know how public money is managed and used. Since school funds are public monies, teachers or Principals are required to see that these monies are expended properly in accordance with the Public Finance Management Act 1995. Any deviation from the requirements amounts to criminal charges and those responsible can be charged under the Teaching Service Act for being in breach of the Public Finance Management Act. Borrowing of school funds is an offence.

Lukautim Pikinini Act 2015

This law protects the wellbeing of a child. Under this Act a child is a person who is 18 years and below. Teachers automatically become caregivers and they are responsible for the general wellbeing and rights of children under their care when the children are school. The law protects children from all forms of maltreatment, abuse and neglect. Breach of this Act by a member of the teaching service is an offence and the offender can be charged accordingly under the Teaching Service Act.

Adultery and Enticement Act 1988

Under this law adultery is committed where a spouse engages in a voluntary sexual intercourse with a person other than his/her spouse. Enticement is defined as attempting to persuade the spouse of another person to commit an act of adultery whether or not the contemplated act of adultery is committed. Adultery and Enticement is an unlawful immoral and improper conduct and if any member of the teaching service is reported to have committed these offences, he or she can be charged for committing a disgraceful and improper conduct.

Defamation Act 1962

An act of defamation occurs when one verbally, in writing or through gestures publishes a defamatory imputation concerning another person. A defamatory matter refers to spoken words, written words or signs or gestures that will likely injure the reputation or profession of another person. It also includes materials that will most likely shun, ridicule, or despise another person. However, it is lawful to publish a defamatory matter if it is true and if it is for the public benefit that the publication complained should be made or published.

Whistle Blowers Act 2020

This recently passed Act of Parliament protects employees from making protected disclosures from occupational detriment and others. This law was enacted to provide procedures for employees to report suspected wrongs, crimes or failures of employers or fellow employees in the workplace. It protects the employees who report the wrongs or crimes so that these employees who report do not suffer occupational detriments or lose their jobs for reporting.

SECTION: 2 – QUALIFICATIONS

2.1 Elementary/Early Childhood Education Teachers

Must be selected by the School Board of Management to be trained. Training was programmed over a period of time through both field and Campus Programs. This has now changed and training is now institutionalized. An Elementary Teachers Certificate is awarded after completion of teacher training. All

elementary school teachers must have completed grade 12 with better grades before they undergo teacher training.

2.2 Primary School Teachers

- Certificate Holders are required to upgrade their entry qualifications to a Diploma Level.
- A person must have a Grade 12 Certificate with better grades to enter any Teacher Training College for a 3 years program and to graduate with a Diploma in Primary Teaching.
- Primary school teachers who have graduated from a College with a Degree in Primary Teaching must not apply for a secondary teaching position. They must remain as Primary School teachers teaching grades 7 & 8. We need quality primary school teachers at the Primary School level

2.3 Vocational Schools Teachers

The teacher must have Trade Certificate and a 3 years field/industrial experience. Once provisionally admitted, teachers in this category must aim to obtain teaching qualifications to be granted full registration and promotion where necessary. Teachers in this category must have a strong technical background.

2.4 High Schools/Secondary Schools & National High Schools teachers

- Diploma Holders are required to upgrade to Degree Levels.
- A person must have very good Grade 12 results and GPA's to qualify for studies at the Universities to graduate with a University Degree in Education.
- A person with a University Degree in a discipline other than education must have the Post Graduate Diploma in Education from the University of Goroka.

2.5 Technical High Schools

The teacher must have Trade Qualifications (Diploma/Degree) and a Post Graduate Diploma in Education or Diploma in TVET Education from a recognized University. They must have 3 TO 5 years Industrial experience.

SECTION: 3 – APPOINTMENTS

3.1 Elementary /and Early Childhood Education Teachers

The teacher must be a citizen of a community, born and raised in that community. Must apply for and win a vacant teaching position in the elementary /Early Childhood school in his/her community. The BOM must send the list of selected applicants to the District Education Office. For Early childhood teachers, once specific positions for Early Childhood are created, the Commission will

inform Early Childhood positions to be filled with the help of appointing authorities.

3.2 Community/Primary School Teachers

3.2.1 The teacher must apply for and win an advertised vacant position and must accept the conditions for that vacant position prescribed in the vacancy gazette. For instance the teacher must understand and accept the conditions such as, housing, the various church codes and others.

3.2.2 Must have a substantive or eligibility to the position he/she applies for.

3.2.3 The application forms must be correctly completed and signed and dated. The forms must be sent the appropriate Education Offices.

3.2.4 Upon receipt of the applications the Education Office (the Appointment Officer) must register them and have them presented to the Selection Panel.

3.2.5 The Selection Panel must consist of –

- The Provincial Education Advisor
- Two Representative from the PNGTA
- One Representative from the Education Agency
- One Member appointed by the Provincial Education Board.

3.2.6 The quorum at a meeting of the Selection Panel must be 100%. All decisions of the Panel must be signed, dated and stamped by the Provincial Education Advisor. For promotional positions it must make a recommendation to the Provincial Education Board.

3.2.7 The PEB must make promotional appointments from the recommended list.

3.3 High School/Secondary Schools/National High Schools, Teachers and Technical Colleges

3.3.1 The teacher must apply to the position they have either substantive to it or has eligibility for it through inspections. The application must be properly completed and submitted to the correct Education Office.

- 3.3.2 Upon receipt of the application form the Appointment Officer has to have it registered and forward it to the chairman of the governing body of the appropriate school.
- 3.3.3 The full governing body must meet to determine the application and make its recommendations. The recommendations are to be signed by the Chairman, dated and stamped. They must be treated with strict confidentiality and delivered to the Education Office with a covering letter stating the date of the meeting and enclose a proof of delivery notice for endorsement by the Appointing Officer.
- 3.3.4 The PEB/NEB must make the appointments from the recommended list for substantive, promotional and acting positions.
- 3.3.5 When no appointment is made the Board may call another nomination and if no nominations are received within 14 days the vacancy shall be advertised.
- 3.3.6 If there is no recommendation from the Governing body the PEB or NEB as the case may be and being the appointing authority can make an appointment from the list of eligible applicants or even make an acting appointment if applicant does meet requirements.

3.4 Tenure Appointment

Where a;

- 1. teacher wins an advertised position he/she is entitled to hold that position on tenure as follows;
 - 1.1 During the first three years the teacher must request for a personal assessment of his/her performance. If the report is unsatisfactory the teacher is to be given a compulsory performance inspection during the next year. If the second report is unsatisfactory the teacher is not fit to continue in the Teaching Service. He/She must be terminated and the position has to be re-advertised.
- 2. If the report is satisfactory the teacher's tenure appointment has to continue.
- 3. the Tenure Appointment may be revoked for disciplinary reasons,
- 4. it would also be revoked if the teacher applies and wins another position
- 5. If the Tenure Holder accepts an acting appointment elsewhere he may request for the tenure to be reserved for the duration of the acting appointment.
- 6. If the teacher does not resume on his/her tenure within 12 months, the appointment is forfeited.

3.5 Acting Appointment

There are three types of acting appointments;

3.5.1 Relief Arrangement

A teacher who is a member of the Teaching Service is to be appointed to occupy the teaching position on a relief basis. The appointment ends when the incumbent of the position takes up duties. The relief teacher is to be on a leave without pay until he secures another position.

3.5.2 Unfilled Vacant Position

Where a position remains vacant the appointing authority must appoint a teacher on acting basis to fill the position until the position is advertised. The teacher has to apply for the advertised position if he wants to continue working in the position.

3.5.3 Promotion Positions

A teacher maybe offered a promotional position on acting basis. He/ She may accept or refuse. If the teacher accepts the offer he/she must apply to the Commission to reserve the tenure position if any. The position is to be advertised so a teacher must apply to win it. He/She has to return to their tenure if they do not win it. If he does not have tenure and does not win he has to apply for a leave without pay.

3.6 Casual Employment

Where a vacancy exists in a school, the PEA or the Secretary may decide to fill the vacancy on a casual or part-time basis consistent with their jurisdictions. The terms and conditions of employment are provided in a TSC Determination.

The teacher is entitled to base level salary. The casual employment ceases when the vacancy is filled.

3.7 Reserved Positions

In the teaching service certain senior teaching positions from church run institutions are reserved for Church Agencies. To effect this, the Church run Agencies must write to NEB or PEB to reserve the head teacher's or the Principals position to their appointees. However churches Agencies have a duty to recommend only those who are qualified for their senior teaching positions. If the Church Agencies do not write to the PEB or the NEB to preserve those positions, the PEB/NEB decisions are final.

3.8 Appeals on Appointment.

If a teacher has a higher substantive level or higher eligibility over the new appointee and is not happy with the decision of the PEB or NEB in relation to his appointment, the teacher may appeal to the Teaching Service Commission. The

decision of TSC is final. The aggrieved teacher may only appeal if he/she has applied for that position but has not been appointed to that position.

SECTION: 4 – TRANSFER COSTS

- 4.1 New Graduates are given paid tickets or travel warrants by the Education Offices. They must therefore contact these offices for their travel details – modes of travel, dates and travel times. It is his/her duty to travel to the school location before the commencement date. The policy on no work – no pay will apply where the teacher fails to commence duty on the required date.
- 4.2 Where a teacher requests for a transfer to another school within the province or outside the province he must pay the transfer costs if it is a lateral transfer/on their substantive levels
- 4.3 Where a transfer request from a teacher is based on medical and/or compassionate grounds and is approved by the Commission it may authorize the payment of the transfer costs.
- 4.4 Where a teacher wins a promotional position the receiving province must pay the transfer costs.
- 4.5 There is no transfer for elementary school teachers.

SECTION: 5 - HOUSING

- 5.1 Housing policy in the Government is that it is not a condition of employment for its employees including the members of the Teaching Service.
- 5.2 Housing is the responsibility of the education agency conducting the school and its governing body.
- 5.3 The agency is required to provide its housing requirements in the vacancy gazettes to inform the applicants on the housing situation in the schools.
- 5.4 The teacher must understand and accept the housing situation in a school and his application to the vacant advertised position must mean that he has accepted and would abide by the Agency requirements.
- 5.5 Where the Agency fails to advertise the housing information in the education gazette the intending applicants to a vacant position may request for an explanation from the PEB.

- 5.6 The PEB has to withdraw the advertisement if the housing information is important but not provided in the gazette.
- 5.7 Government is subsidizing teacher housing with the following –
- Elementary School Teachers - K250.00 per year. One of Payment
 - Primary School Teachers - K350.00 one of payment every year
 - High School/Secondary Teachers - K350.00 one of payment every year
 - Vocational School Teachers - K350.00 one of payment every year
 - Teachers/Technical Colleges Lecturers - K350.00 one of payment every year
- 5.8 Where a teacher occupies a house in the school location he must make an agreement with the Governing Body or agency and must pay the required rent and comply with the requirements.
- 5.9 Maintenance of an institution house is the responsibility of the agency and the governing body conducting the school. The teacher must advise the Board through the Headmaster on the maintenance needs of his house.
- 5.10 The teacher must pay the housing rent in order for the Agency to use the funds to maintain the house. The agency may evict teachers who do not meet the Agency requirements.
- 5.11 The teacher may appeal to the TSC if he is not pleased with the actions of the Education Agency. The Commission may only mediate and may have a teacher transferred if the mediation does not succeed.

SECTION 6 – SALARIES AND ALLOWANCES

- 6.1 When a teacher is appointed to a teaching position he is entitled to the salaries for that particular position.
- 6.2 A teacher's salary is paid at 7 incremental points. An increase is added every year as agreed but stops at point 7 which is the top of the range for all levels.
- 6.3 The starting salary for the different levels is as agreed with PNGTA on behalf of the Teachers and TSC on behalf of the State
- 6.4 Resumption of Duty Summary Sheets - The payment of the salary occurs when the Resumption of Duty Summary Sheets is received at Waigani or Provincial Headquarters of Provinces where Payroll functions are decentralized.

- 6.5 Resumption of Duty Summary Sheets - form is the contract between the teacher and employer. It must properly filled at the school location by the teacher on the date he reports for work.
- 6.6 The Principal/Head teacher of the school must be present to collect and sign the forms. It is his duty to have the form brought to Education Office.
- 6.7 Abscondment – The teacher is required to be at work during the programmed timetable. Where the teacher is absent without the authority of Principal/Headmaster the policy on 'no-work-no-pay' must apply.
- 6.8 Any teacher who absconds from duty for more than 12 months is deemed to have resigned from the teaching service.
- 6.9 The Principal/Head Teacher must report all teacher abscondments to the Education Office.
- 6.10 The Education Advisor must take action to have salary deductions imposed for the stated number of days.
- 6.11 A number of allowances have been approved for payment to the approved members of the Teaching Service. The allowances are shown in the table below;
- **Responsibility Allowances for Head Teachers**
 - **One teacher/Head Teacher Allowances**
 - **Higher Duty Allowances**
 - **D.M.A for substantive 7 and above**
 - **Disadvantage School Allowances**
 - **Boarding Duty Allowance**
 - **Teaching Service Allowance**
- 6.12 The allowances are payable upon receipt of the application by the teacher at the end of the year or are inbuilt into the salaries.
- 6.13 The payment of the allowance must be earned and the teacher must be at work to qualify for it.
- 6.14 The School Administration is expected to report any irregularities in the teachers' performance.

SECTION 7 - LEAVES

7.1 Home District

Home district is where a teacher will return to on retirement or death or for recreational leave. A teacher must declare his home-district other than where they are teaching by advising the Commission where it is located and in what province. He must give reasons and provide proof. He must for instance provide his adoption documents if he is adopted and lives in a different province away from his biological parents. He must state the mode of travel to and from the district.

7.2 Recreational Leave

He/she must teach a period of two continuous years outside his/her home district before he/she is granted recreational leave. Application form for Recreation Leave Form No. PSB Form 5 must be completed and forwarded to the Education Office.

7.3 Leave Fares

Leave Fares include airfares, boat fares, road fares and stop-over costs. The teacher must decide whether he intends to travel to his home district and apply for the fares when he completes the Application for Leave Form No. PSB Form 5. The family members include – wife, children up to 16 years old, formally adopted children, and declared dependents relatives.

7.3.1 Husband & Wife Teachers – where husband and wife are both teachers and have different home districts the husband as head of family will apply for leave. They are to spend leave together at their home district on an alternating basis.

7.3.2 Spouse is a Public Servant – where husband is a public servant he, as the head of family will apply for leave fares in his Department and the Division of Education on an alternating basis.

7.3.3 Spouse Not a Teacher/Public Servant – where the teacher wants to spend leave at his spouse's home district he/she must pay the difference of the fares to his/her home district and that of the spouse's home district.

7.4 Sick Leave

A teacher is entitled to have leave of absence from duty when he is sick. He has to complete sick leave application form.

7.4.1 When the cause of the illness results from the teacher's misconduct the leave will be without pay.

7.4.2 Where the period of sick leave goes beyond three months the teacher must obtain another medical report before any further leave is granted. The Commission must arrange the medical examination by a doctor approved by the Commission.

7.4.3 Where a sick leave period reaches 12 months or over the Commission has to retire the teacher after the exhaustion of his sick leave credits.

7.4.4 Sick leave periods are –

- With medical certificate – not exceeding 12 months
- Without medical report – not more than 5 days in a year.

7.4.5 Sick leave credits are given to the teacher as follows –

- First Year of Teaching – 10 days with full pay/10 days with half pay.
- After completion of first 12 months – 10 days with full pay/10 days with half pay.
- For each 12 months thereafter – 10 days with full pay/10 days with half pay.

The teachers' sick leave credits are recorded in his files and these are deducted when his application is received.

7.4.6 When the leave credits are exhausted the teacher is placed on a leave without pay.

7.4.7 On separation from the Teaching Service through, resignation, retirement or death, sick leave credits (if any) are to be paid to him.

7.5 Compassionate Leave

A teacher is entitled to be absent from duty when a urgent situation arises in his family. He is entitled to 10 days leave of absence on full pay during one school year. This leave does not accumulate.

7.5.1 Where this entitlement is exhausted within the year, the teacher is placed on a LWOP when similar crisis in the family arise during the year.

7.6 Study Leave

A teacher is entitled to 3 years leave of absence on study or professional experiences.

7.6.1 The Department of Education publishes further study programs in a Special Education Gazette and teachers are required to apply for the various programs.

- 7.6.2 Where a teacher applies for and wins a prescribed program his leave of absence would be under a sponsorship program under the TE&SD and would be on salary during the period of absence.
- 7.6.3 The teacher must apply to the TSC for leave from the Teaching Service and if he has tenure to a position he must request the TSC to have the position reserved.
- 7.6.4 A teacher may be released upon application for study under private/self-sponsorship. He is on a leave without pay.

7.7 Accidents on Duty

A teacher is entitled to leave of absence with full pay for up to 3 months if he is injured whilst carrying out his duties. The leave may be extended upon receipt of a medical report.

- 7.7.1 Expenses on transport, medical and hospital costs are to be paid by the Government.
- 7.7.2 Members of the teaching service who are injured during the course of their duties may apply for workers compensation through the Office of Workers Compensation with the Department of Labour and Industrial Relations.

7.8 National Service

Where a teacher is required to participate in a civil or military service in the interest of the country he must be released from the Teaching Service.

- 7.8.1 The conditions of the release will be prescribed under the call-up for duty arrangements by the Government.

7.9 Service under other Legislations

A teacher may be appointed to a public service position in a Government Organization under the laws administering that organization.

- 7.9.1 He shall be released on a leave without pay
- 7.9.2 The teachers position shall become vacant and advertised
- 7.9.3 When he returns he has to be appointed to a position not lower than his former position.
- 7.9.4 If he does not return at the end of his leave, he must resign or retire if he has reached the retirement age.

7.10 Secondment

A prescribed non-government organization or an overseas organization may request the services of a teacher for a period of time.

7.10.1 The teacher must apply for release on secondment for a period not exceeding three years.

7.10.2 The teacher is to be granted a leave of absence without pay for a given period but the period of absence is not to be counted as service.

7.10.3 The teachers' position will be vacant and advertised.

7.10.4 When the teacher returns he/she is to be appointed to a position not lower than their former position.

7.10.5 If the teacher does not return he/she must resign or retire if they have reached retirement age.

7.10.6 The prescribed organizations are –

- The United Nations
- The Government of the United Kingdom and Australia
- The South Pacific Commission

7.11 Leave to be a Witness before a Court

- If a teacher is summoned to appear before a court as a witness he must advise the PEA.
- If he is a State Witness he is to be on leave with pay and is not entitled to witness fees.
- If he is not a State Witness he is to be on leave without pay and is entitled to have witness fees and allowances.

7.12 Leave to attend Arbitration Proceedings

When a industrial dispute goes to tribunal the PNGTA may request two of its members to attend the proceeding. The nominated teachers are to be on a leave with pay to attend the proceedings.

7.13 Leave for Health Purposes

Where the health of a teacher is a danger to teachers, students and the community he must obtain a medical report and submit to the Commission.

7.14 Leave Without Pay – For employment in Member Churches, PNGTA and approved Education Organization

Where a teacher decides to work as the education security for a member church, or an employee of the PNGTA or an employee of a prescribed non-government education organization he must apply for and is to be given a leave of absence without pay for two years.

7.13.1 The period of leave is to be counted as service.

7.13.2 Where the period of leave exceeds 2 years, the teacher has to apply for and be granted an extension of the period of leave every 12 months.

7.13.3 His position will be vacant and advertised.

7.13.4 If he has tenure to that position he may apply for it to be reserved.

7.13.5 Where he does not return at the end of the leave, he must resign or retire if he reaches retirement age.

7.15 Furlough Leave

1. A teacher must work for a minimum of 15 years to become eligible for furlough leave.
2. Entitlements are calculated at 9 days on full pay or 18 days on half pay for each completed year of continuous service.
3. Where a teacher served in another government institution before joining the Teaching Service, the period of service in that other institution is added to the period of service in the Teaching Service.
4. Higher Duties Allowance (HDA) is not to be paid in the furlough leave period.
5. Where a teacher is eligible for furlough leave but retires, dies or is retrenched he is entitled to the salary calculated under clause 2 above.
6. where a teacher is Not eligible for furlough leave he is entitled to leave on full pay as follows –
 - service of 12 to 15 years 4 months
 - service of 8 to 12 years 3 months
 - service of 4 to 8 years 2 months
 - service to 1 to 4 years 1 month

7. Where a teacher not eligible for furlough retires or is retired due to health reasons or dies, he is entitled to the pay for the period shown in clause 6 above

7.16. Attendance as Witness, Board Member, etc

1. A member of the Teaching Service appointed to a Board, Committee or Council established under the Teaching Service Act or Education Act has to request for and be granted leave by the Commission on full pay to attend to the meetings of these authorities.

7.17 Maternity, Breast Feeding, Care for Adoption Child

1. Female teachers who are pregnant are entitled to take leave 6 weeks before delivery on sick leave and 6 weeks after delivery on full pay. They are to complete the sick leave application forms and attach their medical reports.
2. Female Teachers who breast feed their children are entitled to take one half hour twice in the day to breast feed the children. They must include the 2 half hour absences per day in their daily lessons programs and the school principal must know the arrangement.
3. Female teachers who adopt new born babies are entitled to have leave for a period of 3 months to care for the adopted infant. She must apply for the leave and must provide –
 - 3.1 medical statements certifying that the infant is a newly born;
 - 3.2 statutory declaration to declare that she is adopting the infant.
4. The teacher must obtain adoption papers from the Courts and have them submitted within six months after the leave.

SECTION 8 – DISCIPLINE

The achievement of a good quality education in the public education system results from a number of contributing factors. It is common knowledge that one of these and perhaps one of the most important factors, is teacher's professional conduct. Students and the community expect the teachers to be self-disciplined. People have high regard for teachers. People respect them and look upon them for assistance. The teacher is a model for a better or successful person in the community. People expect him to be peace-loving, helpful, have sober habits or do not consume alcohol within the school premises, patient, and works hard. His students respect him and are encouraged and willing to learn from his teaching. People, including students, do not want undisciplined teachers.

- 8.1** When a complaint against a teacher is made or registered with an Education Office, the teacher must be informed.
- 8.2** The teacher must cooperate with the authorized person working on the complaint. He must allow the discipline process to proceed without interference.
- 8.2.1 He may be suspended and charged (see Section 8.6 below)
- 8.2.2 He must sign the delivery notice when the documents are served, and
- 8.2.3 He must be interviewed and must have a reply to the charges sent to the authorized person within 7 days after the receipt of the charges.
- 8.2.4 The authorized person is to refer the case to the Assistant Secretary/Head of the Education Division in the case of a minor offence. Minor offences include chewing of betel nut, swearing occasional lateness and not adhering to directions from school superiors.
- 8.2.5 In a situation where the offence is a serious offence the PEB or the NEB disciplinary committee will deal with it. Examples of serious offences include prolonged abscondment or lateness, continuous disobediences, professional negligence in performing teaching duties, having affairs with students and all types of offence that are criminal in nature. Offences that are criminal in nature can be referred to the Police to deal with in accordance with the Criminal Code Act. These offences include sexual touching (buttocks or breasts) sexual relationship with a student showing of phonographic material to others, causing grievous bodily harm to another person, use of drugs and misuse or misappropriation or stealing school funds
- 8.2.6 Where a teacher is charged for a serious offence, the authorized person must present the teacher's case to the disciplinary committee in person or through a representative and he can have his witnesses available.
- 8.3** The decision on his case must be in writing and delivered in TSC Form 11 for minor offences in Form 14 for serious offences.
- 8.4** He/ She can decide to appeal the decision and must submit his/ her appeal to the Teaching Service Commission Discipline Committee (TSCDC) within 5 weeks after receipt of the decision.
- 8.4.1 He/ She may present his/her appeal in person or through a representative (a friend /or lawyer) at his cost but has to be paid by the Education Office if his appeal succeeds.

8.4.2 The Decision of the Board to be in writing in TSC Form 12 for minor offences and TSC Form 15 for serious offences.

8.4.3 Where his appeal is rejected the teacher may make application to the National Court for a judicial review of the decision on his appeal.

8.5 Where the teacher does not appeal, the Commission must confirm the decisions of the PEB/NEB in TSC Form 16 on all penalties imposed other than the penalty of termination. In the event that the PEB or NEB has recommended the teacher for termination and if the teacher does not appeal that decision, TSC will apply its discretionary powers to confirm or impose any other penalties. However, if the teacher appeals, he or she can appeal the decision of the PEB or the NEB...

➤ Appeals must be forwarded to:

The Chairman
Teaching Service Commission Disciplinary Committee
P. O. Box 6268, BOROKO - NCD

8.6 Suspensions

There are two types of suspensions imposed on teachers -

8.6.1 Suspension from payroll. This is an administrative suspension which occurs when a Provincial Education Advisor/Assistant Secretary informs and request the TSC for the suspension from payroll for various reasons including abscondment.

8.6.2 When a serving teacher is put off the payroll the teacher must approach the Education Office and have the Advisor convinced for the suspension to be lifted.

8.6.3 The Advisor/Assistant Secretary has to request for the lifting of the suspension with given reasons and the Commission must see that the suspension is lifted.

8.6.4 The other suspension is for offences committed and it is imposed under Section 93 of the Act.

8.6.4.1 This suspension is imposed by the Commission or the authorized person.

8.6.4.2 It stops the teacher from carrying out his teaching duties.

8.6.4.3 The suspension can be with or without pay depending on the merits of the case.

- 8.6.4.4 Certain additional conditions would be set in order to ensure that the running of the school is not affected.
- 8.6.4.5 The period of suspension is 14 days and has to be lifted unless the teacher is charged. If a charge is made the suspension must continue until the matter is dealt with.
- 8.6.4.6 A teacher who is suspended with pay must comply with terms and conditions of suspension in order to avoid suspension without pay.
- 8.6.4.7 Authorized persons includes TSC legal officers, TSC Provincial Advisors, TSC Assistant Regional Directors, Elementary, Primary school, TVET inspectors, secondary school inspectors, Church Education Secretaries of churches that run schools in the country etc.

8.7 Strikes

Teachers have a duty to see that the education of their students are not unnecessary affected by their individual/industrial concerns.

- 8.7.1 The teacher must not aid, abet, format or take part in a strike that interferes with the smooth running of the school.
- 8.7.2 If he or she attempts to or actually participate, he must be suspended without pay in writing in TSC Form 20 and charged by an authorized officer. He or she will also be charged for attempting to participate in the strike by the authorized person.
- 8.7.3 He must be required to reply to the change in writing within 7 working days stating as to why he should not be dismissed from the teaching service.
- 8.7.4 A teacher or a group of teachers who protest against the school administration and decide to withdraw from delivering teaching shall also have their pays cut if they are reported to TSC. Strike cases will not be dealt with by the PEB or NEB. It will directly be dealt with by the TSC under the Teaching Service Act.

CHAPTER 9 – MARRIAGE /CHILDREN

Every teacher must advise the Teaching Service Commission or his/her Appointing Authority when he/she gets married so that the information is inserted in his/her records.

- 9.1 He /She must submit the marriage certificate.
- 9.2 If the marriage is conducted under custom, it must be confirmed in writing by a community leader or a chief who witnessed it. Councilors, priest/pastors. The confirmation letter must identify the author, the names of the parties, the date and venue and a brief account of the event. The statement must show whether wife is a first wife if it is a polygamous marriage. The document must be signed and dated and stamped (where possible).
- 9.3 All children's names must be submitted together with their certified copies of their birth certificates.
- 9.3.1 If a child is adopted the teacher must submit certified copies of the child's adoption papers.
- 9.4 Where a marriage is dissolved or the parties live in separation the teacher must submit certified copies of the appropriate documents.
- 9.5 The husband is the head of the family. He must make claims for his family until his retirement.

CHAPTER 10 – FEMALE TEACHERS – HEAD OF FAMILIES, MATERNITY LEAVE, ADOPTIONS, ETC

Female teachers are entitled to all the entitlements that are available in the Teaching Service. They must however meet the following requirements –

- 10.1 If she has children but is without a spouse she is a single mother.
- 10.2 If she has a husband attending a college or unemployed or disabled employed in a non-government organization. She must have a head of family declaration to enable her to apply for the entitlements which are normally granted to the husband.
- 10.3 She must apply for the Head of Family Declaration enclosing –
- 10.3.1 Her marriage certificate/confirmation of her customary marriage letter.

10.3.2 Her children's birth certificates, and adoption papers for adopted children.

10.3.3 Husbands' employment status report.

10.3.4 Dissolution/Separation of Marriage documents.

10.4 When the Declaration is given, she must attach the document on to all her claims.

CHAPTER 11 – RESIGNATIONS, RETIREMENTS, RETRENCHMENT

11.1 Resignations

- A member may resign from the Teaching Service by giving 4 weeks' notice to the Commission in writing.
- The request is to be endorsed by the head of the division. It is not to be endorsed if the teacher has a pending disciplinary case.
- The Commission may set conditions before the request is accepted.
- The resignation must come into effect after it is accepted in writing by the Commission.
- A teacher may withdraw his request for resignation in writing.
- The resignation may be withdrawn only if the separation documentation have not been completed.

11.2 Voluntary Retirement

- Minimum Retirement benefits age is between 55 and 59 years. A member may retire from the Teaching Service when he reaches this age if he wants to. He must apply in writing to give notice and the date of his intended retirement.

11.3 Compulsory Retirement Age - 60 years

- A member of the teachings service who reaches this age must retire from the Teaching Service. He or she is not entitled to remain in the teaching service after reaching the retirement age.
- He must advise the Commission of his age and request for retirement at least 6 months before the end of the school year.
- However, if a member of the teaching service who has already reached the compulsory retirement age does not inform the Commission of him/her reaching the retirement age and once the Commission is made aware, the Commission shall retire the teacher immediately.
- At retirement the retired teacher shall be paid the following entitlements-
 - Unpaid furlough leave entitlements if not taken before

- Unpaid allowance that he is entitled but not paid
- Unpaid vacation leave
- Service entitlements under Section 110

11.4 He shall be paid removal expenses for his family to his home district. Removal expenses amounts to 2 ton in weight of his furniture and personal effects.

11.5 He shall be paid fares to his home district headquarters for his family excluding children whose ages are 19 and above.

11.6 If he has unpaid leave fares though he has applied for them are to be paid to him.

11.7 Retirement on Medical Grounds

Where a teacher is not fit to continue performing his duties he can retire. He must have his illness assessed by three qualified doctors and their reports are to be attached to his request letter. The request should be accepted after the reports are confirmed.

11.8 Education Authorities are expected to require a teacher to obtain medical reports on his health and to advise the Commission to retire him or medical grounds.

11.9 A teacher retired on medical grounds may request readmission if his is medically fit to return. A medical report that indicates his fitness is to be attached to his request letter. He shall not resume duties without the readmission letter from the Commission.

11.10 Retrenchment

Retrenchment of a teacher occurs when the following situations arise –

- where a teacher cannot secure a teaching position
- where there are not enough positions.
- where a teacher is medically not fit, and
- where a teacher lacks suitable professional skills

Where an industrial agreement between the TSC and PNGTA exists on retrenchment a teacher's case has to be consider under the provision of the agreement.

Each case has to assessed on its merits. The teacher must provide evidence on why he should be retrenched.

CHAPTER 12: APPEALS – GENERAL

12.1 Where a member of the Teaching Service is not pleased with the decisions or actions of the School Administration, the School Agency, the District or Provincial Education Authority, he may address his concerns through the appeal system for the different situations stated below;

12.1.1 Refusal of Declaration of Eligibility Status and the Cancellation of Declaration Eligibility

The aggrieved teacher must appeal in writing to the Teaching Service Appeals Committee. He must clearly state the grounds of his appeal and enclose any material evidence to support the appeal. The appeal must be lodge not less than three months after the date of the inspections ratings conference when the personal inspections reports are rated.

12.1.2 Promotions

The aggrieved teacher must appeal in writing within the period of five weeks after the date of the notice of his non-appointment. The appeal must go to the Teaching Service Appeals Committee. It must clearly state the grounds that and provide material evidence that –

- His suitability was not adequately considered because the evidence was not available, due weight was not given to the evidence, his suitability for the position was better than the promote, or
- That the appointment was based on conditions other than those advertised.

12.1.3 Reduction of Classification

The teacher must appeal in writing within five weeks after the date of the notice of demotion. The appeal must go to Teaching Service Applicant. The grounds of the appeal and supporting materials must be provided.

12.1.4 Increment

Where a member is not pleased with PBSS recommendations he may appeal in writing within five weeks after the date of the notice of non-payment of Increments. The appeal must go to the

Teaching Service Act. The grounds of the appeal and supporting materials must be provided.

12.1.5 Acting Appointment for Limited Period

When a member is not happy with the appointment of a person to fill a position vacated temporarily by a teacher, he may appeal in writing soon after the announcement of the appointment. The appeal must go to TSC. He must clearly provide the grounds of the appeal and enclose materials if any as evidence.

Appeals are to be forwarded to –

The Chairman
Teaching Service Appeals Committee,
P. O. Box 6268, BOROKO - NCD