

(J.P.A. Sulit 2265/82B.)

KERAJAAN SERI PADUKA BAGINDA
MALAYSIA

PEKELILING PERKHIDMATAN BIL. 27 TAHUN 1973

**IMPLEMENTATION OF THE CLEAN WAGE SALARY
SYSTEM AND TERMS AND CONDITIONS OF SERVICE
FOR CONTRACT TEACHERS, SARAWAK**

The salary scales and terms and conditions of service of officers and teachers in the Education and Teaching Services of Sarawak have been revised with the issue of Service Circular No. 1 of 1973. However, the Circular does not cover teachers on contract. It has now been decided that teachers engaged on contract terms by Government shall also be given the opportunity to opt into the clean wage system and new terms and conditions of service as provided in Service Circular No. 1 of 1973 subject to modifications as set out in this Circular.

2. This Circular shall only apply to the following teachers on contract:

- (i) Malaysian citizens on contract who are still in the service on the date of issue of this Circular;
- (ii) Non-Malaysian citizens on contract who are still in the service on the date of issue of this Circular.

3. However, this Circular shall not apply to the following categories of teachers on contract:

- (a) Contract teachers who have resigned, or had their services terminated on disciplinary grounds or as a result of conviction in a criminal court;
- (b) Designated contract teachers;
- (c) Contract teachers whose salary scales are peculiar to themselves and are different from the salary scales applicable to Government teachers and officers of similar category prior to the issue of Service Circular No. 1 of 1973.

4. The conversion tables shall be those contained in Service Circular No. 1 of 1973 and Appendix 'A' to this Circular for the post of Home Trade Master. The new terms and conditions of service shall also be as provided in the said Service Circular subject to the following provisions relating to contract teachers:

(i) Salaries—

The clean wage system shall be applicable and no child, supplementary, housing or interim house allowances shall be payable over and above the clean wage except as specified in this Circular.

(ii) Regional Allowance—

A non-gratuity earning regional allowance at the rates prescribed in paragraph 53 of Service Circular No. 1 of 1973 will be payable to all teachers on contract who opt into the new clean wage system in accordance with the provisions of this Circular. This allowance will be payable with effect from 1st October, 1971 for those appointed before this date and from the date of appointment for those appointed after 1st October, 1971.

(iii) Other Allowances and Expenses—

The provisions in paragraphs 48 to 52 and 54 to 57 of Service Circular No. 1 of 1973 will also be applicable to teachers on contract.

(iv) Gratuity—

- (a) The new rate of gratuity shall be 15% of the final clean wage for each completed month of continuous residential service, including earned leave granted less Government contribution to the Employees' Provident Fund (as established under the Employees' Provident Fund Ordinance, 1951) and interest on it: Provided that the gratuity will be payable only after the satisfactory completion of a contract teacher's agreement, or if the agreement is extended for a further period, at the satisfactory completion of the extended term.
- (b) The new rate of gratuity shall apply to all contract teachers who opt for the clean wage system and terms and conditions of service regardless whether or not they are eligible for gratuity under their current agreements.
- (c) Contract teachers who have opted for the clean wage system and terms and conditions of service as set out in this Circular shall have their gratuity calculated as follows:
 - (i) at the new rate as set out in sub-paragraph (a) above with effect from 1st October, 1971; and
 - (ii) in respect of the whole length of service which they have served prior to 1st October, 1971 at the rate and on the aggregate basic salary and pensionable inducement allowance, if any, as set out in their respective agreements.

(v) Passages to Country of Origin—

- (a) A contract teacher will be eligible for Government paid passages on first appointment from the place of recruitment to the place in which he is taking up his appointment and on satisfactory completion of his contract he will be eligible for similar passages to his registered home town. Government paid passages are granted in respect of a contract teacher, his wife and dependant children under the age of 19 years up to 4 in number.

(b) The provision for leave passages in paragraph 38 of Service Circular No. 1 of 1973 shall not apply to teachers on contract.

(vi) Hours of Work—

The provisions of paragraph 30 of Service Circular No. 1 of 1973 will apply.

(vii) Local Leave—

Local Leave is hereby abolished and contract teachers will be eligible for college/school holidays or vacation leave as the case may be as provided in paragraphs 32 and 33 of Service Circular No. 1 of 1973. The calculation of this leave shall come into effect from 1st of July, 1973.

(viii) Leave on Medical Grounds—

The provisions of paragraph 39 of Service Circular No. 1 of 1973 will apply.

(ix) Maternity Leave—

The provisions of paragraph 40 of Service Circular No. 1 of 1973 will apply, except that the effective date will be from 1st of July, 1973.

(x) Unrecorded Leave—

The provisions of paragraph 43 of Service Circular No. 1 of 1973 will apply.

(xi) Hospital Charges—

The provisions of paragraph 58 of Service Circular No. 1 of 1973 will apply.

(xii) Mode of Travelling—

The provisions of paragraph 59 of Service Circular No. 1 of 1973 will apply.

(xiii) Transfer Expenses—

The provisions of paragraph 60 of Service Circular No. 1 of 1973 will apply.

(xiv) Conveyance Loans—

The provisions of paragraph 61 of Service Circular No. 1 of 1973 will apply.

(xv) Housing—

The provisions of paragraphs 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 80 and 81 of Service Circular No. 1 of 1973 will apply.

(xvi) Personal-to-holder Scales—

Personal-to-holder scales will be applicable to serving contract teachers wherever conversion tables are provided for in Service Circular No. 1 of 1973. They shall not be available to those appointed on or after the date of issue of this Circular. Teachers who Convert to the personal-to-holder scales shall be governed by the provisions of the following paragraph in respect of eligibility for annual increments.

(xvii) Incremental Date—

- (a) A contract teacher who has been on a fixed salary or on the maximum of an incremental salary scale for a year or more on or before 1st October, 1971 shall have his incremental date revised to 1st November, 1971 if he converts to an incremental new salary scale.
- (b) A contract teacher who has been on a fixed salary or on the maximum of an incremental scale for a period of less than one year on 1st October, 1971 and converts to an incremental scale, his incremental date in the new scale shall be fixed as follows:
- (i) If he received the fixed salary or reached the maximum of the scale on the first day of a month, his incremental date shall be the first day of that month; and
- (ii) In all other cases the incremental date shall be the first day of the following month.
- (c) In cases where the incremental date of a contract teacher falls on 1st October, 1971 the incremental date shall be deemed to be 30th September, 1971 for the purpose of conversion to the clean wage.
- (d) The incremental date of a contract teacher converting from one point in the present salary scale to a corresponding point in the new salary scale will not be changed. In cases where two or more salary points in the present salary scales as shown in the Conversion Tables are grouped together and are converted to one point in the new salary scales the incremental dates of the contract teachers concerned will be adjusted according to the formulae as set out in Appendix "B" of this Circular. This sub-paragraph, however, will not apply to those whose cases are governed by sub-paragraph (a) above.

OPTION

5. All eligible serving contract teachers who were appointed to the service before the date of issue of this Circular shall be given the option as in Appendix "C" to this Service Circular by the Director of Education, Sarawak of either:

- (a) remaining in the present salary scales and the existing terms and conditions of service as provided for in their respective contracts;

OR

- (b) accepting the clean wage system including Personal-to-Holder Scales where applicable as provided for in Appendix "C" to Service Circular No. 1 of 1973 and Appendix "A" to this Circular and the terms and conditions of service as set out in this Service Circular.

6. Contract teachers who are eligible to exercise the option shall be required to do so by completing and submitting the Option Form as set out in Appendix "D" to this Service Circular to the Director of Education, Sarawak within the time specified in paragraph 7 below. The option so exercised by a contract teacher is irrevocable. However, should there be an error on the part of the Government resulting in a wrong offer being made such an offer shall be null and void.

7. The option shall be exercised within a period of four months from the date of issue of this Circular.

8. Contract teachers who failed to exercise their option within the stipulated period shall be deemed to have opted to remain in the present salary scales and the existing terms and conditions of service under their respective contracts.

EFFECTIVE DATES

9. For the contract teachers who opt for the clean wage system and terms and conditions of service, the provisions of this Circular shall apply only to the unexpired period of their respective contracts with effect from 1st October, 1971.

10. The payment of any allowance, other than the Regional Allowance as prescribed in paragraph 4 (ii) above, as provided in this Circular and the cessation of payment of allowances which are abolished under this Circular shall be effective, unless otherwise stated, from the first day of the month following the date on which a contract teacher submits his completed option form.

11. The arrears of salary payable to a contract teacher who has opted for the clean wage system and new terms and conditions of service under this Circular will be the difference between the clean wages he would have received between 1st October, 1971 and the first day of the month following the date of submission of his completed option form the actual basic salary plus any child allowance and/or house allowance received by the contract teacher during the corresponding period.

GENERAL

12. Existing rules, regulations and General Orders governing terms and conditions of service which are inconsistent with the provisions of this Circular shall cease to be applicable to those contract teachers who opt for the clean wage system.

13. Steps are being taken to amend the relevant laws, Circulars, Orders and Instructions to bring them into conformity with the terms of this Service Circular.

14. All new appointments on contract and renewal of current contracts after the date of issue of this Service Circular shall be made in accordance with the clean wage system and new terms and conditions of service.

15. The cost of this revision of salaries and terms and conditions of service shall be met from the appropriate sub-head from which the contract teachers concerned are being paid at the time of their option. If there are insufficient funds in the sub-head concerned to meet this extra cost, the Director of Education, Sarawak, shall forward to the Secretary General of the Ministry of Education an application for supplementary provision required under the appropriate sub-head.

16. The Director of Education, Sarawak, shall be responsible to ensure the correct implementation of the terms of this Service Circular and should there be any doubt, clarification should be sought from the Director General, Public Services Department through the State Secretary, Sarawak.

DATUK ABDULLAH BIN AYUB,
*Director General Public Services,
Malaysia*

PUBLIC SERVICES DEPARTMENT,
BANGUNAN U.M.B.C.,
JALAN SULAIMAN,
KUALA LUMPUR,

15th October, 1973.