

Chulalongkorn University Regulations
On Temporary Employee
B.E. 2553 (2010)

As the Chulalongkorn University Regulations on Personnel Management do not apply to university employees of special characteristics or certain specializations, as well as project-based or period-based work, it is deemed appropriate to issue the Chulalongkorn University Regulations on Temporary employees for the management of personnel who temporarily work at the university.

By virtue of Article 21 (3) of Chulalongkorn University Act B.E. 2551 (2008), the University Council at its 717th meeting on 29th October, B.E. 2552 (2009) has approved the regulations as follows:

Article 1: These regulations shall be called the “Chulalongkorn University Regulations on Temporary Employee B.E. 2553 (2010)”.

Article 2: These regulations shall be effective from the day following their announcement onwards.

Article 3: All other regulations, rules, and announcements subsumed in the aforementioned regulations or which either contradict or conflict with these regulations shall be replaced by these regulations.

Article 4: In these regulations,

“Temporary employee” means an individual employed to work temporarily at the university as per the university or a work section’s demand, not including those hired by a research or academic services project to work in such a project;

“Administrative Committee for Personnel Management” means the Administrative Committee for Personnel Management of Chulalongkorn University;

“Administrative Committee of the work section” means an administrative committee of a faculty, a school, a college, or an institute by any other name.

Article 5: The employment of Temporary employees by virtue of these regulations shall be on a temporary basis with clearly defined starting and end dates. The term of each employment contract shall not exceed the project duration and shall not exceed two years.

Article 6: Any individual hired as a university employee must adhere to the constitutional monarchy and have the following qualifications:

- (1) Being at least 18 years old;
- (2) Not being insane, mentally impaired, incompetent, quasi-incompetent, or having a disease as stipulated in the university announcement on the matter;
- (3) Not being suspended from work or government service or temporarily discharged from government service;
- (4) Not holding a political position, not being a political party's executive board member or officer;
- (5) Having never received a final verdict of a prison sentence except for negligence or minor offence;
- (6) Having never been discharged or dismissed from a government agency, a state enterprise, a private company, or an international organization;
- (7) Having never faced a contract termination penalty under these regulations, or any other regulations, rules, or announcements in effect before their announcement;
- (8) Having never been misconducted in any government agency or university recruitment procedure or examinations;
- (9) Having good morals.

When it is deemed necessary and for the University's benefit, the Administrative Committee may exempt certain qualifications or require additional ones.

Article 7: The university or any work section, as approved by its administrative committee, wishing to employ a temporary employee by virtue of these regulations shall propose a relevant project or the rationale and necessity for the employment with clearly defined starting and end dates, specific qualifications of the position, workforce analysis, workload, budget estimate and source of funding to the Administrative Committee for Personnel Management for their approval taking into special consideration the work section's nature, duties, responsibilities and necessity. The budget and source of funding shall cover all expenses of the temporary employee's employment.

Article 8: Each work section shall be responsible for the recruitment or selection of any temporary employee in accordance with the criteria and procedures set by the Administrative Committee for Personnel Management. The work section shall then forward his or her application to the Administrative Committee for Personnel Management for their final approval.

Article 9: After the Administrative Committee for Personnel Management has approved the employment of the temporary employee, the chief of the relevant work section shall be

authorized to sign the temporary employee's contract according to these regulations, with a job description and a job assignment as part of each temporary employee's contract.

Templates for employment contracts, job descriptions, and job assignments shall be determined by the Administrative Committee for Personnel Management.

Article 10: The rate for the temporary employee's wage shall be determined by the Administrative Committee for Personnel Management.

Temporary employees' welfare and benefits shall comply with the Law on Social Security, whereas they cannot apply for membership in the university's Provident Fund.

Article 11: Temporary employees' workdays and holidays shall be determined by the Administrative Committee for Personnel Management.

Article 12: Temporary employees are entitled to the following leaves of absence:

- (1) Sick leave: A temporary employee is entitled to sick leave if they are genuinely ill, not exceeding 30 business days per year, and receive a regular wage during the leave. For any sick leave of more than three consecutive days, a medical certificate signed by his or her physician shall be submitted along with the leave request.
- (2) Vacation leave: A temporary employee who has worked at the university for more than a year is entitled to vacation leave not exceeding six business days.
- (3) Maternity leave: Each maternity leave shall not exceed 90 days, holidays included, during 45 days of which the temporary employee shall be earning her regular wage. Pregnancy leave is not deemed as sick leave.

The Temporary employee shall submit his or her official leave request to the immediate supervisor at the latest three days in advance, and can only take leave after approval. In the context of urgent necessity where the required advance submission of leave request is not possible, he or she shall verbally notify the supervisor as soon as possible and within two days of work absence. Upon work resumption, the temporary employee shall then submit the leave request along with details of the said urgent necessity to the immediate supervisor. If the chief of the work section approves the leave request, then this shall not be deemed as work negligence or unauthorized absence.

Article 13: Each work section has a duty and responsibility of monitoring and administering its Temporary employees' work performance in accordance with his or her

employment contract. The chief of the work section shall assign an individual as the immediate supervisor of each temporary employee.

Article 14: Temporary employees shall work according to their employment contracts and without any probationary period.

Article 15: Any Temporary employee's contract ends when:

- (1) The term of the contract expires;
- (2) The Temporary employee dies;
- (3) The Temporary employee resigns, having submitted his or her resignation letter one month in advance;
- (4) The university terminates the contract due to one of the following reasons:
 - (a) The Temporary employee has committed corruption or a willful criminal offence against the employer;
 - (b) The Temporary employee has deliberately caused damage to the employer;
 - (c) The Temporary employee's negligent act or dereliction of duty has caused serious damage to the university or work section;
 - (d) The Temporary employee has violated any laws, regulations, rules, announcements, terms, or orders enforced by the university or work section, which has then issued a warning letter to him or her, except for the case of a serious offence in which such a warning is not necessary.

The warning letter shall be valid for no more than a year after the date of the Temporary employee's misconduct.
 - (e) The Temporary employee has been neglecting his or her duty or absent from his or her work for a consecutive period of three business days, with or without a holiday in between;
 - (f) The Temporary employee has received a final verdict of a prison sentence except for negligence or minor offence;
 - (g) The Temporary employee does not comply with his or her contract or job assignment;
 - (h) The Temporary employee's operation or performance does not comply with his or her contract or job assignment.

The termination of the employment contract shall not result in the suspension or cancellation of any ongoing criminal or civil procedure against the Temporary employee.

Article 16: When it appears to any temporary employee's immediate supervisor that there is a possible cause to terminate his or her contract as per Article 15(4), the procedure shall be one of the following:

(1) In the event of Item (a), (b), or (c) in Article 15(4), the chief of the relevant work section shall appoint an investigation committee and allow the temporary employee to defend and state his or her facts along with reasons and evidence. The investigation process shall be completed within 30 days. If the chief of the work section, with the approval of the administrative committee, perceives from the investigation report that there is a valid reason to terminate the employment as per Article 15(4), Item (a), (b) or (c), he or she shall forward the investigation report to the Administrative Committee for Personnel Management for consideration of contract termination.

(2) In the event of Item (d) in Article 15(4), the immediate supervisor shall report the case to the chief of the work section. If the chief of the work section does not deem it a serious offence, then a warning letter shall be issued to the temporary employee. In the event that it is deemed a serious offence or that the temporary employee continues to violate any laws, regulations, rules, announcements, terms, or orders enforced by the university or work section after the receipt of the warning letter, the chief of the work section shall order the temporary employee to state his or her facts. If the chief of the work section, with the approval of its administrative committee, perceives that there is a valid reason to terminate the employment as per Article 15(4), Item (d), he or she shall recommend the contract termination to the Administrative Committee for Personnel Management for consideration.

(3) In the event of Item (f) in Article 15(4), the chief of the work section shall recommend the contract termination to the Administrative Committee for Personnel Management for consideration.

(4) In the event of Item (e) in Article 15(4), the immediate supervisor shall report the case to the chief of the work unit to issue a notification letter to the temporary employee requesting him or her to state his or her facts and reasons for the case within five business days after receipt of the letter. If the chief of the section, with the approval of its administrative committee, perceives that it is genuinely a dereliction of duty or unauthorized absence as per Article 15(4) Item (e) or if the temporary employee fails to state his or her facts and reasons within the specified time period, the chief of the work section shall recommend the contract termination to the Administrative Committee for Personnel Management for consideration.

(5) In the event of Item (g) or (h) in Article 15(4), the immediate supervisor shall report the case to the chief of the work unit to issue a warning letter to the temporary employee ordering him or her to improve the work performance within one month after receipt of the letter. A committee shall then be appointed to evaluate the temporary employee's performance and then report to the chief of the work section. With the approval of its administrative committee, if the chief of the work section perceives that there remains a valid reason to terminate the employment, he or she shall recommend the contract termination to the Administrative Committee for Personnel Management for consideration.

The investigation committee in (a) and (e) comprises a chairperson, the temporary employee's immediate supervisor, and three other members. In the case of (a), a legal officer or a lawyer shall be on the committee.

Article 17: In the event that the Administrative Committee for Personnel Management terminates the employment contract due to Item (g) or (h) in Article 15 (4), the temporary employee shall receive severance pay as follows:

(1) Having worked for an uninterrupted period of at least 120 days but less than a year, a severance pay equal to his or her one-month wage;

(2) Having worked for an uninterrupted period of at least a year but less than two years, a severance pay equal to his or her three-month wage;

Article 18: For any operation stipulated by these regulations is to be the authority and responsibility of the Administrative Committee of a work section. The Administrative Committee for Personnel Management is to act on behalf of those work sections without an administrative committee.

Article 19: The President shall be in charge of these regulations.

The President, with the approval of the Administrative Committee for Personnel Management, shall be authorized to issue university announcements necessary for the enactment of these regulations.

In the event that certain reasons or necessity make it impossible to execute these regulations or if any problem arises in the operation due to these regulations, the Administrative Committee for Personnel Management shall deliberate and make a final decision.

Transitory Provisions

Article 20: Project-based university employees who have been employed and appointed by virtue of the Chulalongkorn University Announcement on Project-based University Employees B.E. 2548 (2005) shall retain their project-based university employee status until the termination of status for any cause. The Chulalongkorn University Rules on Project-based University Employees B.E. 2548 (2005), together with any terms, announcements, or orders issued by virtue thereof, shall apply *mutatis mutandis* to the said project-based university employees.

Article 21: Any university employee's disciplinary investigations or actions that are ongoing by virtue of the Chulalongkorn University Rules on Project-based University Employees B.E. 2548 (2005) and have not yet been completed shall proceed until their completion.

Announced on 20th January B.E. 2553 (2010),

(Signed)

(Professor Charas Suwanwela, M.D.)

Chairman of the University Council

Certified true copy

(signed)

Mr. Patipat Yalansatcha