



## Professional Ethics in the Civil Service Law

The Civil Service Law stated some aspects of professional ethics pertaining to the terms and conditions of employment, the qualifications of the employee, keeping secrets, and the commitment to working hours. It also addressed some negative ethics, such as bribery and abuse of office, and specified the employee's rights and duties as well as the penal sanctions in case of deliberate violation.

It is noted that these regulatory aspects are in line with the teachings of Islam, which demonstrated them in the past. Thus, adhering to these regulations is regarded as adherence to the rules of the Islamic law as well as professional commitment. This assists employees in obeying the regulations as they can sense the reward from God for complying with the regulations because it is obedience to God Almighty and the regulating governors, and an attainment of the useful public interest for Muslims.

### i. Ethical Articles in the Law

#### A. Competency

It is stipulated in the first article of the Civil Service Law:

Merit is the basis for the selection of personnel to fill public posts, and merit is the sum of personal characteristics and elements in a person related to technical competency, administrative competencies, attendance, good behavior, and other criteria left to the discretion of administration.



Under the terms and conditions of employment in the fourth article of the Civil Service Law, it is stated that candidates should:

- 1) have good conduct and repute.
- 2) not be convicted of a major offence in the Islamic law or sentenced to imprisonment for a moral turpitude or dishonesty offense until three years at least after imprisonment or conviction has elapsed.
- 3) not be dismissed from the service of the state for disciplinary reasons unless three years at least has elapsed since the issuance of the dismissal decision.

These competency requirements are derived from the Quranic verse, "*The best one you can hire is the strong and the trustworthy.*" Chapter 26: The Stories. This verse is the motto of the Ministry of Civil Service because it includes the two most important traits of the employee's competency.

#### **B. Commitment to Working Time:**

In Article 11 of the Civil Service Law, "The employee must dedicate working time for the performance of the duties of the job."

This commitment is part of the honesty in spending the time because the employee is entrusted with the time of their work. The remuneration that they get is in return for spending the time at work. Therefore, the employee must neither use working time to do personal matters nor get out during working time without leave of absence as this is an abuse of trust. On the other hand, exceptions set their own postulated rules.



### **C. Maintaining Secrets:**

In Article 12/E of the Civil Service Law, "The employee in particular is prohibited from divulging secrets that they get to know by virtue of their job even after leaving service."

The employee shall comply with this duty whether on the job or even after leaving the service. Occupational secrets are intended to mean such information or data that the employee gets to know owing to holding the job, and that may remain hidden from outsiders.

### **D. Good Treatment with the Public**

In Article 12/1 of the Civil Service Law, "The employee must be kind to the stakeholders of their work, and provide facilitation and conduct the required transactions for them within their jurisdiction and the limits of the law."

### **E. No Abuse of Office**

In Article 12/B of the Civil Service Law, "The employee in particular is prohibited from the abuse of occupational authority and exploiting power."

In Article 12/A, it is also stated, "The employee is prohibited from using their occupational authority and power for personal interests."

This legal and Islamic-law violation is one of the most serious cons that befall the held post as it adversely turns from serving the interests of the Muslim public to serving the employee's interests and appropriating public funds.



## ii. Duties

### A. Observing Common Decency and Public Morality

In Article 11/A of the Civil Service Law, "The employee in particular must refrain from all acts that breach the honor of the job and personal dignity whether on or off the premises."

This means that the employee is responsible for their actions not only on the premises but also in public places as the capacity of the governmental job obliges them to refrain from whatsoever harms the reputation of the post or taints it. Thus, the Board of Grievances tries those who breach honor and trust on or off the premises.

### B. Commitment to the Performance of the Work

In Article 11 of the Civil Service Law, "The employee in particular must dedicate working time to perform the duties of their job."

### C. Good Behavior

In Article 11 of the Civil Service Law, "The employee in particular must observe common decency and tact in their dealings with the public, administrators, colleagues, and direct reports."

### D. Obedience to Officials

In Article 11 of the Civil Service Law, "The employee in particular must implement the instructions issued to him accurately and honestly within the limits of rules and regulations."



## **E. Some of the Duties of the Employer toward the Employee**

In Article 36, "Periodic reports on each employee are drawn up according to a statute issued by the Chairman of the Civil Service Board," to wit, the Statute of Employee Performance Evaluation issued in 1404 AH.

### **iii. Rights \*1**

Having duties, the employee has rights too. The Civil Service Law and its implementing regulations has ensured, for the employee, financial rights in exchange for the performance of the duties and responsibilities of the job. Some of these rights are permanent and continuous throughout service, while others are paid once or in a lump sum, or are suspended because of a certain reason. Among the most important of these rights are the following.

## **A. Financial Rights and Benefits**

### **1. The Salary**

It is the monetary compensation received by the employee at the end of every Hijri month for the work that they do during their service. Article 16 of the Civil Service Law stipulates, "The employee is entitled to the salary as of the date of work commencement." The salary is determined as per the respective pay scale excluding allowances and suchlike. With regard to the increment, it is excepted as it is part of the salary.

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\*1 This paragraph is adapted from Alkhamis , a previous reference, and Snaidi / Abdullah Rashid: *The Principles of Civil Service and their Applications in the Kingdom of Saudi Arabia* (230-339).





## 2. The Increment

It is the amount of money that is added to the employee's salary periodically as per their rank, and is reckoned in as part of the basic salary. To illustrate, Article 17 of the Civil Service Law stipulates, "The employee is given the increment according to the pay scale annexed to this law by transferring them from the class held to the immediate next class within the same rank. This transfer is conducted on the first of the Arabic-calendar month of Muharram every year."

### B. Leaves

In the course of their service, the employee enjoys a set of leaves if they meet the respective terms and conditions. Among these is the annual leave. "The employee shall be entitled to an annual leave of thirty-six days each year of service with a full salary paid in advance as per the last salary received by the employee," according to Article 28/1 of the implementing regulations of the Civil Service Law. If the employee's service ends without enjoying their annual leaves, they will be compensated by six months at most.

### iv. Penalties

There are disciplinary sanctions imposed on the employee in the course of their career, whereas other disciplinary sanctions are enacted after employment ending. The Law of Employee Disciplining\*<sup>2</sup> subsumed the disciplinary sanctions that may be implemented to civil servants in the country except for members of the judiciary and the staff of public legal persons and public institutions in the course of their service.

The employee may be penalized by one of the following sanctions listed exclusively in Article 32 of the Law of Employee Disciplining.

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\*<sup>2</sup> The law was issued in 1391 AH.



**A. First, for the Staff Ranked Tenth or Equivalent and Below**

1. **Warning.**
2. **Reprimand.**
3. **Penal Deduction from Salary** provided that the total deduction does not exceed three months' net salary and the monthly deduction is not over one-third of the net salary.
4. **Denial of One Periodic Increment.**
5. **Dismissal.** As noted earlier, this penalty may be imposed by the Board of Grievances only.

**B. Second, for the Staff Ranked Eleventh or Equivalent and Above**

1. **Reprimand.**
2. **Denial of One Periodic Increment.**
3. **Dismissal.**

The aforesaid sanctions are also imposed on some occupational categories that regulate their own affairs by their bespoke statutes but have no respective disciplinary regulations, such as those covered by the Regulations of Health Occupations\*3.

In terms of cases of honor offences, abuse of power, and major offences in the Islamic law, the Bureau of Oversight and Investigation probes into the accountability of personnel breaking such job regulations. Afterwards, The Board of Grievances undertakes the judgement on these cases.

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\*3 Alkhamis , a previous reference, and Snaidi , a previous reference, (230-339).