

On approval of the Rules for the certification of civil servants of state institutions of the Ministry of Information and Social Development of the Republic of Kazakhstan

Unofficial translation

Order No. 300 of the Minister of Information and Social Development of the Republic of Kazakhstan as of August 26, 2019. Registered with the Ministry of Justice of the Republic of Kazakhstan on August 28, 2019, No. 19298.

Unofficial translation

In accordance with paragraph 7 of Article 139 of the Labor Code of the Republic of Kazakhstan as of November 23, 2015, I hereby ORDER:

1. To approve the appended Rules for the certification of civil servants of state institutions of the Ministry of Information and Social Development of the Republic of Kazakhstan.

2. In accordance with the procedure established by the legislation, the Human Resources Department of the Ministry of Information and Social Development of the Republic of Kazakhstan shall:

1) ensure state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days of the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, send its paper-based and electronic copies in Kazakh and Russian to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” of the Ministry of Justice of the Republic of Kazakhstan for its official publication and inclusion into the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this order on the website of the Ministry of Information and Social Development of the Republic of Kazakhstan;

4) within ten working days of the state registration of this order, submit information on the implementation of measures, provided for in subparagraphs 1), 2) and 3) of this paragraph, to the Legal Department of the Ministry of Information and Social Development of the Republic of Kazakhstan.

3. The control over the execution of this order shall be assigned to the executive secretary of the Ministry of Information and Social Development of the Republic of Kazakhstan.

4. This order shall take effect ten calendar days after its first official publication.

*Minister of Information and Social Development of
the Republic of Kazakhstan*

Approved by
Order No. 300 of the
Minister of Information and Social
Development of the

Rules for the certification of civil servants of state institutions of the Ministry of Information

and Social Development of the Republic of Kazakhstan

Chapter 1. General provisions

1. These Rules for the certification of civil servants of state institutions of the Ministry of Information and Social Development of the Republic of Kazakhstan (hereinafter referred to as the Rules) are developed in accordance with paragraph 7 of Article 139 of the Labor Code of the Republic of Kazakhstan and establish the procedure and conditions for the certification of civil servants holding positions in subordinate state institutions of the Ministry of Information and Social Development of the Republic of Kazakhstan (hereinafter referred to as Institutions).

2. Civil servants are certified in order to determine the level of compliance of their knowledge and qualifications with occupational characteristics for their current positions and (or) the qualification category they seek.

3. The main evaluation criterion for the certification is civil servants' ability to perform their duties.

4. Civil servants are certified after every three years of their civil service, but not earlier than six months of their taking this position.

Certification is carried out within six months of the specified date.

5. All civil servants are subject to certification, except for pregnant women, women with children under three years of age, single mothers raising a child under fourteen years of age (disabled child under eighteen years of age), other persons raising the specified category of children not having a mother, as well as persons who have worked in the relevant sector for more than 20 (twenty) years.

6. Civil servants who are on unpaid leave, on maternity leave, on three years' parental leave are certified no earlier than six months after resuming the service.

7. Certification of civil servants includes a series of successive stages such as:

- 1) preparation for certification;
- 2) an interview with civil servants conducted by a certification commission;
- 3) making a decision by the certification commission.

Chapter 2. Certification of the chief executive officer of an Institution

8. The chief executive officer of an Institution (hereinafter referred to as the head) is certified by the Ministry of Information and Social Development of the Republic of Kazakhstan (hereinafter referred to as the Ministry).

9. The head is certified by the Ministry's human resources service.

Preparation for the certification includes the following activities:

1) preparation of necessary documents on the head to be certified;

2) development of a certification schedule;

3) approval of the composition of the commission for the certification of the head (hereinafter referred to as the Certification Commission of the Ministry);

4) explanation of the certification objectives and procedure.

10. The authorized body's order on recommendations to the Ministry's human resources service, in accordance with paragraphs 4 and 6 of the Rules, fixed the date of certification of the head and approves the composition of the Certification Commission of the Ministry.

11. The Ministry's human resources service shall notify the head to be certified of the certification date at least one month before its start.

12. The performance report on the head is prepared by the Ministry's human resources service.

13. The performance report contains a reasonable, objective assessment of professional and qualification training, business qualities and performance results of the certified head.

14. At least three weeks before a meeting of the Certification Commission of the Ministry, the Ministry's human resources service familiarizes the certified person with the performance report on him/her.

15. The certified person may declare his/her disagreement with the performance report on him/her and submit alternative information to the Ministry's human resources service, which shall be considered at a meeting of the Certification Commission of the Ministry.

16. The Ministry's human resources service draws up a certification sheet on the certified head in accordance with the form in Appendix 1 to these Rules.

17. The Ministry's human resources service forwards prepared certification materials to the Certification Commission of the Ministry.

18. The composition of the Certification Commission of the Ministry is approved by order of its head, and the number of its members shall be odd (at least 5 members), including the chairperson and deputy chairperson.

19. The Chairperson is in charge of the Certification Commission of the Ministry, presides over its meetings, ensures work planning, exercises overall control over the implementation of decisions made by the Certification Commission of the Ministry.

20. It is not allowed to replace absent members of the Certification Commission of the Ministry.

The secretary of the Certification Commission of the Ministry is an employee of the Ministry's human resources service, who ensures maintenance and organizational support for the work of the Certification Commission of the Ministry (preparation of materials for meetings, notification of upcoming meetings, execution of the minutes with results). The secretary of the Certification Commission of the Ministry does not vote.

21. A meeting of the Certification Commission of the Ministry is considered valid if attended by at least two-thirds of its members.

22. The Certification Commission of the Ministry adopts a decision by show of hands. The outcome of the vote depends on the vote of a majority of members of the Certification Commission of the Ministry. If members of the Certification Commission of the Ministry have a dissenting opinion, it shall be stated in writing and attached to the minutes.

If the vote is a tie, the casting vote belongs to the chairperson of the Certification Commission of the Ministry.

23. The certified person shall personally attend a meeting of the Certification Commission of the Ministry. In case of a failure to show up without a good reason, he/she is recognized as not certified.

The certified person shall notify the secretary of the Certification Commission of the Ministry of a good reason (temporary disability, being on vacation, being on a business trip) before the interview begins.

If there are good reasons for the absence of the certified person at a meeting of the Certification Commission of the Ministry, the certification, by its decision, is postponed to a later date. It is allowed to postpone the certification no more than twice.

A certified person who twice failed to attend a meeting of the Certification Commission of the Ministry without a good reason is recommended to be dismissed.

24. An interview to establish whether the person fits the position he/she holds and efficiently performs functional duties is held either in Kazakh or in Russian at the choice of the certified person.

25. The Certification Commission of the Ministry examines the submitted materials and listens to the certified person. Professional, business and personal qualities of the certified person are discussed objectively, tactfully and benevolently.

The interview is recorded using audio and (or) video equipment.

26. Pursuant to the examination of submitted materials and the interview with the certified person, the Certification Commission of the Ministry makes one of the following decisions:

- 1) the person fits the position held;
- 2) the person shall be re-certified.

27. Re-certification is carried out within a month of the initial certification in the manner specified by these Rules. Based on the results of re-certification, the Certification Commission of the Ministry makes one of the following decisions:

- 1) the person fits the position held;
- 2) the person is unfit for the position held.

28. If the Certification Commission of the Ministry adopts a decision that a certified person is unfit for the position held, it stands for the negative result of certification, which serves as the basis for dismissal.

Assessments and recommendations of the Certification Commission of the Ministry are recorded in the certification sheet, which is signed by its members who were present at the meeting.

29. A decision of the Certification Commission of the Ministry is documented as the minutes signed by its members and the secretary who were present at its meeting, in accordance with the form in Appendix 2 to these Rules.

30. The secretary of the Certification Commission of the Ministry introduces the decision to the certified person. If the latter refuses to affix his/her signature to confirm his/her familiarization with the certification sheet, the secretary of the Certification Commission of the Ministry makes a relevant entry together with the date and signature.

31. The certification sheet, performance report, decision of the Certification Commission of the Ministry are stored in the personal file of the certified person.

Chapter 3. Certification of deputies of the chief executive officer and specialists of the Institution

32. Deputies of the chief executive officer and specialists of the Institution (hereinafter referred to as employees) are certified on the instructions of the head of the Institution by its structural unit responsible for personnel management (hereinafter referred to as the Human Resources Service of the Institution).

Preparation for the certification includes the following activities:

- 1) preparation of necessary documents on the employees to be certified;
- 2) development of a certification schedule;
- 3) approval of the composition of the Certification Commission of the Institution;
- 4) explanation of the certification objectives and procedure.

33. Once every six months, the Human Resources Service of the Institution identifies the employees to be certified.

34. The head of the Institution, by his/her order on recommendations to the Human Resources Service of the Institution, approves a list of certified employees, a certification schedule and composition of the Certification Commission of the Institution.

35. The Human Resources Service of the Institution shall notify the employees of the certification date at least one month before its start.

36. The immediate manager of the employee subject to certification prepares a performance report on him/her and forwards it to the Human Resources Service of the Institution.

37. The performance report contains a reasonable, objective assessment of professional and qualification training, business qualities and performance results of the certified employee.

38. At least three weeks before a meeting of the Certification Commission of the Institution, the Human Resources Service of the Institution familiarizes an employee with the performance report on him/her.

39. The employee may declare his/her disagreement with the performance report on him/her and submit alternative information to the Human Resources Service of the Institution, which shall be read out and discussed at a meeting of the Certification Commission of the Institution.

40. The Human Resources Service of the Institution draws up a certification sheet on the certified employee in accordance with the form in Appendix 1 to these Rules.

41. The Human Resources Service of the Institution forwards prepared certification materials to the Certification Commission of the Institution

42. The composition of the Certification Commission of the Institution is approved by order of its chief executive officer, and the number of its members shall be odd (at least 5 members), including the chairperson and deputy chairperson.

43. The Chairperson is in charge of the Certification Commission of the Institution, presides over its meetings, ensures work planning, exercises overall control over the implementation of decisions made by the Certification Commission of the Institution.

44. It is not allowed to replace absent members of the Certification Commission of the Institution.

The secretary of the Certification Commission of the Institution is an employee of the Human Resources Service of the Institution, who ensures maintenance and organizational support for the work of the Certification Commission of the Institution (preparation of materials for meetings of the Certification Commission of the Institution, notification of its members of upcoming meetings, execution of minutes with results). The secretary of the Certification Commission of the Institution does not vote.

45. The members of the Certification Commission of the Institution are certified in accordance with general practice. In this case, they cannot vote for themselves.

46. A meeting of the Certification Commission of the Institution is considered valid if attended by at least two-thirds of its members.

47. The Certification Commission of the Institution adopts a decision by show of hands. The outcome of the vote depends on the vote of a majority of the members of the Certification Commission of the Institution. If members of the Certification Commission of the Institution have a dissenting opinion, it shall be stated in writing and attached to the minutes.

If the vote is a tie, the casting vote belongs to the chairperson of the Certification Commission of the Institution.

48. The certified employee shall be present at a meeting of the Certification Commission of the Institution in person. In case of a failure to show up without a good reason, he/she is recognized as not certified.

The certified employee shall notify the secretary of the Certification Commission of the Institution of a good reason (temporary disability, being on vacation, being on a business trip) before the interview begins.

If there are good reasons for the absence of the certified employee at a meeting of the Certification Commission of the Institution, the certification, by its decision, is postponed to a later date. It is allowed to postpone the certification no more than twice.

A certified employee who twice failed to attend a meeting of the Certification Commission of the Institution without a good reason is recommended to be dismissed.

49. Representatives of the authorized body are allowed to participate in the work of the Certification Commission of the Institution.

50. An interview to establish whether the employee fits the position he/she holds and efficiently performs functional duties is held either in Kazakh or in Russian at the choice of the certified employee

51. The Certification Commission of the Institution examines the submitted materials and listens to the certified employee. Professional, business and personal qualities of the certified employee shall be discussed objectively, tactfully and benevolently.

The interview is recorded using audio and (or) video equipment.

52. Pursuant to the examination of submitted materials and an interview with the certified employee, the Certification Commission of the Institution makes one of the following decisions:

- 1) the employee fits the position held;
- 2) the employee shall be re-certified.

Based on the certification results, the Certification Commission of the Institution can recommend the head of the Institution to promote the certified employee (given a vacancy until the end of a year).

53. Re-certification is carried out within one month of the initial certification in the manner specified by these Rules. Based on the results of re-certification, the Certification Commission of the Institution makes one of the following decisions:

- 1) the employee fits the position held;
- 2) the employee is unfit for the position held.

54. If the Certification Commission of the Institution adopts a decision that a certified employee is unfit for the position held, it stands for the negative result of certification, which serves as the basis for dismissal.

Assessments and recommendations of the Certification Commission of the Institution are recorded in the certification sheet, which is signed by its members who were present at the meeting.

55. A decision of the Certification Commission of the Institute is documented as the minutes signed by its members and the secretary who were present at its meeting, in accordance with the form in Appendix 2 to these Rules.

56. The secretary of the Certification Commission of the Institute introduces the decision to the certified person. If the latter refuses to affix his/her signature to confirm his/her

familiarization with the certification sheet, the secretary of the Certification Commission of the Ministry makes a relevant entry indicating the date and signing it.

57. The certification sheet, performance report, decision of the Certification Commission of the Institution are stored in the personal file of the certified employee.

Chapter 4. Appeal against decisions of certification commissions

58. The head and employees may appeal against a decision of the Certification Commissions of the Ministry or the Institution in the manner prescribed by the legislation of the Republic of Kazakhstan.

59. In cases of establishment of violations of the requirements of these Rules, the head of the Ministry or the Institution cancels the order and schedules re-certification. Re-certification is carried out in accordance with paragraph 27 of the Rules.

Appendix 1
the Rules for the certification of
civil servants of state institutions
of the Ministry of Information and
Social Development of the
Republic of Kazakhstan
form

Certification sheet

Type of certification: regular _____ repeat _____
("X" the appropriate).

1. Surname, name, patronymic _____

2. Date of birth "___" _____

3. Information on education, advanced training, retraining (what educational institution the person graduated from and when, specialty and qualification by education, documents on advanced training, retraining, academic degree and academic rank, date of conferral)

4. Position held

5. Total length of service- _____

6. Total length of service in the position: _____

7. Performance evaluation based on the performance report of the immediate supervisor of the certified person

8. The meeting was attended by _____ members of the certification commission.

9. Performance evaluation of a certified person by the results of voting:

1) fits the position held _____;

(number of votes)

2) shall be re-certified _____;

(number of votes)

3) is unfit for the position held _____.

(in case of re-certification) (number of votes)

10. The certification commission's recommendations (with reasons):

The certification commission's chairperson: _____ (signature)

The certification commission's secretary: _____ signature)

The certification commission's members: _____ (signature)

Dissenting opinion (if any): _____ (signature)

Date of certification " ____ " _____ 20____

I have familiarized with the certification sheet: _____

(civil servant's signature and date)

Appendix 2
the Rules for the certification of
civil servants of state institutions
of the Ministry of Information and
Social Development of the
Republic of Kazakhstan
form

Approved by the Head of the authorized body/ state institution

_____ signature

(print full name)

" ____ " _____ 20____

(name of the authorized body/ state institution)

Minutes № _____

Place of the meeting	Date of the meeting
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The commission's chairperson:

The commission's secretary:

The commission's members:

Attended by: (Surname, name, patronymic of persons invited to attend the meeting of the Commission)

Certification materials on the certified person were considered

(surname, name, patronymic, position, subunit)

Questions to the certified person and his/her answers _____

Recommendations of the Certification Commission's members

Decision: of the Certification Commission