



**GMBS**

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GLOBAL MANAGEMENT  
**BUSINESS SCHOOL**



Malta  
Further & Higher  
Education Authority

# Working Regulations

## Article 1 General Provisions

1. These Working Regulations are drawn up in accordance with generally binding legislation and the GMBS Statutes (hereinafter referred to as the "Statutes").
2. The Working Regulations are binding on all employees and employees (hereafter referred to as "staff") at the GMBS.
3. It shall be the duty of their immediate superior to acquaint employees with these Working Regulations.
4. Superiors are the chairman of the Board of Directors, the Director, the Rector, Vice-Rectors, heads of institutes and departments, heads of remote workplaces, heads of units and departments of the Rectorate, as well as other employees, who are entrusted with the management at the individual levels of the employer's management and are authorised to determine and impose work tasks on the employer's subordinate employees, to organise, direct and control their work, and to give them binding instructions to that end.
5. The GMBS, which is a private higher education institution, acts as the employer in the employment and legal relations. The statutory body of the employer is the chairman of the Board of Directors within the scope of the powers under Article 6 of the Statutes. The Rector represents the GMBS in matters of the education, research and other creative academic activities within the scope of Article 7 of the Statutes.

## Article 2 Pre-Contractual Relations

1. If medical or mental fitness for work or any other prerequisite according to a special law is required for the performance of work, the employer may conclude an employment contract only with a natural person, who is medically or mentally fit for the work.
2. The employer may only require information from a natural person applying for a first job that is relevant to the work to be performed. The employer may require an individual, who has already been employed, to provide a work assessment and a certificate of employment.
3. A natural person is obliged to inform the employer of facts that might hinder the performance of work or that could cause harm to the employer.
4. Before the conclusion of an employment contract, the employee's immediate superior shall inform the employee of the rights and obligations arising from the employment contract and of the working and pay conditions, under which the work is to be performed.

## Article 3 Establishment of the Employment Relationship

1. The employment relationship is established by a written employment contract, which the GMBS is obliged to conclude with the employee at the latest on the day of his/her commencement of work. The GMBS is obliged to give one copy of the employment contract to the employee.

2. The employment contract with the employees of the higher education institution shall be concluded by the chairman of the Board of Directors.
3. The posts of university lecturers and researchers are filled by competitive selection.
4. The Human Resources Department of the Rectorate will request the following documents from the incoming employee : Application for employment; A completed personal questionnaire; Professional CV; Evidence of qualifications; Proof of previous employment; Proof of medical fitness, if medical fitness for work is required for the job, or other documents affecting his/her claims from the employment relationship
5. On taking up his/her post, the employee's immediate superior shall acquaint him/her with the type of work, the legal provisions, the Rules of Organisation, and the Working Regulations. The Human Resources Office of the Rectorate shall familiarize the employee with the regulations on occupational safety and health
6. With the agreement of the employer, the activity areas of certain superiors are specified in Annex 1 hereto.
7. Along with the employment contract, the employee receives a wage statement. The wage of the employee shall be determined by the chairman of the Board of Directors.
8. In the case of employees who are required to be responsible for items, an inventory of the entrusted property will be carried out, upon which an agreement on material responsibility will be concluded with the employee taking it over. If the employment relationship is concluded with a senior employee, the inventory shall include a report of both tangible and intangible assets so entrusted.
9. A probationary period may be agreed in the employment contract, during which the employee works on specific tasks specified by the immediate superior. Two weeks before the expiry of the probationary period, the immediate superior shall make a written evaluation of their performance, and give his/her opinion on the continuation of the employee's employment.

#### **Article 4 Change of Employment Relationship**

1. The agreed content of the employment contract can only be changed if the employer and employee agree on its change.
2. Any change to the employment relationship shall be made in writing by the Human Resources Department of the Rectorate.

#### **Article 5 Termination of the Employment Relationship**

1. The employee may request termination of the employment relationship by agreement in writing. In the same way, the employee may serve notice of termination, immediate termination or probationary termination. Termination of employment shall be decided by the chairman of the Board of Directors.
2. During the notice period, the employee and the employer are obliged to fulfil all obligations arising from the employment relationship.
3. Before termination of employment, the employee is obliged to inform their immediate superior about the status of performance of the assigned tasks, to draw attention to

unfulfilled tasks, to hand over documents and items belonging to personal equipment, working aids, borrowed books and magazines in a condition corresponding to their wear and tear over time. A handover inventory must be completed with any employee who has a material responsibility agreement. A record shall be drawn up by the immediate superior of the handover for both tasks and items, and of the method of compensation for any damage caused by the employee.

4. At the end of the employment relationship, the employer is obliged to provide the employee with an employment report on request and a certificate of employment.

#### **Article 6 Replacement**

1. In his/her absence, any superior shall be replaced by a deputy authorised by him/her within the specified scope of rights, duties and responsibilities.
2. The superior is obliged to ensure that absent employees are replaced by other employees in the workplace, within the necessary scope of rights and duties in case of short-term replacements, and within the full scope of work and duties in the case of long-term replacements.
3. Replacement pursuant to par. 1 and 2 shall be approved by the chairman of the Board of Directors or the Rector, as appropriate.

#### **Article 7 Duties of the Employer**

1. The employer is obliged to assign work to employees according to their employment contract, to pay them a salary for the work performed according to the principles of remuneration of employees, and to create conditions for the successful performance of their work tasks.
2. The employer's basic duties include, in particular, to:
  - Create conditions for the prevention of occupational accidents, occupational diseases and diseases arising from the working environment;
  - Create conditions for the professional development of staff, as well as for the improvement and extension of their professional qualifications;
  - Deal with suggestions, comments and complaints from staff;
  - Strictly comply with the relevant legal provisions.

#### **Article 8**

##### Duties of the Employee

1. The employee shall, in particular:
  - Work conscientiously, responsibly and independently within the scope of their rights and duties; observe the rules of courtesy, politeness and respect for other persons in the performance of work tasks;
  - Not act contrary to the interests of GMBS; create and protect its good name;

- Maintain confidentiality of facts of which he/she has become aware of in the course of his/her work and which, in the interests of the employer, cannot be communicated to other persons, even after the termination of the employment relationship;
- Not accept gifts or other benefits in connection with the performance of their work, except gifts or other benefits provided by the employer;
- Make full use of working time; perform work tasks in a quality, economical and timely manner and comply with instructions issued by superiors in accordance with generally binding legislation and GMBS internal regulations;
- Attend meetings held during working hours;
- Comply with the relevant provisions of the law;
- Properly manage entrusted funds; protect property from damage, loss, destruction and its misuse for their own business activities;
- Keep up-to-date, and comply with, legal and other regulations applicable to the work he/she performs;
- Maintain the filing system in accordance with the filing and shredding rules;
- Report any changes in personal circumstances and any conditions relevant to the employee's various financial entitlements to the Human Resources Department within three (3) days;
- Refrain from any action which might bring the interests of GMBS into conflict with personal interests, in particular not to misuse information acquired in the course of employment for his/her own benefit or for the benefit of a third party;
- Refrain from conduct that results in unjustified promises or obligations binding on the employer;
- Ensure the economical and efficient management and use of the financial resources and facilities entrusted to the employee;
- Report to the employee's superior or to a law enforcement agency the loss or damage to property owned or managed by the employer;
- Notify the employer of their own final conviction for a deliberate criminal offence, or deprivation or restriction of legal capacity.

#### **Article 9 Obligations of Superiors**

1. In addition to his/her basic duties, a superior is obliged, in particular, to:

- Direct and control the work of directly subordinate staff;
- Create favourable working conditions for employees; take care of health and safety at work within the scope of their competence;
- Observe the rules of courtesy and civil coexistence in dealings with each other;
- Create a favourable working atmosphere motivating subordinate employees to perform their work tasks;

- Ensure compliance with generally binding legal regulations and the internal regulations of the higher education institution, in particular lead employees on work discipline, reward their initiative and work efforts; ensure that there is no violation of work discipline and non-performance of work duties;
- Familiarise themselves with the Working Regulations and make their subordinates aware of their contents, and apply and require compliance with them.

#### **Article 10 Evaluation of Employees**

1. The GMBS lecturers and researchers are evaluated on an ongoing basis at agreed intervals. The evaluation process is carried out as directed by the Rector.
2. The evaluation of other GMBS staff shall be carried out in designated cycles. The evaluation process shall be
3. Non-performance of the tasks identified in the evaluation may be considered as non-performance of the prerequisites for the performance of the agreed work, and the employee concerned shall be dealt with in accordance with the employment law.

#### **Article 11 Violation of Work Discipline**

1. Violation of work discipline consists of the culpable violation, non-observance or neglect of the employee's obligations arising from generally binding legislation, Working Regulations, the employment contract, or by failing to comply with an order or instruction imposed by a superior employee.
2. In particular, the following shall be deemed to be a violation of work discipline, as a result of which the employer may give notice to the employee:
  - A material breach of legislation or internal rules of the GMBS directly applicable to the performance of the work by individual employees under the employment contract;
  - Repeated failure to use working time and unsatisfactory performance of work tasks, where the employer has asked the employee in writing to remedy the deficiencies within the last six (6) months and the employee has failed to remedy them within a reasonable time;
  - Repeated neglect of the prescribed method of recording attendance;
  - Unexcused absence;
  - Leaving the workplace arbitrarily during working hours, as a result of which it is difficult for the workplace to carry out tasks;
  - Disregarding the order of a superior;
  - Proven acts of violence against superiors, fellow employees or students;
  - A proven violation of the prohibition on other gainful activity of the employee within the meaning hereof during working hours or with the use of the employer's fixed and current assets;
  - Demonstrable consumption of alcoholic beverages, drugs or intoxicants at the time of commencement of work, during working hours or outside working hours in the workplace. In this case, a breath test may be ordered by the Rector or the chairman of the Board of Directors;

- Taking leave without having requested leave and obtained the superior's written approval to take leave;
- Damaging the name of the statutory body of the higher education institution and the name of the higher education institution in a demonstrable manner, and if an employee communicates and disseminates false information about another GMBS employee, or communicates it to a superior with the intent to gain an advantage;
- The use of vulgar language by superiors in evaluating the work of subordinates, and the denigration of their personality in a demonstrable manner.

3. The following acts shall be considered serious violations of work discipline, for which the employer may immediately terminate the employment relationship:

- Repeated unexcused absence from work and repeated arbitrary leaving of the workplace;
- Property and moral offences in the workplace;
- Repeated disregard of the prohibition on the consumption of alcoholic beverages, drugs or other intoxicants in the workplace;
- Demonstrated inability to perform job duties due to the consumption of alcoholic beverages, drugs, or other intoxicants resulting in the immediate disruption of teaching or jeopardizing the operation of the workplace;
- Unexcused absences from work sites of those employees who are assigned for work at locations where their absence may jeopardize the safety of the GMBS operations and the safety of GMBS employees;
- Theft regardless of the amount of loss, or proven attempted theft in the workplace;
- Intentional damage to GMBS property or the property of its students or employees.

5. The severity of a particular violation of work discipline shall be judged by the superior according to the degree of fault and the consequences of the action.

6. Any proposal for further action against the employee shall be discussed by the superior with his/her line manager and referred to the Human Resources Department for processing.

#### **Article 12 Working Time and Obstacles to Work**

1. Working time is the period during which an employee is available to the employer and performs their work duties in accordance with the employment contract. The timetabling of working time, its beginning and end, the timetable for teaching and breaks at work shall be determined by the employer in agreement with the employees' representatives or by agreement in a collective bargaining agreement. The working time of lecturers and researchers is preferentially set by the timetable of classes, the schedule of tutorial hours, the schedule of examination dates and the schedule of other events specified in the academic year timetable.
2. The working time established pursuant to Par. 1 is the weekly working time.
3. Shorter working time may be agreed between the employer and the employee. The salary for part-time staff shall be reduced proportionately to the extent of that time.

4. For important personal reasons, an employee may request a leave of absence from work from his/her immediate superior.
5. Flexible working time is in place at the GMBS. The application of flexible working time is aimed at increasing the efficiency of the organisation and better balancing of the work and personal interests of employees. When flexible working time is applied, the employee shall agree with his/her immediate superior on the start and end of working time on individual days.
6. Flexible working time shall not apply where the employer designates regular working time for a period of unavoidable necessity, when it is necessary to provide for operative and urgent tasks.
7. When flexible working time and working time schedules are applied, the employee shall agree with the head of the workplace on the start and end of working time on individual days.
8. Records of arrivals and departures of staff shall be kept by superiors or their delegates.
9. Records of attendance and time worked at the workplace by an individual employee shall be forwarded to the Human Resources Department on a monthly basis as directed by the chairman of the Board of Directors. The record of attendance and time worked at the workplace shall be the responsibility of the relevant superior, who shall certify the accuracy of the data record by signing it.
10. The employer shall excuse the employee's absence from work for any period where there were important personal obstacles facing the employee in terms of their availability for work (in particular, incapacity for work due to illness or accident, maternity leave, nursing a sick family member, and others). The employee shall not be entitled to wage compensation for this time, unless a special regulation provides otherwise.
11. The employer shall grant the employee leave of absence with wage compensation in the amount of the employee's average earnings and to the extent specified.
12. The employee shall request leave for any obstacle to work from his/her immediate superior in a timely manner. Time off shall not be granted if the matter can be dealt with outside working time. If the employee has not been made aware of the issue at work in advance, he/she shall immediately notify the immediate superior of the problem and, at the same time, state the expected duration of the absence.
13. The employee is obliged to prove the reason for absence from work to the immediate superior by means of a confirmation. A confirmation signed by the superior must be attached to the monthly record of time worked.
14. If an employee has been declared incapable for work due to illness or accident, the employee or his/her relative shall immediately notify the employee's immediate superior. The confirmation of incapacity for work must be received within three (3) days of the incapacity for work. The signed confirmation of incapacity for work by the superior must be delivered to the Human Resources Department and the Economic Department.

### **Article 13 Overtime**

1. Overtime work is the work carried out by an employee on the order of the employer or with its consent over a specified weekly working time resulting from a predetermined working timetable and undertaken outside the framework of the work change schedule.

#### **Article 14 Leave**

1. The employee shall be entitled to recovery leave. The use of leave shall be approved by the immediate superior.
2. Leave slips shall be issued at least one day before the commencement of the leave and shall be filed in the attendance register after being signed by the immediate superior.

#### **Article 15 Salary and Salary Compensation**

1. The employee shall be paid a salary for the work performed. Remuneration of staff shall be determined by the chairman of the Board of Directors.
2. Salaries and salary compensation shall be payable in arrears for the preceding monthly period. Payout dates are determined in advance.
3. Salaries and salary compensation shall be paid by transfer to an account designated by the employee.

#### **Article 16 Business Trips**

1. The employee may undertake any business trip or foreign business trip only on the basis of a pre-approved travel order. A business trip shall be authorised by their immediate superior. Foreign business trips are authorised by the Rector for university lecturers and researchers and by the chairman of the Board of Directors for other university employees.
2. An employee sent on a business trip shall be entitled to reimbursement of proven travel expenses, accommodation and subsistence expenses, and necessary incidental expenses.
3. At the end of the business trip, the employee shall submit a written report on the completion of the business trip and the results of its deliberations to the superior who sent him/her on the business trip.
4. If the employee does not make the trip for which an advance was granted, he/she must repay it without undue delay. A further advance may be made to the same employee only after the previous advance has been cleared.

#### **Article 17 Performance of Other Gainful Activity**

1. A GMBS employees may, in addition to their employment, engage in gainful activity that is identical or similar to the employer's operations only with the prior written consent of the employer. These restrictions do not apply to the performance of scientific, pedagogical, journalistic, teaching, lecturing, literary or artistic activities.
2. The performance of other gainful activity is carried out by employees of the higher education institution during non-working time and without the use of GMBS premises and property.

#### **Article 18 Occupational Safety and Health**

1. In order to ensure occupational safety and health, the employer is obliged to comply with the obligations on health and safety at work, in particular to:

2. Improve working conditions and adapt them to employees;
3. Ensure that workplaces, materials, work equipment, work procedures, workplace layout and work organisation do not endanger the safety and health of employees; provide for necessary maintenance and repairs;
4. Replace strenuous and monotonous work with appropriate equipment and working practices and by improving the organisation of work;
5. Assign employees to work, taking into account their health, abilities and qualifications according to special regulations;
6. The employer is obliged to ensure that workplaces comply with the minimum occupational health and safety requirements in accordance with the applicable regulations;
7. The fulfilment of the employer's tasks in the field of the care for the occupational safety and health at the workplace is provided by the senior employees at all levels of management in the range of tasks resulting from their functions. These duties are an equal and integral part of their job duties.
8. The employer is obliged to regularly familiarise employees with the relevant legislation and other regulations to ensure occupational safety and health, and to verify their knowledge.
9. The employee is obliged to comply with the regulations to ensure occupational safety and health, not to consume alcoholic beverages and not to abuse narcotic substances and psychotropic substances at the workplace, and during working time similarly outside the workplace, and not to commence working under their influence.

#### **Article 19 Employee Complaints**

1. Written complaints from employees are registered and handled by the Rectorate Secretariat.
2. Disputes between the employer and employees concerning claims arising out of the employment relationship, as well as claims arising for employees out of a collective bargaining agreement, shall be heard and determined by a competent court.
3. In order to prevent labour disputes, employee complaints filed to assert individual employment claims shall be handled by authorised superiors in cooperation with the chairman of the Board of Directors and the employee representatives.

#### **Annex 1 to the GMBS Working Regulations**

The scope of activities and competences of certain superior employees within the meaning of Article 3 (10) of the GMBS Working Regulations:

##### **Vice-Rector for Science, Research and Education**

- First Vice-Rector and Permanent Deputy Rector of GMBS;
- Prepares materials for the GMBS Scientific Council;
- Methodically manages the pedagogical activities of the GMBS and the activities of the Education Department;
- Solves the study issues of GMBS students in the sense of the GMBS Study Regulations, and prepares proposals for the Rector's decision;

- Coordinates the activities of the heads of institutes and departments in the provision of tasks in the field of education;
- Is responsible for the pedagogical documentation of the GMBS (in the sense of the ECTS system) and the content of the GMBS website dedicated to the field of education;
- Prepares documents for the GMBS annual operating report and the development plans in the field of education;
- Is responsible for the admission procedure-related agenda;
- Is responsible for the organisation and conduct of examinations and graduation ceremonies;
- Prepares cooperation agreements with schools and institutions and coordinates the activities of the staff of institutes and departments;
- Coordinates the agenda related to statistical data on GMBS education and the LMS/VLE used;
- Manages the GMBS register of students;
- Reviews student personnel files prior to signing diplomas and manages the archiving of files of the GMBS graduate students;
- Handles, resolves, manages and coordinates other tasks in the field of education as directed by the Rector of the GMBS;
- Manages the scientific research activities of the GMBS;
- Coordinates the activities of the heads of institutes and departments in providing tasks in the field of scientific and research activities;
- Prepares documents for the GMBS annual operating report and the development plans in the field of the scientific and research, and publication activities;
- Is responsible for the documentation of the GMBS in the field of science and research and the GMBS website dedicated to this field;
- Monitors calls for submission of domestic and foreign projects and informs the staff of individual institutes and departments of the GMBS about them through the heads of institutes and departments;
- Initiates and manages scientific and technical cooperation with universities and scientific and research institutions;
- Supports and coordinates the organisation of scientific conferences and other scientific activities of the GMBS;
- Is responsible for the dissemination of the GMBS scientific and research results;
- Coordinates the agenda related to statistical data on the scientific and research, and publication activities at GMBS;
- Handles, solves, manages and coordinates other tasks in the field of science and research, and publishing activities according to the instructions of the Rector of GMBS.

**Vice-Rector for Quality, Accreditation and Development**

- Manages the GMBS activities in the field of international relations and accreditation;
- Is responsible for the GMBS documentation in the areas of international relations and accreditation and for the content of the GMBS website dedicated to these areas;
- Monitors calls for submission of international cooperation projects and informs staff of individual institutes and departments of the GMBS about them through the heads of institutes and departments;
- Registers the GMBS contracts with foreign partners and is responsible for the preparation of new contracts (in particular for EU programmes);
- Cooperates with organisations working in the field of mobility and international relations and manages the area of international relations at the GMBS according to the latest information and guidelines;
- Prepares documents for the GMBS annual operating report and the development plans in the field of international relations and accreditation;
- Coordinates the preparation of materials for the comprehensive accreditation of the GMBS and monitors the fulfilment of individual criteria;
- Prepares, collects, verifies and archives data related to comprehensive accreditation and accreditation of the study programmes;
- Coordinates the work of the sponsors in the development and updating of the study programmes carried out at GMBS and is responsible for their compliance;
- Monitors legislative changes in the field of accreditation and informs the GMBS management about them;
- Handles, solves, manages and coordinates other tasks in the field of international relations, mobility and accreditation as directed by the Rector of GMBS;
- Is responsible for the comprehensive development of the GMBS Long-Term Plan, its annual updates, and the implementation and evaluation thereof;
- Monitors changes in legislation in the field of higher education and brings the internal regulations of the GMBS into line with them;
- **Manages and covers the processes of online learning from a pedagogical point of view;**
- Manages the implementation of the quality system at the GMBS and, within it, coordinates the activities of the individual organisational units;
- Coordinates and manages projects related to quality;
- Is responsible for quality and development documentation and the content of the websites dedicated to these areas;
- Coordinates student evaluations of teaching staff and collects information on the GMBS graduates;
- Controls the quality of the pedagogical process carried out at the GMBS;
- Monitors and evaluates the qualification growth of the GMBS scientific and teaching staff;

- Handles, solves, manages and coordinates other quality and development tasks as directed by the Rector.