



Republic of the Marshall Islands **PUBLIC SERVICE INDUCTION PROGRAM**

2014

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Welcome from the Chairperson of the Public Service Commission

Introduction from Chairperson providing a brief overview of the information is included in the program and why this information is important, for staff and for the government.

This induction program has been developed by the Public Service Commission to benefit all RMI Public Service employees. It will assist and support Public Servants with the understanding of why we have a Public Service and how you as an employee contribute to the goals and objectives to provide efficient and effective services to the citizens of RMI.

Overview of the RMI Public Service

What is the RMI Public Service?

In line with the *Constitution of the Marshall Islands* (Article VII), the public service of the Marshall Islands shall comprise all such employees as may be necessary to assist the Cabinet in exercising the executive authority of the Marshall Islands (i.e. to implement or execute laws), and to perform such other duties in the service of the Marshall Islands as may be required.

The RMI Public Service might sometimes also be referred to as the ‘administration’ or ‘civil service’.

In line with the Constitution (Article V), this executive authority invested in the Cabinet includes (but is not limited to) the powers, functions, duties and responsibilities outlined below. It is the role of the RMI Public Service to assist the Cabinet with exercising these powers, functions, duties and responsibilities and to ensure they are exercised with economy and efficiency.

These matters (outlined below) are of critical importance to the people of the Marshall Islands because they help determine the level of living standards and general wellbeing they (and yourself) are afforded. As an employee of the RMI Public Service, you therefore have an important responsibility to your fellow Marshallese citizens, to perform your job effectively and efficiently, and play your part in ensuring these public services are in turn delivered fairly, effectively, and efficiently.

The powers, functions, duties and responsibilities of the Cabinet:

- a) General direction and control of the government of the Marshall Islands;
- b) Recommending to the Nitijela legislative proposals to assist with implementing policies and decisions;
- c) Accountability to the Nitijela for all public expenditure in line with appropriations made by the Nitijela;
- d) Conducting foreign affairs;
- e) Providing for the security of the Marshall Islands;
- f) Power of reprieve and pardon;
- g) Establishing and maintaining hospitals and other institutions as necessary for public health;
- h) Establishing and maintaining public schools and other educational opportunities as necessary;

- i) Establishing and maintaining other institutions as necessary to achieve an adequate standard of living for the people of the Marshall Islands to enable them to enjoy their legal rights, and to serve their economic, social and cultural welfare;
- j) Make contracts and other instruments on behalf of the Government as necessary.

What is the legislative framework for the RMI Public Service?

As mentioned above, the Constitution (Article VII) is the principal piece of legislation that governs the establishment and operation of the RMI Public Service. There is also other supporting legislation that governs the operation of the RMI Public Service.

Each Ministry (and its staff) will be required to work with legislation that specifically relates to the function of that Ministry. For example, staff working for the Ministry of Foreign Affairs should be aware of the Foreign Affairs Act 2007, and staff working for the Ministry of Health should be aware of the Health Services Act 1983, etc.

All legislation is contained within the *Marshall Islands Revised Code—2012 Revision*. It is your responsibility to ensure that you are aware of all legislation that is relevant to both your employment more in the RMI Public Service, and the specific role you are employed to perform in your Ministry.

The *Marshall Islands Revised Code—2012 Revision* is located on the website for the Pacific Islands Legal Information Institute (PacLII) (<http://www.paclii.org>), in the PacLII Database for the Marshall Islands.

The Constitution

The Constitution makes the following provisions for the RMI Public Service:

The Chief Secretary

Article VII (Section 2) provides for an officer of the Public Service to be called the Chief Secretary who shall be the head of the Public Service and the chief administrative and advisory officer of the Government of the Marshall Islands (Article VII, Section 2).

The Chief Secretary is responsible to the Cabinet for the general direction of the work of all Departments and offices of government. The head of any such Department or office shall account for the work of that Department or office to the Chief Secretary and the Minister primarily responsible for that Department or office.

The Attorney-General

Article VII (Section 3) provides for an Attorney-General who shall be an officer of the Public Service who shall be the head of any Department or office dealing with the administration of justice, and of any other Department or office placed under their authority by the Public Service Commission(PSC).

The Attorney-General shall advise on legal matters referred to them by the Cabinet, the President or a Minister, and shall be responsible for instituting, conducting or discontinuing any proceedings for an offense alleged to have been committed, and for seeing to it that the laws are faithfully executed.

The Secretary of Finance

Article VII (Section 4) provides for an officer of the Public Service to be called the Secretary of Finance who shall be the head of the Ministry of Finance.

The Secretary of Finance shall be responsible for the preparation of the accounts relating to all public revenues and expenditure for each financial year, and for advising the Minister of Finance on all matters pertaining to the budget.

The Public Service Commission

Article VII (Section 5) provides for a Public Service Commission of the Marshall Islands, consisting of a Chairman and two other members (Commissioners).

The PSC shall be the employing authority for the Public Service, and shall have the general oversight and control of its organization and management, and shall be responsible for reviewing the efficiency and economy of all Ministries and agencies of government.

Subject to any law, the PSC may prescribe and determine the conditions of employment of employees of the Public Service and shall have such other functions and powers as may be conferred on it.

The Public Service Commission Act

The Public Service Commission Act 1979 (PSC Act) establishes the duties and responsibilities of the PSC, and also provides for a Public Service Administration Office (i.e. PSC Office) to assist the Commission in exercising its duties and powers. The PSC Act also empowers the PSC to adopt and enforce all regulations necessary to execute its powers and duties under the Constitution.

The Public Service Regulations

In line with its powers under the PSC Act, the PSC has adopted, with the approval of the Cabinet, the *Public Service Regulations of the Republic of the Marshall Islands* (PS Regulations). The PS Regulations set out in more detail how the PSC will implement the powers and functions vested in it by the Constitution.

The PS Regulations prescribe the employment conditions for the public service and how matters relating to employment will be managed, including: appointment, status and tenure of employees; grading; remuneration; general conditions of employment; leave of absence; disciplinary provisions; appeals; casual workers; delegation of authority; health procedures for recruitment and retention of staff; and the procedure to be followed where a member of staff has a communicable disease.

The Financial Management Act

The *Financial Management Act 1990* establishes a comprehensive system of financial management for the RMI. It provides for the creation of the Ministry of Finance, and its scope of administration, which is to administer all revenue and fiscal functions of the Government of the RMI, including revenue, tax and duty collection and accounting; fund and treasury maintenance, security and accounting; disbursement, accounts receivable and expenditure accounting; budget control; and all data processing and other assets related to the foregoing.

The Financial Management Act also sets out the responsibilities of the Secretary of Finance, who is to be the general accountant and controller of all public funds, ensuring adequate book keeping of accounts, reviewing accounting and financial reporting with a view to continuous improvement, and prescribing rules and regulations as necessary.

The Procurement Code Act

The *Procurement Code Act 1988* provides for the establishment of a procurement system for the Government of the RMI. The Procurement Code aims to simplify, clarify and

modernize the law governing Government procurement; permit the continued development of procurement policies and practices; ensure consistency of procurement laws; increase public confidence in Government procurement procedures; ensure fair and equitable treatment of all persons who deal with the Government procurement system; provide increased economy in Government procurement activities; foster competition within the free enterprise system; and provide safeguards for the maintenance of a procurement system of quality and integrity.

The Procurement Code also provides for the establishment in the Office of the Chief Secretary the government Procurement Policy Office (Policy Office) and for the establishment of an Office of the Chief Procurement Officer, headed by the Chief Procurement Officer. The Chief Procurement Officer shall serve as the central procurement officer of the Government.

The Office of the Attorney-General Act

The *Office of the Attorney-General Act 2002* provides for the organization of the Office of the Attorney-General and related matters. It sets out who shall comprise the Office of the Attorney-General, its authorizations, powers and reporting requirements.

What is the profile of the RMI Public Service?

As a member and representative of the RMI Public Service, it is expected that you would have some general knowledge about the profile and structure of the RMI Public Service, not only for the sake of your own understanding, but so that you can also represent the Public Service in an informed and accurate way to others.

Portfolios

Article V of the Constitution makes provision for six portfolios (Finance, Foreign Affairs, Communications and Transportation, Resources and Development, Social Welfare, and Public Works) and any other portfolios as may be required. Responsibility for each portfolio is assigned to a Minister by the President. Portfolios may comprise any (or a combination) of the following: ministries, agencies, statutory authorities, and State Owned Enterprises (SOEs).

Update in line with the National Appropriation Act for 2014 to include a list of each of the portfolios and their corresponding ministries, agencies, statutory authorities, and SOEs.

Ministries and Agencies

Insert something here about the difference between a ministry and an agency, e.g. an agency 'usually' (but not always) has a board, whereas a ministry has a Head of Department (or Secretary) who in turn reports to the relevant Minister.

As reported in the 2012 Annual Report, there were 22 ministries/agencies in the RMI Public Service, of which 8 were ministries and 14 were agencies, as outlined below.

Ministries:

- Ministry of Health
- Ministry of Education
- Ministry of Internal Affairs

- Ministry of Finance
- Ministry of Transportation and Communication
- Ministry of Resources and Development
- Ministry of Foreign Affairs
- Ministry of Public Works

Agencies:

- Nitijela
- Council of Iroj
- Cabinet
- Land Registration Office
- Office of the Auditor General
- Attorney-General's Office
- Office of the Chief Secretary
- Economic, Policy, Planning and Statistics Office
- Office of Environment, Planning and Policy Coordination (OEPPC)
- Public Defender's Office
- Language and Customary Law Commission
- Weather Service Bureau
- Banking Commission
- Public Service Commission

In November 2013, the Public School Systems Bill Number 42 was passed, which will result in the departure of Ministry of Education from the RMI Public Service as of 1 October 2014.

Employees

As reported in the 2012 Annual Report, there were a total of 2,176 employees in the Public Service.

Since 2001, the size of the Public Service workforce has increased by a total of 811 workers, representing a 59% growth rate over the 12-year period.

However, the size of the Public Service workforce will decline significantly as of 1 October 2014, due to the legislative change mentioned above which will result in the departure of Ministry of Education from the RMI Public Service. This will reduce the size of the Public Service workforce by almost one half of its current size, given Ministry of Education employed 1,157 employees in 2012.

Classification levels

In line with the PS Regulations (Schedule 1, Section 2), Public Service positions are classified into 16 levels, as outlined below:

- **Fifteen and Sixteen (15 & 16)** are classified as Special levels, established for compensation purposes for certain jobs that are very important and critical for the Republic of the Marshall Islands.
- **Nine (9) to fourteen (14)** are defined as managerial levels, with managerial and operational responsibilities.
- **Six (6) to eight (8)** are defined as operational levels, skilled and specialized positions, responsible for main program delivery in ministries and agencies.
- **Three (3) to five (5)** are defined as clerical levels, semi-skilled positions, responsible for program delivery or assisting program delivery staff in ministries and agencies.
- **One (1) to two (2)** are defined as service and support levels, unskilled positions, for manual and physical work.

The PS Regulations (Schedule 1, Section 2) provide guidelines for the establishment of positions at each of these levels. These provide an indication of the type of work and level of complexity of work that is associated with positions at each of these levels. For each level, the PS Regulations also identify a corresponding basic salary scale (Schedule 4).

Are there any statistics available on the breakdown of Public Service employees by classification level?

Location

Most RMI Public Service employees are located in Majuro. RMI Public Service employees are also located on Ebeye, and on each of the outer islands, particularly employees in roles such as teachers and health professionals. The RMI Public Service also has employees located overseas in its foreign embassies, for example in Fiji, Taiwan, Japan, and the United States.

Are there any statistics available on the number/proportion of RMI Public Service employees by location?

What do RMI Public Service staff do?

RMI Public Service employees work in a wide range of roles in assisting the Cabinet to implement its executive authority. You should understand how what you do in your role in the RMI Public Service contributes towards assisting the Cabinet to implement its

executive powers, functions, duties and responsibilities. All RMI Public Service jobs should contribute to this goal in some way.

Some examples of the type of roles undertaken in the RMI Public Service include (but not limited to):

- Assisting with the efficient and effective delivery of important services to RMI citizens
- Providing accurate and timely advice to Ministers on all manner of policy issues
- Providing legal and technical advice
- Assisting with the development and implementation of the RMI Budget
- Assisting with the attraction, recruitment and retention of RMI Public Service employees.

How is the RMI Public Service different from other sectors?

The role of the RMI Public Service includes the delivery of important public services to RMI citizens which may not otherwise be provided by the private sector, or may not otherwise be provided in a way that is affordable and accessible to all RMI citizens.

The functions delivered by the RMI Public Service are funded by public money, which means it is also subject to a high level of public scrutiny.

In its role of assisting the Cabinet to implement its executive authority, it also has a high level of accountability to the Cabinet, and the Nitijela.

To ensure accountability, and effective and efficient use of public money, employees of the RMI Public Service are therefore required to work within the bounds of legislation, policies and guidelines which mandate the role and functions of the RMI Public Service.

What are the expectations of RMI Public Service employees?

RMI Public Service employees are assisting with the delivery of functions that are funded by public money. Therefore, they must maintain a high standard of work ethic at all times, and in everything they do. RMI Public Service employees must perform their roles effectively, efficiently, and professionally to ensure best use of public money, and to ensure services are delivered to citizens effectively, fairly, to a high standard, and in a timely manner.

Given the nature of the role of the RMI Public Service, its employees are subject to a high level of accountability, to the Cabinet, the Nitijela, and the public. Therefore, their decisions must always be transparent, evidence-based, ethical, and fair.

RMI Public Service employees are expected to be apolitical or impartial in their work. That is, they must provide the same high standard of service (to Ministers and Citizens alike) regardless of who is in parliament, or what their own political preferences may be. RMI Public Service employees must treat others fairly and respectfully, regardless of any personal connections they may or may not have.

These expectations are clearly articulated in legislation, policies and guidelines.

For example, the Constitution (Article VII, Section 10) stipulates that in all matters relating to decisions about individual employees, the PSC shall not receive any direction from the Cabinet or from any other authority or person, but shall act independently and in accordance with criteria relating only to the individual's ability to perform their duties.

The RMI Public Service Values and Code of Conduct (discussed in more detail later in this document) also articulate these expectations with respect to all RMI Public Service employees. All RMI Public Service employees are expected to be familiar with these, and to act in accordance with them at all times.

What is the national context for the RMI Public Service?

The RMI Public Service needs to be able to respond to national issues, and contribute to the achievement of national goals. The RMI Public Service has input into strategic planning at a national level, and uses national plans as the basis to inform its own planning, to ensure its planned outcomes align to the planned outcomes of the Marshall Islands. This framework is briefly outlined below.

RMI's Vision 2018

The RMI's *Vision 2018 Strategic Development Plan Framework* was developed in 2001 in preparation for renegotiating the Compact of Free Association with the Government of the United States. It identifies the RMI's key development priorities for the period 2003-2018.

The framework contains 10 major goals, each supported by key objectives, and articulates principles and priorities for macroeconomic management, the productive sectors, infrastructure, fiscal management and administration, education, health and other areas.

RMI National Strategic Plan

The *National Strategic Plan (NSP) of the Republic of the Republic of the Marshall Islands* was developed in 2013 using a collaborative process among government ministries and agencies, non-governmental organisations and the private sector.

The NSP will be used as a roadmap for development and progress at the national level in the medium term (2014-2016). It will be updated on an ongoing basis to ensure longer term objectives are met as the RMI moves towards the scheduled completion of the Compact of Free Association in 2023.

The NSP context is based on the development objectives identified in RMI's Vision 2018. It focuses on five sectors (social development; environment, climate change and resiliency; infrastructure development; economic development; and good governance), with each sector broken down into a number of strategic areas. Each strategic area is coordinated with a current (or planned) rolling strategic plan at the ministry/agency level and/or national policy. The NSP identifies development challenges and objectives for each sector, as well as indicators to be used to monitor and evaluate progress within the sector.

RMI National Human Resource Development Plan

The development of the *National Human Resource Development (NHRD) Plan* is currently being progressed by the National Training Council. Ongoing stakeholder workshops are being conducted in order to continue the validation of the NHRD Plan, and there is also a National Steering Committee in place to guide its development.

The overarching goal of the NHRD Plan is the development and maintenance of a pool of national talent capable of performing all the jobs in the private and public sectors that are essential to sustained economic and social development and the attainment of national strategic goals as articulated in the NSP.

Ministry and agency strategic plans

Ministry and agency strategic plans identify the strategic objectives for ministries and agencies for the coming (usually, but sometimes more than) three years to ensure ministries and agencies can address their identified strategic issues and deliver their mandated functions effectively and efficiently.

Ministry and agency strategic plans also detail the strategies ministries and agencies will adopt to ensure they meet their stated strategic objectives. There should be a linkage between the objectives identified in ministry and agency strategic plans and the objectives identified in the NSP, to ensure ministries and agencies are contributing to the national goals and objectives of the Marshall Islands.

Ministry and agency workforce plans

Ministry and agency workforce plans identify the profile of the workforces that ministries and agencies will need, in terms of size, skills and capabilities, in order to be able to deliver their strategic objectives as outlined in their strategic plans. Ministry and agency workforce plans also detail the strategies ministries and agencies will adopt to ensure they achieve the workforce they require within the necessary timeframe and budget.

Structure of Government in RMI

What is the structure of Government in RMI and how does the Public Service fit in this structure?

The summary below provides the Government context within which the RMI Public Service operates. As already discussed at the beginning of this document (under ‘what is the RMI Public Service?’), the role of the RMI Public Service is to assist the Executive (or the Cabinet) to execute its executive function, that is, to implement the laws which are made, amended or dissolved by the Legislature (or the Nitijela). The Nitijela must implement its legislative function with reference to the Council of Iroij, which ensures traditional rights and customs are maintained. The Judiciary (i.e. the Courts) ensures the laws that are implemented, are enforced.

Council of Iroij

The Constitution (Article III) provides for a Council of Iroij.

The Council may consider any matter of concern to the Marshall Islands and express its opinion thereon to the Cabinet.

The Council may also request the reconsideration of any Bill affecting the customary law, or any traditional practice, or land tenure, or any related matter, which has been adopted on third reading by the Nitijela. The request is made by adopting a resolution to this effect.

The Council meets in regular session during any period when the Nitijela is meeting in regular session; and in special session during any period when the Nitijela is meeting in special session.

The Council of Iroij consists of five eligible persons (Chiefs) from the districts of the Ralik Chain and seven eligible persons from the districts of the Ratak Chain (six Chiefs and in the case of Likiep, one landowner).

The Legislature (Nitijela)

The legislative power of the Marshall Islands is vested in the Nitijela by the Constitution (Article IV).

These powers include the power to repeal, revoke or amend any law in force; to confer, by Act, the authority to promulgate rules, regulations, and orders; and to make all other laws which it considers necessary.

Any member of the Nitijela may introduce any Bill, or propose any motion for debate in, or present and petition to, the Nitijela. Members of the Cabinet may also recommend to the Nitijela such legislative proposals as is considers necessary. No Bill shall be passed unless it has been read three times in the Nitijela.

The Nitijela meets in regular session on the first Monday in January in each year, and, subject to Article IV of the Constitution (Section 11), remains in session for 50 sitting days. The Nitijela meets in special session in certain circumstances where there has been a

general election, in certain circumstances at the request of members through a written petition, or by the President.

The Nitijela consists of 33 members elected from the electoral districts outlined under Article IV of the Constitution (Section 2).

The Executive (Cabinet)

The executive authority of the Marshall Islands is vested by the Constitution in the Cabinet (Article V).

The Cabinet is responsible to the Nitijela, and may exercise elements of its executive authority directly, or through its individual members, and through other officers responsible to the Cabinet.

The powers, functions, duties and responsibilities of the Cabinet have already been outlined at the beginning of this document (under ‘what is the RMI Public Service?’).

Notice of every meeting of the Cabinet and a copy of every paper to be considered shall be given to each member, the Chief Secretary, the Attorney-General, and the Secretary of Finance.

The Cabinet consists of the President (who is a member of the Nitijela) and other members of the Nitijela who are appointed as Ministers. The President is elected by a majority of the total membership of the Nitijela, and is also the Head of State of the Marshall Islands. Ministers are appointed by the President, and allocated portfolios (Finance, Foreign Affairs, Communications and Transportation, Resources and Development, Social Welfare, Public Works and other portfolios as may be necessary).

The Judiciary

The judicial power of the Marshall Islands, which is independent of the legislative and executive powers, is vested by the Constitution (Article VI) in the Supreme Court, High Court, Traditional Rights Court, and such District Courts, Community Courts and other subordinate courts as created by law.

Each court has the power to issue all writs and other processes, make rules and orders and promulgate all procedural regulations, not inconsistent with law, as may be required.

The Constitution also makes provision for a Judicial Service Commission, which shall consist of, as Chairman, the Chief Justice of the High Court, the Attorney-General, and a citizen of the Marshall Islands appointed by the Cabinet who is neither a member of the Nitijela nor an employee of the Public Service.

The Judicial Service Commission makes recommendations on judicial appointments, recommends or evaluates criteria of qualification for judges, appoints and removes judges of subordinate courts and the Traditional Rights Court, and exercises such other functions and powers as may be conferred by law.

What are the other levels of Government in RMI?

Local Government

In line with the Constitution (Article IX), a person of every populated atoll or island that is not part of an atoll shall have the right to a system of local government which shall operate in accordance with any applicable law.

A local government may make ordinances for the area in respect of which it has jurisdiction, provided they are not inconsistent with any Act, and these may provide for the levying of taxes and for the appropriation of funds for local purposes.

The *Local Government Act 1980* provides for the implementation of Article IX of the Constitution by providing for the manner of operation of the system of local government.

Each of RMI's 24 districts has a local government headed by a council and a mayor. Local governments are established through their own constitutions and are granted, through the national Constitution, law and policy making authority in their respective jurisdictions, including taxation authority. Ordinances proposed by local governments are reviewed by the Minister of Internal Affairs to ensure consistency with the national Constitution and laws. The Marshall Islands Mayors Association (MIMA) is the central vehicle through which local government policies and concerns are discussed.

Examples of functions delivered by Local Government include:

- Police
- Midwifery
- Locally-funded education
- Health
- Justice

State Owned Enterprises (SOEs)

State Owned Enterprises are legal entities created by the RMI Government to partake in commercial activities on its behalf. SOEs are funded and regulated by the RMI Government, but are run by Boards of Directors.

The size of SOEs in the RMI economy is significant, with total assets of \$116 million as of FY 2008 (approximately 76 % of GDP).

A draft SOE Bill (SOE Reform Act) was submitted to the Nitijela in October 2012.

SOEs in the Marshall Islands include:

- Marshall Islands Development Bank
- National Telecommunications Authority
- Marshalls Energy Company
- RMI Airport and Ports Authority
- Majuro Water and Sewer Company
- Majuro Atoll Waste Company
- Marshall Islands Marine Resource Authority

- Majuro resort, Inc.
- Air Marshall Islands
- RMI Postal Service
- Tobolar Copra Processing Plant, Inc.
- Marshall Islands Shipping Corporation

Good governance and ethical conduct in the RMI Public Service

What is good governance and ethical conduct in the RMI Public Service and why is it important?

Good governance and ethical conduct in the RMI Public Service is exercising authority to ensure professionalism, accountability and transparency in the conduct of ministries and staff.

Good governance and ethical conduct is important because:

- It ensures public money and resources are used efficiently, effectively and ethically.
- It ensures RMI Public Service employees are accountable to their stakeholders (including the Cabinet, Nitijela, and the Public) for the decisions they make, and the resources they manage on behalf of their stakeholders.
- It ensures RMI Public Service employees properly understand their responsibilities and the way they contribute to the goals of the RMI Public Service and the Marshall Islands more broadly, and that they abide by these responsibilities in line with relevant legislation, policies, guidelines and procedures.
- It ensures citizens have equal, fair and timely access to high-quality services.

What is the framework for good governance and ethical conduct in the RMI Public Service?

The framework for good governance and ethical conduct in the RMI Public Service comprises the key pieces of legislation and supporting guidelines/regulations discussed below. The framework for good governance and ethical conduct should guide the way in which all RMI Public Service employees (regardless of classification) carry out all aspects of their duties, both in terms of how they make use of public resources and in terms of how they conduct themselves. The conduct of RMI Public Service employees can be viewed as a public resource given that RMI Public Service employees are paid using public money for the purpose of carrying out public service.

The Constitution

Under Article II of the Constitution (Section 16), the Nitijela declares and recognises the right of the people of RMI to a responsible and ethical government, and the obligation of the government to take every reasonable step necessary to conduct government in accordance with a comprehensive code of ethics.

Ethics in Government Act

Pursuant to Article II of the Constitution (Section 16), the *Ethics in Government Act 1993* provides for a comprehensive code of ethics for government officials and employees.

The Ethics in Government Act stipulates that, to ensure every citizen can have complete confidence in the integrity of the Government; each public official and Government employee shall respect and adhere to the fundamental principles of ethical conduct as set out in the Ethics in Government Act, and to those which may be specified in regulations promulgated by the Government Ethics Board. Failure to adhere shall result in a breach of ethical standards and, in addition, may constitute an offense under the Criminal Code.

The 12 fundamental principles of the Ethics in Government Act are outlined below:

- 1) A public official or Government employee shall not solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing official business with, or conducting activities regulated by such official's or Government employee's agency or department, or whose interests may be substantially affected by the performance or non-performance of duties;
- 2) A public official or Government employee shall not accept, as a public official or Government employee, any gifts or other items of monetary value from any person wherein the total value of such item or items over the course of one year is in excess of \$100 and wherein such acceptance is not related to any particular official action or business and is not related to any activities regulated by such official's or employee's ministry or agency and whose interests will not be substantially affected by the performance or non-performance of duties;
- 3) Any gift or other item received as a public official or Government employee shall be reported to Cabinet within thirty (30) days following receipt of such gift or other item;
- 4) Public officials and Government employees shall put forth honest effort in the performance of their duties;
- 5) Public officials and Government employees shall not use public office for private gain;
- 6) Public officials and Government employees shall give due disclosure of any conflict of interest such official or employee has or may have in the performance of his or her duties and excuse himself or herself of any involvement on the matter in his or her capacity as such an official or employee;
- 7) Public officials and Government employees shall not use or take advantage of public office to commit any illegal acts;
- 8) Public officials and Government employees shall not violate the laws of the Republic or regulations promulgated thereunder;

- 9) Public officials and Government employees shall protect and conserve government property and shall not use it for other than authorized government activities;
- 10) Public officials and Government employees shall not engage in outside employment or activities that conflict with official government duties and responsibilities;
- 11) Public officials and Government employees shall satisfy in good faith their obligation as citizens; and
- 12) Public officials and Government employees shall endeavour to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this Chapter or in any regulations promulgated hereunder.

The RMI Public Service Regulations

Clause 7 of the RMI PS Regulations stipulates the PSC shall take proper measures to procure efficiency and economy in the performance of the Public Service of its functions, including (amongst others) the avoidance of extravagance and waste and the maintenance of a proper standard of conduct by employees.

Part V of the PS Regulations (General conditions of employment) sets out the expectations of RMI Public Service employees, including those with respect to:

- only taking absence from the workplace during prescribed hours for the purposes of official business or with supervising officer's permission
- taking strict care and economy in the use of public property, supplies and equipment
- exercising strict care in the handling of money on behalf of the Government
- unless with proper authority, not incurring any liability or making any contract on behalf of the Government
- except with approval from the PSC, not accepting private employment
- except with approval from the PSC, not receiving any remuneration in addition to salary for any services performed for the Government
- not soliciting or accepting gifts from any member of the public in connection with the employee's duties, except where the gift is a token of courtesy according to the local custom and receipt of the gift is notified to the Commission, or with permission of the Commission
- not borrowing money from a subordinate employee or making unauthorised loans (to self or other) from Government money

- not using for any private purpose or any purpose other than for the discharge of official duties, any information gained through Government employment
- not seeking the influence of any other person in order to obtain promotion, transfer or other advantage
- not using official Government position for political influence.

The RMI-Public Service Values and Code of Conduct

Pursuant to the RMI PS Regulations, RMI Public Service employees are required to behave in a way which upholds the RMI Public Service Values and Code of Conduct, which are provided on the following page.

THE RMI-PUBLIC SERVICE VALUES & CODE OF CONDUCT

The Republic of the Marshall Islands Public Service Employees are required, under the PSC Regulations, 2008, as amended, to behave in a way which upholds the **RMI-Public Service VALUES**.

The PSC Values require that a RMI public service employee must:

1. Behave honestly and with integrity in the course of his/her RMI-Public Service employment;
2. Act with care and diligence in the course of his/her RMI-Public Service employment;
3. When acting in the course of RMI-Public Service employment, treat everyone with respect and courtesy and without harassment;
4. When acting in the course of RMI-Public Service employment, comply with all applicable RMI laws;
5. Comply with any lawful and reasonable direction given by PSC;
6. Maintain appropriate confidentiality about dealings that the employee has with the Ministerial and Agency heads;
7. Disclose, and take any reasonable steps to avoid any conflict of interest (real or apparent) in connection with RMI-Public Service employment;
8. Use the government resources in a proper manner;
9. Do not provide false or misleading information in response to a request for information that is made for official purpose in connection with the employee's PSC employment;
10. Do not make improper use of:
 - a. inside information, or
 - b. the employee's duties, status, power or authority; in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person;
11. Always behave in a way that upholds the RMI-Public Service principles and the integrity and good reputation of the RMI-Public Service;
12. While on duty overseas, at all times behave in a way that upholds the good reputation of the Republic; and;
13. Comply with any other conduct requirements that are prescribed by the PSC Regulations, 2008, as amended.

The Procurement Code Act

As previously outlined (under ‘What is the RMI Public Service?’), the *Procurement Code Act 1988* provides for the establishment of a procurement system for the Government of the RMI. In particular, Part XIII deals with ethics in public accounting. This part of the Procurement Code emphasises that public employment is a public trust, and public employees must carry out their duties impartially to assure fair competitive access to governmental procurement. They must conduct themselves in a manner that fosters public confidence in the integrity of the Government procurement organization.

The Procurement Code explains that any attempt to realize personal gain through public employment is a breach of a public trust, and that in order for Public Service employees to avoid such a breach they must abide by specific standards as set out in Sections 190-195 of the Procurement Code. These Sections relate to employee conflict of interest, employee disclosure requirements, prohibition against gratuities and kickbacks, and contingent fees (i.e. commissions), restrictions on employment of present and former employees, and use of confidential information (for personal gain).

Who is responsible for promoting good governance and ethical conduct, and for handling non-compliance?

Code of Ethics Board

The Ethics in Government Act mentioned above also provides for the establishment of the Government Ethics Board to oversee compliance with the code of ethics for government officials and employees. The Government Ethics Board consists of three members: the Attorney-General, the Auditor-General, and the Chief Secretary or his or her respective designee (i.e. the PSC Chairperson).

Heads of Ministries and the Public Service Commission

Each Secretary (or Head of Ministry) is also responsible for promoting good governance within their respective ministries, and for ensuring ministry staff comply with the code of ethics, PS Regulations, and Public Service Values and Code of Conduct. Controlling officers are responsible for handling possible violations of their staff, and are required to report these to the PSC through official channels, either for information or for further resolution depending on the nature of the issue and the extent to which the issue is resolved within the ministry in the first instance.

All RMI Public Service Employees

Furthermore, all RMI Public Service employees (regardless of their classification) are responsible for promoting good governance and complying with the code of ethics and Public Service Values and Code of Conduct.

How is non-compliance handled?

The Ethics in Government Act

As stipulated in the *Ethics in Government Act 1993*, failure to adhere with the code of ethics for government officials and employees shall result in a breach of ethical standards.

To the extent that violations constitute crimes under the Criminal Code or otherwise, they shall be punishable as provided therein. Such penalties shall be in addition to the civil and administrative remedies set forth in the Ethics in Government Act.

In addition to existing remedies for breaches of the ethical standards set forth in the Ethics in Government Act or supporting regulations, the Government Ethics Board may impose any one or more of the following:

- a) oral or written warnings or reprimands;
- b) suspension with or without pay for specific periods of time;
- c) termination of employment; and
- d) civil penalties in any amount, not to exceed \$5,000 for each breach or violation, which shall be enforceable in a court of law.

Any actions taken against a public official shall also be publicly disclosed.

The Public Service Regulations

The PS Regulations (Part VII) include disciplinary provisions for handling minor offences, unsatisfactory work or conduct, and complaints and enquiries. It also sets out the penalties for offences.

In the case of a minor offence, an employee may be reprimanded or cautioned by their supervising officer.

Where an employee's work or conduct is considered unsatisfactory, they shall be notified in writing by their supervising officer.

Where an employee is alleged to be guilty of a violation as set out under Article VII of the PS Regulations (Section 69), the circumstances should in the first instance be reported by their supervising officer through the head of the ministry to the PSC. The PSC will then handle the matter in line with the procedures outlined under Article VII of the PS Regulations (Section 68).

Where an employee is convicted by a Court, or if the PSC is satisfied a complaint is established, the PSC may impose any one or more of the following penalties:

- a) dismissal
- b) transfer to other duties
- c) reduction in salary and/or classification grade
- d) stoppage of pay for up to two weeks
- e) placement on probation for up to one year
- f) reprimand and warning.

The PS Regulations also sets out the rights of appeal for officers (Part VIII).

Public Service Commission Instruction—Ethical Conduct in Government

On the 6th of June 2013, the PSC issued an Instruction pursuant to the RMI Procurement Code, the Ethics in Government Act, and the RMI Public Service Values and Code of

Conduct, reiterating that all Greater RMI (GRMI) Ministry and Agency Heads and employees are, in particular, to:

- 1) refrain from any and all GRMI procurement processes from which they might have direct or indirect private gains
- 2) refrain from using office for private gain
- 3) give due disclosure of any conflict of interest an employee has or may have in the performance of their duties and excuse themselves from any involvement in the matter as an official employee.

It also reiterates that failure to adhere will result in a breach of ethical standards and, in addition, may constitute an offense under the Criminal Code.

The Constitution (Article VII, Section 9) bestows upon the PSC the responsibility for reviewing the efficiency and economy of all ministries. This responsibility is outlined in further detail in the PS Regulations (Part I, Section 7) and the functions to be covered includes the avoidance of extravagance and waste, and the maintenance of a proper standard of conduct by employees.

Discrimination

Discrimination is a form of non-ethical conduct and is never acceptable in the RMI Public Service.

In line with Article II of the Constitution (Bill of Rights), all persons are equal under the law and entitled to equal protection of the laws. No law and no executive or judicial action shall, either expressly, or in its practical application, discriminate against any person on the basis of gender, race, color, language, religion, political or other opinion, national or social origin, place of birth, family status or descent.

In line with Article VII of the Constitution (Public Service), in all matters relating to decisions about individual employees (whether they relate to the appointment, promotion, demotion, transfer, disciplining or cessation of employment of any employee or any other matter) the Public Service Commission shall not receive any direction from the Cabinet or from any other authority or person, but shall act independently and in accord with criteria relating only to the individual's ability to perform their duties.

Harassment

Harassment is also a form of non-ethical conduct and is never acceptable in the RMI Public Service. In line with the RMI-Public Service Values and Code of Conduct (No. 3), all RMI Public Service employees, when acting in the course of RMI Public Service employment, must treat everyone with respect and courtesy and without harassment.

Legitimate performance management action or constructive feedback is *not* harassment, even if it causes offence or distress, as long as it is undertaken in a reasonable way and with respect and courtesy, and is intended for proper use (such as performance feedback, counselling or correcting unacceptable behaviour). Expressing differences of opinion is also *not* harassment, and neither is making a complaint about a manager or colleague—as long as these are done in a proper and reasonable way.

More broadly, the Criminal Code 2011 also provides a legislative basis under which a person is considered to have committed a petty misdemeanour if they act with intent to harass, annoy or alarm another person, by any of the following means:

- 1) repeatedly makes a telephone call, facsimile, or electronic mail transmission without purpose of legitimate communication; or
- 2) insults, taunts or challenges another in a manner likely to provoke immediate violent or disorderly response; or
- 3) makes repeated communications anonymously or at extremely inconvenient hours; or
- 4) subjects another to an offensive and unwanted touching; or
- 5) repeatedly makes communications, after being advised by the person to whom the communication is directed that further communication is unwelcome; or
- 6) makes a communication using offensively coarse language that would cause the recipient to reasonably believe that the actor intends to cause bodily injury to the recipient or another or damage to the property of the recipient or another.

Accountability in the RMI Public Service

How can the RMI Public Service ensure the Public perceives it to have good governance and ethical conduct?

Employees of the RMI Public Service must be careful about how their actions could be perceived by the public because this reflects on the credibility of the GRMI Public Service. Indeed, the Ethics in Government Act (Section 12) stipulates that public officials and government employees shall endeavour to avoid any actions creating the appearance that they are violating the law or ethical standards, or supporting regulations.

The RMI Public Service can take actions to minimise this risk by establishing clear processes and procedures for staff to follow. It can also streamline its processes and procedures, and uphold high levels of customer service to ensure services are delivered to Citizens in a fair, equitable, efficient and effective manner. This will improve the Public perception of the GRMI Public Service.

In undertaking their duties, RMI Public Service employees should always ask themselves how their actions could be perceived by the general Public.

Who is accountable in the RMI Public Service and who are they accountable to?

All RMI Public Service employees are accountable for their decisions and actions, to the Public and to the Cabinet and Nitijela (and sometimes to the Courts). As already identified, this is because they are funded by and manage public money to assist with the delivery of essential functions and services.

Some RMI Public Service employees have additional accountability due to the nature of their position, such as heads of ministries (or secretaries), for example. Employees in these roles are directly accountable to their relevant minister for the performance, actions and decisions of their ministry. The Chief Secretary, Secretary of Finance, Attorney-General, and the members of the Public Service Commission all have additional accountability vested in them by the Constitution (as outlined under the section on structure of government).

What are some of the mechanisms for ensuring accountability in the RMI Public Service?

Annual Reports

The Constitution (Article VII) requires the PSC to, as soon as practicable after the end of each calendar year, furnish to the Cabinet a report on the state of the efficiency and economy of the Public Service and on the work of the PSC for that calendar year. A copy of the report is laid before Nitijela at its regular session.

Each ministry is required to submit an Annual Report to the Cabinet. For some ministries, Annual Reports are based on calendar year, and for others they are based on fiscal year (1 October - 30 September).

Parliamentary Committees (Committees of the Nitijela)

The Rules of Procedure of the Nitijela provide for three types of Committees of the Nitijela which consist of members of the Nitijela (Committees of the Whole, Standing Committees, and Special Committees).

The purpose of Committees of the Nitijela (or Parliamentary Committees) is to scrutinise the performance of the executive branch of government by undertaking inquiries into all the facts and circumstances connected with any Bill, resolution, motion or other matter referred to it. They achieve this through summoning and examining witnesses, calling for papers, searching for documents and records, and taking all other actions necessary to discover the facts relevant to any matter referred to it.

Committees of the Whole

The Nitijela may resolve itself into a Committee of the Whole (CoW), which consists of all members, in order to consider a matter as a Committee. A CoW remains until it dissolves itself to report to the Nitijela, or until the Nitijela is dissolved.

Standing Committees

The Rules of Procedure of the Nitijela provide for the establishment of the following Standing Committees (each comprising nine members), which are dissolved when the Nitijela is dissolved.

- (a) **Committee on Appropriations:** to consider and report on all Bills, Resolutions, motions, and other matters relating to public expenditure or to financial administration of the Marshall Islands and local government finance, including budget estimates and supplementary estimates, that are referred to it by the Nitijela.
- (b) **Committee on Ways and Means:** to consider and report on all Bills, Resolutions, motions and other matters relating to the revenues of the government and of local governments, including matters relating to the administration of revenue laws, that are referred to it by the Nitijela.
- (c) **Committee on Resources and Development:** to consider and report on all bills resolutions, motions, and other matters relating to the economy and resources of the Marshall Islands referred to it by the Nitijela, including economic planning and policies, private and public investment, development loans, private savings, indebtedness, commerce and trade, agriculture, fisheries, forestry, mineral resources, land management, industries, electric power, communications, land, sea and air transportation.
- (d) **Committee on Health Education and Social Affairs:** to consider and report on all Bills, resolutions, motions and other matters relating to the education, health, conditions of labor and well-being of the people of the Marshall Islands, that are referred to it by the Nitijela.

- (e) **Committee on Judiciary and Government Relations:** to consider and report on all Bills, resolutions, motions and other matters referred to it by the Nitijela relating to civil and criminal law, judicial administration and organization, land law, traditional rights, suffrage and elections, revision of statutes, governmental organization, the public service, relations between the Government and local governments, and foreign relations,
- (f) **Committee on Public Accounts:** to consider the public funds and accounts of the Marshall Islands, report on any excess or unauthorized expenditure of funds, propose measures to ensure that public moneys are properly and economically spent and duly accounted for, report on and make recommendations to the Nitijela in respect of accounts of any public corporation or other statutory authority for which a report on the examination and audit of the accounts is required by law to be laid before the Nitijela, and consider and report to the Nitijela on any related matter referred to it by the Nitijela.
- (g) **Committee on Foreign Affairs and Trade:** to consider and report on all Bills, Resolutions, motions and other matters relating to the issue of foreign relations generally, treaties and conventions, foreign trade and matters associated therewith, that are referred to it by the Nitijela.

Special Committees

The Rules of Procedure of the Nitijela provide for the establishment of a Special Committee to consider and report to the Nitijela on any special or temporary matter referred to it in accordance with a resolution of the Nitijela or otherwise in accordance with law. A Special Committee remains in existence until discharged by the Speaker or until the Nitijela is dissolved.

Joint Committees

A joint committee is a committee of the Council of Iroij and of the Nitijela, acting jointly. When a joint committee is required, the Nitijela members of the committee comprise the members of the appropriate Standing Committee or other members of the Nitijela as the Speaker appoints for the purpose.

Good Records Management

Keeping records is important in the RMI Public Service because it helps to ensure accountability. Accurate records provide evidence to justify why certain actions were taken, and why certain decisions were made. It is also good business practice. Records can be used as a reference to inform future decisions, and understand how decisions were made in the past.

Records includes things like reports, memos, emails, spreadsheets, plans, employee records, customer records, contracts, file notes, and so forth. It is important that accurate records are not only created, but also stored appropriately for the required period of time.

All RMI Public Service employees are responsible for accurate record keeping, and for storing records appropriately.

The National Archives Act 1989 provides for the establishment of an Office of National Archives, to make provision for the custody and preservation of public records, and related matters.

Financial Management and Accountability in the RMI Public Service

What is the legislative framework for financial management and accountability in the RMI Public Service?

The key legislation which outline legal obligations of RMI Public Service employees for financial management and accountability are listed below. Some of these have already been discussed under the section outlining the legislative framework for the RMI Public Service more broadly.

- **The *Financial Management Act 1990*** (already discussed)
- **The *Procurement Code Act 1988*** (already discussed)
- **The *Annual Appropriation Act*** (authorizes expenditure by ministries and agencies from the General Fund for the financial year)
- **The *Compact of Free Association Fiscal Procedures Agreement between the United States of America and the Marshall Islands, 2004*** (Agreement Concerning Procedures for the Implementation of United States Economic Assistance Provided in the Compact of Free Association Between the Government of the United States of America and the Government of the Republic of the Marshall Islands)

What is the process for financial management and accountability in the RMI Public Service?

General Fund

The *Financial Management Act 1990* (Part 3–Budget) provides for the establishment of a comprehensive system for national financial management which enables the Cabinet and the Nitijela to plan, program and finance projects and programs of the Marshall Islands.

The system provides for the appropriation, expenditure and use of money and resources within the RMI Public Service. This system helps to ensure accountable and transparent use of public money, and informs the daily work undertaken by ministries and RMI Public Service employees.

The Secretary of Finance, with the approval of the Cabinet and in consultation with the Budget Coordination Committee (BCC) identifies the budget priorities, and develops expenditure ceilings for recurrent budget for each ministry, to assist ministries in formulating their initial expenditure requests to the Cabinet.

[The BCC, chaired by the Chief Secretary, commences sitting in January each year and remains in session until the Budget is passed, usually in August in preparation for the commencement of the financial year on 1 October.]

Ministries submit their recurrent budget estimates to the Secretary of Finance, ensuring the total amount does not exceed the budgetary ceiling or total number of full-time

employee positions assigned by the PSC. Agencies may submit supplementary budget requests which exceed their assigned ceiling, so long as these requests are separate from their recurrent budget request.

The Secretary of Finance submits to the Cabinet estimates of revenue to be collected, fixed costs for the next fiscal year, and estimated expenditures for each program area (ministry) in the recurrent budget, ensuring the overall budget is balanced.

These are included in a single Appropriation Bill, which is introduced into the Nitijela. Once passed, the Appropriation Bill becomes the Appropriation Act for authorized expenditure for that year. This is then implemented by ministries from the beginning of the fiscal year on 1 October.

The Minister of Finance may submit to the Nitijela one or more supplementary estimates in the form of a Supplementary Appropriation Bill (which becomes a Supplementary Act when passed).

The appropriations made by the Appropriation Act or any Supplementary Appropriation Act lapse at the end of the financial year. The Nitijela Appropriation Committee questions ministries in relation to any under or over-spend of the previous year's budget. If there is an under-spend, for example, the ministry's budget may be cut and redistributed to another program area as a 're-programmed of funds'.

Compact Fund

To assist the Government of the RMI in its efforts to promote the economic advancement and budgetary self-reliance of its people, and in recognition of the special relationship that exists between the RMI and the United States (US), the US provides assistance to RMI on a grant basis in line with the Compact of Free Association between the RMI and US as amended in 2003.

These grants are for assistance in education, health care, the environment, public sector capacity building, and private sector development, or for other areas as mutually agreed, with priorities in the education and health care sectors.

The proposed division of this amount among the identified sectors requires agreement of both RMI and the US, through the Joint Economic Management and Financial Accountability Committee (JEMFAC).

The JEMFAC is composed of a US chair, two other members from the US Government and two members from the RMI Government (being the Ministers of Finance and Foreign Affairs).

The US Government disburses and monitors the use of grant assistance in accordance with the provisions of the Compact of Free Association 2003 and the Fiscal Procedures Agreement 2004.

Each year, the RMI Government submits to the US Government for review a proposal for the division of annual economic assistance among the sectors and for each sector, proposes expenditures and related performance goals and measures. This is to be submitted no later than 90 days prior to the beginning of the fiscal year.

The US Government evaluates the proposed Grant budgets to ensure consistency with the funding requirements of the Compact, and then confers with the RMI Government to discuss the need for any special terms or conditions, or any adjustments.

The JEMFAC then undertakes its review and approves Grant allocations no later than 30 days prior to the beginning of the fiscal year, and the US Government forwards official Grant award notices to the RMI Government no later than 1 October each year.

Why is the financial management process in the RMI Public Service monitored so carefully?

The budget and financial management process is monitored carefully to ensure that ministries are fulfilling their commitment to use public money in a proper manner, and for the purpose for which it was intended and approved. It is also carefully monitored because the Budget is a major political, economic and social document that has significant impact on the living standards and well-being of the people of the Marshall Islands.

Under Article VII of the Constitution (Section 15), the Auditor-General is vested with the responsibility of auditing the public funds and accounts of the Marshall Islands, and shall draw any irregularities to the attention of the Nitijela, which he or she is required to report to at least once annually.

Staff Performance and Development in the RMI Public Service

Why is performance management important in the RMI Public Service?

Performance management in the RMI Public Service is important because it helps to manage the relationship between an employee and their manager. It also helps employees to understand what is expected of them in their role in the RMI Public Service, and how their role contributes to the broader goals of the RMI Public Service and the Marshall Islands more broadly.

Performance management also provides a mechanism for employees to discuss their development needs with their manager, and for managers to recognise and reward good performance.

Ultimately, performance management helps to ensure the RMI Public Service is delivering its functions and services to the people of the Marshall Islands in an effective and efficient way that provides for equitable access by all Marshallese people. It is a means of ensuring the RMI Public Service is accountable to the Cabinet and the Nitijela, and to the Public for the way it uses public resources to deliver services.

What is the framework for performance management in the RMI Public Service?

The PS Regulations (Section 30) provide the framework for performance management in the RMI Public Service. The performance evaluation of each employee is to be carried out at least once a year.

Employees are required to complete a self-appraisal of their own performance (on the prescribed form), for consideration by their Manager (or Controlling Officer). The employee's Manager is also required to complete a performance evaluation (on the prescribed form), for consideration by the employee. Once agreement is reached, the performance appraisal is signed by both parties.

By the end of November each year, each Head of Department is required to provide the PSC (on the prescribed form) a performance evaluation of each employee, of their conduct, diligence, efficiency and merit for promotion. For Heads of Departments, the performance evaluation is carried out by the Chief Secretary in consultation with the relevant Minister.

The PSC undertakes an evaluation of a random sample of performance evaluations (518 in 2012, representing 23% of the workforce) and reports on these each year in the PSC's Annual Report to Cabinet.

What learning and development and career opportunities are available in the RMI Public Service?

RMI Public Service employees are encouraged to identify their own learning and development needs in the self-appraisals they are required to complete of their own performance each year. Learning and development is important because it provides opportunities for individuals to grow personally, professionally, and intellectually. In turn

well managed learning and development for staff assist ministries to better deliver their functions and services.

The PS Regulations (Part V) provide that, in certain circumstances, the PSC may approve leave on full or part-pay, or without pay, with or without grants towards the cost of tuition and other expenses, for study purposes and/or training courses which are relevant to the employee's duties and within Government and PSC policy.

While learning and development is commonly perceived to be formal training opportunities, it can encompass a wide range of activities such as on-the-job learning, seminars, conferences, academic study, opportunities to take on special projects or be involved in cross-team or cross-ministry projects, or coaching or mentoring.

Applying for new roles, either at-level or in the form of promotion, also provide opportunities for staff to broaden and extend their knowledge and skills. Application of oneself to new challenges and exposing oneself to variety in terms of duties, and skill and capability requirements can assist with building an interesting and varied career that maintains enthusiasm, motivation, innovation, performance, and overall job value and satisfaction.

The Constitution (Article VIII) recognises the need for the Public Service to recruit and retain an efficient staff and in particular to provide varied careers and adequate advancement for the citizens of the Marshall Islands.

The PS Regulations (Part II) provide that, wherever practicable, the PSC will announce every vacancy or prospective vacancy in an established position by Public Service Circular or in such a manner that enables any officer qualified for appointment to apply.