

# **The Personnel Statute of the University of Macau (FULL version)**

*The Chief Executive's Dispatch  
No. 112/2006 amended by the Chief  
Executive's Dispatch No. 429/2009 and  
88/2012*

## **The Personnel Statute of the University of Macau**

### **CHAPTER I General Provisions**

#### **Article 1 Object**

The Personnel Statute of the University of Macau is formulated to govern the labour relations between the University of Macau (hereinafter referred to as UM) and its staff members.

#### **Article 2 Scope of Application**

This Statute shall apply to all staff members of UM, without prejudice to special regimes or agreements and protocols signed by UM for academic and research cooperation.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 3 Applicable Legislation**

The current labour laws of the Macao Special Administrative Region shall be applicable to all staff members of UM, who shall also observe the Charter of the University, this Statute and other internal rules and regulations.

## **Article 4 Regulations**

1. UM shall formulate and approve its internal regulations and rules in accordance with the Charter of UM, this Statute and other applicable legislation.
2. The internal regulations necessary to complement this Statute shall be formulated by the Rector and submitted to the University Council for approval.
3. The internal rules necessary for the execution of the internal regulations and this Statute shall be approved by the Rector and submitted to the University Council for record.
4. Unless otherwise stipulated, the internal regulations and internal rules shall come into effect as of the day following their promulgation.
5. The internal regulations shall be approved by the University Council, and the internal regulations with external effects shall be published in the Official Gazette of the Macao Special Administrative Region.
6. Internal regulations and internal rules shall be made public and be posted in workplaces.

# **The Personnel Statute of the University of Macau (FULL version)**

## **CHAPTER II Common Provisions**

### **SECTION I Admission**

#### **Article 5 Recruitment and Selection**

1. Staff recruitment shall consist of a series of measures aimed at selecting qualified personnel for UM to attain its missions.
2. The selecting measures shall include appropriate methods and techniques throughout the recruitment process to evaluate and rate candidates' aptitudes, talents and abilities that are indispensable for the exercise of specified duties.
3. The following principles shall be observed in the personnel recruitment and selection:
  - 1) Equal conditions and opportunities for all candidates;
  - 2) Adoption of objective selection methods and criteria.

#### **Article 6 Regulations for Recruitment**

The process of recruitment, methods of selection and the composition of the selection panel shall be defined by internal regulations.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 7 System of Contracts**

1. The labour relations between UM and its staff members shall be established by individual work contracts.
2. The contract shall define the terms and conditions of employment in accordance with the law, the Charter of UM, this Statute and other internal regulations and internal rules.
3. A work contract shall be on full-time basis, or, in exceptional cases, on part-time basis.
4. The terms and conditions of part-time employment shall be stated in the contracts.
5. Part-time employees shall only be entitled to the rights stipulated in the contracts and subject to the obligations therein.

## **Article 8 Commencement of Duties**

Staff members may commence their duties only after signing their respective work contracts, without prejudice to cases where commencement may be postponed.

## **Article 9 Time of Service**

1. The time of service shall be calculated by days, months and years, corresponding to the time length in which staff members are remunerated.
2. The time of service shall begin to count as from the commencement of the probation period.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 10 Personal File**

1. UM shall keep a personal file on each staff member and update it continually. The file shall contain all the personal data, facts and documents relating to the duties, obligations and rights of the staff member.
2. Only the following persons may have access to the personal files:
  - 1) The staff member or his/her legal representative, who may read his/her own personal file in presence of a staff member responsible of handling these files, subject to prior request;
  - 2) The superior of the staff member concerned;
  - 3) Staff members responsible for personnel matters for professional purposes;
  - 4) Selection panel;
  - 5) Persons designated by UM in judicial or non-judicial processes.
3. Certificates on information contained in the personal file may be issued at the request of the staff member concerned.

## **SECTION II Rights and Obligations**

### **Article 11 Rights of Personnel**

1. The general rights of the UM staff members shall be:

## **The Personnel Statute of the University of Macau (FULL version)**

- 1) Exercising the duties appointed to, and receiving the respective remuneration and other subsidies and allowances entitled to in accordance with the law and this Statute;
  - 2) Lodging complaints against their superior, who has committed acts of injustice, illegality or any acts breaching the staff members' rights;
  - 3) Not being subjected to disciplinary punishments before being heard, and being guaranteed the right to defense, as stipulated by law and this Statute;
  - 4) Not obeying orders that may result in criminal practices; not obeying the acts referred to in Sub-item 2) above;
  - 5) Being provided with free supplies, uniforms and other facilities appropriate for their respective duties and job nature.
2. The rights of the UM staff members shall also include progression and promotion, annual leave and absence as stipulated in this Statute.

### **Article 12 Obligations of Personnel**

1. The obligations of the UM staff members shall be:
  - 1) Respecting and treating with civility both superiors and subordinates, colleagues and all other persons who have relations with UM;
  - 2) Observing punctuality and working with enthusiasm and diligence;
  - 3) In respect of execution of duties and disciplines, observing and carrying out the orders and instructions of UM, or their superiors' orders and instructions, excluding those that violate their rights and guarantees;
  - 4) Performing their duties and functions honestly and selflessly, and in the exercise of

## **The Personnel Statute of the University of Macau (FULL version)**

their duties never accepting direct or indirect interests in the form of money or others that are illegitimate or not stated in the contracts; handling impartially and independently interests of any nature involved in their professional activities;

- 5) Taking a very good care of and making good use of the property and equipment that are provided by UM for their work;
  - 6) Promoting and implementing all the acts and measures towards the improvement of their work;
  - 7) Cooperating with UM through appropriate channels in hygiene and security-related issues;
  - 8) Observing any other obligations stemming from the employment relationship or those stipulated in regulations governing employment relations.
2. In Sub-item 4) of Item 1, the obligation of honesty requires the staff member to report cases to his/her superior where a conflict of interests arises.

### **SECTION III Service Provisions**

#### **Article 13 Full-time Regime**

The staff members who are appointed under the full-time basis shall not be permitted to engage in paid practice outside UM, with the exception of the following situations with the Rector's authorization:

- 1) Duties inherent in the appointment;
- 2) Training activities of a short duration;

## **The Personnel Statute of the University of Macau (FULL version)**

- 3) Teaching activities compatible with the working hours;
- 4) Activities of recognized public interests;
- 5) Private activities carried out in exceptional situations, provided that they are not incompatible with the exercise of duties or prohibited by laws.

### **Article 14 Working Hours**

1. The Rector shall have the power to determine the working hours in daytime or nighttime schedule, and determine special working schedules and duty shifts.
2. In exceptional cases and with proper justification, and by the Rector's decision, staff may be required to provide services during weekends, deferred breaks or holidays.
3. The staff member providing work in conditions stipulated in Item 2 shall be entitled to monetary compensation, which will be additional remuneration beyond his/her monthly basic salary, with an amount to be determined by the University Council.

### **Article 15 Weekly Working Hours**

Workers and janitors shall work 42 hours per week and the other staff shall work 36 hours per week.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 16 Overtime Work**

Overtime work refers to work provided beyond the normal working hours.

## **Article 17 Compensation for Overtime Work**

1. The staff member shall be compensated for providing overtime work, either by an additional payment or a deduction of his/her normal working hours, as he/she prefers, given that the operation of the department concerned will not be affected.
2. The system of compensation for overtime work shall be defined by internal regulations.

## **SECTION IV Performance Appraisal and Professional Development**

### **Article 18 System of Performance Appraisal**

1. The objectives of staff performance appraisal shall be:
  - 1) To appraise staff members' performance in realizing their aims and executing their duties, as well as their professional attitudes, on the basis of contributions made and results obtained at work;

## **The Personnel Statute of the University of Macau (FULL version)**

- 2) To promote mutual communication, adjusting the performance of the staff towards the expectation of UM;
  - 3) To identify the need for training to improve the staff members' performance.
2. The appraisal systems of different professional groups of UM shall conform to the following principles:
- 1) Staff performance shall be appraised regularly;
  - 2) The interested person shall be informed of the appraisal results;
  - 3) The right to appeal shall be guaranteed.

### **Article 19 Professional Development**

1. Professional development shall be realized in the forms of progression and promotion as regulated by this Statute.
2. Progression refers to a change to a higher scale within the same category.
3. Promotion refers to a change to a higher category within the respective career, on condition that the staff member concerned possesses the educational qualifications required for admission to the category he/she is promoted to, as stipulated in this Statute.
4. In a promotion, the staff member concerned shall not be conferred a salary scale inferior to the one before the promotion.

# **The Personnel Statute of the University of Macau (FULL version)**

## **SECTION V Annual Leave, Absence and No-Pay Leave**

### **Article 20 Right to Annual Leave**

1. The staff member who has provided continuous service for more than one year shall be entitled to an annual leave of 22 working days in each calendar year, excluding days deducted in accordance with the provisions of this Statute and internal regulations.
2. The right to the annual leave, so entitled on account of the service provided in the previous calendar year, shall expire on 1st January every year.
3. The staff member who has provided service continuously for more than three months in his/her first year of appointment shall be entitled to an annual leave pro rata, i.e., 2 days for each month's service, with a maximum of 22 working days.
4. For the effects of Item 3, the period of service exceeding 15 days shall be considered a complete month.
5. The right to annual leave may neither be renounced nor transferred, and the actual enjoyment of the right may not be substituted by other compensations, except in cases of termination of employment relations.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 21 Concept of Absence**

1. Absence refers to situations in which the staff member is absent from his/her workplace for the whole or part of the period during which he/she is obliged to work, or absent from the place where he/she is expected to work.
2. Absence shall be classified as justifiable and unjustifiable and shall be calculated by whole days.

## **Article 22 Justifiable Absences**

1. Absences in the following situations shall be considered justifiable absences:
  - 1) Marriage leave for at most 10 working days;
  - 2) Maternity leave for at most 90 days;
  - 3) Upon a child's birth, the father shall be entitled to a leave of 5 working days;
  - 4) If the mother dies during her maternity leave after the child is born, the father shall be entitled to an absence for the same period granted to the mother or for a period of 20 days, whichever is longer, to take care of the child;
  - 5) Bereavement of a relative, for absence of at most 7 working days;
  - 6) For reasons beyond the control of the staff member, inter alia, sickness, accidents, performing legal obligations or judicial decisions, and other irresistible reasons;
  - 7) Attending academic and professional training courses with prior authorization.

## **The Personnel Statute of the University of Macau (FULL version)**

2. All other absences not stipulated in Sub-items 1) to 7) of Item 1 shall be considered unjustifiable absences.
3. If a staff member's sick leave exceeds one year and it is declared permanent by a medical board with certainty or by presumption, his/her contract of employment with UM shall be terminated. The staff member concerned shall not be entitled to any remuneration, without prejudice to the regulations concerning the social security.
4. The system of justifiable absence shall be defined by internal rules.

### **Article 23 Effects of Absences**

1. Justifiable absences shall not lead to loss or damage to any of the staff members' rights and entitlements.
2. Besides the consequence of the disciplinary procedures as stipulated in this Statute and negative impact on the performance appraisal results, unjustifiable absences shall also lead to loss of remuneration and loss of seniority for the absent period. The days of absence shall be deducted from the annual leave of the calendar year. If the annual leave for that calendar year is already used, the same number of days shall be deducted from his/her annual leave of the subsequent calendar year.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 24 No-Pay Leave**

Staff members may be granted no-pay leave. The requisites, duration and the effects shall be defined by internal rules.

## **SECTION VI Remuneration, Subsidies and Compensations**

### **Article 25 Concept of Remuneration and its Upper Limit**

1. Remuneration refers to any income earned by staff in return for the work they provided.
2. The remuneration of staff of the University of Macau, except for the Rector, Vice Rectors and chair professors, is subject to the upper limit of the annual remuneration set for the personnel of public administration.
3. Only the following items shall not be included for the purpose of calculating the upper limit as stated in the above Item: seniority premium, shift subsidy, family subsidy, housing subsidy, meal allowance, subsidy for discrepancy, entertainment fee, attendance fee, official trip allowance, and payments received for carrying out functions as legislator in the Legislative Assembly or Executive Council member.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 26 Basic Monthly Remuneration**

The basic monthly remuneration corresponds to the index conferred on a staff member.

## **Article 27 Daily Remuneration**

For purpose of payments or calculation of the seniority, the month is considered consisting of 30 days and thus the daily remuneration is 1/30 of the basic monthly remuneration.

## **Article 28 Hourly Remuneration**

Hourly remuneration is calculated by applying the following formula:

$$\frac{\text{Rbm} \times 12}{52 \times n}$$

Rbm = Basic remuneration per month  
n = Normal working hours per week

## **Article 29 Table of Remuneration**

1. As provided by this Statute, for each professional category or position there shall be a corresponding index of remuneration.

## **The Personnel Statute of the University of Macau (FULL version)**

2. The value corresponding to each index shall be calculated in accordance with the following formula:

$$VI = \frac{V \times I}{100}$$

VI = Value of index  
V = Value of index 100  
I = Index

3. The basic monthly remuneration shall be adjusted in proportion of the alteration of the value of index 100 of the Civil Service Index Table.

### **Article 30 Payment of Remuneration**

All remuneration shall be paid within the respective month, and on the salary slip provided by UM shall be listed the full name of the staff member, professional category and respective index, the month of the remuneration, various incomes and deductions and the net income. And in case of deductions, a sheet shall be attached justifying the deductions.

### **Article 31 Holiday Subsidy**

1. A staff member shall be entitled to a holiday subsidy, the amount being that of his/her basic monthly remuneration multiplied by the number of days of the annual leave he/she is entitled to in that calendar year and divided by 22.
2. The holiday subsidy shall be paid in June together with the remuneration due in the month,

## **The Personnel Statute of the University of Macau (FULL version)**

the amount being calculated based on monthly remuneration as of 1 June.

3. In the second calendar year following the appointment, the amount of holiday subsidy shall be proportional to the time of service provided from the commencement of appointment to 31 December of the year, the proportional rate being the number of months of service completed till 31 December of the year divided by 12.
4. For the effects of this Article, the period of service exceeding 15 days shall be considered a complete month.
5. The holiday subsidy shall be inalienable and not liable to be attached.

### **Article 32 Christmas Subsidy**

1. A staff member shall be entitled to a Christmas subsidy, the amount being equal to the basic monthly remuneration of November of the year, and shall be paid together with the remuneration of the month.
2. In the first year of the appointment, the amount of Christmas subsidy shall be proportional to the time of service provided from the commencement of appointment to 31 December of the year, the proportional rate being the number of months of service completed till 31 December of the year divided by 12.
3. For the effects of this Article, the period of service exceeding 15 days shall be considered a complete month.
4. The Christmas subsidy shall be inalienable and not liable to be attached.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 33 Seniority Premium**

The staff member shall be entitled to seniority premium.

## **Article 34 Subsidy for Discrepancy**

The staff member responsible for dealing with funds of UM shall be entitled to a monthly subsidy for discrepancy.

## **Article 35 Official Trip Allowance**

1. Staff members who make official trips outside the Macao Special Administrative region shall be entitled to reimbursement of the expenses incurred during the trip.
2. Advance payment for the expenses mentioned above may be issued to the staff member concerned upon his/her request.

## **Article 36 Supplementary Salary**

Staff members who assume concurrent duties as leading officers or heads in accordance with law shall be entitled to supplementary salaries, which, under any circumstances, shall not exceed 25% of their respective basic monthly remuneration.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 37 Regulations for Subsidies and Compensations**

The conditions for the subsidies and compensations and amounts to be paid, provided in this Section, shall be defined by internal regulations; the respective methods and approval procedures shall be defined by internal rules.

## **SECTION VII Benefits**

### **Article 38 Medical Care, Medicine and Hospitalization**

1. Without prejudice to the provisions for the personnel of civil service or in special legislation, the medical care, medicine and hospitalization of UM staff members and their families may be guaranteed under the appropriate healthcare system, in the form of insurance contracts or in the form of sharing healthcare costs.
2. In the form of insurance contracts, the staff member shall pay the relevant insurance premium by a certain fixed percentage while the rest shall be covered by UM.
3. In the form of sharing healthcare costs, UM shall be responsible for a fixed percentage or limit of the healthcare costs already incurred by staff members and their families.
4. The family members, percentages and limits of amounts referred to in Items 1 to 3 of this Article shall be defined by internal regulations referred to in Item 1 of Article 48.
5. Participation in either form of the healthcare system shall be optional.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 39 Housing Subsidy**

UM staff members shall be entitled to housing subsidies.

## **Article 40 Subsidy for Furniture and Passage**

1. UM may grant subsidy for the purchase of furniture to staff members recruited from outside the Macao Special Administrative Region.
2. The Staff members recruited from outside the Macao Special Administrative Region shall be also entitled to subsidies for passage and baggage.
3. The subsidy for passage may be extended to the staff member's spouse and his/her children entitled to the family subsidy.

## **Article 41 Family Subsidy, Marriage Subsidy and Birth Subsidy**

1. UM shall grant its staff members a family subsidy and a marriage subsidy.
2. A staff member shall be entitled to a birth subsidy on the occasion of the birth of his/her child.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 42 Bereavement Subsidy**

1. On the occasion of the death of the staff member, his/her family shall be entitled to a bereavement subsidy.
2. The bereavement subsidy shall be inalienable and not liable to be attached.

## **Article 43 Accessory Subsidy and Other Unspecified Subsidies**

1. UM may provide accessory subsidy, especially accommodation and telephone services.
2. UM may provide other unspecified subsidies, particularly mobile phone subsidy and gasoline subsidy.

## **Article 44 Financial Support for Studies**

The staff member, his/her spouse and children under the age of 25 shall be entitled to reductions of tuition fees when attending courses offered by UM.

## **Article 45 Staff Development System**

1. Staff members who attend training courses may be granted reduction of working hours, an absence for attending exams and subsidy or reduction of tuition fees.

## **The Personnel Statute of the University of Macau (FULL version)**

2. Staff members shall be entitled to subsidies for transport, accommodation and meals if they attend the above-mentioned courses outside the Macao Special Administrative Region.
3. For the effects of Items 1 to 2, seminars, conferences, workshops or other courses and programmes directly relating to the staff member's professional duties and with recognized interests to the University shall be considered training courses.
4. In response to its needs, UM shall provide specialized training programmes for its staff members or allow them to attend courses or programmes of the same nature outside the Macao Special Administrative Region. Those selected to receive training outside the Macao Special Administrative Region shall be entitled to subsidies for transport, accommodation and meals.
5. Participation in the courses and programmes stipulated in this Article shall be proposed by the head of the unit of the staff member concerned and be subject to the authorization of the internal rules referred to in Item 2 of Article 48.

### **SECTION VIII Social Security**

#### **Article 46 System of Social Security**

1. UM staff members shall be beneficiaries of the Social Security Fund of the Macao Special Administrative Region.

## **The Personnel Statute of the University of Macau (FULL version)**

2. The benefits of UM staff members may be guaranteed by a provident fund established by law.
3. Participation in the provident fund referred to in Item 2 is optional.

### **Article 47 Deductions**

For the effects of social security benefits, the contributions made by the staff members and by UM shall be publicized.

### **Article 48 Regulations for Benefits and Social Security**

1. The benefits and social security system stipulated in this Section and the previous Section, especially the conditions, amounts, values, exemptions and contributions, shall be complemented and defined by internal regulations.
2. The procedures concerning the application, deliberation and approval of the benefits shall be defined by internal rules.

# **The Personnel Statute of the University of Macau (FULL version)**

## **SECTION IX Disciplinary System**

### **Article 49 Disciplinary Responsibility**

1. The staff members shall bear the disciplinary responsibility for infractions committed in the exercise of their duties or in other professional activities.
2. The disciplinary procedure shall be independent of the criminal or civil procedures that may be instituted by the same facts.
3. If these facts are considered criminal infractions, then the entities with the competence to commence respective criminal procedures shall be informed.

### **Article 50 Disciplinary Infractions**

Disciplinary infractions refer to faults committed by a staff member which violate the obligations he/she is subject to.

### **Article 51 Disciplinary Power**

1. The superior shall have the disciplinary power over his subordinates.
2. Disciplinary punishment shall be applied only after all the facts have been verified in the disciplinary procedure, being respected the principles set in disciplinary law, especially the

## **The Personnel Statute of the University of Macau (FULL version)**

assumption of innocence and the right to defense.

3. The punishment in the form of written warning may be applied independent of the disciplinary procedure, but the suspect shall be heard and allowed for defense.

### **Article 52**

#### **Discharge of Disciplinary Responsibility**

The disciplinary responsibility shall be discharged by completion of the punishment, death of the staff member concerned or period of limitation of the disciplinary procedure.

### **Article 53**

#### **Disciplinary Punishment**

1. The types of disciplinary punishment applicable to UM staff members shall be:
  - 1) Written warning, which consists of a mere caution given to the staff member who has committed a minor infraction that does not result in any loss, disturbance of operation or damage of reputation to UM;
  - 2) Suspension with deprivation of remuneration, which consists in removing the staff member concerned from his/her work during the period of punishment as determined by the decision of the disciplinary procedure, each suspension period not exceeding 24 days, and the total of suspension periods per calendar year not exceeding 60 days;
  - 3) Dismissal with justified reasons, which consists in the staff member's permanent removal from service in UM, and, for all

## **The Personnel Statute of the University of Macau (FULL version)**

effects, in the termination of contract relations.

2. In applying punishment, consideration shall be given to the gravity of the infraction, the nature of duties, the category of the staff member concerned, the gravity of the fault, his/her responsibility, and all the circumstances in which the infraction is committed.
3. All types of disciplinary punishments applied shall be recorded in the personal files of the staff member concerned.

### **Article 54 Appeal**

The appeal against the final decision made in the disciplinary process shall be lodged, in accordance with the applicable legislation, to the court with jurisdiction over employment disputes.

### **Article 55 Regulations for Disciplinary Process**

The provisions stipulated in this Section shall be complemented by internal regulations.

## **SECTION X Cessation of Employment Relation**

### **Article 56 Cessation of Employment Relation**

## The Personnel Statute of the University of Macau (FULL version)

1. The cessation of employment relation between UM and a staff member shall take place in the following cases:
  - 1) At the expiration of the term of service as stipulated in the individual contract of employment, unless UM has taken the initiative to clearly indicate its intention to renew the contract three months in advance of its expiry;
  - 2) At any time, initiated by either party with justified reasons;
  - 3) At any time, by mutual agreement, through a written document signed by both parties;
  - 4) On completion of the object of the individual contract of employment;
  - 5) Unilateral termination by either party, by an advance notice;
  - 6) Retiring age.
2. In the situation referred to in Sub-item 5) of Item 1, an advance notice shall be given, and indemnities be paid in accordance with the current legislation on labour relations of the Macao Special Administrative Region if there are no other contractual provisions.
3. The retiring age for the exercise of duties shall be 65 years of age.
4. In exceptional cases, the University Council may authorize the re-appointment of the staff member above the retiring age referred to in Item 3 for a period of one year, if it is considered necessary and with sufficient justification.
5. The grade “Poor” in the performance appraisal of a staff member shall result in automatic cessation of employment relation.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 57**

### **Cessation Based on Justified Reasons**

1. With justified reasons, either party may terminate the contract without having to pay any indemnities.
2. Only after going through the disciplinary procedure may UM initiate cessation of employment relation on the basis of justified reasons.
3. The following conducts shall constitute justified reasons for dismissal of staff members:
  - 1) Unjustifiable absence that directly inflicts serious damage or grave risks to UM, or unjustifiable absence that lasts 7 days consecutively or 14 days intermittently within one calendar year, whether or not it results in any damage or risk;
  - 2) Violation of professional confidentiality that results in material loss or mental harm to UM or a third person;
  - 3) Refusing to perform the contractual duties;
  - 4) Assault, open insult or grave disrespect to a superior, a colleague, a subordinate or a third person at workplace or in service;
  - 5) Disturbing or inciting the disturbance to the operation of UM, committing disciplinary infraction or violating public morality;
  - 6) Acts of reporting or complaining against a certain staff member or a third person with falsehoods or falsification that result in unjust punishment, harm or loss to them;
  - 7) Confirmed professional incompetence;
  - 8) Illicit acceptance of or request for, directly or indirectly, gifts, gratuities, commissions,

## **The Personnel Statute of the University of Macau (FULL version)**

the sharing of profits or other property advantages, even if without any intention to accelerate or delay any service or business or to affect the participation of UM in any contract;

- 9) Obvious and repeated violation of the technical regulations and guidance that he/she shall observe as required by his/her duties;
  - 10) Deliberate misappropriation of any property or valuables of UM, deliberate incapacitation of its facilities or equipment, deliberate damage to facilities or equipment, or deliberate alienation of valuables guarded by UM;
  - 11) Presenting or quoting data or information that is known or should be known to be untrue, in attempt to justify claim or obtainment of whatever rights or benefits;
  - 12) Negligence of duty for not taking timely and adequate actions, or undermining, through legal or substantial acts, the entire or part of the property interests that he/she has responsibility to manage, supervise, protect or produce, with intention to obtain illegal interests for himself/herself or a third person;
  - 13) Manifestation in whatever form of indignity and lack of moral qualities for the exercise of duties;
  - 14) Misconduct committed by staff members that violates the obligations stipulated in this Statute or contracts of employment.
4. The main facts that constitute justifiable reasons for staff members to terminate employment relation shall be:
- 1) Execution of legal obligations incompatible with the continuation of service;

## **The Personnel Statute of the University of Macau (FULL version)**

- 2) UM fails to make punctual payment of remuneration in the proper way;
- 3) UM violates the legal and conventional guarantees of the staff member.

### **CHAPTER III Leading Officers and Principal Officers**

#### **Article 58 Leading Officers and Principal Officers**

1. For the effects of this Statute, the Rector and Vice Rectors shall be considered leading officers.
2. Principal officers shall include:
  - 1) Deans of faculties;
  - 2) Associate deans;
  - 3) Heads of departments;
  - 4) Heads/directors of independent academic units;
  - 5) Deputy heads/directors of independent academic units;
  - 6) Heads of academic support units;
  - 7) Heads of administrative units;
  - 8) Heads of sub-units of academic support units;
  - 9) Heads of sub-units of administrative units.
3. As there is no fixed working schedule for leading officers and principal officers, they shall not be entitled to any remuneration for work beyond the normal working hours.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 59 Recruitment**

Leading officers and principal officers shall be recruited from among those who possess a bachelor's degree and recognized competence and abilities, as well as relevant working experience necessary for the respective duties. Or they may be recruited from among individuals who do not have the degree but possess expertise and are proved to have the relevant working experience necessary for the respective duties.

## **Article 60 Appointment and Dismissal**

1. The Rector and Vice Rectors shall be appointed and dismissed in accordance with the provisions of the Charter of University of Macau.
2. The deans shall be appointed and dismissed by the University Council.
3. Other principal officers shall be appointed and dismissed by the Rector.

## **Article 61 Exercise of Duties of Principal Officers**

1. Principal officers referred to in this Statute shall be appointed under a contract or nomination with a determinate period.
2. The contracts for these personnel shall have a duration not exceeding five years, and may be renewed for the same or shorter period.
3. The period of nomination shall be fixed by dispatch of nomination and be renewable.

## **The Personnel Statute of the University of Macau (FULL version)**

4. In the following cases, the nomination shall cease automatically:
  - 1) At the expiry date, unless the competent organ of UM has taken the initiative to clearly indicate its intention to renew it 30 days in advance of its expiry;
  - 2) Cessation of employment relation.
5. In the following cases, the nomination may cease at any time:
  - 1) By mutual agreement;
  - 2) For convenience of work, with valid reasons;
  - 3) At the request of the interested party, with at least 60 days prior notification;
  - 4) Imposing of disciplinary procedures in which the punishment of suspension is to be applied.

### **Article 62 Specified Obligations of Principal Officers**

In addition to the general duties and obligations referred to in Chapter II of this Statute and other obligations stipulated in law, the specified obligations of principal officers shall be as follows:

- 1) To handle matters of their respective areas of competence and manage and use resources effectively;
- 2) To plan and arrange relevant activities to attain the aims of their units in accordance with the missions and policies formulated by the organs of UM;
- 3) To assist the Rector in the direction, development and management of UM.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 63**

### **Performance Appraisal of Principal Officers**

1. Principal officers, including acting ones, with the exception of those referred to in Sub-items 1) to 5) of Item 2 of Article 58, shall be subject to performance appraisal.
2. The system of performance appraisal of principal officers shall be established by internal regulations.

## **Article 64**

### **Remuneration, Gratuities and Compensations**

1. The remuneration of the Rector and Vice Rectors shall be decided by Chief Executive on the recommendation of the University Council, based on their respective qualifications and experience.
2. The remuneration of the principal officers who hold the positions stipulated in Sub-items 6) to 9) of Item 2 of Article 58 shall be defined in the salary index table attached to this Statute.
3. Under special circumstances where, because of the professional or the technical requirements, it is difficult to have local recruitment for a position by offering a salary index devised therefor, the Rector may offer a salary index higher than what corresponds to the respective position, subject to the upper limit of the remuneration set for the personnel of public administration and the approval from the supervising entity
4. In exceptional cases, the remuneration of the principal officers of Academic Support Units may be fixed with reference to salary indices for academic staff stipulated in this Statute.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 65 Subsidy for Principal Officers**

Deans and associate deans of faculty, principal officers of independent academic units, heads of departments and heads of academic support units may be granted subsidy for exercise of their duties, with the amount to be fixed by the University Council.

## **Article 66 Substitution**

1. In case the position of a principal officers falls vacant or the principal officer is absent or for any reason incapable of executing his/her duties and functions during his/her term of service, the substitution may be applied.
2. The acting staff member shall be determined by the Rector in case of necessity to ensure execution of the respective duties.
3. The staff member who has acted on behalf of the principal officer for more than five days shall be entitled to a subsidy, with the amount to be fixed by the University Council.
4. The associate dean of the faculty and the deputy director of the independent academic unit, when acting respectively on behalf of the faculty dean and of the director of the independent academic unit, shall not be entitled to the subsidy referred to in Item 3.

# **The Personnel Statute of the University of Macau (FULL version)**

## **CHAPTER IV Academic staff**

### **Article 67 Categories of Academic Staff**

1. The categories of academic staff defined in this Statute shall include:
  - 1) Chair Professor;
  - 2) Distinguished Professor;
  - 3) Professor;
  - 4) Associate Professor;
  - 5) Assistant Professor;
  - 6) Lecturer;
  - 7) Senior Instructor;
  - 8) Instructor.
2. The total number of distinguished professors shall not exceed a certain percentage of the aggregate of professors, associate professors and assistant professors in UM. The percentage is to be defined by the University Council, and approved by the supervising entity.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 68 Requisites of Qualifications and Experience for Appointment of Academic Staff Members**

1. Chair professors and distinguished professors shall be appointed from scholars of international authority and international reputation respectively in the related fields, both with the capabilities to contribute to the development of UM in the respective areas.
2. The qualification of a professor shall be:
  - 1) A professor or holder of equivalent rank in relevant discipline currently or formerly or a scholar who possesses recognized abilities and academic reputations; or
  - 2) An associate professor in the relevant discipline currently or formerly who, in ordinary circumstances, has worked as full-time associate professor for at least five years and has obtained the terminal degree or has accomplished extraordinary academic achievement in relevant discipline.
3. The qualification of an associate professor shall be:
  - 1) An associate professor or holder of equivalent rank in relevant discipline currently or formerly, or a scholar who possesses recognized abilities and academic reputations; or
  - 2) An assistant professor in relevant discipline currently or formerly who, in ordinary circumstances, has worked as full-time assistant professor for at least five years and has obtained the terminal degree or has accomplished outstanding academic achievement in relevant discipline.

## **The Personnel Statute of the University of Macau (FULL version)**

4. The qualification of an assistant professor shall be:
  - 1) An assistant professor or holder of equivalent rank in relevant discipline currently or formerly; or
  - 2) A holder of terminal degree in relevant discipline; or
  - 3) A holder of qualifications recognized under special circumstances by the academic council of the relevant faculty.
5. The qualification of a lecturer shall be:
  - 1) A master's degree holder; or
  - 2) A holder of qualifications recognized under special circumstances by the academic council of the relevant faculty.
6. The senior instructor shall be a master's degree holder or a holder of qualifications recognized under special circumstances by the academic council of the relevant faculty.
7. The instructor shall be a bachelor's degree holder or a holder of qualifications recognized under special circumstances by the academic council of the relevant faculty.

### **Article 69 Specially Invited Professors**

1. UM may also recruit individuals with recognized academic competence to engage in teaching, even if they have already retired or passed the age of 65.
2. The specified duties and remuneration of specially invited professors shall be established by respective contracts after the approval of the University Council.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 70 Appointment and Dismissal**

The academic staff members shall be appointed and dismissed by the Rector.

## **Article 71 Duration of Contract**

1. The duration of the first contract of the academic staff, which is renewable, shall have a maximum duration of three years.
2. The duration of the subsequent contracts renewed shall not exceed five years.
3. Under special circumstances and with adequate justifications, the above-mentioned contracts may have a longer duration, subject to the approval of the supervising entity.

## **Article 72 Duties of Academic Staff**

1. In general, academic staff perform the following duties and functions:
  - 1) To complete teaching assignment, including lectures, examinations, seminars and support to individual students;
  - 2) To carry out academic research, either on individual basis or in groups;
  - 3) To participate in the management of UM and in community service.
2. The duties of the academic staff in various categories stipulated in Article 67 and their

## **The Personnel Statute of the University of Macau (FULL version)**

specific duties shall be defined by internal regulations.

### **Article 73 Weekly Working Hours**

1. The weekly working hours of academic staff shall include teaching and non-teaching hours.
2. Teaching and non-teaching hours shall be defined by internal regulations.

### **Article 74 Performance Appraisal**

1. All academic staff shall be subject to performance appraisal.
2. The performance appraisal shall be conducted on basis of an annual report submitted by each academic staff member, stating what he/she has accomplished in teaching, research and service to UM and to the community.
3. In addition to the annual report, the appraisal shall also reflect the outcome of the evaluation forms completed by students, as well as other important documents prepared and published in advance.
4. The performance appraisal system of academic staff shall be complemented and defined by internal regulations.

### **Article 75 Progression of the Salary Scale**

## **The Personnel Statute of the University of Macau (FULL version)**

1. The salary of an academic staff member may be raised to a higher level on the salary scale, if he/she fulfills each and all the following conditions:
  - 1) Completing 2 years of service at a salary scale;
  - 2) Proposal for progression submitted by the head of the academic unit to which he/she belongs, which shall be approved by the Rector or the Vice Rector designated by the Rector.
2. The proposal referred to in Sub-item 2) of Item 1 shall be made on account of the staff member's seniority and performance in teaching, research and community services.

### **Article 76 Promotion**

1. The promotion of the academic staff member to a higher category shall be subject to proper evaluation.
2. The evaluation system for promotion of academic staff, especially the composition of the promotion assessment panel, methods of evaluation and details shall be complemented and defined by internal regulations.
3. The academic staff member concerned shall have the right to appeal to the University Council or the Rector against the decision of the promotion assessment panel in accordance with the regulations referred to in Item 2.

## **The Personnel Statute of the University of Macau (FULL version)**

### **Article 77 Annual Leave**

1. The academic staff in exercise of duties shall enjoy their annual leave during recess period, so the work of UM will not be affected.
2. With justifiable reason the annual leave may be taken in a period different from that referred to in Item 1, on condition that students' learning will not be affected.
3. The interests of the academic staff and the needs of UM shall be taken into account in planning annual leave, the top consideration being the guarantee of the operation of UM under all circumstances.
4. In case no mutual agreement is reached, the Rector shall make the decision in accordance with the provision in Item 1.

### **Article 78 Academic Leave**

1. Without prejudice to the provision of Article 24, academic staff may be granted the following leave:
  - 1) Academic leave for purpose of conducting academic research or other academic projects;
  - 2) Leave without remuneration for purpose of pursuing an academic degree higher than the one he/she has at present.
2. The system of academic leave shall be complemented and defined by internal rules.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 79 Remuneration of Academic staff**

1. The remuneration of chair professors and distinguished professors shall be defined by the University Council in accordance with the global market of academic human resources in tertiary institutions and the practical conditions of Macao.
2. The annual remuneration of distinguished professors is subject to the upper limit of the annual remuneration set for the personnel of public administration
3. Remuneration for academic staff in all other categories is shown in Table 2.

## **Article 80 Award System**

1. Teaching awards and research awards shall be granted by UM, to encourage its academic staff to dedicate themselves to academic endeavours and strive for academic excellence.
2. The award system shall be complemented and defined by internal regulations.

## **Article 81 Coordination of Academic Activities**

1. If necessary, an academic unit may appoint its academic staff member to coordinate academic activities, especially the courses and

## **The Personnel Statute of the University of Macau (FULL version)**

programmes offered by UM and its research projects.

2. The academic staff member referred to in Item 1 shall be compensated either by way of reduction of teaching hours or payment of a subsidy.
3. The rules relating to the compensation referred to in Item 2 shall be complemented and defined by internal regulations, and the amount of subsidy shall be defined by the University Council.

### **CHAPTER V Research Staff**

#### **Article 82 System of Research Staff**

1. The system of research staff shall be defined by internal regulations.
2. The regulations referred to in Item 1 shall include, among others, those relating to recruitment and selection, the establishment of contracts, professional categories, job descriptions, remuneration and benefits.

### **CHAPTER VI Administrative Staff**

#### **Article 83 Administrative Staff**

## **The Personnel Statute of the University of Macau (FULL version)**

For the effects of this Statute, administrative staff shall consist of:

- 1) administrative staff and those of general service;
- 2) Staff of professional careers.

### **Article 84 Categories**

The categories of administrative and general service shall be:

- 1) Principal Administrative Officer;
- 2) Senior Administrative Officer;
- 3) Administrative Officer;
- 4) Principal Administrative Assistant;
- 5) Senior Administrative Assistant;
- 6) Administrative Assistant;
- 7) Principal Clerk;
- 8) Senior Clerk;
- 9) Clerk;
- 10) Skilled Worker;
- 11) Semi-skilled Worker;
- 12) Janitor.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 85 Professional Careers**

1. In response to the specialization of certain areas of activities, the University Council may create positions of professional careers when the administrative staff and general service staff cannot carry out such specialized duties.
2. The structure of professional careers referred to in Item 1 shall be linked to that of administrative staff and general service staff.

## **Article 86 Job Duties**

1. The job descriptions of various administrative staff shall be defined by internal regulations.
2. The job descriptions are general characterization of the duties of various categories.

## **Article 87 Educational Qualifications for Admission**

1. The educational qualifications required of the administrative staff for admission to respective categories shall be:
  - 1) Administrative Officer and Administrative Assistant: Bachelor's degree holders, or holders of Bacharelato in special circumstances;
  - 2) Clerk: Senior high school graduate;
  - 3) Worker and Janitor: Junior high school graduate, or, under special circumstances, one who has completed primary education.

## **The Personnel Statute of the University of Macau (FULL version)**

2. The educational qualifications required of staff for admission to positions of professional careers shall be defined by internal regulations with reference to the provisions of Item 1.
3. In addition to the provisions of Items 1 and 2, the staff concerned may also be required to possess experience and professional qualifications adequate for the execution of the respective duties.
4. The special circumstances for holders of Bacharelato to be candidates for admission referred to in Sub-item 1) of Item 1 shall be defined by internal regulations.

### **Article 88 Appointment and Dismissal**

Administrative staff shall be appointed and dismissed by the Rector.

### **Article 89 Duration of Contract**

1. The initial contract of administrative staff, which is renewable, shall be of a maximum duration of 2 years.
2. The duration of the renewed contract referred to in Item 1 shall not, in any case, exceed three years.
3. Under special circumstances and with adequate justification, the above-mentioned contracts may have a longer duration, subject to the approval of the supervising entity.

# **The Personnel Statute of the University of Macau (FULL version)**

## **Article 90 Performance Appraisal**

1. In performance appraisal, the quality of service provided by administrative staff shall be evaluated on the basis of their performance and graded in five grades: “Excellent”, “Good”, “Satisfactory”, “Mediocre”, and “Poor”.
2. The appraisal system of administrative staff shall be complemented and defined by internal regulations.

## **Article 91 Progression of the Salary Scale**

1. The progression of administrative staff may be either ordinary or by merit.
2. Ordinary progression refers to an increment to an immediately higher scale, on condition that the staff member has completed two years of service on the previous scale and his/her performance has been graded “Satisfactory” or above.
3. Progression by merit refers to an increment to a not immediately higher scale, on condition that the staff member concerned has completed two years of service on the previous scale and his/her performance has been graded “Excellent”.
4. The progression of the staff member concerned shall be proposed by the head of the unit to which he/she belongs and approved by the Rector or a Vice Rector designated by the Rector.
5. The proposal referred to in the above item shall base on the staff members’ performance, contributions and seniority.

## **The Personnel Statute of the University of Macau (FULL version)**

6. The Rector shall have the exclusive power to approve the proposals of progression referred to in Item 3.

### **Article 92 Promotion**

1. The promotion of the administrative staff member to a higher category shall be subject to proper evaluation.
2. The system of evaluation for promotion of administrative staff, especially the composition of the promotion assessment committee, methods of evaluation and details shall be complemented and defined by internal regulations.
3. The administrative staff member concerned may appeal to the University Council or the Rector against the decision of the promotion assessment committee in accordance with the regulations referred to in Item 2.

### **Article 93 Remuneration of Administrative Staff and General Service Staff**

Remuneration for administrative staff and general service staff is shown in Table 3.

### **Article 94 Award System**

1. UM may establish an award system to encourage its administrative staff to strive for excellence of performance, on the basis of their

## **The Personnel Statute of the University of Macau (FULL version)**

results of performance appraisal and contributions to the operation of UM.

2. The award system shall be complemented and defined by internal rules.

### **Article 95 Functional Heads**

1. The positions of functional heads may be created if needs arise from the volume or complexity of coordination of tasks.
2. Functional heads shall be appointed or dismissed by the Rector in accordance with the provision of Item 1.
3. Functional heads shall be entitled to a subsidy, the amount to be decided by the University Council on the proposal of the Rector, after consideration of the degree of complexity of their tasks.
4. The provision of Item 3 of Article 58, with adequate adaptations, applies to the functional heads.

### **Article 96 Secretariat**

1. The Chair of the University Council, and those holding the positions referred to in Item 1 and Sub-items 1), 4), 6) and 7) of Item 2 of Article 58, may appoint secretary from administrative and general service staff in the categories of principal administrative assistant, senior administrative assistant and administrative assistant.

## **The Personnel Statute of the University of Macau (FULL version)**

2. The secretaries referred to in Item 1 shall be entitled to pecuniary compensation.
3. The amount of compensation for secretaries shall be defined by the University Council.
4. The duties of the secretariat shall be exercised without affecting the exercise of the original duties of the staff assigned, and these staff shall not receive any remuneration for the work beyond their normal working hours.

### **CHAPTER VII** Final Provisions

#### **Article 97** **Interpretation and Revision of** **Personnel Statute of UM**

1. All doubts arising from the application of this Personnel Statute shall be resolved by means of deliberation of the Standing Committee of the University Council.
2. Revisions to this Personnel Statute shall be made in accordance with the principles set in this Dispatch, and staff members shall be consulted in advance if the revisions involve staff remuneration and benefits.

**The Personnel Statute of the University of Macau (FULL version)**

**Appendix**

**Table 1**

Position	Salary Index
Directors of Academic Support Units	850
Directors of Administrative Units	850
Heads of Sub-units of Academic Support Units	770
Heads of Sub-units of Administrative Units	770

**The Personnel Statute of the University of Macau (FULL version)**

**Table 2**

Category	Salary Index								
	Scale								
	1	2	3	4	5	6	7	8	9
Professor	950	975	1000	1025	1050	1075	1100		
Associate Professor	800	825	850	875	900	925	950	975	1000
Assistant Professor	650	675	700	725	750	775	800	825	850
Lecturer	465	490	515	540	565	590	615	640	665
Senior Instructor	465	490	515	540	565	590	615	640	665
Instructor	425	450	475	500	525	550			

**The Personnel Statute of the University of Macau (FULL version)**

**Table 3**

Category	Salary Index														
	Scale														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Principal Administrative Officer	695	715	735												
Senior Administrative Officer	570	590	610	630	650	670	690								
Administrative Officer	440	460	480	500	520	540	560								
Principal Administrative Assistant	470	485	500	515	530	545	560								
Senior Administrative Assistant	370	385	400	415	430	445	460								
Administrative Assistant	270	285	300	315	330	345	360								
Principal Clerk	340	350	360	370	380	390	400	410							
Senior Clerk	260	270	280	290	300	310	320	330							
Clerk	200	210	220	230	240	250									
Skilled Worker	160	170	180	190	200	210	220	230	240	250	260	270	280	290	300
Semi-skilled Worker	130	140	150	160	170	180	190	200	210	220	230	240			
Janitor	100	110	120	130	140	150	160	170	180	190	200	210			