

decrees and ministerial orders

PRIME MINISTRY

Decree n° 2011-483 dated 7 May 2011, fixing the exceptional provisions relating to the temporary agents and workers as well as the contract agents of the State, local authorities and public establishments of administrative nature.

The President of the Republic by interim,

On a proposal from the Prime Minister,

Having regard to law n° 75-33 dated 14 May 1975, relating to the organic law of communes, all amending or completing texts and notably the organic law n° 2008-57 dated 4 August 2008,

Having regard to the organic law n° 89-11 dated 4 February 1989, relating to the regional councils, all amending or completing texts and notably the organic law n° 2011-1 dated 3 January 2011,

Having regard to law n° 83-112 dated 12 December 1983, relating to the general status of the State personnel, local authorities and public establishments of administrative nature, all amending or completing and notably law n° 2007-69 dated 27 December 2007,

Having regard to decree-law n° 2011-14 dated 23 March 2011, relating to the temporary organization of public authorities,

Having regard to decree n° 69-400 dated 7 November 1969, creating a Prime Minister and fixing the attributions of the Prime Minister,

Having regard to decree n° 97-1832 dated 16 September 1997, fixing the basic salary of the agents of the State, local authorities and public establishments of administrative nature and notably its article 4, all amending or completing texts and notably the decree n° 2007-268 dated 12 February 2007,

Having regard to decree n° 98-1936 dated 2 October 1998, fixing the particular status of the temporary agents of the State, local authorities and public establishments of administrative nature, as amended by decree n° 2008-560 dated 4 March 2008,

Having regard to decree n° 98-2506 dated 18 December 1998, fixing the particular status of the workers of the State, local authorities and public establishments of administrative nature,

Having regard to the opinion of the Minister of Finance,

Having regard to the opinion of the Administrative Tribunal.

Decreets the following :

Article one – The temporary agents are tenured through a vocational examination on the basis of files opened to the temporary agents having a seniority of at least one year in the category at the applications closing date.

Seniority acquired as a contract agent is counted in the seniority required for the establishment of temporary agents.

Seniority as a contractual is taken into consideration only in the occasion of the opening of the right of participation in the said vocational examination of establishment or at the occasion of registration of the temporary agent on the list of establishment special aptitude by choice.

Art. 2 – The temporary workers are tenured through a vocational test for the categories 1, 2 and 3 or through a vocational examination for the categories 4, 5, 6 and 7 opened to the temporary workers having a seniority of at least one year in the category at the applications closing date.

Seniority acquired as a contract worker is counted in the seniority required for the establishment of temporary workers.

Seniority as a contractual is taken into consideration only in the occasion of the opening of the right of participation in the said vocational test or examination of establishment or at the occasion of registration of the temporary worker on the list of establishment special aptitude by choice.

Art. 3 – Notwithstanding the provisions of article 4 of the decree abovementioned n° 97-1832 dated 16 November 1997, the contract agent whose remuneration is equivalent to that of a permanent agent, and having been recruited as a temporary agent is classified within the framework of salary grid of temporary agents at the scale corresponding to the remuneration level equal to what he received in his former position if not to the scale corresponding to the immediately higher remuneration level.

The contract worker whose remuneration is equivalent to that of a permanent worker, and having been recruited as a temporary worker is classified at the scale corresponding to the remuneration level equal to what he received in his former position.

The contract agents and workers, whose remuneration is not equivalent to that of permanent agents or workers, are classified in accordance with the provisions of article 4 of the decree abovementioned n° 97-1832.

Art. 4 – The final deadline for the opening of the vocational tests and examinations for the establishment of temporary agents and workers is fixed 31 December 2011.

Art. 5 – The Prime Minister, the Ministers and Secretaries of State, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 7 May 2011.

The President of the Republic by interim

Fouad Mebazaâ