



# PAPUA NEW GUINEA HUMAN RESOURCE INSTITUTE

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## ADVANCE CERTIFICATE IN LAWS ON HUMAN RESOURCES MANAGEMENT PRACTICE IN PAPUA NEW GUINEA

### INTRODUCTION

THIS IS THE DIPLOMA PART FOR INTRODUCTION TO LAWS ON HUMAN RESOURCES MANAGEMENT. THE AIM OF THE COURSE IS TO FURTHER AND PROPERLY INTRODUCE THE LAWS ON HUMAN RESOURCE MANAGEMENT CONCEPTS SO AS TO ENABLE THE HUMAN RESOURCES PRACTITIONERS TO APPLY LAWS INTO PRACTICAL EMPLOYMENT SITUATIONS.

### COURSE CONTENT

30 TOPICS TO COVER AS FOLLOWS:

1. THE LAWS ON EMPLOYMENT IN PNG
2. TYPES OF EMPLOYEES IN PNG
3. CASUAL EMPLOYMENT IN PNG
4. PIECE – RATE AND SEASONAL WORKERS
5. PERMANENT EMPLOYMENT
6. A VALID EMPLOYMENT CONTACT
7. REGISTERED EMPLOYMENT AWARDS
8. WRITTEN CONTRACT EMPLOYMENT
9. SPECIAL EMPLOYMENT CONTACT
10. EMPLOYMENT OF NON – CITIZENS
11. THE CONSULTANT – EMPLOYEE
12. THE EMPLOYMENT AGENT
13. STATUTORY REGULATIONS IN EMPLOYMENT
14. DEDUCTIONS FROM SALARY OR WAGES
15. REMUNERATION OF THE EMPLOYEE
16. TRAINING OF EMPLOYEE
17. STAFF DISCIPLINE
18. LEAVE FROM DUTY
19. WORKER’S COMPENSATION
20. SUPERANNUATION FOR EMPLOYEES
21. INDUSTRIAL RELATIONS
22. OCCUPATIONAL SAFETY
23. GOOD FAITH IN EMPLOYMENT
24. CONFIDENTIALITY IN EMPLOYMENT
25. OBEDIENCE IN EMPLOYMENT
26. TERMINATION OF EMPLOYMENT OTHER THAN CAUSE
27. TERMINATION OF EMPLOYMENT FOR CAUSE
28. DISPUTING TERMINATION
29. DEFENDING AN UNLAWFUL TERMINATION
30. REPATRIATION OF THE EMPLOYEE ON TERMINATION

- UNDER EACH MODULE, THE LAWS GOVERNING THE EMPLOYMENT OF A PARTICULAR TYPE OF EMPLOYEE WILL BE CONSIDERED; HOW HE/SHE MAY BE LAWFULLY EMPLOYED, HOW HIS/HER EMPLOYMENT IS LAWFULLY TERMINATED.
- ALL ISSUES RELATING TO EMPLOYMENT WILL BE COVERED FROM BEFORE COMMENCEMENT OF EMPLOYMENT. TO AFTER TERMINATION OF EMPLOYMENT, INCLUDING OFFER ACCEPTANCE, STATUTORY APPROVALS, DUTIES. STATUS OF EMPLOYEE, ORGANISATION STRUCTURES SELECTION PROCESS, THE EMPLOYMENT CONTRACT, TERMS AND CONDITIONS OF EMPLOYMENT, DISCRIMINATION, REMUNERATION, DEDUCTION FROM WAGE, SALARY OR WAGES TAX, GOOD FAITH, SUPERANNUATION, HOUSING, TRAINING, LOCALISATION, LONG SERVICE LEAVE, TRANSFER/DEMOTION, DISCIPLINE, ACTING APPOINTMENTS, OBEDIENCE TO ORDERS, SAFETY, WORKERS COMPENSATION, INDUSTRIAL RELATIONS, SUSPENSION FROM DUTY, INDEMNITY, MISCONDUCT, TERMINATION OF CAUSE, OTHER FORMS OF TERMINATION, DEPENDENTS, TERMINATION ENTITLEMENTS, ENTITLEMENTS OF DECEASED EMPLOYEE, REPATRIATION, INDUSTRIAL TRIBUNALS, APPEALS, COURT ACTIONS, DAMAGES FROM WRONGFUL TERMINATION.
- MORE THAN 30 RELEVANT LEGISLATIONS ARE REFERRED TO IN THE COURSE AND 20 COPIES OF THESE ARE A PART OF THE COURSE MATERIALS. OVER 60 COURT JUDGEMENTS ARE REFERRED TO AND 50 OF THESE ARE A PART OF THE COURSE MATERIALS.
- DETAILED WRITTEN PRESENTATIONS ON THE LAW FOR EACH MODULE FROM PART OF THE COURSE MATERIALS.
- ONE MODULE WILL BE COVERED PER DAY OVER A PERIOD OF 10 DAYS.

- MANY PRACTICAL EXERCISES WILL BE DONE, INCLUDING –
  - PREPARE EMPLOYMENT CONTRACT; LETTER OF OFFER, STANDARD TERMS, MANUAL
  - PREPARE TERMINATION LETTERS
  - MAKING SUBMISSIONS IN A COURT CASE
  - WRITING A COURT JUDGEMENT
  
- MARKS WILL BE GIVEN FOR INDIVIDUALL DONE TESTS OR PERFORMANCES, WHERE A PARTICIPANT MUST SCORE OVER 60% IN ORDER TO GRADUATE WITH DIPLOMA.

**VENUE**

ALL SESSIONS WILL BE AT THE GATEWAY HOTEL.

**THE CERTIFICATE**

ALL PARTICIPANTS GRADUATE AT A CEREMONY HOSTED BY THE INSTITUTE AT A SMALL FUNCTION HOSTED IN THE SAME VENUE AS THE TRAINING. MEMBERSHIP AWARDS ARE ALSO AWARDED AT THE CEREMONY.

**SESSIONS**

EACH SESSION TAKES ONE (1) HOUR. THERE ARE SIX (6) SESSIONS IN ONE DAY. ON THIS BASIS, FOR FIVE FULL DAYS, THE TOTAL SESSIONS FOR THE COURSE WILL BE 30.

**VENUE**

ALL SESSIONS HELD IN PORT MORESBY ARE HELD AT THE GATEWAY HOTEL.

**THE CERTIFICATE**

ALL PARTICIPANTS GRADUATE AT A CEREMONY HOSTED BY THE INSTITUTE AT THE **SAME VENUE AS THE TRAINING**. MEMBERSHIP AWARDS ARE ALSO AWARDED AT THE CEREMONY. ALL GRADUANTS ARE ISSUED APPROPRIATE MEMBERSHIP AWARDS AFTER THE COURSE.

**YOUR INVESTMENT**

MEMBER/S	K5, 500.00 (INCL VAT)
NON - MEMBER/S	K6, 900.00 (INCL VAT)
CORPORATE MEMBER/S	K6, 600.00 (INCL VAT)

YOUR FEES ARE TAX DEDUCTIBLE UNDER TRAINING LEVY ACT. IF YOU ARE PAYING AS AN INDIVIDUAL, YOU CAN CLAIM

REIMBURSEMENT THROUGH THE END OF THE YEAR TAX RETURN AS THIS COURSE IS CONSIDERED PART OF YOUR CONTINUING PROFESSIONAL DEVELOPMENT.

**MANNER OF PRESENTATION**

EACH SESSION WILL COVER THE VARIOUS LEGAL IMPLICATIONS INVOLVED; THE SESSION INCLUDES A VERBAL PRESENTATION AND PAPER.

EACH PARTICIPANT WILL UNDERTAKE VARIOUS CASE STUDIES/EXERCISES, WHICH MAY INCLUDE ANSWERING QUESTIONS, COMMENTING ON SAMPLES, DRAFTING SIMPLE DOCUMENTS, ETC; IN GROUPS OR INDIVIDUALLY.

**COURSE HANDOUT**

The Law Handbooks from PNG Human Resources Institute include 30 titles in the Diploma course and each topic has its own handbook. These 30 handbooks are professionally done and are original copies. All up to date Acts of the Parliament that are relevant to the titles are included in detailed together with the current court judgments, registered awards and samples of employment contracts. Furthermore, all Public Services General Orders are included.

THE BASIC MATERIALS THAT WILL FORM THE COURSE HANDOUT WILL BE AS FOLLOWS:

- PRESENTATION (PAPER)
- EXERCISES (QUESTIONS, SAMPLES, CASE STUDIES)
- LEGISLATION (PROVISIONS ONLY OR THE WHOLE OF RELEVANT ACTS OR REGULATIONS OR RULES)
- CASES (LIST OF RELEVANT CASES IN SUMMARY FORM)
- REFERENCES (FOR FURTHER OR FUTURE INFORMATION)

**THE FACILITATOR**

MANAGING OF GOMA LAWYERS, MR. DILU GOMA WHO HAS BEEN PNGHRI'S LAWYER FOR A NUMBER OF YEARS. MR. GOMA HAS A FIRST CLASS DEGREE FROM UPNG AND HAS EXPERIENCE IN TUTORING LAW. MR. GOMA WAS AT ONE TIME THE CHIEF LEGAL COUNSEL TO THE CHIEF JUSTICE. HE HAS HAD BOTH PUBLIC AND PRIVATE SECTOR EXPERIENCE BEFORE GOING PRIVATE. MR. GOMA HAS PRESENTED A NUMBER OF PAPERS AT PNGHRI'S CONFERENCES AND LUNCHEONS OVER THE PAST FEW YEARS.

**COURSE RUNS MONTHLY DEPENDING ON DEMAND.**



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### —Registration Form—

DETERMINING NEED FOR EMPLOYEE (ORGANIZATION STRUCTURE, DUTY STATEMENT, APPROVALS); CONTENT, USE OF AGENT, ETC; SHORT-LISTING, INTERVIEW, SELECTION, ETC; ADVISING OF SELECTION/LETTER OF OFFER, ETC; ACCEPTANCE OR REJECTION OF OFFER OF EMPLOYMENT; FORMAL CONTRACT: BASIC TERMS & CONDITIONS, EXECUTION; STATUTORY APPROVAL, DEPENDENTS, MOVEMENT EXPENSE, SETTling IN AND COMMENCEMENT; CONVERTING ORAL CONTRACTS INTO WRITTEN CONTRACTS, INVOLVEMENT OF LABOUR OFFICERS, ETC; STATUTORY APPROVAL, CONSULTATIONS (WORK PERMITS, ETC); WAGES AND ENTITLEMENTS (INCLUDING LEAVE) (PAY DEDUCTION: GARNISHEE/AUTHORITY); INCOME TAX; CALCULATION AND PAYMENT; CONSULTANCY AND WITHOLDING TAX; STAFF DISCIPLINE; WORK SAFETY AND WELFARE; WORKERS COMPENSATION; SUPERANNUATION; INDUSTRIAL DUTIES; STAFF PERFORMANCE APPRAISAL; DISCRIMINATION; ATTENDING DUTIES; DRESS, PUNCTUALITY, BEHAVIOUR; NEGLIGENCE OF DUTIES: ABSENCE, LATENESS, POSTPONEMENT; COMPETENCE IN PERFORMANCE: LACK OF KNOWLEDGE OR SKILLS; OBEDIENCE AND INSUBORDINATION: WHO CAN GIVE LAWFUL DIRECTION? EXCUSES; MISCONDUCT; RELATING TO DUTIES, UNRELATING TO DUTIES; CONFIDENTIALITY: INFORMATION, BUSINESS SECRETS; PARTICULAR CONTRACTED TASKS: LOCALIZATION; INDUSTRIAL ACTION: TERMINATION: EVIDENCE OF GROUND; PROCEDURE FOR TERMINATION: RIGHT TO BE HEARD, CHARGE, DECISION; SUSPENSION; APPEAL; TERMINATION SUSPENSION; APPEAL; TERMINATION ENTITLEMENTS; DEPENDENTS: WILLS, INTESTACY, PUBLIC CURATOR; RESTRICTION CLAUSE; RE-EMPLOYMENT; REPATRIATION; INJUNCTIVE RELIEF.

**You add value to yourself when you invest in your ongoing learning and personnel development. Your employer benefits from an effective and efficient and highly motivated employee—that is you!**

Name/s

1. ....
2. ....
3. ....
4. ....
5. ....
6. ....

Organization:.....  
Address: .....  
Telephone: ..... Fax: ..... Email:.....

<b>FEES:</b>	<b>Member/s</b>	<b>No. ....</b>	<b>K 5, 500 (VAT included)</b>
	<b>Corporate Members</b>	<b>No. ....</b>	<b>K 6, 600 (VAT included)</b>
	<b>Non-Members</b>	<b>No. ....</b>	<b>K 6, 900 (VAT included)</b>

**TOTAL DUE** **K .....**

*Your fees are tax deductible under Training Levy Act. If you are paying as an Individual, you can claim reimbursement through the end of the year tax return as this course is considered to be part of your continuing professional development.*

Please get your supervisor's approval:

Approval of Supervisors: (Yes/No) Name: \_\_\_\_\_ Sign: \_\_\_\_\_ Date \_\_\_\_\_

#### Terms & Conditions:

- Up on confirmation from Supervisor, any cancellation of attendance must be done one week prior to the seminar date. 20% penalty fee will be charged for late cancellations if course fee is not paid yet and participants who have paid course fee/s, PNGHRI will take 30% off the fee/s. the penalty fees are to cater for administration and hotel charges. Participants will have to pay the additional 30% to attend the next series or reimburse the remaining amount.
- Deferral of training will be done only once and participants must attend. If PNGHRI keeps on deferring the training, participant/s has the right to ask for reimbursement.

**HR managers and general managers are too busy to pay attention to legal matters concerning their work. Yet they are expected to make decisions that have legal implications. This course is aimed at getting you to do your job professionally with the understanding of your legal exposures and liabilities.**

**You make the well informed decisions, you save the legal cost and everyone wins.**