

CHAPTER 12

LEAVE

Section 1 . . . Definitions

Section 2 . . . Types of Leave

SECTION 1—DEFINITIONS

120101: Leave

Leave is the authorised absence of an officer from duty for specific period as provided for in this Chapter.

120102: Leave Address

Leave Address is a place where an officer could be reached during his leave period.

120103: Earned Leave

Earned Leave is the leave due to an officer in a year for the service rendered to Government.

120104: Leave-Earning Service

Leave-Earning Service is a qualifying period of duty before officers could be granted leave.

120105: Date of resumption

Date of Resumption of Duty is the date following the date of expiration of the leave.

120106: Leave year

Leave Year is the period between 1st January and 31st December of the same year.

120107: Tour

A Tour is the period of service between the date of assumption or resumption of duty and the end of the tour, both days inclusive.

SECTION 2—TYPES OF LEAVE

120201

The types of leave in the State Public Service are as follows:

- (a) Annual Leave;
- (b) Proportionate Leave (Pro-rata Leave);
- (c) Deferred Leave;
- (d) Casual Leave;
- (e) Sick Leave;
- (f) Maternity Leave;
- (g) Paternity Leave;
- (h) Examination Leave;
- (i) Study Leave with Pay;
- (j) Study Leave without Pay;
- (k) Leave on Compassionate Ground;
- (l) Pre-retirement Leave;
- (m) Leave of Absence;
- (n) Leave on Grounds of Urgent Private Affairs;
- (o) Leave for Cultural and Sporting Activities;
- (p) Leave to Take Part in Trade Union Activities;
- (q) Sabbatical Leave;
- (r) Adoption Leave.

120202: Annual Leave

Annual Leave is the absence of an officer from duty for a period specified in Rule 120209 as may be authorised by a superior officer.

120203: Annual vacation leave is compulsory

Annual vacation leave is compulsory. No officer shall be required or allowed to take working leave, whereby the officer reports for duty during his approved leave period. All officers must, therefore, take their vacation leave within the calendar year in which such leave is due.

120204: Authority for leave

Permanent Secretaries/Heads of Extra-Ministerial Departments are authorised to approve such leave as is permissible under this Chapter to officers under their control.

120205: Dismissal

Officers who are dismissed shall not be entitled to any form of leave.

120206: Leave to be on working days only

Annual vacation leave shall be based on working days only.

120207: Casual/Sick Maternity Leave inclusive of Saturdays, Sundays and Public Holidays

The period of any leave such as casual leave, sick leave, maternity leave, etc granted under these Rules shall be inclusive of Saturdays, Sundays and Public Holidays occurring therein.

120208: Entitlement to leave allowance

An officer, whether serving at a station away from his home place or serving at his home place when granted annual leave shall be provided with leave allowance at the prevailing rates.

120209: Annual Leave entitlement

(i) Annual Leave shall be granted to an officer in accordance with his Grade Level as follows—

(a)	GL 08 and above	30 working days
(b)	GL 04-07	21 working days
(c)	GL 03 and below	14 working days

Qualifying period for Annual leave

(ii) An officer shall qualify for Annual Leave not less than six (6) months after the previous leave within a leave-earning service year.

120210: Annual Leave Roster

(a) It is the responsibility of the Head of the Department of Administration/Personnel to prepare the Annual Leave Roster for all officers in that Ministry/Extra-Ministerial Department/Agency in consultation with the Permanent Secretary/Head of Extra-Ministerial Department/Agency. Such a leave roster should be prepared during the first quarter of the leave year. The Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies will then notify all officers when it will be convenient for the officers to proceed on annual leave. Such a notification should be made before the end of April of any leave year except in the case of an officer joining the Service during the course of the leave year, in which case Rule 120220 shall apply.

Approval for vacation

(b) It is the responsibility of every Permanent Secretary/Head of Extra-Ministerial Department/Agency to approve the Leave Roster for the coming year within the first quarter of the leave year.

120211: Leave of Permanent Secretaries/Heads of Extra-Ministerial Departments

Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies shall give prior notice to the Head of Service of the date on which they propose to go on leave.

120212: Leave without pay to be reported to the Treasury and Audit

When an officer is granted leave without pay, his Permanent Secretary/Head of Extra-Ministerial Department/Agency shall report the fact to the State Auditor-General and the State Accountant-General, where appropriate, quoting the name, Oracle Number, rank and station of the officer and full details of the leave granted.

120213: Leave for Temporary Staff

Temporary staff may be granted vacation leave, sick leave, leave to take examinations, casual leave and leave to take part in sporting competitions in accordance with the relevant rules in this chapter.

120214: Normal grant of annual leave

Annual leave shall be granted at any time during the leave year. Normally, the full leave shall be taken at one time but it may be taken in instalments. Any leave not taken within the calendar year concerned shall be forfeited. No officer is allowed to accumulate leave.

120215: Approval to spend Annual leave abroad

An officer who desires to spend his annual leave abroad shall, through his Permanent Secretary/Head of Extra-Ministerial Department/Agency, obtain approval from the Head of Service prior to the journey.

120216: Leave address

An officer spending his leave within or outside Nigeria must furnish the Permanent Secretary/Head of Extra-Ministerial Department/Agency with his intended destination or leave address before proceeding on leave.

120217: Date of Resumption from Vacation Leave

An officer is required to resume duty after vacation leave on the date following the expiration of his authorised leave.

120218: Curtailment of Leave

An officer may be required to return to duty before the expiration of his authorized leave by the Permanent Secretary/Head of Extra-Ministerial Department/Agency. Any portion of his leave so curtailed shall be taken immediately and not later than ninety (90) days of completion of the assignment.

120219: Procedure on return from leave

On return from annual leave, every officer must complete and submit a Resumption of Duty Certificate endorsed by his Head of Department to his Permanent Secretary/Head of Extra-Ministerial Department/Agency.

120220: Conditions of leave for new entrants

An officer who joins the Lagos State Civil/Public Service during the course of the Leave Year will not normally be granted an annual leave but a proportionate leave. The proportionate leave allowance shall be based on the number of earned leave days.

120221: Officers entitled to pro-rata leave

Proportionate leave (Pro-rata) is a vacation granted to a new or retiring officer in proportion to the number of days he has put into the Service. Any period of service under thirty (30) days is not reckonable.

The calculation of proportionate leave shall be done in accordance with the table below:

Table 1: Calculation of Proportionate Leave (See Rule 12220)

	Proportionate Leave for Graded Officers The computation is based on working days		
	GL. 08 & above (30 working Days)	GL. 0407 (21 working days)	GL. 03 & below (14 working days)
12 months	30	21	14
11 months	28	19	13
10 months	25	18	12
9 months	23	16	11
8 months	20	14	9
7 months	18	13	8
6 months	15	11	7
5 months	12	9	6
4 months	10	8	5
3 months	7	6	4
2 months	5	4	3
1 month	3	2	1

(a) Officers who attend courses of instruction/training over a period of six (6) months shall be entitled to Proportionate Leave for the period they put in service.

(b) An officer who is retiring within the period of Leave-Earning Service shall be entitled to Proportionate Leave.

120222: Deferred leave

Deferred Leave is that which an officer is granted in exceptional circumstances by the Permanent Secretary or Head of Extra-Ministerial Department/Agency to carry forward to the next leave year because of exigency of duty. It could be part of annual leave not fully spent.

120223: Deferment of leave: during exigencies

(a) Any vacation leave not spent in accordance with Rule 120203 shall be deemed forfeited. However, due to the exigencies of Service, officers such as those approved to attend national or state assignments may be considered for deferment of leave.

(b) (i) Any leave approved for deferment in accordance with (a) above shall be spent by the following leave year.

(ii) Authorised deferred leave shall be commuted to cash only where an officer has been made to retire prematurely and cannot spend all his deferred leave before his retirement. No serving officer shall be allowed to commute to cash at the time of retirement any deferred leave.

120224: Count against deferred leave

Any extension of leave shall be deducted from any vacation, annual or deferred leave due to the officer at the time the extension is granted.

120225: Special leave for courses of study

An Officer may be granted by the Government special leave without salary for the purpose of undertaking a course of study which is considered likely to enhance his value to the State Government. Such leave will be subject to such conditions as may be specified at the time it is granted. If the Government has awarded to the recipient, a scholarship, a bursary, a training course or study leave, in respect of the relevant course of study, leave granted under this Rule shall be treated, for the purpose of calculating retiring benefits, as having been granted on the ground of public policy.

120226: Duty during leave

If an officer is required, in the course of his vacation leave, to undertake any duty, such period of duty shall not count as part of the officer's leave entitlement.

120227: Extension of Leave Ground of Public policy

Extensions of leave shall be granted by the State Government or its accredited representative on the ground of public policy. Unless otherwise directed, such extensions shall be on full salary.

120228: Urgent Private Affairs

An officer on vacation leave may, in exceptional circumstances, be granted an extension of leave on the grounds of urgent private affairs on full salary up to the expiration of all his deferred leave and thereafter without salary.

120229: Application for Extension

An officer on vacation leave who wishes to apply for an extension should address his application to his Permanent Secretary/Head of Extra-Ministerial Department/Agency.

120230: Leave for Cultural and sporting events

An officer shall be granted leave by his Permanent Secretary/Head of Extra-Ministerial Department/Agency for the purpose of taking part in any Cultural/Sporting event and such leave shall be determined as follows:

- (a) number of days required for the actual activity;
- (b) number of days required for travelling to and from the place arranged for the event;
- (c) any number of days in excess of (a) and (b) mentioned above, which are certified as necessary by the appropriate Cultural/Sports Council shall be allowed. An officer granted leave under this Rule shall not be eligible for transport at Government's expense.

120231: Casual leave

Casual Leave is the absence of an officer from duty for a short period not exceeding an aggregate of five (5) working days within a leave year as may be authorised by the Permanent Secretary/Head of Extra-Ministerial Department/Agency. The casual leave shall only be granted after an officer has exhausted his annual leave. Casual leave is deductible in advance or arrears of earned leave.

120232: Qualifying period for casual leave

A maximum of five (5) working days' casual leave shall be granted in any leave year. Casual leave in excess of five (5) days in any leave year may be granted by the Permanent Secretary/Head of Extra-Ministerial Department/Agency.

120233: Sick Leave

Sick Leave is the absence of an officer from duty on account of ill- health as authorised by a Medical Officer.

120234: Maternity Leave

(a) Maternity Leave is the authorised absence from duty of a serving female officer granted by the Permanent Secretary/Head of Extra-Ministerial Department/Agency on account of pregnancy based on the expected date of delivery.

(b) Adoption Leave is the authorised absence from duty of a serving female officer granted by the Permanent Secretary/Head of Extra-Ministerial Department/Agency on account of adoption based on date of release of child.

120235: Twenty-Four week Maternity Leave

(a) A female officer who is pregnant is entitled to twenty-four (24) weeks' maternity leave with full pay in the case of her first two (2) deliveries. The said leave shall commence at least two (2) weeks before the expected date of delivery. Any third and subsequent deliveries by any employee shall attract twelve (12) weeks' Maternity Leave for the female officer. A medical certificate showing the expected date of confinement must be presented not less than two (2) months before that date. The annual leave for that year will, however, be regarded as part of the maternity leave. Where this annual leave has already been enjoyed before the grant of maternity leave, that part of the maternity leave equivalent to the annual leave will be without pay.

Twelve week Adoption Leave

(b) A female officer who adopts is entitled to twelve (12) weeks' Adoption Leave at a stretch beginning from date of release of baby with full pay. Evidence showing the release of the baby must be presented before grant of leave. The annual leave for that year will, however, be regarded as part of the adoption leave. Where this annual leave has already been enjoyed before the grant of adoption leave, that part of the adoption leave equivalent to the annual leave will be without pay.

120236: Time-off for Nursing Mothers

A female officer who is nursing a child shall be granted two hours off-duty every day. This concession shall be granted up to a maximum period of six (6) months from the date she resumes duty from maternity leave.

120237: Paternity Leave

Paternity leave is the authorised absence from duty of a serving male officer to whom a new baby (or babies in case of multiple births) is born or adopted up to a maximum of ten (10) consecutive days in relation to and at the time of his spouse's first two (2) deliveries. A male officer shall not be entitled to Paternity Leave in respect of the third and subsequent children. Approval is subject to presentation of child's birth certificate or letter of release, as applicable.

120238: Leave for Examination

(a) The period of leave allowed for the purpose of taking an examination shall be limited to the shortest period to allow the officer reach the appointed place, sit the examination and return to his station.

(b) An officer may be allowed special leave on full pay to take an examination he is required by the conditions of his appointment to pass, provided his Head of Department certifies:

- (i) that he is industrious and efficient in the performance of his duties;
- (ii) that his general value to the Department justifies the concession; and
- (iii) that the passing of the examination is likely to enhance his value to the State Civil Service subject always to the limit specified in Rule 120238(a).

120239: Sabbatical Leave

Sabbatical Leave is the absence of an officer on GL. 15 or equivalent and above from duty, for the purpose of research either within or outside Nigeria. The officer on sabbatical leave shall be qualified to undertake properly organised study in areas relevant to the interest of the Service or national development for a period of twelve (12) months once in five (5) years.

(a) An officer who wishes to proceed on Sabbatical Leave must have a strong performance and conduct record;

(b) An applicant who wishes to serve the sabbatical period in the State Civil/Public Service, would be considered on the relevance of his field of research and his honorarium would be based on his qualification and cognate experience; and

(c) An officer who wishes to proceed on Sabbatical Leave shall be entitled to his salary and allowances.

120240: Study Leave

Study Leave is the leave granted to a confirmed serving officer to undertake an approved course of study within or outside the country.

120241: Types of Study Leave

There are two types of study leave:

- (a) Study leave with pay;
- (b) Study leave without pay.

120242

An officer may be granted study leave based on the following:

- (i) evidence of letter of admission;
- (ii) evidence of duration of the course;
- (iii) that the course is necessary to enhance the performance of the officer and to add value to the Service; and

(iv) that the course is relevant to the officer's profession. However, every recommendation shall emanate from the respective Ministry/Department/Agency's Personnel Management Board meeting for the consideration of the Centralised Personnel Management Board in the office in charge of Establishments and Training Matters which approval shall be ratified by the State Civil Service Commission or any other similar body.

120243: Study Leave with Pay

Study leave with pay for a full-time programme shall be granted to an officer with normal emoluments only on grounds of public policy. The duration of study leave with pay shall not exceed two (2) years. If, however, an officer fails to complete his course within the stipulated period, the period of extension shall not be more than one (1) year. The period of extension shall also attract pension and right of emoluments.

120244: Study Leave without Pay

Full-time programmes at the instance of the officer shall attract study leave without pay.

120245: Conditions for Study Leave without pay

The conditions for approval of study leave without pay are as follows:

- (a) officers on study leave without pay are not entitled to emoluments and allowances;
- (b) the duration of study leave without pay shall not be more than four (4) years in the first instance, after which the officer can apply for one (1) year extension if the need arises;
- (c) the period of study shall not be regarded as a break in service.

120246: Leave for Religious purposes

Officers going on religious pilgrimages other than Officials assigned to cover such activities shall use part of their annual leave for such purposes.

120247: Leave on compassionate grounds

An officer may be allowed special leave from duty on full pay on compassionate grounds for a period up to two (2) weeks within a year for burial of his parent or member of his nuclear family.

120248: Leave of Absence

Leave of Absence is absence from duty authorised on grounds of public policy. All such leave shall be approved without pay by the Civil Service Commission or any other such body on the recommendation of the Head of Service.

120249: Types of leave

The various types of leave of absence are:

- (a) Leave of absence to join spouse on course of instruction of not less than nine (9) months' duration abroad;
- (b) Special Leave of absence to join spouse on grounds of Health/Public Policy;
- (c) Leave of absence on grounds of Public Policy for Technical Aid Programme;
- (d) Leave of absence to take-up non-elective political appointment;
- (e) Leave of absence on ground of public policy for an official whose spouse is a President, Vice President, Governor, Deputy Governor, Chairman or Vice Chairman.

120250: Leave of Absence to Join spouse on course of instruction abroad

An officer who is also a public servant shall be permitted to join his spouse proceeding abroad on a course of instruction at government expense. The officer is eligible for free passage at Government's expense where the course of instruction is not less than nine (9) months.

120251: Leave of Absence to Join spouse on grounds of public policy

On grounds of public policy, the spouse of a serving officer may be granted leave without pay for a period not exceeding five (5) years to enable him to join his spouse on posting abroad on the following conditions:

- (a) that the officer's spouse be disallowed from taking up gainful employment;
- (b) that such leave shall not be regarded as a break in service;
- (c) where such a spouse acquires additional qualifications, which will enhance their usefulness to the Service, they shall be considered for advancement in consonance with the prevailing regulations;
- (d) the period a spouse can be on leave of absence shall be four (4) years in the first instance and subject to an extension of not more than one (1) year.

120252: Leave of Absence for Technical Aid Corps Programmes

Where a Civil/Public Servant is selected for the Technical Aid Corps Programme by the Ministry of Foreign Affairs, in order to preserve the terminal benefits of the officer so selected and ensure the continuity of his service, such an officer shall be granted leave of absence on grounds of Public Policy.

120253: Leave of Absence for Non-elective Political appointment

Civil/Public Servants who accept non-elective political appointments are required to apply to the Head of Service for leave of absence on grounds of Public Policy, if they intend to return to the Service at the end of the assignment.

120254: Leave of Absence for Spouses of President, Vice President, Governor and Deputy Governor

Spouses of the President, Vice President, Governor, Deputy Governor, Chairman and Vice Chairman who are Civil/Public Servants are required to apply to the Head of Service for leave of absence on grounds of Public Policy to join their spouses during their tenure of office.

120255: Leave on retirement

An officer who retires in circumstances in which he is eligible for retiring benefits before he has completed the full leave year may be granted a proportion of his vacation leave prior to retirement. (See Rule 120220)

120256: Leave on Permanent invalidation

When a Medical Board recommends that an officer is medically unfit to continue in Service and for that reason be disengaged, he will forthwith commence vacation leave prior to retirement. The length of leave granted will be either:

- (a) his deferred leave granted on special circumstances, plus the proportion of his annual leave calculated in accordance with Rule 120220; or

(b) two (2) months; whichever is of greater length. The leave will commence on the day which the Medical Board declares him unfit to continue in Service and retirement will take effect from its expiration.

120257: Leave to attend important trade union conference/business

Provided that it will not interfere unduly with the work of his Ministry/Extra-Ministerial Department/Agency, an officer who is an official of a registered trade union may be granted leave and, if necessary, a special extension of such leave to attend an important trade union conference/business. The period of leave shall be clearly stated in the letter of approval.

120258: Overstaying Leave

An officer who, without an acceptable excuse, fails to resume duty on the approved date after vacation leave will be regarded as absent without leave and without pay. The period of absence shall not be set against any future leave. No officer may extend his vacation leave beyond the date specified in his leave advice without the consent of his Permanent Secretary/Head of Extra-Ministerial Department/Agency.