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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

The *Saeima*<sup>1</sup> has adopted  
and the President has proclaimed the following Law:

## Law On Remuneration of Officials and Employees of State and Self-government Authorities

### Chapter I General Provisions

#### Section 1. Purpose of the Law

The purpose of this Law is to attain that equal conditions are observed in the determination of remuneration for officials (employees) of State and local government authorities.

#### Section 2. Application of this Law

(1) The Law, taking into account the determined in Paragraph two, three, four and five of this Section, shall apply to the following officials (employees) of the State and local government authorities:

- 1) the Cabinet;
  - 2) the Chancellery of the *Saeima* and other structural units of the *Saeima*;
  - 3) the President's Chancery;
  - 4) the State Audit Office;
  - 5) the Office of the Ombudsman;
  - 6) the Central Electoral Commission;
  - 7) the Central Land Commission;
  - 8) the Public Utilities Commission;
  - 9) the National Radio and Television Council;
  - 10) the Council of Higher Education;
  - 11) the Service of Prevention of Money Laundering;
  - 12) direct administration institutions;
  - 13) mediated administration institutions;
  - 14) local governments;
  - 15) State established higher educational institutions;
  - 16) scientific institutions of the State established higher educational institutions (hereinafter – scientific institutes);
  - 17) planning regions; and
  - 18) public foundations.
- (2) This Law shall apply also to those officials (employees) who regardless of their occupation in

the authorities referred to in Paragraph one of this Section are:

- 1) employees of courts;
- 2) employees of the Prosecutor's Office;
- 3) members of the port authorities;
- 4) medical practitioners employed in local government institutions, State and local government capital companies or public-private capital companies who have entered into an agreement regarding a health care service to be provided, and who provide health care services paid from the State budget, or medical practitioners who provide health care services paid by self-government budgets in self-government educational institutions.

(3) Only Paragraph eight and nine of Section 3 of this Law shall apply to the President, deputies of the *Saeima*, judges, prosecutors, educators in accordance with the list of positions of educators, persons employed in the academic positions of the scientific institutes, administrators of the ports and other employees of ports.

(4) The Law shall not apply to the officials (employees) of the Bank of Latvia and officials (employees) of the Financial and Capital Market Commission, however these authorities shall ensure that the information regarding the criteria for determination of remuneration of officials (employees) and the amount of work remuneration in division by position groups in accordance with the procedures specified in regulatory enactments is published on the Internet homepage of the relevant authority.

(4<sup>1</sup>) Only this Paragraph and Paragraph eight of Section 3 of this Law shall apply to the State or local government capital companies, public-private capital companies and capital companies in which the State, local government or public-private company own all the capital share, except for the capital companies referred to in Paragraph two, Clause 4 of this Section. Other norms of this Law in respect of the referred to capital companies shall be applied in cases and amount specified in other laws. Information regarding these capital companies, except credit institutions, criteria for determination of remuneration of officials (employees) and the amount of work remuneration in division by position groups in accordance with the procedures specified in regulatory enactments shall be published on the Internet homepage of the relevant capital company or shareholder, if at least one of the following conditions exists:

- 1) the capital company receives State budget resources, State budget subsidy or payment for provided service for performance of functions delegated by the State or implementation of a government order (public or national remit) or compensation for losses providing a universal service, except an instrument of European Union policies and financial assistance of other foreign states;
- 2) the capital company does not receive the State budget resources, but fulfils the tasks of the State administration delegated to it or the activity thereof is related with administration of payments into the State budget;
- 3) the capital company fulfils the functions assigned to it by the law to administer and manage State property or to organise privatisation of the State property;
- 4) the capital company receives resources from local government budgets, subsidy of local government budgets, payment for provided services for performance of local government tasks or the State administration tasks delegated thereto or a local government has increased the equity capital of this capital company or provided a guarantee for a loan thereof, except an instrument of European Union policies and financial assistance of other foreign states; or
- 5) the capital company has been established in order to participate in fulfilment of the autonomous functions of a local government.

(4<sup>2</sup>) The duties specified in Paragraph 4.<sup>1</sup> of this Section shall apply also to associations and foundations which provide implementation of a government order (public and national remit) and the financing resources of which in an amount of more than 50 percent are made by State budget financing, other than the resources of instruments of European Union policies and financial assistance of other foreign states.

(5) This Law shall not apply to national guardsmen, employees of joint technical secretariats of the

programmes of the Objective 3 "European Territorial Co-operation" of the European Union Structural Funds and employees of the secretariat of the spatial planning initiative of the countries around the Baltic Sea VASAB, as well as to convicted persons employed at the places of imprisonment.

(6) Persons referred to in Paragraph two of this Section or employed in the authorities referred to in Paragraph one of this Section on the basis of an employment contract, who fulfil civil service, have been elected, approved or appointed in the position or who otherwise fulfil certain duties of office (service, work) in the State or local government authority shall be considered as officials (employees) of the State or self-government authorities.

(7) Employment legal relations, position legal relations or norms of the regulatory enactments regulating the course of the service shall be applied to officials (employees) in so far as it is not determined by this Law.

*[14 January 2010; 15 April 2010]*

## Chapter II

### Remuneration System

#### Section 3. Compensation

(1) Within the meaning of this Law, work remuneration, social guarantees and leave shall form the remuneration of officials (employees) of the State and local government authorities. Within the meaning of this Law, work remuneration shall be monthly salary, additional payments and bonuses. Social guarantees, within the meaning of this Law, shall be compensation, insurance and the covering of expenditure determined in this Law.

(2) A State or local government authority shall, in developing regulatory enactments and collective agreements, consult the representatives of officials (employees) regarding remuneration in accordance with the regulatory enactments regulating employment legal relations, position legal relations or course of the service.

(3) A State or local government authority shall not disburse and intend another remuneration for an official (employee) in internal laws and regulations, binding regulations of the local government, collective agreements and labour contracts other than that which is determined in this Law, except the cases provided for in Paragraph four and five of this Section.

(4) A State or local government authority may, within the framework of the financial resources granted to it, provide remuneration for officials (employees) in internal laws and regulations, binding regulations of the local government, collective agreements and labour contracts only for shortening of the duration of a working day for one hour before holidays, one paid holiday on the first day at school because of commencement of school-time of a child in Grade 1-4 and not more than three paid holidays because of entering into marriage. These additional social guarantees do not provide the right to request additional financing from the State or local government budget.

(5) Paragraph three of this Section shall not apply to cases when:

1) The Latvian Academy of Sciences, a State established higher educational institution or scientific institute or institutions established by them disburse a remuneration to officials (employees) from the resources obtained for the performance of scientific activity, or a remuneration (except bonuses and social guarantees) is not disbursed from the State budget resources;

2) a remuneration is not disbursed from the State or local government budget resources to medical practitioners, who provide health care service paid from the State budget and who are employed in capital companies of the State and local governments or public-private capital companies which have entered into an agreement regarding health care service to be provided;

3) a local government uses a possibility provided for in this Law to decide by itself regarding granting of a part, amount or disbursement of the relevant remuneration;

4) a local government or planning region determines a remuneration determined for an official (employee) employed in the authorities referred to in this Law in a lesser amount or decides to not

apply the relevant element of the remuneration. This Clause shall not apply to general additional payments specified in this Law, annual paid leave and severance pay;

5) taking into account restrictions determined in this Law:

- a) a sick-pay is disbursed in cases provided for in the law,
- b) a remuneration is disbursed in cases provided for in the law for a period of time when an employee does not perform work or fulfil his or her office (service) due to justified reasons,
- c) expenditures necessary for performance of position (service, work) are reimbursed,
- d) expenditures in relation to sending of an official (employee) to carry out a health examination are covered in cases specified in the law,
- e) a remuneration is disbursed in cases provided for in the law or the Cabinet Regulations in order to observe labour safety requirements or to perform labour safety measures;
- 6) a remuneration is determined in cases provided for and in the amount determined in the law or the Cabinet Regulations for a representative of a holder of the State or local government shares or a responsible official;
- 7) the State Agency of Medicines pays for the work performed by those officials (employees) who are directly involved in the implementation of the relevant co-operation agreements from the resources obtained from co-operation agreements with institutions of European Union or Member State thereof; or

7<sup>1</sup>) the State Audi Office pays for the work performed by those officials (employees) who are directly involved in the implementation of the relevant co-operation agreements from the resources obtained from international co-operation agreements.

(6) A State or local government authority shall, in cases referred to in Paragraph four and five of this Section, shall itself determine the conditions and procedures for disbursement of the referred to remuneration part, in so far as it is not in contradiction with external regulatory enactments.

(6<sup>1</sup>) A deputy of a local government who does not hold a paid position shall receive a monthly salary in accordance with Section 5 of this Law and he or she has the right only to compensations determined in Section 29, 32 and 33 of this Law and the insurance determined in Section 38.

(6<sup>2</sup>) A deputy of a local government city council who holds a paid position in the city council, as well as the officials referred to in Section 6 of this Law do not have the right to the general additional payments determined in Section 14, Paragraph four and six of this Law. Officials referred to in Section 6, Paragraph one and Paragraph two, Clauses 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 un 15 of this Law also do not have the right to the general additional payments determined in Section 14, Paragraph one of this Law.

(6<sup>3</sup>) If it is useful and the financial resources are available, an official (employee) who is not employed permanently in the relevant State or local government authority, but is appointed, elected or approved in the position (for example, commissions, advisory councils, working group) for fulfilment of certain duties and he or she does not enter into employment legal or service relations, a monthly salary may be determined in proportion with the time period worked. Expenditures related with a business trip may be reimbursed for such official (employee), but he or she does not have the right to other remuneration determined in this Law and the amount of the monthly salary for him or her may not exceed the amount of average monthly work remuneration which is rounded to lats applying a coefficient 0.5. An official (employee) employed permanently in the relevant State or local government authority, if the law allows holding of more than one job, if the duties of the other job do not include the duties of his or her permanent office (service, work) and he or she is appointed, elected or approved in the positions referred to in the first sentence of this Paragraph as a private person or a representative of the organisation, is entitled to receive both monthly salaries without taking into account the restrictions determined in Section 14, Paragraph one of this Law.

(7) A remuneration determined in the regulatory enactments for officials (employees) of a State or local government authorities shall be reviewed assessing the economic situation in the country (changes in gross domestic product, changes in productivity, inflation, deflation) and taking into account other justified criteria. A unified approach shall be applied for review of remuneration by the both, State and local government authorities.

(8) The Cabinet shall determine a remuneration and person registration system (database) of officials (employees) of the State direct administration institutions, as well as a remuneration registration system (database) of officials (employees) of other State and local government authorities and capital companies referred to in Section 2, Paragraph 4.<sup>1</sup> of this Law.

(9) A State or local government authority shall, in accordance with the procedures specified in regulatory enactments, publish the information on the Internet homepage thereof regarding an official (employee), except the officials (employees) referred to in Section 9 and 10 of this Law, criteria for determination of remuneration and amount of work remuneration in division by position groups. More information regarding remuneration of an official (employee), as well as of an official (employee) referred to in Section 9 and 10 of this Law, shall be provided in accordance with the procedures and in the amount specified in regulatory enactments.

[10 December 2009; 14 January 2010; 10 June 2010]

### Chapter III

#### Monthly Salary

##### Section 4. General Principles for Determination of the Amount of Monthly Salary in a Division by Position Groups

(1) The amount of the monthly salary for officials (employees) of State authorities shall be determined so that the monthly salary does not exceed the monthly salary determined for the Prime Minister, except the case referred to in Paragraph seven and eight of this Section. The amount of the monthly salary for officials (employees) of local government authorities shall be determined so that the monthly salary does not exceed the maximum monthly salary determined for the chair of the local government city council.

(2) The amount of the monthly salary for officials elected, approved and appointed by the *Saeima*, except the Head of the Corruption Prevention and Combating Bureau, and deputies of a local government city council shall be determined in accordance with the procedures provided for in this Law, applying the relevant coefficient to the amount of the average monthly remuneration for work for the workforce in the State as published in the official statistical notification of the Central Statistical Bureau of the year before last (hereinafter - amount of the average monthly remuneration for work), which is rounded off to full lats.

(3) The amount of the monthly salary for officials (employees) of the State direct administration institution shall be determined by classifying the positions in accordance with the catalogue of positions of the State and local government authorities determined by the Cabinet and taking into account the group of monthly salaries appropriate for the position, as well as the degree of qualification of the official (employee).

(4) The amount of the monthly salary for officials (employees) of the Central Electoral Commission, the Central Land Commission, the National Radio and Television Council, the court and Prosecutor's Office, the President's Chancery, the *Saeima* Chancellery and other structural units of the *Saeima*, the State Audit Office, the Office of the Ombudsman, the Service of Prevention of Money Laundering, the Public Utilities Commission, public foundations, local governments, the Latvian Academy of Sciences, the Council of Higher Education, planning regions, mediated administration institutions, for the general personnel of the State established higher educational institutions, who do not hold the positions determined in the list of positions for educators, and for persons employed in scientific institutions, who do not hold academic positions, shall be determined taking into account the value of the position (level and complicity of responsibility), as well as the assessment of the individual qualification and skill of a particular official (employee).

(4<sup>1</sup>) The amount of monthly salary for officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration shall be determined in accordance with the position category and level, taking into account the specifics of the duties of office and level of responsibility, as well as term of service.

(5) The amount of monthly salary for soldiers shall be determined in accordance with the service rank and term of service.

(6) The amount of the monthly salary for medical practitioners employed in local government institutions, State and local government capital companies or public-private capital companies who have entered into agreement regarding a health care service to be provided, and who provide health care services paid from the State budget, and for medical practitioners who provide health care services paid from the local government budgets in local government educational institutions shall be determined in accordance with the assessment of the position.

(7) The amount of monthly salary for the members of the board of the port shall be determined in accordance with the division of ports.

(8) The monthly salary of the officials (employees) of the State agency "Civil Aviation Agency" which is not determined in accordance with Paragraph three of this Section and Section 7 of this Law shall be determined so that it could ensure the fulfilment of requirements of the European Union and International Civil Aviation Organisation.

*[15 April 2010]*

#### Section 4<sup>1</sup>. Peculiarities for Determination of the Monthly Salary in Case of Part-time Working Hours

If an official (employee) is employed in several positions in one State or local government authority for which different duties have been determined and for part-time in each position, but not exceeding normal working hours altogether, the monthly salary for him or her in accordance with this Law and other regulatory enactments shall be determined separately for each position in compliance with the time worked. Such official (employee) also has the right to payment of overtime determined in the law. Restrictions for employment in several State or local government authorities are determined by other laws, but Section 14 of this Law determines restrictions for payment of other additional duties.

*(15.04.2010. [15 April 2010])*

#### Section 5. Monthly Salary of Deputies of a Local Government City Council

The monthly salary of deputies of a local government city council shall not exceed the amount of the average monthly remuneration for work rounded off to full lats and to which the following coefficient shall be applied:

- 1) for the chair of a local government city council – up to 3.64;
- 2) for the deputy chair of a local government city council – up to 3.2;
- 3) for the chair of a committee of a local government city council – up to 2.55; and
- 4) for the deputy of a local government city council – up to 1.2.

(2) A local government city council shall regulate the procedures for determination of the monthly salary referred to in Paragraph one of this Section and the amount thereof, not exceeding the restrictions specified in Paragraph one of this Section. If the official referred to on Paragraph one, Clauses 2, 3 and 4 of this Section does not hold a paid position in the local government city council, his or her monthly salary shall be determined in proportion to the time worked.

(3) A deputy of a local government city council who does not hold a paid position in the city council shall receive a monthly salary determined in accordance with Paragraph one and two of this Section for performance of the duties of a member in the city council and other positions. Such deputy shall receive a monthly salary for performance of other duties of office (work) in the local government in accordance with the relevant duties of office (work).

(4) A deputy of a local government city council who holds a paid position in the city council and at the same time performs other duties of office (work) which are to be considered as additional work in local government, shall receive according to his or her choice respectively one of monthly salaries and additional payment to the monthly salary in accordance with provisions of Section 14

of this Law.  
[15 April 2010]

## Section 6. Monthly Salary of Officials Elected, Approved and Appointed by the *Saeima*, Except the Head of the Corruption Prevention and Combating Bureau

(1) The monthly salary for the members of the Cabinet and parliamentary secretaries shall be determined applying the following coefficient for the amount of average monthly remuneration for work which is rounded off to full lats:

- 1) for the Prime Minister – 4.05;
- 2) for the Deputy Prime Minister – 3.85;
- 3) for a Minister, Minister for Special Assignments – 3.648; and
- 4) parliamentary secretary – 2.837.

(2) The monthly salary for officials elected, approved and appointed by the *Saeima* – a State controller and members of the Board of the State Audit Office, the Chair and members of the Board of the Public Utilities Commission, the Ombudsman, the Chairperson and members of the National Radio and Television Council, the Chair of the Central Election Commission, his or her Deputy, Secretary and members of the Commission, the Chair of the Central Land Commission, the Chair of the Council of Higher Education – shall be determined applying the following coefficient for the amount of average monthly remuneration for work which is rounded of to full lats:

- 1) for a State controller – 4.05;
- 2) for a member of the Board of the State Audit Office - 3.32;
- 3) for the Chair of the Board of the Public Utilities Commission – 3. 97;
- 4) for a member of the Board of the Public Utilities Commission – 3. 32;
- 5) for the Ombudsman – 3.41
- 6) for the Chair of the National Radio and Television Council – 2.54;
- 7) for the Deputy Chair of the National Radio and Television Council – 2.50;
- 8) for a member of the National Radio and Television Council – 1.59;
- 9) for the Chair of the Central Election Commission – 3.32;
- 10) for the Deputy Chair of the Central Election Commission – 2.82;
- 11) for the Secretary of the Central Election Commission – 2.82;
- 12) for a member of the Central Election Commission – 2.12;
- 13) for the Chair of the Central Land Commission – 0.80;
- 14) for the Chair of the Council of Higher Education – 2.33;
- 15) for a member of the Council of Higher Education – 0.22.

(3) The officials referred to in Paragraph two, Clause 12 and 15 of this Section shall receive the monthly salary in proportion to the time worked.

[15 April 2010]

## Section 7. Monthly Salary of Officials (Employees) of State Direct Administration Institutions

(1) The monthly salary for the officials (employees) of a State direct administration institution shall be determined taking into account the group of monthly salaries appropriate to the position, as well as the degree of qualification of the official (employee). The group of monthly salaries appropriate to the position shall be determined on the basis of the position family and level. The position family and level shall be determined in conformity with the catalogue of positions of State and local government authorities determined by the Cabinet.

(2) The catalogue of positions of State and local government authorities provides a systematised summary of functions determined for the positions in these authorities. The functions appropriate for the position shall be arranged in functional groups – position families. A position family shall contain the basic functions of the positions, namely, similar work assignments and basic duties. Positions shall be divided by levels in a position family which characterise the main differences

between the positions of one family, taking into account the complexity of duties, responsibility and administration functions. A characterisation of the levels, description of position families, as well as description of the basic duties appropriate for the relevant positions shall be provided in the catalogue of positions.

(3) The Cabinet shall determine:

1) a catalogue of the positions of State and local government authorities;

2) qualification levels of officials (employees), procedures for determination thereof in compliance with the assessment of the duties of office or work performance, in which the performance of assignments or achievement of objectives planned for the previous period are taken into account, and with experience in the position (service, work) in the State and local government authorities, as well as the groups of monthly salaries, amounts and procedures for determination of the monthly salary.

(4) A monthly salary for an official (employee) who is appointed for work in an institution of the European Union or the Member State thereof shall be retained in accordance with the procedures specified in regulatory enactments.

*[15 April 2010]*

#### Section 8. Monthly Salary for Officials with Special Service Ranks of the Ministry of the Interior System Institutions and the Prisons Administration

(1) The amount of monthly salary for officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration, except officials (employees) of the Security Police, taking into account the position category and level, specifics of the duties of office and level of responsibility, term of service and procedures for determination of monthly salary, as well as the amount of the monthly salary for officials with special service ranks - professional sportsmen - of the Ministry of the Interior system institutions and the procedures for determination thereof shall be regulated by the Cabinet.

(2) The monthly salary for an official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration, who has been appointed in the position of cadet and prior to commencement of training in the education institution of the system of the Ministry of the Interior or the Prisons Administration he or she has not received another position of an official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration, shall comply with the minimum monthly remuneration for work determined in the State.

(3) The monthly salary for an official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration, who is appointed in the position of a civil servant of the State civil service in the Ministry of the Interior or Ministry of Justice for a definite period of time in the State interests, shall be determined in compliance with the relevant position of a civil servant, but the amount thereof may not be less than the amount of the previous monthly salary.

#### Section 9. Monthly Salary of Soldiers and Military Employees

(1) The amount of the monthly salary for a soldier and the procedures for determination thereof, taking into account a service rank and term of service, as well as the amount of monthly salary for an official (employee) – professional sportsman – of the Ministry of Defence and the procedures for determination thereof shall be regulated by the Cabinet.

(2) A soldier, who is appointed in the position appropriate to a higher service rank, shall receive additional payment in the amount of the difference between monthly salaries during the performance of such position. A soldier, who is appointed in the position appropriate to a lower service rank, shall receive a monthly salary in compliance with his or her service rank during the performance of such position.

(3) A soldier, who is appointed in the position of a civil servant in the State civil service or in



another position for a definite period of time, shall receive a monthly salary determined for a soldier and benefits and compensations determined for a soldier during the performance of such position.

(4) If a soldier receives sickness benefit and the amount of it is less than the monthly salary of the soldier, such difference shall be compensated for him or her from the resources granted for remuneration.

(5) A soldier dismissed from a position shall receive a monthly salary and a soldier's food rations or compensation thereof. A soldier shall not receive a monthly salary, additional payments, soldier's food rations or compensation thereof and a compensation for covering of expenses for rental of living quarters and public utilities for a period of time, while a soldier is away from a unit of the National Armed Forces or place of service without a justified reason or he or she has not arrived at the place of service on a specified time without a justified reason, as well as for a period of time spent on arbitrary absence, and this period of time shall not be included in his or her term of service. While a soldier is under arrest, he or she shall be provided with food does, but a monthly salary, additional payments and a compensation for covering of expenses for rental of living quarters and public utilities shall not be disbursed for him or her.

(6) A military employee shall receive a monthly salary, which is intended for a soldier with a service rank appropriate to the relevant position in the first year of the soldier's service, and a soldier's food rations or a compensation thereof.

*[14 January 2010]*

#### Section 10. Monthly Salary of Officials (Employees) of State Security Institutions

The amount of the monthly salary of officials (employees) of the State security institutions and procedures for determination thereof shall be regulated by the Cabinet.

#### Section 11. Monthly Salary of Officials (Employees) of Other State and Local Government Authorities

(1) The monthly salary for officials (employees) of the Central Electoral Commission, the Central Land Commission, the National Radio and Television Council, the court and Prosecutor's Office, the Office of the Ombudsman, the Service of Prevention of Money Laundering, the Public Utilities Commission, public foundations, scientific institutes, the Latvian Academy of Sciences, the Council of Higher Education, local governments, planning regions, mediated administration institutions, for the general personnel of the State established higher educational institutions, who do not hold positions determined in the list of positions for educators, and for persons employed in scientific institutions, who do not hold academic positions, shall be determined taking into account the value of the position (level and complexity of responsibility), as well as the assessment of individual qualification and skill of a particular official (employee), but these monthly salaries may not exceed the monthly salaries determined for the officials (employees) of direct administration institutions who perform positions of similar responsibility and complexity. Positions shall be classified in accordance with the catalogue of positions of State and local government authorities, position family and level shall be determined, the classification results shall be approved by the officials (authorities) determined in the regulatory enactments regulating the functioning of these authorities.

(2) The monthly salary of the officials (employees) of the State Audit Office, the President's Chancery, the *Saeima* Chancellery and other structural units of the *Saeima* shall be determined by the officials (authorities) determined in the regulatory enactments regulating the functioning of these authorities, taking into account the value (level and complexity of responsibility) of the position and the assessment of the individual qualification and skill of a particular official (employee), as well as the monthly salaries determined for the positions of officials (employees) of direct administration institutions of similar responsibility and complexity.

*[15 April 2010]*

## Section 12. Monthly Salary of Medical Practitioners

The lowest monthly salaries for medical practitioners employed in local government institutions, State and local government capital companies or public-private capital companies which have entered into an agreement regarding a health care service to be provided, and who provide health care services paid from the State budget, and for medical practitioners who provide health care services paid from the local government budgets in local government educational institutions shall be determined by the Cabinet.

## Section 13. Monthly Salary of a Member of the Board of a Port

The amount of the monthly salary of a member of the board of a port and the procedures for determination thereof shall be determined by the Cabinet in accordance with the division of ports.

## Section 13<sup>1</sup>. Monthly Salary of Officials (Employees) of the State Agency “Civil Aviation Agency”

The amount of the monthly salary for the officials (employees) of the State agency “Civil Aviation Agency” and the procedures for determination thereof, in ensuring the fulfilment of requirements of the European Union and International Civil Aviation Organisation, shall be determined by the Cabinet.

*(15.04.2010. [15 April 2010])*

## Chapter IV

### Additional Payments

## Section 14. General Additional Payments

(1) An official (employee) shall receive an additional payment not more than in an amount of 20 per cent of the monthly salary determined for him or her, if she or he replaces an absent official (employee) in addition to his or her direct duties of office (work, service), performs the duties of a vacant office (service, work) or performs other duties in addition to the duties specified in the position description. A medical practitioner shall receive an additional payment which is not more than 50 per cent of the monthly salary determined for him or her for performance of the duties of office of an absent medical practitioner, as well as those of a vacant medical practitioner position. An official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration shall receive an additional payment for additional pedagogical work in an educational institution in which the relevant official holds a position, if the performance of pedagogical work is not included in the duties of office of the official, and such additional payment may not be more than 50 per cent of the monthly salary determined for the relevant position of the educator. A soldier shall receive an additional payment for pedagogical work in a military educational institution, if his or her duties of office do not include performance of pedagogical work and such additional payment may not be more than 30 per cent of the monthly salary determined for a soldier. The amount of an additional payment, the substantiation for its determination, as well as a period of time for which the additional payment is to be determined, shall be regulated by a competent official (authority) of the State or local government authority.

(2) If several additional payments referred to in Paragraph one of this Section have been determined for an official (employee), the total sum of them may not exceed 20 per cent of the monthly salary. If several additional payments have been determined for a medical practitioner for different work to be performed additionally, the total sum of the additional payments may not exceed 50 per cent of the monthly salary. An official with a special service rank who in accordance with Paragraph one of this Section receives an additional payment for pedagogical work and the other additional payment referred to in Paragraph one of this Section, the total sum of additional payments may not exceed 50

per cent of the monthly salary determined for an official. A soldier who in accordance with Paragraph one of this Section receives additional payment for pedagogical work in a military educational institution and the other additional payment referred to in Paragraph one of this Section, the total sum of the additional payments may not exceed 30 per cent of the monthly salary determined for an official.

(3) An additional payment for replacement of an absent official (employee) or performance of the duties of a vacant position (service, work) may be determined for not more than two officials (employees). The additional payment for performance of the duties of the vacant position (service, work) may be determined for a period of time of up to four months during the existence of the vacancy.

(4) Officials (employees), except soldiers, shall receive an additional payment for night-work in the amount of 50 per cent of the hourly salary determined for them.

(5) A medical practitioner for work in the provision of first aid, a medical practitioner who works in a maternity or newborn ward, as well as a driver of a first aid vehicle shall receive an additional payment for night-work in the amount of 75 per cent of the hourly salary determined for the relevant employee.

(6) Officials (employees), except soldiers and officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration, shall receive additional payment for overtime work and for work on holidays in the amount of 100 per cent of the hourly salary determined for them, or compensate overtime work for them by granting rest time on another weekday.

(7) The performance of service duties over the determined time for fulfilment of service duties shall be compensated for officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration by granting rest time the duration of which complies with the time over the determined time for fulfilment of service duties.

(8) Overtime work for an official (employee) for whom a normal weekly working time is determined shall be paid for each calendar month in accordance with the working time registration data.

(9) For an official (employee) for whom aggregated working time is determined, his or her reporting period shall be four months, if another reporting period is not determined in regulatory enactments or collective agreement. Overtime shall be paid which is worked during four months over the total amount of hours of normal working time. The time when work is not performed due to justified reasons is not included in the total amount of hours of normal working time.

(10) A payment shall be determined for performance of service duties over the determined time for fulfilment of service duties (taking into account the number of overtime hours) for an official of the institution of the system of the Ministry of the Interior or Prisons Administration with a special service rank in compliance with the hourly salary determined for him or her, as well as an additional payment shall be determined in the amount of 100 per cent of the hourly salary determined for him or her, if the official is involved in the fulfilment of service duties over the determined time for fulfilment of service duties:

1) in order to ensure events especially significant for the State, eliminate consequences of accidents and natural disasters, provide public order and security or perform other extraordinary duties and the State budget resources have been granted in accordance with a special Cabinet decision or intended in the Annual State Budget Law for such purpose;

2) in order to ensure public order and security in public sports or culture events of public significance, if the payment is performed from the income of the institution for provided pay services;

3) in order to ensure implementation of the projects of instruments of the European Union policies or other projects financed or co-financed by foreign financial assistance, if the payment is performed from the financial resources granted for the implementation of these projects.

*[10 December 2009; 14 January 2010; 15 April 2010]*

## Section 15. Special Additional Payments

(1) An official (employee) shall receive special additional payments for work (service) related to special risk, for conditions related to the specifics of a position (service, work), for a diplomatic rank, term of service and special service rank. Special additional payments, amounts thereof and procedures for granting and disbursement shall be regulated by the Cabinet.

(2) A position (service, work) which in accordance with work environment risk assessment is related to increased psychological or physical load to such extent or risk for employee's safety and health, that it can not be prevented or diminished up to an admissible level using labour protection measures shall be considered as a special risk within the meaning of this Section.

(3) Special additional payments for an official (employee) of a self-government for work related to special risk and for conditions related to the specifics of the position (work), as well as the list of those officials (employees), for whom such additional payments are due, and the amount of such additional payments shall be determined by the city council of the relevant self-government. The amount of additional payments may not exceed the amount of special additional payments determined by the Cabinet for officials (employees) of direct administration institutions.

*[15 April 2010]*

## Chapter V Bonuses

### Section 16. Bonuses

(1) Officials (employees), except the officials referred to in Section 5, 6 and 13 of this Law may be awarded in cases and in accordance with the procedures referred to in Paragraph two and three of this Section. Not more than 15 per cent of the amount of resources granted for remuneration may be used during a calendar year for disbursement of bonuses.

(2) A bonus may be disbursed for the officials (employees), except officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration once a year in accordance with the annual assessment of activity and its results the amount of which may not exceed 120 per cent of the monthly salary. The amount of bonus for the State direct administration institutions and procedures for disbursement shall be determined by the Cabinet, but for other State or local government authorities - by the officials (authorities) determined in the regulatory enactments regulating the activity of these authorities.

(3) Not more than twice a year in accordance with the procedures and criteria determined by the State or local government authority an official (employee) may be awarded for work quality and work contribution in fulfilment of tasks planned for the relevant period by the relevant authority or unexpected and extraordinary tasks, as well as for courageous and self-denying behaviour in performing the duties of office (work, service). The amount of the each time bonus may not exceed 120 per cent of the monthly salary.

(4) An official with a special service rank of the Ministry of the Interior system institutions, official of the institution of pre-trial investigation to whom this Law applies, as well as an official of a local government police may be awarded in accordance with the procedures and criteria specified in the State authority in addition to that which is specified in Paragraph three of this Section for prevention or disclosure of such crime, which has caused or may cause substantial damage. The amount of the each time bonus may not exceed 120 per cent of the monthly salary.

*[15 April 2010]*

## Chapter VI Benefits

### Section 17. Discharge Benefit or Retirement Allowance

(1) A discharge benefit or retirement allowance shall be disbursed in the following amount for officials (employees), except soldiers with whom position (service, employment) relations have been terminated in relation to liquidation of the authority or position, reduction of the number of officials (employees), health condition non-complying with the determined requirements for a position (service, work), attaining a certain age after which being in the service is not admissible, in relation to reaching the length of service determined for the receipt of a long service pension, as well as in the case when an official (employee) is renewed in the position (service, work), who performed the relevant duties of office (service, work) previously:

- 1) in the amount of one average monthly earnings, if the official (employee) has been employed in the State or local government authorities continuously for less than five years;
- 2) in the amount of two average monthly earnings, if the official (employee) has been employed in the State or local government authorities continuously for five to 10 years;
- 3) in the amount of three average monthly earnings, if the official (employee) has been employed in the State or local government authorities continuously for 10 to 20 years; or
- 4) in the amount of four average monthly earnings, if the official (employee) has been employed in the State or local government authorities continuously for more than 20 years.

(1<sup>1</sup>) A discharge benefit for an official (employee) who is employed in accordance with the Labour Law shall be disbursed in the amount specified in Paragraph one, Clauses 1, 2, 3 or 4 of this Section and taking into account the provisions of Paragraph two and four of this Section, if notice is given for a contract of employment on the basis of Section 100, Paragraph five, Section 101, Paragraph one, Clause 6 or 11 of the Labour Law.

(2) Employment of an official (employee) shall be considered as uninterrupted even then, if the time from termination of a position (service, employment) legal relations in the State or local government authority to resuming them in the same or another State or local government authority is not longer than one month. Time of interruption shall not be included in the worked time specified in Paragraph one of this Section.

(3) If it is offered for an official (employee), who is dismissed from a position (service, work), to continue fulfilment of the duties of office (service, work) on the basis of that which is referred to in Paragraph one of this Section in the same or another authority and if an official (employee) agrees to such offer, a discharge benefit or retirement allowance shall not be disbursed to him or her.

(4) If an official (employee), for whom a discharge benefit or retirement allowance has been disbursed, is renewed in the position (service, work) and position (service, employment) legal relations are repeatedly terminated with him or her, the discharge benefit or retirement allowance shall not be disbursed to him or her for the time worked for which the allowance has been already disbursed.

(5) When retiring a soldier from active service he or she shall be paid a retirement allowance if the retirement takes place:

1) due to the attainment of the maximum age prescribed for active service, when terminating the professional service contract before the end of the term due to the state of health (a trauma, disability or illness acquired during the time of service while performing service duties) or due to abolition (reorganisation, reduction of the number of soldiers) of the unit (sub-unit) and the soldier is not offered another position, as well as, when the professional service contract terminates before the attainment of the maximum age prescribed for active service – in the amount of the monthly salary and additional payments of the last month;

2) upon termination of the professional service contract before the end of the term due to the abolition (reorganisation, reduction of the number of soldiers) of the unit (sub-unit) and if the soldier refuses the position offered — in the amount of the salary for the previous two weeks;

(6) When retiring a soldier from active service due to other reasons, he or she shall only be paid monthly salary and additional payments until the day of retirement.

(7) The retirement allowance provided for in Paragraph five, Clause 1 of this Section shall be disbursed for a soldier, who prior to retirement from active service took part in an international

operation or has been involved in rapid response forces in the territory of Latvia, taking into account the monthly salary and additional payments of the last month which were determined for him or her at the place of basic service in Latvia.

(8) If the employment contract of a military employee expires in relation to the appointment of a soldier to the position he or she holds, the military employee shall be paid a discharge benefit in the amount of the average monthly earnings.

(9) A discharge benefit in the amount of one monthly salary shall be disbursed:

1) for an official elected, approved or appointed by the *Saeima*, upon leaving a position by him or her after the end of the two terms of office provided that he or she is not elected, approved or appointed in this position repeatedly;

2) for a member of the Cabinet or parliamentary secretary after he or she has ceased to perform the duties of office; A benefit shall not be disbursed, if a member of the Cabinet or parliamentary secretary is a deputy of the *Saeima* at the time of loss of a position. A benefit shall not be disbursed for a parliamentary secretary even then, if he or she continues to fulfil the duties of an advisory official or employee of a member of the Cabinet after dismissal from a position of a parliamentary secretary;

3) for an advisory official or employee of a member of the Cabinet upon termination of the employment contract which has been entered into for the term of office of the member of the Cabinet. If an advisory official or employee of a member of the Cabinet continues the work in the same or another State or self-government authority or continues the work on the basis of new contract which has been entered into for the term of office of the member of the Cabinet, a discharge benefit shall not be disbursed for him or her. If a person is an advisory official (employee) of two or several members of the Cabinet at the time of loss of a position, he or she shall receive one discharge benefit upon his or her choice;

4) for a deputy of a local government city council who is discharged from a previous position (service, work) in relation to election in a paid position in the city council, after he or she has terminated to fulfil the duties of such position upon termination of the term of office of the deputy and he or she is not ensured with a previous or equal job within two weeks. Such benefit shall be disbursed also for a deputy of the city council, if he or she is discharged from a position in relation to such decision of the city council, which is not substantiated by the duty specified in the law or in the by-laws of the local government, a decision of the relevant local government city council, non-fulfilment of judgements, non-observance of laws and Cabinet Regulations;

5) for a member of the board of a port, if he or she has been withdrawn from a position, except for the cases when withdrawal is substantiated by violation of powers, non-fulfilment of duties or inappropriate fulfilment of duties, thus causing substantial damage for the port.

(10) If a person is a parliamentary secretary and advisory official or employee of a member of the Cabinet at the time of loss of a position, he or she shall receive a discharge benefit in amount of that monthly salary which he or she has chosen to receive, in performing the referred to duties of office (work).

[10 December 2009; 15 April 2010]

## Section 18. A Leave Allowance

An official (employee), in going on annual leave, shall receive a leave allowance. A leave allowance shall be granted once in a calendar year and disbursed for an official (employee), when he or she is going on leave for the first time in a particular calendar year. A leave is not postponed to the next calendar year.

(2) Officials (employees), except the officials, soldiers and officials (employees) of local governments referred to in Section 5, 6 and 13 of this Law, shall receive a leave allowance in the following amount:

1) in the amount of 25 per cent of the monthly salary, if the official (employee) has been employed in the State or local government authorities continuously for less than one year;

- 2) in the amount of 50 per cent of the monthly salary, if the official (employee) has been employed in the State or local government authorities continuously for one to three years;
  - 3) in the amount of 75 per cent of the monthly salary, if the official (employee) has been employed in the State or local government authorities continuously for three to five years; or
  - 4) in the amount of 100 per cent of the monthly salary, if the official (employee) has been employed in the State or local government authorities continuously for more than five years.
- (3) The officials referred to in Section 5, 6 and 13 of this Law, as well as soldiers, shall receive a leave allowance in the amount of one monthly salary.
- (4) An allowance referred to in Paragraph one of this Section shall be disbursed for officials (employees) of a local government not exceeding the amount of one monthly salary in accordance with the procedures and in the amount specified by the local government city council.
- (5) If office (service, employment) relations are terminated with an official (employee) and he or she has not used the annual leave for a current year or a part thereof and has not received a leave allowance, it shall not be disbursed to him or her.

**Section 19. A Benefit to be Disbursed in the Event of Injury, Mutilation or Other Damage to the Health of Officials (Employees), Except Soldiers, Obtained While Performing the Duties of Office (Service, Work) or in the Event of Death**

- (1) In the event of the death of officials (employees), except soldiers, a family member or a person who has undertaken the burial of an official (employee), shall receive a lump sum benefit in the amount of the monthly salary specified for the official (employee). The procedures for granting of this benefit shall be determined by the Cabinet.
- (2) In the event of the death of a diplomat, an official (employee) of the diplomatic or consular service serving in foreign states his or her family shall receive a lump sum benefit in addition to the benefit specified in Paragraph one of this Section which is equal to the benefits of 10 monthly salaries for service in foreign states.
- (3) Officials (employees), except soldiers, who, while performing the duties of office (service, work) related to the threat (risk) to life or health, have suffered in an accident and acquired an injury or mutilation or other damage has been caused to their health (except for occupational disease), shall receive a lump sum benefit. Physical impairment in relation to which the referred to benefit is disbursed, the amount thereof, procedures for granting and disbursement thereof shall be determined by the Cabinet.
- (4) If the duties of office (service, work) of officials (employees), except for soldiers, are related to the threat (risk) to life or health and they perished or died within a year after the accident due to physical impairment obtained during it, such officials (employees) shall be buried for State budget resources and a lump sum benefit shall be disbursed to their forced heirs in the amount of LVL 50 000. The procedures for granting and disbursement of such benefit, as well as the amount of burial expenses and procedures for covering thereof shall be determined by the Cabinet.
- (5) The benefits referred to in Paragraph three and four of this Section shall be granted for an official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration, if the official has suffered:
  - 1) while protecting life, health, rights and freedom of persons, property, public or State interests from criminal and other illegal danger;
  - 2) while performing works for the suppression of fire, rescue work and underwater search works;
  - 3) while performing direct border guarding functions, as well as directly controlling the fulfilment of conditions for entry, stay, transit and departure of foreigners and in accordance with them holding the foreigners in protection, accompanying under supervision of safety guards or deporting;
  - 4) while taking measures for the prevention of emergency situations and the liquidation of consequences thereof; or
  - 5) while directly ensuring implementation of a security measure – detention - or criminal punishment – deprivation of liberty;

6) while participating in special training.

(6) The amounts and procedures for granting of the benefits specified in this Section in respect of officials (employees) of a local government, as well as the amount of burial expenditures and procedures for covering thereof shall be determined by the city council of the relevant local government. The city council of the local government upon assessment of the financial resources available for the local government and considering the usefulness of usage thereof, may determine that the benefits referred to in Paragraph three and four of this Section are disbursed not from the budget of the local government, but as an insurance indemnity. In such case the local government shall perform life insurance or accident insurance for the relevant officials (employees) of the local government.

*[10 December 2009; 15 April 2010]*

#### Section 20. Benefit in Case of the Death of a Family Member or a Dependant

A benefit shall be disbursed in case of the death of a family member (spouse, child, parents, grandparents, adopter or adoptee, brother or sister) or dependant in an amount of not more than one minimum monthly salary. The procedures for granting of this benefit shall be determined by the Cabinet.

*[15 April 2010]*

#### Section 21. Benefits to be Disbursed in the Event of Injury, Mutilation or Other Health Impairment or in the Event of Death of Soldier

(1) If the disability of a professional service soldier has been determined during the time of service or within a year from the retirement from active service due to injury (mutilation, concussion) or illness, which has been suffered during the time of service, while performing service duties, he or she shall be paid a single compensation in addition to compensation and allowances provided for in laws:

1) to a Group I disabled person — in the amount of 50 monthly salaries but not more than LVL 30 000;

2) to a Group II disabled person — in the amount of 40 monthly salaries but not more than LVL 20,000; and

3) to a Group III disabled person — in the amount of 20 monthly salaries but not more than LVL 10,000.

(2) A lump sum benefit shall be paid for a soldier, who, while performing the duties of service, has suffered health impairment, but for whom a disability has not been determined:

1) in case of serious health impairment – in the amount of five monthly salaries;

2) in case of moderate health impairment – in the amount of three monthly salaries, but not more than LVL 1000;

3) in case of slight health impairment – in the amount of LVL 200 if the temporary disability of work (service) lasts more than six days.

(3) A lump sum benefit shall be paid in the amount of three monthly salaries for a soldier, who, while performing military service, has become ill and after treatment has been recognised as unfit for future active service and therefore he or she is retired from professional service before the end of the term of service (contract).

(4) A benefit shall be disbursed to forced heirs of soldiers who have died on active service:

1) if a reserve soldier or reservist has died during active service while performing service duties - in the amount of LVL 50 000;

2) if a soldier has died, while in the composition of a National Armed Forces contingent in accordance with a mandate approved by the international organisation participating in the international operation or in the international operation participation in which is determined by the decision of the *Saeima*, or while performing certain tasks determined by an order of the



commanding officer (chief) related to the use of weapons and arms and which intend real threat to the health and life of a soldier – in an amount of 120 monthly salaries, but not more than LVL 50 000; or

3) if a soldier has died, while performing service duties, or within a year after retirement from active service has died because of injury (mutilation, concussion) or because of such illness, the cause of which is related to the performance of military service (occupational disease) – in an amount of 120 monthly salaries, but not more than LVL 50 000.

(5) If a soldier has died during active service, while performing service duties, or has died within a year after retirement from active service because of injury (mutilation, concussion) or because of such illness, the cause of which is related to the performance of military service (occupational disease), the Ministry of Defence shall cover expenditure for a course of medical rehabilitation services necessary for his or her family members (spouse, children, parents).

(6) If a soldier, while performing service duties, has suffered injury (mutilation, concussion) or such illness, the cause of which is related to the performance of military service (occupational disease), and he or she is being treated outside Latvia, the Ministry of Defence shall cover expenditure for travel (to and from the place of treatment) and expenditure for a hotel (accommodation) for his or her family members (spouse, children, parents, but for not more than two persons). The Cabinet shall determine the limits for expenditure for the hotel (accommodation).

(7) If a soldier has died during the time of active service or acquired health impairment and he or she has become disabled, but the cause of death or health impairment is not related to the performance of his or her direct service duties or his or her malicious or unseemly act, he or she or his or her forced heirs may be paid a part of the corresponding benefit prescribed in this Section the amount of which shall be determined by the Minister for Defence in each individual case.

(8) The benefits determined in this Section shall not be disbursed during hostilities occurring in the territory of Latvia.

(9) Procedures by which accidents in which soldiers have suffered during service shall be investigated and registered shall be determined by the Cabinet.

(10) If a soldier, while participating in an international operation has acquired a health impairment or illness or has died, the benefit referred to in this Section shall be disbursed, taking into account the monthly salary which was specified for the soldier in his or her place of basic deployment in Latvia before being sent to perform the international operation

(11) A soldier who has perished or died during the time of service, while performing service duties or due to reasons related to military service, shall be buried at the expense of the State. In such case a soldier's tombstone shall be erected for him or her made according to a sample approved by the Minister for Defence. If a tombstone different than the soldier's tombstone is erected, the Ministry of Defence shall cover that part of tombstone erection expenses, which corresponds to the value of a soldier's tombstone. Types and amount of expenditure related to the burial of a soldier and erection of a tombstone shall be determined by the Cabinet.

## Section 22. Benefit to be Disbursed in Case of Injury, Mutilation or Other Health Impairment of an Official (Employee) Related to Participation in an International Operation or Obtained During a Mission to the Region of an International Operation

(1) A lump sum benefit shall be disbursed to an official (employee) who participates in an international operation or has been sent in a mission to a region of an international operation and, while performing the duties of office (service, work), has suffered an accident and acquired mutilation or other health impairment, but for whom a disability has not been determined:

- 1) in case of serious health impairment – in the amount of five monthly salaries;
- 2) in case of moderate health impairment – in the amount of three monthly salaries; or
- 3) in case of light health impairment – in the amount of one monthly salary.

(2) A lump sum benefit shall be disbursed to an official (employee) who participates in an international operation or has been sent in a mission to a region of an international operation, while

performing the duties of office (service, work), has suffered in accident and acquired mutilation or other health impairment, and for whom a disability has been determined:

- 1) to a Group I disabled person — in the amount of 20 monthly salaries but not more than LVL 30 000;
- 2) to a Group II disabled person — in the amount of 15 monthly salaries but not more than LVL 20,000; or
- 3) to a Group III disabled person — in the amount of 10 monthly salaries but not more than LVL 10,000.

#### Section 23. Restrictions and Conditions for Disbursement of Benefits

Benefits referred to in Section 19, 21 and 22 of this Law shall not be disbursed, if the facts (suicide or attempt thereof, use of alcohol or other intoxicating substances, violation of regulatory enactments or indecent act) are determined in accordance with which an accident (health impairment) shall be considered as unrelated to the performance of the duties of office (service, work).

#### Section 24. Resettlement Allowance

(1) If the acceptance of a soldier into professional service or the relocation of a soldier in the interests of the service is related to a change of his or her place of residence to another administrative territory, after the resettlement to the place of service he or she shall be paid a single allowance in the amount of one monthly salary and in the amount of 50 percent of the salary determined for him or her for each family member who is resettling to the new place of residence together with him or her.

(2) If an official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration is relocated in the interests of the service to another administrative territory and he or she changes the place of residence, he or she shall receive a single allowance in the amount of one monthly salary determined for the new position and in the amount of 50 percent of the monthly salary determined for the new position for each family member who is resettling to the new place of residence together with the official and will reside permanently at the relevant place of residence. The procedures for granting and disbursement of this benefit shall be determined by the Cabinet.

*[14 January 2010; 15 April 2010]*

#### Section 25. Long Service Allowance Disbursable to a Soldier

A soldier shall receive a single allowance every five years of professional service in the amount of the last three monthly salaries and additional payments, if the contract of a professional service is prolonged after the end of term thereof.

### Chapter VII

#### Compensations, Cover of Tuition Expenditures and Insurance

#### Section 26. Compensation for cover of Tuition Expenditures

(1) Tuition expenditures shall be covered for an official (employee) up to 30 percent of the tuition fee for a year, if he or she upon initiation of the authority or by mutual agreement, successfully studies in a State accredited higher education institution or education institution of a foreign state, where the certificates issued by it are recognised in Latvia, in order to acquire special knowledge necessary for performance of the duties of office (service). If acquiring of education requires full or partial temporary interruption of the duties of office (service, work), the State or local government

authority and official (employee) shall, in agreeing regarding granting of compensation for tuition fee, agree also regarding retaining of monthly salary and conditions thereof.

(2) The Cabinet shall determine procedures by which tuition expenditures are to be compensated to an official (employee), the conditions for compensation and repayment of such expenditures, as well as the cases when an official (employee) shall not repay expenditures related to compensation of a tuition fee.

(3) A compensation to be disbursed to an officials (employees) of local governments for cover of tuition expenditures shall not exceed 30 per cent of the annual tuition fee. Procedures, criteria and amounts for granting thereof, repayment conditions and procedures, as well as the cases when the relevant expenditures shall not be repaid, shall be determined by the relevant local government city council.

*[15 April 2010]*

## Section 27. Cover of Expenditures for Improvement of Qualification

(1) The State or local government authority shall assess the necessity for improvement of qualification of an official (employee) and ensure the possibility for him or her to improve qualification by compensating or covering tuition expenditures and retaining monthly salary and additional payment for a special service rank, diplomatic rank, additional payment for long service and compensation of food rations.

(2) The Cabinet shall determine the procedures by which an official (employee) is sent to improve qualification in training courses and the conditions and procedures for covering and repayment of expenditures related to improvement of qualification of the official (employee), as well as the cases when the official (employee) shall not reimburse the expenditures related to his or her improvement of qualification.

(3) A local government city council shall determine the procedures by which an official (employee) is sent to improve qualification in training courses and the conditions and procedures for covering and repayment of expenditures related to improvement of qualification of the official (employee), as well as the cases when the official (employee) shall not reimburse the expenditures related to his or her improvement of qualification.

*[10 December 2009; 15 April 2010]*

## Section 28. Covering of Expenditures for Tuition

(1) The State authority, after assessing the necessity for the service, may send an official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration or a soldier to an educational institution, in order this official or soldier acquire the education necessary for performance of the relevant service duties. If the official or soldier acquires the referred to education, interrupting the performance of service duties, a monthly salary, additional payment for a special service rank, additional payment for long service and compensation of food rations shall be retained for him or her during this period of time.

(2) The expenditures for tuition shall be financed from the State budget resources in the cases referred to in Paragraph one of this Section, as well as for the officials with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration and for soldiers who are studying in the educational institutions determined by the Cabinet.

(3) The Cabinet shall regulate the conditions by which and procedures by which an official or soldier is sent to an educational institution for acquiring of the education necessary for performance of the relevant service duties, as well as which expenditures shall be considered as expenditures for tuition, the conditions and procedures for covering and repayment of such expenditures, as well as the cases when official or soldier shall not reimburse the relevant expenditures.

*[14 January 2010; 15 April 2010]*

## Section 29. Compensation of Expenditures for Transport

(1) Expenditures for transport, which have arisen in relation to being sent or being on an official journey, shall be compensated for an official (employee) in accordance with the procedures and in the amount specified by the Cabinet. In other cases expenditures for transport, which have arisen using public transport for performance of the duties of office (service, work), shall be compensated for an official (employee), but expenditure for use of a taxi shall not be compensated. The procedures and amount in which the expenditures for public transport are compensated for an official (employee) shall be determined by the Cabinet.

(2) If it is not possible to use public transport or a vehicle in the possession of the authority and an official (employee) uses a vehicle owned or possessed by him or her for the performance of the duties of office (service, work), a compensation shall be disbursed to the official (employee) for depreciation of the vehicle and expenses for exploitation of the vehicle. The amount (quota) of compensation and procedures for payment thereof shall be determined by the Cabinet.

(3) The expenses for public transport shall be compensated for an official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration the performance of the duties of office (service) of which is related to the sources of ionising radiance, in order that he or she get to a place of medical treatment for performance of a health examination and return from it, as well as for a soldier, military employee, a reserve soldier and reservist who is using public transport to go to a place of medical treatment or rehabilitation and return from there. Expenses for use of taxi is not compensated. The amount of compensation for expenses for transport and procedures for granting thereof shall be determined by the Cabinet.

(3) An official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration with a special service rank who is relocated in the interests of service to another administrative territory for a definite period of time, but who does not change the place of residence, shall receive a compensation for covering of travel expenses. The amount of compensation for travel expenses and procedures for granting thereof shall be determined by the Cabinet.

*[15 April 2010]*

## Section 30. Compensation of Expenses Related to Resettlement

(1) Expenses related to resettlement shall be compensated for an official (employee), who is relocated in the interests of the State or service to another administrative territory and who therefore changes his or her place of residence, on the basis of documents justifying the expenses which include expenses for transport and expenses for transportation of belongings owned by the official (employee) and his or her family members (dependents). This provision shall not apply to cases, when the official (employee) is relocated due to liquidation of the institution or position of the official (employee), reduction of the number of officials (employees), according to the request of the official (employee) or a decision is taken regarding non-compliance of the official (employee) with the position held. The amount of compensation for expenses related to resettlement and procedures for granting thereof shall be determined by the Cabinet.

(2) If an official with a special service rank of the Ministry of the Interior system institutions or the Prisons Administration or a soldier shall change the place of residence in the interests of service to another administrative territory, his or her spouse has lost employment due to the resettlement and does not receive an unemployment benefit, a pension or any other regular income and it is impossible to find another job in the locality of the place of the new dislocation or place of service, the official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration with special service rank or soldier shall be paid a monthly compensation in the amount of 10 percent of the monthly salary. The compensation shall be paid until the time when a spouse starts to receive regular income. The procedures for granting of compensation and payment thereof shall be determined by the Cabinet.

(3) Expenses related to resettlement shall be compensated for officials (employees) of local governments in accordance with the procedures and in the amount specified by the relevant local government city council.

*[14 January 2010; 15 April 2010]*

#### Section 31. Compensation for Rental of Living Quarters and Public Utilities

(1) A soldier shall be paid a compensation for covering of expenses for rental of living quarters and public utilities. The amount of compensation and procedures for granting thereof shall be determined by the Cabinet and it may not exceed LVL 100 per month.

(2) An official (employee), who is relocated in the position to another administrative territory for a definite period of time, shall be paid a compensation for the rental of living quarters and public utilities. It shall not apply to officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration who have been sent to an educational institution of the system of the Ministry of the Interior or the Prisons Administration for acquiring of the necessary education. The amount of compensation for covering of expenses for rental of living quarters and public utilities and procedures for granting thereof shall be determined by the Cabinet and it may not exceed LVL 100 per month.

*[10 December 2009]*

#### Section 32. Compensation for Communication Expenses

(1) Communication expenses shall be compensated for an official (employee) for whom a mobile phone is granted for performance of the duties of office (service, work) in an amount determined by the State or local government authority. Communication expenses shall be compensated for an official (employee) who uses a mobile phone owned by him or her for the performance of the duties of office (service, work) in accordance with the procedures and in the amount determined by the State or local government authority.

(2) A soldier shall be ensured with the means of communication necessary for the performance of service duties in accordance with the procedures determined by the Ministry of Defence.

(3) The amount of compensation for communication expenses for diplomats shall be determined by the Minister for Foreign Affairs

(4) Communication expenses for the performance of the office (work) duties shall be compensated for officials (employees) of local governments in accordance with the procedures and in the amount specified by the relevant local government city council.

#### Section 33. Compensation for Losses or Impairment

The Cabinet shall determine the amount of losses caused to the property of an official (employee) or to the property of his or her family members (parents, grandparents child, grandchild, adoptee or adopter, brother, sister or spouse), or impairment caused to the health in relation to performance of service duties of the official (employee) and procedures for compensation thereof.

#### Section 34. Compensation for Purchase of Clothes Necessary for Performance of Service Duties

The purchase of clothes necessary for performance of service duties shall be compensated for the official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration or for a soldier, whose service duties are to be performed in civil clothes due to specifics thereof. The amount of compensation and procedures for granting thereof shall be determined by the Cabinet.

#### Section 35. Food Rations Compensation

(1) Food rations compensation shall be paid to soldiers, officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration, except officials (employees) of the Security Police. The amount of food rations compensation and procedures for payment thereof shall be determined by the Cabinet.

(2) Food rations compensation shall not be paid to the official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration while he or she is on leave without retaining of work remuneration, on leave granted to a child's father or on child-care leave, as well as in other cases provided for in the law.

(3) A local government city council may determine food rations compensation for an official of the local government police who performs the duties specified in the Law On Police. The self-government city council shall determine the amount of a compensation and procedures for payment thereof. The amount of compensation may not exceed the amount of food rations compensation for officials with special service ranks of the Ministry of the Interior system institutions or the Prisons Administration determined by the Cabinet.

*[15 April 2010]*

### Section 36. Allowances and Compensations for Service in Foreign States

(1) The following allowances shall be determined for a diplomat, official (employee) of the diplomatic or consular service, specialised attache, communications officer, soldier or official (employee) of the State security institution, while he or she is performing his or her service in a foreign state:

- 1) a salary allowance for service in the foreign state;
- 2) an allowance for residing of a spouse in the foreign state, if the spouse is not employed in paid work;
- 3) an allowance for the stay of children in the foreign state;
- 4) an allowance for the purchase of household goods when transferring to the place of service in the foreign state; and
- 5) an allowance to cover the expenses for transport used for the needs of the service.

(2) The following expenses shall be compensated for a diplomat, official (employee) of the diplomatic or consular service, specialised attache, communications officer, soldier or official (employee) of the State security institution, while he or she is performing his or her service in a foreign state:

- 1) rental of housing and public utility expenses;
- 2) expenditure related to entering into a contract on the rental of housing;
- 3) travel and resettlement expenses (also the relevant expenses of family members);
- 4) health insurance and accident insurance expenses, as well as transport expenses in case of serious illness or death of the relevant person or his or her family members;
- 5) child's school and pre-school expenses;
- 6) travel expenses (also relevant expenses of family members), when going on leave to Latvia and returning to the place of service.

(3) The amounts and procedures for the payment of allowances and compensations referred to in Paragraphs one and two of this Section shall be determined by the Cabinet in conformity with the specific circumstances of the place of service in the foreign state.

(4) A local government city council shall determine the positions of officials (employees) to whom it may apply allowances and compensations referred to in Paragraph one and two in the amount and in accordance with the procedures prescribed by itself.

(5) The Ministry of Foreign Affairs may determine additional payment for a diplomat, official (employee) of diplomatic or consular service who is endangered by hostilities, violence, riot or natural disaster at the place of service up to 50 percent of the amount of their allowances which are paid to such diplomat, official (employee) of diplomatic or consular service in accordance with

Paragraph one, Clause 1, 2 and 3 of this Section and compensate losses which the diplomat, official (employee) of diplomatic or consular service has suffered due to the referred to conditions.

(6) The rights determined in Paragraph one and two of this Section, except the right to a salary allowance for service in the foreign state, shall be retained for soldiers, military employees and officials (employees) of the State security institutions who are sent to serve in the North Atlantic Treaty Organisation, institutions of the European Union, multinational headquarters of the Member States to these organisations or who on the basis of the decision of the referred to organisations are sent to international operations. If family members of a soldier, military employee or official (employee) of the State security institution reside in the foreign state from which a soldier, military employee or official (employee) of the State security institution is sent to international operation, the soldier, military employee or official (employee) of the State security institution shall receive a salary allowance for service in the foreign state up to the amount of 50 per cent. The procedures for determination of such allowance and amount thereof shall be determined by the Cabinet. (7) A soldier shall not be granted allowances and expenses provided for in Paragraph one and two of this Section shall not be compensated, while he or she performs service in a foreign state participating in an international operation, military training, manoeuvres or on official journey.

(8) An official of an institution of the system of the Ministry of the Interior, who in accordance with the decision of the head of authority guards the diplomatic or consular mission of the Republic of Latvia in a foreign state, shall receive a salary allowance for service in the foreign state and a compensation for covering of travel expenses.

(9) A State authority shall cover the following expenses related to residing of the official referred to in Paragraph eight of this Section in a foreign state:

- 1) expenses related to health insurance and accident insurance, while the official has been residing in the foreign state; and
- 2) expenses related to rental of housing and public utilities.

(10) The amount of the allowance, compensation and expenses to be covered determined in Paragraph eight and nine of this Section, as well as the procedures by which expenses related to residing of an official of an institution of the system of the Ministry of the Interior are to be covered, shall be determined by the Cabinet.

## Section 37. Health Insurance and Accident Insurance

(1) A State or local government authority may insure the health of officials (employees) in compliance with the financial resources granted to it, but the health of the official (employee) or accident insurance of the official (employee) shall be performed mandatorily in the cases specified in this Law. The State and local government authorities shall not insure the health of those officials (employees) for whom paid health care is determined in this Law.

(2) The price of the health insurance policy of an official (employee) may not exceed the amount determined in the regulatory enactments regarding personal income tax. If the price of an insurance policy exceeds the referred to amount, an official (employee) shall cover the difference of prices.

(3) The State and local government authorities shall insure the health of those officials (employees), who, while performing the duties of office (service, work), are subject to real life or health threat (risk). The State authority shall insure the health of those officials of the Corruption Prevention and Combating Bureau, who perform investigation and operational activity, as well as the health of those court experts, officials (employees) of the State Forest Service, the State Revenue Service and the State environmental inspectors of the Nature Conservation Agency, officials (employees) of the State Probation Service, who are subject to risk:

- 1) while participating in investigation activities;
- 2) while supervising forest fire safety, discovering, limiting and extinguishing forest fires, as well as supervising the observance of the regulatory enactments regulating hunting and use of forests;
- 3) while performing fishing control, the State control of environmental protection and use of natural resources, the control of protection and use of special areas of conservation of State significance,

species and biotopes of special protection and microreserves, as well as supervision and control of radiation safety and nuclear safety;

4) while performing measures of social behaviour correction at the places of serving a sentence, attending convicted persons at the institutions of deprivation of liberty;

5) while performing supervision of persons upon whom a suspended sentence has been imposed, persons released from punishment before completion of the term of their sentence, as well as the supervision of the persons in respect of whom criminal proceedings have been terminated by conditionally releasing them from criminal liability, and while implementing probation programmes;

6) while organising and managing the execution of a criminal penalty – forced labour; and

7) while organising execution of a measure of compulsion – community work – of a correctional nature.

(4) A local government city council shall determine the positions in which the officials (employees) are subject to real life or health threat (risk).

(5) The Ministry of Foreign Affairs shall insure the health of all officials (employees) of the diplomatic and consular service, as well as shall insure all diplomats and officials (employees) of the diplomatic or consular service against accidents, if their place of service is in a foreign state. Moreover, the Ministry of Foreign Affairs shall insure the health of the family members of those diplomats and officials (employees) of the diplomatic and consular service, who are resettling to the relevant place of service in a foreign state. The amount of insurance shall be determined by the Ministry of Foreign Affairs in compliance with financial resources granted for it.

(6) The health insurance and accident insurance of the specialised attaches shall be ensured by that State authority which has appointed them in compliance with financial resources granted for it.

*[10 December 2009]*

#### Section 38. Insurance Related to Sending on an Official Journey

A State or local government authority shall perform insurance of an official (employee) in the cases and in accordance with the procedures provided for in the law and the Cabinet Regulations in relation to sending of the official (employee) on an official journey and insurance related to this official (employee) or shall cover the relevant expenses.

#### Section 39. Paid Health Care

Officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration, officials (employees) of the State security institutions, employees of an emergency medical assistance service, soldiers and military employees have the right to receive paid health care. The conditions for the receipt of paid health care, types of paid services and payment procedures, as well as health care services and expenditure, which are not paid, shall be determined by the Cabinet.

### Chapter VIII

#### Leave

#### Section 40. Leave

(1) Leave of officials (employees), duration and procedures for granting thereof, as well as other matters related to leave shall be regulated by the relevant norms of the Labour Law, in so far as it is not otherwise specified in this Law.

(2) The norms of the Labour Law shall be applied for a soldier who gives his or her blood in a medical treatment institution, taking into account the condition that the monthly salary and additional payments are paid to him or her.



(3) A compensation for a soldier's food rations shall also be paid for the relevant time period to a soldier, for whom prenatal leave or leave for the child's farther, adoptee or other person who actually cares for a child is granted. Monthly salary and additional payments shall not be retained for a soldier to whom a child-care leave is granted. For taking care of each child a soldier shall be granted one undivided child-care leave.

(4) The period of such leave shall be included in the length of service of the soldier, to whom a child-care leave is granted, which entitles him or her to a service pension but shall not be included in the length of service, which entitles him or her to the awarding of the next service rank.

(5) A status of employee shall be retained for a deputy of a local government city council who holds a paid position on the city council and has chosen to relinquish his or her authority temporarily, while on pregnancy, maternity, child-care leave or on leave for the child's farther, adoptee or other person, who actually cares for a child, but for not more than the time of operation of the relevant city council.

*[10 December 2009; 15 April 2010]*

#### Section 41. Annual Paid Leave

(1) Officials (employees), except the officials (employees) referred to in the next Paragraphs, shall be granted an annual paid leave the length of which is four calendar weeks, not including public holidays, and the average earnings shall be paid for this period of time.

(2) *[15 April 2010]*

(3) A soldier shall be granted annual paid leave — 30 calendar days, not including public holidays. A pilot, soldier serving in the crew of aircraft, sailor serving in the crew of a ship and sapper blaster who actually carries out the blasting shall be granted a leave of 40 calendar days. For every five years of uninterrupted serving in active service the annual leave shall be prolonged by three days but not more than by 15 calendar days in total. It is not permitted to compensate annual leave in money, except in cases where a soldier who has not used his or her annual leave is retired from professional service. When compensating for leave in money, leave allowance shall not be paid, food rations in kind shall not be granted and its value in money shall not be paid. In the year of retirement a soldier shall be calculated the leave compensation for the period from the beginning of the year until the day of retirement (for each month served – in proportion to the time served taking into account the conditions of the first and second sentence of this Paragraph), if it is not otherwise provided for in the Military Service Law.

(4) In the first year of service a soldier shall be calculated the annual paid leave for the period from the day of acceptance for the professional service until the end of the calendar year (for each month served — 2.5 days). In exceptional cases, annual leave may be transferred to the next year but for no more than two years in succession.

(5) An annual paid leave shall be granted for an official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration – 30 calendar days, not including public holidays, and the average earnings and food rations compensation shall be paid for this period. After every 5 years of the term of service in the system of the Ministry of the Interior or the Prisons Administration, annual paid leave shall be extended for 3 calendar days, but not more than for 15 calendar days in total.

(6) In the first year of service an annual paid leave for an official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration shall be calculated for a period from the day when he or she is accepted in the service until the end of the calendar year and shall be granted after at least six months of uninterrupted service or transferred to the next year.

(7) Annual paid leave for officials with special service rank of the Ministry of the Interior system institutions and the Prisons Administration and soldiers may be granted by parts. One of the parts of the leave may not be less than 14 calendar days. It shall not be permitted to divide the annual paid leave into more than three parts.

*[15 April 2010]*

## Section 42. Paid Supplementary Leave

(1) An official (employee) shall be granted supplementary leave to be granted mandatorily as determined in the Labour Law. In addition to that an official (employee), except officials (employees) referred to in Paragraph three, four and five of this Section, may be granted paid supplementary leave for a period up to 10 working days after utilisation of full annual paid leave. Supplementary leave may be utilised within a time period until the next annual paid leave. The Cabinet shall determine the criteria for granting of supplementary leave, the number of days of supplementary leave appropriate for the criteria and the procedures for granting of supplementary leave.

(2) *[15 April 2010]*

(3) A soldier:

1) who, while performing service duties, has suffered injury (trauma, concussion) or a serious illness shall be granted paid supplementary leave for out-patient medical treatment and recovery purposes for a period of up to six months on the basis of an opinion of the Central Medical Expert-examination Commission of the National Armed Forces;

2) may be granted paid supplementary leave during an international operation, if he or she has been taking part in it for more than four months. Supplementary leave may not exceed 30 calendar days calculating 2.5 days per month and during the leave a soldier shall receive a monthly salary and 50 per cent of the additional payment determined for him or her for taking part in the international operation in proportion to the length of the supplementary leave. A soldier shall be covered travel expenses when he or she is going to Latvia or place of service in a foreign state and back to the region of the international operation, as well as hotel expenses for (accommodation), if any occurred during travelling. Hotel expenses (accommodation) shall be covered in compliance with the Cabinet regulations regarding procedures by which expenses related to official journeys and business trips of employees are to be refunded;

3) shall be granted paid supplementary leave of 20 calendar days after return from an international operation at the place of permanent service and during it a soldier shall receive a monthly salary. A soldier shall be granted supplementary leave for not later than within a month after return from the international operation. Time spent for treatment of injuries or disease obtained in the international operation, as well as a rehabilitation period, shall not be counted in the supplementary leave.

(4) A diplomat, official (employee) of diplomatic or consular service may be granted paid supplementary leave the length of which shall be determined by the Ministry of Foreign Affairs depending on service circumstances.

(5) Officials with special service rank the Ministry of the Interior system institution or the Prisons Administration, if he or she has three or more children at the age up to 18 or a disabled child, shall be granted supplementary leave of three working days, disbursing average earnings and food rations compensation, during a calendar year upon his or her will regardless of supplementary leave, which may be granted as an award in the cases specified in the law.

(6) The relevant local government city council shall determine the criteria for granting of paid supplementary leave, the number of days appropriate for the criteria and procedures for granting of supplementary leave for officials (employees) of the local government, taking into account the first, second and third sentence of Paragraph one of this Section.

*[15 April 2010]*

## Section 43. Leave without Retaining of Remuneration for Work

(1) An official (employee), for whom it is necessary and whose circumstances of the performance of the duties of office (service, work) allows it, may be granted a leave without retaining a remuneration for work and food rations compensation. A leave without retaining remuneration for work shall be included in the total length of service or term of service.

(2) [15 April 2010]

(3) A soldier or military employee, for whom it is necessary and whose circumstances of the performance of the duties of office (service, work) allows it, shall be granted a leave without retaining a monthly salary and additional payment or a monthly salary of a military employee, as well as without retaining of food rations compensation, compensation for rental of housing and public utility expenses. Such leave may not exceed four months within a period of five years. The period of such leave shall be included in the length of service of the soldier, which entitles him or her to a service pension, and in the length of service, which entitles him or her to the awarding of the next service rank. If the soldier fails to return to active service after the end of the term of such leave, he or she shall be retired from active service.

#### Section 43<sup>1</sup>. Leave in Relation to Standing for Elections

An official (employee), who has agreed to stand for elections of the *Saeima*, European Parliament or local government city council and who is not demanded by the law to leave the position held after registration of the list of candidates, until the day of elections in accordance with the procedures determined in the law may be granted annual paid leave and supplementary leave, as well as on the basis of a submission of the official (employee), shall be granted a leave without retaining of remuneration for work – for the elections of the *Saeima* up to two months, but for the elections of the European Parliament and self-government city council – up to one month.

(15.04.2010. [15 April 2010])

#### Section 44. Study Leave

(1) An official (employee), who, not interrupting the performance of the duties of office (service, work), successfully studies in a State accredited educational institution or foreign educational institution, the diplomas issued by which are recognised in Latvia, in order to acquire the knowledge necessary for performance of the duties of office (service, work), shall be granted study leave up to 20 working days a year for passing of final examinations of the studies and State examinations (also in order to prepare for these examinations, to develop and defend a bachelor's, master's, qualification, promotion or diploma paper) retaining a monthly salary, additional payment for a special service rank, diplomatic rank, additional payment for long service and food rations compensation. An employee, for whom a piece wage is determined, shall be granted a study leave by disbursing average earnings. Repeated granting of study leave for passing of one and the same final examinations of the studies or passing of the State examinations shall not be permissible.

(2) If it is necessary for an official (employee), who, not interrupting the performance of position duties, successfully studies in a State accredited educational institution or foreign educational institution, the diplomas issued by which are recognised in Latvia, in order to acquire the knowledge necessary for performance of the duties of office (service, work), and the circumstances of office (service, work) allows it, he or she may be granted paid study leave up to 10 working days for passing of semester examinations or development of promotion work, retaining a monthly salary, additional payment for special service rank, diplomatic rank, additional payment for long service and food rations compensation. An employee, for whom a piece wage is determined, shall be granted a study leave by disbursing average earnings.

[15 April 2010]

#### Section 45. Recall from Leave

(1) In an exclusive case or in case of urgent necessity an official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration may be recalled from leave upon instruction (order) of that official, who is entitled to appoint in the position the official to be recalled. In such case a leave shall be transferred or extended for the number of the days for which

the official has been recalled and the restrictions referred to in Section 41, Paragraph seven of this Law shall not be applied.

(2) A soldier may be recalled from his or her leave only due to special service circumstances in accordance with the procedures determined by the Minister for Defence. If martial law, state of exception or mobilisation is proclaimed, soldiers, for whom leave has been granted, except prenatal leave, shall immediately return to their unit.

#### Transitional Provisions

1. The Cabinet shall, until 30 June 2010, issue the Cabinet Regulations referred to in this Law, except the Regulation referred to in Section 7, Paragraph three, Clause 1 of this Law, which shall be issued until 15 May 2010. Until the issue of the regulatory enactments of the Cabinet provided for in this Law, but not longer than until 30 June 2010, the following regulatory enactments of the Cabinet shall be applied, in so far as they are not in contradiction with this Law:

1) [15 April 2010];

2) the Cabinet Regulation No. 995 of 20 December 2005, Regulation On the System of Work Remuneration and Qualification Levels of Civil Servants, Employees and Officials of Institutions of Direct Administration and Employees of the Central Electoral Commission and the Central Land Commission, as well as Allowances and Compensation for Civil Servants;

3) the Cabinet Regulation No. 960 of 23 November 2004, Regulation for Work Remuneration of Employees of Prosecutor's Office and Courts;

4) the Cabinet Regulation No. 334 of 30 July 2002, Regulation On Work Remuneration, Social Guarantees and Covering of Expenses Related to Training and Improvement of Qualification of Employees and Officials of the Corruption Prevention and Combating Bureau;

5) [10 June 2010].

6) the Cabinet Regulation No. 764 of 23 December 2003, Regulations for Disbursement of Allowances and Compensations in the Diplomatic and Consular Service;

7) the Cabinet Regulation No. 365 of 9 May 2006, Regulation Regarding Amounts of Allowances and Compensations and Procedures for Disbursement of Allowances and Compensations for Soldiers who are Performing Their Service Duties Outside the State;

8) the Cabinet Regulation No. 103 of 3 February 2009, Regulation Regarding Amount and Procedures for Disbursement of Allowances and Compensations for Civil Servants of the State Revenue Service who are Performing Service Duties in Foreign States in the Status of Communications Officer;

9) the Cabinet Regulation No. 288 of 3 June 2003, Procedures by which the Ministry of Defence Cover Expenses for Health Care Services Provided for Professional Service Soldiers;

10) the Cabinet Regulation No. 329 of 17 June 2003, Procedures for Investigation of Accidents Occurred with Soldiers and Registration Thereof;

11) the Cabinet Regulation No. 528 of 8 June 2004, Procedures by which Losses Caused to Soldier's Property Due to Performance of His or Her Service Duties;

12) the Cabinet Regulation No. 131 of 8 March 2004, Regulation Regarding the Service Remuneration of Soldiers;

13) the Cabinet Regulation No. 46 of 13 January 2009, Regulation Regarding Amount and Procedures for Disbursement of Food Rations Compensation for a Soldier of Professional Service;

14) the Cabinet Regulation No. 20 of 2 January 2007, Regulation Regarding Procedures by which a Compensation for Rental of Housing and Public Utility Expenses for Soldiers of Professional Service shall be Disbursed and Amount of the Compensation;

15) the Cabinet No. 466 of 30 June 2008, Procedures for Covering and Reimbursing of Expenses for Tuition Fee and Expenses for Improvement of Qualification of the State Court Experts;

16) the Cabinet Regulation No. 980 of 30 November 2006, Regulation Regarding Work Remuneration for Medical Practitioners;

17) the Cabinet Regulation No. 802 of 26 September 2006, Regulation Regarding Amount and

Procedures for Disbursement of Allowances and Compensations for Communications Officers who are Performing Service Duties in Foreign States;

18) the Cabinet Regulation No. 859 of 17 October 2006, Procedures by which an Official with Special Service Rank of the Ministry of the Interior System Institutions and the Prisons Administration shall Receive Paid Health Care Services;

19) the Cabinet Regulation No. 1089 of 22 September 2009, Regulation Regarding Remuneration of the Chair and Members of the Board of the Public Utilities Commission;

20) the Cabinet Regulation No. 968 of 21 November 2006, Procedures by which Losses Caused to the Property or Health of an Official, His or Her Spouse, Relative, Adoptee or Adopter in Relation to Service Activity of the Official of the Institutions of the System of the Ministry of the Interior and the Prisons Administration with Special Service Rank shall be Reimbursed;

21) the Cabinet Regulation No. 751 of 7 July 2009, Regulation Regarding Allowance, Compensation and Expenses for Rental of Housing and Public Utilities for Officials with Special Service Rank of the Ministry of the Interior System Institutions who Guard the Embassy or Representation of the Republic of Latvia in a Foreign State, as well as Procedures by which Expenses Related to Residing of the Referred to Officials in a Foreign State are Covered;

22) The Cabinet Regulation No. 86 of 27 January 2009, Regulation Regarding Remuneration System of Officials with Special Service Ranks of the Ministry of the Interior System Institutions and the Prisons Administration and the Highest Special Service Ranks Appropriate to Positions;

23) the Cabinet Regulation No. 84 of 27 January 2009, Regulation Regarding Allowance and Compensations for Officials with Special Service Ranks of the Ministry of the Interior System Institutions and the Prisons Administration;

24) the Cabinet Regulation No. 1024 of 27 December 2005, Regulation Regarding Amount and Procedures by which Allowances shall be Disbursed to Officials and Employees of the State Security Institutions and Information Analysis Service, and Procedures for Payment of Medical Care Expenses;

25) the Cabinet Regulation No. 1098 of 22 December 2008, Regulation Regarding the Work Remuneration System for Employees of the Service of Prevention of Money Laundering;

26) the Cabinet Instruction Regarding Work Remuneration for Officials of the State Security Institutions.

*[15 April 2010]*

1.<sup>1</sup> Until the issue of the Regulation referred to in Section 7, Paragraph three, Clause 1 of this Law, but not more than until 15 May 2010 the Cabinet Regulation No. 310 of 3 May 2005, Regulation Regarding Position Classification System and Procedures for Position Classification in the State Direct Administration Institutions, shall be applied, in so far as it is not in contradiction with this Law.

*(15.04.2010. [15 April 2010])*

1.<sup>2</sup> Until the day of coming into force of the Regulation referred to in Section 3, Paragraph eight of this Law, but not longer than until 1 September 2010 the Cabinet Regulation No. 62 of 3 February 2004, Regulation Regarding Unified Work Remuneration Registration System in the Institutions to be Financed from the State Budget, shall be applied, in so far as it is not in contradiction with this Law.

*(10.06.2010. [10 June 2010])*

2. The Cabinet shall develop and submit to the *Saeima* the following draft laws:

1) until 15 May 2010 – a draft law regarding the catalogue of positions referred to in Section 7 and Section 11, Paragraph one of this Law;

2) until 1 September 2010 – draft laws regarding remuneration and social guarantees in the State and local government capital companies, public-private capital companies and capital companies, where the State, self-government or public-private capital company owns all capital shares, as well

as in legal persons of private rights, which perform the State budget administration tasks or receive the resources from the State budget or local government budgets;

3) until 1 September 2011 – a draft law regarding long service pensions;

4) until 1 October 2011, if, upon evaluation of the compliance with the economic situation in the State determined in this Law, it is necessary - a draft law regarding amendments to this Law or other laws the purpose of which is to review the relevant regulation or extend the operation of restrictions included in these transitional provisions.

*[15 April 2010]*

2.<sup>1</sup> The Cabinet shall, until 1 September 2010, issue recommendations regarding application of Section 2, Paragraphs four, 4.<sup>1</sup> and 4.<sup>2</sup> of this Law.

*(15.04.2010. [15 April 2010])*

3. An official (employee), to whom a tuition fee compensation has been granted prior to coming into force of this Law, shall continue to receive the tuition fee compensation in accordance with the entered into contract (agreement) and the regulatory enactments which were in force on the day of entering into such contract (agreement), moreover such official (employee) shall work for the relevant institution, which has covered the tuition fee, the time provided for in the entered into contract.

3.<sup>1</sup> Until 1 July 2016 the officials with a special service rank of the Ministry of the Interior systems institutions may be granted a study leave up to 20 working days for passing of semester examinations.

*(15.04.2010. [15 April 2010])*

4. An official with a special service rank of the Ministry of the Interior system institution or the Prisons Administration, who, not interrupting the performance of the service duties, studies successfully for a fee in the State accredited higher education institution, in order to acquire knowledge necessary for performance of service (position) duties or the education specified in the position description, and for whom a compensation has been granted until 1 July 2009, which covers a half of the annual tuition fee, shall continue to receive the referred to compensation until completion of the studies in this educational institution. An official, who is retired from the service (except case, when the official is retired from service in relation to a health condition non-complying with the determined requirements, liquidation of the authority or position of the official, or reduction of the number of officials, attaining the age determined for service time, death or reaching his or her length of service which gives the right to receive a long service pension) and who has served for the system of the Ministry of the Interior or the Prisons Administration less than five years after receipt of a tuition fee compensation, shall repay the referred to compensation in accordance with the procedures specified in the agreement regarding compensation of tuition fee.

5. A soldier, with whom a professional service agreement has been entered into by 31 December 2009, during the validity period of agreement shall be disbursed a part of a single allowance which the soldier received every five years of the professional service in proportion up to the time served by 31 December 2009.

6. The allowance determined in Section 25 of this Law shall be paid starting from 1 January 2012. If a soldier has received a part of a single allowance provided for in Clause 5 of these Transitional Provisions, it shall, upon disbursement of a single allowance determined in Section 25 of this Law, be reduced by the amount disbursed.

7. In 2010:

1) an official (employee), for whom until the time of coming into force of this Law the right to

- receive a childbirth allowance has been provided for in regulatory enactments or an employment contract (collective agreement), it shall be disbursed in case, if a child is born within 306 days after the coming into force of this Law and the amount of such allowance may not exceed two monthly salaries for each child, moreover it may not exceed LVL 1000 for each child;
- 2) the monthly salary of officials referred to in Section 5, 6 and 13 of this Law shall be related to the amount of the average monthly remuneration for work for the workforce in the State as published in the official statistical notification of the Central Statistical Bureau of the first half year of 2009, which is rounded off to lats, namely, to LVL 471;
- 3) the monthly salary of an advisory official or employee of a member of the Cabinet may not exceed the monthly salary of the member of the Cabinet to which a coefficient 0.6 is applied.

7.<sup>1</sup> Procedures for granting and disbursement of a childbirth allowance in 2010, 2011 and 2012 shall be determined by the Cabinet.

*(15.04.2010. [15 April 2010])*

8. In 2010 and 2011, in order to restrict expenses related to remuneration:

- 1) the State and local government authorities may determine partial working time, initiate review of the authority's functions and other optimisation measures;
- 2) the State or local government authority shall not pay bonuses, except the case determined in Section 16, Paragraph three of this Law (brave and selfless behaviour in performing service duties) and the case determined in Section 16, Paragraph four of this Law, shall not pay a leave allowance, as well as, taking into account the norms of the Transitional Provisions, shall not perform a material incentive not provided for in this Law;
- 3) in case of death of an official (employee) – but not a soldier – a family member or a person, who has undertaken the burial, may receive a benefit referred to in Section 19, Paragraph one of this Law, which does not exceed 50 per cent of the monthly salary determined for the official (employee), but not less than in the amount of minimum monthly salary;
- 4) the State and local government authorities shall insure the health of officials (employees) provided for in Section 37, Paragraph one of this Law for whom such insurance is determined as being mandatory. The State and local government authorities, not applying the regulatory enactments regulating public procurements, may insure the health of officials (employees) for the financial resources of officials (employees), by entering into an agreement with insurance service provider regarding an offer most advantageous for persons to be insured and deducting the costs for service from the monthly salary of the officials (employees) to be insured in accordance with the agreement. If prior to coming into force of this Law an official (employee) not referred to in Section 37, Paragraph three, four, five or six of Section 37 of this Law is insured and the health insurance agreement has been entered regarding him or her and full payment of the sum provided for in the agreement is performed until 1 December 2009, the State or local government authority shall decide regarding continuation or termination of the agreement entered into, but in other cases, when prior to coming into force of this Law an official (employee) not referred to in Section 37, Paragraph three, four, five or six of this Law is insured, the relevant State or local government authority shall terminate the insurance, if it is legally possible and does not require additional financial resources;
- 5) officials (employees) of the State and local government authorities, except officials (employees) referred to in Section 17, Paragraphs five, six, seven, eight, nine and ten of this Law, shall be paid a discharge or retirement benefit in the following amount:
  - a) 95 percent of the average monthly earnings, if an official (employee) has been employed at the relevant employer for at least five years;
  - b) average earnings of one month, if an official (employee) has been employed at the relevant employer for more five years;
- 6) officials (employees) who have better work results and higher qualification have a priority to retain a position or remain in work in case of reduction of the number of officials (employees) or liquidation of a position; If work results and qualification of officials (employees) do not differ

significantly, a priority to retain a position or remain in work has those officials (employees) who do not have another permanent source of income. If officials (employees) do not have another permanent source of income, a priority to retain a position or remain in work shall be determined in accordance with the Labour Law. The following shall be considered as a permanent source of income:

- a) performance of the duties of work or office at another employer, if the monthly salary (monthly post salary, wages) determined for him or her is equal to the minimum monthly salary or larger and the term for performance of the duties of work or office determined in the order or agreement is longer than three months;
- b) old age pension or long service pension, if a person in accordance with the Law has the right to such pension regardless whether a pension is being received.

*[14 January 2010; 15 April 2010]*

8.<sup>1</sup> New wording of Section 3, Paragraph five, Clause 5, as well as Clause 8, Sub-clause 5, sub-paragraph “a” of these Transitional Provisions regarding disbursement of monthly average earnings in the amount of 95 per cent shall be applied from 1 January 2010.

*(14.01.2010. [14 January 2010])*

8.<sup>2</sup> In 2010 and 2011 a leave without retaining remuneration for work shall not be included within a time period which give the right to annual paid leave, if it is more than eight weeks altogether during one year. The condition regarding not including a leave without retaining of remuneration for work within the referred to time period shall not apply to a leave without retaining of remuneration for work, if it is used until the day of coming into force of this Clause, as well as to the case when an official (employee) is appointed for the implementation of institutional strengthening programme projects financed by the European Union in another country.

*(15.04.2010. [15 April 2010])*

9. The State and local government authority shall ensure that monthly salaries for officials (employees) comply with the requirements of this Law not later than until 1 April 2010, except the cases referred to in Clause 10 of these Transitional Provisions. Until 1 April 2010 a monthly salary of officials (employees), except for the officials referred to in Section 2, Paragraph two, Clause 3 of this Law, may not exceed the monthly salary of the Prime Minister.

*[15 April 2010]*

10. The compliance of monthly salaries of employees of courts and the Prosecutor’s Office, officials (employees) of local governments and institutions established by them, except for officials referred to in Section 5 of this Law, as well as officials (employees) of scientific institutes, State established higher educational institutions and institutions established by them, to whom the norms of this Law are applied, with the requirements of this Law shall be ensured not later than by 1 September 2010.

*(15.04.2010. [10 June 2010])*

This Law shall come into force on 1 January 2010.

This Law has been adopted by the *Saeima* on 1 December 2009.

President

V. Zatlers

Riga, 18 December 2009



