



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

**REGULATION NO. 29/2024 (GRK) ON THE TERMINATION OF THE
EMPLOYMENT RELATIONSHIP IN THE CIVIL SERVICE¹**

¹Regulation (GRK) No. 29/2024 on the termination of the employment relationship in the civil service, was adopted at the 221th session of the Government of the Republic of Kosovo, by decision No. 09/221, dated 23.09.2024

The Government of the Republic of Kosovo, based on paragraph 4 of Article 93 of the Constitution of the Republic of Kosovo, paragraph 5 of Article 74 and paragraph 4 of Article 76 of the Law No. 08/L - 197 on Public Officials, Article 8 paragraph 4 under paragraph 4.5 of the Law No. 08/L-117 on the Government of the Republic of Kosovo and in accordance with article 78, paragraph 6, under paragraph 6.2 of the Regulation (GRK) - No. 17/2024 of Rule and Procedures of the Government of the Republic of Kosovo,

Adopts:

REGULATION NO. 29/2024 (GRK) ON THE TERMINATION OF THE EMPLOYMENT RELATIONSHIP IN THE CIVIL SERVICE

Article 1 Purpose

This regulation defines the rules, procedures and causes for the termination of the employment relationship in the civil service.

Article 2 Scope

1. This regulation applies to all categories of civil servants in state administration institutions and other state institutions.
2. For the civil servants in the Presidency of the Republic of Kosovo, the Constitutional Court of the Republic of Kosovo, the Justice System, the Assembly of the Republic of Kosovo, and independent constitutional institutions, this regulation applies to the extent that does not violate their functional and organizational independence guaranteed by the Constitution.

Article 3 Definitions

Expressions, terms and abbreviations used in this Regulation have the same meaning as in the Law No. 08/L-197 on Public Officials.

Article 4 Termination of the Employment Relationship in the Civil Service

1. The employment relationship in the civil service terminates in the following cases:
 - 1.1. for the reasons defined by law;
 - 1.2. on discharge from civil service;
 - 1.3. on dismissal from the civil service, as a disciplinary measure.

Article 5
Termination in cases defined by law

1. The employment relationship in the civil service terminates in the following cases:
 - 1.1. the official deceases, or the decision to declare its death becomes final;
 - 1.2. the civil servant loses citizenship, when it is requested;
 - 1.3. when the court's decision on the limitation or removal of the legal capacity is final;
 - 1.4. the retirement age is reached according to the relevant labour law;
 - 1.5. the unlawfulness of the act of appointment is ascertained;
 - 1.6. the official is punished by a final decision for committing a criminal offense with intent.
2. The civil servant is informed about the termination of the employment relationship due to reaching the retirement age six (6) months before the retirement date by the responsible unit.
3. The termination of the employment relationship in the civil service due to the law is ascertained internally seven (7) days from the occurrence or knowledge of the cause of the termination, by decision of the HRMU of the institution, where the civil servant exercises its duty.
4. For the civil servant of the senior management category in the institutions of the state administration, the conclusion on the termination of the employment relationship is made by the decision of the DMPO.

Article 6
Discharge from civil service

1. The employment relationship in the civil service terminates with the discharge from the civil service, in the following cases:
 - 1.1. due to the civil servant's unreasonable refusal to accept the reallocation;
 - 1.2. when the civil servant is declared unfit for work by the competent medical commission, according to the legislation in force;
 - 1.3. after two (2) "unacceptable" assessments of work results, two (2) times in a row. For the second time in a row, the special assessment is also considered;
 - 1.4. when the civil servant exercises the right to early retirement;
 - 1.5. when the civil servant of the lower, middle or higher management category joins a political party or when the civil servants of other levels become members of the governing bodies of a political party;
 - 1.6. when the civil servant who has suspended the workplace at his own request, establishes another employment relationship;

1.7. with resignation;

1.8. the employee refuses to be systemized to a vacant position after the restructuring process, refuses to be systemized from the waiting list, or refuses to be systemized to a professional category position after the end of the mandate;

1.9. the civil servant of the senior management category refuses to follow the special mandatory training program for the civil servant of the senior management category;

1.10. the civil servant on the waiting list refuses to undergo training;

1.11. the civil servant on the waiting list is not reassigned to a vacant civil service position within the period of nine (9) months;

1.12. in any other case, provided by law.

2. Discharge from civil service, in the case provided for under paragraph 1, sub-paragraph 1.3. of this article, it is established within ten (10) days from the second evaluation being given "unacceptable", while in other cases it is established within ten (10) days from the recognition of the cause for release.

3. Discharge from civil service is made by decision of:

3.2. HRMU, where the civil servant performs his duties;

3.2. The Government, with the proposal of the minister responsible for public administration for the senior management category civil servant in state administration institutions.

Article 7 Resignation

1. The civil servant may offer the resignation from the civil service. The resignation constitutes a legal cause for the discharge of the civil servant.

2. In addition to the resignation according to paragraph 1 of this article, the civil servant appointed in the low, middle and senior management position who have been in civil service before the appointment, can offer resignation only from the management position they hold.

3. According to paragraph 2 of this article, the civil servant is systemized to a vacant position of the professional category provided that meets the criteria for appointment to the position in question.

4. The appointee in the lower, middle and senior management category who has not been in the service before being appointed to the position for which he offers to resign, he is released from the civil service.

5. Until the appointment to a professional category position, the civil servant is placed on the list of waiting.

6. The civil servant submits its resignation in writing to the HRMU of the institution where exercises its duty, or to the DMPO in the case of civil servants of the senior management

category, and keeps immediate supervisor updated.

7. The civil servant is interviewed by the institution's HR Department or submits the reason for departure in writing.

8. The resignation creates legal consequences thirty (30) days from the date of submission, except in justified cases, at the request of the civil servant and with the approval of the responsible unit, the resignation creates legal consequences before the thirty (30) day deadline from the day of the notice of resignation.

9. Release from the civil service due to the resignation of the civil servant is ascertained by the HRMU of the institution where the civil servant performs its duties, or by the DMPO in the case of employees of the senior management category

Article 8 **Early retirement**

1. The early retirement of the civil servant constitutes a cause for the termination of the employment relationship in the civil service.

2. A civil servant may request early retirement, no more than two (2) years before the deadline set for its retirement. The request for early retirement must be approved by the senior head of the institution.

3. The public institution may accelerate retirement in case of reduction of personnel, after a reorganization, merger with another institution, closure of the institution or seize of positions, for those civil servants who are two (2) years prior to the date of retirement.

4. The payment for early retirement according to paragraph 1 of this Article is seventy percent (70%) of the last basic salary received until reaching retirement age.

Article 9 **Repeal**

With the entry into force of this Regulation, Regulation (GRK) No. 13/2020 on Dismissal and Early Retirement from Civil Service is repealed.

Article 10 **Entry into force**

This Regulation enters into force seven (7) days after publication in the Official Gazette of the Republic of Kosovo.

Albin KURTI

Kryeministër i Republikës së Kosovës

04 october 2024