



Major Steps in Human Rights

In the General Syndicate of the Nation, operates the Office of Administrative Investigations, Anti-Corruption Bureau, also complaints may be done at the General Auditing of the Nation

General Labor Collective Agreement for the National Public Administration, Decree 214/06

Promotion of Equality of Opportunity and Treatment.

Indicated in the Prologue, Section 121;

Creation of Commission on Equal Opportunity and Treatment (CIOT) Article 125

Eradication of labor violence (Article 124)

Law No. 24.515: Created National Institute against Discrimination, Xenophobia and Racism (INADI), arbitrates tools and activities necessary to act against the words and deeds of this kind, and also to investigate and analyze the causes to prevent them before they happen, primarily through education, training and the dissemination of values that encourage coexistence and acceptance of difference.

Provincial laws (2002 and 2004):

Tucumán, Ley Nº 7.232,

Jujuy, Ley Nº 5.349,

Buenos Aires, Ley Nº 13.168,

Autonomous City of Buenos Aires, Law No. 1225 is to "prevent and punish labor violence by hierarchical superiors towards staff dependent on any organism of instituted by the titles Third to Seventh Second Book of the City Charter of Buenos Aires".

2007: Complaints Office of psychosocial counseling in cases of workplace violence in the National Public Administration in the National Prosecutor of Administrative Investigations.

Allegations of Sexual Harassment and Child Labor in the Ministry of Labor, Employment and Social Security:

<http://www.trabajo.gob.ar/denuncias/>

Qualitative and Quantitative study on Equal Treatment

<http://www.sgp.gov.ar/contenidos/onep/docs/lgualdad.pdf>

AGENTS WITH DISABILITIES

Law No. 26.378, approves the Convention on the Rights of Persons with Disabilities and its Optional Protocol, approved by resolution of the General Assembly of the United Nations (13/12/2006)

Law 22.431, Integrated Protection System of the Disabled

Law No. 25.689, amending Law 22.431 regarding the occupancy rate of people with disabilities by the National State, decentralized and self-sufficient, non-state public entities, state enterprises and private companies with public service concessions.

Article 1 establishes the obligation to occupy people with disabilities who meet eligibility conditions for the post exclusively in an amount not less than four percent (4%) of its entire staff and establish reserves of jobs to be occupied by them"



Decree 312/2010 - Integrated Protection System for the Disabled. Regulation of Law 22.431.

Article 1: mandatory information and updated twice a year (December 31 and June 30) . .

Resolution ex S.G.P. N ° 56/2010 Creating Information System for controlling the recording and updating of the charges and contracts held by persons with Disabilities Certified.

Four studies completed: <http://www.jgm.gov.ar/sgp/paginas.dhtml?pagina=26>

QUESTIONNAIRE:

7) The conditions for access to public service positions, any restrictions which apply and the processes for appointment, promotion, suspension and dismissal or removal from office as well as the judicial or other review mechanism which apply to these processes

8) How the requirement for equal access to public service positions is met, and whether affirmative measures have been introduced and, if so, to what extent,

CCTG 214/06 Title II –

CONDITIONS FOR ACCESS TO PUBLIC SERVICE

a) Being Argentine native or naturalized by option. Chief cabinet of ministers in accordance with the provisions of Article 4 of Law No. 25,164, exempt from this requirement by accurate and circumstantial basis of the requesting jurisdiction

b) Conditions of conduct and suitability for the position that is shown by the regimes established for the selection or competition, as appropriate, to ensure the principles of openness, transparency and equal opportunity and treatment in access to public.

Trade unions will exercise by the relevant oversight committees provided for in this Convention, participation and monitoring compliance with the selection criteria and evaluation to ensure the effective implementation of the principles outlined above.

c) Medical fitness for the provision in the position or function.

Stating entry restrictions

a) Anyone who has been convicted involving a felony, until completion of sentence privative of freedom, or the period provided for the prescription of the punishment

b) Person convicted of crime against National Public Administration, Provincial or Municipal or of the Government of the City of Buenos Aires.

c) Whoever has pending criminal proceeding that may lead to conviction for the offenses set forth in subsections a) and b) of this Article

d) The disqualified for exercise of public office

e) The sanctioned with exoneration or severance at the National Public Administration, Provincial, Municipal or government of the City of Buenos Aires, while not rehabilitated according current regulations

f) Anyone who has the age prescribed by law to access provisional retirement benefit or who will enjoy a temporary benefit, except those with recognized skills, which may not be incorporated into the stability regime.

g) He who is in violation of election laws and military service, in the terms of Article 19 of Law 24.429

- h) The National Treasury's defaulting debtor while it is in that situation.
- i) Those who are guilty of acts of force against the institutional order and the democratic system, as provided in Article 36 of the Constitution and Title X of the Penal Code, even if they have benefited from a pardon or remission of sentence.

The processes for appointment, promotion, suspension and dismissal or removal from office as well as the judicial or other review mechanism which apply to these processes

Career Staff: Article 50, will be aimed at facilitating the integration and development of human resources to enable the Executive Branch agencies to effectively meet their objectives and responsibilities.

Will be guided by the following principles:

1. Equal opportunities
2. Transparency in procedures
3. Recruitment of staff for selection systems
4. Assessment skills, merits and performance for career advancement based on the terms established in each sectorial agreement
5. The responsibility of each employee to develop their individual career
6. The assignment chord with the level of progress in the career agent.

PROMOTION

Article 52: The Career Staff will consist of of personnel access to different levels of the agent, grades, categories, groups or functions, subject to the guidelines set forth in the Convention and the norms prevailing in the art.

Article 53: the agents may promote horizontally within each level or category hierarchical scale in which they are, according to the guidelines established in the different regimes.

The promotion will require at least an amount adequate qualification of agent performance and accreditation of employment skills or training activities that are agreed in the respective sectorial conventions.

Promotion vertical hierarchical scale level or class will be conducted through the mechanisms of selection and / or meritución and requirements for the position or function being sucked

SELECTION

Article 56: staff selection will be done through systems that ensure reliable verification of the suitability, merit, work skills and attitudes appropriate to the exercise of the functions.

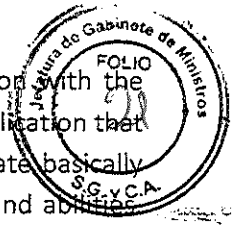
Article 57: it must respect the principles of equal opportunity, openness and transparency and equal treatment specifically gender or disability, as well as proper competition among candidates.

Be ensured compliance with laws 22.431 and 23.109 or to be issued in the future by establishing conditions for entry into the National Public Administration.

Article 58: The State employer shall establish common profiles containing the minimum and which aim testing a basic set of knowledge skills and abilities, to cover vacancies of similar or equivalent functional nature.

In the profile to cover the vacancy shall specify which skills and mental and physical fitness required for development work, in order to facilitate the application of workers with disabilities.

Article 59: Diffusion of calls. In order to ensure the principle of publicity, the State employer shall inform stakeholders all available offers. The union entities undertake to act as agents of dissemination of calls in all policy areas.



Article 60: Procedures. The recruitment process to approve the State employer, after consultation with the unions signatory to collective agreements operating under the joint bodies of interpretation and application that they are established and in order to ensure compliance guarantees under this Chapter contemplate basically objective assessment systems background, experiences related to the position, knowledge, skills and abilities. They may also be agreed, arrangements enabling training for entry

DESIGNATION

Article 61: The appointment of staff will adjust the merit order approved

25.164 LAW REGULATORY FRAMEWORK NATIONAL PUBLIC EMPLOYMENT

Chapter VII

DISCIPLINARY REGIME

Article 27 - The personnel engaged by a public employee covered by this law, and that journal in permanent staff may not be deprived of their jobs or be subject to disciplinary action, but for the causes in the conditions expressly set out.

Staff within the procurement regime and cabinet will apply the provisions of this chapter, under the conditions laid down by the respective regulations

Article 28:- Staff may not be punished more than once for the same cause, having graduated sanctions based on the severity of the misconduct, and the background of the agent.

Article 29: - The staff included in the scope of the present regime has the right to be guaranteed the procedural due process under the terms of Article 1, subsection f) of Law 19,549 or replacing it.

Article 30:- The staff may be subject to the following disciplinary actions:

- a) Warning.
- b) Suspension for up to thirty (30) days in a year, counting from the first suspension.
- c) Severance.
- d) Exemption.

The suspension will be effective without services or payment of salary in the rules and terms to be determined and subject to civil and criminal liability established by the legislation.

Article 31: - Are causes for imposing the warning or suspension up to 30 days:

- a) Repeated failure of schedule.
- b) Unexcused absences not exceeding ten (10) days discontinuous in the space of twelve months immediately preceding and if not configured dereliction of duty.
- c) Breach of the duties defined by art. 23 of this Act, unless the severity and magnitude of the facts justifying the application of the grounds for dismissal.

Article 32:- Are grounds for imposing severance:



- a) Unexcused absences in excess of ten (10) days discontinuous, in the twelve (12) months immediately preceding.
- b) Abandonment of service, which shall be deemed complete when the agent will register more than five (5) continuous absences without good cause and was previously intimated reliably to return to work.
- c) Repeated infringements in fulfilling their duties, which led to thirty (30) day suspension in the previous twelve months.
- d) Contest no causal civil or bankruptcy, except in cases duly substantiated by the administrative authority.
- e) Failure to comply with the obligations established in Articles 23 and 24 when the magnitude and gravity of the offense is so required.
- f) No fraudulent offense referred to the Civil Service, when your circumstances affect the prestige of the function or the agent.
- g) As a result of poor ratings involving performance evaluations ineffective for three (3) consecutive years or four (4) alternate in the last ten (10) years of service and have received adequate training opportunities for the performance of tasks.

In all cases the application may be considered rehabilitation from the two (2) years of the act consented to the availability of unemployment or sign the judgment declared, if any.

Article 33: - Are grounds to impose the exemption:

- a) A final conviction for an offense against the National Public Administration, Provincial or Municipal.
- b) Serious misconduct materially prejudicial to the public administration.
- c) Loss of citizenship.
- d) Violation of the prohibitions laid down in Article 24.
- e) Imposition primary sentence or accessory to or special disqualification for public office.

In all cases the application may be considered rehabilitation from the four (4) years of the act consented to the availability of the exemption or sign the judgment declared, if any.

The exemption will lead necessarily low in all public offices that practice sanctioned agent.

Article 34: - The summaries for substantiation of acts that may constitute crimes and impose appropriate sanctions in the administrative order, are independent of the criminal case, except in cases where the final judgment arising out of a causal setting gravest the sanctioned, in which case it may replace the measure applied by another more serious.

Article 35: - The application of warning and suspension to the maximum of five (5) days will not require criminal prosecutions.

The suspensions in excess of this period will be applied prior proceedings be, unless it is based on the grounds set forth in paragraphs a) and b) of Art. 31.

The severance will be applied prior criminal prosecutions, unless there are reasons specified in paragraphs a), b) and c) of Art. 32.



Article 36:- Staff indictment may be suspended or removed preventively within its area by the competent administrative authority when its distance needed to clarify the matter under investigation or when their continuance in office was assessed as dangerous or risky. This decision must be taken by the competent authority with appropriate rationale and have the effect of an injunction, cannot be extended in any case, for more than three (3) months from the date of initiation of proceedings:

After this deadline, if the indictment had not been completed, the employee must be reinstated to their normal duties. After the summary, if the same is not sanctions or those determined not involve the loss of assets, the worker would have been affected by a preventive suspension shall be entitled to request payment of lost wages during the period of validity of the same, or the proportional part thereof as corresponds.

Article 37: The statute of limitations for the application of disciplinary sanctions, except as determined by the regulations, shall be computed as follows:

- a) Grounds that resulted in the implementation of warning and suspension: six (6) months.
- b) Causes giving rise to unemployment: one (1) year.
- c) Grounds that resulted in the exoneration: two (2) years.

In all cases, the period shall run from the time of the commission of the offense.

Article 38: - will be determined through regulatory means authorities empowered to apply sanctions referred to this chapter, as well as the examination procedure applicable. This procedure should guarantee the right of defense at trial and set deadlines and not be extended to solve the administrative proceedings, never to exceed six (6) months or committed the conduct alleged.

Chapter VIII

JUDICIAL REMEDY

Article 39: - Against the administrative acts have sanctions to staff covered by the stability under this scheme, the agent affected may choose to challenging it by the common administrative and once exhausted it go to the courts or appeal directly to the National Chamber of Appeals in Federal Administrative on camera or federal courts in the provinces, as appropriate under the place of supply of services of the agent. The choice made is exclusive and inhibits the use of other channels or action.

The direct judicial appeal can be based only on the illegitimacy of the penalty, with express reference to the rules allegedly violated or the vices attributed to summary proceedings.

Article 40: - The direct judicial review must be filed in the Court within ninety (90) days of notification of the penalty, the administrative authority must submit to the Court the record with the appellant's personnel file, within ten (10) days required.

Received the background, the Court shall transfer by order of ten (10) days of the plaintiff peremptory and administration.

After this period and fulfilled the better to take measures that could be directed by the court, called cars judgment, which shall be rendered within sixty (60) days. All terms set out in this Article shall be computed on court days.

Article 41: - If the ruling is favorable to the appellant, if ordering his reinstatement, management should enable a vacancy of equal rank to the occupied. This may elect to receive compensation under Article 11 giving up the right of return

Chapter IX

EXIT CAUSES

Article 42:- The employment of the agent with the Federal Administration concludes for the following reasons:



- a) Cancellation of staff appointments without stability in the terms of Article 17.
- b) Resignation accepted or deadline in accordance with the provisions of Article 22.
- c) Conclusion or termination in the case of staff under the procurement regime.
- d) Deadline he could claim in accordance with the provisions of Article 11 by restructuring or dissolution of organisms.
- e) Health reasons it impossible to carry out duties.
- f) Enforcement of severance or exemption.
- g) Remove for retirement, withdrawal or expiration of the period provided in Article 20.
- h) Death.

A handwritten signature or scribble is located on the left side of the page, below the list of causes.