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**OMBUDSMAN FINAL REPORT ON
THE COMPLAINT BY SIXTEEN DAILY PAID
STAFF AT THE MINISTRY OF
INTERNAL AFFAIRS**

**CASE NO. OMB17/15 FUNGALEI, Christopher; OMB 17/16 FUNAKI, Ani;
OMB 17/18 MAILE, Sia'atalau; OMB 17/19 ALEAMOTU'A, Silia;
OMB17/20 TAMALE, Fe'auini; OMB17/21 FONUA, 'Alifeleti; OMB17/22
TAKAI, 'Atonio; OMB17/23 VI, Salavia; OMB17/24 KANONGATA'A,
Siosiuu; OMB17/25 MAFI, Manase; OMB17/26 HALAIFONUA, Koneliasi;
OMB17/27 HUFANGA, Lu'isa; OMB17/28 MONU, Takai; OMB17/29 HUI,
Fe'ao; OMB17/32 HUAPANGO, Piukala; and OMB17/33 LIUAKI, Soakai**

29th September 2017

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EXCECUTIVE SUMMARY

- i) The original complaint was submitted to our Office by Mr. Siosiua Kanongata'a on behalf of nineteen (19) daily paid staff on 23rd March 2017 from the Ministry of Internal Affairs ("MIA"). However, after some individual clarification, it was found that only sixteen (16) of the 19 daily paid wished to lodge their complaints with our Office.
- ii) This complaint originated from instructions issued by the Public Service Commission ("PSC") to the Public Service regarding the appointment of daily paid workers. These instructions were as a result of a case investigated by this Office arising from a complaint by a former contract employee at MIA where it was identified that individuals were being employed as daily paid workers under the PSC Policy and Instructions but were in fact not daily paid workers because of their level of skill and the duration of their contracts.
- iii) This complaint was a reaction to the way MIA moved to implement the PSC Policy and Instructions. It was a whirlwind complaint originated as an "internal issue" at MIA but was discussed widely in the media and even in the Legislative Assembly.
- iv) There are systematic areas relating to the Public Service Policy definition and implementation of daily paid staff as implemented at the MIA.
- v) Contractual arrangements between the complainants and MIA was an area of focus that eventually involved a legal opinion by the Solicitor General. While the legal opinion was straightforward in relation to the Public Service Policy, the application was difficult as the reality of the situation indicated a departure from the definition of a daily paid staff worker.
- vi) Systematically, there was a loop hole in the Policy which allowed for "unlawful" contracts to be signed and carried out on behalf of MIA and the daily paid staff worker. Across the line ministries, this was a recurrent theme and a reflection of the loop hole.
- vii) There were many factors that contributed to the longevity of the production of this report which included preliminary inquiry meetings pursuant to section 13A of the *Ombudsman Act*; meetings with the complainants; meetings with Chief Executive Officer ("CEO") of MIA, Mrs. Ana Bing Fonua; Deputy CEO's of MIA and key individuals from line ministries that was perceived to have contribution to the investigation. A major theme for delay was the unresponsiveness of MIA management to requests by our Office.

- viii) From the commencement of the investigation to the production of this report, the complainants have had their contracts ended; extended; replaced and some have recently been re-employed by the MIA on contracts. These changes resulted in financial hardship to the complainants which include 9 weeks without pay while the MIA CEO came up with contracts for the staff.
- ix) The MIA CEO played a pivotal role in this complaint. Throughout the investigation her stance was unchanging, that all the daily paid workers would end 30th of June 2017 regardless of the needs of the Ministry and regardless of the overtures made to her by PSC to resolve the issue. It is noted that other Government Ministries were going through the same exercise with its daily paid workers and the majority were able to either appoint them to permanent positions or extend their contracts beyond the 30th of June 2017. This Office did not receive any complaints from any other daily paid worker in the service of the Government.
- x) It is noted that at the date of this report, one division from MIA: Cultural Division under Deputy CEO, Pulpaki Ika has since transferred to the Ministry of Tourism together with six (6) daily paid staff effective 1 July 2017.
- xi) This report identifies central themes and correspondences that should be addressed by PSC and implemented across all line ministries to avoid a similar situation occurring in the future and to ensure that the Policy intention is upheld and applied in a fair and just manner.

I am recommending five things in this Report pursuant to section 18(3) of *Ombudsman Act 2001*-

- (i) That PSC amend the Public Service Policy to include PSC as a party to these daily paid contracts to ensure that Government Ministries are not abusing the daily paid scheme;
- (ii) That PSC implement stricter monitoring of the daily paid policy;
- (iii) It is my understanding that around 9 daily paid staff have assumed duty at MIA since ending their contract issued 20 March 2017. That MIA and PSC adopt a collaborative approach to give effect to Public Service Decision No. 122 dated 13th March 2017;
- (iv) An apology is issued on behalf of the Government of Tonga to the daily paid staff of MIA for this unforgiving experience they endured from January until August 2017.
- (v) That MIA report back to me within one month of the date this report is finalised to provide a follow up report on the recommendations.

BACKGROUND

1. The investigation was launched on 23rd March 2017.
2. I assigned the investigation to my Investigation Team who undertook the investigation into the matter.
3. The team requested, received information from MIA, and PSC to ensure a systematic approach was taken.

THE OMBUDSMAN ROLE

4. Under section 11 of the *Ombudsman Act 2001*, the Ombudsman has the authority to make any such investigation either on a complaint made to the Ombudsman by any person or on his own motion relating to a matter of administration by any department or by any officer of any such department. (Section 18(1) and (2) of the *Ombudsman Act 2001*).
5. My investigation is not an appeal process. I would not generally substitute my judgment for that of the decision maker. Rather, I consider the substance of the act or decision and the procedure followed by the Ministry, and then form an opinion as to whether the act or the decision and the procedures followed by Ministry, and then form an opinion as to whether the act or the decision was properly arrived at and was one that Ministry could reasonably make.
6. My role in an own motion is to improve public administration in areas that requires administrative attention for the benefit of the general public.

PUBLIC SERVICE POLICY DEFINITION OF 'DAILY PAID WORKER'

7. According to section 2 of the Public Service Policy Instructions¹, a daily paid worker means “a person who is engaged in unskilled or semi-skilled work and such employee’s term of employment may be terminated at any time without notice by the relevant CEO. Such work requires little or no technical abilities or skills and often involve menial or repetitive tasks. It should be for a specified time period not exceeding four months, or for a total accumulated contract period not exceeding seven months in any financial year”.

¹ Public Service Policy Instructions effective 13th January 2017 retrieved from (<http://www.psc.gov.to/images/Public%20Service%20Policy%20Instructions%202010%20as%20amended%20on%2013%2001%2017.pdf>)

8. A professional employee means “a person who is engaged to work in a profession (as opposed to a daily paid labourer) and has a formal qualification that meets the job requirement of the profession”²

According to the MIA daily paid contract list³, the daily paid duration of employment ranges from 30 years to 9 months as of 30 June 2017. These contracts have been on a consecutive basis since the date of their commencement. Included in this list of daily paid staff was a professional employee. The positions were for drivers, watchmen, clerks, receptionists and a cultural officer. It may be argued that all of these posts are not unskilled but indeed skilled posts.

9. All 19 daily paid staff at MIA were all employed and their employment progressed through (via contract) to the beginning of the financial year 2016/2017. On 15 November 2016, CEO of MIA signed a variation of contract with the 19 daily paid staff that extended their daily paid contracts commencing 01 November 2016 till 31 January 2017.
10. This variation of contract on 15 November 2017 gave effect to the satisfaction of seven (7) months in total for the current financial year in accordance with the definition in section 2 of the Policy Instructions of a daily paid worker.
11. In a preliminary inquiry meeting⁴ held on 13 April 2017, CEO of MIA stated that she had learnt her lesson from a previous complaint brought before the Commissioner for Public Relations (CPR15/73)⁵. That complaint highlighted the nature and policy surrounding daily paid staff at MIA and therefore she wanted to align her current daily paid staff in accordance to the Policy Instructions (i.e. not exceed the 7-month period within a financial year).
12. The complaint brought before in *CPR15/73* led to the Public Service Decision No. 391⁶. This prompted the PSC to call for administrative compliance by all line ministries to adhere to the policy based daily paid policy and to commence aligning of daily paid positions for permanent postings in accordance with PSC processes. This was not executed by MIA.

² Ibid

³ Daily paid list by MIA provided by Siosuia Kanongata’a on 28 March 2017

⁴ Preliminary Inquiry meeting with CEO Ana Bing Fonua, Deputy CEO of MFNP Makeleta Siliva, Deputy CEO of PSC Eunice Moala, CEO of OMB Linda Folaumoetu’i, Director of Investigation Lepaola Vaea and Roman Vaihu. CEO Conference Room dated 13th April 2017.

⁵ Office of the Ombudsman was formerly known as the Commissioner for Public Relations Office.

⁶ Public Service Decision No. 391 dated 30 September 2016 re: Policy Amendmant for Contract Employees

13. Accordingly, after the variation of contract on 15th November 2016, she made it known to her Deputy CEOs of her intention not to renew the daily paid staff contracts beyond the current variation period.
14. However, the CEO of MIA should have commenced arrangements to identify posts to be advertised to be filled permanently. The duration of employment by the daily paid staff is an indication that there is a post to be created.
15. CEO of MIA at this point should have taken action in either commencing discussions and enquires for permanent posts of the daily paid staff or began issuing notices of intention not to extend contracts just as she had in June 2017⁷.

VARIATION OF CONTRACT 20th JANUARY 2017

16. CEO of MIA was currently on leave and Pulumaki Ika – Deputy CEO for Culture Division was Acting CEO and the Honourable Penisimani Fifita was the Minister of MIA at the time.
17. On 13 January 2017, a meeting was held chaired by then Minister of MIA, Hon. Penisimani Fifita; Acting CEO and the remainder of the daily paid staff with an objective of a further extension of contract (1 February 2017 until 30 June 2017) and that the extension period would be used by MIA to work with the relevant Ministries (PSC and MFNP) to secure permanent posts⁸. This was endorsed by the Minister.
18. On 20 January 2017, Acting CEO and Minister of MIA signed and endorsed the extension of contract to be effective 1 February 2017 until 30 June 2017 for all 19 daily paid staff⁹.
19. By 27 January 2017, the ministerial portfolio for MIA had changed from Hon. Penisimani Fifita to the Hon. Prime Minister – ‘Akilisi Pohiva. CEO for MIA had resumed duty and on 30 January 2017, CEO for MIA held a meeting with 19 daily paid staff informing them that “their extension contracts signed 20 January 2017 was unlawful and that their contracts will end accordingly on 31 January 2017¹⁰.”

⁷ Internal Memorandum by Ana Bing Fonua to Feauini Tamale re: Kaveinga ‘o e Ngata ‘a ho’o aleapau nague mo e Potungae ki he ‘aho 30 Sune 2017, dated 13th June 2017.

⁸ Internal Memorandum by Kalesita Taumoepeau (Deputy CEO Corporate Services) to Pulumaki Ika (Acting CEO) re: Extension of contracts for 19 daily paid employees with the Ministry of Internal Affairs for the period: 01 February 2017 to 30 June 2017, dated 13 January 2017.

⁹ Contract Variation of Fe’auini Tamale dated 20 January 2017

¹⁰ Complaint letter by Siosia Kanongata’a to ‘Aisea Taumoepeau, re: Launga ‘a e Kau Ngaue Lau ‘Aho ‘e toko 19 ‘e Potungae Ki he Ngaahi Ngaue Fakalotofonua, dated 22 March 2017.

20. This was an unsettling event for MIA which lay the foundation for the following months to come.
21. The daily paid staff ceased their employment accordingly on 31 January 2017. On 1 February 2017, the matter of the daily paid staff of MIA was raised and debated over in the House of Representatives¹¹. Here, the new Minister of MIA, Hon. 'Akilisi Pohiva directed that all the MIA daily paid staff resume duty the following day while the issue was being sorted out.
22. On 6 February 2017, a legal opinion was issued by the Solicitor General to the CEO of PSC stating that the variation of contract signed by MIA daily paid staff *“to be effective from 1 February 2017 until 30 June 2017 are contrary to the Public Service Act 2002, and are therefore unlawful and void”*¹².

ISSUES OF VARIATION OF CONTRACT:

23. The variation of contract put forward by Acting CEO – Pulupaki Ika and endorsed by Hon. Penisimani Fifita (Minister of MIA) signed on 20 January 2017 was effectively made on behalf of Government.
24. The actions of CEO of MIA on 30 January 2017 – also on behalf on Government, to declare that these contracts are unlawful and void impeaches on the principles of promissory estoppel. To promise one thing (signing of the variation of contract) and to revoke it soon after is unsafe and not a good practice on behalf of Government.
25. In accordance with the Public Service Policy, the legal opinion issued by the Solicitor General reaffirms the definition of daily paid and the exact position of the variation of contract. These contracts became void accordingly.
26. However, in a meeting held on 12 April 2017¹³, chaired by Secretary to Cabinet and in attendance by CEO of MIA, the 19 daily paid staff and a representative from PSC, the meeting held that a subsequent contract be produced by CEO of MIA and the daily paid staff that would cover employment back tracking to 1 February 2017 till 30 June 2017 and therefore would commence paying out wages.

¹¹ House of Representative Debates 1 February 2017

¹² Legal Opinion by Solicitor General, re: Legal Advice on Non-Compliance with Public Service Policy and Policy Instructions – Contract Extension of daily paid labourers at the Ministry of Internal Affairs, ref: SFS98/17-AG/C.21 dated 6 February 2017

¹³ MIA Meeting with Daily paid staff, Chief Secretary to Cabinet, CEO of MIA, Representative from MFNP and a Representative from PSC, at Prime Minister's Office on 12 April 2017.

27. In effect, the contract deemed “void and unlawful” signed on 20 January 2017 by the Solicitor General¹⁴ was replaced with a subsequent contract. With application of the Solicitor General’s opinion, this subsequent contract is also considered void and unlawful and therefore makes no difference. However, there was an adamant push for a new contract to be signed as a resolution and way forward.

CONTRACT PUT FORWARD BY CEO OF MIA

28. On 20 March 2017, after 9 weeks of unpaid work by the complainants, the CEO of MIA introduced a contract for the daily paid staff to sign¹⁵. This contract covered the period of 1 February 2017 until 30 June 2017. This contract was slightly more rigid and harsh in wording than the variation of contract put forward on 20 January 2017. These contracts were described as “*dictator type*” contracts that needed reviewing¹⁶.

29. This contract introduced clauses such as a:

- * **Needs basis** : Ministry only employs on a needs basis only.
- * **Termination** : Ministry reserves right to terminate without providing reasons
- * **Breach** : Any breach of contract is grounds for termination.

30. There was an introduction of a clause that requires time sheets and evidence of work completed by the daily paid staff member to be produced before receiving their weekly wages. This was not complied by most of the daily paid staff however, but they were all still being paid.

31. Five (5) of the 19 daily paid staff signed the contracts between 20 and 23 of March and began to receive their wages backdated to 1 February 2017. The remainder of the daily paid staff did not sign and their dissatisfaction of the wording of the contracts eventually led to the complaint being lodged with our Office on 23 March 2017.

32. The complaint was received on 23 March 2017 and signed by all 19 daily paid staff of MIA. Individual clarification was sought and it was found that 3 of the 5 daily paid staff signed their contracts wanted to withdraw their complaints on the basis that they “did not know what they were signing for”¹⁷. They are:

¹⁴ Supra n 10

¹⁵ Contract between Fe’auini and MIA (unsigned) on 20 March 2017

¹⁶ Meeting with Acting CEO – Lu’isa Manuofetoa (Deputy CEO) on 31 July 2017

¹⁷ Letter from CEO of MIA to Feauini Tamale, re: Tohi tali fekau’aki mo e fakaloloa ‘o e Aleapau ‘o e Kau Ngaue Lau’aho ‘a e Potungae, dated 23rd March 2017

- 'Ilsapesi Tai – withdrew 8th May 2017;
- Filite Fakena – withdrew 8th May 2017; and
- Vika Fale – withdrew 8th May 2017.

Takai Monu and Lusua Hufanga were the remaining 2 daily paid staff that signed their contracts but they still wanted their names to remain on the complaint list. The remaining 16 complainants is now referred to as the complainants.

33. According to Kalesita Taumoepeau, the Deputy CEOs of MIA were not satisfied with the wording of the contract and suggested amendments¹⁸. The CEO of MIA accepted the amendments by the Deputy CEOs and the complainants and amended the wording of the contract soon after and reverted to the complainants to sign.
34. After the preliminary inquiry meeting¹⁹, it was stressed to the CEO of MIA that the long delay of unpaid wages from 1 February and the date of the meeting was unreasonable and unnecessary particularly on behalf of Government and urgent action was required for wages to be received.
35. The meeting held that the only way for the complainants to receive their wages was to sign the amended contracts for their wages. Our Office contacted the remaining daily paid staff to sign their contracts accordingly while the investigation continues. These were all signed by the complainants by 18 April 2017.
36. This contract was put forward by CEO of MIA on 20 March 2017 although the complainants had resumed duty on 1st February 2017. Depending on the date of signing, this was an unreasonable delay for the complainants to work without pay. Although they were back dated to the resumption date, the justification of delay is not warranted.

PUBLIC SERVICE DECISION NO. 122 DATED 10TH MARCH 2017

37. This decision sets forth 3 recommendations. They are:

- i. That subject to funding, that a final extension of the 19 daily paid workers of the MIA be extended and regularised from 01 February 2017 to 30 June 2017 as part of transitional arrangements;
- ii. That subject to funding, MIA to identify positions to be made permanent and to recruit through normal recruitment by July 2017; and

¹⁸ Meeting with Deputy CEO MIA – Kalesita Taumoepeau, Lepaola Vaea and Roman Vaihu at CEO (OMB) Conference room dated 19 July 2017.

¹⁹ Supra n 4

- iii. That the Office of the Public Service Commission and Ministry of Finance and National Planning finalise the regularising of such contracts before 30 June 2017.

38. From the outset, it appears that the CEO of MIA deliberately ignored compliance with this PSC decision. In a meeting with CEO of PSC²⁰, it was revealed that there were several attempts made from PSC to CEO of MIA for a collaborative approach to fulfill the recommendations of the PSC Decision before the end of the previous financial year. However, CEO of MIA was not responsive and only attended a meeting once.

39. PSC identified other ministries such as Ministry of Energy, Information, Disaster Management, Environment, Climate Change and Communications (MEIDECC) and Ministry of Health (MOH) who had similar daily paid issues at their Ministries but MEIDECC and MOH were more forthcoming and collaboratively worked together to transition their daily paid staff to permanent staff in accordance with PSC procedures. These Ministries commenced transitional arrangements following PSC Decision No. 391²¹.

40. Deputy CEOs of MIA Pulupaki Ika, Kalesita Taumoepeau, Lu'isa Manuofetua and Fanau'ifo'ou 'Akauola all submitted internal requests to CEO of MIA²² for further consideration of transitional arrangements of daily paid staff into permanent staff and or extension of employment into the new financial year. Neither of these requests were actioned or given merit by the CEO of MIA.

41. The matter concerning the daily paid staff was at the discretion of CEO of MIA and in her view, remains with the Office of the CEO due to the sensitivity surrounding the matter and the underlying interests²³.

42. A meeting was held with the CEO of MIA in June²⁴ and the CEO of MIA informed us that "she is acting in accordance with the aim of the Minister of MIA and the Government in prioritising to fill graduate vacancies within MIA first before the daily paid posts as these posts are menial and can be covered by other staff"²⁵.

²⁰ Meeting with CEO of PSC Dr. Lia Maka, Deputy CEO of PSC Lusitania Eke, Lynette Foliaki and CEO of OMB Linda Folaumoetu'i, DOI Lepaola Vaea and Roman Vaihu at PSC Conference Room dated 17 July 2017

²¹ Supra n 6

²² Pulupaki Ika: Internal Proposal ref: CLT07/Vol 5 dated 31 May 2017; Kalesita Taumoepeau: New Post Proposed for Next FY, dated 6 June 2017; Fanau'ifo'ou 'Akau'ola: Request for extension of Daily Paid at Employment Section Ref: EMP.1/2.v2, dated 28 June 2017.

²³ Meeting with CEO Ana Bing Fonua, DOI Lepaola Vaea and Roman Vaihu at Minister of MIA Conference room dated 12 June 2017

²⁴ Ibid.

²⁵ Ibid.

43. CEO of MIA maintained that the MIA budget (FY2016/17) could not afford the wages of the daily paid staff as she has had to authorise numerous transfers to cover these wages for the remainder of the financial year. Furthermore, there was an intention not to include wages in the new budget (FY2017/18) as evident in the proposed budgets of MIA sent by Secretary to the Minister of MIA²⁶. However, this budget proposal never eventuated²⁷.
44. There was no real urgency by CEO of MIA to comply with PSC Decision and there was no real grounding from the PSC to enforce the PSC Decision on a matter that they are not a direct party of.
45. Internal (DCEOs requests) and external (PSC Decision) mechanisms were always available for the CEO of MIA but there was that general feeling of non-responsiveness from the outset which hindered the process.

OMBUDSMAN REFERRAL LETTER DUE 31ST MAY 2017

46. Our Office had sent CEO of MIA and CEO of PSC a referral letter for response due 31 May 2017²⁸. CEO of PSC responded accordingly within the given time.
47. Meetings were held with CEO of MIA in June and other communications pertaining to the overdue referral response. A hearing was subsequently called pursuant to section 14 of the Ombudsman Act on 28 June 2017 in which CEO of MIA clarified her position.
48. The response to the referral was received on 29 June 2017 with the daily paid ending their PSC regularised contract on 30 June 2017. This response drifted from directly addressing the issues raised by the referral letter to addressing new issues and events that were recent to the time of the hearing.

OPINIONS

49. As the report has highlighted, the degree of unresponsiveness by CEO of MIA was a direct indication of the direction this complaint was eventually heading. Aside from timely responses to preliminary inquiry meetings, meetings and a hearing under section 14 of the Act, there was no real urgency for compliance with the PSC Decision No. 122 and the Ombudsman referral dated 17 May 2017.

²⁶ Email by Leinolo Lakai to Roman Vaihu, re: A copy of the requested, dated 7 July 2017 from {leinolo.lakai@gmail.com}

²⁷ Email by Lusitania Eke to Lia Maka, re: MIA Wages and Contract Labour 2017/2018 dated 9 August 2017.

²⁸ Insert referral letter

50. When the variation of contract was signed on 20 January 2017, MIA had an Acting CEO and was the Ministerial responsibility of Hon. Penisimani Fifita. This changed the week after whereby CEO of MIA resumed duty and there was a Ministerial portfolio reshuffle. This undoubtedly impacted the course of the complaint.
51. During the investigation, it was evident from the amount of information received by my Office that there was a very hostile environment within the MIA surrounding the daily paid staff. The Office of the CEO of MIA handled the matter while at the same time keeping Deputy CEO staff out of the loop which in turn resulted in a lack of cohesion to coherently settle the matter.
52. The contract put forward by CEO of MIA on 20 March 2017 was unnecessary. Rather, the variation of contract signed on 20 January 2017 was ample enough. When considered together with the Internal Memo dated 13 January 2017²⁹, it gave it the same intention as that of the PSC Decision No. 122.
53. The PSC as regulators of the Public Service employees should act in a more active manner by applying their administrative powers in the *Public Service Act* 2002. Although the discretion of appointment for daily paid employees are vested with the CEO of the Ministry, the PSC has a role under their principal functions to be involved in the process. PSC cannot afford to lay idle.
54. A more direct involvement in the daily paid process by the PSC can ensure that Ministries are in compliance with definition of a daily paid worker and PSC can monitor timelines of employment etc.
55. Ministries such as MIA, MEIDECC and MOH were highlighted during the course of the investigation regarding their daily paid staff and it was discovered that they had taken measures during the 2016/2017 financial year to appoint daily paid workers to permanent positions or extend the contracts of these workers beyond the 30th of June 2017.
56. A systematic review of the entire Public Service is needed to ensure that ministries are not abusing the policy intention of a daily paid staff member. This complaint highlighted that there is no systematic cohesion between the daily paid, Ministry responsible and the PSC and in the absence of a sync systematic approach, complaints such as the current arises.

²⁹ Supra n 7

MINISTRY'S RESPONSE

57. The Provisional Report was delivered to the MIA CEO for comment due 15th September 2017. A follow up email was sent on 25th September 2017. At the date of this report being final, no response was received from MIA CEO.

RECOMMENDATIONS

I am recommending five things in this Report pursuant to section 18(3) of *Ombudsman Act 2001*:

- i) That PSC amend the Public Service Policy to include PSC as a party to these daily paid contracts to ensure that Government Ministries are not abusing the daily paid scheme;
- ii) That PSC implement stricter monitoring of the daily paid policy;
- iii) It is my understanding that around 9 daily paid staff have assumed duty at MIA since ending their contract issued 20 March 2017. That MIA and PSC adopt a collaborative approach to give effect to Public Service Decision No. 122 dated 13th March 2017;
- iv) An apology is issued on behalf of the Government of Tonga to the daily paid staff of MIA for this unforgiving experience they endured from January until August 2017; and
- v) That MIA report back to me within one month of the date this report is finalised to provide a follow up report on the recommendations.



'Aisea H. Taumoepeau, SC
Ombudsman

29th September 2017