



អង្គការសហប្រតិបត្តិការដើម្បីកម្ពុជា
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for Cambodia
Comité de Coopération
Pour le Cambodge

A Practical Guideline: Human Resource Management in the NGO Sector

Partnerships for Sustainable and Democratic Development in Cambodia

HR Practical Guideline

Human Resource Management for NGO Sector 2024

Edition

This guideline was initially written in 2011 under the leadership of Cooperation Committee for Cambodia (CCC), and with support of CCC HR Working Group. It was 1st revised in 2019 and now it is revised again in 2024 to meet the needs of modern human resource management and to be aligned and compliant with the Cambodian laws and regulations.

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Foreword

One of the measures of success of our civil society is our responsiveness with accountability to the changing needs and circumstances of NGOs in Cambodia. We are learning how to work with a fully elected legislature and how to deliver new and improved services demanded by a more prosperous and sophisticated civil society. We have become more open, accountable, and have committed ourselves to specific standards of performance against which the public can gauge what they can and should expect from us. Such responsiveness and adaptability call for an enormous amount of resilience, dedication and skill from all of us. We must ensure that our human resource management (HRM) practices develop even further the commitment to and performance of civil society.

Each person within their organization has a role to play in meeting the challenge of improving our HRM practices and maintaining a dynamic and progressive approach to managing people. This Practical Guideline: Human Resource Management in the NGO Sector not only encapsulates the vision and guiding principles of how we intend to manage people in the future, but also provides a practical tool to assist us all in realizing that vision.

CCC seeks to make a robust contribution to a healthy Civil Society in Cambodia. As people are any society's most precious assets, we hope colleagues will make the most of this Guideline to upgrade the value of the services they provide in terms of Human Resource Management, seeking to instill and promote transparency, accountability and professionalism in all aspects of their dealings with employees and society in general.

This document has been prepared for use by Cambodian NGOs and we have endeavored to give sound guidance regarding the many HR issues they are required to manage but it is a living document. We would like to encourage readers and implementers to be mindful that their feedback on the value of document and its efficacy in implementation is critical to keeping it relevant.

Preface

Non-Governmental Organizations (NGOs) provide essential functions: caring for the social movements within civil society, strengthening the foundations of an emergent civil society, and providing a voice for engaged citizens. These are just a sample of the many and varied missions that are supported by around 186 both international and local NGOs in Cambodia.

Endless growing competition for resources, expanding service demands, and an increasing chorus of calls for accountability result in a high-pressure situation in which NGOs must maximize their effectiveness and efficiency to be successful. The employees who comprise the workforce for these organizations carry out their critical missions, which contribute so much to our civil society. Accordingly, there is an urgent need for information and assistance to help NGOs create an effective work environment. Recruitment, motivation, and retention of a qualified workforce require investment in the development of human resource management.

Additionally, NGOs need to reduce the risk of lawsuits and claims by knowing the laws and adopting and implementing good employment practice through their human resource policies. This guideline provides user-friendly explanations covering a wide variety of human resource management aspects, with examples of related forms and supplemental information. Although the coverage of topics is extensive, it is not all-inclusive. It is hoped that many of the functions, policies and procedures outlined herein might apply to most NGOs.

Other parts are more specialized; for example, there are policies about the interaction of staff and partners that will fit only certain types of direct service organizations. Each organization will need to evaluate the need for each policy and to take care to ensure that sample policies are adapted to fit their own unique situations.

The guideline is organized by chapters, and chapters are organized into subheadings. The Table of Contents provides a guide for the location of topics of specific interest. In addition, at the end of the guideline you will find a number of helpful Annexes. Included is a list of forms and useful information.

We sincerely hope this guideline makes the job of NGO managers and leaders more convenient and supportive as they develop a conducive work environment.



Sin Putheary
CCC, Executive Director

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List of Acronyms

Art.	Article
AI	Artificial Intelligence
ACAD	Ambiguity, Complexity, Ability and Decisiveness
CCC	The Cooperation Committee of Cambodia
CARE	CARE Cambodia
COC	Code of Conduct
COI	Conflict of Interest
CTO	Compensatory Time Off
CSOSSS	Civil Society Organization
CSG	Child Safeguarding
CBA	Collective Bargaining Agreement
C&B	Compensation & Benefits
COLA	Cost of Living Adjustment
DAC	Disciplinary Action Committee
DFAT	Department of Foreign Affairs and Trade
EA	Employment Agreement
ER	Employee Relations
ED	Executive Director
FDC	Fixed Duration Contract
FNGOs	Foreign Non-Government Organizations
FIDR	Foundation for International Development / Relief
KNYB	Khmer New Year Bonus
HR App	Human Resource Application
HIV	Human Immunodeficiency Virus
HR	Human Resource
HRD	Human Resource Development
HRIS	Human Resource Information System
HRM	Human Resource Management
HRP&P	Human Resource Planning and Process
JD	Job Description
KM	Knowledge Management
KPIs	Key Performance Indicators
LACMS	Labor Automated Central Management System
LANGOs	Law on Association and Non-Government Organizations
LNGOs	Local Non-Government Organizations
LWOP	Leave Without Pay
MoFAIC	Ministry of Foreign Affair and International Cooperation
MoLVT	Ministry of Labor, Vocational and Training
NIS	National Institute of Statistics
NSSF	National Social Security Fund
NGOs	Non-Government Organizations
Off-JT	Off-Job Training
On-JT	On-Job Training
OD	Organizational Development
OT	Overtime
PA	Performance Appraisal or Performance Assessment
PAF	Personal Action Form

PBI	Performance Based Increase
PELA	Political, Economic, Legal and Administrative approach
PESTEL	Political, Economic, Social, Technologies, Legal, And Environmental factors.
PIP	Performance Improvement Plan
PM	Program Manager
PWD	People With Disabilities
RGC	The Royal Government of Cambodia
R&S	Recruitment & Selection
SFP	Senior Focal Point
SMART	Specific, Measurable, Achievable, Replicable, and Time bound
SPA	Staff Performance Appraisal
SPAF	Staff Performance Appraisal Form
SWOT	Strength, Weakness, Opportunities, Threat
TOIL	Time off in Lieu
ToR	Terms of Reference
T&D	Training & Development
TNA/TGA	Training Needs Assessment & Training Gaps Assessment
UDC	Undetermined Duration Contract
UNCRC	The United National Convention on the Rights of Child
VMGO	Vision, Missions, Goals, and Objectives
WHO	World Health Organization

DEFINITION OF KEY TERMS

Capacity Development	Activities, approaches, strategies, and methodologies which help organizations, groups and individuals to improve their performance, generate development benefits and achieve their objectives.
Code of Conduct	A statement and description of required behaviors, responsibilities, and actions expected of employees of an organization. A code of conduct usually focuses on ethical and socially responsible issues. Employees are required to comply with their employer's Code of Conduct. It is the guiding principles and an integral part of the employment contract.
Collective Labor Dispute	Any dispute that arises between one or more employers and a certain number of their staff over working conditions, the exercise of the recognized rights of professional organizations within the enterprise, and issues regarding relations between employers and workers. This type of dispute could jeopardize the effective operation of the enterprise or social peace
Compensation Benefits	& Compensation includes direct cash payments, indirect payments in the form of employee benefits and incentives to motivate employees to strive for higher levels of productivity.
Consultants and sub-contractors	Short term contract personnel whose services are purchased by an organization. They are usually an expert or a professional in a specific field. A consultant usually works for a consultancy firm or is self-employed, and engages with multiple and changing clients.
Disciplinary Action	Action taken by an organization in order to make an employee aware of

		the seriousness of misconduct and to encourage employee corrective action as soon as possible.
Employee		All paid staff of the organization whether full-time, part-time, fixed-term contract, salaried or hourly, including management, but excluding voluntary staff.
Employee Handbook		An outline of relevant organization policies and procedures written in concise accessible form.
Employee Relations		Describes communication and relationships between management and employees. Employee relations normally aim to secure maximum cooperation from employees, and to motivate employee to give their best by ensuring that they feel fairly treated, understand the overall direction and values of the organization and those of their departments, and how decisions that affect them have been reached.
Employment Agreement/Contract		Signed agreement between employer and employee, signed by parties, outlining terms and conditions of employment.
Grievances		Complaints and appeals relating to conditions, expectations or behavior in the workplace. (note, a grievance is not only from employees)
Governing Authority (Body)		Governing body means a body of persons or officers having ultimate control of an organization. They are mainly constituted for the purpose of administration and legal status. For example, a Board of Directors or Management Committee is the governing body of many organizations.
HR Generalist		A person with responsibility for performing a variety of HR activities.
Human Resource Management		The Management of people within an organization in order to achieve organizational goals with alignment to organization policies and procedures.
HR Professional		A person with recognized expertise in HR and focuses on related operational and administrative issues. Could be a HR Generalist or a HR Specialist.
Human Resource Planning		The process of assessing current workforce capabilities, demographics and work processes, determining future workforce requirements, identifying gaps and implementing solutions to bridge the gaps.
Human Resource Policy and Procedures Manual		Guideline for decision-making in an organization. Policies will not make the decision, but are tools for your organization to use so that it will not have to reinvent the wheel every time a decision is needed. These general guidelines are called policies, and specific activities towards implementing these are often called procedures.
HR Specialist		A person with in-depth knowledge and expertise in a specific area of HR.
Individual Dispute		A Dispute that arises between the employer and one or more workers or apprentices individually, and relates to the interpretation or enforcement of the terms of a labor contract or apprenticeship contract, or the provisions of collective agreement as well as regulations or laws in

effect.

Interview	A procedure designed to solicit information from a person's oral responses to oral inquiries. A selection interview is a selection procedure designed to predict future job performance on the basis of applicants' oral responses to oral inquiries
Job Description	A list of a job's duties, responsibilities, reporting relationships, working conditions, and supervisory responsibilities. Also called Duty Statement or Terms of Reference.
Line Management	The lines of management, supervision and reporting within an organization, represented by an organizational structure diagram.
Line Manager	The person that an employee reports to/ their immediate supervisor.
Performance Appraisal	Involves the identification, measurement, and management of employee performance in organizations. Often conducted annually including for administrative reasons (a decision about an employee's working conditions, including promotions and rewards) and/or developmental reasons (a decision concerning strengthening the employee's job skills or performance,). Also known as Performance Assessment.
Performance Management	The integrated process of maintaining or improving employee job performance through the use of objective setting, coaching and feedback, and appraisal.
Recruitment & Selection	Concerned with identifying, attracting & choosing suitable people to meet an organizations human resource requirement. Recruitment is the process of searching for and obtaining potential job candidates in sufficient numbers & quality so that an organization can select the most appropriate people to fill its job needs. Selection is the process concerned with predicting which candidates will make the most appropriate contribution - now and the future.
Senior Manager	The highest-ranking paid employee in the organization to whom all other employees report either directly or indirectly, and who reports to the Governing Authority (Body). Possible titles for this position include: Executive Director, Executive Officer, Country Director, Country Representative or Country Manager.
Succession Planning	A process for identifying and developing internal people with the potential to fill key leadership positions in the organization. It can be a key contributor to the long-term sustainability of organizations
Termination	Ending an employment contract. This can be done for any number of reasons including resignation, redundancy, retirement, dismissal, and death in service.
Terms of Reference (ToR)	See Job Description. Also called Duty Statement.
Training & Development	& The process of planning for and conducting activities that develop employee capabilities, abilities, knowledge and know-how to meet

business, organizational and individual needs.

**Training Needs
Assessment**

The process of determining what knowledge, skills, and attitudes the employee who is to be trained actually possesses and what training would be suitable to meet their own professional and the organizations needs

Chapter I: Overview of the guideline

This chapter tells us about the overview of human resource development (HRD) and human resource management (HRM) policies, procedures and practices used by the non governmental organization (NGO) sector in Cambodia. This HR practical guideline was introduced since 2011 by human resource working group and human resource professionals from NGOs (Foreign and Domestic Organizations) and Civil Society Organization (CSOSSS) with diversity of development programs – humanitarian assistance, integrated rural development, human rights promotion and empowerment, food security, education, health, water sanitation, natural resource management and other social enterprises, etc. This chapter cover several points as follow:

- 1.1 Background of guideline
- 1.2 Purpose of the guideline
- 1.3 Legal compliance
- 1.4 Scope and limitation
- 1.5 How to use the guideline

1.1 Background of guideline

Non-Government Organizations (NGOs) are citizen-based associations that operate independently of government. NGOs are categorized by the World Bank as either **operational** NGOs, that are primarily concerned with development projects that deliver services/resources, or **advocacy** NGOs, that are primarily concerned with promoting a cause. NGOs are also commonly described internationally as Civil Society Organizations (CSOSSS).

Most of NGOs' bylaws state that they have to obligately abide by the laws of the country. Currently the Cambodia government also reinforce effective legal compliance with all NGOs. By law, NGOs are required to keep internal documents, a set of rules and regulations that enable each organization to conduct its affairs in a fair and transparent manner. Documentation of the kind found in this practical guideline is becoming increasingly necessary for the registration of NGO with national and public authorities. It is also good practice to have clear, sound human resource processes.

The Cooperation Committee of Cambodia (CCC) is the pre-eminent membership organization of the non-government organization sector in Cambodia. Since 1990, CCC has taken a lead role in representing the voice of NGOs to the government and donors. CCC effectively represents the professional interests of NGOs across diverse sectors which makes us unique. Our reputation for high quality information management, information sharing and capacity development is widely acclaimed and highly valued by many stakeholders throughout Cambodia.

In 2007, the Human Resource Forum was established by CCC to provide opportunities to its members to discuss and reflect on several topics including the implementation of Human Resource (HR) policies, performance review systems, compensation and benefits, Cambodian labor law, termination of contract and effective recruitment and hiring.

Referring the Global Standard for CSOSSS or NGO accountability, commitment 09 states that effective organizations are composed of qualified staff and volunteers, peoples who have motivations, and professional capacities to drive effective processes and achieve common goals. Professional, well-equipped and loyal staff and volunteers improve the quality of organization's work and reduce of mismanagement. To achieve this, NGOs must ensure the principles of consistency, accountability, transparency and fair nessin their policies and procedures for recruiting, developing and managing staff. By including staff and volunteers in planning and decision-making processes, NGOs will create the enabling environments in which individuals can effectively perform and grow. While the pentagonal strategy of the Royal Cambodia Government indicates that human resource is a core element of good governance.

During this period, it was recognized that while there were numerous human resource professionals within various member organizations possessing relevant skills and knowledge on these issues there was no concrete mechanism to facilitate the exchange of experience and best practices between organizations.

The tendency instead has been to resort to one-off trainings by external “experts” which often lack relevance to the specific realities of Cambodian NGOs, use methods and approaches which fail to recognize the cultural, social, political and learning environment in Cambodia and as a result fail to generate necessary movement and momentum for change within communities or organizations.

1.2 Purpose of the guideline

The guideline has been compiled, prepared and regularly updated for NGOs to improve the quality of their professionalism in Human Resource Development and Management. The main purposes of this guideline are to:

- 1.2.1. Promote professionalism and best practices related to Human Resource Development and Management in NGO sector in Cambodia.
- 1.2.2. Reduce the risk of lawsuits and claims by encouraging transparency in decision making and adopting and implementing good employment practice.
- 1.2.3. Provide a useful documentation of best practices related to HRD and HRM.
- 1.2.4. Promote good governance, innovation and culture of excellence at workplace.
- 1.2.5. Ensure the alignment of NGO’s HR policies are relatively linked to the legal compliances within Cambodia.

1.3 Legal compliances

This guideline is relatively linked and aligned with several laws of Cambodia, and it shall be abided by registered NGOs in Cambodia. This guideline will promote the rule of laws and to enhance NGO governance and professional practices among NGOs in Cambodia. The obligation of NGO is to reinforce the legal compliance and this guideline shall be bonded by some laws of Cambodia as follow:

1.3.1. Laws on Association and Non Governmental Organization (LANGO) adopted 13-Jul-15:

- Domestic association and NGO shall be required to register with Ministry of Interior (MoI). Required documents and procedure is mentioned in Article 6 and 7 of this law. The competent authorities shall take measures to immediately stop any domestic association or non-governmental organization for conducting activities without registration with the Ministry of Interior according to the provisions of this law.
- Any legally registered domestic NGOs shall notify the Ministry of Interior (MoI), “In case of amendment of its statute, a relocation of its office, a replacement of its president or executive director, or a change of its bank account information, a domestic association or non-governmental organization shall inform in writing the Ministry of Interior within 15 (fifteen) days at the latest from the date the change is made, by attaching the modified documents”, referring to article 10 in LANGO.
- NGO should note that noncompliance by domestic association or NGO of Article 10 (above), Article 24 on maintaining neutrality and para 1 and 2 of Article 25 on reporting about annual activities and financial income shall be subject to warning by MoI.
- Any foreign association or non-governmental organization wishing to conduct activities in the Kingdom of Cambodia shall register with the Ministry of Foreign Affairs and International Cooperation (MoFAIC) by signing a Memorandum of Understanding. The required documents and procedures are mentioned in Article 13 of this law.

- In case a foreign association or non-governmental organization fails to comply with Article 24, or paragraph 3 of Article 25 of this law, MOFAIC will issue a warning. In case of repeated non-compliance, the Ministry of Foreign Affairs and International Cooperation shall issue a written decision to terminate the validity of its memorandum. The competent authorities shall take measures to immediately stop any foreign association or non-governmental organization that conducts activities without registration or which Memorandum of Understanding is terminated by the Ministry of Foreign Affairs and International Cooperation. Additional measures involving expulsion under the Law on immigration may be undertaken against any foreigner working for a foreign association or non-governmental organization for committing the above offence regardless of other criminal punishments.

For questions related to Mol, please contact: 023 721 905 - 023 726 052 - 023 721 190

1.3.2. **Labor laws adopted 10-Jan-97:**

Article 1 says, “this law governs relations between employers and employees resulting from employment contracts to be performed within the territory of the Kingdom of Cambodia, regardless of where the contract was made and what the nationality and residences of the contracted parties are. This law applies to every enterprise”, this enterprise also includes NGO. - -

- Any legally registered NGOs shall notify the Ministry of Labor and Vocational Training (MoLVT) when there is any change within respective NGO – opening and closing of organization (article 17, 18), employment contracts, personnel movements (article 21), labor disputes and etc. This guideline covers most parts of this labor laws.
- The HR manuals/ policy/ guideline of NGO shall be treated as Internal Regulations and officially endorsed by through Labor Automated Central Management System (LACMS) by the MoLVT prior put into practices, referring to article 24.
- Enterprise that has 8 or more employees shall conduct an election of Shop Stewards and registers them with MoLVT so that they are officially recognized and protected. Procedure for the election, please refer to Prakas 302.
- Each enterprise or establishment is allowed to use foreign worker, not exceeding 10% of the total number of Cambodian workers. This rate of 10% is divided into 3 categories of employees:
 - Office employees: 3%
 - Employees or skill workers: 6%
 - Employees or Non-skill workers: 1%

In the case of the need for foreign workers is over 10%, the request letter shall mention thoroughly and clearly about the position, specialty, technology or professional skill of each foreign worker who will be selected to work and the actual reason of the need for using of each foreign worker that is over 10%.
- All foreign workers working at the enterprise or establishment shall apply for work permit and employment book from MoLVT at the beginning of each year. Starting from 2017, they need to apply for work permit through online system called LACMS. The owner of enterprise or establishment needs to apply for the permission to use foreign workers (quota) at the MoLVT for their foreign staff to apply for work permits. Foreign workers who have official visa from MoFAIC will not need work permit or employment book from MoLVT because the official visa grants the right to stay and work in the Kingdom of Cambodia.

- If the employer uses foreign workers without having permission to use foreign workers, it will be penalized with amount KHR12,600,000. If employer uses foreign workers without work permit and employment book, it will be penalized at the maximum rate of KHR12,600,000 per person. If the number of foreign workers is higher than 5 persons. the maximum penalty is imposed up to 5 persons only, which is KHR63,000,000 (5 x KHR12,600,000), according to Guideline # 517 in 2023.
- Labor Law Amendment *adopted 26-Jun-18*: If change occurs in the legal status of the employer, particularly by succession or inheritance, sale, merger or transfer of fund form a company, all labor contracts in effect on the day of the change remains binding between the new employer and the worker of the former enterprise. This implies the change of status from FNGO to LNGO or vice versa, the merger of several NGOs into one legal entity, etc., referring to Article 87(New)
- Employers should pay more attention when terminating UDC. Referring to Article 90(New), besides the seniority payment which must pay to employee, the employee can claim for the damages if the resignation happens from the bad feeling of employer to push the employee to terminate the contract. While employers unfairly employ or frequently violate any terms of the labor contracts, the employers must pay the employee's seniority payment and damages, and Article 91(New) says the labor contract termination made by the willingness of any party without valid reasons, each party shall be able to claim for the damage from another party. These damages are not the same as the compensation in lieu of prior notice or the seniority payment. The employee can claim to be given a lump sum equal to the seniority payment and shall receive during the employment contract. In this case, he/she is free from the obligation to proof the damage incurred. And Article 94(New) says without prejudice to the provisions of Article 91 (New) above, the damages to be paid in the case of a breach of the labor contract without valid reasons, as well as those owed by the employer as per provision of Article 90 (New) above, are determined by the competent court and based on local custom, the type and importance of the service rendered, the worker's seniority and age, the pay deductions or payments for pension, and generally, on all circumstances that can justify the existence and the extent of the harm incurred. Therefore, a proper process of terminating UDC is recommended.
- MoLVT Instruction #050 dated 17-May-19 stipulates about type of employment contracts. A first fix-duration contract (FDC) has a maximum period of 2 years. It can be renewed once or more as long as it does not exceed 2-year period, with total maximum period of 4 years. When the fix duration contract reaches its limit, it will convert to an undetermined duration contract (UDC) automatically.
- Enterprise/establishment that employs expatriates may need to know about Sub-decree 123 dated 10-Jun-16 about Procedure to allow Non-Immigrant Foreigner to Enter, Leave, and Reside in the Kingdom of Cambodia
- For questions related to MoLVT, please contact Hotline: 1297

1.3.3. **Law on Trade Union** *adopted 17-May-16*:

- Workers have the right to form worker union (art. 5). To enjoy its rights and interest under this law, it needs to register with MoLVT (art. 11). Worker union is dissolved according to its statute, automatically dissolved following the definitive closure of the enterprise or establishment or dissolved by court order (art. 28). Ground for dissolution by court order refer to art. 29.
- For questions related to Trade Union Law, please contact MoLVT Hotline: 1297

1.3.4. **National Social Security Fund (NSSF) Law adopted 25-Sep-02:**

- Article 01 of National Social Security Fund laws of Cambodia regulated for any employees under the labor laws of Cambodia. All issues related to accident insurance, health insurance and pension of NGO's personnel are linked to the NSSF's laws. The HR unit and finance unit of NGO shall strictly follow the instructions from NSSF on a monthly payment to all schemes declared at the NSSF department. The monthly personnel movements shall be reported to NSSF by any NGOs.
- All employers or owners of enterprise/establishment who employ one or more workers shall be obligated to register in NSSF in the pension section within at most 30 (thirty) days after this sub-decree on pension scheme comes into force (Article 5 of NSSF Sub-decree dated 04-Mar-21).
 - o Phase 1 is 5-year term which the obligatory contribution is 4% (2% is the burden of employer and 2% is the burden of the employee) Maximum contributed wage is KHR1,200,000.
 - o Phase 2: is 5-year term after Phase 1, which the obligatory contribution is 8% (4% is the burden of employer and 4% is the burden of the employee)
 - o Phase 3: The contribution rate shall increase by 2.75 percent of the wage obligatorily links to contribution or money requested to obligatorily links to contribution in 10 (ten) years and the stage of 10 (ten) subsequent years.
- For questions related to NSSF, please contact Hotline: 1286

1.3.5. **Taxation laws adopted 16-Mar-23:**

New Law on Taxation (LoT) took effect from 16 May 2023 abrogates the former LoT, dated February 24, 1997, Article 5 state that Permanent Establishment (PE) was expanded to include any person that has or habitually exercises the authority to sign contract in the name of the non resident person or fulfill the main role in facilitating the conclusion of a contract. Cambodian tax regime is a Self-Declaration of Taxation. There are 3 categories of taxpayers: small taxpayer, medium taxpayer and large taxpayer. Medium and large taxpayers must report according to Cambodia's IFRS. The standard tax year in Cambodia runs from 1 January to 31 December. Electronic filing for the 2023 annual Tax on Income ("TOI") declaration with the General Department of Taxation ("GDT") must be completed by the 31st of March 2024, or within three months after the end of the tax year for enterprises that have a non-standard tax year.

Income of non-profit organization is non-taxable for no part of that income is used for personal interest (Art.9 point 1.b). Income that does not serve the non-profit purpose is taxable according to Art. 20. Each NGO should pay attention at:

- Tax on salary and fringe benefits for resident taxpayers and non-resident taxpayers.
- Withholding tax for office rent, office renovation, etc.

- Withholding tax on goods and services that are no VAT charges.
- Withholding tax on profitable income.

For questions related to taxation, please contact Hotline: 1277

1.3.6. **Anti-corruption laws adopted 17-Apr-10:**

All NGO's personnel understand what is deemed as corruption and their responsibilities for prevention and detection of corruption at the workplace. It is important to refer to corruption offences under the Cambodian Anti-Corruption Law, approved by Cambodia's National Assembly, dated March 2010. Such clarification is necessary so as to avoid ambiguity in determining what encompasses corruption. Article 17 of this law requires among other people, leaders of civil society to declare their assets and liabilities, regardless of whether those assets are inside or outside the country, and shall submit in person, to Anti-corruption Unit upon taking or leaving offices. Most of corruption offences are mentioned in Criminal Code. It could be declared as criminal responsibility of the legal entity for some criminal acts committed by employees such as bribery, extortion, money laundering, terrorist act, etc.

For questions related to Anti-corruption laws, please contact: 092/069/060 57 87 87

1.3.7. **Law on Anti-Money Laundering and Combating The Financing of Terrorism adopted 27-Jun-20:**

This law governs NGO among other entities operating in Cambodia. Article 8 of this law requires entities to uphold customer due diligence measure including identify and verify the identity of the customer 1) before establishing business relation such as establish bank account, transferring or receiving fund, 2) before transferring amount which is in excess of the amount defined by the supervisory committee, 3) has a suspicion of money laundering or financing of terrorism irrespective of the sum involved, 4) has any doubts about the veracity or adequacy of previously obtained customer identification data, NGO shall report to Financial Intelligence Unit (FIU).

For questions related to Law on Anti-Money Laundering and Combating the Financing of Terrorism, please contact NBC: 023 990 196

1.3.8. **Criminal laws and other related laws of Cambodia:** When there is any gross misconduct (please refer to code of conduct, child safeguarding, gender equality, disability, minority, and other policies) occurred within NGO, the disciplinary action shall be taken immediately by the disciplinary action committee (DAC) and the case will be transferred to local police. Any legally registered NGOs shall be well aware of criminal laws and other laws of Cambodia.

For questions related to Criminal Law, please contact Hotline: xxx

1.3.9. **Non-compliance and consequences:** Any NGOs are found out of not compliances of any above laws of Cambodia may result a possible penalty in money or close down office. Non-compliance of own NGO's HR policies or internal regulations may result any lawsuit by own personnel due to all HR policies are relatively linked to other laws of Cambodia and its consequences,

1.4 Scope and limitation

The guideline can be used as a reference document for any Cambodian NGOs that wishes to review or improve the daily practice and management of human resources. The guideline can be considered

alongside any existing HR manuals or guidelines that the NGO may already be using. It addresses key issues and sectors of concern to internal rules and regulation of NGO in Cambodia.

This practical HR guideline is a minimum standard of HR development and management practices. This guideline will help NGO sector, especially for smaller NGOs or CSOSSs in Cambodia. However, it is not limited for large NGOs who keen to add more policies and procedures in their context and capacities. They also can learn, reflect and incorporate some best practices from this practical guideline, especially the compliances of and alignment of own HR policies and procedures with the laws of Royal Government of Cambodia.

This guideline will not tell you about the concepts and every detail step of HRD and HRM's practices, but it tells you about the practical HR functions, legal compliances, key policies and procedures.

All annexed forms are adoptable according to the context and needs of particular NGOs. Therefore, they are subject to review and should be revised periodically, at least once every three years. CCC strives to review and improve its services at all times. We welcome any feedback or comments that users may have regarding these guidelines.

1.5 How to use the guideline

This guideline is a minimum standard of human resource development and management practices for both medium and small NGOs who are willing to prepare their HR settings and or to improve their human resource performance. This HR practical guideline has been prepared for and it will help any human resource professionals (officer, coordinator, management and or director) and managers who will relatively work with people or human resource development and management related responsibilities and tasks.

For the sake of easy reference, it is presented as a set of chapters, each of which focuses on a broad element of HRD and HRM. Each chapter has subheadings that are listed in the table of contents and allow you to focus on particular aspects of HRM as you require. This guideline is categorized by four chapters as follow:

- 1 **Chapter 01** tells you the background or rational, the objectives, scope and limitations, the legal compliances (laws of the government - LANGO, labor laws, NSSF, taxation laws, anti-corruption laws and criminal laws) and the how to use this practical guideline.
- 2 **Chapter 02** tells you the key functions of human resource development and management which help the HR professionals and managers who are partly or fully responsible for HR policies and practices.
- 3 **Chapter 03** tells you all related policies and procedures of human resource development and management and practices.
- 4 **Chapter 04** tells you all HR forms and references (laws and various legal documents of government) used in human resource development and management policies, procedures and practices.

These make it possible for you to focus on the materials that are relevant for your needs as they become relevant to you and/or your NGO. You might want to adapt parts of the guideline on particular HRM functions and share them with colleagues and partners.

Whatever your level of responsibility for HRD and HRM, the guideline is only a guideline. For it to be truly effective, users will have to adapt the relevant ideas and procedures found within to the particular needs and context of respective NGO.

Chapter II: Human resource management functions

Human resource is one of the key resources for the success of any organization either in NGO sector or private sector and or public sector. Any NGO shall primarily define its human resource management systems and functions for interest of organization in achieving its vision, mission and goals. In this guideline defines seven key human resource functions that will guide NGO's works and are used by NGO. This chapter cover several points as follow:

- 2.1 Processing the HR policy development and review
- 2.2 Ensuring the compliances of human resource policy
- 2.3 Facilitating the human resource strategies and planning
- 2.4 Employing people
- 2.5 Administering the personnel
- 2.6 Building capacity of personnel
- 2.7 Coordinating the performance management
- 2.8 Managing knowledge

All seven HR functions link to the chapter III, the human resource policies and procedures. Human resource professionals and managers shall follow and be responsible for these seven functions toward the effective human resource development and management practices.

2.1 Processing the human resource policy development and review

- 2.1.1. **Initial proposal for policy development or amendment:** This initial stage of policy development or reviews, the human resource professionals/ managers shall propose draft human resource policy to management team. This draft HR policy shall be clearly defined with the rational, objectives, policy provisions and detail procedures or steps. Any proposed HR policy shall be relatively relevant to the context, capacity and need of NGO, and alignment with the laws of Cambodia. They should conduct the analysis related to political, economic, social, technological, environmental, legal and cultural contexts (PESTELC) before drafting any policy.
- 2.1.2. **Consultation with staff and staff representatives:** Referring to the labor laws of Cambodia, staff and or staff representatives shall be consulted for policy development or review – article 24. The responsible HR professionals or management should primarily consult the proposed policy with staff and to ensure staff's concerns are considered and incorporated into policy as appropriate. Collective agreement between staff and management shall be made before policy is putting into effect. The processes and written contents of policy development shall be transparently shared with all staff and or staff representatives for interest of organization – vision, mission, values and goals. Effective consultation will reduce misunderstanding between staff and management and build ownership in policy implementation. Report of consultation shall be recorded and filed.
- 2.1.3. **Approval of policy:** After consultation with staff or staff representatives, the responsible HR professionals will write full policies and procedures with all inputs from staff, management, and relevant laws. The chair of the Governance Board and the Executive Director should sign on the final policies and procedures before putting into effect.
- 2.1.4. **Getting visa from the Ministry of Labor and Vocational Training:** Referring to the labor laws of Cambodia, any HR policies and procedures/ internal regulations of NGO need to get visa from the Ministry of Labor – labor inspector before putting into effect, article 24. The responsible HR professionals shall submit final policy to the Labor Inspector in the Ministry of Labor for visa. The visa will be issued after sixty days. The final policies with visa will be served as legal document for respective NGO.

2.2 Ensuring the compliances of human resource policy

- 2.2.1. **Awareness and orientation:** After final policies and procedures have been approved by governance board and approved in LACMS, the policy orientation shall be conducted by human

resource professionals for all staff of NGO. Final policy shall be distributed to all staff and make it accessible to all. Official notification about the policy implementation shall be announced to all staff by the Executive Director of NGO. Report of policy orientation shall be recorded and filed properly.

- 2.2.2. **Policy reinforcement:** HR professional of NGO shall be given full authority for HR policy reinforcement independently to ensure the adopted policies are effectively implemented with no exception. Grievance policy and or complaint and response mechanism shall be created and openly used by all staff of NGO, to give their feedback on policy implementation. . The approved policies shall be legally bond and applied throughout respective NGO for management and staff; there is NO exception of any preferences. The disciplinary action committee (DAC) shall be officially formed and put into effect after approving policy.
- 2.2.3. **Corrective actions:** NGO shall openly learn from grievance procedures, staff representatives and complaint and response mechanism. Any allegation of offensive behaviors of staff, paid or unpaid volunteers and interns shall be seriously brought through proper inquiry or an investigation before the disciplinary action committee (DAC) making a resolutions. The resolutions shall be transparently discussed within DAC and disciplinary measures shall be taken – warnings, remediation, suspension from service and or termination – each decision on disciplinary action needs to follow due process. Evidence based gross misconduct may be reported to and transferred to the local police depending on the nature and gravity of the offence . Referring to labor laws, “an employer cannot impose disciplinary action against a worker for any misconduct of which the employer or one of his representatives has been aware for over fifteen days” article 26, 27, 28.

2.3 HR Auditing:

HR auditing is an important task which we recommend doing it every year to ensure legal and system compliance, quality standards, and best practices which benefit the organization. The internal audit committee should consist of management team members under the leadership of Executive Director if there is no internal audit team from head office. The internal audit should focus to ensure:

- Legal compliance: ensure all expats have whether official visa or business visa with work permit and employment book, registration of internal regulation, shop stewardship, all staff and other related personnel registered with MoLVT, NSSF, tax on salary, benefits, consultancies, etc. must be withheld for the government. and ensure other compliance aspects.
- Ensure all policies and procedure in HR management are compliant with laws and regulations in Cambodia and are aligned with international norms and standards.
- Up to date: workforce plan which reflects the strategic and operational plans of the organization. The organogram which is as efficient and appropriate span of control as possible , serving the business purpose of the organization.
- The system, structure, processes, culture, leadership and capabilities should be hegemonic, harmonious, coherent, cohesive and functional.
- Ensure standard recruitment processes: job description, staff requisition, job advert, writing test, interview questionnaire, reference checks and position filling follow the required standard procedures and documentation.
- Ensure employment contract, contract amendment, pay increase letter, code of conduct and other policies are properly checked and signed.
- Ensure performance management guideline is implemented effectively including goal setting, performance appraisal, 360 degree feedback, professional development plan, etc. are done and signed. Ensure manager and staff have 121 meeting on regular basis with quality conversation and in a supportive manner.
- Ensure HR conducts induction/training on internal regulation, code of conduct, anti-fraud, conflict of interest, safeguarding policies and all other policies to staff members.

- Ensure a segregation of tasks and appropriate checks on monthly payroll and other staff payment calculations and tax withholding according to required standards and legal requirements.
- Ensure staff data management in hard files and soft files is properly maintained according to the organization's filing standard and in a safe place including recruitment data, employment data, personal data, performance and training data, separation data, etc.
- Ensure leave administration is well recorded including annual leave, sick leave, TOIL, maternity & paternity leave, special leave, etc.
- Ensure health, safety, security, well-being policies are in place, staff understand and have focal points for each aspect.
- Ensure induction is conducted thoroughly and effectively. Learning and development plan is developed, disseminated and implemented by all managers and staff.
- Ensure separation process is well implemented with notice, exit interview, clearance of loan, advance, equipment, material, etc.
- Ensure all problems at workplace are instantly solved and no pending case without proper reason.
- Ensure the number of HR staff is sufficient, qualified and competent to perform their functions.

2.4 Facilitating the human resource strategies and planning

First step - defined vision, mission and goals of NGO: Normally established NGO comes up with their strategic plan within clear timeframe. Approved strategic plan defines agreed vision, mission, values, goals and approaches. Based on these strategic directions, NGO will use it for resource mobilization or fundraising. Forecasting the human resource demand is the most important one and to ensure the achievements of NGO's mission and goals.

- **Second step – agreed organizational structure:** Based on strategic plan, the organizational structure or chart will be visualized with different job functions, management authorities, communications, resources and positions needed. NGO's organizational structure shall be consistently adopted following the changes of context and its strategies. Written organizational structure shall be added in strategic plan and visualized it for staff and public.
- **Third step - demand of workforce and qualifications:** Following the agreed organizational structure, the demand of workforce and qualification are planned under each job function. How many people does organization need? What capacities does organization need to fulfil their goals? HR professionals or managers need to put all demands into staff planning and budgeting. Valuation of job functions need to be considered and set prioritized. NGO should know how to use job market survey for their workforce planning.
- **Fourth step - plan to recruit people:** Based on the available budget and staff plan, the recruitment plan and schedule will be operationalized. How often does organization select people and which position should come first and then? Who will be in the recruitment committee and etc.? Chapter III will tell all steps in recruitment and selection.
- **Fifth step - recruitment methods:** The policy for recruitment and selection shall be clearly designed and transparently implemented. Various recruitment methods will be included whether it is optional or no optional is allowed such as external candidates, internal candidates, the combination of internal and external, headhunting or promotion and outsourcing recruitment agency, etc.

2.5 Employing people

- 2.5.1 **Marketing the organizational images:** Marketing the organizational image and its products/ services to the public is to attract qualified and interested candidates. HR professionals or managers of NGO should map out the job markets and their competitors, then the attractive recruitment strategy is prepared – in term of job satisfaction, competitive benefit package, motivation and career development and etc.

- 2.5.2 **Job announcement:** Placing a job advertisement is the most transparent recruitment channel to solicit a pool of potential candidates to select from and also allows the organization to cast the widest net. A job advertisement is typically drafted jointly between the HR professional or senior management and line manager. The HR professional can decide on the most effective section to place a job advertisement and can also consider other media to place job advertisements, such as in the local news, www.BongThom etc. It is highly recommended that job advertisements conform to a standard format to ensure a consistent corporate identity.
- 2.5.3 **Selecting candidates:** HR Professional should propose a selection criterion to the selection committee before determines the short-listing, reminding interviewing and selection procedures. These criteria should be related to the job requirements to ensure applicants are fairly and objectively assessed on their suitability. The process of selection shall be transparently done with the involvement from line managers and HR professionals, to ensure the qualified and committed candidates are selected.

2.6 *Administering the personnel,*

- 2.6.1 **Administrative supports to all personnel:** The HR unit or personnel unit of NGO will administer all related personnel issues and logistic supports to staff within own NGO. Related personnel issues stated in HR policy and procedures such as salary or payroll, health, accident, travels, allowance, personnel data, beneficiary of staff, retirement and pension, lay off/ redundancy, staff separation, exit clearance, indemnity, tax on salary and etc. Each policy will tell all steps of personnel administration and logistic supports.
- 2.6.2 **Management and maintenance of personnel data and files:** All personnel data and information are essential and confidential, managed by personnel/ HR unit. Personnel data and information shall be well managed and filed properly for any requirements of organization and legal compliances. Personnel files shall be kept at least 10 years after the date of separation for audit and or other compliance of labor laws of Cambodia.
- 2.6.3 **Report of personnel movement:** The HR or personnel unit should keep updating and reporting on personnel issues and movements to management team of organization as information as well as any needs for decision. The personnel movement shall be reported to related government agencies – refer to legal compliances in chapter I.

2.7 *HR App (HR management system)*

- HR App is widely used by organizations in managing workforce by HR, managers and staff. It is in a standard electronic format that facilitate the recording, storing, exchanging of information, etc., between HR, managers and staff according to the standard categorization of the organization, between co-workers, partners and other stakeholders. By moving from a paper-based exchange of internal or external documents to one that is electronic, NGO enjoys major benefits such as reduced cost, increased processing speed, reduced errors and improves relationships the internal workforce as well as with partners.
- HR App also replaces postal mail, fax and email. While email is also an electronic approach, the documents exchanged via email must still be handled by people rather than computers. Having people involved slows down the processing of the documents and also make a lot of errors. Instead, HR App can flow straight through to the appropriate application on the receiver's computer and processing can begin immediately. A typical manual process looks like this, with lots of paper and people involved.
- HR department should initiate the HR App system by working closely with IT to develop appropriate HR App in the organization which include following components:
 1. Personal data, recruitment data, pay and compensation data, disciplinary data, learning data, separation data, etc.
 2. Leave management: request and approval of annual, TOIL, sick leave, compassionate leave, maternity leave, paternity, etc.

3. Performance management: setting annual performance goals and performance appraisal with sign-off, feedback system, comments of line manager and matrix manager, etc.
4. Learning and development which staff can use to access to different training and testing their knowledge and understanding of what they learned. They also can share their understanding and comments for improvement.
5. HR professionals also can initiate to create a Signing system App which can be used to sign employment contract, contract amendment, pay rise letter, pays lip. Training request links with training history, procurement process such as signing requisition, bid analysis, purchase order, invoicing, etc.

2.8 Building capacity of staff,

- **Job orientation and induction:** Please refer to section 4.8 at page 47 for job orientation and induction.
- **Management of training program:** Effective management of training program of NGO is a key success of NGO's works. HR professionals and managers should firstly define the capacity gap by comparing the current capacities and expected capacities for the interest of organization. To be cost effectiveness and relevance, NGO should strategize the learning methods – the-in-house training, external training, and or on-the-job training as appropriate. Please refer to learning and development section.
- **Talent management:** HR professionals and managers shall map out the talent staff as valuable resource persons of each unit/ department within the organization and to maximize use of their skills and experiences for benefits of organization. Putting the right people in the right job, in the right place and at the right time is a key principle of effective human resource management. Identified talent staff shall be used as coach or mentor for organization and praised regularly. Talent management is the management of employee's life cycle experience. If this management is effective and satisfactorily accepted by staff, the staff management will be successful. This includes talent acquisition, talent development which covers learning and development, reward and incentive, welfare program,s staff's well-being, staff engagement with effective feedback system.

2.9 Coordinating the performance management

- **Facilitating annual performance review:** HR professionals and managers shall lead in annual performance reviews with staff in organization following the performance review policy and procedures of respective NGO. Line manager and staff shall openly discuss and share feedback on the achievements and challenges of past year in comparing with agreed job description and then set the improvement plan for the upcoming year. The best practice of performance management is an effective human continuous learning approach starting from full onboarding/induction program, setting SMART goal, measuring KPIs, regular 121 conversation between staff and manager, (happens at least once a month), which manager should ask staff about their well-being, workplan execution, what need to improve further, what kind of resources is needed, check if performance target is achievable within timeframe, any adjustment is needed, what capacity building is needed, etc. to ensure staff feel empowered, convenient and encouraged to perform their job.
- **Using results of annual performance review:** HR professionals should summarize annual report of annual staff performance review and share with management team. Results of annual staff performance review will relatively link to annual salary increase, annual capacity building plan and other improvement plans. HR professionals and managers shall professionally and transparently make appreciation for the annual outstanding job performers and incorporated with other praised benefits. While the poor job performers shall be considered for any corrective actions and improvement actions by line managers with support from HR professionals.
- **Succession planning:** Succession planning assesses the likely turnover in key positions of each unit/ department within NGO, identifies suitable internal candidates to fill these posts in the future, to mitigate possible risks of organization. Succession planning is normally undertaken by senior

management and succession plan shall be linked with training and exposure for their expected works. HR professionals and managers should foresee skill shortage and propose succession plan in each own strategic plan.

- **Leading job satisfaction survey:** As a learning organization, NGO should learn and reflect on their program/ project, policy compliances, management and leadership practices. Unfriendly and unprofessional practices may lead to high staff turnover within respective NGO. HR professionals and managers should set up some mechanisms to learn and reflect on the reasons of staff turnover – 1). exit interview while staff resigning or departures, 2). annual job satisfaction survey, 3). compliant and response procedure or grievance, 4). annual learning and reflection. HR professionals should facilitate the process and report to management at least once a year so that management is able to make some HR improvements and organizational development.
- **Staff retention:** For the success of NGO's program, HR professionals and managers shall consider any procedures and actions to retain committed, loyal, qualified and productive staff for long term services in organization development. HR professionals and management should initially prepare this policy and various actions for purpose of organizational stability and sustainable growth. Various options shall be determined by NGO's management for staff retention such as 1). annual appreciation for good performance, 2). certificate of recognition for long service, 2). staff serves in pool of professional, 3). equal opportunity to apply for new position and capacity building, 4). annual staff retreat, 5). staff association and self-help scheme, 6). annual management – staff forum, 7). strongly applying participatory management and leadership practices and 8). succession planning and etc.
- **Staff's satisfaction with the organization is the only factor to keep staff retention.** There are many reasons that make staff satisfied with the organization:
 - o The organization has clear vision, mission, goals and objectives. The organization provides full support to its employees in their job performance. The organization should provide the employees rights and freedom according to laws and regulations, ensuring good employment with clear terms and conditions, makes itself as the employer of choice.
 - o The organization should provide equitable, fair, and robust reward and compensation package. The organization must have a robust reward policy which is comprehensive, competitive, fair, equitable and consistent for all staff. It should have an updated salary scale, function grid, grading policy, pay policy, clear remuneration package and contingency support to staff members.
 - o Fair terms and conditions of the contract. The contract format should clearly include employer's obligation, employee's obligation, binding policies and procedures which are aligned with the internal regulation or staff handbook. Terms and conditions are binding according to and compliant with laws.
 - o Relationship between line manager and staff is good with fair and respectful treatment. Workload and complexity are manageable.
 - o Remove perception of job insecurity/uncertainty: The organization which goes through many change processes (white water metaphor) make staff feeling unsecured, frustrated and demotivated with their jobs. The organization will experience high voluntary turnover which highly impact on the functioning of the organization and the project deliveries. HR professional should plan and lead the change management processes carefully and keep consulting with senior HR expert about the change processes.
 - o Career development opportunity: HR tries to stimulate robust career growth of staff will learning, development, promotion, supporting and encouragement of own growth and grow-together spirit.
 - o Staff's wellbeing is taken care of include physical, mental, social, intellectual and spiritual wellbeing. Please refer to here below Staff's Wellbeing section.

2.10 Staff's Well-being

Mental and physical health are two important components of wellbeing in the workplace. When people prioritize their wellbeing, they can increase their work productivity and work quality. Line manager should acknowledge the steps that need to take to ensure the wellbeing of their team members can help improve the workplace environment and the work life balance of each person within the organization. Staff's wellbeing in the workplace is so important and their HR needs to support line manager in this matter. Mental well-being: It includes the emotional, psychological, and social well-being. It affects how people think, feel, and act. Mental well-being is impacted by working environment which behaviors of the team or staff in the organization have issues such as bullying, intimidation, discrimination, verbal and physical abuse, harassment, sexual harassment, exploitation, and abuse, psychological unsafety, stressful job, toxic culture, uncertainty of job, etc. What HR should do is to have policies in place and enforce the compliance of those policies such as anti-bullying and harassment policies, protection of children, protection of sexual harassment, exploitation and abuse policy, giving freedom to staff to speak out and speak up their issue, the issue of the organization without repercussion, keeping good communication between line manager and staff, between cross functional teams, promote ethical standard.

Physical well-being: it is about the ability to maintain a healthy quality of life that allows staff to get the most out of their daily activities without undue fatigue or physical stress in the workplace. To maintain staff's physical well-being, manager should know about staff's health, workload, overtime work, travel, no day-off in the week, etc. Staff should have enough time to take rest, doing exercise, gym, jogging, playing football, yoga, etc.

1. Social well-being: Staff enjoy the social atmosphere of their workplace. This can help them strengthen communication skills and allows them to simply enjoy working for the organization. Social wellbeing in a workplace can depend on a variety of factors, including: -
 - Express their concerns or share innovative ideas to improve processes within the organization. Knowing that their managers and other staff are happy to hear them out can significantly improve the satisfaction levels of the workforce.
 - Relationships: Employees can often feel healthier and happier at work if they can relate to their colleagues and build long-lasting professional relationships in the workplace. Allowing people to socialize and express interest in the wellbeing of staff can help build relationships.
 - Promote a culture of solidarity, care, mutual complementarity, cross-fertilization,
 - Events: Hosting social events at work or after hours can establish an opportunity for colleagues to bond. The organization may also use this as a general sign of appreciation towards employees or as a reward for productive behavior during a specific project.
2. Intellectual Wellbeing: The organization can enhance workplace wellbeing by creating development opportunities for employees.
 - Staff feel valued and esteemed when their progress and career development is importantly cared of. Development opportunities relate to wellbeing in the following ways:
 - Promotions: NGO should create opportunities that help employees advance their careers or support their own career goals and encourage them to continue earning new qualifications. As a result, they can obtain higher position within the organization and feel more accomplished
 - Working environment: Staff may feel healthier in a conducive working environment. This can include opportunities to express their creativity and to learn new skills through participating in meeting, workshop, training, etc.
3. Spiritual wellbeing: In an inclusive, inter-cultural workplace where different nationalities, ethnic group, cultures, and beliefs, HR professional need to pay much attention on spiritual wellbeing such as religious rule and rituals. Allowing staff to practice their religions or beliefs at workplace for

example Muslim needs to worship 5 times a day, if possible we should arrange a worship place for them.

There are many more aspects of wellbeing that NGO may need to adapt with and ensure at workplace.

2.11 Managing knowledge

- 2.11.1 This HR function shall give clear guidance called Knowledge Management (KM) policy when NGO is acquiring, creating, storing, retrieving, or sharing any digital information or printed-based information within own NGO, management staff members, NGO partners, beneficiaries/rights holders and other stakeholders. All data, information and knowledge created by NGO shall be protected and managed by HR professionals and or IT unit. Each NGO should create an e-library which all staff and other personnel can access to it for learning, sharing and discussing their ideas.
- 2.11.2 NGO shall encourage its staff members to align the KM policy within their development programs by transforming data to information and to knowledge through all steps of program management cycle – assessment, planning, implementation, monitoring and evaluation.

2.12 Role of HR in Emergency Response

When disaster occurred

- HR professional needs to provide full support to humanitarian lead. Assess risk and update the situation: HR together with humanitarian team and Security Focus Point work with government and UN Agencies to evaluate the situation, assessing the urgent needs of the affected population and prepare for the emergency response.
- HR needs to speedily coordinate recruiting response staff including food security specialist, WatSan specialist, emergency response lead, response staff, volunteers, consultants. Supplier's staff, community workers, etc. base on the need of the response. This needs to be done within 72 hours in order to respond effectively to the need. Recruitment method could be head-hunting, using roster list, seeking support from head office, partner organization, etc. Also HR professional can conduct internal recruitment process to recruit internal staff, secondment, job relocation, job rotation, re-assigning staff role, etc.
- Build effective flow of work and communication for the organization and policy development: Develop the Term of Reference (TOR) for Security Management Team to approve. Develop Communication Tree and necessary protocols, guidelines, forms and checklists, etc. Define Minimum Security Requirement included definition of crisis level for the organization.
- Appoint Security Focus Point to deal with staff safety and security matters.
- Identifying and contracting the staff's emergency evacuation service providers such as helicopter, boat, car, ambulance, hospital with different specialists, insurance Agencies, medical evacuation routes and means. Define employee evacuation procedure. Facilitating employee communication: Identified Risks and developed proper instruction and equipped employed with the skill need.
- Develop policy and procedure for staff leave, rest and recuperation, TOIL, medical attendance, etc. Staff accident report procedure and crisis response procedure
- Identify affordable budget for staff's security management and emergency response Discuss with Finance Manager to identify budget for employee's benefit and crisis response. (Staff's medical, monthly salary, evacuation plan, employee assistance, office management, relocation plan, medical consumption, first aid kits, mobile communication kits,

Equipped Employee with the required knowledge and skills: Properly induct new recruited staff before field deployment. Proper Field deployment: Assist the response lead to deploy staffs/new recruited staff to the field. Induct security minimum requirement to response staff. Equip staff with technical know-how and required skills Provide mental and physical health and security counselling program Establish hotline channel for response staff.

- Offer employee assistance/Crisis Response: facilitate and coordinate with transports, health facilities, clinic, hospital, counselling service, insurance, head office, staff's family for staff evacuation, medical evacuation, repatriation, etc.

- inate with transports, health facilities, clinic, hospital, counselling service, insurance, head office, staff's family for staff evacuation, medical evacuation, repatriation, etc.
- End of assignment/contract for employee's deployment: issuing deployment certificate, coordinate health check, counselling, experience sharing, lesson-learnt, debriefing, end of response report. Arrange for safe return home.

2.13 Human Resource Planning

Human Resource Planning or workforce planning is the process of understanding the requirements of an organization in terms of how many and what kind of positions are needed. It identifies the current and future demands of an organizations to help achieve targets effectively. HR planning ensures that the NGO has the right amount of workforce to meet its needs. HR planning is the process of carefully and scientifically preparing a strategy to ensure the right people are available at the right time, in the right place, and at the right cost for the organization. When preparing the HR planning, HR professional needs to do a SWOT analysis, Gantt Chart, Cost effectiveness analysis, etc. to evaluate the current situation of workforce, the need of the organization, determine the gaps in workforce planning. HR planning would focus on:

1. System and processes: to evaluate and plan if policies, procedures, standard practice need to be adjusted or improved so that the organization can perform better and make greater impacts.
2. Staffing capacity: to evaluate and plan how many and what kind of positions are needed, how many staff are planned to promote, how many staff would leave the organization including resignation, redundancy, retirement, poor health, attrition, etc.
3. Based on staffing need analysis, NGO will need to plan for recruitment, succession, secondment, volunteering, consultancy, etc. to fill the staff gap. HR also need to prepare budget plan according to the staffing need.
5. Change process: to evaluate and plan if there is a need to conduct change processes in some projects/departments or in the whole organization.
6. Learning and development: to evaluate and plan what kind of learning needs for staff to improve their skill and competencies.
7. Reward processing and planning: evaluate and plan the necessity of salary review to cope with annual inflation and the increase of consumer price indexes, plan adjustment of any positions that scopes of responsibilities have excessively increased, but the level of responsibilities remain the same.
8. Planning of actions regarding unsolved disputes to be handled at informal/formal level, need of intervention of external mediator or labor inspectors, or any dispute is at court. Reporting and suggesting appropriate measures to solve those issues at the least-costly available method. In this section, challenges and risk assumptions should be elaborated for mitigation measures.
9. Planning HR leadership role to partner, support, coach and advice to management about HR internal control, legal compliance, health, safety, and security regulations,
10. Planning with programs and project teams about the exit plans and strategies to ensure a smooth, effective and successful transition of human resource, logistic, finance, and legal compliance.

2.14 Online Self-Declaration for Labor Inspection

Since May 2022, the Ministry of Labor and Vocational Training issued a notification on the implementation of the self-declaration system of labor inspection through the automatic system. Refer to the Labor Law and Proclamation No. 358 dated 30 December 2021 on the implementation

of the self-declaration system of labor inspection through the MoLVT's automatic system (LACMS), the organization has the obligation to self-declare to the labor inspection in the automatic system twice per year. The first time is before the end of June, and the second time is before the end of December of each year through www.sicms.mlvt.gov.kh. you will reach a page on Self-Declaration for Labor Inspection. If your organization was already registered, you will have an access code. Otherwise, you need to register it. There are 10 fields to be completed for self-declaration:

1. Full name of your organization: you should fill the registration number and date, TIN code and date, business activity of your organization: you can mention CSOSSS, NGO. You need to provide general information such as office address, contact person, ED of NGO. To confirm whether your organization uses outsourcing or is an outsourcing contractor, etc. You should report about the type of weekly day-off and name of administrator/HR manager of your organization.
2. Administrative Information: you should declare about the opening date of your NGO. notification on opening the NGO, registration Book of the NGO, computerized pay-slip and payroll, filing of pay-slip and payroll for 3 year period and internal regulation.
3. Workers/Employees: you should declare about the number of workers/employees: Khmer/foreigner, male/female
4. Employment Contract: you should declare about the number of workers/employees on probation, probationary period, number of FDC and UDC and number of contract suspension, and if the suspension is permitted by Labor Inspector.
5. Apprenticeship/Intern: you should declare if the intern has signed an internship contract and if you have an internship policy.
6. General conditions of Labor: you should declare about the wage including lowest wage, average wage and highest wage in your organization. You need to declare if the salary payment is in accordance with the ministry's regulation, salary payment for weekly day-off, public holiday, payment of severance, seniority before 2019 and the new seniority payment from 2019, payment of bonus, fringe benefits, etc., method of payment in cash or bank transfer, bank name, etc. and many other information to be reported.
7. Hygiene and Work Safety: you need to declare about health and safety rule in your organization, health and safety training to HR staff and all staff members. You need to declare if there is an AIDS working group or AIDS committee in your organization, declare about the pre-employment health check and health check benefit every 2 years and other health and safety requirements.
8. NSSF: you need to report about number of employees in your organization and employee registration with NSSF, about the NSSF contribution, etc.
9. Professional relationship: you need to report about the number of shop stewards and shop steward assistants in your organization, and if the HR leader or HR staff have recognition certificates from MoLVT, number of trade union and their registrations and their validities. You need to report about collective bargaining agreement, labor dispute, labor court case, award by Council of Arbitration,
10. The use of Khmer and Foreign Labor: You have to declare about staff movement annually to MoLVT including number of new staff and number of leavers. You need to declare if you applied for foreign worker quota and all foreign workers have work permits and employment cards, and Khmer staff have employment books

Note: if the fields you have filled become RED color, it is subject to immediate penalty. If it becomes blue, it gives prior warning before penalty.

Chapter III: Human resource policies and procedures

Human resource policies and procedures are the guidance on how the decision-making is made in NGO by HR professionals and managers in the areas of HRD and HRM. Policies will not make the decisions but are tools for the NGO to use so that it will not have to 'reinvent the wheel' every time a decision is needed. It's better to have thought out potentially controversial situations before they occur and establish guidelines by which they might be or will be addressed. The HR policies and procedures will promote accountability, transparency and it adheres to relevant laws of Cambodia. The following are some practical policies which are commonly used within organizations:

- 3.1 Code of conduct
- 3.2 Conflict of interest
- 3.3 Child safeguarding
- 3.4 Gender equality at workplace
- 3.5 Person with disability at workplace
- 3.6 Person with HIV and AIDS at workplace
- 3.7 Recruitment and Selection
- 3.8 Job description or Term of reference
- 3.9 Orientation, Induction and Placement
- 3.10 Terms of Employment
- 3.11 Termination of employment
- 3.12 Personnel documents and files
- 3.13 Hours of work and Working hours
- 3.14 Leaves
- 3.15 Personnel movements
- 3.16 Disciplinary measures
- 3.17 Promotion and Demotion
- 3.18 Probation
- 3.19 Training and Development
- 3.20 Salary, Allowance and Benefit Administration
- 3.21 Safety, Security, Evacuation and Healthy Workplace
- 3.22 Performance Review
- 3.23 Staff Retention
- 3.24 Grievance procedure

3.1. Codes of conduct

Rational

- 3.1.1. Sets of established code of conduct/code of ethics are the expected behaviors, duties and responsibilities of all NGO's personnel while performing their duties with target communities and other relevant stakeholders toward NGO's vision, mission, goals and values while working.
- 3.1.2. Any NGO's staff are expected to play good role model as development professionals in promoting transparency, accountability, integrity, respect, stewardship and legal compliance for sustainable development.
- 3.1.3. Code of conduct is an important document which guides the standard behavior. Professionalism and integrity of NGO personnel. It should be an integral part of their employment contract.

Application

- 3.1.4. By signing an employment agreement with NGO, every staff accepts its terms and agrees to perform his/her duties in accordance with the established code of conduct. The code of conduct is applicable to all NGO's staffs or paid or unpaid volunteers, within the premises of NGO and any other areas to which a staff is assigned as part of his/her official duties and off duties that may negatively affect the reputation of the organization.
- 3.1.5. The application of code of conduct, is not limited in this policy, bond with an anti-corruption, anti-terrorism, harassment & sexual harassment, misuse of property, disclosure and confidentiality, weapons and ammunition, drugs, tobacco products, alcohol, gambling, blackmailing, criminal acts and stealing official working hours and etc. The abuse of code of conduct could lead to disciplinary action including immediate dismissal.
- 3.1.6. Organization reserves the right to impose penalty or disciplinary measures against any staff not complying with the code of conduct. All HR professionals and managers must enforce the internal rules and regulations, procedures, and policies contained in this HR guideline and in any future circulars describing changes.

Procedures

- 3.1.7. **Anti-corruption:** NGO has a zero tolerance to fraud and corruption; must prohibit any bribery and corrupt practices. NGO's staff, paid or unpaid representatives, must not, directly or indirectly, provide or accept any payment, gift or benefit to or from any representative or employee of any institutions and or target communities they work with for personal/ private gain. NGO and its staff paid or unpaid representatives to safeguard the NGO's assets for which they are responsible for and cooperate with others to fight nepotism, favoritism, bribery, fraud, and other corrupt activities.

Definitions: **Fraud** is used to describe a whole range of activities such as deception, bribery, forgery, extortion, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion. It involves the act of deceit of the organization in order to obtain a personal or collective advantage, avoid an obligation or cause loss. **Corruption** involves the act of dishonestly obtaining an advantage from a third party by abusing an entrusted power for private gain. Neither fraud nor corruption are restricted to monetary or material benefit but could also include intangible benefits such as status or information.

These are some examples, but not limited, of exchanging fraud and corruption practices for personal/ private gains and or interests:

- ✓ Between individuals of NGO's governance and management/staff and or management and staff and or paid or unpaid representatives,
- ✓ Between individuals of NGO personnel and paid or unpaid representatives with representatives of communities, local authorities, suppliers, donors, and other institutions.

- 3.1.8. **Anti-terrorism:** NGO shall prevent, detect, deter and report to the competent authorities any kind of person, budgetary or entity that it knows or has reason to believe advocates terrorism or engages in terrorist activity. NGO shall comply with all Cambodia's laws and regulations that address terrorism and terrorist activity.

For the purposes of this policy, "terrorist activity" means a violent act that is intended to:

- ✓ Intimidate or coerce a civilian population.
- ✓ influence the policy of a government by intimidation or coercion; or
- ✓ affect the conduct of government by mass destruction, assassination,
- ✓ kidnapping, or hostage taking.
- ✓ Examples of violent acts intended to coerce civilian populations that may constitute "terrorist activity" include high-jacking or sabotaging a public transportation vehicle; seizing and threatening to harm another person unless some ransom is made; assassination; and use of biological, chemical, nuclear or other weapons of mass destruction.

3.1.9. **Harassment & sexual harassment:** Harassment means verbal, non-verbal or physical conduct, which is related to a person's characteristics, whether they are actual or perceived, which include age, disability, gender, gender reassignment, marriage, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It is unwanted. Harassment has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive work environment for that person. NGO shall apply all principles of human rights with respect and dignity. NGO shall promote friendly, enjoyable and comfortable organization and workplace for all staff to be free from discrimination, harassment, and insulting behavior. NGO shall not accept harassment and take all complaints of harassment seriously, and will ensure they are dealt with immediately, seriously, sensitively and confidentially. Disciplinary action may be taken against a person who behaves in a way which offends these codes of conduct.

Sexual harassment: Sexual harassment means such above-mentioned behavior of a sexual kind, that is unwelcome and that could be expected not to offend, hurt or threaten someone else. And there are many different types of harassment. It may be direct or hidden; physical or spoken, unwanted touch, joke, displaying sexually explicit material (posters, cartoons, graffiti) that make people feel uncomfortable and etc.

Harassment acts may occur between anyone who is involved in any activities within organization's workplaces and target communities. Harassment may be committed, for example, by:

- ✓ A staff member against a staff member.
- ✓ A staff member participates in trafficking or prostitution.
- ✓ A staff member against a member of the public or a community.
- ✓ A consultant against a staff member; or
- ✓ A participant in a NGO's program against a staff member.

3.1.10. Bullying

Bullying is behavior directed either against an individual or a group of individuals that creates a threatening or intimidating environment undermining the confidence and self-esteem of the recipient(s). It could be an abuse or misuse of power that humiliates or injures the recipient(s). Acts of discrimination, intimidation, and threat of action are part of bullying. Examples of bullying may include repeated criticism of work, criticizing in front of others. Criticism that focuses on a personal characteristic rather than work performance. Exclusion or victimization. Aggressive behavior towards others, including unreasonable anger or shouting.

3.1.11. Discrimination:

Discrimination is any unjustified, legal or actual, direct or indirect distinction or unequal treatment, or failure to treat a person or a group of persons in comparison to other persons, as well as exclusion, restriction or preferential treatment of a person in comparison to other persons, based on their race, color, religion, sex, age, marital status, nationality or because they have a disability, HIV/AIDS positive, sexual orientation. Examples of discrimination are not getting hired, not considered for promotion, give inappropriate comments, denying certain compensation or benefits. denying disability leave, retirement options, or maternity leave., denying a candidate based solely on personal characteristics. Terminating an employee based on a personal characteristic or attribute, withholding information from particular employee, excluding employee from meeting where he is supposed to join, etc.

HR professional shall make best effort to raise awareness, training, advising and preventing acts of harassment, bullying, discrimination, etc. from happening at workplace.

3.1.12. **Misuse of property:** NGO's property is to be used for work-related reasons only. Staff are not to use, misuse or permit the use of own NGO's property for other than work-related reasons. Staff

shall be careful in the use of organization's property, prevent and protect the property from damage or loss from any person or any catastrophe.

Staff are responsible for reporting suspected criminal or administrative misconduct regarding misuse, damage or potential for damage of the organization property to their line manager, human resource or other appropriate officials. Staff who misuse own NGO's property are subject to disciplinary action, up to and including termination of employment.

NGO's property includes, but is not limited to: computers, telephones, cellular phones, fax machines, copiers or other equipment, supplies, vehicles, work areas and furniture. Examples of possible violations:

- ✓ Intentional mishandling of properties causing damage.
- ✓ Losing or failing to account for own NGO's property for which staff is accountable or responsible for.
- ✓ Failing to report on damage or loss of properties.
- ✓ But the condition of possible violations is not limited to this policy.

3.1.13. **Disclosure and confidentiality:** Staff entrusted by the organization with confidential information shall maintain the confidentiality of the information. Staff often have access to confidential or proprietary information that may not be available to the public. This information may be specific to the organization, staff, donors, and other partners. Confidential information includes, but is not limited to:

- ✓ Salary information; payroll files;
- ✓ Staff's personal demographic information (home addresses and phone numbers);
- ✓ Staff's health or disability status;
- ✓ Personnel files;
- ✓ Accounting or financial data;
- ✓ Contractual agreements;
- ✓ Applicant data;
- ✓ Proposal submissions and proposal budgets;
- ✓ Organizational intellectual property;
- ✓ Disciplinary or grievance procedure findings;
- ✓ Non-public information about donors, peer partners or clients; and
- ✓ Any organization's data/information that has not been released to the public.

Particular care must be taken to keep this information confidential and impartial. Access to confidential information does not carry with its personal benefit or advantage but imposes an obligation to keep such information confidential and to use it solely in the interest of the organization. Example of some possible violation may occur as follow:

- ✓ Revealing confidential and privileged information.
- ✓ Careless handling of confidential documents or records causing others to get the information.
- ✓ Looking at confidential documents and materials without permission or authorization.
- ✓ But the condition of possible violations is not limited to this policy.

3.1.14. **Weapons and ammunition:** Weapons and ammunition are potential safety hazards. Possession, use or displays of weapons or ammunition are inappropriate in an organization and workplace for any reason other than protection of employees. Members of the public invited to visit the NGO should not be allowed to bring weapons or ammunition with them. A weapon is defined as: an instrument of offensive or defensive combat, something to fight with. This includes, but is not limited to, firearms, bows, knives, swords rockets, sling shots etc. Ammunition is any material capable of being projected by a weapon and makes the weapon operational. Weapons and ammunition should be prohibited as following:

- ✓ No weapon or ammunition shall be worn, displayed, used or possessed in the NGO.
- ✓ Weapons may be stored in the NGO under the control of the security guard

- ✓ The security guard may grant permission in writing to an individual to possess a weapon and ammunition in NGO in other special circumstances and under conditions as approved by the senior manager.

Staff who violates the policy shall be notified of the violation and subject to disciplinary sanctions under the applicable discipline process and immediately reported to local police for intervention.

3.1.15. **Drugs:** NGO's governance, staff, paid or unpaid volunteers are not allowed and prohibited in dealing with any drugs – using, trading, manufacturing, distributing, possessing, selling, storing, transferring, or purchase of controlled substances of abuse; while working within NGO's premises and or elsewhere in the project/ program activities. Any offense of these, shall be immediately taken disciplinary actions - termination and brought to the local police under the drug's laws of Cambodia. Several definitions of drugs under this policy as follow:

1). **Controlled substance of abuse:** Any substance prohibited by the organization, and particularly by the Royal Government of Cambodia 2). **Drug:** Any chemical substance that produces physical, mental, emotional, or behavioral change in the user. 3). **Drug paraphernalia:** Equipment, a product, or material that is used or intended for use in concealing an illegal drug, or otherwise introducing into the human body an illegal drug or controlled substance. 4). **Under the influence:** A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug, or substance of abuse. And 5). **Illegal drug:**

- ✓ a. Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under laws of Cambodia
- ✓ b. Any drug, including – but not limited to – a prescription drug, used for any reason other than that prescribed by a physician. c. Inhalants used illegally.

3.1.16. **Professional behaviors and self-disciplines:** All staff, paid or unpaid volunteers of NGO shall show a highest standard of ethics and integrity in their conducts at all time to members of own NGO, target communities, donors, government partners and public. Role model of professional behaviors and self-disciplines of individual NGO's staff will represent good governance and professionalism of own NGO, in addition to other binding policies under this HR guideline. All staff, paid or unpaid volunteers of NGO shall behave the follow codes of ethics:

- ✓ Compliance with the letter and spirit of all applicable laws of Cambodia;
- ✓ Faithful observance of NGO's policies, rules, regulations, and contracts;
- ✓ Honest and fair dealings with partners, communities, co-workers, management and the general public;
- ✓ Demonstrating high respect to all NGO's colleagues, communities, donors, government, partners and public.
- ✓ Representing ownership of NGO's equipment, policies, books, records and proprietary information.
- ✓ Understanding that books and records are organization property and it is illegal to remove them. This includes manuals, lists and other information that employees use in their daily work.
- ✓ Declining of gifts, gratuities or payment offers by anyone with whom the NGO is involved. This includes offers of free service, travel, or merchandise. Borrowing from such sources is prohibited. Promotional material may be accepted.
- ✓ Disclosure of financial interest that might influence staff's decisions or actions on the job, including interest in suppliers, communities, partners, or other NGOs.
- ✓ Not accepting any outside employment with suppliers or competitor or any employment that could interfere with responsibilities to NGO.
- ✓ Not engage in fraudulent activity and misuse of NGO funds. which may result in a loss of funds, harm, and a negative reputation of own NGO.
- ✓ Not using information or authorities derived from employment with NGO for personal gains.

- ✓ Not drinking alcoholic beverages or under the influence of alcohol during official working hours. Having the sign of intoxication from having consumed alcoholic beverages while performing duties.
- ✓ Not possessing, concealing, transporting, using or selling illegal narcotics or substances (i.e. opium, cocaine, cannabis, etc.) is prohibited. Use of tobacco products inside the NGO's premises or in public is not allowed, except in authorized and designated locations. Staff must adhere to all rules posted in designated smoking areas.
- ✓ Taking part or joining in gambling of any kind is not allowed.
- ✓ Threatening or blackmailing a fellow employee, visitor or villagers is non tolerant. It is subject to disciplinary action including immediate dismissal.
- ✓ Using abusive or profane language, quarrelling or fighting with other staff, visitors or villagers is subject to disciplinary action.
- ✓ Harming or assaulting any person at workplace or in public is subject to disciplinary action and can be brought to competent authority.
- ✓ Bringing or carrying deadly weapons into the premises is prohibited and can be brought to competent authority.
- ✓ Conspiracy with any acts which are criminal offenses against the laws is prohibited and can be brought to competent authority.
- ✓ Using NGO's premises for organizing non-work-related activities, meetings or any gathering shall get prior approval from the executive director.
- ✓ But the condition of possible violations is not limited to this policy.

3.1.17. **Respect official working hours:** Staff shall arrive at work on time and they shall perform their duties until the time assigned, unless they have received prior written authorization for flexible working hours from their direct supervisor. Flextime should be written into appropriate contracts with respective supervisor. Examples of possible violations:

- ✓ Coming to work late and leaving work before the end of official work schedule without prior approval from the immediate supervisor.
- ✓ Absence Without Leave (AWOL).
- ✓ Intentionally delaying the performance of own work or others work.
- ✓ Failing to attend official activities whose attendance is required such as meetings, training, seminar, annual retreat and etc., without prior approval from immediate supervisor.
- ✓ Leaving, ignoring, and avoiding work or having another person to do one's work or duty without authorization.
- ✓ But the condition of possible violations is not limited to this policy.

3.1.18. **Reporting and resolution:** All staff volunteers and interns and other related personnel shall immediately report any form of abuse and none policy compliance that they witness or suspect to own NGO's focal point. Reported case shall transparently and accountably be investigated, discussed, solved and taken action by Disciplinary Action Committee (DAC) within given timeframe, not later than 15 working days. This code will refer to grievance policy, complaint and response policy and code of conduct - disclosure and confidentiality 3.1.10 in details.

Form used

3.1.19. Template – compliances of code of conducts

3.2. Conflict of interest

Rational

3.2.1. Improving social accountability, transparency, justice, and good governance in Cambodia through conflict-of-interest prevention methods. If NGOs fail to fulfill their objective, they will not be

recognized as a positive model for the public, government, and civil society in the context of sustainable development programs, fund-raising, harming the integrity, and poor reputation of own NGO.

- 3.2.2. When any people to represent NGO who get involved in any conflict of interest will hinder the process of development and will fragile the community unit and sprits, trust, respect, and integrity, then NGO's staff and volunteers are seen as exploiters or unprofessional behavior.
- 3.2.3. The distinction between organizational interests and personal interests are difficult to be divided, therefore the conflict-of-interest policy will guide the management team and individual staff to clearly separate personal interests and organization's interests when both parties agree to work together.

Application

- 3.2.4. Conflict of Interest is a circumstance arising from an individual or NGO having two separate and competing interests and is unclear or unsure which interest is most important. This creates a "duality of interests" which may lead to one interest taking precedence over the other. It is important to the welfare of NGO that anyone joining our organization discloses any outside relationship they may have to an individual or NGO which may be in conflict with NGO's philosophy or interests.
- 3.2.5. By signing an employment agreement with NGO, every staff accepts its terms and agrees to perform his/her duties in accordance with the established Conflict of Interest Policy. The Conflict-of-Interest policy is always interlinked with other policies and bylaws of NGO, therefore all staff and volunteers have to comply with this policy.
- 3.2.6. Failure to comply with this policy will constitute poor performance and unprofessional behaviors. The results will be sensitively judged, and disciplinary action taken by DAC of respective NGO.

Procedure

- 3.2.7. Process: Conflict of Interests won't necessarily prevent an offer of employment, nor an employee member termination, but they should be transparent from the start. Some conflicts of interest may lead to weaken NGO's professionalism and reputation such as political affiliation, harmful personal business and acts, gaining personal benefit from NGO's affiliation, and sharing personal benefits with community partners and etc.
- 3.2.8. Definition: Conflict of Interest is a circumstance arising when staff uses his/her position and/or its influence within the NGO for own interest and meanwhile it may damage the interest or reputation of own NGO. Examples of conflict of interests may include, but are not limited to:
 - ✓ **Sideline job while working with NGO:** The employee agrees not to assume any other job or position which might, in the judgment of the Executive Director or Management Team, interfere with his/her duties with NGO or come into conflict with the interests of NGO. It is the responsibility of the employee to disclose any other sideline work or position held with declaration of not negative impact to the employer's properties, operation, reputation, and standard system, prior to assuming such jobs, and to receive written acknowledgment and approval from the Executive Director.
 - ✓ **Representing organization for private gains:** Any use of NGO's works or contacts for personal gain or benefit is considered a conflict of interest. No employee should be involved in accepting, negotiating or requesting payments or gifts in exchange for information or use of NGO's property or name.
 - ✓ **Engagement in political partisan:** Any employee seeking election or appointment to a political office must notify the Executive Director immediately, and then to management. In such case, the employee shall be required to resign from his/her position with NGO. Employees are encouraged to participate as voters and exercise civil and political rights. Partisan political activity is not allowed during working hours "under Cambodian Labor Law, any such activities

may be grounds for dismissal with cause". As NGO's staff cannot be seen to be politically partisan through the direct involvement of individual employees, otherwise this is against own NGO's bylaws or constitution. However, employees have right and freedom to join political rally or election campaign outside working hours or during days off. In such case, they shall not use any NGOs' identical materials such as cap, T-shirt, badge, stationeries, etc. during those activities.

- ✓ **Relatives working together in same organization:** Relatives of staff currently working within same NGO shall be reviewed and re-adjusted their working relationship, please refer to family structure. Any staff has equal rights to legally get married other staff member while working together. After getting married, their working relationship should be reviewed and re-adjusted to ensure there is no conflict of interest in the organization. Practically, 1st and second degree family members shall not work together in the same line of management or cross-functional lines which can favor each other or can jointly influence other employees for personal gain. Staff should be aware that nepotism is non-tolerant. Any act or behavior which is considered as power abuse and misunderstanding of public eyes is prohibited.
- ✓ **Using working hours or any organization's properties for own business:** No staff shall use working hours and or NGO's properties for individual gains. Any violation shall be interrelated with Code of Conduct and other policies of respective NGO and labor laws.
- ✓ **Own business against organization's philosophy:** Staff shall disclose any personal or partnership business which can be conflict of interest with the NGO to the Executive Director and or any member of Management Team at the start.
- ✓ **Own business with target community partners:** Any business wholly or partly owned by individual staff that competes with community initiative project and or with NGO's activities are considered as Conflict of Interest. NGO will not allow any staff to run such a business in its target communities, for examples of such businesses are credit or money lender, shareholder, cow bank, chicken bank, pig bank, procurement of materials purchased by NGO, timber trading and money lender, etc.
- ✓ **Sharing personal benefits with local authority:** No individual staff is allowed to share benefit gained from project activities with local authority or for private gains. Any benefit gained from project activities may only be used for the target communities.
- ✓ **Sharing or getting personal benefit with suppliers:** No individual staff shall be involved in receiving, accepting, negotiating or requesting of any payments/ commissions/ gifts. Any commissions/gifts, hospitality proposed by NGO's suppliers shall be added into cost deduction of procurement. Any gifts from suppliers shall be directly handed over to the administrative office for the purposes of NGO.
- ✓ **Bidding for service with own organization:** Staffs and Board members who wholly or partly own business shall not be involved in NGO's contract or service bidding such as well construction, school construction, road building, dam and irrigations construction, stationary supply, consultancy and etc. Intentionally and or unintentionally the public will subjectively point at NGO's procurement committee that they will give their favor to staff who own those businesses. This process is clearly prohibited in the procurement policies.

3.2.9. **Reporting and resolution:** Any individual staff shall disclose their possible relationship and or business considered as conflict of interest to the Executive Director or member of management from the start, he/she will then bring such case to the DAC. Otherwise, other staff member and volunteers shall immediately report any form of abuse and non policy compliance that they witness to organization's focal point immediately.

Reported case shall transparently and accountably be investigated, discussed, solved and taken action by Disciplinary Action Committee (DAC) within given timeframe, not later than 15 working days. This code will refer to grievance policy, complaint and response policy and code of conduct - disclosure and confidentiality 3.1.10 in details.

Form used

- 3.2.10. Staff's relative structure
- 3.2.11. Form – disclosure the conflict of interest

3.3. Child safeguarding

Rational

- 3.3.1. Cambodia has ratified on UNCRC and also adapted in the Constitution and other laws to promote and protect the rights of the children. To ensure this obligation, the Cambodia government has developed legal framework, policy and mechanisms to mainstream the child protection throughout their administration structures from National, Sub-national and Grassroots levels.
- 3.3.2. Children are still at risk of child abuse and exploitation, living in poverty are at the greatest risk, especially the child with disability and emergency situations. These forms of abuse and exploitation include, but are not limited to, child prostitution, child trafficking, domestic violence, and the absence of a juvenile justice system. Most child abuses occur within families and communities, children also experience abuse and exploitation in NGO which provide them with support and services.
- 3.3.3. NGO is dedicated to promoting children's basic rights and ensuring that their welfare and physical security is recognized, safeguarded and protected in accordance with international standards through compliance of child protection and safeguarding principles, child protection code of conduct and mainstreams all of these into workplace and their development programs.

Application

- 3.3.4. **Applicants of child safeguarding:** This policy applies to all those working for NGO sector in a paid or voluntary capacity, all staff members including Board of Director, NGO's partners such as they visiting to NGO's programs, volunteer, intern, sub-contractor, consultant, and others not limited.
- 3.3.5. **Disciplinary actions:** Any case (NGO's staff and its partners have been charged) of child exploitation; abuses and none-policy compliance will be firstly handled by this policy in their capacity. If the case is linked to the laws of Cambodia, then it will be referred to legal system of Cambodia.
- 3.3.6. **Zero tolerance against child exploitation and abuse:** NGO does not tolerate any child exploitation and abuse. NGO works to reduce the risks of child exploitation and abuse associated with delivering aid activities and trains its staff on their obligations. NGO will not knowingly engage - directly or indirectly - anyone who poses an unacceptable risk to children's safety and wellbeing and not fund any individual or organization that does not meet NGO's child safeguarding standards in their operations and activities.
- 3.3.7. **Recognition of the best interest of the child:** Cambodia is a signatory to the United Nations Convention on the Rights of the Child, and NGO is to uphold the rights and obligations under this convention. NGO recognize that some children, such as those with disability and children living in areas impacted by disasters are particularly vulnerable.
- 3.3.8. **Sharing responsibility for child protection:** To effectively manage risks to children, NGO requires the commitment, support and cooperation of staff, contractors and other civil society organizations. They must meet the terms of this policy and shall hold their accountability, through contracts, audits and spot checks, for complying with it.
- 3.3.9. **Child at risk management:** While it is not possible to eliminate all risks of child exploitation and abuse, careful management can reduce the risks to children that may be associated with project activities. Child risk assessment shall be done and managed throughout the project activity and be reviewed annually or according to the project timeframe.

3.3.10. Definitions:

- ✓ **A Child:** Every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier (UNCRC, article 1).
- ✓ **Child abuse:** This is a general term used to describe where the child may experience harm, usually as a result of failure on the part of a parent/caretaker or organization or Community to ensure a reasonable standard of care and protection or by the deliberate harmful acts. Within the broad definition of child maltreatment, eight subtypes are distinguished – these are:
 - a. physical abuse
 - b. emotional abuse
 - c. sexual abuse
 - d. neglect and negligent treatment
 - e. bullying,
 - f. domestic violence,
 - g. child labor and
 - h. Exploitation.

These sub-categories of child maltreatment and their definitions were devised following an extensive review of Cambodia's definitions of child maltreatment and adapting from 10 steps to a Child Safe Organization, DFAT and a 1999 WHO consultation on child abuse prevention. Please see annex 01 in details.

- ✓ **Child protection:** in its widest sense, child protection is a term used to be described the actions that individuals, organizations, countries and communities take to protect children from acts of maltreatment (abuse) and exploitation e.g., domestic violence, child labor, commercial and sexual exploitation and abuse, HIV, physical violence to name but a few. It can also be used as a broad term to describe the work that organizations undertake in particular communities, environments or programs that protect children from the risk of harm due to the situation in which they are living.
- ✓ **Child safeguarding:** it is the set of internal facing, business critical policies, procedures and practice that we employ to ensure that our organization itself is a child safe organization. This means we ensure that:
 - a. anyone who represents our organization behaves appropriately towards children and never abuses the position of trust that comes with being a member of our organization family.
 - b. everyone associated with the organization is aware of and responds appropriately to issues of child abuse and the sexual exploitation of children
 - c. we create a child-safe environment in all of our activities by always assessing and reducing potential risks to children
 - d. We are driven by the duty of care that we have to children.

Procedure

- 3.3.11. **Mainstreaming child safe and child safeguarding policies in NGO's program:** The child right programming, child at risk assessment shall be done to make sure the mitigation strategies are integrated in NGO's programs in communities, workplace and any humanitarian assistances. Child indicators and data are disaggregated by age, gender and disability.
- 3.3.12. **A specific recruitment procedure linked to this Child Safeguarding Policy:** Recruiting applicant who is direct contact and indirect contact with children shall be clearly understood by interview committee and transparently follow the recruitment procedures. NGO never recruits any convicted applicant for abuse to work directly with children. Related child allegation and conviction issues shall be used during interview, job offer and during service with NGO:

- ✓ Related child safeguarding key questions shall be used for interview,
- ✓ Disclosure on history of child-related charges or offences.
- ✓ Reference check particularly on related child safeguarding issues,
- ✓ Selected candidates need to provide a police certificate on their behavior
- ✓ Sign Child Protection Code of Conduct,
- ✓ Fail to disclose a prior conviction on child related issues, the dismissal action shall be done immediately.

3.3.13. **Signatory and adherence of Child Safeguarding Policy:** It is the ultimate responsibility of the Executive Director in cooperation with child safeguarding focal points to ensure that all staff, consultants, volunteers, interns, visitors, contractors are aware of, and adhere to provisions of, the Child Safeguarding Policy, and have signed all related binding documents. The HR Unit shall keep all Codes of Conduct signed by individual staff member in appropriate files.

3.3.14. **Child safeguarding induction and training:** Child protection, child safeguarding and child friendly school training and or refresher training shall be given to all staff, especially those working in specific protection programs and projects, and will be included as part of induction briefing/orientation for all new staff.

3.3.15. **Capturing and using children’s images:** Portraying children in a dignified, respectful and culturally acceptable manner; never posing children in a sexually suggestive, vulnerable or submissive way; this also links to IT policy. Where possible, seeking consent of a child and its parent or guardian for the taking and use of their images. Not revealing identifying information in file labels when sending images electronically. Screening all photographs for their suitability and ensuring all images that breach minimum standards are destroyed.

3.3.16. **Child at risk assessment:** Child risk assessment shall be developed for any project activity with the guidance given by Child Safeguarding Focal points and reviewed it annually or timeframe. This will help to mitigate child risks in every project NGO work with community.

3.3.17. **Child protection in emergency:** Child protection in emergencies (CPiE), this is high attention by all. Specific appointment for child safeguarding focal point in emergency shall be given to the head of Disaster and Emergency Response project. In addition to normal procedures, the CPiE focal point shall immediately train all staff/ volunteers/ visitors/ security guards/ drivers/ distributors/ sub-sectors to aware of child safeguarding policies and ask them to sign Child Safeguarding code of conduct. CPiE focal points shall set up child abuse handling committee, distribute the poster of risks to children, inform reporting mechanism and contact addresses to all involved, especially the communities.

3.3.18. form reporting mechanism and contact addresses to all involved, especially the communities.

3.3.19. orm reporting mechanism and contact addresses to all involved, especially the communities.

3.3.20. **Reporting on child abuse and resolution:** Any staff member and paid or unpaid volunteers shall immediately report any form of abuse and non policy compliance that they witness to organization’s focal point immediately, within 24 hours.

CSG focal point’s phone:, Email:, Mail box:

Reported case shall transparently and accountably be investigated, discussed, solved and taken action by Disciplinary Action Committee (DAC) in cooperation with CSG focal points within given timeframe, not later than 15 working days. This code will refer to grievance policy, complaint and response policy and code of conduct - disclosure and confidentiality 3.1.10 in details.

No action will be taken against staff, paid or otherwise, who report in good faith information indicating perceived misconduct. Reporter shall be treated confidentially in accordance with relevant Cambodia’s legislation, including the Privacy Act 1988. Those who reported the case shall be, by all means, protected against a revenge, reprisal, or retribution of the perpetrator.

Where it is established that abuse has taken place, the guilty party will be dismissed from their post immediately and the matter handed over to relevant authorities. If the investigated abuse has not occurred or proofed, steps will be taken to sensitively reinstate the staff without delay.

Form used

- 3.3.21. CSG code of conduct
- 3.3.22. Disclosure form for No Child Abuse
- 3.3.23. Consent form
- 3.3.24. Reporting flow chart
- 3.3.25. Child at risk assessment form

3.4. Gender equality at workplace

Rational

- 3.4.1. NGO recognizes that gender relations and inequalities are fundamental causes of poverty. Women and girls do not enjoy the same status, power, access to and control over resources as men and boys. NGO works to ensure that its programs favorably impact women by providing equal opportunities for women to express and use their potential irrespective of age, race, color, class, caste, religion, ethnic background, sexual orientation, HIV status or disability.
- 3.4.2. Tradition and culture might be one of the root causes of gender inequality. Furthermore, level of education, household workload of women, trust of community members on and confidence of women themselves are barriers preventing women from participation in the development process especially in decision making both within communities and organizations.
- 3.4.3. NGO therefore aims at promoting the rights and freedoms of the poor, marginalized and oppressed women and men through means that address and remove the barriers to women's and men's full participation and enjoyment of their rights.

Application

- 3.4.4. This policy applies to all those working for NGO in a paid or voluntary capacity, all staff members including Board of Director, NGO's partners such as they visiting to NGO's programs, volunteer, intern, sub-contractor, consultant, and others not limited. Any case (NGO's staff and its partners have been charged) of sexual harassments; abuses and none-policy compliance will be firstly handled by this policy in their capacity. If the case is linked to the laws of Cambodia, then it will be referred to legal system of Cambodia.
- 3.4.5. This is zero tolerant policy against any sexual harassment. Any NGO's staff paid or otherwise, is obligated to comply with the NGO's code of conduct 3.1.8 for details. Any violation of this policy is considered gross misconduct.
- 3.4.6. NGO has also committed itself to making gender equity and equality the behavioral standard within its own organizational practices and work place by ensuring gender equity and women's empowerment in all its policies, activities, program, products and services.
- 3.4.7. Since the gender is a cross-cutting issue, NGO committedly mainstreams gender equality throughout the development programs by focusing on gender:
 - ✓ Equal rights for women and men, Women's participation in decision making at all levels.
 - ✓ Men more active in working towards gender equality.
 - ✓ Gender mainstreaming internally and externally.

- ✓ Specific initiatives addressing structural gender inequalities – practical gender needs and strategic gender needs.

Procedure

3.4.8. Mainstreaming gender equality into policies, procedures and practices, NGO shall:

- ✓ Fully integrate gender sensitization into the human resource development program to promote non-discriminatory working relationships, respect for diversity in work and management styles and organizational effectiveness.
- ✓ Ensure equal representation of men and women at the management level and actively encourage women to fully participate in all decision making. At least 2/3 of women post shall be considered in organization.
- ✓ Not tolerate language that stereotypes women and men or can be construed as sexual harassment.
- ✓ Continue to develop its knowledge of gender issues among its employees and strengthen its commitment to gender equity in the workplace.
- ✓ Acknowledge the importance of gender sensitivity in all employee Terms of Reference (TORs), including external consultants.
- ✓ Include criteria requiring a demonstrated understanding of gender issues and a commitment to gender equity in its hiring practices and its evaluation of personnel.
- ✓ Ensure equal representation of men and women in recruitment practices and within the staff selection committee.
- ✓ Give priority to hire staff members who are sensitive to gender issues and who support the incorporation of a gender perspective.
- ✓ Women professionals with equal qualification and competencies are encouraged to apply for all posts as they become available.

3.4.9. Gender Mainstreaming in development programs: NGO is committed to positive action to promote full participation and empowerment of women in existing and future programs:

- ✓ Incorporate equal gender participation into all phases of programs, including planning, development, implementation, monitoring and evaluation.
- ✓ To increase the understanding and commitment to gender awareness by conducting gender training to all staff.
- ✓ Ensure that women and women's organizations are increasingly included in program activities.
- ✓ Promote full participation and empowerment of women in existing and future programs.
- ✓ Carefully examine and distinguish financial implications for mainstreaming gender throughout our programs.

3.4.10. Implementation of gender policy: The management committee led by executive director is accountable for the implementation of this policy and the gender action plan by:

- ✓ Ensuring that staff allocates time and resources to effectively implement the Gender Policy.
- ✓ The gender committee and or management committee shall monitor and review the implementation process to assess the extent to which staff demonstrates incorporate on of a gender perspective in their work. This will include an examination of NGO's governance and management styles.
- ✓ The gender committee and or management committee will report the status of gender integration at the annual staff meeting.
- ✓ The gender policy shall be reviewed every three years to determine if the gender policy has taken satisfactory action.

3.4.11. Reporting and resolution: All staff and paid or unpaid volunteers shall immediately report any form of abuse and non policy compliance that they witness to own NGO's focal point immediately. Reported case shall transparently and accountably be investigated, discussed, solved and taken action by Disciplinary Action Committee (DAC) within given timeframe, not later than

15 working days. This code will refer to grievance policy, complaint and response policy and code of conduct - disclosure and confidentiality 3.1.10 in details.

Form used

3.4.12. Gender Equality Checklists

3.5. Person with disability at workplace

Rational

- 3.5.1. The World report on disability (2011) estimates that 15% of the world's population is living with disability. People with disability, in most parts of the world, experience discrimination and are excluded from the social, economic and political life of their communities.
- 3.5.2. Cambodia has gone through a period of warfare and a genocide regime which has left behind many consequences, including a high number of people with disabilities (PWD). Along with this, there are landmines and other explosive left behind of war, traffic accidents, work accidents, malnutrition, diseases, and other causes that still lead to high numbers of people with disabilities¹. The root causes of the inequality of people with disabilities include lack of promotion and protection, low awareness, insufficient sharing of power, cultural and social norms which restrict their participation in society and the devaluation of their experiences and work. The people with disabilities often suffers from discrimination within the local society – communities, development program, workplace and or family.
- 3.5.3. The promotion of the rights of people with disability is an integral part of development program. In the light of pervasive discrimination against people with disability, their empowerment is an important aspect of sustainable development. Promotion of rights and the inclusion of people with disability is a cross-cutting objective that should permeate all program objectives in the areas of development, relief, advocacy and information works of NGO.
- 3.5.4. According to Notification No. 008 of the Ministry of Social Affairs, Veterans and Youth Rehabilitation issued in 2021 regarding the Registration to Implement the Obligations of the Private Sectors under the Law on the Protection and Promotion of the Rights of Persons with Disabilities, all the employers or owners of the enterprises, having 100 or more workers/employees, needs to register with the Ministry or Municipal/Provincial Department of Social Affairs, Veterans and Youth Rehabilitation in accordance with the Law on the Protection and Promotion of the Rights of Persons with Disabilities

Application

- 3.5.5. This policy applies to all those working for NGO in a paid or voluntary capacity, all staff members including Board of Director, NGO's partners such as they visiting to NGO's programs, volunteer, intern, sub-contractor, consultant, and others not limited. Any case (NGO's staff and its partners have been charged) of harassments; abuses and none-policy compliance on the ground of disabilities will be firstly handled by this policy in their capacity. If the case is linked to the laws of Cambodia, then it will be referred to legal system of Cambodia.
- 3.5.6. Anyone found to have unfairly discriminated against a person on the grounds of disability will be subject to disciplinary action or in the case of self-employed freelancers, termination of contracts.
- 3.5.7. NGO should be committed to ensuring equality of opportunity and dignity at work for all employees, to the prevention of discrimination, and to the recognition of the value of diversity

¹ *Cambodian National Law on The Protection and The Promotion of The Rights of Persons with Disabilities: July, 2009; Preface*

within own NGO. As such, the policy document is to ensure that all existing and potential employees with disabilities are treated with dignity and no less favorably than others. All employees will be recruited, trained and promoted on the basis of what they can do, not what they can't do.

- 3.5.8. Under this policy, the Person With Disabilities (PWD) refers to any person who lacks, lost or damage to any physical or mental functions, resulting in a disturbance of their daily life or activities, such as physical, visual, hearing or intellectual impairments, mental disorders and any other types of disability².

Procedure

- 3.5.9. All line managers are responsible for ensuring compliance with this policy with the support of the Human Resources Department. If in doubt about what constitutes appropriate behavior, seek advice and guidance from organizations experienced in working with people who have disabilities.

- 3.5.10. Any NGO's staff, paid volunteers, visitors or otherwise is obligated to comply with this policy and code of conduct. Any discrimination or violation against people with disabilities is considered as misconduct. The followings are some examples of behavior which could be viewed as discrimination but not limited to:

- ✓ Sending pictures of people with disability for fun through electronic media or mobile phone to each other.
- ✓ Insulting people with disability by calling them imitating with disability among staff members and especially manager/supervisor to colleagues or community members.
- ✓ Using immoral words (calling their disabilities) to discriminate against persons with disabilities or intentionally joking about disabilities at the workplace.
- ✓ Telling lies, spreading rumors or slandering any staff member with regard to personal issues related to disabilities, or asking unwanted questions about a person with disabilities.
- ✓ Writing or drawing obscene pictures of persons with disability and taping it on the wall or showing it around to other staff.

- 3.5.11. Mainstreaming disability policy in NGO's development programs:

- ✓ Include the awareness on disability policy and the rights of persons with disabilities in new staff orientation.
- ✓ Improve the participation of persons with disabilities in decision making and increase their influence at all levels of society (within family, workplace and community).
- ✓ Raise the awareness on challenges that people with disabilities face and promote measures that increase their access to public services and increase their mobility, such the construction of barrier-free facilities.
- ✓ Improve the general public infrastructure which NGO involved in order to better respond to the needs of persons with disabilities.
- ✓ Ensure that during disaster response persons with disabilities are included.
- ✓ Assess on risks to persons with disabilities before implement any projects.

- 3.5.12. Affirmative Action in recruitment of PWD:

- ✓ Give priority to persons with disabilities in the process of staff recruitment and encourage those who are qualified for a position and capable for fulfilling their function to perform their role and responsibilities.
- ✓ Candidates with disabilities who meet a minimum standard of qualifications for the position should be given consideration and opportunities for the job and be provided supplemental

² *Cambodian National Law on The Protection and The Promotion of The Rights of Persons with Disabilities: July 2009; Article 4*

training if the recruitment committee is confident of the candidate's ability to perform the job successfully.

- ✓ Staff With Disabilities are equally entitled to access any capacity building or training directly related to their jobs as well as equally entitled to any benefit as other staff.
- ✓ Respective NGO is committed to giving job opportunities up to 2% as in the law mention to and encouraging people with disability who are qualified for a position and capable of doing their functions and performing their roles and responsibilities.

3.5.13. Accessibility to any NGO's infrastructures

- ✓ NGO shall fairly improve the access to office facilities (stair, restroom, office etc.) for persons with disabilities.
- ✓ All office facilities will gradually be improved to better respond to the needs of persons with disability.
- ✓ The needs of persons with disability will be taken into consideration for renovations or new constructions of office facilities. All new facilities will be constructed barrier-free in order to guarantee unlimited access for disability persons.

3.5.14. Reporting and resolution: All staff and paid or unpaid volunteers shall immediately report any form of abuse and non policy compliance that they witness to own NGO's focal point immediately. Reported case shall transparently and accountably be investigated, discussed, solved and taken action by Disciplinary Action Committee (DAC) within given timeframe, not later than 15 working days. This code will refer to grievance policy, complaint and response policy and code of conduct - disclosure and confidentiality 3.1.10 in details.

Form used

3.5.15. Data sheet for PWD

3.5.16. PWD mainstreaming checklists

3.6. Person with HIV and AIDS at workplace

Rational

- 3.6.1. HIV/AIDS is a disease that shows no respect or understanding for racial, gender or class boundaries. Organizations should understand the challenges of HIV/AIDS and to comply and support the implementation of the Cambodia Law on HIV/AIDS epidemic control and prevention.
- 3.6.2. Organizations are obliged to set out an HIV/AIDS policy for their workplace in order to ensure that persons who have HIV or AIDS are treated on a similar basis to any other employee suffering from a life-threatening disease. As such, employees who are HIV positive or those with AIDS should not be subjected to any form of victimization or discrimination.
- 3.6.3. The purpose of this policy is to ensure a consistent approach to the prevention of HIV/AIDS among NGO's employees and their families, and to the support of employees living with HIV/AIDS.

Application

3.6.4. This policy applies to all those working for NGO in a paid or voluntary capacity, all staff members including Board of Director, NGO's partners such as they visiting to NGO's programs, volunteer, intern, sub-contractor, consultant, and others not limited. Any case (NGO's staff and its partners have been charged) of harassments; abuses and none-policy compliance on the ground of HIV/AIDS will be firstly handled by this policy in their capacity. If the case is linked to the laws of Cambodia, then it will be referred to legal system of Cambodia.

- 3.6.5. NGO does not discriminate, directly or indirectly, or tolerate discrimination against employees or job candidates during recruitment due to their HIV status. Any proven direct or indirect discrimination or harassment on the grounds of HIV status will lead to disciplinary action.
- 3.6.6. Human resource unit shall ensure that employees are aware of organization principles of non-discrimination, confidentiality, prevention, awareness raising and equality of opportunity (e.g. regarding promotion and capacity development) for people living with HIV/AIDS (PLHA) and their attitudes towards HIV/AIDS infected staff, their dependents, program beneficiaries and visitors.
- 3.6.7. NGO shall not require anybody to undergo HIV/AIDS test before, during or after a). employment, b). attending any NGO's organized activities, or c). receiving any medical assistance.

Procedure

- 3.6.8. Non-discrimination and additional attention, all staff and management committee of NGO
 - ✓ Will not, under any circumstances request employees or prospective employees to undertake a blood test for HIV.
 - ✓ Will not force or coerce employees or prospective employees to disclose his/her HIV status.
 - ✓ Will attempt to support the employee with alternative working arrangements as needed, when available and when appropriate, this will be at the discretion of the Executive Director and Management Committee.
 - ✓ Upon employee requests, provide employees with information regarding HIV transmission, prevention and support facilities available.
- 3.6.9. Confidentiality on HIV/AIDS:
 - ✓ NGO shall encourage a supportive work environment, in which staff can discuss HIV/AIDS openly, including their own experience living with HIV/AIDS. When staff discloses that they or their dependents are living with HIV/AIDS, confidentiality will be highly respected with regard to the circumstances in which the information was shared. If there is any doubt, the person living with HIV/AIDS should be firstly consulted before further disclosure takes place.
 - ✓ HIV/AIDS information relating to applicants for employment, staff or dependents will be kept strictly confidential and be kept only on medical files under the strict care of the Human Resource Professionals.
- 3.6.10. Information and training on HIV/AIDS:
 - ✓ NGO will provide information and training on HIV/AIDS at the workplace on issues raised by the epidemic, appropriate responses, and on the general needs of people living with HIV/AIDS and their caregivers.
 - ✓ Information will include the availability of local support organizations for people living with HIV/AIDS.
- 3.6.11. Employment and Benefits:
 - ✓ No one (staff, dependents, visitors, villagers, etc.) shall be detained, isolated or not permitted to stay or travel or participate in NGO's events because of being identified or suspected that the person or the family of that person carries HIV/AIDS.
 - ✓ HIV/AIDS infection is not a cause for termination of employment. Staff with HIV/AIDS-related illness will continue in employment as long as they are medically fit for available, appropriate work.
 - ✓ In the case of termination of employment due to extended illness, staff with HIV/AIDS will be accorded the same benefits and conditions as apply to termination due to work disability (please refer to staff separation policy - death and disability).
 - ✓ Medical treatment: Staff affected HIV/ADIS is entitled to the same health benefits as other illnesses. In case of death of staff with HIV/AIDS while he/she is still working with NGO, the

staff's beneficiaries shall be compensated by NGO following the staff separation policy – death and disability.

Form used

3.6.12. None

3.7. Recruitment and selection

Rational

- 3.7.1. Employees are integral to ongoing success of the organization; therefore, it is imperative that people with the right skills and backgrounds are selected for the interest of organization through transparent and competitive systems and procedures. NGO should have a clear recruitment policy to follow in avoidance of fraud, favoritism, error and unfair selection which could lead to complaint ending up with litigation.
- 3.7.2. Unfair and non-transparent recruitment and selection systems and procedures will lead to weaken NGO governance as well as to hinder the effective human resource management practices. This will also waste a lot of NGO's resources – time, money, human and materials.
- 3.7.3. Applying an effective recruitment system and selection process will enable any NGO to attract the best qualified candidate (regular staff or individual consultant) for the position and retain the right persons for the right jobs with potential of assuming greater responsibilities in the future.

Application

- 3.7.4. This policy is applied for recruitment of staff and consultant. NGO shall give equal opportunity for female and male candidates, internal and external applicants who will bring in the best skills and experiences into the organization. NGO's representatives and HR professional will ensure the implementation of this policy.
- 3.7.5. The NGO endeavors to attract and retain staff that meets the highest standards of efficiency, competence, and integrity. The NGO recognizes that its staff are its greatest assets. Therefore, it attaches much importance to staff recruitment and selection and their career development.
- 3.7.6. The NGO's policy for recruitment of staff or individual consultant is based on the principles of non-discrimination, equal treatment, and equal opportunity with both internal and external candidate in all aspects of employment, irrespective of race, sex, religion, ethnic or national origins and disability.
- 3.7.7. It is the NGO's affirmative action to encourage women and or PWD to apply and to be given priority in certain positions to promote a gender balanced program ensuring equal representations of men and women in the organization and or to match the agreed ratio.
- 3.7.8. NGO will promote local employment opportunities, only the residents of the local community are eligible for employment to entry level jobs i.e. unskilled labor, guards and cleaners. Wherever there is no qualified local person in the above-mentioned positions, then we can recruit outside.
- 3.7.9. The NGO shall not grant an appointment to a person who bears any of the following relationships to a staff: father, mother, spouse, son, daughter, brother, sister, cousins and in-laws (uncle, aunt, niece and nephew). This is to avoid the potential abuse of power. Please see Staff Relationship Structure.
- 3.7.10. Every position in the NGO must have an approved job description for staff and approved proposal plus TOR for individual consultant. Creating a new position requires justification of needs in

accordance with the respective NGO's Strategic Plan and has to be endorsed by the Management Team.

- 3.7.11. Headhunting method: When it is necessary, headhunting method is applied after two continually announcements were not successful. This is to save time for job posting or job announcement only, although other steps are applied under this policy. Job announcement can be shared directly to potential applicants and encourage to apply the job, but the candidate must go through due recruitment process.

Procedure

- 3.7.12. Post Description: All posts shall have a valid job description and or terms of reference (TOR). Job descriptions shall be made in according to the NGO's format and must be approved by the Human Resource Professional/ Executive Director prior job announcement. All job descriptions should be reviewed once a year during the Staff Performance Appraisal and at any time when the duties of the incumbent position holder have been significantly changed.
- 3.7.13. Announcement of Vacancies: All vacancies shall be opened simultaneously to attract best candidates internally and externally and to minimize the unqualified candidates, process as follow:
- ✓ Line Manager must submit a completed Personnel Request Form to be reviewed and approved by Executive Director and Human Resource Professional.
 - ✓ HR professional and or Administrator will issue job announcement by using standard form and other supporting documents such as job description/ TOR and application form if any.
 - ✓ The announcement shall be made through emails, internet, local newspapers, NGO networks, head hunting and another appropriate public announcement means.
 - ✓ Every job opening shall be publicized (internally and externally) for at least 14 calendar days to allow adequate time for interested staff and external applicants to submit their applications. Only short-listed candidates will be notified and invited to interview.
- 3.7.14. Forming the recruitment committee: The HR professional will lead in forming the recruitment committee. The committee shall be composed by at least three members – line manager, HR professional and one relevant manager or technical specialist. The whole committee shall involve all steps of recruitment and selection. All members of recruitment committee must sign the confidentiality and impartiality, please see standard form.
- 3.7.15. Shortlisting the candidates: Summarized candidates' profile shall be done HR professional or assistant prior the shortlist using standard form. Shortlisted candidates shall be approved by the Recruitment Committee before calling for interview. Recruitment committee shall ensure the shortlisted candidates are matching the selection criteria for post as follow:
- ✓ Work experience whether paid or voluntary, should count towards an applicant's ability.
 - ✓ Qualifications gained by applicant
 - ✓ Only skills and experience specified in the selection criteria should be used in shortlisting
- 3.7.16. Calling candidates for interview: HR professional or assistant will make interview schedule and call all candidates for interview. The interview schedule shall be agreed by recruitment committee – writing test or presentation, and verbal interview. Appropriate timing or notification shall be given to all candidates, at least five calendar days before the date of interview. To maintain privacy and unwanted embarrassment, candidates should neither see nor know each other that they are joining the writing test and interview. The recruitment panel may decide to conduct the internal recruitment if they believe that there is a potential candidate to the post or may decide to open it both internal and external at the same time. In this latter case, all candidates should be treated equally. The outcome and selection shall be based on the suitability to the post and the affordability of the organization.

3.7.17. Interview and test: Recruitment Committee must use the standard interview forms (writing test and verbal interview) with key questions that have well prepared and other documents such as job announcement, TOR, CV of shortlisted candidates, summarized profiles and interview schedule etc. A written test is confidentially prepared by the interview panel. All interviews should follow a similar pattern:

- ✓ Treat all candidates objectively and fairly and put candidates at ease, ensuring a comfortable interviewing environment.
- ✓ Interviewers to be responsive to the needs of candidates and allow them to ask questions at appropriate times.
- ✓ Encourage candidates to talk freely and describe their most recent job, past experience, and skill development etc.
- ✓ Ask candidates to provide examples of previous situations or tasks (related to the criteria) with which they have been involved to demonstrate what action they take in particular circumstances and the result of these actions.
- ✓ Ensure that candidates are aware of the responsibilities of the job.
- ✓ Candidates are to be invited to talk about their general interests and activities, some of which may impact on the job requirements.
- ✓ Check out professional and personal motivation for applying to work for organization and their prior knowledge of organization activities. Original qualification should be sighted.
- ✓ Monitor the time to ensure all issues are covered in the time allowed for the interview and that the interview is brought to a satisfactory conclusion.
- ✓ On conclusions of the interviews: Agree on the preferred candidate (and back-up candidate if the preferred candidate does not accept the offer of appointment). Discuss referee's comments and agree on final candidate.

3.7.18. Conduct Reference Check: Whenever possible, at least the reference checks will be made on each final candidate by HR professional or assigned person, using standard form. Reference can be checked maximum three referees from past to current job (best practices) or more than that if required, it would be best for checking reference with direct line supervisors and HR. Anyway, reference check with teachers could be also applied for those who fresh graduate from university. See annex 16: The reference check form.

3.7.19. Health Check: All employees are subject to health check-up in according to Cambodian Labor Law and are required to pass a medical check by the Department of Labor Medical Unit or by any clinic enlisted by MoLVT. The organization will pay for this medical check.

3.7.20. Police Clearance: For the organization, as an employer, to meet its obligations to protect its employees, consideration has to be given to the requirement for Local Police Clearance Certificates. While some positions within the organization have a legislated requirement for a police clearance, the remainder is to be determined by the organization.

The decision to seek a police clearance must not be arbitrary and demands careful consideration of the necessity or relevance of any such clearance for any particular position. A Local Police Clearance Certificate is a list of disclosable court outcomes and pending charges sourced from the databases of all police jurisdictions. Selection of best candidate: Based on the interviews and reference checks, the HR Professional in consultation with the Executive Director, may take one or more of the actions such as:

- ✓ Call for another interview with one or more candidates,
- ✓ Select the most suitable person to receive an Offer of Employment,
- ✓ Select the second most suitable candidate (and third, fourth, etc. as appropriate) to receive an Offer of Employment if the first choice does not accept,
- ✓ Decide that none of the candidates are suitable,
- ✓ Re-advertise the position, or
- ✓ Abandon the recruitment process for the position

- 3.7.21. Offer of Employment: The HR professional will send a correctly dated Offer of Employment to the candidate by letter or E-mail. In the letter or E-mail of Offer of Employment, it will be specified the proposed salary and any special conditions. Organization will require the candidate to accept in writing the Offer of Employment, as offered or as amended through negotiation, within seven (7) days of the date of the offer letter. See annex 17: The officer of employment. The offer of employment should be issued to the successful candidate after negotiation about salary and other expectations, but before reference check, police report, health check and official visa/work permit. In the offer letter should mention clearly that the candidate will be hired if the 4 conditions as mentioned above are met. Normally the candidate would ask for a job offer before they release the name of referees.
- 3.7.22. Employment Agreement: After accepting an Offer of Employment, HR professional will make arrangements to sign an Employment Agreement between the candidate and the Executive Director at the earliest practical date. At the time of signing the Employment Agreement, new employee will also be required to sign copies of the following policies confirming that she or he has read and agreed to their contents: Internal Rules and Employee Handbook. See annex 18: The employment agreement.
- 3.7.23. Filing of unsuccessful candidates: All applications, interview notes, and reference checks of unsuccessful candidates will be kept on file for at least two years and may be considered in the recruitment of future positions.

Form used

- 3.7.24. Job description or TOR
- 3.7.25. Personnel request form
- 3.7.26. Application form
- 3.7.27. Job announcement format
- 3.7.28. Summarized candidate's profile form
- 3.7.29. Interview form
- 3.7.30. Reference check form
- 3.7.31. Offer of employment form
- 3.7.32. Medical check form (from contracted clinic or department of labor medical unit)
- 3.7.33. Police clearance form (sample from National Police),
- 3.7.34. Employment agreement format.

3.8. Job descriptions or term of reference (TOR)

Rational

- 3.8.1. Without defined job description, individual staff will feel uncertainty in their functions and achievements in organization. This policy will describe primary responsibilities, duties and level of authority of a position in organization.
- 3.8.2. To set up performance expectations and competencies required for the staff holding the particular position within a given period of time.

Application

- 3.8.3. This policy applies to all those working for this NGO in a paid or voluntary capacity, all staff members, consultants, volunteers, interns including Board of Director.

- 3.8.4. Every position in the NGO organizational chart or short-term human resources must have a corresponding job description that describes clearly, the position title, job level, primary responsibility and specific duties to be carried out by the job holder. Each job description shall also list the minimum qualifications and skills required as well as other pertinent information about the nature of the work.
- 3.8.5. The job description is used for fulltime staff and the term of reference (TOR) is used for consultants, volunteer and intern. Job description or TOR shall be attached to the agreement of employment as an integral part of the employment contract. All post descriptions are relatively linked to the salary scale of respective NGO.

Procedure

- 3.8.6. Developing a new job description: In case, there is a need for a full-time staff to perform a newly created job which does not match any of the existing job descriptions, the concerned Manager shall draft the job description by using the standard NGO's Job Description Form.
- 3.8.7. Revising an existing job description: In case there are significant changes in the duties and responsibilities of a position, which requires job description revision and/or job evaluation/reclassification, the concerned Manager shall rewrite the job description using the standard NGO's form and highlight those duties which have been changed, added or deleted.
- 3.8.8. The draft job description then shall be sent to the HR professional who shall conduct a review of the job. If there is a need for position reclassification, the HR professional shall analyze the functions and the position requirements and submit the results of the job evaluation to the Management Team for endorsement.
- 3.8.9. All new or revised job descriptions must receive the final approval from the Executive Director prior to their announcements/ implementations.
- 3.8.10. All positions shall be graded according to their responsibilities, accountabilities, authority and complexities. Each position is placed into standard pay scale that is divided by grades and each grade consists of steps.
- 3.8.11. Job description (JD) shall be used for full time staff, covering at least 1). job title, 2). project/ unit/ department, 3). duty station, 4). reporting to and who report to, 5). job objective, 6). major responsibilities, 7). performance expectations under each major responsibility, 8). level of authority, 9). job required qualifications, and 10). approval.
- 3.8.12. Term of reference (TOR) shall be used for short term consultant, volunteer and intern, covering at least 1). Background of the consultancy, 2). Objectives of the consultancy, 3). Specific methodology to be used (if appropriate), 3). Specific tasks and timeline to be completed, 4). Outputs to be produced and in what form (soft and hard copy), 5). Reporting format and deadlines, 6). Work plan and 7). Proposed budget (if it is available), 8) team composition.

Form used

- 3.8.13. Organization structure
- 3.8.14. Job description format
- 3.8.15. TOR
- 3.8.16. Salary scale

3.9. Orientation, Induction and placement

Rational

- 3.9.1. New staff members are sensitively to new workplace, new cultures and new working environment, may create some possible misunderstandings and wrongdoings for the organization. Without proper learnings and sharing information about organization and teams, new staff member may feel uncertainty and demotivated, especially during the probation period.
- 3.9.2. A proper orientation program which aims to develop confidence of new staff, realistic job expectations, improve productivity, save time and effort in learning the new working environment, reduce anxiety, increase self-confidence, relationship and ensure smooth integration of the new members.

Application

- 3.9.3. All new employees, interns, volunteers entering the organization shall undergo Orientation Program. It is the responsibility of the immediate supervisor of the new staff members to prepare and facilitate orientation program within the first two-weeks of employment with support from HR professional. The objectives of orientation program are to:
- ✓ Foster understanding NGO's vision, mission, goals, values, approaches, organizational culture, strategies and general expectations and instill pride of belonging to organization.
 - ✓ Understand, know and abide by code of conduct, internal regulation, policies and procedures.
 - ✓ Build positive attitude toward team spirit, his/her job and contributions to organization.
 - ✓ Decrease the concerns and uncertainty associated with a new job.
 - ✓ Clarify the job duties and expectations by which performance is measured, and
 - ✓ Establish shared responsibilities between staff and management for personal growth and organizational development.
 - ✓ Knowing key stakeholders, target areas, context where the job to be executed.
 - ✓ Discuss workplan/performance goal during probation.
- 3.9.4. New members should be warm welcome and hospitalized by their supervisors, colleagues and management through this orientation policy. The orientation program is therefore an essential for HR functions, all new employees will receive, within a reasonable period of time following their set schedule, appointment, orientation materials and instructions.
- 3.9.5. NGO's HR professional/ unit shall prepare effective communication tools and orientation package (audio, video, reading materials soft and hard copies, and source of information etc.) for this orientation program. Some formalities and official binging documents signed up by staff, interns, volunteers shall be added into this orientation package.

Procedure

- 3.9.6. Welcoming: The immediate supervisor shall conduct a welcoming session for the new staff. At this session, the supervisor shall brief the new staff on history of the NGO and its vision, mission and principles/ values, cultures, code of conduct; its operation areas. New staff shall receive a welcoming package prepared by the HR Unit/ professional. Basic contents of the package include the NGO Staff Handbook, a brief description of NGO and its operation areas, the organizational structures and the job description of the new staff.
- 3.9.7. Meeting new colleagues: The immediate supervisor or his/her designate officer shall introduce the new staff to all relevant staffs at the workplace. Then he/she will be introduced to community members, other NGO partners and government officials with whom we work.
- 3.9.8. Completing paperwork: The HR professional or administrator must ensure that a new staff member shall complete all his/her paperwork on the first week of service. This paperwork includes the submission of Medical Clearance, a copy of identity card, family book, and or passport, curriculum vitae, recent 4 x 6 photos and emergency contact information, signed code

of conducts, child protection policy and completed Beneficiaries Form. These documents are to be forwarded to the HR Unit in head office.

- 3.9.9. Orienting and reviewing the essential HR policies and administrative procedures: Firstly, HR professionals/ Assistant shall provide orientation on HR policies to a new staff member. Secondly, the supervisor shall go over other administrative policies and procedures, cultures of workplace and teamwork. This includes code of conduct, financial rules and regulations, program operation.
- 3.9.10. Introducing job duties and performing initial training: The supervisor is responsible to explain clearly to the new staff of his/her job and duties which include an overview of the job, job objectives, location, tasks, relationship to other jobs and safety requirements. Performance expectations and expected indicators for probation period shall be set by both immediate supervisor and staff based on JD in the first week of service. Set of expected key performance indicators shall be added into probation Staff Performance Appraisal (SPA) form and will be measured at the end of probation period. During this period, a comprehensive orientation program training shall be cooperatively delivered by HR professional/ Unit in head office and a corresponding orientation assignment will be done by new staff.
- 3.9.11. Conducting a follow-up session: The supervisor should conduct at least one follow-up session during the first three months of employment. This is to ensure the smooth integration of the new staff and to clarify issues or procedures that may not be fully understood. This session should be done in an informal manner where the new staff is free to ask questions on any work-related matters including the organizational socialization (organization's goals, norms, values, and preferred ways of doing things). In addition, HR professional shall invite a new staff for formal follow up session after six weeks in service.
- 3.9.12. Ensuring compliance: To ensure that each orientation session is properly given to a new staff in a timely manner, a checklist shall be given to the new staff to have it signed by the respective supervisors/officers after the completion of each of the above activities. The completed orientation checklist then shall be forwarded to the HR professional/ Unit for record prior to the lifting of the probationary period.

Form used

- 3.9.13. Welcoming Package
- 3.9.14. Orientation program package,
- 3.9.15. Job Descriptions,
- 3.9.16. Staff performance appraisal form
- 3.9.17. Orientation Checklist

3.10. Terms of Employment

Rational

- 3.10.1. When the two parties (organization and employee) agree in working relationship, some potential conflicts may occur due to misunderstanding, unmet expectations, and abuse of power. Without mutual understandings, agreement and defined terms of employment, it will lead to doubtful relations and working environment.
- 3.10.2. The organization hopes that the relationship between itself and employees will be mutually beneficial, it should recognize that neither an employee nor the organization has entered into any contract of employment for a definite term, expressed or implied.

- 3.10.3. The organization should ensure an equal opportunity employment and have zero tolerance for unlawful discrimination, harassment, sexual harassment and vilification. The goal is to promote an organizational environment of mutual respect.
- 3.10.4. This is to comply with the labor laws of Cambodia, it applies to all enterprises or establishments (including entity or institution) with whom have employment contracts in Cambodia.

Application

- 3.10.5. The employment with the organization is voluntary. Just as the employee voluntarily chose to work in the organization, the employee is free to resign. Similarly, the organization is free to conclude the employment relationship at any time, without cause, and with or without notice following the due process according to labor laws of Cambodia.
- 3.10.6. Organization must offer equal employments without discrimination regarding to sex, race, color, religion, national origin, age, disability, history of disability or LGBTQI (except where physical or mental abilities are bona fide occupational requirement and the individual is not able to perform the essential functions even with reasonable accommodations), or gender (unless gender is a bona fide occupational qualification), please refer to Gender Equality Policy.
- 3.10.7. Contract for regular employees: An employment contract is an agreement in which one person (the employee) agrees to work for wages for another person or organization (the employer). Employment contracts can be in writing or oral. The Labor Law of Cambodia regulates two types of employment contracts for regular employees: fixed duration contracts (FDCs) and undetermined duration contracts (UDCs) “Labor Law Arts 67, 73”¹⁵.
- 3.10.8. Contract for short term employees: Any interns, volunteers, foreigners, consultants/ advisors who seek employment with NGO shall go due process of recruitment and contracted in writing according to NGO’s HR policies and aligning with labor laws of Cambodia.

Procedure

Regular employee:

- 3.10.9. A contract is an FDC if it: Is written, applicable to a period of employment not longer than 2 years, and has a precise starting and end date. If a contract does not meet these standards, it is a UDC.
- 3.10.10. It is noted that based on the interpretation of the Ministry of Labor, FDC can be renewed one or more times. as long as its total renewal period not exceeding 2-year period. When FDC exceeds this period, it will be automatically converted to UDC.
- 3.10.11. NGO shall optionally choose whether FDC or UDC to new staff for particular term of employment with particular position:

FDC	UDC
<ul style="list-style-type: none"> ✓ Must contain a specific expiry date. ✓ Must be made in writing; ✓ Must not be for employment longer than two (2) years; ✓ Can be renewed one or more times, as long as the total renewal period does not surpass the maximum duration of two (2) years; ✓ Will automatically become UDC if the parties allowed it to continue quietly at the expiry date. ✓ FDC can sometimes have a non-specific date when it is made for: 1). Replacing a worker who is temporarily absent; 2). Work carried out during a season; and 3). Occasional periods of extra work or a non-customary activity of enterprise. This contract will be finished upon the return of the absent worker, ending of the season and occasional period. It can be renewed at will as many times as possible without losing its validity. Contract of daily or hourly workers, who are hired for a short- term job and paid at the end of the day, week or a fortnight period, is considered FDC with unspecified date. 	<ul style="list-style-type: none"> ✓ Can be a verbal contract; ✓ Has no specific expiry date

Volunteer and Intern

- 3.10.12. Volunteer is taken on a case-by-case basis as determined by the senior manager. The HR Professional/ assistant will coordinate the volunteer’s recruitment and orientation. Volunteers will generally work for a maximum period of one year except exclusively proposed to extend by the volunteer themselves. The volunteer will sign a volunteer contract.
- 3.10.13. A volunteer is anyone who works for the organization on a voluntary basis by agreement with senior management or HR professional for a specific amount of time. This could be a student who wishes to practice learned theory in a real working environment or to develop a thesis, or someone who works for a short period of time to assist the organization in specific tasks.
- 3.10.14. It is good practice to ask volunteers to submit a report providing feedback to the organization and stating what they have learned from their experience while working there.
- 3.10.15. Intern: Internship refers to individuals/ teams who seek a learning experience to meet professional growth requirements such as to write thesis for graduate students from a university, or work experience for junior staff from other organizations for a set amount of time. Acceptance of intern’s request shall be done the same process as volunteer recruitment. Intern contract cannot exceed 2 years.

Foreigner Employee:

- 3.10.16. NGO may need to recruit foreigner employee based on the need of organization and available budget and or requested by other international partner organization (usually it calls Seconded personnel) with their own expenses. Foreigner employee is eligible for local employment shall follow some terms and conditions as state in labor laws of Cambodia article 261; no foreigner can work unless he/ she possesses a work permit, and an employment card issued by the MoLVT. These foreigners must also meet the following conditions:
- ✓ Employers must beforehand have a legal work permit to work in the Kingdom of Cambodia; if the foreign workers have official visa (Visa C) from MoFAIC, they do not need work permit or employment card.
 - ✓ These foreigners must have legally entered the Kingdom of Cambodia;
 - ✓ These foreigners must possess a valid passport;
 - ✓ These foreigners must possess a valid residency permit;
- 3.10.17. Addition to the above terms, NGO shall initially prepare any logistic arrangements for their spouse, children and schooling, accommodation, relocations, shipping of their belongings, travel

documents, employment documents and other necessities as stipulated in the employment contract or international staff management policy.

- 3.10.18. Process of recruiting the foreigner employee shall go through due processes as the same as local recruitment, except the request from an international partner organization as seconded personnel. Special agreement shall be made between NGO and international partner organization indicating all responsibilities and terms of condition seconded personnel. Seconded personnel shall comply with NGO's policies, signing all binding documents and respect the laws of the country.

Consultant / Advisor

- 3.10.19. In some extents, NGO may need to recruit consultant/ advisor for particular project or assignment with specific timeframe. Relevant manager shall make plan, budget and TOR, then send request for approval from the Executive Director through the HR professional. Recruitment shall go due process as the same as local recruitment. The status of consultant is treated as "supplier", but not as employee of the organization.
- 3.10.20. The senior manager or boards of organization are responsible for negotiating with and hiring all local and international consultants and drawing up contracts and Terms of Reference.
- 3.10.21. Consultants will sign a contract with organization specifying the time and place of work and the tasks to be performed (as detailed in the Terms of Reference). A contract must be signed before the assignment begins and payment will be paid accordingly with tax's obligation.
- 3.10.22. Wherever suitably qualified consultants (national or foreign) can be found locally, consultants will be hired from within Cambodia. consultant with high record of achievement should be listed in a roster for future head-hunting.
- 3.10.23. All consultants are required to produce their proposal for any call for consultancy. The consultancy contract is finalized upon Term of Reference (TOR) and proposal. TOR shall be outlined as follow:
- ✓ Background of the consultancy
 - ✓ Objectives of the consultancy
 - ✓ Specific methodology to be used (if appropriate)
 - ✓ Specific tasks to be completed.
 - ✓ Outputs to be produced and in what form (disk and hard copy)
 - ✓ Reporting deadlines and report template: softcopy and two hard copies.

Form used

- 3.10.24. Template for Undetermined Duration Contract (UDC),
- 3.10.25. Template for Fix Duration Contract (FDC)
- 3.10.26. Contract Template for consultancy, foreigner, intern and volunteer

3.11. Termination of employment (UDC, FDC – indemnities and other benefits)

Rational

- 3.11.1. Any employee may be dismissed, laid-off or suspended from work, in accordance with the rules and regulations of the NGO, and complied with labor laws of Cambodia.
- 3.11.2. Without go due process, the termination of employment contract by one party may create any conflict and or lawsuit by another party – organization or employee. Due process shall be seriously followed by organization and employees, which must be fully compliant with labor law of Cambodia.

3.11.3. Compliance of Cambodia labor laws is strictly followed by NGO. According to the laws, “an employer cannot impose disciplinary action against a worker for any misconduct of which the employer or one of his representatives has been aware for over fifteen days. The employer shall be considered to renounce his right to dismiss a worker for serious misconduct if this action is not taken within a period of seven days from the date on which he has learned about the serious misconduct in question”, article 26.

Application

- 3.11.4. This policy is applied for all regular staff or fulltime staff of NGO and NGO’s representatives regardless of who they are or what position they hold. Everyone is entitled for and has equal rights in front of laws.
- 3.11.5. Termination of employment shall be happened either mutual agreement or by one party, made by organization or staff members. Managers and staff are responsible for implementing this policy and to ensure both parties will comply with NGO internal rules and regulation and to avoid any individual or collective labor dispute.
- 3.11.6. NGO’s Executive Director together with HR professional shall go due process with legal compliances and obligations when involving in termination or cancelation of any employment contract of its regular employees for both FDC and UDC in resignation, mass layoff, serious misconduct, dismissals or acts of God. HR professional needs to plan ahead different scenario of separation and advise accordingly to ED and management about due process to mitigate the legal risks and other risks at most as possible.
- 3.11.7. Executive Director of NGO together with HR professional shall transparently educate staff and their representatives about the termination of employment policy and procedures. To avoid any damage of individual and organization, the Executive Director and HR professional shall go due process, widely consult affected staff and their representatives before coming to the conclusion of termination or cancelation of employment. Awareness session of this policy shall be done regularly and openly listening to their feedback and comments.
- 3.11.8. HR professional with approval from the Executive Director of NGO shall notify the Ministry in Charge of Labor when there is any termination of employment contracts with 15 days in writing; “Every employer must make the declaration to the Ministry in Charge of Labor each time when hiring or dismissing a worker. This declaration must be made in writing within fifteen days at the latest after the date of hiring or dismissal; Art. 21”.
- 3.11.9. During a staff member’s probationary period, either NGO or the staff member may terminate the contract by giving seven (7) days’ written notice without giving reason. After successful completion of the probationary period, the contract can be terminated for any of the following reasons:
- Expiration (and non-renewal) of the contract
 - Voluntary Resignation
 - Dismissal with Cause
 - Force majeure
 - Retirement
 - Prolonged illness
 - Death
 - Serious misconduct

Procedure

Termination of Fix Duration Contract (FDC)

- 3.11.10. Legal Dismissal and Payment: If NGO hired an employee with fixed duration contract (FDC) and wishes to terminate this contract by their own will before its expired date, NGO must seek agreement from the employee's side. This termination shall be made in front of the Labor Inspector. The termination of FDC shall be done without agreement before the expired date, only in the case of serious misconduct of one party or the Acts of God.
- 3.11.11. If no prior notice is given by NGO or staff, the FDC is automatically renewed for the same amount of time as the original contract. The FDC will become a UDC if the total length of employment extension exceeds 2 years, however the renewal of contract shall be written and agreed by NGO and staff. The termination notice of FDC is followed:

Fixed Duration Contract- FDC (Art. 73)	
Work Duration	Prior-notice
≤ 6 months	0 day
> 6 months to 1 year	10 days
1 year up	15 days

- 3.11.12. According to MoLVT Instruction 050, FDC can be made up to 2-year period, and it can be renewed one or more times. The total duration of contract extensions shall not surpass two years. After that the FDC will automatically convert to UDC.
- 3.11.13. Legal dismissal payment: If NGO wants to terminate the FDC at its expiry date or with the mutual agreement of the employee in front of the Labor Inspector, the terminated employee is entitled to the payment as the following: (Art. 73)
- ✓ Last salary
 - ✓ Outstanding Annual Leave/OT, if any
 - ✓ Severance Pay: Equal to the amount of money agreed in the CBA or 5% of wages and fringe benefits that the workers have already received during the contractual period.
- 3.11.14. Illegal Dismissal and payments: If NGO terminate the FDC at their own will before the expired date without employee's agreement or without the legal reasons such as serious misconduct or Acts of God, the NGO shall pay the dismissed employee in the following: (Art. 73)
- ✓ Last salary
 - ✓ Outstanding Annual Leave, if any
 - ✓ Indemnity: 5% of paid wages during the contractual period.
 - ✓ Compensation: At least equal to the amount of money that the employee will get until the end of the contract (Art. 73, Paragraph 3).

Termination of Undetermined Duration Contract (UDC)

- 3.11.15. Legal Dismissal and Payment: The NGO can terminate the UDC with valid reason including serious misconduct as defined in the internal regulation, which is approved by MoLVT, or Acts of God. For dismissal due to serious misconduct can be done immediately within 7 days when the management is aware of the serious misconduct. If NGO unilaterally decides to terminate the UDC by its own will due to economic reason, cessation of the position, end of project, restructuring, etc. NGO must provide evidence to prove that the termination and must conduct a proper consultation process with the employee to avoid possible claim of damage by employee.
- 3.11.16. If NGO decides to terminate the UDC due to repeated misconduct/poor performance as provided in the disciplinary steps of the internal regulation:

- ✓ The NGO must have supporting documents such as warning and performance improvement plans to prove that the dismissed employee fails to improve their capability or working behavior.
- ✓ In all cases, except serious misconduct, The NGO must notify the dismissed employee in advance within the duration listed below:

Undetermined Duration Contract- UDC (Art. 75)	
Work Duration	Prior-notice
< 6 months	7 days
6 months – 2 years	15 days
2 years- 5 years	1 month
5 years- 10 years	2 months
10 years up	3 months

3.11.17. If the NGO wants to dismiss an employee without valid reasons (layoff or redundancy, the organization shall pay the dismissed employee the seniority indemnity. The whole payment is listed below:

- ✓ Last salary
- ✓ Outstanding Annual Leave/OT, if any
- ✓ Prior notice compensation,
- ✓ Payment of 2-days per week for job seeking leave if the staff cannot take it due to work priority.
- ✓ Seniority Indemnity is 7 days of wage and fringe benefits if he/ she has completed working from one consecutive month to less than six months in that semester. Please see the seniority payment in section 3.20.14.

3.11.18. For those who leave organization – -, retirement and death NGO will pay their seniority indemnity equal to 7 days of wage and other fringe benefits if they work from one consecutive month to less than six months in that semester. In case of resignation staff will receive seniority payment only when their last working day is on the last day of the month of June or December.

3.11.19. In the event that the NGO terminate staff/ employee due to serious misconduct (valid reason), the staff/ employee shall receive:

- ✓ Wages are not paid
- ✓ Payment in lieu of the remaining annual leaves.

Damage

3.11.20. The HR professional and other NGO’s representatives are independently authorized to lead the due process and legal compliance of any termination and cancelation of employment. Openly staff consultation shall be done before making conclusion.

3.11.21. The termination of a labor contract without valid reasons, by either party to the contract, entitles the other party to damages. These damages are not the same as the compensation in lieu of prior notice or seniority. The employee, however, can request to be given a lump sum equal to seniority payment and shall receive during the employment contract. In this case, dismissed staff is relieved of the obligation to provide proof of damage incurred; (article 91). The refusal to supply this certificate obliges the employer to pay damages to the worker. Any harmful statement that could prejudice the employment of a worker is formally prohibited; (article 92).

Mass Layoff

3.11.22. Mass Layoff: Executive Director together with Management Team with support from HR professional is responsible for any mass staff layoff or redundancy and to minimize the labor dispute collectively or individually. Any layoff resulting from a reduction in the program activities

of NGO or an internal re-organization that is foreseen by the organization is subject to the following procedures:

- ✓ The NGO establishes the order of the layoffs in light of professional qualifications, seniority within the organization, and family burdens of the employees;
- ✓ The NGO will inform the employees' representatives (if any) in writing in order to solicit their suggestions, primarily, on the measures for a prior announcement of the reduction in employee and the measures taken to minimize the effects of the reduction on the affected employees; and
- ✓ The first employees to be laid off will be those with the least professional qualifications, then the employees with the least seniority; the seniority has to be increased by one year for a married employee and by additional year for each dependent child.
- ✓ each dependent child.
- ✓ The laid-off employees have, for two years, priority to be re-hired for the same position in the organization; and have to inform the organization's human resource department any change in address occurring after the layoff.
- ✓ Note: Even though the NGO is closed because of no-fund or judicial liquidation, it is not free from the obligations pointed above, except the prior- notice compensation if the organization has notified to the employees in advance prior to the closure. (Art. 87)

Retirement:

- 3.11.23. In Cambodia, there is no law determining compulsory retirement age for workers under employment relations between employers and employees. However, the best practice is that when an employee reaches the age of 60, the management may re-evaluate the working capacity of the staff member to determine if they are suitable to work in their function. If they are not suitable to their function, NGO may encourage them to retire..
- 3.11.24. Upon retirement from organization, staff are entitled to access their pension fund as well as other benefits accrued while working with organization.
- 3.11.25. In exceptional case, a retired staff may be requested to work as a consultant/ pool of professional from time to time on a short-term contract. Responsible line supervisor shall send proposal and TOR to HR professional for endorsement and approval from the Executive Director.
- 3.11.26. If a staff is unfit to continue his/her employment due to health reasons, they should be supported to work at any position that fit them the most. If no position is suitable for them, the organization could terminate their contract after 6 months of sick leave guaranteed by law.

Form used

- 3.11.27. Notification form

3.12. Personnel documents and files

Rational

- 3.12.1. To set up and maintain official records (soft and hard) and a confidential file (soft and hard) of each NGO's staff from the hiring date through his/her separation, termination or cancelation.
- 3.12.2. To establish manual database of human resource information system of the organization which covers individual staff personnel movement, performance records, employment history, job assignments and his/her designated beneficiaries.

Application

- 3.12.3. HR professional/ Assistant shall maintain all personnel records for each staff. This record is called the "Personnel File", and shall contain the staff's application, references, employment agreement(s), medical clearance, Job Description(s), Personnel Action Forms (PAFs), Performance Appraisal Form(s), Beneficiary Forms and other correspondences relating to the staff's employment.
- 3.12.4. HR files or documents are confidential. Employees should be able to view their own files through making a request to Authorized HR professionals and management who will have access for professional purposes. Otherwise access to these files should be seriously restricted.
- 3.12.5. A computerized human resource database system is strictly authorized to only HR Assistant (user) for data entry, HR professional (administrator) for adjustment, removal or deletion. Passwords shall be assigned to all authorized officers by IT Officer.
- 3.12.6. Personnel files are the property of NGO and cannot be removed from the NGO's Office unless there is approval from the Executive Director and HR professional. Personnel files are destroyed in ten (10) years after date of staff's separation or as specified by the donors in the contract or cooperation agreement and labor laws. External audits are not allowed to access to personal file of employees and other confidential information. They may be able to access to employment contracts, pay letters, etc., for financial audit purposes only.

Procedure

- 3.12.7. The Personnel Action Form (PAF: The PAF is issued to record a staff's appointment and any subsequent changes in his/her status. A copy of each PAF shall be remitted to the staff concerned and one copy placed in the staff's personnel file. PAF prepared by HR professional for any changes of staff status (transfer, promotion, demotion, remediation, salary adjustment, etc.). The Executive Director shall approve all PAFs.
- 3.12.8. Employment Agreement: Employment Agreement (in English and in Khmer) is issued as a legally binding agreement between the NGO and the staff. If the staff moves to a new post, a new Agreement will be issued in duplicate and agreed upon by both parties. One original agreement shall be given to the staff and another shall be kept in the personnel file. The Executive Director shall sign all Employment Agreements.
- 3.12.9. Job Descriptions: Final job description shall be given to the job holder at the beginning of his/her assignment. If staff is transferred to a new position or the job description is revised, the staff shall be given a new/revised job description. Copies of all job descriptions performed by the staff shall be kept in his/her personnel file.
- 3.12.10. Staff Performance Appraisal Forms (SPAF): Staff Performance Appraisal Form is used to document the staff achievements and evaluate his/her performance against the performance expectations. During the employment period, a staff is evaluated formally at the end of his/her probationary period and thereafter, annually. The original Staff Performance Appraisal Form is kept in his/her personnel file and copies are given to the staff and his/her immediate supervisor.
- 3.12.11. Other pertinent documents: The contents of the personnel file incorporate all relevant documents, forms, correspondence, and reports pertaining to the staff from the date of application. The personnel file may also contain, in a separate section, documents of a strictly personal nature (i.e. matters concerning confidential medical records, personal family situations, request for assistance in the collection of debts, adverse material from outside sources, etc.).
- 3.12.12. Upon a written request addressed to HR professional, a staff may consult his/her personnel file. After having inspected the file, the staff may submit a statement to the HR professional, commenting on any information that he/she believes to be inaccurate or incomplete. Under no circumstance may a staff remove items from the personnel file or remove the file from the presence of HR professional.

3.12.13. A staff may ask the HR professional to copy parts or all of his/her file, but the original documents must remain in the file. All copying shall be done by the HR professional not the staff.

Form used

3.12.14. PAF

3.12.15. List of personnel files and documents

3.13. Hours of work and Working hours

Rational

3.13.1. As NGO is working in development programs with communities, the program goals, expected outputs and work plans are established at beginning of every year. It is, therefore, the responsibility of every staff to plan and organize his/her work to achieve the performance expectations within normal working hours per day and working days per week.

3.13.2. This policy provides a parameter for staff and supervisors in planning and organizing their work assignments within the working hours and gives flexibility to staff in scheduling working hours and days to best meet the needs of their clients and describes rules and procedures in regard to compensation for working overtime when necessary and unavoidable.

Application

3.13.3. Every individual staff member is entitled to officially work 8 hours per day and 48 hours per week; In all establishments of any nature, whether they provide vocational training, or they are of a charitable nature or liberal profession, the number of hours worked by workers of either sex cannot exceed eight hours per day, or 48 hours per week, art. 137”.

3.13.4. NGO shall be flexible in certain situations such as when someone with children is breast feeding and or other unavoidable schedules so that he/she can come in to and/leave from work later/earlier in accordance with agreement from his/her line manager, but within 8 hours per day they need to spend at workplace.

3.13.5. Any individual staff member who work exceed official normal working hours is entitled for compensations either time off and cash, if the organization requires that they work during the weekend or on public holidays. Overtime work must be conducted based on volunteer principles (Article 4 of Prakas 80-90 of MSALVY) and it should not be used for routine tasks, for purposes of enhancing income or to avoid hiring additional full or part-time staff.

Procedure

3.13.6. Official working hours is 8 hours per day or 40 hours per week, from Monday to Friday. In exception, the Security Guards whose work nature is periodic and they are required to be at their workstation for a total of 48 hours per week (The Cambodian Labor Law states that the employer can ask the staff for less than 48 hours but not more than 48 hours per week).

3.13.7. If it is required by head office or donor. all staff of NGO shall be required to complete a monthly timesheet with approval of his/her line supervisor, by using a standard timesheet. This monthly timesheet shall include all hours of working by assigned projects linking to budget allocation, overtime, public holidays and other personal leaves.

3.13.8. Official working hours is 7:30 am - 12:00 noon and 1:30 pm to 5:00 pm. This is a core time but the flextime schedule is allowed half-hour before or after the core times with prior approval of the supervisor. In any case, the total working hours will not exceed 40 hours per week. Flextime is applicable with proper arrangement between staff and supervisor as long as it does not hamper

the daily schedule especially meetings and report deadline. Due to high digitalization, nature of work, demand of position/project, a flexi work plan can be agreed to facilitate the work and communication quality, impact and convenience. A flexi work protocol should be developed to manage flexi work with high effectiveness, efficiency, quality and impact. A flexi work plan includes flexible duration of working hours, flexible start and ending working times, flexible workplace, etc. Flexi work plan is a temporary change in an employee's regular work schedule/work location in order to adjust. for a planned or unplanned, short-notice, or sporadic event. The flexibility helps the employee to avoid working more than 40 hours in a work week or to avoid having to take paid or unpaid time off for an absence.

- 3.13.9. A staff may be requested to perform duties in excess of the above-mentioned hours or during weekends and holidays, as required. In such case, a staff may receive compensation either in cash or in compensatory time off (CTO).
- 3.13.10. Overtime payment may not exceed 10 hours per month per an individual staff. Overtime in excess these allowable hours shall be regarded as CTO (compensatory time off). There is no overtime pay for security guards. Substitute security guards are to replace the use of overtime as extended duty affects alertness.
- 3.13.11. If the staff worked on Saturday and Sunday, they are entitled for a one and a half compensatory time off equivalent to 1.5 overtime pay rate. They are eligible to receive a 200% compensatory time off when they were asked to work during holidays and or from 10:00 pm to 5:00 am, according to labor laws.
- 3.13.12. Staff who plans to work on public holiday, Saturday and Sunday, needs to seek prior approval from his/her immediate supervisor. The staff who wishes to take a CTO should seek a prior approval from his/her immediate supervisor and final approval from HR professional, using a leave request form.

Form used

- 3.13.13. List of public holidays
- 3.13.14. Flextime schedule
- 3.13.15. Timesheet template

3.14. Leaves

Rational

- 3.14.1. This policy is a mutual understanding between the organization and staff while an employee is absent from work without any conflict with workplan or other activities.
- 3.14.2. As NGO, the management fairly promotes more freedom to staff and encourages them to have time for their family's events, social events and other obligations as required by the Royal Government of Cambodia.

Application

- 3.14.3. All staff are entitled for legal leaves to attend family's events, sick leaves, maternity/ paternity leaves, special leaves, obligated leaves required by state and other emergency's cases accordingly to this policy and related articles in labor laws article 71, 72, 137 – 152 and 161-170 without discrimination.
- 3.14.4. Leaves: Absences shall mean failure to report for work for any cause whatsoever. Such absences may fall under the categories of annual leave, sick leave, maternity or paternity leave, absence without official leave and absence for special reasons.

- 3.14.5. Absence without notice will be considered as misconduct and the management team will take fair action on it. So that if employees themselves think that they will be late they should prior inform their line manager.
- 3.14.6. A leave is authorized absence from work, for a stated period of time, and may be with or without pay. Annual leave accrual are earned within twelve months (12 months) of service. Employees who were made regular in the middle of the year shall be prorated. Started month counts as a full month in pro rata basis.

Procedure

- 3.14.7. Public Holidays: Employees are entitled to be absent from work without loss of pay or other benefits on days declared to be Public Holidays by the relevant Prakas issued by the Ministry in charge of Labor.
- 3.14.8. Time off to Vote: The organization will offer to all employees the paid time off to vote in accordance with the determination of the Royal Government of Cambodia. These paid times off to vote do not break the length of service required to obtain annual leave, nor do they reduce this type of leave.
- 3.14.9. Paid Annual Leave: Any absence of ½ day or more that is not Sick, Special, Maternity, Paternity or Unpaid Leave will be considered to be Annual Leave and must be accounted for on an official Annual Leave Form. All employees are entitled to 1.5 days fully paid Annual Leave for each month of work. This equates to 18 days annual leave per year of service.

All employees seeking to take Annual Leave must formally apply in writing by completing the Annual Leave Form. This Form must be submitted to the Human Resources after approval from the employee’s line manager and the senior manager. An application for Annual Leave should be made in advance of the proposed Annual Leave. Upon approval by the line manager and the senior manager and after completion of the probationary period, employees may take Annual Leave in advance of accrual.

The length of Annual Leave will increase based on the employee’s seniority at the rate of one day per three years of service, for example as follows:

- 0 – 3 years of service 18 days Annual Leave
- 3 – 6 years of service 19 days Annual Leave
- 6 – 9 years of service 20 days Annual Leave
- 9 – 12 years of service 21 days Annual Leave

For more detail related annual leave above, please see in Cambodian Labor Law article 71, 72, 137 – 152 and 161-170. The period of Annual Leave is in addition to Public Holidays.

- 3.14.10. Sick Leave: Each employee has a right to sick leave. The organization includes paid sick leave in the internal regulations. The organization offers an employee sick leave for up to 6 months if an employee is absent from work because of illness; and has a certificate from a qualified doctor. The organization may dismiss an employee if the employee is on sick leave for more than 6 months.
- 3.14.11. Special Leave: Special leave is offered up to seven days for personal reasons that affect employee’s immediate family. However, the organization should not unreasonably refuse special leave if:
 - The employee is getting married;
 - The employee’s wife gives birth;
 - The employee’s child is getting married; or
 - The employee’s husband, wife, children or parents have died or are ill.

If employees have not already used their annual leave, the organization, may deduct special leave from remaining annual leave for that year. If employees have no annual leave, the organization may require them to work to make up for their special leave.

- 3.14.12. Maternity Leave: Female employees will be entitled to a minimum of three months of paid maternity leave. In the event of an employee's being unable to perform her duties in the later period of her pregnancy, she can plan her leave time based on her convenience.
- 3.14.13. Paternity Leave: Male employees are entitled to at least three days of paternity leave to be taken within one month of their child's birth.
- 3.14.14. Leave without pay (LWOP): Staff with at least five (5) years continuous service with organization will be entitled to apply for Leave Without Pay (LWOP) for a period of up to, but not exceeding, three (03) month calendar days. LWOP can only be requested after all other available leave has been used. LWOP requests will be at the discretion of the Executive Director, in consultation with the management team. During LWOP staff will not accrue any benefits but will not lose seniority.

Form used

- 3.14.15. Leave form

3.15. Personnel movements

Rational

- 3.15.1. To maximize the utilization of the organization's human resources by assigning challenging and meaningful work responsibilities to each staff in accordance with his/her demonstrated competencies and potential to meet the best need and priority of organization.
- 3.15.2. To avoid the labor conflict, any movement of staff shall be mutually agreed by organization and affected staff and it will always go due process.

Application

- 3.15.3. This policy refers to internal movements such as new staff placement, staff separation, reclassification, transfer/ reassignment, and or relocation required either by organization or individual staff.
- 3.15.4. Any personnel movement shall go through due process and consultation with staff with support from HR professional and final approval be the Executive Director. Every employer must make the declaration to the Ministry in Charge of Labor each time when hiring or dismissing a worker "declaration must be made in writing within fifteen days at the latest after the date of hiring or dismissal; this period is extended to thirty days for agricultural enterprises; article 21".

Procedure

- 3.15.5. Transfer or relocation: A transfer is the lateral movement of a staff from one position to another within the same department or to a different project/ location within the same job grade, made by management, accepted by transferred staff and approved by the Executive Director. Transferring plan shall be made by line supervisor, staff and HR professional. The purpose and advantage of transferring staff from one position to another is whether for staff retention, filling vacancy internally, dispute resolution, reduction of unnecessary expenditures, support staff's wellbeing, etc.
 - Transfer of employees for the organization's convenience may be done to meet organization requirements but employee has the right to refuse. A proper consultation with the employee is needed before any transfer. Requests for transfer by employees should be made in

writing and given to the HR professional for consideration before interviewing with a Senior Manager for another position. The employer reserves the right to reject the request by giving clear reason of rejection.

- Employees that wish to transfer or apply to an open position should be given first consideration. However, the timing of any transfer should be planned so that ongoing commitments are not jeopardized. Employees interested in transfer opportunities should contact the HR professional.
- Employees should discuss their desire to transfer with their current supervisor; however, this is not a requirement. The Senior Manager should contact the employee's current line manager only after receiving the employee's written consent. A transfer may be made if management determines it is in the best interest of the organization and the employee.
- When an employee is requested by the organization to move to another location, she or he is eligible for a relocation allowance to cover personal costs incurred as a result of the move. The amount of a relocation allowance will be paid based on official receipts from actual expenses. When an employee relocates at her/his own request, she or he will not be eligible for a relocation allowance.

3.15.6. Reclassifications: Reclassification means the change of job grade of the position across the organization made by management. All staff occupying the reclassified position shall be moved (upward or downward) automatically to the new job grade irrespective of their tenure or performance. In case the position is reclassified to a higher position, the salary shall be adjusted to correspond to the new job grade and steps. While the position is downgraded, the salary of affected staff will be reduced to meet the level of downgraded position. However, the organization shall try its best to reassign the affected staff to another suitable post within the same grade.

3.15.7. New staff placement: After the final job offer and employment contract is signed, the HR professional shall prepare declaration to the Ministry in Charge of Labor within 15 days for visa. Different supporting documents shall be filed and attached such as employment card, contract, and job offer letter, approved by the Executive Director.

3.15.8. Staff separation: This refers to resignation of staff, layoff, termination by cause, and other expected risks. The HR professional with approval from the Executive Director shall declare to the Ministry in Charge of Labor within 15 days for visa. Different supporting documents shall be filed and attached such as employment card, contract, termination letter or resignation letter and other official records related cases.

Form used

3.15.9. Transfer request form

3.16. Disciplinary measures

Rational

3.16.1. As NGO, professional organization expects professional behavior from its staff. Staff members are expected to be good examples to the communities and fulfill their obligations with the organization in accordance with this HR practical guideline.

3.16.2. This is to set up disciplinary measures which aim to correct the poor performance or unethical behavior of a staff and to establish necessary preventive measures to protect NGO's operations and reputation, and to ensure that due process (Objectivity and Fairness) is given to the staff facing a disciplinary sanction.

Application

3.16.3. NGO cannot impose disciplinary actions against any staff without following due processes and procedures stated in this HR practical guideline. HR professional is empowered to comply with this policy together with established Disciplinary Action Committee (DAC). An employer cannot impose disciplinary action against a staff member for any misconduct of which the employer or one of his representatives has been aware for over fifteen days. The employer shall be considered to renounce his right to dismiss a worker for serious misconduct if this action is not taken within a period of seven days from the date on which he has learned about the serious misconduct in question; article 26.

3.16.4. Disciplinary Actions: In carrying out his/her supervisory functions, line supervisor may, after full inquiry or investigation, and careful consideration, impose disciplinary measures on a staff who is guilty of an offense, fault or serious negligence in the fulfillment of his/her obligations.

Due Process to take discipline measure shall be administered in accordance with the following process:

- When an alleged violation is reported, line supervisor shall discuss with HR professional, share the evidence, personnel history, and means of disciplinary actions.
- If unclear evidence, the investigation shall be done with seven calendar days by DAC and reported. Appropriate disciplinary action shall be selected and applied.
- Staff will meet the hearing committee discuss the offense, disciplinary action and improvement plan. All records shall be signed by hearing committee and staff for proper documentation.
- The staff concerned has forty-eight (48) hours to respond, from the receipt of notice from line supervisor. During this time, he/she is entitled to soliciting advice from senior staff or colleagues in making the response. If there is no response, the line supervisor shall decide on a case to case basis, based on the available information.
- Any staff who is sanctioned may appeal for reconsideration within 12 calendar days by following the Internal Grievance Policy and or involving the staff representatives as appropriate.

3.16.5. Investigation

Different issues may happen at workplace. Some issues are minor and easy to solve, but others could be difficult and cause major risks to staff and the organization. The issues that often happen are individual and interpersonal disputes, allegations of malpractice, bullying, harassment, sexual harassment, exploitation and abuse, abuse of power, abuse of policy, fraud, corruption, crimes, etc.

When the Executive Director or his management team receive the report of any allegations of misconduct or dispute which could lead to the damage or harm to the organization, he will commission an investigation as soon as he become aware of the report.

- Purpose: The purpose of the investigation is to find the fact of the allegations, to examine the evidence in depth, to collect witness statements, to study circumstantial evidence, and to determine specifically whether misconduct has been committed, who is the prime offender who is the accomplice, what kind of damage and consequences of the misconduct, who are the victims, what could be the preventive measure, etc.
- Process of investigation: The following recommendations are important for conduct any kind of investigation:
 - Form an investigation team: The Executive Director is the only person who has authority to appoint the investigation team. The investigation should consist of at least 2 people, but can be more depending on the scope, complexity, gravity, and risk level of the

- allegation. One of the investigation team is the lead investigator and another is a co-investigator.
- o Writing term of reference: The investigation team is responsible to write their own term of reference for the investigation they are going to conduct. The term of reference shall be clear and adequate guidance for in-depth, effective, thorough investigation. It consists of background, name, address, contact of informant/reporter if it is disclosed, name, address, and contact of witnesses, name, address, and contact of the victims if any, investigation method (steps of interview, collect evident and cross-examining evident, sampling, visit the scene, consulting policies and legal provisions related to the case, timeline, etc.
 - o Interview complainant/witnesses: The interview with complainant/witnesses must be done in a confidential manner and place. Guarantee of absolute confidentiality, ensure the respondent's trust and have confidence to answer questions. Prepare questionnaire in advance. Witness statement must be signed by complainant/witness.
 - o Collection of evident: The investigation team will collect as many evident as possible but report only admissible evident to the Executive Director for making decision on hearing process. If the evidence does not meet standards of relevance, the privilege or relevant policies, the qualification of witnesses or the authentication of evidence is at issue, or the evidence is unlawfully gathered, then it is inadmissible.
 - o Investigation report: The investigation report shall consist of background of the allegation, what have been done in the investigation, list of witnesses, list of evident, conclusion of the investigation, recommendations.
- Principles of investigation: To carry out an investigation, the investigator needs to abide by these 7 principles and seek advice from Executive Director for things unclear or any challenged they face:
 1. Confidentiality: Informing others only when they officially need to know it and after ED authorizes to inform them.
 2. Compliance: Compliant with relevant laws and legislations for internal and external actions.
 3. Evident-led: Ensuring activity and decisions are led by evidence.
 4. Proportionality: Involving the minimum level of intrusion or disruption to achieve the objective.
 5. Independence and Objectivity: Ensuring persons involved in the response can remain fully objective and independent throughout.
 6. Stewardship: Taking appropriate action to protect staff, assets and funds
 7. Transparency: Being able to show a clear written trail for what was done, what was found, and what decisions were made.

3.16.6. Hearing:

- The purpose of hearing is to confront the subject of complaint or the suspect of misconduct with the witness statements and admissible evident collected during the investigation.
- The hearing committee should consist of senior manager who represents the executive director, HR professional and another senior staff if possible. In all cases, executive director should not lead the hearing because the executive director will stand as the appellate body when the subject of complaint or suspect of misconduct is not satisfied with the decision of the hearing committee.
- The hearing committee should have in hand the complaint document, the witness statement, the evident, relevant policy/provisions, law and regulation, etc. to substantiate and corroborate the case. Witness statements must be signed by witness but all statements and evident will not show to the subject of complaints.

- The invitation to the subject of complaint or suspect of misconduct should be sent to them at least 2 days for serious misconduct and 5 days for misconduct. The subject of complaint or suspect of misconduct has to right to bring a staff rep or a colleague to join the meeting.
- The hearing must be conducted in accordance with the standing procedure:
 - The hearing to be conducted in a close room which no one can access or disturb.
 - It must be conducted at workplace and during working hour.
 - An introduction of hearing committee, background, findings, conclusion, policies, legal aspect relevant to the case, etc.
 - It must be conducted in discretionary, official way with giving chance and the right to the subject of complaint to defend themselves. All witness statements and evident must be properly cross-examined before using in the hearing.
 - No name and no identity of witnesses shall be shared with the subject of complaint.
 - The hearing discussion must be recorded securely (ask permission to voice record if possible).
 - The hearing committee must ensure that the misconduct case is true, beyond reasonable doubt, and admissible by subject of complaint, before making the decision.
 - When the Hearing is concluded, the committee need about 10-minute break to rediscuss and consult with policies and legal documents before issue the decision.
 - The hearing decision is signed off by the hearing committee and open the way to the subject of complaint to appeal to the higher level (ED). Within 5 working days.

3.16.7. Type of disciplinary measures:

- a. Verbal warning
- b. Written warning
- c. Remediation
- d. Suspension from service
- e. Termination

3.16.8. Disciplinary measures imposed shall be commensurate with the gravity of the offense committed and the disciplinary procedure stipulated in the internal regulation/Personnel Policy/Staff Handbook of the NGO. While giving a verbal warning and a written warning are within the authority of line supervisors, Managers and Coordinators, placing a staff on remediation, suspension or termination requires a prior approval of the Executive Director.

3.16.9. NGO's disciplinary procedure requires at least one verbal warnings and 3 written warning preceding dismissal for misconduct. The gross misconduct with clear evidence, the dismissal shall be taken immediately, and not limited to these conditions.

3.16.10. No staff shall be dismissed without cause or the observance of due process.

Procedure

3.16.11. Verbal warning: A verbal warning can be given by the staff's immediate supervisor at any time to put the staff back on track and improve his/her performance. Written form shall be used and kept in personnel file.

3.16.12. Written warning: A written warning is given for a more serious offence or the same offence of which the staff has already received a verbal warning. A written warning is to be issued by the line supervisor and placed in the staff personnel file (using written warning form).

- 3.16.13. Remediation: A staff can be placed on remediation by his/her line supervisor for a period of one to three months with clear improvement plan, monitored by supervisor. This disciplinary action needs prior approval of the Executive Director and reassessed before ending period.
- 3.16.14. Suspension from Service: The Executive Director may impose a preventive suspension on a staff who is suspected of conducting a serious misconduct and his/her continue presence may be an obstacle to the investigation of the case. Suspension from service shall NOT be longer than 7 calendar days (if it exceeds, need prior approval from ED).
- 3.16.15. Termination: This refers to the termination of employment policy 3.11.

Misconduct

NGO should clearly define acts which are considered as misconducts and serious misconducts and effectively induct staff members to understand and prevent such behaviors and acts from happening.

1. Misconducts may include but not be limited to:
 - Act of bullying including but not limited to shouting, yelling, intimidating, discriminating, withholding information required for work, using inappropriate language according to culture norms and standard, discourtesy and rebellious towards others
 - Gambling while on duty or at office.
 - Consuming alcohol or being under the influence of alcohol while on duty
 - Unsatisfactory performance or unwillingness to perform assigned duties
 - Negligence of duty and resource allocated by the employer.
 - Insubordination (i.e., failure or refusal to comply with a supervisor's legitimate instructions)
 - Disclosing confidential information without authorization.
 - Providing false information or facts which causes disrepute to the employer.
 - Attempt or concealing of corruption, fraud, and any malpractice
 - Conflict of Interest in commercial, political and related to employment.
 - Misuse of equipment, asset, property, logo, stationaries, and other identical materials.
 - Absence without leave from the workplace.
 - Other acts of misconduct which cause the employer losing asset, property, reputation and hindering its operation.

2. Serious misconduct may include but not limited to the following:
 - Stealing materials, equipment, money, intellectual property, etc.
 - Acts of corruption including nepotism, favoritism, deception, bribery, distortion, fraud, misappropriation, embezzlement
 - Accomplice in crime or in any serious misconduct listed in this section.
 - Fraudulent acts committed at the time of signing employment contract which cause high risk or damage to the employer's resource, integrity and reputation.
 - Acts of subversion, sabotage, rebellion or willful damage to the organization.
 - Use or under the influence of illegal drugs.
 - Under the influence of alcohol which causes damage to the employer's money, equipment, assets, endangering safety, security and reputation of staff and organization.
 - Breaking safety and security rules of the organization.
 - Absence without leave longer than 3 days without acceptable reasons.
 - Threat or assault against the employer or other staff.
 - Inciting other people to commit serious offenses.
 - Political propaganda, activities or demonstrations at the workplace.
 - Committing any criminal offence.

Form used

3.16.16. Template of warning letter

3.17. Promotion and demotion

Rational

3.17.1. To ensure that professional growth and career development opportunities are provided to NGO's staff through job enhancement/post reclassification, transfer/reassignment and promotion while discouraging poor-performance is to demote.

Application

3.17.2. Promotion means transfer of an employee to a higher level. This involves increased duties and responsibilities and normally carries a higher pay and status depending on the level in the salary scale. Promotions within the organization should be based on such factors as quality of work, prior job performance, experience, educational background, attendance, safety record and the ability to work well with others.

3.17.3. Demotion means to transfer of an employee to a lower level or downgrade. Demotion shall be applied for any staff who is evaluated as poor performance level, not meeting the expectations and standards of organization.

Procedure

3.17.4. Promotion: A promotion is the advancement of a staff to the next level on the salary scale corresponding to the job grade of the new position. When there is a vacant position or a new post, any potential and qualified staff shall be encouraged and have equal opportunity to apply with the understanding that they will compete with other internal candidates, through selection panel and organization shall not interrupt the interest of individual staff and their current positions. There is no direct promotion within organization.

3.17.5. Demotion: Demotion is the transfer of a staff from a higher position to a lower one due to his/her poor performance, lack of essential competencies or other justifiable reasons. The demoted staff's salary shall be reduced to correspond to the job grade and level of the new position.

Demotion, due to poor performance, is a serious performance correction method and any staff who is recommended for demotion should already have been placed on remediation but failed to meet the remediation objectives. In such case, strong rationale is required to justify retaining the staff. Before demoting the staff, the line supervisor shall submit in confidence to the HR professional and Executive Director, the reason(s) for demoting the staff together with support documents (results of remediation, written warnings, Staff Performance Appraisal, etc.) and recommendation in regard to his/her new position.

Form used

3.17.6. Notification letter for promotion or demotion

3.18. Probation

Rational

3.18.1. During the probation or remediation, staff is sensitively unsecured in their new workplace and new working environment. Agreed performance expectations and working behaviors shall be clearly defined and discussed between staff and supervisor from the start.

- 3.18.2. This is to differentiate the trial statuses and benefit entitlements of a new staff, a transferred/promoted staff and a staff under remediation and to clarify the organization expectations of a new staff, a newly promoted staff and a staff under remediation.

Application

- 3.18.3. All new staff are subject to a maximum of three months probationary period from commencing their employment with organization. The probationary period allows both management and the staff member to determine if the employment is suitable. At any time during the period of probation, both organization and the staff member have the right to terminate employment contract with a written notice of seven (7) days and with/or without assigning cause.
- 3.18.4. During the probationary period, staff are entitled to the following as outlined in this policy: public holidays; accident insurance, and in-patient hospital insurance; sick leave; reimbursement for medical expenses; and any travel allowances if travel is required as part of their employment with organization (e.g. meal, accommodation, and transportation allowance).
- 3.18.5. Annual Leave days accumulate during the probation period but may not be taken until the probationary period is completed. In special cases, request to use annual leave during the probationary period requires the approval of the Executive Director.
- 3.18.6. There will be no salary increases, no new post application and no planned annual leave are allowed during the probationary period.

Procedure

- 3.18.7. Performance plan of probationary period: During the first month of the probationary period, all new staff shall complete their performance plan with clear indicators and agreement from their line supervisor, head of unit and approval from the Executive Director. At the last month of the probation period, new staff are required to complete their achievements to date in the performance appraisal form and send this self-appraisal to his/her line supervisor for comments and feedback.
- 3.18.8. A meeting must take place between the new staff member and his/her supervisor in the presence of an assigned person from the HR team. Line supervisor will make a recommendation to the Executive Director after this meeting to either continue or discontinue the employment of the staff member at the conclusion of their probationary period.
- 3.18.9. Satisfactory and unsatisfactory completion of the probationary period: The Executive Director will sign a formal letter either confirming the staff member in their position or discontinuing their employment at NGO, at the conclusion of a satisfactory or unsatisfactory probation review. At the successful completion of the probationary period, the full-time staff member is confirmed and entitled to all benefits as described within, retrospective to the date of hire.
- 3.18.10. Extending the probationary period is not legally permitted: If a new staff member is unable to achieve all the goals set out in their probationary performance plan, but the assessment confirms their ability to hold the post, the job confirmation will be issued but the staff member will be required to develop a performance improvement plan (PIP) for one to three months after their probationary period.
- 3.18.11. Internal recruitment also placed under probationary periods: Any staff member who is recruited internally to a new position will be monitored during the trial period by their line supervisor and HR professional. At the conclusion of the trial period and performance appraisal, their line supervisor will make a decision to either recommend to the Executive Director that they continue in their new position, or return to their previous position (if it is still available). Staff member must be informed prior to the appointment to the new post about the possible negative consequence that they could lose the job if they fail to fulfil all the requirement of the new post.

Form used

3.18.12. Performance appraisal form (end probation)

3.19. Training and development

Rational

- 3.19.1. Failure and success of NGO strongly depends on best capacities of organization. Well-equipped capacity of staff is one of key factors for the success of any institution in public sector, private sector as well as NGO sector. Without best capacities of staff, NGO will not easily achieve their mission and development goals.
- 3.19.2. To continue development and strengthen staff capacity building, continuous learning effort is very important for employee to work effectively. All employees are encouraged to pursue their learning (rather than attending a formal training) that leads to self-development and skills enhancement which in turn allow them to make a better and more productive contributions.
- 3.19.3. The NGO's sustainable development interventions depend on the competencies and confidence of its staffs. Therefore, it has always been the organization's policy that training and professional development opportunities shall be provided for staff at all levels and for both women and men.

Application

- 3.19.4. As learning organization, NGO is committed to ongoing staff learning and development to improve the capacity of individuals and the organization as a whole. Individual needs for capacity building are in conjunction with the needs of project operation, organization and available budget. Any approved training or capacity building activities will serve the interest of organization in term of effective community project development and management, administrative and operation and organizational development.
- 3.19.5. NGO should prepare annual budget for staff capacity building and allocate it directly to the development project as much as possible. The return from this investment is valuable for the achievements of development project for effective and sustainable development.
- 3.19.6. Responsibility of Employee and Line Manager: Staff learning, and development is a vital long-term investment. It is the responsibility of manager of units/ departments to ensure that the staff development program meets the genuine needs; systematically builds the capacity of staff; and contributes to enhanced organizational effectiveness. Employees are expected to undertake training with a positive attitude, sincere willingness to learn, sharing their learning with other colleagues and applying their learning into their job. Absence from training without prior approval from supervisor is considered as gross misconduct.
- 3.19.7. The goal of staff development is to improve skills, knowledge and attitude of NGO's staff thus enabling the staff to take over more responsibilities and empowering them to make better decisions for the benefits of target population - the rural poor.
- 3.19.8. NGO doesn't normally offer long-term training or degree education to individual staff, however if there is a real and pressing need (due to lack of available trained human power for a vital function) the Executive Director may recommend a staff for long-term or degree training to the Management Team for approval.
- 3.19.9. NGO limitedly allows only one calendar months maximum per training with full paid salary within a year. If the training exceeds one month, staff can ask for leave without pay but decision should be made by Executive Director in consultation with HR professional and line supervisor. During

the training, staff cannot claim some benefits such as compensatory time off (substitute to public holiday or weekends) and etc. Training bond will be strictly used.

3.19.10. HR professional and manager of all unit/department shall prepare annual staff development plan according to results from annual staff performance appraisal and needs of organization. The rule of 70-20-10 should be applied where 70% learned from challenging experiences and assignments. 20% learned from developmental relationships (meeting, workshop, mentoring, etc.) and 10% learned from coursework and training. Proposed capacity development shall be consistently followed the training management cycle - training need assessment, training planning, implementation, monitoring, evaluation and training follow up.

3.19.11. NGO consistently classifies two training categories (on-the-job-training and off-the-job-training) shall be used to build capacity of staff under the decision manager and HR professionals:

- ✓ On-the-job-training: This training is provided within the workplace by internal senior or experienced manager, coach or mentor. When employee fails to meet Key Performance Indicators, has poor quality of work, inefficient, etc., coaching may be needed. Coaching is an on-going process that contributes to continuous improvement through feedback. It is an effective way to learn because the employee gets one-on-one attention from his/her Line Manager; there are immediate opportunities for application and practice, any deficiencies can be quickly addressed, and this learning is highly relevant and meaningful because it is done on the job.
- ✓ Off-the-job-training: Training courses can be internal or external and will typically be provided by specialist external trainers using a range of different training techniques. Three different priorities shall be considered when selecting this modality – first priority is in-house-training by inviting external trainers in, second priority is outside training within Cambodia by sending staff out if the NGO is lack of human resource, and third priority is training abroad by sending staff out if the second priority is not available. HR professional will manage the three priorities accordingly.

Procedure

3.19.12. Identification and Assessment of Training Needs: Basic criteria in assessing whether the proposed training meets the individual and organization needs and priorities are:

- ✓ The training must be based on the needs of organization – unit, department and project location and it will contribute directly to the performance expectations and current job responsibilities of the individual staff. The training need shall be assessed as follow:

A	B	C	D
Expected KPI in JD (agreed by staff & manager from start)	Actual Capacity Building Needs (to eliminate C, to improve B and to meet A)	Type of Capacity Building (training, mentoring, coaching, etc.)	Timeline of Capacity Building
1.			
2.			
3.			
4.			
5.			

- ✓ The nominated staff(s) must have adequate education background, knowledge, skills and/or language ability to enable him/her to actively participate in and benefit fully from the recommended training.

3.19.13. Formulation of training plan: HR professional should lead in formulating training plan on an annual basis based on results of training need assessment and include it in annual budget. Annual

training plan will not include on-the-job-training. The formulation procedures should consider other factors as follow:

- ✓ Request for training from individual staff with endorsement from line manager during the annual staff performance appraisal and needs of their unit/ department/ project.
- ✓ Each unit/ department/ project should prepare annual training plan and budget then send to HR professional for review by comparing with existing training individual staff already received (please review training records or database) and make conclusion.
- ✓ Overall annual training plan will be presented to the management and approved by the Executive Director following available budget.
- ✓ If there is any urgent training need identified or any new training opportunity arises, the manager shall submit an official training request to the HR professional then seek for approval from the Executive Director, using a training request form and available budget.

3.19.14. Implementation of training activities: In this policy, the training activity may comprise three modalities: 1). in-house-training, 2). external training in-country program and oversea program and 3). exposure visit:

In-house-training: HR professional and or assigned training officer will coordinate this training activity, according to approved annual training plan and budget. External resource persons can be contracted and or internal talent/ experienced trainers shall be utilized to provide such training activity. More staff will participate in this training and training venue will be chosen whether in own office or outside office. All training materials and reports will be kept and shared by HR unit.

External training: If the option one is not available, the option two is adopted – first priority is considered for external training but within the country; if the first priority is not available, the second priority is considered however it depends on budget available and opportunity.

- ✓ In-country training program: This is for short training, workshop or seminar outside the organization. Appointed staff needs to submit training request with training invitation/ application to line manager for approval then send to HR professional for endorsement. The staff shall make his/her own arrangement in regard to logistics and registration. Actual expenditures shall be reimbursed upon presentation of receipts/proof of payment. For staff attending training course beyond 15 calendar days, he/she must agree to sign a training agreement stipulating if he/she resigns before completing 6 months in service, the cost of the training shall be charged to the staff pro rata.
- ✓ Oversea training program: HR professional/ administration shall facilitate the course registration and payment, purchasing and booking of air tickets, getting visa(s) and arranging transportations. Accommodations, meals and incidental expenses in transit and at the training venue should be arranged by the participant. He/she may request for travel advance prior to departure. Staff attend oversea training program, must agree to sign a training contract obligating them to continue their employment with NGO for specified periods - 12 months for training course from 10 to 15 calendar days and 24 months for training course over 15 calendar days and up.

In case, either staff voluntarily resigns or is terminated for a cause before completing the obligated period, related expenses for training shall be deducted from his/her final pay on a monthly pro-rata basis. Expenditures include salary during training, fee, incidental expenses, meals, accommodations, scholarship cost “even though scholarship is given to individual staff” and etc.

- ✓ Exposure visit locally and internationally: All managers are responsible for proposing exposure visit for their staff when there is a need and seek for prior approval from Executive Director in consultation with HR professional. Proposed site or institution selections should be appropriate and relevant to participants' works and affordable by NGO's budget. Process of exposure visit's arrangement and organization should be the same process as external training program.

- 3.19.15. Managing training materials and files: NGO should encourage staff members to utilize their knowledge products for development results, especially the programmatic knowledge products under the KM policy. NGO and its management should promote learning culture among its members through the community of practice and NGO's resource facilities – online library and office-based library. Participants who attended any training are requested to submit training report and training materials (both soft and hard or links) to the HR professional after completing training. These materials shall be utilized under the KM policy.
- 3.19.16. Training monitoring, follow up and evaluation: Every participant of on-the-job training or off job training shall submit training report, learning action plan and training materials to HR professional after completing training.
- ✓ Training following-up: On completion of the training, the employee is responsible for developing a plan of action for on-the-job implementation of the acquired knowledge/skills he/she has learnt. Line manager is responsible for confirming the action plan and facilitating the implementation. Learning achievements shall be recorded in annual staff performance appraisal.
 - ✓ Opportunity should be given to staff returning from external trainings to share their acquired knowledge/skills and information at the monthly Senior Staff meetings.
 - ✓ Line manager in consultation with HR professional to suggest or offer learning approaches to staff member rather than sending staff to formal trainings. The learning approaches could be:
 - ✓ Reading book/working documents related to their work or future career goal.
 - ✓ Coaching on leadership competency model, relationship & alliance building and advocacy. The coach should be a senior manager who has experience in leadership coach.
 - ✓ Mentoring functional/technical competencies to excel on their performance with innovative and creative approach. Mentor can be line manager, matrix manager or any technical manager. A mentoring plan which includes areas for improvement, lack of experience, assignment/homework, etc. would be given to staff to learn and practice in an intensive manner.
 - ✓ Job shadowing aims at attaching a new staff member to a senior/high level staff to learn what related to their scope of responsibilities, way of working, etc. Job shadowing can be done within own organization or at another organization who has expert on the job and is willing to help transfer knowledge to the staff member.
 - ✓ Secondment with dual benefit for the organization and staff member where staff member would learn new role and responsibility. Secondment is often designated to work for another organization which is responsible for salary, benefit, health, safety, wellbeing, etc., of the seconded staff. The secondment could be up to 6 months period base on the availability/replaceability of the staff member and staff member can gain knowledge, skills and experience from the secondment.,
 - ✓ Job rotation is an arrangement in which 2 staff exchange their roles in order to learn and work in new specific roles. This arrangement would help create a pool of replaceable roles/functions.
 - ✓ Team cycle learning where senior staff in the team provide training to new/young staff on technical/functional/managerial skills to improve team performance.
 - ✓ Online learning such as digital platform, AI tools, etc. with an internal or external tutor. The NGO should appoint a learning lead who will help facilitate, offer and whip a committed learning process.
 - ✓ Attending external meeting, seminar, conference and returning with clear report of what has been discussed and achieved.
 - ✓ Using opportunity of external guest speaker to give specific learning topic useful for all staff members.

- ✓ Last choice is inhouse/external training for professional development. This approach needs to be raised by line manager and HR professional to be approved by Country Director base on budget availability.

Form used

- 3.19.17. Training need assessment form
- 3.19.18. Training plan template
- 3.19.19. Training request form
- 3.19.20. Learning action plan form
- 3.19.21. Training report template

3.20. Salary, allowance and benefit administration

Rational

- 3.20.1. A structured salary, allowance and benefit programs enable the organization to implement an equitable and fair reward system that helps drive organizational performance. A competitive salary, allowance and benefit programs enable the organization to attract, retain, and motivate employees. It also encourages employee commitment, loyalty and improved productivity.
- 3.20.2. The main purpose of the salary, allowance and benefit program is to set out the processes and procedures to determine staff salary structure, ensures that staff are duly rewarded for good performance and provides for compliance with statutory regulations. This may also involve the administration of salary and benefits.

Application

- 3.20.3. NGO's philosophy is to provide a salary and benefits that are comparable to those generally offered by the NGO in Cambodia. This is based on a combination of salaries and benefits, aiming to support staff in performing their work and duties. NGO strives to strike an equitable balance in salaries, benefits, and allowances. NGO will use the bi-annual NGO salary survey as the guideline for measuring salaries relevant to the NGO. For unusual and exceptional circumstances, the Executive Director retains the right to adjust or promote staff at other times of the year.
- 3.20.4. enefits, and allowances. NGO will use the bi-annual NGO salary survey as the guideline for measuring salaries relevant to the NGO. For unusual and exceptional circumstances, the Executive Director retains the right to adjust or promote staff at other times of the year.
- 3.20.5. t to adjust or promote staff at other times of the year.
- 3.20.6. Salaries for each new position will be based on the responsibilities and required qualifications of the new position and relative to salaries of existing positions in the organization. Starting salaries will be set at a level which is consistent with salaries for similar positions in other organizations of a similar size and nature, and salaries in the general job market.
- 3.20.7. Salary and other benefits shall be transferred to all staff members through banking systems, no cash is allowed under this policy. The finance unit is authorized for salary and benefits administration, after received personnel action forms from HR unit and approved by the Executive Director.

Procedure

Salary Structure

- 3.20.8. Each staff member will receive a position description when s/he is hired or when the position is changed. Each position is assessed, and classified into a level based on the responsibility required of the position. Each level has a defined salary range (Appendix Salary Scale).
- 3.20.9. The salary of new staff will depend on their skills, prior experience, education level attained, negotiation, and budget availability. The monthly salary and date of hire are shown on the individual Letter of Appointment and are approved by the Executive Director.

Salary Increment

- 3.20.10. Annual salary increases are made once per year (in January). The salary increases are not compulsory and are dependent on a number of factors including: the availability of funds and completion of a satisfactory Annual Performance Review. Increases will be awarded in accordance with the salary scale, with staff generally advancing to the next level on the scale. Any exceptions to this rule will be justified in writing and approved by the Executive Director.

Inflation

- 3.20.11. NGO recognizes that inflation has an impact on staff salaries and their living quality. Therefore, NGO will receive the report of annual consumer price index National Institute of Statistics (NIS) to determine the COLA increase for staff salary. However, the management will carefully think before making decision on various factors:
1. Available budget for total salary increases for the period of one year
 2. Standard performance-based increase of the organization
 3. The impact of market competition on the organization
 4. The long-term impact to the organization with the trend of annual increases
 5. The impact on fund-raising activities and the staff cost impact on the project

Salary Payment

- 3.20.12. Staff are paid in US dollars until such time as Cambodian legislation specifies otherwise. Payment of staff salaries shall be paid to staff twice a month. First payment is 50% of total monthly salary shall be paid to staff, not exceed 15th day of calendar month and second payment is 50% of total monthly salary (after adjustment of tax, pension, bonus, etc.) shall be paid to staff, not exceed 30 of calendar month. Payment of salaries will be via bank transfer from organization to the staff member's designated bank account, in line with the organization's Financial Policy. The employer has the right to deduct or add the error amount which was paid to staff members in the new payroll. The evident will be attached to the deduction or addition of the salary.
- 3.20.13. Every staff member shall sign on both their pay slip and payment voucher as reference document. In case the staff member is unable to sign on these documents, the approved assigned next of kin of the staff member is allowed to sign on his or her behalf.

Seniority payment

- 3.20.14. NGO shall issue seniority payment to staff who hold undetermined duration contract (UDC) twice a year (Prakas 443, 2018). The seniority payment is equal to salary plus other benefits of 15 (fifteen) days per year. First seniority payment is equal to 7.5 (seven and a half) days of wage shall be paid to staff in June and second seniority payment is equal to 7.5 (seven and a half) days of wage shall be paid to staff in December.

- 3.20.15. For those UDC holders who leave organization –layoff, retirement, death or termination without valid reasons, NGO will pay their seniority indemnity equal to 7 days of wage and other fringe benefits if they work from one month to less than six months in that semester.
- 3.20.16. For new staff who holds UDC and is working from one month up in the semester counting after probation period, NGO shall pay their seniority of 7.5 (seven and a half) days of their salary plus other benefits.
- 3.20.17. The seniority of employee for calculating the payment of seniority indemnity shall be counted from the signing date of the employment contract by excluding probationary period.
- 3.20.18. Passed-probation employee (UDC holder) who has worked in the organization/establishment for at least 21 days shall be considered as having completed work for one month and will be entitled for payment of seniority indemnity for that semester.
- 3.20.19. Wages and other benefits taken as a basis for calculating seniority indemnity from 2019 are the wages and other benefits before tax.
- 3.20.20. The period of maternity leave, work-related accident and sick leave shall be included in seniority period for calculating payment of seniority indemnity. By the way, other benefits such as occupational risk and health care benefits which received during these leaves shall not include in payment of seniority indemnity calculation.
- 3.20.21. Seniority indemnity provided to employees, for the year 2020 onwards in accordance with the labor law, shall be exempted for an amount up to KHR4,000,000 per year and any excess amount shall be withheld for paying tax to the government. It is included in Tax on Salary calculation in the month it is released to staff..
- 3.20.22. In the event NGO terminates a worker/employee due to serious misconduct or the employee resigns from the NGO in the semester, the worker/employee shall not receive the seniority indemnity payment for that semester.
- 3.20.23. For payment of seniority indemnity in each semester, the employer and employee shall keep the documents as evidence which contain the signature or thumbprint of consent of either parties or equivalent documents.

Overtime and Time in Lieu

Overtime

- 3.20.24. In the event of an exceptionally busy period, employee may be asked to work overtime or on the weekends or on holidays. employee who wishes/agrees to work overtime or on the weekends or on holidays shall complete the Overtime Request Form (Appendix – Overtime Request Form) verified by their line manager and approved by the relevant Head of Unit at least 72 hours prior to the overtime requested and worked.
- 3.20.25. workers/employees, (Level 1, 2 & 3) including office cleaners, drivers, assistants and receptionists, etc., who work overtime on regular days of work (e.g. working days, Monday - Friday) shall be paid at a rate of fifty percent higher than normal hours (1.5 times or 'time and a half'). If the overtime hours are worked at night or during weekends or on public holidays, the rate of increase shall be one hundred percent higher than normal hours (2 times or 'double time').
- 3.20.26. Working at "night" refers to a period of at least eleven consecutive hours that includes the interval between 22:00 and 05:00 hours. Overtime payment will be included in the monthly pay in which the overtime occurred (Article 139 & 144 of Labor Law and in Prakas 10/99 on "Payment for Work on Paid Holidays").
- 3.20.27. en consecutive hours that includes the interval between 22:00 and 05:00 hours. Overtime payment will be included in the monthly pay in which the overtime occurred (Article 139 & 144 of Labor Law and in Prakas 10/99 on "Payment for Work on Paid Holidays").

3.20.28. Staff can request overtime only when the duration is more than one (01) hour per day, i.e. in addition to regular working hours.

Time in Lieu

3.20.29. Staff (except driver, cleaner, guard) will be compensated with time in lieu for additional hours worked on regular days of work (e.g. working days, Monday - Friday) at a rate of fifty percent higher than normal hours (1.5 times or 'time and a half'). If the additional hours are worked at night or during weekends or on public holidays, the rate of compensation shall be one hundred percent higher than normal hours (2 times or 'double time').

3.20.30. All requests for working additional time must be made at least 02 working day in advance by submitting a completed Notification of Lieu working day request form (Appendix – Notification of Lieu working day), which must be approved by the staff member's supervisor. If the staff supervisor asks the staff member to work overtime with limited notice, a Notification of Lieu working day request form must still be completed and submitted to HR no more than 02 working days after the additional hours have been worked. Submitting the Notification of Lieu working day request form more than 02 working day after the additional work has taken place (or failure to submit this form) will result in no time in lieu being awarded for the additional hours worked.

3.20.31. Staff are encouraged to take compensatory time or time in lieu within three months of the time that it was accrued. Sometimes staff cannot take all of their accrued compensation days within the year due to work requirements or other constraints. Therefore, staff are allowed to carry over a maximum of three (3) days compensation time or time in lieu to the next year. Compensation time or time in lieu will only translate into financial payment when the staff member resigns from organization. Compensation time will only be paid out at the staff members regular rate of pay and up to a maximum of three (3) working days.

3.20.32. Overnight stay at projects or other location is not considered overtime, it is part of the job.

Assigned temporary duties

3.20.33. A staff member, who is assigned to temporarily take duties of his/her peer or higher-level position for 30 consecutive calendar days, is entitled to extra payment of 10% of his/her monthly salary or the minimum range of the new post whichever is higher, and it will be reflected in his/her monthly salary and taxed accordingly. Pro rata will be applied if the temporary tasks is longer than 30 consecutive calendar days. During this temporary period, if two or more staff members are assigned to partly take the temporary duties, the percentage for extra payment will be divided equally and calculated based on their monthly salary. Nevertheless, the assigned temporary duties must not exceed 90 consecutive calendar days. All assigned temporary duties must get prior approval from the Executive Director.

Tax on salary

3.20.34. Staff will be responsible for any tax on salary, and fringe benefits *in accordance with the Taxation Law*, imposed by the Royal Government of Cambodia (RGC). As the employer, NGO is responsible for withholding tax from the staff member's salary and fringe benefits paying this tax to the Tax Department according to the tax laws and regulations.

3.20.35. The staff member's salary and/or benefits paid monthly will be a net income *after deductions of income tax calculation*. Each staff member will receive a pay slip detailing their salary, tax calculations and deductions.

Thirteen Month Salary

- 3.20.36. Organization may contribute additional of one-month salary to individual staff in annually called the 13th month salary bonus when staff has completed his/her service with organization for 12 months continuously or pro-rata if staff serves organization less than 12 months. This contribution helps staff to organize traditional events during Khmer New Year and/or Pchum Ben.
- 3.20.37. For new staff, during their probationary period, the thirteen-month salary is not permitted but will be accrued after their probation is successfully completed.
- 3.20.38. Upgraded staff will receive payment on a pro rata basis on their old monthly salary and new monthly salary for the length of service in each level during the year.

Health and Accidence

- 3.20.39. NGO strives to provide health and accidence benefits that will help support and protect the well-being of staff through contracted Insurance Company and or National Social Security Fund (NSSF).
- 3.20.40. National Social Security Fund is paid for entirely by the organization. It helps an employee to claim for their work-related accident. NSSF shall provide ID Number and issue 'Occupational Risk Insurance Card' for each employee free of charge. 'Occupational Risk Insurance Card' shall be given to employees through the organization.
- 3.20.41. In case of the loss or damage of 'Occupational Risk Insurance Card', the titular as the owner of the card shall make an immediate notification to line manager and request duplication within 30 days at the latest after the date of notification. Duplication provision requires titular to pay NSSF 2,000 Riels.
- 3.20.42. In case of the work-related accident, employee shall inform immediate supervisor within 24 hours for processing claim the benefits from NSSF.

Travel Expenses Policy

- 3.20.43. **In Country:** Staff who travel on official organization business within Cambodia are eligible for per diem (meal costs) and reimbursement for accommodation and transportation expenses according to the organization's finance policy. Per Diem rates are suggested as follows:
 - Breakfast USD 3.00 (leave before 7:00am)
 - Lunch USD 5.00 (leave before: 12:00 noon, return after: 1:00 pm)
 - Dinner USD 7.00 (return after 6:00pm)

In cases when meals are provided by organizers, meal allowances will not be paid to staff.

- 3.20.44. Transportation and accommodation are separate and calculated by receipt. Transportation costs, including bus, taxi, moto taxi, or rental car fares, will be reimbursed upon submission of receipt and a completed Travel Expense Form (Appendix). These costs will be based on reasonable current local rates.
- 3.20.45. Accommodation costs are reimbursable up to USD 25.00 per night, per person, upon submission of receipt. Hotel or guest house costs are based on double occupancy or double room rates (twin share). In certain cases where only single rooms are available, staff are traveling alone, or in special circumstances, where prior approval from a staff member's supervisor is received, rates up to USD 35.00 may apply.
- 3.20.46. Any exceptions to the above rates require a written explanation and are subject to approval by the direct supervisor and/or the Executive Director.
- 3.20.47. **Overseas:** Staff who travel on official organization business overseas/ outside of Cambodia are eligible for per diem (meal costs) and reimbursement for accommodation and transportation expenses (including travel insurance). Accommodation and transport expenses can be requested

in advance. Quotations for accommodation, transport and travel insurance will be arranged by Admin, and will be chosen based on cost efficiency.

- 3.20.48. Per Diem, accommodation and transportation (including travel insurance) expenses for trips abroad will be agreed prior to departure, and approved by the Executive Director. In cases when the Executive Director is required to travel abroad, his/her per diem and expenses will be approved by the Chair of the Board of Director. Staff who are traveling in Asian and African countries should receive \$30 per diem per day per person, and US\$40 per diem per day per person for the countries in Europe, Australia and United States of America.
- 3.20.49. Staff whose travel, accommodation and per diem are covered by other sources will not be eligible for reimbursement or additional funds from organization.

Pension Fund

- 3.20.50. Organization provides at least from five to ten (from 05% to 10%) per cent of staff salary for their pension fund (paid in addition to staff salaries). The ten (10) percent of a staff member's monthly salary will be accumulated on a monthly basis. Staff will be paid their pension at the time of termination/resignation of employment with organization.
- 3.20.51. The fund given to the staff monthly in a saving account, accrual or deposit form, and released at the end of employment or as stipulated in its organizational policy. In case of death, the fund together with his/her salary, shall be paid to his/her primary beneficiary as stated in his/her beneficiary(s) forms.

Phone Card

- 3.20.52. Organization has installed line phones and purchased mobile phones to serve all organization business. However, due to the demands of work (e.g. staff working in the provinces) and the unavailability of office phones, staff members may sometimes require a phone card, to make calls when office phones are not available. Phone cards are subject to budget availability and approval from line manager or Executive Director.

Form used

- 3.20.53. Salary scale
- 3.20.54. Payroll form
- 3.20.55. Overtime request form

3.21. Safety, Security, Evacuation, Healthy Workplace

Rational

- 3.21.1. The organization is committed to ensuring a safe and healthy workplace for employee and visitors at all work locations in accordance with its obligations under the Cambodian Labor Law.

Application

- 3.21.2. The organization is committed to the safety of its employees, visitors and its property and equipment. To this end, we should utilize a safety program in our daily activities. Disregard of any organization safety rule and regulation may result in disciplinary action including termination of employment.
- 3.21.3. It is necessary that the organization establishes safety rules and regulations to be observed by all employees at all times. With regard to these rules, the following should be considered standard procedure for all employees and visitors.

Procedure

Office Security and Safety

- 3.21.4. Office build must be carefully evaluated about the condition and quality of the building, road access to the office building, the neighborhood, the protection of the building, etc.
- 3.21.5. Access to the offices will be strictly controlled, and visitors will be permitted access through the Receptionist/ Admin Assistant.
- 3.21.6. The front door of organization office compound shall be locked after office hours and guarded by assigned Security Guard (SG) at all time. The latest staff who leave the office shall ensure that his/her own entrances are locked properly.
- 3.21.7. Organization office compounds shall be equipped with suitable security measures - use of alarms and intruder detection systems.
- 3.21.8. Staff is strictly prohibited to wear any army and or police uniform when entering organization's office compound. Weapons and or harmful instruments are NOT allowed to bring in organization's office compound and strictly checked by SGs.
- 3.21.9. No money or valuable property should be left unattended as organization insurance coverage does not extend to personal property. Organization will not accept liability for loss of staff's belongings on the premises. Staff is not encouraged to bring any valuable belonging to the workplace. Where this is unavoidable, staffs will be encouraged to safeguard their belongings.

Roles of Security Guards

- 3.21.10. Assigned Security Guards (SG) shall always comply with set of organization's rules and job description/ TOR, especially organization's properties, visitors, and staff. SG shall record all visitors in a visitor logbook and ask visitors to use visitor badges at all time while entering organization's office compound.
- 3.21.11. SGs at organization's offices should be courteous, smile, and show supportive roles towards visitors and staff at all time.
- 3.21.12. SGs must wear uniform while guarding at organization's office compounds. Absence of SGs shall be prior informed to Admin staff or receptionist.
- 3.21.13. SGs shall follow instructions from admin staff or receptionist about new rules, incoming visitors and other security precautions.

Accidents at Work-Place

- 3.21.14. Should any staff be injured in the workplace during office hours, it will be the responsibility of the staff's manager together with the admin officer or assigned officer, to make appropriate arrangements for medical attention.
- 3.21.15. Admin officer shall ensure the First Aid Kits are available at all offices in a visible and accessible place. First Aid Kit is prepared for purpose of injury or emergency only, not for normal medication.
- 3.21.16. First aid kits will only be administered by either qualified medical practitioners or trained first aiders within organization. Admin Officer shall identify qualified/ trained First Aiders for all offices, train them on First Aids and regularly updating list of qualified First Aiders for respective office.
- 3.21.17. All incidents involving injury must be reported to the admin officer and or HR professional then to the Executive Director. Every staff who is injured at work, shall report immediately to Admin Officer or HR professional.

- 3.21.18. The Admin Officer is responsible for keeping full and accurate records and investigating the incident as soon as possible in collaboration with other concern staff, local police and contracted insurance companies.
- 3.21.19. Admin Officer/ Receptionist shall regularly check the possible risks at workplace and take actions to prevent occurrence of similar incidents.

Fire Procedures

- 3.21.20. Every organization's buildings shall have evacuation map indicating fire exits, location of fire extinguishers and location at which all staffs and visitors will assemble prior to evacuation of the building. Keys to the emergency exits will also be prominently displayed. This is a responsibility of Admin Officer.
- 3.21.21. Admin Officer shall equip fire extinguishers (with sticker for user instruction) in every organization's buildings and regularly checks its functions in collaboration with local fire police as appropriate.
- 3.21.22. Admin Officer shall train all staff to be Fire Warden in every office and or refresher training. Emergency evacuation exercises will be organized and carried out on a regular basis by the Admin Officer and fire wardens.
- 3.21.23. Emergency exits will be clearly identified and prominently displayed. Fire wardens will evacuate their allocated areas of the building. Staff and visitors are required to familiarize themselves with the best escape route in event of an emergency.
- 3.21.24. In the event of a fire or emergency, staff shall leave their workstations immediately and not stop to clear papers or collect personal belongings. Staff shall note the location of fire exits and extinguishers. Lifts must not be used.
- 3.21.25. No staff will be permitted to return to the building until emergency services or fire wardens give clearance.

Fire Precautions

- 3.21.26. Although some computers need to be left on occasionally, it will be the responsibility of each staff member to ensure that all other electrical appliances are switched off at main wall sockets prior to leaving the office at the end of the working day.
- 3.21.27. Particular attention will be given, and periodic inspection will be carried out by staff/ users to ensure that flammable materials (paper, liquids) are not being stored on or in close proximity to electrical equipment (transformers, UPS, voltage regulators, etc.). Any loose switches, faulty plugs or other defective apparatus must be reported immediately to Admin Officer.
- 3.21.28. Any suspicion of burning or smoldering must be reported immediately to Admin Officer or fire warden directly, who will be responsible for its investigation.

Emergency Procedures

- 3.21.29. The organization has a duty of care to provide all persons with a safe and healthy environment. The emergency events or situations the service's Emergency Policy identifies and responds to are:

In case of fire

- Employees should familiarize themselves with the location of the fire extinguishers and fire hydrants, in case of fire.
- Efforts should be jointly made with colleagues to put out by means of firefighting equipment.
- Inform line managers, senior managers who is on duty.
- Shut all doors and windows and switch of all electrical appliances in the vicinity of fire.

- Evacuate the spot if your life is likely to be in danger.
- Clients/Guests should be assisted to evacuate the premises first.
- Do not use a lift, use emergency exits for evacuation.

Accident

3.21.30. Whenever accidents happen, the other employee members should inform the line manager immediately for appropriate arrangement.

Healthy and friendly environment workplace

3.21.31. The healthy, safety, friendly environment and welfare of staffs at work are organization's management responsibility and staff. Admin Unit will conduct periodic awareness and workplace inspections to ensure the compliance of healthy and friendly environment policy and procedures.

3.21.32. Organization's staff shall strictly comply with this guideline and set forth of self-discipline to minimize use of plastic cups, bags, and food containers etc. within the organization's office compound.

3.21.33. Organization's staff shall set self-disciplines to minimize use of printing and photocopying their documents. Scrap paper shall be utilized for internal documents.

3.21.34. Air-conditioners shall NOT be turned on when there is nobody in the office. This is a solely responsibility of individual staff who is the latest departure.

3.21.35. Every organization's office compound shall categorize rubbish bins according to friendly environment guideline, one for compost, one for plastic, and one for bottle or toxic stuff.

3.21.36. When there is possible, every organization's office compound shall set up the green garden, planting trees, pot of flowers/ plants and etc. With support from Admin Officer, the security guards and cleaners shall work together to set up and cultivate it on a daily basis.

Office Cleaning and Sanitation

3.21.37. The office shall be cleaned between 6:00 am to 8:00am before staff officially arrives and again after lunch hour (1:30pm - 2:00pm).

3.21.38. Individual staff member shall fully cooperate with Cleaners in keeping own office, kitchen, and bathroom clean, tidy, well organized and safe.

3.21.39. Organization's kitchen is served for all staff members, however individual staff member is responsible for your own cleaning when having own meals in kitchen room.

3.21.40. Cleaning schedule shall be posted in every bathroom, signed by responsible cleaners and checked by Admin Assistant using Cleaning Schedule Form.

3.21.41. Office space, kitchen, storehouse, library and office compounds are properly cleaned up every day by assigned cleaners. If there is necessary, organization will use Cleaning Company for major cleaning job with the proposal from Admin Officer and approved by head of unit.

3.21.42. Staff member is not allowed to bring any food items into office room and eating food in office room both working hours and none-working hours.

Parking lots

3.21.43. Admin Officer is responsible for making parking space more visible and available for organization, staff and visitors. Parking lot shall be separated and clearly marked the parking signed board for car and for motor bike – for visitor, for organization's vehicles, no parking, and reserved etc.

3.21.44. Security guards are always available and giving instruction to staff or organization's driver to park their vehicle and motor bike following this guideline.

3.21.45. Organization's staff use own vehicles or motor bikes shall follow instructions from security guards and parking their car/ motor bike properly follow the parking lot marks.

Organization's parking lot is firstly given priority to organization's vehicles and motor bikes. Personal parking is given as second priority.**Form used**

3.21.46. Learning schedule

3.22. Performance Review

Rational

3.22.1. Organization is committed to the establishment and implementation of a staff performance appraisal system which is responsive to the goals and objectives of the organization, fosters acceptance of responsibility, allows joint participation of supervisors and staff, and contributes to improving communication, inter-personal work relationships, and individual and organizational productivity.

Application

3.22.2. Organization's management is responsible for conducting regular staff performance appraisal with the guidance from HR professional. Staff performance appraisal is objectively linked between individual staff's performance to the overall performance of organization. At least four key elements shall be combined into the staff performance as follow:

- Setting clear expected results of individual staff in relation with their job description - roles and responsibilities that are linked to the overall organizational plan and articulated in specific performance indicators.
- Defining expected competency of individual staff to perform their job and capacity development through coaching, mentoring, training and development.
- Setting schedule for regular performance review between the employee and their line managers to access progress, set goals, determine support needs, and give/receive feedback on performance issues.
- Agreeing on incentives for positive performance and development, while managing the poor performance.

3.22.3. Every individual staff of organization shall go through performance appraisal every year in December by using standard form, go through process and make agreement between supervisor and staff. For new staff, the performance appraisal shall be done after three months to complete the probation period.

3.22.4. Result of individual staff performance appraisal and other related supporting documents (feedback, peer inputs and disciplinary actions) is a confidential document. Breaching this information may lead to disciplinary action.

Procedure

3.22.5. Staff performance appraisal shall be done through the five steps, no shortcut is allowed under this policy. The five steps are follows:

- Step 1: Self-appraisal: Staff is requested to prepare self-appraisal and submits a completed self-review form to her/his supervisor.
- Step 2: Reviewing by line supervisor: After receiving all completed appraisal, supervisor then completes the Performance Appraisal form at her/her section.
- Step 3: Formal appraisal meeting: Supervisor and staff will meet to discuss the appraisal – praising the achievements, challenges, setting new plan and development plans for the coming year. They should write comments, agreement and sign on the form.

- Step 4: Final endorsement: After completing appraisal, line supervisor will submit all appraisals to upper line manager and seek final approval from Executive Director.
- Step 5: Utilizing the appraisal results: The approved form is submitted to HR professional for incentive plan, capacity development plan and personnel file. Moreover, a letter of increment shall be made.

3.22.6. When preparing the staff performance appraisal, staff and line manager shall gather all related documents and information about staff's performance such as job description, results of previous year performance, feedback from different people, action plan and reports of achievement.

3.22.7. Line manager and staff shall use standard form and performance rating system. All staff and managers shall clearly understand and use standard rating system and performance-based increment as shown in the follow table:

Performance rating	Description	Action
Outstanding	"Outstanding" shows competence well above the needs/requirements of the current grade. It indicates an employee has the capacity and capability to perform beyond his level.	Employee shall have their salary increased as PBI, and/or promoted
Above Expectations	"Above Expectations" indicates an employee is performing above the required performance level for his grade.	Employee shall have their salary increased as PBI.
Meets Expectation	"Meets Expectations" indicates that an employee is fully competent to handle the requirements of the job in his current grade. Some office/program action may be required for other jobs at the same level.	Employee shall have their salary increased as PBI.
Satisfactory	"Satisfactory" indicates that an employee has not met some of the goals during the year. The employee has some areas for improvement. Development/ training or other action is necessary.	Employee shall have their salary increased as PBI.
Unsatisfactory	"Unsatisfactory" suggests that an employee will be put on a performance improvement plan.	Employee may be transferred to another position, demoted, or terminated. S/he will be put under remediation and no salary increased.
PBI = Performance Based Increase; COLA = Cost Of Living Adjustment		

3.22.8. Organization's management objectively uses the 360-degree feedback systems for staff performance appraisal. The HR professional will provide clear orientation on staff performance appraisal using the 360-degree feedback and makes it meaningful. Before starting formal discussion, the staff performance appraisal, line manager shall collect all feedback:

- Upward feedback is designed to provide constructive feedback to the management side of the practice. Employees should provide comments so that the organization can better understand the successes and improvements needed in the management structure. One upward feedback form should be completed for each employee with whom work was performed during the year. The forms should be turned in to the senior manager so feedback and comments can be appropriately addressed.
- Downwards Feedback: The purpose of regular documented downwards feedback discussions between employee and line manager is to discuss priorities, deadlines, progress against objectives ('what') and behaviors ('how'), the way you've approached or closed a specific piece of work etc.

- Peer Feedback: Formally and informally, employees often seek and receive feedback from colleagues related to their performance, and peer feedback occurs with an annual performance appraisal. It also may include seeking out a knowledgeable, trusted colleague familiar to your practice area, who can respond to specific questions related to their professional growth.

Managing Poor Performance:

- 3.22.9. Poor performers who perform unsatisfactorily need to be appropriately handled to ensure they will not persist in their adverse performance, and will give their best to the organization. The senior management must take action to tackle such performers, otherwise there may be an adverse effect on the morale of employees who are performing satisfactorily.
- 3.22.10. When employees are not performing at the level appropriate for their rank and experience, they should be told so, and be helped to overcome the poor performance through close supervision, counselling, coaching, and other appropriate actions in the period of three to six months. The whole procedure needs to be handled in a sensitive, objective and fair manner.
- 3.22.11. If no improvement is shown after counselling, coaching and other appropriate actions, there is a formal process of dealing with non-performance involving poor performance warning, reassignment to another position, demotion, or termination of employment.

Form used

- 3.22.12. Staff performance appraisal

3.23. Grievances

Rational

- 3.23.1. To establish an effective and impartial means for the prompt disposition and settlement of all grievances, ensuring due process, fairness and objectivity.

Application

- 3.23.2. Whistle-blowing or grievance is where an employee or recipient of an organizations service has good reason to think that wrongful acts are being committed within the organization and reports these acts to a senior person within the organization. Such wrongful acts or suspected wrongful acts can be any on- the-job activity performed by an employee or their behavior that violates country laws or regulations, local ordinances, or organization policy. The management ensure that all reports are treated with utmost confidentiality, swiftest action to be taken with due process and those who reported are safe and protected. Victims are rescued promptly and kept in safest place and receives appropriate treatment as needed.
- 3.23.3. Organizations have an obligation to encourage employees, acting in good faith, to report such acts or suspicion of such acts being committed or taking place. The person reporting these acts is generally known as a 'whistle blower'.
- 3.23.4. In particular, a staff who considers a disciplinary action (warnings, remediation, suspension or termination) and other wrongful acts taken by the management and or staff of organization to be unjust, unfair, discrimination, shall have the right to appeal as individual staff and or through their staff representatives or their staff union.
- 3.23.5. This whistle-blowing or grievance policy and its corresponding procedures are not intended to represent a court of law; its jurisdiction is limited to the organization and is intended to deal with staff/management conflict in a fair and impartial manner.

Procedure

- 3.23.6. In the case of a staff member feeling that they have been unfairly treated, the staff member may request a special hearing before submitting to the Board of Director or assigned committee. The following steps should be followed and documented in such cases:
- The issue should be first raised and discussed with the staff member's immediate supervisor or manager of the supervisor if the complaint is about the supervisor. The supervisor/manager will arrange a discussion with the staff member within three (3) working days of the concern being raised, and will provide a response to the staff member with the recommendation to solve the grievance not more than five (5) working days after the discussion.
 - If the matter is still not resolved, then the issue will be raised and discussed with the Executive Director, who may consult with the management team (if any, except the wrongful actor). The Executive Director will arrange a discussion with the staff member within five (5) working days of the concern being brought to their attention, and will provide a response to the staff member with a recommendation to solve the grievance not more than five (5) working days after the discussion.
 - If the matter is still not resolved, then an appeal by the staff member should be made in writing, detailing why the appeal is warranted and submitted to the Board of Director no later than three (3) working days after the response from the Executive Director.
 - The decision of the Board of Director hearing will be final and binding. The appeal will be heard at a special Board of Director meeting which will be called no later than two weeks after the appeal has been submitted.
 - There may be times when the defined timelines are not practicable. In the event that a grievance is raised and these times cannot practicably be met, an explanation of the reasons and a practicable time line must be discussed with the staff member.
- 3.23.7. Protection of whistle blower: Any third party, including the person suspected of committing the wrongful acts, who tries to obstruct the whistle blower from reporting on these wrongful acts should be subject to disciplinary action up to and including dismissal.
- 3.23.8. Organizations are obliged to be committed to protecting employees who report wrongful acts or suspected wrongful acts in accordance with whistleblower protection.
- 3.23.9. Retaliation against whistle-blowers should not be tolerated and will be promptly investigated by the organization. Any employee who retaliates against a whistle blower who has reported wrongful acts or suspected wrongful acts should be subjected to disciplinary action, up to and including dismissal. An employee who suspects wrongful acts are occurring and reports them (a whistle blower):
- Should be protected from retaliation for reporting wrongful acts or suspected wrongful acts;
 - Should be able to report wrongful acts or suspected wrongful acts anonymously, but should be made aware that doing so may limit an organizations ability to offer them protection from retaliation and the organization's ability to conduct a full investigation;
 - Should be able to contact the Internal Auditor at any time concerning the timeline of the review or investigation;
 - Should be able to amend a report if new information becomes available;
 - Should not investigate wrongful acts or suspected wrongful acts on their own; and
 - Should be notified when the investigation is completed.

3.24. Resolving Problem at Workplace

4.24.1 Informal Process:

Informal conflict resolution is an approach that allows the parties involved to stay in control of the process and to negotiate and settle on solutions that work for everyone. The success of this process depends on the good faith of all the parties involved and their willingness to resolve the conflict peacefully. NGO should have a clear policy and encourage staff member through a culture of solidarity, care, inclusion, respect and morality. The line manager is the primary facilitator to draw the parties of the conflict to a discussion and solve the problem promptly with one working that he is aware of the issue. If the conflict prolongs, the solidarity will be jeopardized, the work productivity will be reduced, and the workplace culture could become toxic. The line manager should always be neutral, impartial and psychologically safe to solve the problem.

4.24.2 Formal Process:

- Formal resolution processes include things like grievances which informal resolution process does not work. In such case a formal complaint must be submitted in writing and provide evidence or testimony, which is then considered by the appointed conflict resolution committee.
 - Generally the outcome is a written decision, which the complainant may accept it or appeal to higher level of management. All of this usually takes place within specified deadlines.
 - In a formal resolution process, the complainant gets to present their complaint, but they would not get the outcome immediately.
 - Some examples of grievance:
 - Individual conflict between staff members
 - Conflict between staff and line manager about work conditions, etc.
 - Conflict between staff and HR about payroll, benefit, unclear policies, etc.
 - Conflict between staff and finance about strict, unacceptable rules,
 - Conflict staff and organization about terms and conditions, etc.
 - When a formal complaint is submitted to line manager, senior manager or Executive Director, a complaint handling committee (dispute resolution committee) should be set up immediately.
 - The role of this committee is to conduct a fact-finding of the issue and its root cause. The committee may conduct an inquiry with both parties and other witnesses and take the minutes of the discussion. All persons who were interviewed by the committee should sign the meeting minutes as it will be used to solve the problem at this stage or it may be used in any other resolution process.
 - The complaint handling committee may involve HR to be part of the committee or consult with HR about the relevant policies, laws or regulations, etc.
 - The formal process must follow the grievance procedure strictly and it seeks mutual understanding, mutual agreement and mutual respect of all parties.
 - Any party to the dispute/conflict who is unsatisfied with the decision of the formal meeting, they have the right to appeal it to the higher level of management. Issue/problem must be solved internal at the best effort for the sake of the organization.

4.24.3 Mediation:

- Mediation involves the intervention of a third person, or mediator, into a dispute to assist the parties in negotiating jointly acceptable resolution of issues in conflict. The mediator meets with the parties at a neutral location where the parties can discuss the dispute and explore a variety of solutions.
- A mediator must be a person who is not involved in the complaint or dispute. They should maintain their neutrality, impartiality, accountability, and willingness to solve the issue. A mediator can be a person inside or outside of the organization who has competency and capacity to solve the issue.

- In some cases, MoLVT labor dispute department official may be invited to mediate the labor dispute between employer and employees. This could happen only when the issue is complicated, needs legal interpretation and posing high risk which could impact to the whole organization.
- When an agreement is reached during mediation/conciliation of a collective dispute must be implemented and the employer must post it in the workplace and in the office of the local Labor Inspectorate.

4.24.4 Court case

- Here we focus on court case of labor dispute only. A court case is a dispute that goes to court to seek court's decision (judgment) on the labor dispute and how the Cambodian laws apply to the case. History shows that no matter the dispute is small or big, the will of a party to the dispute will determine whether to go to court or not.
- Each issue/problem happening at workplace must be documented and kept confidentially, securely and sequentially. These documents will be good references for reconciliation, court proceeding and court decision.
- Normally employer receives a court summon (citation) for submitting case's documents, for pre-trial meeting, and court hearing. Employer may need to hire a lawyer to represent in court. All documents must be in Khmer languages. The employer should use an officially registered translation company. All translated documents must be checked and verified against the original documents in foreign language.
- In civil lawsuits, the party who files a lawsuit with the court is called a "plaintiff", and the party who is filed against is called a "defendant". Court proceedings begin with plaintiff filing a "complaint" with the court. If the complaint is accepted, the court designates the date of oral arguments and delivers the complaint to the defendant.
- By the date of oral arguments, the defendant submits a written response to the court, which admits or denies the facts and claims of the complaint and alleges other facts or legal matters. Each party contest each other's factual and legal issues in court in the presence of judges by providing evidence. The court examines the claims of both sides and, based on the evidence and the law, makes a judgment that either upholds or rejects plaintiff's claim.
- In addition, based on the recommendation from the court, a case may be resolved by "settlement", where the parties negotiate and agree upon an amicable resolution of the dispute.

Form used

3.24.1. Complaint form

3.25. HR Competency Model

HR competency model is a model that broadly describes performance excellence of HR professional to support the organization toward successes and impacts. This model includes several functional and leadership competencies that are necessary to run human resource management to successfully support the organization. Each competency defines, in generic terms, excellence in working behavior and capability that establishes the benchmark against which HR staff are assessed. A competency model is a means by which organizations communicate which behaviors are required, valued, recognized and rewarded with respect to specific roles. It ensures that HR staff have a common understanding of the organization's values and expected excellent performance behaviors. A competency is generally defined as a combination of skills, knowledge, attributes and behaviors that enables HR staff to perform tasks or activities successfully to support the organization. Competencies are observable behaviors that can be measured and evaluated, and thus are essential in terms of defining job requirements for successful performance and further and development. They include but are not limited to:

1. Functional, technical competencies:

- Data management skills include maintaining, analyzing and utilizing data and information related to HR management practice in order to help the organization plan, control, organize and benefit from the data analytic.
- HR administrative skill includes coordinating recruitment, managing staff data, maintaining public relations, planning and conducting onboarding/meetings/activities, managing staff's absence, HR management system, etc.
- Legal knowledge includes knowing, understanding, analyzing and advising legal aspects and compliance of employment, contracting, taxation, social security, and other laws and regulations which are relevant with activities of the organization.
- Change management skill including analyzing context, trend, gaps, competitions and other external factors to transform workforce, technological upgrading, program/project and the organization's strategic re-positioning. Becoming a change catalyst and change management expert.
- expert.
- Employee relation expertise includes ability to develop policies and procedures to manage workforce, ability to lead in problem resolution at workplace by establishing grievance mechanism, ability to conduct risk analysis, risk mitigation and risk overview and overcome. Ability to build strong employee relationship through communication, articulation and interpretation of vision, mission, etc. and building a credible work system that ensuring psychological safety, safeguarding, risk taking and trust at workplace.
- Reward and compensation expertise: knowledge and skill in estimating, calculating and balancing the budget and expenses, developing a robust reward system which give a total remuneration package plus complementary reward commensurate with the high impact performance of the employees.
- HR Technology plays a critical role in streamlining HR processes, enhancing data-driven decision-making, and improving the employee experience. Professionals with technological HR skills leverage digital tools and platforms to automate routine tasks, streamline workflows, and provide self-service options for employees. Actions HR professionals can take to demonstrate their HR technology skills:
 - Implement and manage Human Resources Information Systems (HRIS) for data management, reporting, and analytics.
 - Utilize Applicant Tracking Systems to streamline recruitment processes, track candidate progress, and manage talent pipelines.
 - Leverage Learning Management Systems to deliver online training and development programs.
 - Explore emerging HR technologies such as artificial intelligence (AI) and machine learning to enhance HR decision-making and automation.
- Strategic planning skill involves aligning HR initiatives with organizational goals and objectives to drive organization's success. HR professionals need strategic planning skill to collaborate with senior leadership to develop strategies supporting the organization's mission, vision, and values. Actions HR professionals can take to demonstrate their strategic planning skills:
- IIs:
 - Partner with senior leadership team to develop HR strategies that support business objectives and organizational culture.
 - Conduct environmental scans and SWOT analyses to identify HR trends and challenges.
 - Develop workforce planning models to anticipate future talent needs and skill requirements.
 - Develop talent management strategies including talent acquisition, talent development, talent retention and planned separation.

- Monitor key performance indicators (KPIs) and metrics to evaluate the effectiveness and key results of HR programs and initiatives.
- And other functional competencies.

2. Leadership competencies:

HR leaders have a crucial role to play in the organization. HR leaders are responsible for attracting top talent, developing leadership skills, and retaining key leaders. Moreover, they should consistently support the development and retention of a strong team. Beside the functional competencies, HR professionals also need key soft skills (leadership competencies). Leadership competencies include, but are not limited to:

- Self-awareness is the ability to perceive and understand oneself as an individual, including own personality, actions, values, beliefs, emotions, and thoughts. HR professional needs to conduct self-assessment of own strengths and weaknesses in personal quality, professional quality and interactional quality so that they enable themselves to moderate and self-regulate their behaviors to control and channel their impulses for good purposes. They self-moderate appropriately to different context thereby knowing exactly their strength and weakness and using adaptive approach to optimizing their ability to achieve goals.
- Visionary leadership: HR leader should be able to see and describe the vision of the organization. They should be able to initiate, translate, articulate and lead to achieve the vision, goal and mission of the organization. They actively and continuously motivate and inspire others to overcome all challenges and obstacles on the journey to success. They must be able to set a clear HR goal to achieve for a better impact performing organization. HR leader would set high-level direction through a visioning process that engages the organization and diverse external stakeholders and have clarity in communication of vision with staff and other stakeholders.
- ation. They actively and continuously motivate and inspire others to overcome all challenges and obstacles on the journey to success. They must be able to set a clear HR goal to achieve for a better impact performing organization. HR leader would set high-level direction through a visioning process that engages the organization and diverse external stakeholders and have clarity in communication of vision with staff and other stakeholders.
- rocess that engages the organization and diverse external stakeholders and have clarity in communication of vision with staff and other stakeholders.
- System thinking competency: HR leader thinks about the interdependent connections of the organization's purpose, leadership, capability, structure, systems and processes, and culture which add to organizational development and growth. They focus on big picture and wider system, but not focus on isolated issues and cautious with the unintended consequences of own actions. They view problems as parts of an overall system and their contributions to change in relation to the whole system, rather than reacting to a specific part, outcome or event in isolation. They would focus on cyclical rather than linear cause and effect by consistently practicing systems thinking they should be aware of and manage intended and unintended consequences of organizational decisions and actions.
- own actions. They view problems as parts of an overall system and their contributions to change in relation to the whole system, rather than reacting to a specific part, outcome or event in isolation. They would focus on cyclical rather than linear cause and effect by consistently practicing systems thinking they should be aware of and manage intended and unintended consequences of organizational decisions and actions.
- o a specific part, outcome or event in isolation. They would focus on cyclical rather than linear cause and effect by consistently practicing systems thinking they should be aware of and manage intended and unintended consequences of organizational decisions and actions.

- Strategic thinking Competency: HR leader should be able to lead in rational and critical thinking process that focuses on the analysis of critical factors and variables that will influence the long-term success of a business. HR strategic thinking competency involves critical development path analysis, conceptual thinking, strategic scope and scale analysis, SWOT analysis, context and trends analysis (PESTEL), cost-effectiveness analysis, risk and assumption, cause and effect analysis (cyclical/linear), key stakeholder analysis, break-even analysis, macro-output focus, and positive externality. Strategic thinking would be aligning HR's work, objective and goal with those of the organization. Judgment would be used weighing risk against the imperative to act, and decisions are made consistently with organizational strategies and values.
- thinking competency involves critical development path analysis, conceptual thinking, strategic scope and scale analysis, SWOT analysis, context and trends analysis (PESTEL), cost-effectiveness analysis, risk and assumption, cause and effect analysis (cyclical/linear), key stakeholder analysis, break-even analysis, macro-output focus, and positive externality. Strategic thinking would be aligning HR's work, objective and goal with those of the organization. Judgment would be used weighing risk against the imperative to act, and decisions are made consistently with organizational strategies and values.
- stakeholder analysis, break-even analysis, macro-output focus, and positive externality. Strategic thinking would be aligning HR's work, objective and goal with those of the organization. Judgment would be used weighing risk against the imperative to act, and decisions are made consistently with organizational strategies and values.
- imperative to act, and decisions are made consistently with organizational strategies and values.
- Humility: As HR leader, HR professional needs to be humble and strategic, who acts behind the scenes supporting other n people. AS a leader, they need to emphasize the power of collective force, and do not let own individual egos get in the way of the task. They need to ensure staff exercise trust, value and respect of the knowledge, expertise and experience of the others rather than hierarchical powers. They should recognize, nurture, promote, and reward the achievers and support, encourage, train poor performers. they try their best to maximize others' potentials to collectively achieve goals, and avoid at all times taking credit, blaming or criticizing others. They should exercise listening, collecting inputs, analyzing, making collective decisions to deliver better results.
- Relationship Building: HR leaders adhere to 6 principles of relationship building:
 - Complementarity: mutual benefits and cross-fertilization
 - Effective communication: two-sided communication with respect, understanding and support.
 - Trust building: motives + honesty + integrity + competence + results.
 - Solidarity, care and support to overcome problems together
 - Patience, Compassion, Mutual respect, Goal focus
 - Non-interference, but help each other.

It is very important to build good relationship, within and outside the organization. They can engage with traditional and non-traditional stakeholders in ways that lead to increased impact for the organization.

- Influencing Competency: HR leader should be well trained and equipped with good ability to influence others in an effective and successful manner. Influencing is an active process which they need to adapt their behavior, strategies, and communication to gain agreement and commitment to ideas and actions from other stakeholders and networks. They simply make a choice of right words in the right situation with the right target of audience, can win their minds and hearts to do something good for you. Taking opportunity to influence, HR leaders try to spot the most appropriate opportunity to inspire others to follow them. Before influencing anyone/any target, they must know their power, target and what they want to achieve. They need to use different methods such as: articulation, persuasion, negotiation, support, inspiration, tactical leverage,

innovative, political, economic, legal and administrative approach (PELA), etc. to influence. There are other methods to influence a decision/action.

- ACAD Competency (Ambiguity, Complexity, Agility and Decisiveness): HR leader must be able to manage uncertain situation, unclear, inadequate information, complex task/assignment, make quick, clear and decisive decision/action to solve problem or prevent problem from happening. HR leader will be able to focus the following tasks:
- Clear and decisive decision/action to solve problem or prevent problem from happening. HR leader will be able to focus the following tasks:
 - Keep scanning the environment, anticipate problems, challenges, trends, gaps and changes at workplace as well as external impacts to the organization.
 - Making decision quickly and comfortably with lack of clarity with assumption of controlled risk and maximum parameter of success.
 - Dealing with many elements interacting in diverse and unpredictable ways by creating a standard system and mechanism to confront with the exposure of issues.
 - Developing strategies to maximize adaptability and agility, encourage forward thinking, new ideas and learning from experience.
 - Know well available resources, feasible process and winning strategy and timing to achieve the results.
 - Prioritize effectively the critical path of actions.
- Mentoring and coaching skill: As HR leader, HR professional should learn how to mentor and coach staff and manager in their functional competencies and leadership competencies. They would instruct, train, counsel, guide and delegate tasks or assignments, and role responsibilities. HR would lead the skills diagnosis to evaluate the current learning stage of staff and managers. They also should train manager to do skills diagnosis of their staff with guidance of HR professionals. HR leader should give clear guidance to managers before they decide to mentor or to coach their staff members.
- .
 - Mentoring is long in duration and focuses on career development by guiding and nurturing a protégé/mentee. A mentor is someone who walks beside the protégé while guiding them in career development. A mentor may at times instruct a protégé/mentee or train them as needed. The mentor passes on valuable skills, knowledge and insights to help the mentee develop their own career so that. The mentee can become more confident and self-supporting in their role.
 - Coaching is normally a short session which aims to build leadership competency/skill to staff members. The main purpose of coaching is to maximize the potential of staff members to grow by their own into a higher position or to enhance career path with required skills and knowledge. A coach normally needs to know a clearer sense of what the staff wants in their own personal careers. This clearer sense helps them to create a greater self-awareness and visualize the goal, know what and how they will use to achieve their goals and how confident they are to achieve it.
- Organizational development competency is essential for transforming the organization from the current state to the desirable position. HR leader must be able to overview the organizational system, structure, process, leadership, capabilities and culture, and work in close collaboration with senior management to change what they need to change in the organization including human resource, technology, system, process, structure, culture, etc. to support its strategy and achieving its goal. HR leader will lead or advise on the change management process and effective communications.
- Problem solving skills: HR leader must have strong ability to deal with problem at workplace by:
 - understanding and knowing well all laws and regulations related to employment

- knowing and building relationship/alliance with key stakeholders
- Setting up problem solving mechanism at workplace
- Learning from AC awards and other problem dealing experience
- Having good communication, negotiation and influencing skills
- Developing and applying different strategies and tactics to deal with problem
- Building or joining HR network to share, learn and discuss problems in the network.

Chapter IV: Forms and Templates Used

Under each Human resource policy, there are forms or templates required by organization prior entering the application of policy. The HR professional, managers and other administrative officers shall comply with attached forms or templates according to occurred issues. All completed forms or templates with final approval shall be properly filed in personnel files under the control of HR professional or assigned officers.

The following are some practical forms and templates which are commonly used within organizations:

Annex 01 - Compliances of Code of Conducts

COMPLIANCES OF CODE OF CONDUCT (COC)

This code of conduct sets out the behavior which the organization (NGO) expects from all people associated with or representing it. NGO condemns all forms of none compliances of internal rules and regulations, and codes of conduct (CoC) under its HR guideline. The compliance this code of conduct is not limited in this policy.

I am, , acknowledge that I have read and understand the codes of conduct, and agree that in the course of my association with this organization. I must:

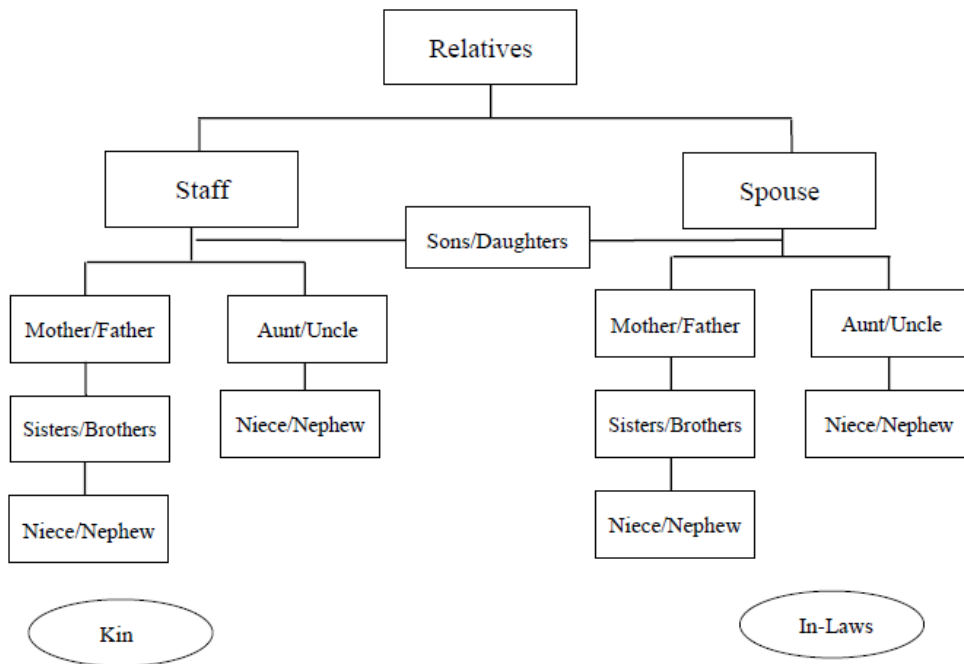
- ✓ Fully comply with all codes of conduct including anti-corruption, anti-terrorism, harassment and sexual harassment, misuse of property, disclosure and confidentiality, weapons and ammunition, drugs, professional behaviors and self-disciplines, and respect official working hours. I will read attached these codes of conduct in detail.
- ✓ Immediately report any form of abuse and none policy compliance that I witness to organization’s focal point: phone: (+855) 012 or email: codeofcondct@gmail.com

I understand that the onus is on me, as a person engaged or associated with this organization, to use common sense and avoid actions or behaviors that could be constructed as none compliances of CoC when engaging in this NGO’s activities or visiting its projects. If I am a supervisor/ leader/ representative of team, I should provide awareness of this Code of Conduct to all team members and ensure their compliance. I also understand that the disciplinary measures including termination of service contract and legal steps will be taken if I am found to be in breach of the Code of Conduct.

Staff Member	Supervisor
Signature: _____	Signature: _____
Name: _____	Name: _____
Position: _____	Position: _____
Date: _____	Date: _____

Annex 02 – Staff’s relative structure

STAFF'S RELATIVE STRUCTURE



Annex 03 – Disclosure the conflict of interest

DISCOLOSURE THE CONFLICT OF INTEREST (COI)

I am,, acknowledge that I have read and understand the conflict of interest policy, and agree that in the course of my association with this organization. I must declare that I will never involve in such conflict of interest activities as follow:

- ✓ Having elsewhere job while working with organization.
- ✓ Representing organization for private gains.
- ✓ Engaging in political partisan.
- ✓ Having relatives working together in same organization.
- ✓ Using working hours or any organization’s properties for own business.
- ✓ Having own business against organization's philosophy.
- ✓ Having own business with target community partners.
- ✓ Sharing personal benefits with local authority.
- ✓ Sharing or getting personal benefit with suppliers.
- ✓ Biding for service with own organization.

I understand that the onus is on me, as a person engaged or associated with this organization, to use common sense and avoid actions or behaviors that could be constructed as none compliances of Col when engaging in this NGO’s activities. If I am a supervisor/ leader/ representative of team, I should provide awareness of this Col to all team members and ensure their compliance. I also understand that the disciplinary measures if I am found to be in breach of the Col.

Staff Member

Supervisor

Signature: _____

Signature: _____

Name: _____

Name: _____

Position: _____

Position: _____

Date: _____

Date: _____

Annex 04 – Child Safeguarding code of conduct

CHILD SAFEGUARDING CODE OF CONDUCT

Child abuse occurs when adults or other children hurt children or young people under the age of 18, either physically, emotionally, sexually, through neglect or in some other way.

I, _____, acknowledge that I have read and understand NGO’s child safeguarding policy (CSP), and agree that in the course of my association with this NGO, I must:

- ✓ treat children with respect regardless of race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- ✓ always be accompanied by an Employee/Volunteer/ Parents/Community Representative of the NGO. Under no circumstances I can be alone with child/young person.
- ✓ use any computers, mobile phones, or video and digital cameras appropriately, and never exploit or harass children or access child pornography through any media.
- ✓ obtain consent note from the child or a parent or guardian of the child before photographing or filming a child and explain how the photograph or the film will be used
- ✓ invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger and or sleep close to unsupervised children.
- ✓ Immediately report any form of child abuse and non-policy compliance that I witness to CSG focal points within 24 hours.

Child Safeguarding Officer, telephone: (+855) 012 or email: csgofficer@gmail.com.

I understand that the onus is on me, as a person engaged or associated with this NGO, to use common sense and avoid actions or behaviors that could be constructed as child abuse when engaging in NGO’s activities or visiting its projects. If I am a supervisor/ leader/ representative of team, I should provide awareness of this Child Safeguarding Code of Conduct to all team members and ensure their compliance. I also understand that the disciplinary measures including termination of service contract and legal steps will be taken if I am found to be in breach of the Code of Conduct (CoC).

Staff Member

Supervisor

Signature:

Signature:

Name: _____

Name: _____

Position: _____

Position: _____

Date: _____

Date: _____

Annex 05 – Consent form

លិខិតអនុញ្ញាត CONSENT FORM

ស្តីពីការប្រើប្រាស់រូបថត រូបវីដេអូ សម្លេង ខ្លឹមសារនៃកិច្ចសម្ភាសន៍ និងស្នាដៃរបស់កុមារអាយុក្រោម ១៨ ឆ្នាំ
On the Use of Photos, Videos, Audios, Interviews, Performance and/or Creative Work of Children Under 18

ខ្ញុំឈ្មោះ: _____ ជាមាតាបិតា អាណាព្យាបាលរបស់កុមារឈ្មោះ: _____ បានអនុញ្ញាតឱ្យ
តំណាង ឬភ្ញៀវរបស់អង្គការ ថតនិងប្រើប្រាស់រូបថតប្លុកសម្លេង រូបវីដេអូ ធ្វើកិច្ចសម្ភាសន៍និង ផ្សព្វផ្សាយកិច្ច
សម្ភាសន៍កូនរបស់ខ្ញុំនៅលើប្រព័ន្ធផ្សព្វផ្សាយ (ដូចជា វីទេអូ ទូរទស្សន៍ ទស្សនា- វីដេអូ កាសែត បណ្តាញសង្គម វេបសាយ) ឬបោះពុម្ពជាឯកសារផ្សេងៗ។ល។

សូមបញ្ជាក់ថា ខ្ញុំយល់ព្រមឱ្យផ្សព្វផ្សាយឈ្មោះ អត្តសញ្ញាណ និងព័ត៌មានផ្សេងៗអំពីកូនរបស់ខ្ញុំដូចដែលបានរៀបរាប់ខាងលើ
នៅក្នុងឯកសារបោះពុម្ពឬឯកសារអេឡិចត្រូនិក ឬនៅលើប្រព័ន្ធផ្សព្វផ្សាយផ្សេងៗរបស់អង្គការ និងភ្ញៀវរបស់ខ្លួន
សម្រាប់តែក្នុងគោលបំណងបម្រើឱ្យសកម្មភាពមនុស្សធម៌ និងការងារអភិវឌ្ឍន៍នៅក្នុងប្រទេសកម្ពុជាតែប៉ុណ្ណោះ។

I, (name) _____, parent or official guardian of (child's name) _____ hereby
grant permission to organization's representative and/or visitors, to take and use the photographs, audio, videos,
interviews of **my child** for use in media releases (such as radio and TV broadcasts, magazines, newspapers, social
media or websites) or on various printed publications.

I would like to declare that I agree to have my child's name, identity, and related materials as mentioned above
published on organization's and its visitor's print or electronic publications, or on the media, aiming to support the
humanitarian and development work inside and outside Cambodia.

ឈ្មោះកុមារ _____ ភេទ _____ អាយុ _____

Child's Full Name: _____ Sex: _____ Age: _____

ឈ្មោះមាតាបិតា ឬអាណាព្យាបាល _____

Full name of Parent(s)/Guardian: _____

ហត្ថលេខាមាតាបិតា ឬអាណាព្យាបាល _____

Signature of Parent(s)/Guardian: _____

អាសយដ្ឋាន: _____

Address: _____

ឈ្មោះអ្នកថតរូប _____ ហត្ថលេខា _____

Full name of Photographer/Videographer: _____ Signature: _____

ឈ្មោះអ្នកធ្វើកិច្ចសម្ភាសន៍ _____ ហត្ថលេខា _____

Name of Interviewer: _____ Signature: _____

កាលបរិច្ឆេទ (Date:) _____

បញ្ជាក់៖

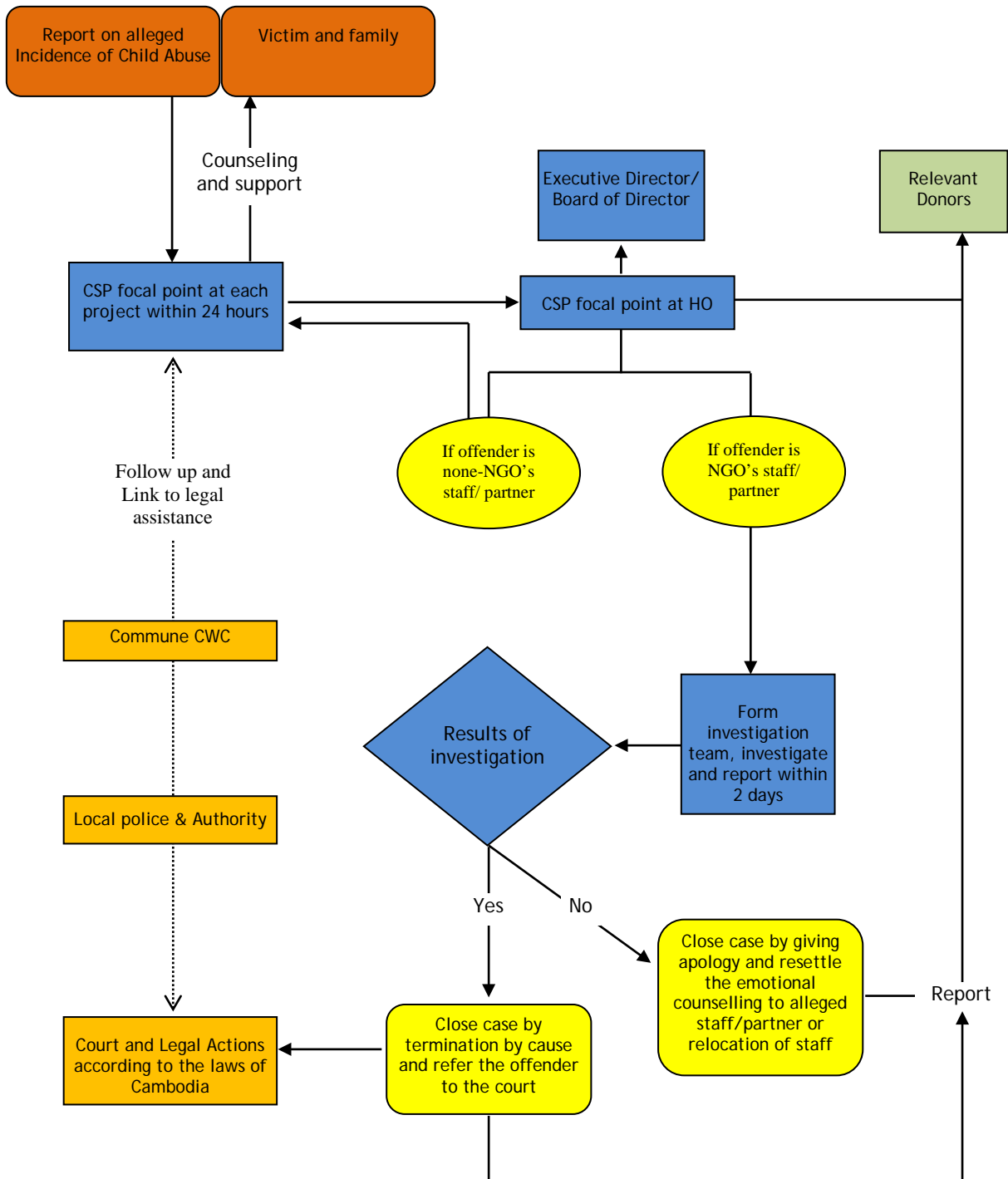
លិខិតអនុញ្ញាតនេះ ត្រូវបានធ្វើឡើងដោយអនុលោមទៅតាមគោលនយោបាយការពារសិទ្ធិកុមារ ដែលមានគោលបំណងការពារ កុមារពីការរំលោភបំពានគ្រប់រូបភាព ឬកេងប្រវ័ញ្ចផលប្រយោជន៍កុមារពីសំណាក់មាតាបិតា អាណាព្យាបាល អ្នកថតរូប អ្នកធ្វើកិច្ចសម្ភាសន៍ ឬជនទុច្ចរិតដទៃទៀត។

Justification

This Consent Form is made in accordance with the Child Protection Policy which aims to protect children from violations of all forms or exploitations by their parents/guardians, photographers, videographers, interviewers or other rascals.

Annex 06 – Reporting flow chart

REPORTING FLOW CHART



Annex 07 – Child protection risk matrix template

CHILD PROTECTION RISK MATRIX TEMPLATE

No.	Project Activity	Potential risks to children	Likelihood of occurrence (H = High, M = Medium, Low = L)	Mitigation/ Reduction measures (E= existing, N = New)	When mitigation is applied	Responsible person
1	Play-ground (Example)	<ul style="list-style-type: none"> - Many children play at it the same time but playground not enough - Poor sanitation/ environment 	<ul style="list-style-type: none"> - (H) Conflict each other between students and also have injury - (M) Causing children Sickness 	<ul style="list-style-type: none"> - (N) Develop guidance Reserve first aid kit - (N) Setting up ground rule 	Prior project starts	Field staff
				<ul style="list-style-type: none"> - (E) setting up cleaning and clean it regularly 	During project	Teachers and caregivers
		-	-	-		
		-	-	-		
		-	-	-		
		-	-	-		
		-	-	-		

Annex 08 – Gender equality checklist

GENDER EQUALITY CHECKLIST

All questions shall be answered regularly and reviewed every year. The results from this assessment shall be shared with all managers and staff so that are encouraged to mainstream gender equality at work place, community and their home.

No.	Question	Answer	If not, actions for improvement
1	Do you have gender equality policy?		
2	Do you have gender focal point?		
3	How many female staff were recruited?		

4	How many female staff are in management position?		
5	Do you have awareness session to gender equality in your organization and how often do you conduct?		
6	Do you have code of conduct focusing for sexual abuse, harassment, trafficking and discrimination?		
7	Do your staff sign code of conduct?		
8	Do you have reporting mechanism if there is any gender abuse?		
9	Do you have any mechanism for complaint handling and response?		
10	Do you separate bathroom for female staff?		
11	Do you have special social event for female staff?		

Annex 09 – Person with disability mainstreaming checklist

PEROSN WITH DISABILITY MAINSTREAMING CHECKLIST

All questions shall be answered regularly and reviewed every year. The results from this assessment shall be shared with all managers and staff so that are encouraged to mainstream PWD policy at work place, community and their home.

No.	Question	Answer	If not, actions for improvement
1	Do you have PWD policy?		
2	Do you have PWD focal point?		
3	How many staff with disability were recruited?		
4	How many staff with disability are in management position?		
5	Do you have awareness session to PWD in your organization and how often do you conduct?		
6	Do you have code of conduct focusing for sexual abuse, harassment, and discrimination?		
7	Do your staff sign code of conduct?		
8	Do you have reporting mechanism if there is any PWD abuse?		
9	Do you have any mechanism for complaint handling and response?		
10	Do you separate bathroom for staff with disability?		
11	Do you have appropriate facilities for PWD such as stair, room, parking lot etc.?		
12	Do you have special social event for staff?		

Annex 10 – Job announcement template

JOB ANNOUNCEMENT

The organization is (insert the background of organization).

Organization is now Seeking Qualified for

The specific objectives of the assignment or position are to:

1. To
2. To
3. To
4. To
5. To

The detailed term of reference is available at organization office or website: <http://www.organization-cambodia.org/en/announcements/jobs>. Interested consultant should submit the expression of interest and the proposal by E-mail to: recruitment@ngo-cambodia.org or by paper to office #, Street, Khan, Phnom Penh **not later than** date **at 5:00 PM , Cambodia Time.** The proposal or application should include: proposed research methodology; detailed budget; detailed timeframe; copies of the individual consultant’s CV or team members’ CVs. Only short-listed consultants will be contacted for interview.

Annex 11 – Interview form

INTERVIEW FORM

Position:

Interviewer: Candidate Mr./ Ms.: Date of interview:

Main questionnaires/competency	Assessment Note of Candidate's Competencies	Score 1-5
1. Knowledge on organization and program they apply for.		

2. Appearance/ attitude to behave & self confidence in presentation, communications and creativity		
3. Educational background and experiences related to position.		
4. <u>JD related 01: Question?</u>		
5. <u>JD related 02: Question?</u>		
6. <u>JD related 03: Question?</u>		
7. Knowledge & experiences on gender equality and child right protection at workplace and program implementation.		
8. English proficiency (Speaking, listening and presentation skills) - grade 6 and above only		
9. Writing test and report - also link to computer literacy		
Average score: (total scores divided by # of main questionnaires)		Total score:
General comment to this candidate:	- Relative currently working with this NGO? Yes or No - Still working with Gov't, under their payroll: Yes, or No - Existing salary if possible: expected salary: - Date to start working:	

Guiding principles:

- Rate of scoring is considered as: 1= Unsatisfactory, 2= Conditional, 3= satisfactory, 4= above satisfactory, 5= Outstanding.
- A minimum requirement: The candidate who receives average score of **3.50** is to meet a minimum requirement considering for selection. If the average score is lower than a minimum requirement is considered for re-announcement.
- The final decision bases on results of oral interview, gender analysis, potential to grow and reference checks, and directly linked to Job Description of the position.

Signature of interviewer: _____

Annex 12 – Letter of appointment

LETTER OF APPOINTMENT

Name of employer:

Address:

Tel:

Email:

We are pleased to formally confirm your appointment with our organization by issuing you this one year contract of employment for the period (insert starting date:) to (ending date:).

Employee Name:

Position Title:

Reporting to:

Project:.....

Monthly Salary: US\$ (gross salary including tax)

Level/Step:

Terms and Conditions

This Letter of Appointment, your job description and the organization HR Policy including its annexes are an integral part of this employment contract. By signing this document, you will be agreeing to accept the terms and conditions of employment as outlined in the organization HR policy – a copy of which will be sent to you and discussed in greater details as part of your orientation to our organization.

New employees are subject to a minimum three months' probation, during which employment contract can be terminated by either party by giving seven (7) days' written notice without giving reason. On satisfactory completion of the probation period, you will be confirmed in your position. Employee benefits and entitlements are outlined below. Others are detailed in the HR policy.

- *13th Month Payment.* (Additional one-month salary calculated on a pro rata basis after successfully passed probationary period).
- *Pension Fund* (Additional% of monthly salary)
- *Hospital/Accident Insurance* (See Insurance Policy)
- *Medical Allowance:*
- *Annual leave days of 15 days/year.* Leave requests must be approved in advance.
- *Public Holidays:* Following the Prakas from The Ministry of Labor and Vocational Training.
- *Sick Leave:* See personnel policy. Medical certificate must be submitted after 3 days consecutive absence.

Your job description will be reviewed during the probationary period and before the end of the one-year contract for any adjustments or revisions.

Signed:

.....

Date:

(Name and Signature of Employer)

Your signature below indicates that you have read and agreed to the terms and conditions in this contract.

Signed:

.....
(Name and Signature of Employee)

Date:

Annex 13 – Job description template

JOB DESCRIPTION

1. Position Title:

2. Project:

3. Duty Station:

4. Report to:

5. Job summary:

6. Major Responsibilities	7. Performance Expectations for the period of:
	-
	-
	-
	-
	-
	-
	-
	-
	-
	-

8. Level of Responsibility & Authority:

.....
.....
.....

9. Job Requirements:

9.1 Technical skills & Experiences:

- ✓
- ✓
- ✓

9.2 Desirable qualifications:

- ✓
- ✓
- ✓

Prepared by:

Approved by:

Endorsed by:

Name:

Name:

Name:

Annex 14 – List of documents provided to new staff

LIST OF DOCUMENTS PROVIDED TO NEW STAFF MEMBER

These documents shall be provided to new staff member within the first week of his/her employment.

Name: Employment Date:
Position: Project/ Department:
Probationary period ends:
Probationary Performance Appraisal Due:
Line Supervisor:

INFORMATION PROVIDED:

1. Letter of appointment:	By:	Date:
2. Employment contract	By:	Date:
3. Orientation package checklist	By:	Date:
4. Brief HR policies	By:	Date:
5. Brief project plan and document	By:	Date:
6. Job Description	By:	Date:
7. Staff Performance Appraisal Infor.	By:	Date:
8. Insurance information	By:	Date:
9. Insurance Card	By:	Date:
10. I.D. Card	By:	Date:

I have received the information checked above, understand my employment status, and have been fully informed about my insurance options and other benefits.

Employee signature and name: _____ Date: _____

Supervisor signature and name: _____ Date: _____

Effective Date:

Annex 15 – New staff orientation checklist

NEW STAFF ORIENTATION CHECKLIST

Please tick 4 after you finish the following orientation points.

Key elements need to be oriented:

1. Overview of organization:

- ρ What is this organization, who we are, what we do?
- ρ Organization's vision, mission, and principles etc.
- ρ What is Board of Director and Management?

2. Program or project of organization

- ρ What are the Projects of organization?
- ρ Who are the beneficiaries?
- ρ Project locations, project structure, planning, monitoring and evaluation systems?

3. Administrative Management:

- ρ Communication systems and channels (Phone, Fax, E-mail, Radio, written information circulation, reporting, information board and other relationship with other colleagues or departments etc.)
- ρ Different meetings in the organization or field office
- ρ Office utilities/ supplies/ stationary or requisition procedures etc.
- ρ Official and private travelling procedures.
- ρ Working hours (Core time): Morning: 7:30-12:00am and Afternoon: 2:00-5:30pm and flextime.
- ρ Emergency contacts or calls (Please see the attachment)
- ρ Operational manual accessibility
- ρ Administrative discipline

4. Financial Management:

- ρ Salary schedule, procedures and salary taxes:
- ρ Salary advance or official traveling/ expenses advance procedures
- ρ Settlement of any expense procedures
- ρ Disciplinary action of any financial abused
- ρ Financial manual accessibility

5. Human Resource Management and Development

- ρ Human resource policy
- ρ Job Description of her/his position
- ρ Procedure/ form used for staff training activities
- ρ Staff performance appraisal policy and its procedures/ forms,
- ρ Organizational cultures/ behavior, teamwork, management model, and social events,
- ρ Benefits of individual staff (Please see the attachment of HR policies): Annual salary increment, travel allowance, per diem, hotel, provident fund, medical benefits and accident insurance, Public Holidays, Annual Leave, Family Event Leave, Maternity Leave, Sick Leaves, salary tax, Training, code of conduct and other related HR issues.

Annex 16 – Sample of employment contract (FDC)

EMPLOYMENT CONTRACT - FDC

Name of Staff:
Address:
Phone:
E-mail:

The (insert name of organization) is pleased to formally confirm your employment with us for the period of (insert starting date - ending date), with the job description and salary as described below.

Employee Name :
Position Title :
Project :
Report to :
Monthly Salary : USD..... (Gross Salary)
Level/Step : Management Level/Step

Your salary listed above will be **in effective from** (insert starting date and ending date)
(categorized as labor contract of Fix Duration Contract per labor laws) **with three months probationary period from (insert starting date - end of probationary period).**

This contract, your job description and the organization's Personnel Policy including its annexes are an integral part of this employment contract. All other conditions of employment and benefits are contained in the organization Personnel Policy Manual.

Organization's employee must consistently adhere to the conflict of interest policy "**The employee agrees NOT to assume any other job or position which might, in the judgment of the Executive Director, interfere with his/her duties at organization, or come into conflict with organization philosophy of interests**".

Signed: _____ Date: _____
(Signature & Name) - Executive Director

Your signature below indicates that you have read and agreed to the terms and conditions in this contract.

Signed: _____ Date: _____
(Signature & Name) - Employee

Annex 17 – Sample of employment contract (UDC)

EMPLOYMENT CONTRACT - UDC

Name of Staff:
Address:
Phone:
E-mail:

The (insert name of organization) is pleased to formally confirm your employment with us for the period of (insert starting date - ending date), with the job description and salary as described below.

Employee Name :
Position Title :
Project :
Report to :
Monthly Salary : USD..... (Gross Salary)
Level/Step : Management Level/Step

Your salary listed above will be **in effective from** (insert starting date) (categorized as labor contract of Undetermined Duration Contract per labor laws) **with three months probationary period from (insert starting date - end of probationary period).**

This contract, your job description and the organization’s Personnel Policy including its annexes are an integral part of this employment contract. All other conditions of employment and benefits are contained in the organization Personnel Policy Manual.

Organization’s employee must consistently adhere to the conflict of interest policy **“The employee agrees NOT to assume any other job or position which might, in the judgment of the Executive Director, interfere with his/her duties at organization, or come into conflict with organization philosophy of interests”.**

Signed: _____ Date: _____
 (Signature & Name) - Executive Director

Your signature below indicates that you have read and agreed to the terms and conditions in this contract.

Signed: _____ Date: _____
 (Signature & Name) - Employee

Annex 18 – Retirement pension request form

RETIREMENT PENSION REQUEST FORM

Separation/Retirement Pension Payment

Name:	Date of Employment from:	To:
Position Title:	Project Name:	

Separation/Retirement Pension Payment is made up as follows:

No	Pension Date	Total Amount	Rate refer to Policy	Amount Received	Payment Date
1					
2					
Grand Total:					

Prepared by:..... Verified by: Approved by:

Name: Name: Name:
 Position: Position: Position:
 Date:..... Date:..... Date:.....

I have already checked and agreed with all calculations above. I have received from CCC according to the description above.

Received by:..... Date:.....

Name:..... Position:.....

Annex 19 – Exit interview template

**ទម្រង់សម្ភាសន៍ពេលបុគ្គលិកចាកចេញ
 EXIT INTERVIEW FORM**

សនិទានភាព:

Rationale:

ដើម្បីទុកជាការរៀនសូត្រ អង្គការ មានការចាប់អារម្មណ៍យ៉ាងខ្លាំង ចំពោះមូលហេតុដែលបណ្តាលឱ្យអ្នកចាកចេញពីអង្គការ ក្នុងនាមជាបុគ្គលិកម្នាក់ តើអ្នកមានពាក្យពេជ្រណាមួយអ្វីខ្លះដល់អង្គការ ។ យើងសង្ឃឹមថា អ្នកនឹងធ្វើការឆ្លុះបញ្ចាំងដោយស្មោះត្រង់អស់ពីចិត្ត ដើម្បីតបនូវសំនួរខាងក្រោមនេះ គឺអាចទទួលបានទាំងបុគ្គលិក និង អង្គការ ដើម្បីរៀនសូត្រនិងអភិវឌ្ឍន៍ទាំងអស់គ្នា ។
 ទម្រង់បែបបទនេះទុកជាឯកសារលាក់ការ គឺសម្រាប់ប្រើប្រាស់ តែក្នុងការងារគ្រប់គ្រងរបស់អង្គការប៉ុណ្ណោះ ។

As a learning organization, we are very interested in knowing why you are leaving and what words of advice you can share as a departing staff member. We hope that your full and honest reflection on the questions below will benefit you and organization to learn and grow as an individual and an organization respectively. This form will be used for organizational management purposes only and will otherwise remain confidential.

ឈ្មោះ Name:	មុខងារ Position:	កម្មវិធី Project:
ថ្ងៃ ខែ ឆ្នាំ ចូលធ្វើការងារ DoH:	មានប្រសិទ្ធិភាពចាប់ពីថ្ងៃទី ខែ ឆ្នាំ Effective Date of Resign: (COB)	

១- សូមធ្វើតារាងរាយលំអិតពី រយៈពេលដែលបានធ្វើការងារជាមួយអង្គការ ព្រមទាំងមុខងារទាំងអស់ដែលអ្នកមាន:

Please make a list of the duration and positions you have held with organization?

មុខងារដំបូងគឺ ពី ដល់ កម្មវិធីនៅ
 1st position was from to based in
 មុខងារលើកទីពីរគឺ ពី ដល់ កម្មវិធីនៅ
 2nd position was from to based in
 មុខងារលើកទីបីគឺ ពី ដល់ កម្មវិធីនៅ
 3rd position was from to based in

២- មូលហេតុដែលឈប់ សូមឱ្យចំណាត់ថ្នាក់សំខាន់ៗចំនួន ១ ២ ៣ ដែលពាក់ព័ន្ធនឹងមូលហេតុដែលបណ្តាលឱ្យអ្នកចាកចេញ។

Reason of leaving: Please rank ① ② ③ the top three descriptions that most closely reflect the reasons why you are leaving:

<input type="checkbox"/> Opportunity for higher salary with another organization;	<input type="checkbox"/> មានឱកាសបានទទួលប្រាក់ខែខ្ពស់ជាងនេះ នៅអង្គការដទៃទៀត
<input type="checkbox"/> Opportunity for higher position with another organization;	<input type="checkbox"/> មានឱកាសបានទទួលមុខងារខ្ពស់ជាងនេះ នៅអង្គការដទៃទៀត
<input type="checkbox"/> Lack of opportunity for promotion within this organization.	<input type="checkbox"/> ពុំមានឱកាសបានទទួលការដំឡើងដំណែងនៅអង្គការ
<input type="checkbox"/> I want to learn more from other organizations	<input type="checkbox"/> ខ្ញុំចង់រៀនសូត្របន្ថែមទៀតពីអង្គការដទៃ
<input type="checkbox"/> I want to continue with my study	<input type="checkbox"/> ខ្ញុំចង់បន្តការសិក្សាទៅមុខទៀត
<input type="checkbox"/> Stay closer with my family	<input type="checkbox"/> ខ្ញុំចង់រស់នៅក្បែរក្រុមគ្រួសារ
<input type="checkbox"/> My family ask me to stop	<input type="checkbox"/> គ្រួសារខ្ញុំសំណូមពរឱ្យឈប់ពីការងារ
<input type="checkbox"/> Start my own business	<input type="checkbox"/> ចង់ធ្វើអាជីវកម្មផ្ទាល់ខ្លួន
<input type="checkbox"/> I'm tired with my work and need time to relax	<input type="checkbox"/> ខ្ញុំមានការចេញទ្រាន់ក្នុងការងារ ចង់មានពេលសម្រាក
<input type="checkbox"/> Reached to the retirement age	<input type="checkbox"/> ខ្ញុំគ្រប់អាយុដែលត្រូវចូលសិវ័ត្ត
<input type="checkbox"/> My long illness and I cannot work	<input type="checkbox"/> ខ្ញុំមានជម្ងឺរ៉ាំរ៉ៃ មិនអាចធ្វើការងារបាន
<input type="checkbox"/> I don't like to live in rural areas	<input type="checkbox"/> ខ្ញុំមិនចង់ស្នាក់នៅតាមជនបទ
<input type="checkbox"/> I want to work in the town	<input type="checkbox"/> ខ្ញុំចង់ធ្វើការងារនៅទីប្រជុំជន រឺ ទីក្រុង
<input type="checkbox"/> Lack of experiences or ability to work	<input type="checkbox"/> ខ្ញុំខ្វះសមត្ថភាព និង បទពិសោធន៍ដើម្បីបំពេញការងារ
<input type="checkbox"/> My colleagues encourage me to resign,	<input type="checkbox"/> មិត្តរួមការងារ បានលើកទឹកចិត្តខ្ញុំឱ្យសុំឈប់ពីការងារ
<input type="checkbox"/> I don't like management styles at my work place,	<input type="checkbox"/> ខ្ញុំមិនពេញចិត្តនូវបែបផែនការគ្រប់គ្រងនៅកន្លែងធ្វើការ
<input type="checkbox"/> Working environment forces me to resign,	<input type="checkbox"/> បរិយាកាសការងារ បានបង្ខំចិត្តខ្ញុំ ឱ្យសុំឈប់ពីការងារ
<input type="checkbox"/> My supervisor encourage me to resign,	<input type="checkbox"/> អ្នកគ្រប់គ្រងខ្ញុំ បានលើកទឹកចិត្តខ្ញុំឱ្យសុំឈប់ពីការងារ
<input type="checkbox"/> Other, please specify	<input type="checkbox"/> សូមបញ្ជាក់ បើមានផ្សេងទៀត.....

៣- តើអ្នកបានរៀនអ្វីខ្លះពីអង្គការ ព្រមទាំងសំណូមពរដើម្បីឱ្យមានការរីកចម្រើន?

What did you learn from organization and suggestions for improvements?

Key aspects <u>ទិដ្ឋភាពសំខាន់ៗ</u>	មេរៀនដែលបានទទួល (+ និង -) Lesson learnt (+ and -)	សំណូមពរដើម្បីឱ្យមានការរីកចម្រើន Suggestions for improvement
ការបង្កើនសមត្ថភាពដល់បុគ្គលិក Capacity building for staff		
គោលការណ៍បុគ្គលិក និង ផលកំរៃផ្សេងៗ Personnel policies and benefits		
ការដឹកនាំ និង បែបបទនៃការគ្រប់គ្រង Leadership and management styles		

ការអនុវត្តគ្រប់គ្រងផ្នែកហិរញ្ញវត្ថុ Financial management practices		
យុទ្ធសាស្ត្រអភិវឌ្ឍន៍របស់អង្គការ Development strategies/ approaches		
គោលការណ៍ណែនាំកម្មវិធីផ្សេងៗរបស់អង្គការ Organization's program policies/ guidelines		

៤-សូមជួយផ្តល់យោបល់ទាក់ទងទៅនឹង ការគ្រប់គ្រង និង កម្មវិធីរបស់អង្គការ

4. Please provide your general comments about management and program:

.....

Note: សូមកត់សំគាល់	ហត្ថលេខាបុគ្គលិកនិងកាលបរិច្ឆេទ Signature of Interviewee and date:
សូមបញ្ជូនទម្រង់បែបបទនេះទៅប្រធានគ្រប់គ្រងធនធានមនុស្ស មុនថ្ងៃបញ្ចប់ពីការងារ ដោយបិទសំបុត្រឱ្យបានជិតនិងសំងាត់ ។ Please submit this completed form to the HR professional in a sealed envelope marked CONFIDENTIAL, before your last day at work.	

For official use only: សម្រាប់ប្រើប្រាស់ជាផ្លូវការ	
បានទទួលឯកសារដោយប្រធានគ្រប់គ្រងធនធានមនុស្ស	កាលបរិច្ឆេទ
<input type="checkbox"/> Document received by Human Resource Manager:	Date:
តាមដាន និង អនុសាសន៍	កាលបរិច្ឆេទ
<input type="checkbox"/> For follow up/ recommendation:	Date:.....
តាមដាន និង យកទៅអនុវត្ត	កាលបរិច្ឆេទ
<input type="checkbox"/> Follow up action taken:	Date:
សម្រាប់ទុកក្នុងឯកសារបុគ្គលិក	
<input type="checkbox"/> For personnel file	

Annex 20 – Certificate of employment form

CERTIFICATE OF EMPLOYMENT FORM

TO WHOM IT MAY CONCERN

NAME:	
JOB TITLE:	PROJECT NAME:
DATE OF APPOINTMENT:	DATE OF TERMINATION:

This is to certify that the above-named worked with our organization in the position of and between the dates as detailed above.

(NAME)
Executive Director
(Date)

Annex 21 – Letter of recommendation template

LETTER OF RECOMMENDATION

TO WHOM IT MAY CONCERN

This is to certify that (insert name of employee) was employed by from (insert date) until (insert date) as (insert job title) with our (insert name of department / project) in (insert name of location).

During (his/her) employment at, (insert name)'s primary activities included:

-
-
-
-
-

(Insert name of employee) performed (insert her or his) duties (select one of satisfactorily/ well/excellently) and was a loyal staff member. (He /She) has also developed good relationship and communication with staff and members. Our organization is sorry to lose the services of (insert name of employee) but wishes her/him well in her/ his future career.

We would recommend her/him for any future employment that she/he may seek.

For further information on the incumbent, feel free to contact the undersigned.

 (NAME)
 Executive Director
 (Date)

Annex 22 – Final payment form

FINAL PAYMENT FORM

Final Payment

Name:	Date of employment from:	to:
Final Job Title:	Project Name:	

Final payment is made up as follows:

No.	Items	Rate refer to policy	Amount Received	Payment date
Grand Total				

Prepared by: Verified by: Approved by:

Name: Name: Name:

Position: Position: Position:

Date: Date: Date:

Received by:

Name:

Position:

Date:

I have already checked and agreed with all calculations above. I have received from NGO according to the above description in sum of US\$..... as full and final payment of all amounts due.

Note: please remember to return/
take these NGO items back

• ID card returned	Yes	No	N/A
• Insurance card returned	Yes	No	N/A
• Keys returned	Yes	No	N/A
• Office equipment	Yes	No	N/A
• Other	yes	No	N/A

Annex 23 – List of personnel documents

LIST OF PERSONNEL DOCUMENTS

This list of personnel documents shall be filed and posted in front of personnel cabinet. All personnel documents as follow:

- ρ Applications, CV, copy of relevant certificates,
- ρ All employment agreement/ contracts from start
- ρ Salary pay slips by monthly basis,
- ρ Medical clearance and checks,
- ρ Staff performance appraisals by yearly basis,
- ρ Family data and information or records
- ρ Police clearance and or court orders
- ρ Disciplinary actions – letter, notification, supporting documents,
- ρ Appreciation letter given by organization,
- ρ Training contract/ bond, and request,
- ρ Loan agreement/ contract if any,
- ρ Filed complaints and other related documents,
- ρ Other related personnel if any.

Annex 24 – Personal data form

PERSONAL DATA FORM

Name: (English) (Khmer).....

Date of Birth:Sex:(M/F):

Address:

Telephone No:

ID Card No:Family Book No.....

Dependents:

Name	Relationship to you (parents, spouse, child)	Date of Birth	Employed Yes or No

Contact Details for Emergency:

1. Name:Relationship:.....

Contact Details:

2. Name: Relationship:.....

Contact Details:

Contact Details for Death in Service Payment:

Name:..... Relationship:.....

Address:

Tel. No.....ID Card No.....

I confirm that the information above is correct.

Signature: Date:

Please attach a map indicating your house, copy of ID card, family book, passport and driver license (as necessary).

Annex 25 – Beneficiary form

BENEFICIARIES FORM

I, _____ do hereby declare that on the event of my death as a regular employee of organization in the tenure of my service the under-mentioned person(s) has/have been nominated by me to draw the benefits from organization as per organization policies and my amendments made thereof and enforced at the time of my death.

Groups of beneficiaries entitled to benefits	Full name and date of birth beneficiary/ies entitled to benefits of death benefit	Share in % of lumpsum

A) Spouse, children	 (Maximum 100%)
B) Parents and entitled dependents as described in the regulations	 (Maximum 100%)
C) Other heirs of the insured person, e.g. brothers/sisters children of brother/sister, grandparents, cousins	 (Maximum 100%)

Please note

The first group of beneficiaries excludes the following group receiving benefits. For instance, as long as there are beneficiaries in group A alive, they are entitled to benefits and therefore, beneficiaries in group B and C will not be considered. Married employees are nevertheless advised to designate also beneficiaries' in-groups B and C. The shares allocated to individual beneficiaries in each group must be 100%. A copy of the employee's Family book must be attached to this form.

It is understood that the above nomination will apply only in case of death during regular employment. Payments due, if any at retirement or retrenchment and leaving organization service before death will not come under this nomination.

Any financial outstanding between the employees and organization will be deducted from the death benefit prior payment to nominated beneficiaries.

I solemnly declare that the decision is genuine and true and made in good sense.

This declaration annuls and replaces any and all declarations previously submitted.

_____ / _____
Place Date

Employee's signature

Annex 26 – Family information form

FAMILY INFORMATION

Staff name:

Relatives in your responsibility:
 Please list the people in your family that you support financially, such as your husband or wife, dependent children, father or mother, or other relatives living with you.

Name of Relative	Sex	Date and Place of birth	Relationship	Position	Present Address

Annex 27 – Map of staff member address

**MAP OF STAFF MEMBER ADDRESS
IN CASE OF EMERGENCY**

Address in English

Address in Khmer

Map to Contact Person's House

Contact Person

Address in English:

Address in Khmer:

Draw map only if different from staff member's house

--	--	--

Note: Please indicate # of days in half day or 1 full day

Prepared by:..... Verified by: Approved by:

Name: Name: Name:

Position: Position: Position:

Date:..... Date:..... Date:.....

Annex 30 – Leave request form

LEAVE REQUEST FORM

Employee Name: Title: ID #:

Requested Date from: to: # of days:

Type of Leave (Please tick in the below box)

- Annual
- Sick
- Staff member's own marriage
- Other (please specify)
- Maternity
- Paternity
- Marriage of staff's children
- Leave w/o Pay
- Compensation Time-Off
- Illness or death of husband, wife, child, father or mother

Requested by: Signature: Name: Position: Date:

Verified by: Signature: Name :..... Position: Date:

Approved by: Signature: Name: Position: Date:

Annex 31 – Monthly Timesheet

MONTHLY TIME SHEET, month: September

Name:

Position:

Day		Project A	Project B	Project C	Project D	TOTAL	Comments
% allocation		25%	25%	25%	25%	100%	Time % allocation
Hour	8	2	2	2	2	8	Working hour per day
Fri	1	2.00	2.00	2.00	2.00	8.00	
Sat	2						Saturday
Sun	3						Sunday
Mon	4	2.00	2.00	2.00	2.00	8.00	
Tue	5	2.00	2.00	2.00	2.00	8.00	
Wed	6	2.00	2.00	2.00	2.00	8.00	
Thu	7	2.00	2.00	2.00	2.00	8.00	
Fri	8	2.00	2.00	2.00	2.00	8.00	
Sat	9						Saturday
Sun	10						Sunday
Mon	11	2.00	2.00	2.00	2.00	8.00	
Tue	12	2.00	2.00	2.00	2.00	8.00	
Wed	13	2.00	2.00	2.00	2.00	8.00	
Thu	14	2.00	2.00	2.00	2.00	8.00	
Fri	15	2.00	2.00	2.00	2.00	8.00	
Sat	16						Saturday
Sun	17						Sunday
Mon	18	2.00	2.00	2.00	2.00	8.00	
Tue	19						Pchum Ban
Wed	20						Pchum Ban
Thu	21						Pchum Ban
Fri	22	2.00	2.00	2.00	2.00	8.00	
Sat	23						Saturday
Sun	24						Constitution Day
Mon	25						Replace Sun. 24 Constitution Day
Tue	26	2.00	2.00	2.00	2.00	8.00	
Wed	27	2.00	2.00	2.00	2.00	8.00	
Thu	28	2.00	2.00	2.00	2.00	8.00	
Fri	29	2.00	2.00	2.00	2.00	8.00	
Sat	30						Saturday
# day	17	34.00	34.00	34.00	34.00	136.00	
Actual	%	25.00%	25.00%	25.00%	25.00%	100%	

136.00

136.00

-

I certify that I have worked the hours reported above on the date (s) stated:

Signed by staff member:

Signed by line supervisor

Name:

Name:

Date:

Date:

Annex 32 – Transfer request form

TRANSFER REQUEST

This is to request for staff transferring, to serve the interest of organization.

Name of staff:, Position:, Project:

No	Current workplace	New workplace
1	Position:	Position:
2	Project:	Project:
3	Workplace:	Workplace:
4	Salary: Grade..... Step:	Salary: Grade Step:

Requested:

Approved by:

Accepted by:

Name:

Name:

Name:

Position:

Position:

Position:

For personnel file

Annex 33 – Written warning letter template

WRITTEN WARNING LETTER

TO: Mr./Mrs., Position:

CC:

From:

DATE:

RE: Notification of disciplinary written warning

Ref: 1.

2.

3.

Case of Offenses:

You are found the following offenses, reported to the management of organization:

1.
2.
3.
4.
5.

Personnel Action:

This is a first offense and you are herewith given a written warning that should any such offense happens again your services with organization will be seriously considered and it may lead to termination if necessary.

You may also be subject to periodic spot checks by management. You are to read and follow the code of conducts and other policies in the organization HR policy to guide you for action and decision making.

Your signature below will indicate that you have received and fully understand the reasons for being issuance a Verbal Warning Letter.

Personnel Action Authorized by:

Notification Certified by:

Received and Accepted by:

Name:

Position:

Name:

Position: HR Professional

Name:

Position:

cc: Personnel files

Annex 34 – Annual Training Plan template

No.	Participants or group	Training topic	Training modality	Institution	schedule	Cost
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

Prepared by:

Certified fund available by:

Approved by:

Name:
HR Professional/ Training
Manager

Name:
Finance Manager

Name:
Executive Director

Date:

Date:

Date:

Annex 35 – Training request form

TRAINING REQUEST FORM

Name of participant:

Title of training course, seminar or conference:

Date:

Duration:

Location:

Implementing organization:

Estimated cost:

Goals and Objectives of training: (can attach course details, curriculum outline and fee schedule)

.....
.....
.....
.....

How will the course help the participants to improve their works?

.....
.....
.....

Requested by:

Supervisor:

Follow up plans agreed to by participants and the supervisor:

1. Will make copies of the course materials for other staff
2. Will plan with participants how to practice what they learnt
3. Will practice their new skills in work situation supervised by the lined manager
4. Will share with others what they have learnt during the staff meeting or workshop
5. Will repeat part or all of training course with other staff

Approved by:

Rejected by:

Justification:.....
.....
.....
.....

Annex 36 – Training report template

TRAINING REPORT TEMPLATE

Name of participant:
Title of training course, seminar or conference:
Date:
Duration:
Location:
Implementing organization:
Estimated cost:

Goals and Objectives of training:

1.
2.
3.

How has the training benefited your organization? Lesson learnt from the training course (- and +)

1.
2.
3.

Please describe any follow up plans or explain how the participants will use what they have learnt? Or attachment of training follows up

1.
2.
3.

Would the participants recommend this course to other staff? Why or why not? What level of staff?

1.
2.
3.

Reported by: and Date:

Annex 37 – Training contract template

TRAINING CONTRACT TEMPLATE

I, a position of of organization, have been officially nominated to attend the training / workshop / conference / exchange visit on:

Topic:,

Training venue:

Period:

I am willing to accept this opportunity and agreed to the terms and conditions outlined below:

I do hereby undertake as follows:

1. I will sincerely and diligently pursue the stated objective of my study and will return to organization immediately upon completion of the training/ workshop/ conference/ or exchange visit.
2. If during my studies I am required to attend classes or will be absent from my home on public holidays or weekends, I will freely contribute that time without any claim for overtime pay or compensatory time off after the completion of study.
3. Regarding the expenditures during my study, I will appreciatively follow the existing organization financial guidelines or policies in the financial manual.
4. Due to current employment contract and work requirement of organization, I will be liable to serve organization for a period of months, upon completion of my studies, if organization management so desires. In case I voluntarily decide to leave organization or terminated for a cause, I have to pay back on a monthly pro-rata basis of a total cost of my study to organization.
5. Upon the completion of my study, I will use the study outputs to benefit the organization and other colleagues as well. I will do this as stated in the training request form, staff development reporting form and my training follow up plans.
6. I further declare and signify by my signature that I have read, understood and agreed to the conditions stated above.

Signature of staff member,

Date,

Place

Signature of manager,

Date,

Place

Annex 38 – Salary scale template

SALARY SCALE TEMPLATE

Grade	Step									
	01	02	03	04	05	06	07	08	09	10
Grade 07										
Grade 06										
Grade 05										
Grade 04										
Grade 03										
Grade 02										
Grade 01										

Guiding Principle at Recruitment

Functional Level Minimum Qualifications and Experience

Management Level 4 (ML4)	Master’s Degree, 7 years’ experience for NGOs, at least 4 years at management level. Excellent spoken and written English.
Management Level 3 (ML3)	Master’s Degree with 5 years relevant work experience or Bachelor Degree with 8 years work experience. Experience with analyzing, developing and formulating activities and evaluating and adjusting activities. Proficient in spoken and written English.
Management Level 2 (ML2)	Master degree with 3 years’ work or experience or Bachelor’s degree with minimum 5 years work experience. Proficient in spoken and written English
Management Level 1 (ML1)	Bachelor's Degree or relevant technical training with minimum five years works experience. In-depth knowledge and experiences. Proven accuracy organizational ability. Good communication and reporting skills. Proficient in spoken and written English
Support Staff Level 3 (SL3)	Bachelor degree with minimum 3 years working experience. Good communication skills, English, Computer Skills
Support Staff Level 2 (SL2)	High School diploma or relevant technical training and minimum two 2 years’ experience, able to communicate in basic English
Support Staff Level 1 (SL1)	Minimum two years’ work experience, Good Health, Able to do physical work

Annex 39 – Travel Expense Form

TRAVEL EXPENSES FORM

Name:

Title:

Date	Rate per night / day						Total	Details From where to where
	\$	\$	\$	\$	\$	\$	\$	
	Breakfast \$3.00	Lunch \$3.00	Dinner \$4.00	Hotel (Receipt)	Moto taxi (Receipt)	Taxi/Bus (Receipt)		
Total								

Prepared by:

Received by:

Approved by:

Signature:.....

Signature:.....

Signature:.....

Name:

Name:.....

Name:.....

Position:

Position:.....

Position:.....

Date:.....

Date:.....

Date:.....

Note:

Breakfast** leave before: 7:00 a.m.

Lunch leave before: 12:00 noon

Dinner return after: 6:00 p.m.

Lunch return after: 1:00 pm

** Will not be paid when breakfast is included in accommodation room rate and/or provided during the workshop.

Annex 40 – Staff performance appraisal form

STAFF PERFORMANCE APPRAISAL FORM

INSTRUCTION

This form is used for both performance setting and appraisal which covers probation appraisal and annual performance appraisal. The process and steps are as below:

Step 1: The staff member submits a self-performance plan/review, using the organization’s Staff Performance Appraisal (SPA) form, to his or her supervisor.

Step 2: The supervisor then completes the SPA form.

Step 3: The supervisor and staff member meet to discuss the performance setting, appraisal based on performance plan, and the goals and plans for the coming year. They both should include any written comments, and they both have to sign the SPA form.

Step 4: The signed performance plan/review is submitted to the Executive Director for review and signature.

Step 5: the performance plan/review is submitted to HR professional to be included in the staff member's personnel file. Staff members may have a copy of the final appraisal document.

Staff performance appraisal is an important part of your development. We all deserve to hear about what we are doing well, and where we can improve. The annual staff performance review provides an opportunity to have a one-on-one conversation focused on your contributions to organization, learning opportunities, professional development, and future planning. The written form is only a part of the process. You and your supervisor are encouraged to have a discussion about the information on the form. Ideally, performance appraisal is an on-going process, with feedback provided throughout the year. The performance appraisal is an official document, and, as such, should be handled with the appropriate level of confidentiality.

OVERALL PERFORMANCE RATING DEFINITIONS

05 Outstanding Performance	All objectives and soft skills met and performed to the highest standards. Exceeded expectations on all activities delivered in the review period
04 Exceeds Expectations	All objectives and soft skills delivered to a satisfactory level, some objectives performed at a level which has exceeded expectations
03 Meets Expectations	Performance and soft skills consistently meet objectives to a satisfactory level, performs all duties in a timely fashion
02 Below Expectations	One or more key objectives and soft skills not performed to a satisfactory level without satisfactory explanation, some improvement required
01 Unsatisfactory	Objectives and soft skills consistently not met to a satisfactory level, attention required immediately

STAFF PERSONAL INFORMATION

Employee Name:			
Department:			
Reviewer:		Review Date:	
Type of review:	<input type="checkbox"/> Probation Performance		<input type="checkbox"/> Annual Performance
Start date with NGO:		Start date in current position:	

SECTION 1 – PERFORMANCE PLAN AND REVIEW

OBJECTIVE SETTING AND REVIEW

3 – 4 objectives should be set and agreed between line manager and staff member at start of review period. At the time of the performance appraisal the staff member should fill in comments before meeting with line manager, who will then add comments during/after the discussion. The review of objectives should not happen once a year, it should be an ongoing process to ensure successful achievement of objectives- Supervisor and supervisee should discuss (but not score) as necessary so that year end result does not come as a surprise to both sides.

1.1: TECHNICAL SKILLS**OBJECTIVES****Objective 1:**

Actions:					Results Achieved: (What have been achieved?)										
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															

Objective 2:

Actions:					Results Achieved: (What have been achieved?)										
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															

Objective 3:

Actions:					Results Achieved: (What have been achieved?)										
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															

Objective 4:														
Actions:						Results Achieved: (What have been achieved?)								
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating			
	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Staff Member Comments in supporting the rating above:														
Supervisor Comments in supporting the rating above:														

Objective 5:														
Actions:						Results Achieved: (What have been achieved?)								
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating			
	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Staff Member Comments in supporting the rating above:														
Supervisor Comments in supporting the rating above:														

1.2 SOFT SKILLS
1.2.1 Team Work

Specific criteria 1: Does s/he show concrete evidence of working well with others (stakeholders, colleagues, other organizations)														
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating			
	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Staff Member Comments in supporting the rating above:														
Supervisor Comments in supporting the rating above:														

Specific criteria 2: Is s/he willing to help others and acknowledges help of others for successful work?															
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															
Specific criteria 3: Does s/her show tact and understanding of colleagues															
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															

1.2.2 Communications

Specific criteria 1: Is s/he a good listener (well listen, attentively and willing to do) ?															
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															
Specific criteria 2: Is s/he able to clarify complex ideas so that they are understandable?															
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															

1.2.3 Self-Management

Specific criteria 1: Does s/he manage tasks independently with effectiveness and efficiency manner?															
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				

	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5
Staff Member Comments in supporting the rating above:			
Supervisor Comments in supporting the rating above:			
Specific criteria 2: Does s/he follow through on responsibilities?			
Rating (Please circle only one rating)	Staff self-rating	Supervisor rating	Agreed rating
	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5
Staff Member Comments in supporting the rating above:			
Supervisor Comments in supporting the rating above:			

1.2.4 Leadership

Specific criteria 1: Can s/he motivate staff and/or colleagues?			
Rating (Please circle only one rating)	Staff self-rating	Supervisor rating	Agreed rating
	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5
Staff Member Comments in supporting the rating above:			
Supervisor Comments in supporting the rating above:			
Specific criteria 2: Does s/he make "space" for colleagues to engage or feedbacks/comments?			
Rating (Please circle only one rating)	Staff self-rating	Supervisor rating	Agreed rating
	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5
Staff Member Comments in supporting the rating above:			
Supervisor Comments in supporting the rating above:			
Specific criteria 3: Does s/he share technical knowledge with staff and/or colleagues?			
Rating (Please circle only one rating)	Staff self-rating	Supervisor rating	Agreed rating
	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5
Staff Member Comments in supporting the rating above:			

Supervisor Comments in supporting the rating above:															
Specific criteria 4: Can s/he be held accountable for short-term and long-term impact of potential decisions made?															
Rating (Please circle only one rating)	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Staff Member Comments in supporting the rating above:															
Supervisor Comments in supporting the rating above:															

Link to Organizational strategic outcomes:

Please comment briefly on how your objectives support organization strategic outcomes as outlined below: (Your objectives may not support all organization outcomes but must support at least one)

Objective 01:
Objective 02:
Objective 03:
Objective 04:

CHALLENGES

Please describe any significant obstacles to achieving your objectives, and any aspects of your role that you have found to be the most challenging.

--

PERSONAL DEVELOPMENT

Please list up to 3 areas you need to develop in the review period to allow you to achieve your objectives successfully (Include actions on how this may be achieved, comments should be made at end of review period)

Development Area 1: (Focus on doable areas)	Staff Member Comments:
	Action point and deadline:
	Line Manager Comments:
	Action point and deadline:

Development Area 2:	Staff Member Comments:
	Action point and deadline:
Development Area 3:	Line Manager Comments:
	Action point and deadline:
Development Area 3:	Staff Member Comments:
	Action point and deadline:
Development Area 3:	Line Manager Comments:
	Action point and deadline:

SECTION 2 – OVERALL PERFORMANCE SUMMARY

OVERALL PERFORMANCE RATING FINAL	Staff self-rating					Supervisor rating					Agreed rating				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5

Staff Member Comments: (Complete this section after performance discussion and rating agreed, and staff member has read line manager comments)

Signature:	Date:
-------------------	--------------

Line Manager Comments: (Complete this section after performance discussion and rating agreed)

Signature:	Date:
-------------------	--------------

Final Executive Director Comments:

Signature:	Date:
-------------------	--------------

Annex 41 – Appreciation certification form

APPRECIATION CERTIFICATION FORMAT

**This Certificate of Appreciation
is awarded to**

(NAME)

*for his/her dedication, hard work and commitment to serve the needy
people in Cambodia through the NGO community
during his/her years of service with our organization, since (start date).*

(NAME)
Executive Director
(Date)

Annex 42 – Job Satisfaction Survey Form

Job Satisfaction Survey

Position of interviewee: Year of starting work:, Date of survey:

Objectives:

- To get better understand the staff views on leadership and management practices in organization and its program operations.
- To exercise on how to strengthen the organizational capacities and its development.

Rating System for assessment:

The rating system purely bases on the reality of individual and team knowledge and real practices. Person who do this assessment need to be honest to their reality and rate accordingly. Scoring is below:

- 1 = No Effort: no thought, no action, no result.
- 2 = Unsatisfactory: Substandard, disappointing, insufficient, poor, inadequate, unsuitable
- 3 = Satisfactory: Acceptable, suitable, reasonable, agreeable, adequate, sufficient,
- 4 = Very Satisfactory: Admirable, high quality, superior, fine, first class.
- 5 = Excellent: Outstanding, brilliant, exceptional, superb, tremendous, stellar, perfect.

No.	Questions	Score				
		1	2	3	4	5
1	Do you enjoy our organization’s cultures and core values in practices?					
2	Do you find your work meaningful in term of your engagement and recognition?					
3	Does our company offer adequate opportunities for promotions and career development?					
4	Do you feel valued for your contributions – skills, loyalty, time and hard work?					
5	Do you feel valued for your competitive benefit package aligning to your achievements?					
6	Does our organization give you the tools and technologies you need to do your job well?					
7	Do your superiors communicate organization’s news effectively and in a timely manner?					
8	Do you feel as though your job responsibilities are clearly defined?					
9	Do you think that work is distributed evenly across your team for interest of organization?					
10	Do you feel connected to your coworkers and other colleagues?					
11	Do you feel like your job utilizes your skills and abilities as much as it could?					
12	Does management team seem invested in the success of the team and organization?					
13	Do your managers value your feedback and comment seriously?					
<u>Your comment/ suggestion for improvement:</u>						

Annex 43 – A..... form

About CCC

The Cooperation Committee for Cambodia (CCC) is a leading membership based organization for NGOs in Cambodia with around 200 members working on various development sectors. CCC has been playing unique roles as the Governance Champion, Coordinator and Advocate to realize enabling environment for CSOs and sustained CSO Resource Hub at the national and sub-national levels.

Vision

Sustainable and democratic development for Cambodia.

Mission

As a membership based organization, CCC works in inclusive partnership for good governance, enabling environment and sustainability of civil society organizations in Cambodia.

Goal

Strengthen civil society organizations (CSOs) by providing them with an improved enabling environment and democratic space.

Values

- Integrity
- Responsiveness
- Quality
- Cooperation
- Inclusiveness

Cooperation Committee for Cambodia (CCC)



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