



គណៈកម្មាធិការ
សហប្រតិបត្តិការដើម្បីកម្ពុជា
Cooperation Committee
for Cambodia
Comité de Coopération
Pour le Cambodge

Learning Forum

Human Resource Management Documentations in year 2017



Compiled by: Mara Keo, Learning Specialist
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We appreciated Human Resource Working Group members for their great contributions to ensure the high quality of Learning Forum on **Human Resource Management**. They have shared the experience and expertise since 2011.



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I. Introduction

As the longest established membership organization in Cambodia, the Cooperation Committee for Cambodia (CCC) has played a unique role since 1990 in strengthening the cooperation, professionalism, accountability, governance, and development effectiveness of the Civil Society Organizations (CSOs) that are working across diverse sectors in Cambodia.

Phase 3 of CCC's Governance Hub Program (GHP) for the five year period 2017-2021, the goal of CCC is for a "strong and capable civil society, cooperating and responsive to Cambodia's development challenges". The GHP's goals are 1) enhanced effectiveness and impact of civil society organizations (CSOs), and 2) improved enabling environment for CSOs. Responding to its goals CCC offers a range of capacity development and learning opportunities for NGO staff to influence their thinking and practices and to deliver high quality services appropriately respond to the true needs of those CSO.

One of seven program strategies is the **Learning and Capacity Development** for CCC members and other interested CSOs. Among this program the learning forum on Human Resource Management (HRM), Monitoring and Evaluation (M & E), Information Communication Technology (ICT) and Finance Management forum is very importance to build the capacity of its members for better performance of their service delivery.

To ensure the quality of the learning forum CCC has formed the Working Groups to provide inputs and advice for NGO learning community in Cambodia. The Working Group will play role as an oversight committee to provide strategic and technical support to NGO community to promote and improve their Monitoring and Evaluation, Information Communication Technology, Financial Management System and **Human Resource Management** within their organizations for effectiveness and efficiency development in NGO sector of Cambodia.

II. Objectives of the learning forum on Human Resource Management

- To promote CSO's good governance through transparent and accountable human resource management.
- To acknowledge the efforts of all human resource experts and practitioners in sharing and learning among each others on Human Resource Management Concepts and Practices from any sectors and individual in Cambodia.
- To document good practices, tools, and system related to Human Resource Management into a useful manual which can be used as a resource for NGO that wishes to improve their human resource professionalism and good practice.
- To ensure human resource experts performance compliance minimum standards of the laws

III. Compiling Documentations

The two learning forums of Human Resource Management in 2017 were compiled to be a booklet for participants, it was shared and opened for all in CCC website.



**វេទិកាវៀនស្ស្ត ការគ្រប់គ្រង
ធនធានមនុស្សលើកទី៣៥**

**The 35th HRM
Learning Forum**

ស្តីពី

On

**“ការទំនាក់ទំនងទៅវិញទៅមករវាង” Employment Relation”
បុគ្គលិក និង ភ្នាក់ងារគ្រប់គ្រង”**

ថ្ងៃ ទី ២៦ ខែ តុលា ឆ្នាំ ២០១៧
នៅ អាគារដោយកូឡូស៊ីន

26 October 2017
Diakonia Center Building

រៀបចំដោយ: អង្គការគណៈកម្មាធិការសហប្រតិបត្តិការដើម្បីកម្ពុជា (គ ក ក)
Organized By: Cooperation Committee for Cambodia (CCC)

**Welcome to
The 35th HRM Learning Forum
On
“Employment Relation”**

**26th October 2017, 8:00-5:00pm,
Diakonia Center**



Vision: Sustainable development for Cambodia.



Objectives

1. To strengthen and promote the HR practitioners deeply understanding on:
"Employment Relation" which related to:
 - *Policy Formulation and Compliance*
 - *Disciplinary Procedure*
 - *Grievance Procedure*
 - *Employment Separation*
2. Create environment for learning, sharing,
And build networking

Key Agendas

1. Open Remark
2. Review Session
3. Group Activities and Video clip
4. Sharing knowledge and Experiences on
"Employment Relation":
 - *Policy Formulation and Compliance*
 - *Disciplinary Procedure*
 - *Grievance Procedure*
 - *Employment Separation*
5. Selection Topic & Evaluation learning Forum
6. Closing Remark

Facilitators and Speakers

- Mr. Soeung Saroeun, ED, CCC
- Ms. Soeung Satya, HRS, CCC
- Ms. Keo Mara, LS, CCC
- Mr. Khorn Bunthong, HOO, CCC

- *Mr. Chan Kanika*, HR and Operation Manager, OXFAM
- *Ms. Heng Rotana*, HR Technical Manager, WVC
- *Mr. Pheap Mono*, HR & Administration Director, PSI

Review Session

The last learning forum on 31/05/2017
“Legal Compliance
on Employment Terms and
Condition”

Ms. Soeung Satya, HR Specialist, CCC

**“ការអនុវត្តន៍កិច្ចសន្យានិងលក្ខខណ្ឌការងារ
របស់បុគ្គលិកស្របតាមច្បាប់”**

1. សេចក្តីប្រកាសជូនដំណឹងបើកឬបិទសហគ្រាសគ្រឹះស្ថាន
2. សេចក្តីប្រកាសជូនដំណឹងអំពីចលនាបុគ្គលិក
3. បទបញ្ជាផ្ទៃក្នុងរបស់សហគ្រាស គ្រឹះស្ថាន
4. សហជីព និង តំណាងបុគ្គលិក
5. ការជ្រើសរើសបុគ្គលិក
6. ការរក្សាបុគ្គលិក
7. ការចាកចេញរបស់បុគ្គលិក

ការជ្រើសរើសបុគ្គលិក

- ✓ លក្ខណៈសម្បត្តិ
- ✓ ប្រភេទនៃកិច្ចសន្យា និងលក្ខខណ្ឌការងារ
- ✓ ការសាកល្បងការងារ
- ✓ ការពិនិត្យមើលលក្ខខណ្ឌយោង
- ✓ ការចុះកិច្ចសន្យាការងារ
- ✓ ការវាយតម្លៃ



ការត្រួតពិនិត្យបុគ្គលិក

- ✓ អត្ថប្រយោជន៍បុគ្គលិក
- ✓ ប្រាក់បំណាច់/ប្រាក់បំណាច់បណ្តេញចេញ
- ✓ ការឈប់សម្រាកដោយមានប្រាក់ឈ្នួល
- ✓ ការឈប់សម្រាកពេលមានជំងឺរ៉ាំរ៉ៃ
- ✓ ការថែទាំសុខភាព (ការឧបត្ថម្ភ ឬផ្តល់ធានារ៉ាប់រង)
- ✓ គ្រោះថ្នាក់ការងារ (បេឡាជាតិរបបសន្តិសុខសង្គម)
- ✓ សេវាបង្ការសុខភាព (ផ្នែកថែទាំសុខភាព) ប្រ.០៤៩/១៩
- ✓ សុខភាព និង សុវត្ថិភាព
- ✓ ការផ្លាស់ប្តូរអាជីព ឬការងារ

ការចាត់ចែងរបស់បុគ្គលិក

- ✓ កាតព្វកិច្ចនៃការជូនដំណឹង
- ✓ ការបញ្ឈប់ពីការងាររួម ឬកាត់បន្ថយបុគ្គលិក
- ✓ ការលាឈប់ពីតំណែង
- ✓ ការបញ្ឈប់កិច្ចសន្យា
- ✓ ការបណ្តេញចេញ
- ✓ លិខិតសរសើរ
- ✓ វិញ្ញាបនបត្រការងារ

The 35th Human Resource Management Learning Forum

on
EMPLOYEE RELATION

Chan Kanika
Oxfam in Cambodia

26 October 2017, at Diakonia Center

What is Employee Relation?

What is Employee Relation?

- ◊ It is a relationship between employer and employees established thru the course of employment in order to deliver successful program objectives and achieve organizational goal.
- ◊ Employee relation program is undertaken base on the emotional, psychosocial, ethical and legal grounds.
- ◊ Happy employees are productive employees. Successful organizations know how to manage relationships to build lasting employee satisfaction.
- ◊ Implementing an effective employee relations program will promote the internal strength which lead to successes and sustainable growth of the organization.
- ◊ Poor employee relation program will lead to the program failure, staff dissatisfaction, endless problems at workplace.

What should we do to ensure an effective and successful employee relation program?

What are the components of Employee Relation?

1. Induction and Orientation: organizational philosophy, ways of working, performance target, program/projects, partners, counterparts, etc.
2. Performance Appraisal: achieving result, upgrading, L&D planning, and rewarding.
3. Pay and benefits, work-life balance, and safe working conditions.
4. Employee satisfaction: We know it thru staff forum, survey, feedback, exit interview, etc.
5. Strategic employee relation policy.
6. Corporate culture at workplace: culture of excellence
7. Support to staff: caring, coaching, counselling,
8. Conflict resolution:
 - Develop a complaint mechanism
 - Conflict Resolution thru Mediation and Counseling
 - Grievance procedure & disciplinary procedures
9. Cost containment: recruitment, work processes, health & safety, reward & compensation.

SHOPTALK

(Stay where you are and talk to people around you)

What are the main issues related to employee relation arise at your workplace?

- ▶ Talk to each other for 10 minutes
- ▶ Write on post-it and stick on flipchart.

CHALLENGES IN EMPLOYEE RELATION

- ▶ Staff expectations from management.
- ▶ Staff perception toward management
- ▶ Staff competencies & fitness to organizational values.
- ▶ Abuses: Nepotism, fraud and corruption and non-compliance
- ▶ Mngt behaviors: Unfair treatment, favoritism, inconsistency, indiscretion, etc.
- ▶ Malpractice: bullying, harassment, intimidation, discrimination
- ▶ Competitive labor market makes high turnover
- ▶ Pulling forces: Agitation & incitement from rebellious staff.
- ▶ Wrong OD at right place.

Concept of Employee Relation

Video clip

- What have you learned from this video?
- What are the components of employee relation?

HR Leadership

Group Discussion 2

- ▶ Please divide into 12 groups.
- ▶ Discuss the **topic assigned to each group.**
- ▶ 20 minutes discussion.
- ▶ Write down the answers on Flipchart.
- ▶ 15 minute presentation.

What is an internal policy?

- It is a tool to manage staff, equipment and technology at workplace aim at promoting the effectiveness and efficiency in order to achieve greater results and successes of an organization.
- It is part of internal control system which ensure good governance of an organization.
- Internal policy is written base on 4 factors humanity, ethicality, legality and program needs.
- Internal policy is written only when there is a permanent need of that policy with effective force across the organization.

HOW TO WRITE AN INTERNAL POLICY

- ▶ Academic language.
- ▶ Limit jargons, minimum of verbiage.
- ▶ Acronyms to spell out at first time.
- ▶ Fact, accuracy and concision.
- ▶ Relevance, alignment, & consistence.
- ▶ Long term use & response to the need
- ▶ Operational across organization



Skeletons of the policy

- ▶ Author:
- ▶ Effective date:
- ▶ Review date:
- ▶ Scope of implementation:
- ▶ Background
- ▶ Objective
- ▶ Abbreviation/definitions
- ▶ Policy statement
- ▶ Rule/Procedure

PROACT NETWORK
CLIMATE CHANGE ADAPTATION
AND DISASTER RISK REDUCTION
POLICY PAPER
2008

THE BASIS OF PROACT'S CONCERN REGARDING THIS ISSUE

Environmental management is a critical, yet under-used, form of disaster risk reduction and climate change adaptation. It is dynamic and has multiple benefits, including an ability to support the mitigation of global warming, impact and well managed ecosystems also provide and ensure many essential services to communities world wide.

INTRODUCTION

This policy paper outlines the basis of Proact's concern regarding the risk of disaster, the principles underpinning our approach to disaster risk reduction (DRR) and climate change adaptation (CCA), and the key areas of our work on these subjects.

Climate change and disaster management communities have mutually operated in isolation from each other in the past. Proact believes that greater co-operation between these would increase the effectiveness of both in reducing people's vulnerability to rising sea levels. This policy paper responds to the urgent need to achieve this.

History of disasters and their rising global impact
In recognition of the rising impact of disasters worldwide and the need for concerted action to reduce the incidence of natural and man-made disasters, the governments outlined the Hyogo Framework for Action (HFA). Although negotiations were underway beforehand, this declaration was agreed just weeks after the Indian Ocean tsunami claimed the lives of over 230,000 people in 11 countries. In the past century over 100,000 deaths occurred, for example through drought and flooding in China and cyclones and severe storms in Bangladesh. Natural and man-made catastrophes were tracked – some of which had up to now slowly – disasters also add up to create extremely significant impacts. The scale of these local events has been known to exceed their recognition in official data by a factor of three. Furthermore, a steady deterioration in people's coping capacity over time, for instance on account of conflict and displacement, population growth, environmental degradation (eg. desertification, coastal erosion, deforestation), or the spread of HIV/AIDS, particularly in Africa, has led millions of people to live under conditions of extreme vulnerability.

Weather-related disasters account for over two-thirds of all disaster events and their significance is likely to increase with global warming. In its 4th Assessment Report, the Intergovernmental Panel on Climate Change (IPCC) projects that strong global temperatures will

Risk in Policy Formulation

- Too broad, unclear, too long/short
- Out of context and not meeting the need.
- Inconsistent , irrelevant, not objective serving and draconian
- Fewer policies, it lack of proper control
- Too many policies, no one to follow.
- Policy is not written on stone that cannot be erased.
- Managers to implement the policies effectively and usefully.
- Policy given rise to problem is not a policy. It is a trouble-maker.

Write Corporate Policy

Video clip

- **What have you learned from this video?**
- **Choose a policy which serve several objectives at the same time?**

Question

- **What employee relation policies should you have in your organization? Why?**

Case Study on Policy Formulation on

“Re-Hire Former Employee”

(5 minutes)

Mr. Pheap Mono, *Human Resource and Administration Director of PSI*

Complaint

- ▶ Staff satisfaction lead to staff motivation, high impact performance, high productivity, high quality of work and greater result.
- ▶ Customer satisfaction lead to customer loyalty, high desire to buy, increase of sale, increase of revenue, increase of profits.
- ▶ Ensure staff are satisfied so that they will satisfy the customer.
- ▶ How do we know about staff and customer satisfaction?
 - ▶ Feedback mechanism
 - ▶ Complaint mechanism
 - ▶ Customer/staff survey

Complaint Mechanism

- Opinion Box
- Open letter to Management/ED
- 360° Feedback on performance
- Grievance procedure
 - Complaint against line manager
 - Complaints on T&C
 - Complaint on malpractice, bullying
 - Complaint on sexual harassment & abuse
 - Complaint on change process
 - Dealing with Poor Performance
 - Dealing with Probationary Performance
 - Dealing with Misconduct
 - Dealing with Critical and Terminal Illness
 - Dealing with Permanent Incapacity
 - Dealing with Fraud and Theft



Dealing with Problems at Workplace

- Consistency, confidentiality, neutrality, fair judgment
- Compliance with internal regulation, policies and laws
- Involving lawyers and/or specialist opinion if needed.
- Context analysis and long-term perspective
- Build up the case & documentation.



GROUP DISCUSSION

- Please choose the topic of discussion as per the number of the group you are in, from the slide “**Complaint Mechanism**”.
- Spend 15 minutes to discuss in your group
- Write your proposed mechanism a flipchart
- 5 minute presentation to the plenary group.

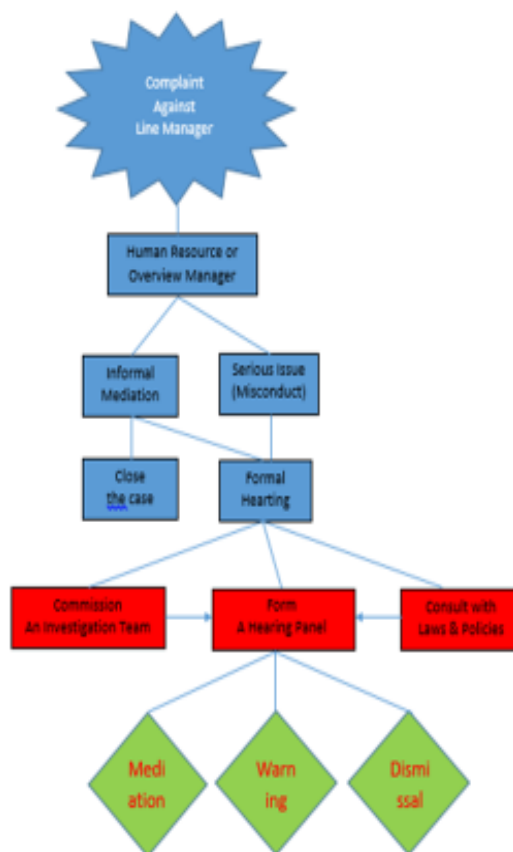
Case Study on “ Complaint Mediation”

(5 minutes)

Ms. Heng Ratana, People & Culture Technical Manager of WVI

Complaint against line manager

- ▶ The complaint should be raised to HR/OM
- ▶ Mediation is considered for the 1st step.
- ▶ Formal meeting should be conducted if informal mediation does not work.
- ▶ Call for an investigation to establish evidence & witness statement.
- ▶ Consultation with relevant policies & procedure.
- ▶ Hearing panel is established.
- ▶ Result of the hearing can be mediation, warning, or dismissal.



Complaints on T&C

- ▶ Complaint Raised to Line Manager
- ▶ Line Manager consults with HR (CD/ED)
- ▶ LM tries to solve in an Informal Mediation
- ▶ If not solvable, involve HR
- ▶ Involve Staff Rep (if it exists)
- ▶ Consult with IR, contracts & policies.
- ▶ Keep CD/ED informed of the issue.
- ▶ Consult with Head Office on HO policies
- ▶ Consult with Lawyer on contract T&C
- ▶ Formal Meeting with Staff, Staff Rep & HR
- ▶ The result can be mediation, change of T&C, contract termination, bring to AC/MoL



Complaint on Sexual Harassment & Abuse

- ▶ Report to Safeguarding Champion/CD/ED
- ▶ Or Call hotline HO.
- ▶ Commission an immediate investigation by independent investigator/HO .
- ▶ Evident collection and witnesses interview to prove beyond reasonable doubt.
- ▶ Hearing Panel establish by country office.
- ▶ Consult with Code of conduct, policy and country law.
- ▶ Subject of complaint may receive a warning or dismissal if found guilty.
- ▶ SoC can appeal the case. If so the appeal hearing will be conducted to determine if the decision is upheld or reject the case.



Dealing with Poor Performance

- LM initiates informal discussion and resolve the issue.
- No further improvement, start formal discussion.
- Give 1st warning & develop a PIP
- Give L&D opportunity.
- Provide sufficient/effective support
- Review the PIP on a regular basis
- 2nd warning is given if there is no improvement from the 1st one.
- After 3rd warning in one year, staff can be dismissed.



Dealing with Fraud and Theft

- ▶ Per suspicion/knowning the fraud/embezzlement/ theft happening, immediately report to CD/ED & Counter Fraud Unit
- ▶ CD/ED will commission an immediate investigation which is led by finance team. Staff who handle fraud/theft case must be well trained of investigation technique.
- ▶ Interview all stakeholders: staff, authority, community, suppliers, etc. and collect all substantial evident to prove the case. The case should be handled carefully and confidentially. Avoiding clash, obstruction to program/mission
- ▶ In severe case, it may need to report to police and consult with lawyer if necessary. The period of investigation may mostly be beyond one week period which is required by law for possible dismissal of the guilt.
- ▶ When handle such case, attention is drawn at sensitivity, confidentiality, legal wrangling, revenge, opening a Pandora's box, etc.



Dealing with Terminal Illness

- ▶ Managing prolonged illness
- ▶ Monitor sick leave permitted by certified doctor
- ▶ Compliance to sick leave policy
- ▶ Sick leave permitted by labor law
- ▶ 6 month sick leave: 1st month: full pay
 - ▶ 2nd & 3rd months: 60%
 - ▶ 4th – 6th month: 0%
- ▶ Recovery support and rehabilitation process.
 - ▶ Recovery assistance
 - ▶ Light work
 - ▶ Flexible working hour
 - ▶ Part-time job
- ▶ Doctor's opinion on prolonged sick leave.
- ▶ Lawyer's opinion on contract termination due to terminal illness.
- ▶ Notice of contract termination (EoC procedure)

Types of Terminal Illness

- Cancer, main categories are of:

- Lung, trachea, bronchus
- Ear, nose and throat
- Female breast
- Lymphatic
- Digestive tract
- Genitourinary
- Leukaemia
- Haemopoietic.

- Progressive non-malignant diseases, which can have a palliative period. These include:

- Diseases of the circulatory system e.g. cardiovascular, cerebro-vascular diseases
 - Diseases of the respiratory system
 - Diseases of the nervous system and sense organs e.g. motor neurone disease, multiple sclerosis, dementia
 - AIDS/HIV.
- Children's terminal illnesses and hereditary diseases, including:
 - Hereditary degenerative disorder e.g. muscular dystrophy
 - Cystic fibrosis.



Final Question

- ▶ **Please tell one thing that you have learned from this FORUM.**

Case Studies

GROUPD DISCUSSION (20 minute)

GROUP 1

Bora Green has just hired a new human resource manager and tasked to look at the reward and compensation situation in the NGO. From the survey, it shows that inflation rose up by 20% within the past year. The average salaries of the staff in 75thtile comparison is 34% behind the market. Staff turnover is about 25% per year. Recruitments of senior positions have been so difficult with ability to fill any senior position vacancies after 2nd or 3rd round of recruitment. Some positions are never filled

Topic for discussion:

1. Causes related to the above situation. Please elaborate it.
2. What are the recommended solutions?
3. Please give detail of your recommended solution.
4. Who should be responsible to solve this issue?

GROUPD DISCUSSION (20 minute)

GROUP 2

Help the Poor has observed that 60% of staff members arrive office 1 hour after the start of office hour. Staff are not motivated to work. It turns to be indiscipline and low work quality. High incidence of sick leave and uncontrollable absenteeism.

Topic for discussion:

1. Causes related to the above situation. Please elaborate it.
2. What are the recommended solutions?
3. Please give detail of your recommended solution.
4. Who should be responsible to solve this issue?

GROUPD DISCUSSION (20 minute)

GROUP 3

Due to the last year record, **staff turnover** was up to 40% in Park Industries. The management is very concerned of this situation. The company almost collapsed due to lack of qualified and experienced staff. From the employment feedback, the causes of turnover are different. This topic is being discussed at the senior management team meeting. You are HR manager who is tasked to develop a staff retention strategy.

Topic for discussion

1. What would be your perspective on staff retention?
2. What strategies do you recommend to the management?

3. What topics of your recommendation need to develop as policies?

GROUPD DISCUSSION (20 minute)

GROUP 4

Benny International has experienced poor employee relation which caused general dissatisfaction among staff member. Staff morale and motivation is low, work productivity decreased, work discipline and quality is unacceptable. The management was blamed for its poor leadership. The policy and procedures were seen as pleasing the boss and punishing workers, etc. You are an independent consultant who is hired to improve the company's employee relation program for the company.

Topic for discussion

1. What is the first thing you would do for this consultancy?
2. Please list down the areas where you plan to investigate?
3. Please list down the policy and strategies that you are going to introduce to the management?
4. Please list down the challenges the company would face in implementing this ERP.

GROUPD DISCUSSION (20 minute)

GROUP 5

There is a group of agitators in NGO001. The agitators try to hook up other employees to join their group and go against the management of the NGO. They painted the management as lack of capacity, poor leadership, lack of good governance, misappropriation of fund, nepotism and corruption. They also complained about HR policies, terms and conditions, incompliance of laws and regulations by the NGO. What would you do as HR manager?

Please focus on:

1. Fact finding process
2. Reporting to SMT
3. Categorization of issue
4. Proposed solution

GROUPD DISCUSSION (20 minute)

GROUP 6

You are working as HR manager for a poor resource setting NGO. The senior management team has requested you to lead a "Happy Staff" Program for 2018. What would you do?

Please focus on:

1. List down all emotional boosting aspects and begetting of happiness
2. List down all work and performance barriers and obstacles
3. List down all the proposed program series of "Happy Staff".
4. Propose budget for all this program implementation.



**វេទិកាវៀនសូត្រ ការគ្រប់គ្រង
ធនធានមនុស្សលើកទី៣៤**

**The 34th HRM
Learning Forum**

ស្តីពី

On

**“ការអនុវត្តន៍កិច្ចសន្យានិងលក្ខខណ្ឌ
ការងាររបស់មុន្តលិក្រសមតាមច្បាប់”**

**“Legal compliance on
Employment Terms and
Condition”**

ថ្ងៃទី ៣១ ខែ ឧសភា ឆ្នាំ ២០១៧
នៅអាគារដោយកូឡេស៊ីនធើ

31st May 2017
Diakonia Center Building

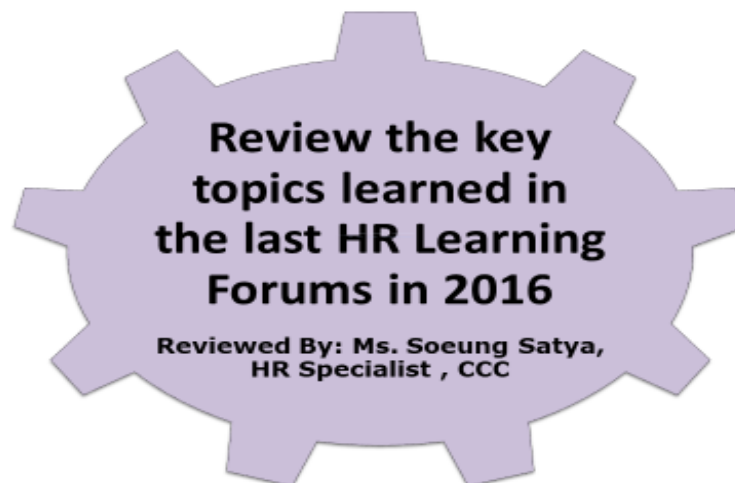
រៀបចំដោយ: អង្គការគណៈកម្មាធិការសហប្រតិបត្តិការដើម្បីកម្ពុជា (គ.ស.ក)
Organized By: Cooperation Committee for Cambodia (CCC)

Objectives

- **To strengthen participant’s internal policy to comply with the relevant laws of Cambodia**
- **To promote the understanding of participants on the “*Legal compliance on Employment Terms and Condition*”**
- **To create a learning and sharing environment and build a stronger network of HR practitioners among CSOs community.**

Agendas and Speakers

Open Remark	Mr. Soeung Saroeun , Executive Director, CCC
Review Session in 2016	Ms. Soeung Satya , HR Specialist, CCC
<ul style="list-style-type: none"> -Group Discussion and sharing -Legal compliance on Employment Terms & Condition 	Mr. Yun Sokhann , Rep. CLEC Ms. Keo Mara , Learning Specialist, CCC
<ul style="list-style-type: none"> -Selection topic for the next learning -Evaluation -Closing Remarks 	<ul style="list-style-type: none"> - Mr. Yun Sokhann, - Ms. Keo Mara, LS, CCC -Mr. Khorn Bunthong, HOO, CCC



33rd HR Learning Forum on 23 September 2016

Topics: Performance Management	Guest Speakers
<p><i>The Performance Management can be focused:</i></p> <p>Organization, Department, Employee, Services.</p> <p>This session cover key points:</p> <ul style="list-style-type: none"> ➢ Performance Management, ➢ Induction, Probationary/Performance setting, ➢ Performance Appraisal, ➢ Managing Poor/Unsatisfactory Performance, ➢ 360 Degree Feedbacks. 	<p>Dr. Pen Sharak Pheap, HR, Admin & Consultancy Manager, Cord Cambodia</p> <p>Ms. Heng Rotana, HR Unit Manager of WVC</p>

"Performance Management (PM)" continue

Tips for successful use of probationary policies:

- ***Be clear about the expectations***
- ***Give feedback regularly.***
- ***Get help for the employee***
- ***Get feedback from HR department***
- ***Documented everything***

"Performance Management (PM)" continue

The organization run smoothly should be consider the 6Ms:

- 1). Management
- 2). Manpower
- 3). Money
- 4). Machineries
- 5). Motivation
- 6). Moral

Comparison of performance evaluation with the 360 degree review

Performance Evaluation

Involves an employee and his/her manager

Task-oriented with a job function focus

Uncovers specific growth opportunities for overall job performance

Looks at how well a person does his/her job

Driven by top-down direction and strategy

360-degree Review

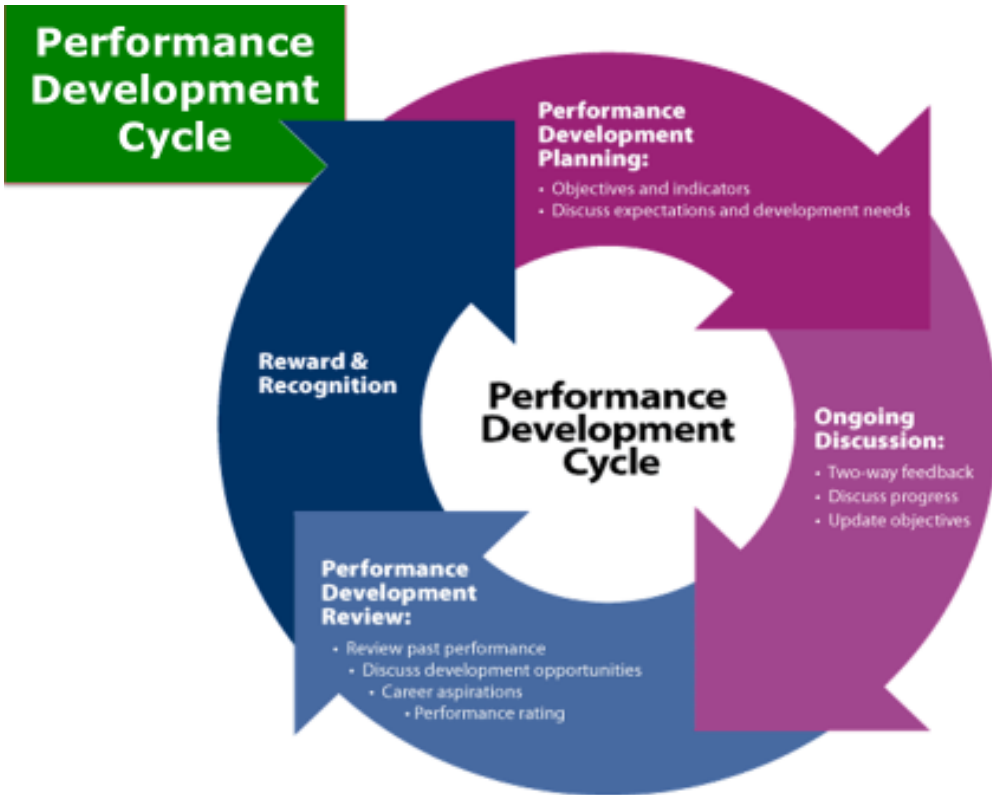
Involves an employee and his/her manager, peers and customers

Culture-oriented with a leadership ability focus

Uncovers general growth opportunities for overall personal/professional development

Looks at how well a person works with others

Driven by culture and relationships



**វេទិកាវៀនសូត្រ ការគ្រប់គ្រងធនធាន
មនុស្ស លើកទី៣៤**

**ការអនុវត្តន៍កិច្ចសន្យានិងលក្ខខណ្ឌការងារ
របស់បុគ្គលិកស្របតាមច្បាប់**

បង្ហាញដោយ: លោក យន់ សុខាន់
ជំនាញប្រឹក្សាយោបល់ផ្នែកការងារ

sokhan.yun@gmail.com

1/7/2018

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មាតិកាសំខាន់ៗមាន:

1. សេចក្តីប្រកាសជូនដំណឹងបើក ឬបិទសហគ្រាស គ្រឹះស្ថាន
2. សេចក្តីប្រកាសជូនដំណឹងអំពីចលនាបុគ្គលិក
3. បទបញ្ជាផ្ទៃក្នុងរបស់សហគ្រាស គ្រឹះស្ថាន
4. សហជីព និង តំណាងបុគ្គលិក
5. ការជ្រើសរើសបុគ្គលិក
6. ការរក្សាបុគ្គលិក
7. ការចាកចេញរបស់បុគ្គលិក

1/7/2018

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សេចក្តីប្រកាសជូនដំណឹងបើក ឬបិទសហគ្រាសគ្រឹះស្ថាន

- និយោជកទាំងអស់ដែលត្រូវអនុវត្តច្បាប់ការងារនេះ ត្រូវធ្វើសេចក្តីប្រកាសជូនដំណឹងទៅក្រសួងទទួលបន្ទុកវិស័យការងារ នៅពេលបើកសហគ្រាសគ្រឹះស្ថាន។ សេចក្តីប្រកាសជូនដំណឹងនេះ ហៅថាសេចក្តីប្រកាសជូនដំណឹងបើកសហគ្រាសគ្រឹះស្ថាន ដែលត្រូវធ្វើជាលាយលក្ខណ៍អក្សរ និងដាក់ជូនក្រសួងទទួលបន្ទុកវិស័យការងារ នៅមុនពេលបើកសហគ្រាសគ្រឹះស្ថានជាស្ថាពរ។ (ម.១៧)
- និយោជកត្រូវបើកឱ្យមាន និង រក្សាទុកឱ្យបានត្រឹមត្រូវនូវសៀវភៅបញ្ជីប្រចាំគ្រឹះស្ថានមួយ ដែលអធិការការងារបានចុះលេខរៀង និងចុះហត្ថលេខាសង្ខេប ។ (ម.២០)

សេចក្តីប្រកាសជូនដំណឹងអំពីចលនាបុគ្គលិក

- នៅរាល់ពេលដែលទទួលឱ្យធ្វើការ ឬបញ្ឈប់កម្មករនិយោជិតណាម្នាក់ និយោជកត្រូវធ្វើសេចក្តីប្រកាសជូនដំណឹងទៅក្រសួងទទួលបន្ទុកវិស័យការងារ ។
- សេចក្តីប្រកាសជូនដំណឹងនេះ ត្រូវតែធ្វើជាលាយលក្ខណ៍អក្សរក្នុងរយៈពេលដប់ប្រាំថ្ងៃយ៉ាងយូរ បន្ទាប់ពីថ្ងៃទទួលឱ្យធ្វើការ ឬបញ្ឈប់លែងឱ្យធ្វើការ។ (ម.២១)

បទបញ្ជាផ្ទៃក្នុងរបស់សហគ្រាសគ្រឹះស្ថាន

- និយោជកនៃសហគ្រាស ឬគ្រឹះស្ថានដែលមានចែងក្នុងមាត្រា ១៧ ខាងលើនេះ ហើយដែលមានកម្មករនិយោជិតយ៉ាងតិចប្រាំបីនាក់ ត្រូវតែរៀបចំឱ្យមានបទបញ្ជាផ្ទៃក្នុងរបស់សហគ្រាសគ្រឹះស្ថានមួយជាដរាប។ (ម.២២)
- បទបញ្ជាផ្ទៃក្នុងអនុវត្តបទបញ្ញត្តិទូទៅនៃច្បាប់នេះ តាមប្រភេទសហគ្រាសគ្រឹះស្ថាន និងអនុសញ្ញារួមនៃការងារដែលស្តីអំពីផ្នែកសកម្មភាពនៃសហគ្រាសគ្រឹះស្ថានពេលមកនេះ ជាអាទិ៍គឺបទបញ្ញត្តិទាក់ទងនឹងលក្ខខណ្ឌទទួលធ្វើការ ការគិត និង ការបើកប្រាក់ឈ្នួល និងកំរៃបន្ទាប់ បន្សំ តារាងលិកដាវត្ត ពេលម៉ោងធ្វើការ ពេលសម្រាកនិងការឈប់សម្រាក ការឱ្យដំណឹងមុន វិធានការអនាម័យនិងសន្តិសុខម្នាក់និយោជិត កាតព្វកិច្ចកម្មករនិយោជិត និងទណ្ឌកម្មដែលនឹងអាចតម្រូវលើកម្មករនិយោជិត។ (ម.២៣)

បទបញ្ជាផ្ទៃក្នុងរបស់សហគ្រាសគ្រឹះស្ថាន

- បទបញ្ជាផ្ទៃក្នុងត្រូវតែរៀបចំដោយនាយកសហគ្រាសគ្រឹះស្ថាន ក្រោយ ពីបានពិគ្រោះនឹងតំណាងកម្មករនិយោជិត ក្នុងរយៈពេលបី ខែបន្ទាប់ពីថ្ងៃបើកសហគ្រាសគ្រឹះស្ថាន (ម.២៤)
- បទបញ្ជាផ្ទៃក្នុងនេះ មុននឹងដាក់ឱ្យប្រើ ត្រូវតែបានទទួលទិដ្ឋាការអំពី អធិការការងារជាមុន (ម.២៤)
- ត្រូវចាត់ជាមោឃៈដោយពេញច្បាប់ ក្នុងករណីដែលប្រការទាំង ឡាយនៃបទបញ្ជាផ្ទៃក្នុងនោះអាចនឹងលុបចោល ឬកំរិតសិទ្ធិរបស់ កម្មករនិយោជិត ដែលសិទ្ធិទាំងនោះមានចែងក្នុងច្បាប់ និងបទបញ្ជា ទាំងឡាយជាធរមាន (ម.២៥)

សហជីព

- ដោយគ្មានការប្រកាន់អ្វីទាំងអស់ កម្មករនិយោជិតនិងនិយោជកមាន សិទ្ធិបង្កើតសហជីព ឬសមាគមនិយោជក តាមការជ្រើសរើសរបស់ខ្លួន ក្នុងគោលបំណងសម្រាប់តែការសិក្សាស្រាវជ្រាវ ការបណ្តុះបណ្តាល លើកតំកើងផលប្រយោជន៍ និងការការពារសិទ្ធិ ក៏ដូចជាផលប្រយោជន៍ ផ្នែកស្មារតី និងសំភារៈជាសមូហភាព និងជាឯកត្តជនចំពោះបុគ្គល ដែលលក្ខន្តិកៈសហជីព ឬសមាគមនិយោជកនោះបានកំណត់ (ម.៥ នៃច្បាប់សហជីព)

តំណាងកម្មករនិយោជិត

នៅគ្រប់សហគ្រាស ឬគ្រឹះស្ថានដែលជាធម្មតា មានកម្មករ និយោជិតយ៉ាងតិចប្រាំបីនាក់ កម្មករនិយោជិតត្រូវបោះឆ្នោត ជ្រើសរើសប្រតិភូបុគ្គលិក ដើម្បីជាតំណាងតែមួយគត់របស់ កម្មករនិយោជិតទាំងអស់នៅក្នុងសហគ្រាស ឬគ្រឹះស្ថាន ដែលជាអ្នកមានសិទ្ធិបោះឆ្នោត (ម.៣២ នៃច្បាប់សហជីព) ឬ (ម.២៨៣ ច្បាប់ការងារ)

ការជ្រើសរើសបុគ្គលិក

- ✓ លក្ខណៈសម្បត្តិ
- ✓ ប្រភេទនៃកិច្ចសន្យា និង លក្ខខណ្ឌការងារ
- ✓ រសាកល្បងការងារ
- ✓ ការពិនិត្យមើលលក្ខខណ្ឌយោង
- ✓ ការចុះកិច្ចសន្យាការងារ
- ✓ ការវាយតម្លៃ

ការក្សាបុគ្គលិក

- ✓ អត្ថប្រយោជន៍បុគ្គលិក
- ✓ ប្រាក់បំណាច់/ប្រាក់បំណាច់បណ្តេញចេញ
- ✓ ការឈប់សម្រាកដោយមានប្រាក់ឈ្នួល
- ✓ ការឈប់សម្រាកពេលមានជំងឺរ៉ាំរ៉ៃ
- ✓ ការថែទាំសុខភាព (ការឧបត្ថម្ភ ឬផ្តល់ធានារ៉ាប់រង)
- ✓ គ្រោះថ្នាក់ការងារ (បេឡាជាតិរបបសន្តិសុខសង្គម)
- ✓ សេវាបង្កាសុខភាព (ផ្នែកថែទាំសុខភាព) ប្រ.០៤៩/១៩
- ✓ សុខភាព និង សុវត្ថិភាព
- ✓ ការផ្លាស់ប្តូរអាជីព ឬការងារ

ការចាកចេញរបស់បុគ្គលិក

- ✓ កាតព្វកិច្ចនៃការជូនដំណឹង
- ✓ ការបញ្ឈប់ពីការងាររួម ឬកាត់បន្ថយបុគ្គលិក
- ✓ ការលាលយប់ពីតំណែង
- ✓ ការបញ្ចប់កិច្ចសន្យា
- ✓ ការបណ្តេញចេញ
- ✓ លិខិតសរសើរ
- ✓ វិញ្ញាបនបត្រការងារ

មាត្រា ២៥៨៖ ជនទាំងឡាយដែលរកការងារធ្វើ អាចទៅចុះឈ្មោះនៅការិយាល័យរកការឱ្យធ្វើនៃ ក្រសួងទទួលបន្ទុកវិស័យការងារ ឬការិយាល័យការងារនៃខេត្ត-ក្រុងខ្លួន ។

និយោជកទាំងអស់ត្រូវជូនដំណឹងមកការិយាល័យរកការឱ្យធ្វើនៃក្រសួងទទួលបន្ទុកវិស័យការងារ ឬ ការិយាល័យការងារដែលតាំងនៅក្នុងខេត្ត-ក្រុងខ្លួន អំពីកន្លែងធ្វើការទំនេរដែលមាននៅក្នុងសហគ្រាស ឬកន្លែងថ្មីដែលសហគ្រាសត្រូវការបញ្ចូលបុគ្គលិកបន្ថែមទៀត។

និយោជកអាចជ្រើសរើសដោយផ្ទាល់នូវកម្មករនិយោជិតសម្រាប់ ធ្វើការឱ្យខ្លួនបាន ហើយត្រូវបំពេញបែប បទដូចមានចែងក្នុងមាត្រា ២១ នៃច្បាប់នេះ។

មាត្រា ២៥៩៖ និយោជកទាំងឡាយមិនអាចត្រូវបង្ខំឱ្យទទួល កម្មករនិយោជិត ដែលការិយាល័យរក ការឱ្យធ្វើបញ្ជូនឱ្យខ្លួនឡើយ។ អាទិភាពក្នុងការទទួលកម្មករនិយោជិតប្រភេទខ្លះនឹងត្រូវកំណត់ក្នុង បទប្បញ្ញត្តិ និងបទបញ្ជាដោយឡែក។

មាត្រា ២៦០៖ ហាមឃាត់មិនឱ្យបុគ្គលិកនៅការិយាល័យរកការឱ្យធ្វើគ្រប់រូប តម្រូវឱ្យអ្នកសុំការងារធ្វើផ្តល់កំរៃ ឬព្រមទទួលកំរៃអ្វីដែលកើតមានមកពីការរកការឱ្យធ្វើនោះឡើយ ។

មាត្រា ២៦១៖ គ្មានជនបរទេសណាម្នាក់អាចប្រកបមុខរបរណាមួយដោយគ្មានប័ណ្ណការងារ និង សៀវភៅការងារដែលចេញឱ្យដោយក្រសួងទទួលបន្ទុកវិស័យការងារ។ ជនបរទេសនោះត្រូវបំពេញបណ្តាលក្នុងខណ្ឌផ្សេងៗទៀតដូចតទៅ ៖

- ក. និយោជកត្រូវមានជាមុននូវប័ណ្ណការងារត្រឹមត្រូវ ដើម្បីប្រកបមុខរបររបស់ខ្លួន នៅព្រះរាជាណាចក្រកម្ពុជា
- ខ. ជនបរទេសនោះត្រូវបានចូលមកព្រះរាជាណាចក្រកម្ពុជាដោយត្រឹមត្រូវតាមផ្លូវច្បាប់
- គ. ជនបរទេសនោះត្រូវមានលិខិតឆ្លងដែនត្រឹមត្រូវ
- ឃ. ជនបរទេសនោះត្រូវមានប័ណ្ណស្នាក់នៅត្រឹមត្រូវ
- ង. ជនបរទេសនោះត្រូវមានកាយសម្បទាសមស្របនឹងមុខរបរនោះ ហើយគ្មានកើតជំងឺឆ្លងណា មួយទេ ។ លក្ខខណ្ឌនេះត្រូវបានកំណត់ដោយប្រកាសក្រសួងសុខាភិបាល ដោយមានការ ឯកភាពពីក្រសួងទទួលបន្ទុកវិស័យការងារ។

ពិភាក្សាក្រុមតូច

ក្រុម១: ការជ្រើសរើសបុគ្គលិក

1. ដើម្បីជ្រើសរើសបុគ្គលិកម្នាក់ប្រកបដោយប្រសិទ្ធភាព និងគុណភាព តើអ្នកធ្វើដូចម្តេច?
2. តើអ្នកជួបប្រទះបញ្ហាអ្វីខ្លះនៅក្នុងដំណើរការនៃការជ្រើសរើសបុគ្គលិកនោះ?
3. តើអ្នកដោះស្រាយបញ្ហាទាំងនោះដោយរបៀបណា?

ក្រុម២: ការរក្សាបុគ្គលិក

1. តើអ្នកធ្វើដូចម្តេចដើម្បីរក្សាបុគ្គលិកអោយបានល្អនៅក្នុងអង្គការរបស់អ្នក?
2. តើអ្នកជួបប្រទះបញ្ហាអ្វីខ្លះនៅក្នុងការថែរក្សាបុគ្គលិកនោះ?
3. តើអ្នកដោះស្រាយបញ្ហាទាំងនោះដោយរបៀបណា?

ក្រុម៣: ការចាកចេញរបស់បុគ្គលិក

1. តើការចាកចេញរបស់បុគ្គលិកមានប៉ុន្មានប្រភេទ? ចូររៀបរាប់?
2. តើមានកត្តាអ្វីខ្លះដែលធ្វើអោយបុគ្គលិកចាកចេញពីការងារ ឬពីអង្គការ?
3. តើអ្នកដោះស្រាយបញ្ហាទាំងនោះដោយរបៀបណា?

Annexes:

- **The Two Minutes of Learning Forum on HRM**
- **The Two Detailed Agendas of Learning Form on HRM**
- **Evaluation Form**

Concept Note
of
The 35th Human Resource Management Learning Forum
On
“Employee Relation”

26 October 2017, 8:00am – 5:00pm, at *Diakonia Center (ICF/KSSA Building)*
#19-21, Street 330, Boeung Keng Kang III, Chamkamorn, Phnom Penh

I. Introduction

As the longest established membership organization in Cambodia, the Cooperation Committee for Cambodia (CCC) has played a unique role since 1990 in strengthening the cooperation, professionalism, accountability, governance, and development effectiveness of the Civil Society Organizations (CSOs) that are working across diverse sectors in Cambodia.

Phase 3 of CCC’s Governance Hub Program (GHP) for the five year period 2017-2021, the goal of CCC is for a “strong and capable civil society, cooperating and responsive to Cambodia’s development challenges”. The GHP’s program goals are 1) enhanced effectiveness and impact of civil society organizations (CSOs), and 2) improved enabling environment for CSOs. Responding to its goals CCC offers a range of capacity development and learning opportunities for NGO staff to influence their thinking and practices and to deliver high quality services appropriately respond to the true needs of those CSO.

One of seven program strategies is the **Learning and Capacity Development** for CCC members and other interested CSOs. Among this program the learning forum on Human Resource Management (HRM), Monitoring and Evaluation (M & E), Information Communication Technology (ICT) and Finance Management forum is very importance to build the capacity of its members for better performance of their service delivery. To ensure the quality of the learning forum CCC has formed the Working Groups to provide inputs and advice for NGO learning community in Cambodia. The Working Group will play role as an oversight committee to provide strategic and technical support to NGO community to promote and improve their Human Resource Management, Monitoring and Evaluation, Information Communication Technology and financial management system within their organizations for effectiveness and efficiency development in NGO sector of Cambodia.

To keep responding to the needs of the NGO community; CCC had conducted the 34th HR Learning Forum on 31st May 2017 with the main topic is “**Legal compliance on Employment Terms and Condition**”. On the other hand, to strengthen the capacity on NGO governance in Cambodia, the HR Working Group members decided to select

the main topic which raised by NGO participants during the previous learning forum is ***“Employee Relation” for the 35^h HR Learning Forum in 2017.***

The 35th HR Learning Forum is designed for HR practitioners who come from members and non-members organizations of CCC. This event will be full-day conducted on 26 October 2017 at Diakonia center (ICF/KSSA) with specific objectives, expected outputs, and agenda as below:

III. Objectives of the HR Learning Forum

- To strengthen the participant’s to deeply understanding on ***Policy formulation and Compliance***
- To promote the understanding of participants on the ***Disciplinary Procedure and Grievance Procedure***
- To promote the understanding of participants on the ***Employment Separation***
- To create a learning and sharing environment and build a stronger network of HR practitioners among CSOs community.

IV. Expected outputs

- The participants will be aware more on the ***Policy formulation and Compliance***
- The participants will have better understanding related to ***Disciplinary Procedure and Grievance Procedure***
- The participants will be aware more on the ***Employment Separation***
- Practitioner participants will have more chance to learn, share, and build up more relationship among people who have same interest from similar fields.

V. Target Participants

This HR learning forum is offered to a maximum of 80-100 participants from CCC members and non-members organizations who are HR practitioners and other interested NGOs. Each participant should be assigned by the senior management of their organization and committed to apply what has been learned from the forum to their organization. Participants from non-CCC member are welcomed but are subjected to pay attendance fee as stated in the CCC Policy to support the Learning Forum’s logistic arrangement.

VI. Detailed Agenda

Time	Key Contents	Resource persons
07:30-08:00	Registration	<ul style="list-style-type: none"> • Ms. Keo Mara, Learning Specialist, CCC
08:00-08:10	Welcome and Introduction of the forum objectives	
08:10-08:25	Opening remarks	<ul style="list-style-type: none"> • Mr. Soeung Saroeun Executive Director, CCC
08:25-08:50	Session1: Review the learning points from the last HR learning forum	<ul style="list-style-type: none"> • Ms. Soeung Satya, HR Specialist, CCC
08:50-9:45	Session 2: Sharing experiences on “Employee Relation” - Video clip	<ul style="list-style-type: none"> • Mr. Chan Kanika HR and Operation Manager, OXFAM

9:45-10:00	Coffee Break	<ul style="list-style-type: none"> All
10:00-12:00	Session2 : “continue “Sharing the real practical on - Employment Separation	<ul style="list-style-type: none"> Mr. Chan Kanika HR and Operation Manager, OXFAM
12:00-01:30	Lunch Break	All
01:30-03:45	Session2 : “continue “ Sharing the real practical on: - Policy formulation and Compliance - Disciplinary Procedure - Grievance Procedure	<ul style="list-style-type: none"> Mr. Chan Kanika HR and Operation Manager, OXFAM Mr. Pheap Mono HR & Administration Director, PSI Ms. Heng Rotana HR Technical Manager, WVC
3:45-4:00	Coffee Break	All
4:00-4:40	Session 3 : “Plenary Sharing and Reflection of the receiving of the participants.	<ul style="list-style-type: none"> Mr. Chan Kanika HR and Operation Manager, OXFAM All participants
4:40-4:50	Session 5 : <ul style="list-style-type: none"> Discussion by Table on the Next Topics Forum Evaluation 	<ul style="list-style-type: none"> Ms. Keo Mara, Learning Specialist, CCC
4:50-5:00	Conclusion and Closing	<ul style="list-style-type: none"> Mr. Khorn Bunthong Head Of Program, CCC

Note: CCC reserves the rights to change the agenda based on the availability of the speakers and time constraints.

Concept Note
of
The 34th Human Resource Management Learning Forum
On
“Legal compliance on Employment Terms and Condition”

31st May 2017, 8:am – 5:00pm, at
Diakonia Center (ICF/KSSA Building) #19-21, Street 330, Boeung Keng Kang III, Chamkamorn, Phnom Penh

I. Introduction

As the longest established membership organization in Cambodia, the Cooperation Committee for Cambodia (CCC) has played a unique role since 1990 in strengthening the cooperation, professionalism, accountability, governance, and development effectiveness of the Civil Society Organizations (CSOs) that are working across diverse sectors in Cambodia.

Phase 3 of CCC’s Governance Hub Program (GHP) for the five year period 2017-2021, the goal of CCC is for a “strong and capable civil society, cooperating and responsive to Cambodia’s development challenges”. The GHP’s goals are 1) enhanced effectiveness and impact of civil society organizations (CSOs), and 2) improved enabling environment for CSOs. Responding to its goals CCC offers a range of capacity development and learning opportunities for NGO staff to influence their thinking and practices and to deliver high quality services appropriately respond to the true needs of those CSO.

One of seven program strategies is the **Learning and Capacity Development** for CCC members and other interested CSOs. Among this program the learning forum on Human Resource Management (HRM), Monitoring and Evaluation (M & E), Information Communication Technology (ICT) and Finance Management forum is very importance to build the capacity of its members for better performance of their service delivery. To ensure the quality of the learning forum CCC has formed the Working Groups to provide inputs and advice for NGO learning community in Cambodia. The Working Group will play role as an oversight committee to provide strategic and technical support to NGO community to promote and improve their Human Resource Management, Monitoring and Evaluation, Information Communication Technology and financial management system within their organizations for effectiveness and efficiency development in NGO sector of Cambodia.

To keep responding to the needs of the NGO community; CCC had conducted the 33th HR Learning Forum on 23 September 2016 with the main topic is **“Performance Management”**. In the other hand, to be more strengthen the capacity on NGO governance in Cambodia, the HR Working Group decided to select the main topic which raised by NGO participants during learning forum is **“Legal compliance on Employment Terms and Condition”**

for the 34th HR Learning Forum in 2017.

The 34th HR Learning Forum is designed for HR practitioners who come from members and non-members organizations of CCC. This event will be full-day conducted on 31st May 2017 at Diakonia center (ICF/KSSA) Building with specific objectives, expected outputs, and agenda as below:

II. The date and venue of HR Learning Forum

The learning forum will be conducted on **31st May 2017 from 8:00am – 5:00pm**, at Diakonia Center (ICF/KSSA Building) #19-21, Street 330, Boeung Keng Kang III, Chamkamorn, Phnom Penh

III. Objectives of the HR Learning Forum

- To help practitioner participants strengthen their internal policy in complying with the relevant laws in Cambodia
- To provoke the practitioner participants' well understood on the ***Legal compliance on Employment Terms and Condition***
- To create a learning and sharing environment and build a stronger network of HR practitioners among CSOs community.

IV. Expected outputs

- Practitioner participants will be aware more about the ***Legal compliance on Employment Terms and Condition***
- Practitioner participants will have better understanding related to Labour law in Cambodia
- Practitioner participants will deeply understand about the ***staff benefits related to the*** Labour law in Cambodia
- Practitioner participants will have more chance to learn, share, and build up more relationship among people who have same interest from similar fields.

V. Target Participants

This HR learning forum is offered to a maximum of 80-100 participants from CCC members and non-member organizations who are HR practitioners and professionals. Each participant should be assigned by the senior management of their organization and committed to apply what has been learned from the forum to their organization. Participants from non-CCC member are welcomed but are subjected to pay attendance fee as stated in the CCC Policy on Business Capacity Development Services as a contribution to support the forum's logistic arrangement.

VI. Detailed Agenda

Time	Key Contents	Resource persons
07:30-08:00	Registration	<ul style="list-style-type: none">• Ms. Keo Mara, Learning Specialist, CCC
08:00-08:10	Welcome and Introduction of the forum objectives	<ul style="list-style-type: none">• Miss. Eng Rotha, Support Service Specialist
08:10-08:25	Opening remarks	<ul style="list-style-type: none">• Mr. Soeung Saroeun

		Executive Director, CCC
08:25-09:00	Session1: Review the learning points from the last HR learning forum in 2016	<ul style="list-style-type: none"> • Ms. Soeung Satya, • HR Specialist, CCC
09:00-9:45	Session 2: Group Discussion on the real practical of participant on their internal policy.	<ul style="list-style-type: none"> • Mr. Yun Sokhann, CLEC • All participants
9:45:-10:00	Coffee Break	<ul style="list-style-type: none"> • All
10:00-11:00	Session 2 : <i>Continue_ Presentation and sharing the results of each group.</i> <ul style="list-style-type: none"> • Q&A 	<ul style="list-style-type: none"> • Mr. Yun Sokhann, CLEC • All participants
11:00-12:00	Session 3 : <i>Presentation of the staff benefit in Cambodia Labour law:</i> <ul style="list-style-type: none"> • Legal compliance on Employment Terms and Conditions • Q&A 	<ul style="list-style-type: none"> • Mr. Yun Sokhann, • CLEC
12:00-01:30	Lunch Break	All
01:30-02:30	Session 3 : <i>Continue_ Presentation of the staff benefit in Cambodia Labour law:</i> <ul style="list-style-type: none"> • Legal compliance on Employment Terms and Conditions • Q&A 	<ul style="list-style-type: none"> • Mr. Yun Sokhann, CLEC • All participants
2:30-3:45	Session 4 : Group Discussion on the real practical of participant on: <ul style="list-style-type: none"> • Employment Terms and Conditions • Sharing of each group • Plenary Sharing 	<ul style="list-style-type: none"> • Mr. Yun Sokhann, CLEC • All participants
3:45-4:00	Coffee Break	All
4:00-4:15	Session 5 : <ul style="list-style-type: none"> • Discussion by Table on the Next Topics • Forum Evaluation 	Ms. Keo Mara, Learning Specialist, CCC
4:15-4:40	Conclusion and Closing	<ul style="list-style-type: none"> • Mr. Khorn Bunthong, HOO, CCC

Note: CCC reserves the rights to change the agenda based on the availability of the speakers and time constraints.



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Vision: Sustainable development for Cambodia

REPORT OF
THE 35TH HUMAN RESOURCE MANAGEMENT LEARNING FORUM
On
“Employee Relation”
26 October 2017, Diakonia Center



Prepared By: Ms. Keo Mara, Learning Specialist
Supported By: Mr. Sok Sovann, Mentoring and Coaching Specialist

I. Introduction

As the longest established membership organization in Cambodia, the Cooperation Committee for Cambodia (CCC) has played a unique role since 1990 in strengthening the cooperation, professionalism, accountability, governance, and development effectiveness of the Civil Society Organizations (CSOs) that are working across diverse sectors in Cambodia.

To keep responding to the needs of the NGO community; CCC had conducted the 33rd HR Learning Forum on 23 September 2016 with the main topic is **“Performance Management”**, the 34th HR learning forum was conducted on 31 May 2017 at Diakonia center that focused on the main topic is **“Legal compliance on Employment Terms and Condition”**.

On the other hand, to strengthen the capacity on NGO governance in Cambodia, the HR Working Group members decided to select the main topic which raised by NGO participants during the previous learning forum. The 35th HR Learning Forum is designed for HR practitioners who come from members and non-members organizations of CCC and the private sector. This event has full-day conducted on 26 October 2017 at Diakonia center (ICF/KSSA).

II. Objective

- To strengthen the participant’s to deeply understanding on **Policy formulation and Compliance**
- To promote the understanding of participants on the **Disciplinary Procedure and Grievance Procedure**
- To promote the understanding of participants on the **Employment Separation**
- To create a learning and sharing environment and build a stronger network of HR practitioners among CSOs community.

III. Opening Remarks

The 35th HRM Learning Forum was opened remark by Mr. Soeung Saroeun, Executive Director of CCC.

Firstly, he thanksgiving to all participants who have attended the HR learning forum this day. He emphasized that this learning forum is very important for the HR practitioners and staff to know and understand the policies and other relevant laws. He expressed that the 35th HR learning today is a correlation with the 34th HR learning forum. He added that the human being have 4H: (1) is Head (idea) we should have the inter connected with other people, (2) Heart (love) someone come to learn today because of money and another one is love institute, (3) Hand come with knowledge and skill plus energy and (4) Hope while the people come to our organization because s/he has hope from the organization and colleagues. The organization has to put all 4Hs into the policies to achieve the common goal. And the good policy should have full participation by staff. Another importance is compliance



with the policies and regularly orient to staff to ensure the staff aware of the policies, especially, an organization must comply with the law and regulations as well as build a good internal relationship.

Finally, he sincerely thanks, HR working group who contributed their valuable time in supporting this learning today; he added that this showed that it responded to the community needed and he also thankful to CCC members attended the learning forum and CCC staff who organized this event runs smoothly with meaningful.

IV. Summary output of the 35th HR Learning Forum

There were 83 participants (44 women) including CCC staff attended this forum. *They were from 36 INGOs, 47 LNGOs.*

Session 1: Review the last HR learning forum in May 2017

The last HR Learning forum on 31 May 2017 was reviewed by Ms. Soeung Satya, HR Specialist, CCC.

She explained briefly on the main points of *“Legal compliance on Employment Terms and Condition”*, within this session, she briefed the key points as below:

- ▶ **This session cover key points:**
 - *Staff Recruitments,*
 - *Staff Retentions*
 - *Staff Separation*

To be learned more on these topics she suggested participants access the detail information in the attached files on CCC website.

Session 2: Sharing the real practical from participants and speaker on “Employee Relation”

The “Employee Relation” was facilitated and shared by Mr. Chan Kanika, Human Resource and Operation Manager of Oxfam in Cambodia.

Within this learning forum, he used the facilitation methods such as Video clip, slide presentation, group activities and case studies...etc. within his session, he shared the key points as below:

“Employee Relation”:

1. *What is Employee Relation?*
2. *What should we do to ensure an effective and successful employee relation program?*
3. *What are the components of Employee Relation?*
4. *Challenges in Employee Relation*
5. *What is an internal policy?*
6. *How to Write and Internal Policy*
7. *Skeletons of the policy*



8. Risk in Policy Formulation
9. Complaint
10. Complaint Mechanism
11. Dealing with Problems at Workplace
12. Complaint against line manager
13. Complaints on T&C
14. Complaint on Sexual Harassment & Abuse
15. Dealing with Poor Performance
16. Dealing with Fraud and Theft
17. Dealing with Terminal Illness

Before he continues his session, he gave chance to participant share their real practical related to the: **“What are the main issues related to employee relation arise at your workplace?”**

The results shared by participants and speaker

- GENERAL EMPLOYEE RELATION
 - o Industry or labor or employee relation
 - o What law did it relate to the employee?
 - + Labor law it is related to staff
 - + Employee contract

- POLICIES DEVELOPMENT
 - Legal compliance
 - Organizational vision
 - Actual reward, actual situation
 - We have good policy make high productive and liability
 - Reduce negative effect on staff and employer
 - HR have to ensure our employees are happy with our policy, way of work, working environment, working relationship,
 - Relation strategy (have flexible based on staff heart and mind)

- WHAT SHOULD WE DO TO ENSURE AN EFFECTIVE AND SUCCESSFUL EMPLOYEE RELATION PROGRAM?
 - Staff orientation (policies and internal management system, way of working in the organization, programs, clarify s/he job description, what is your dimension in the organization) it is the role of HR.
 - Performance appraisal:
 - What have been archive do we need to award or upgrade job
 - Staff termination
 - Pay benefit it is an important point in the staff relation.
 - Staff slotting/job arrangement
 - Employee satisfaction (staff retention, conflict in the organization, compliant, not follow supervisor)
 - Culturalization in the organization
 - Support staff (caring/coaching/counseling) it is HR role
 - Conflict resolution
 - Cost contentment:
 - Recruitment
 - Working process
 - Health and safety

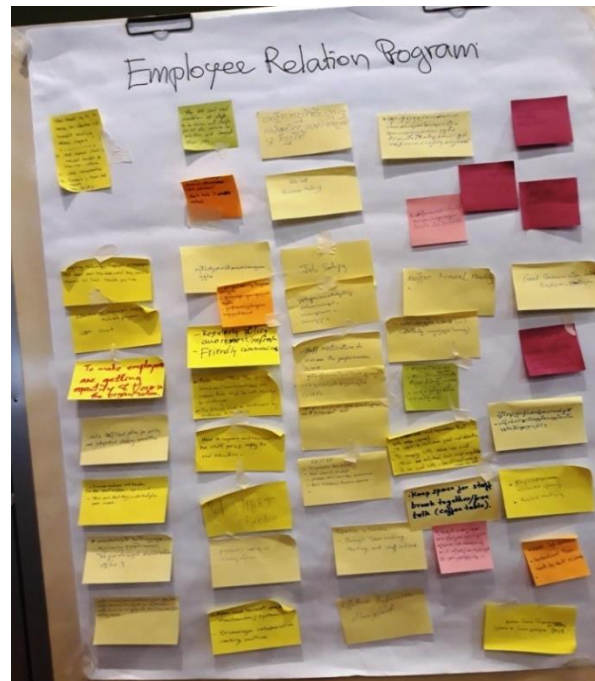
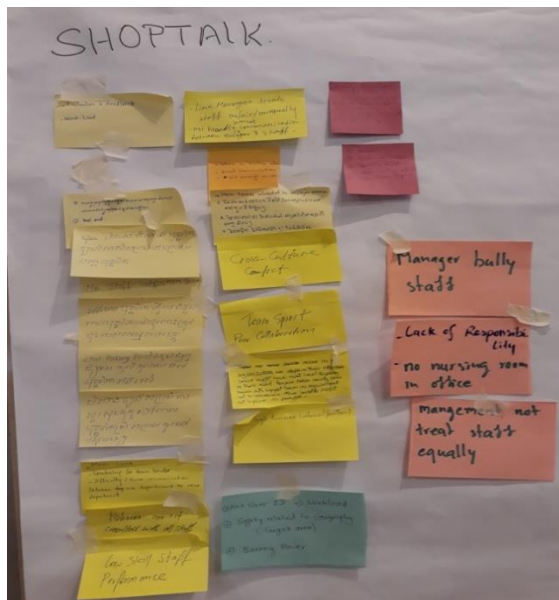
- Staff reward and compensation

➤ **SHOPTALK**

What are the main issue related to employee relation arise at your workplace?

❖ **Challenges in employee relation:**

- Confidentiality
- What manager should play?
- Staff benefit, manager leadership style
- Transformation
- Working behaviors (the manager should show the consistency with policy)
- Staff competency in the organization (while recruiting/interview staff mostly focus on hard skills forget soft skill)
- Management behavior (unfair treatment)
- The manager not following regulation/policies
- Competitive labors market (high rise is staff retention)
- Do not have any office politic
- Pulling forces
- Wrong OD at the right place



Q: What can we do, if the staff has high expectation from the manager /organization?

Shared by Speakers:

- Working flexible hours by clearly stated in MEMO
- Staff perception is different from staff understanding
- Manager Role should:
 - Try to complete what staff want to be (staff want to get any benefits from the organization)
 - Play role model and good relationship with staff
 - Leadership style should flexible based on situation (strict, compromise, encourage ...etc.)
 - Management and leadership should consistency
 - Make "Happy Hour ":
 - Friday Learning English at least one hour
 - Football team (buy uniform)

- Close office early and outside party with sharing cost/ coffee break and sharing all information..etc.

Group sharing of the real practical on “Case Studies of Human Resource Management”

Case Study #1(Reward and compensation situation in the NGO)

The result of discussion:

- Causes related to the above situation. Please elaborate it.
 - Salary scale under the market
 - Lack of compensation and benefits policy
 - Lack of staff survey and exit interview
- What are the recommended solutions?
 - Update salary scale base on salary survey result
 - Develop/review compensation/benefit & recruitment policy

7. Please give detail of your recommended solution.

No.	Issues	Action	Who	Deadline
1	Update salary scale	Mgt meeting and approve on salary adjustment to all staff	HRM	Q1
2	Develop/review policies	Revise policies	HRM	Q2-Q3

Case Study #2. (Poor Management)

The result of discussion:

- Causes related to this situation:
 - No clear policy/discipline
 - Not clear orientation induction
 - Nepotism
 - Poor behavior of Management team(Mgt)
 - Information not sharing widely with all staff
 - Benefit, job satisfaction
- What are the recommended solutions?
 - Policy review (bottom up)
 - In compliance with labor law (HR + Staff + Mgt + Board)
 - Properly induction new staff, refresher, existing staff-HR
 - Staff representative & complaint box to board HR-Staff
 - Regular meeting, information system Mgt, admin team
 - Market adjustment survey (Job evaluation) HR-SMT
- Please give detail of your recommended solution.
 - Find out what are the root causes?

Case Study #3. (Staff Turnover)

The result of discussion:

4. What would be your perspective on staff retention?
 - Staff left, it can be manager or organisation
 - Working environment
 - Capacity building and staff training planning
 - Staff benefits and staff wealth being
5. What strategies do you recommend to the management?
 - Conduct staff satisfaction survey
 - succession planning policy
 - staff welfare
 - succession planning
 - job motivation
6. What topics of your recommendation need to develop as policies?
 - Develop succession planning policy
 - Develop capacity building policy
 - Develop pay & benefits policy
 - Develop staff well being program policy



Case Study #4 (Poor Employee Relation)

The result of discussion:

5. What is the first thing you would do for this consultancy?
 - Survey, review on policy/ and desk review
 - Performance Management
 - Understanding and real situation in the organization
 - Review current policy with all staff
 - Meeting with management staff to reflect their performance by individually, reflect our own role then make action and facilitated by external consultant
6. Please list the areas where you plan to investigate?
 - Reflect on existing policy, procedure and mechanism
 - Put the result of reflection meeting into performance appraisal
 - Leadership style, structure of management
7. Please list down the policy and strategies that you are going to introduce to the management?
 - Should have Grievance policy and review staff policy then include key elements of good practice
 - Review management structure
 - Introduce new structure
 - Feedback box
 - Staff representative
 - Staff meetings
 - Market adjustment(by HR and SMT)

8. Please list down the challenges the company would face in implementing this ERP.
 - Resource mobilization
 - Slow down productivities

Case Study #5 (Poor Leadership)

The result of discussion:

5. Fact-finding process
 - Call management team for meeting (Evidences)
 - Assessment/survey (confidential) by random to relevant staff
 - Summary key finding + Recommendation compliance with internal policy and labor law
6. Reporting to SMT
7. Categorization of issue
 - Real
 - Not Real
8. Proposed solution
 - Inform to Senior Management Team (SMT) – Recommendation – Risk + Legal compliance
 - Inform to SMT- Individual/ Management Team, then Warning Letter

Case Study # 6. (Poor resource setting NGO)

The result of discussion:

5. List down all emotional boosting aspects and begetting of happiness
 - Create happy hour (Friday lunch)
 - Create work fair
 - Greeting each other
 - Create good teamwork
6. List down all work and performance barriers and obstacles:
 - Workload/Time management
 - Miscommunication
 - Poor facility and system
 - Poor technology
7. List down all the proposed program series of “Happy Staff”.
 - Awarded of appreciation (certificate..)
 - Friday learning (sharing experience)
 - One hour per week for chitchat together
 - Football team
 - Staff retreat

The detailed of each case study is in annex

Session 2: Continue sharing the real practice of each speaker on “Policy Formulation and Compliance”

The Policy Formulation and Compliance was shared by Mr. Chan Kanika, HR and Operation Manager of OXFAM, Mr. Pheap Mono, HR and Admin Director of PSI and Ms. Heng Ratana, HR Technical Manager of WVI.

+ **Mr. Chan Kanika shared and continued his presentation** related topic “Policy Formulation and Compliance” by focusing the key content as below:

1. What is an internal policy?
2. How to write an Internal Policy?
3. Skeletons of the policy
4. Risk in Policy Formulation
5. Complaint
6. Complaint Mechanism
7. Dealing with Problems at Workplace

Please see the detail information in the attached file on CCC website.

Case Study on Policy Formulation on “Re-Hire Former Employee” By Populations Services International Cambodia (PSI/C)

Mr. Pheap Mono, HR and Admin Director of PSI, he shared his real practical on “Re-Hire Former Employee”, he focused on the key contents:

- **PSI had Re-Hire Former Employee policy and Form:**
 - Have good performance
 - Set clear timeframe to re-hire staff
 - Have knowledge
 - Set clear criteria(qualification, personal quality, attitude, skill fit to new position,
 - Provide recommendation to HR
 - Line supervisor have make recommendation
 - The same as salary before but review based on the real situation of staff is based on the budget available and flexible increasing policy with approval by ED.



+ *Note: PSI did not call back if the former staff who was not fully completed probation period.*

- **What is the advantage of this policy?**
 - Staff motivation
 - Save time
 - Known for their good performance
 - Line supervisor is important (let line supervisor appoint the satisfaction staff)

- **The process of recruitment (PSI has Recruitment Request Form)**
- ✚ **Shared by Participants:** *They recruited the same process but did not announce, it based on requested and recommended by the manager to HR and Finance team, and let staff update their CV.*
- **Leadership**
 - HR is legal compliance
 - Managing people
 - How to manage 120 people in the organization
 - HR played role the ears and eyes of the management team
 - HR has to know policies and relevant laws on the top, have to read and remember all chapters in the policy
 - HR has to know the trend of the organization
 - Walk to the talk (do not say funny or promise anything to staff, if we do not clear information)
- **The disadvantage of Re-Hire Employee:**
 - The speaker commented that HR Director or Manager must be faired such as no blood employee
 - New experience
 - Poor performance

Group Sharing the Real Practical on " Complaint Mechanism"

- ▶ Mr. Chan Kanaika (Speaker), he provided a chance to participants and divided them into six small groups. Each group will be shared their real practical related to the procedure in dealing the complaint cases as below:

▶ The Results with the proposed Complaint Mechanisms each group:

Group I: Complaint Against Line Manager

<i>Proposed Mechanism</i>	<i>Who involve?</i>	<i>Consultation</i>	<i>Results</i>
1. Fact-finding / After approval by ED (complaint validate)	HRM and Complaint staff	Director	Root cause is found
2. Counseling (if not serious case)	Complainer, line manager	HRM	Positive or Negative
3. Investigate(serious case)	Committee	HRM and committee	Disciplinary Action

Group II. Complaint on Malpractice, Bullying, Sexual Harassment & Abuse

Procedure:

- Form Committee (staff representative, HR and external member)
- Consultation
- Investigate (Report)
- Hearing, then Decision (Innocent, Warning, Dismissal)
- Improvement plan

✚ **Can be involved based on case (Steering Committee, CD/ED, Head Quarter, Hotline contact)**

Group III. Complaint on Change Process and Dealing with Poor Performance

A). Complaint about Change Process:

- Training / Orientation (flow chart)
- Period/Time
- Practice
- Supporting
- Evaluation

✚ **Who involve: Relevant by all staff**

B). Dealing with Poor Performance:

- Setting Objective
- Coaching
- Midterm review
- Annual Performance Review
- Performance Improvement Plan (3-6months)
- Apply labour law

✚ **Who involve: HR, line manager, and staff**

Group IV: Dealing with Probationary Performance

The proposed mechanism:

- Address the problem in probationary
- Set SMART objective (clear indicator)
- Clear policy, comply with the Labour Law and sign on Code Of Conduct
- Clear orientation and induction (JD....)
- Follow up, mentoring and Coaching
- Performance Appraisal (probation period)
- Form the meeting after got the result



Group V: Dealing with Critical and Terminal Illness

Proposed mechanism:

- **Doctor:** Issue Treatment letter, then send to manager and to HR
- Letter from Doctor also send to staff
- Compliance with HR policy and labour law (staff benefits and NSSF)
- Approval by ED
- Payroll Calculation after final approval (separate payment based on situation or status staff)
- Acknowledgement letter (can be less than or more than 6 months)

Group VI: Dealing with Fraud and Theft

Proposed mechanism:

- **Method:** Policy Base, evident base (investigation),
- **Involvement:** HR team, line manager, and finance team
- **Consultation:** Law inspector
- **Result:** termination (based on serious case or not)

Case Study on “Complaint Mediation” By World Vision International (WVI)

✚ **Ms. Heng Rotana, People & Culture Technical Manager of WVI, she shared her real practical on “Complaint Mediation”, she shared her procedure to solve the problem or cases:**

- Open for all staff to share what they want.
- Has hotline
- If case related to fraud, WVI has local Case committee (NMC_ National Management Committee).
- Has Risk Management Committee
- Reporting system
- Warning (if related to lost materials)
- Solve the problem based on recommendation
- Observe on their behavior....etc.
- Assets: we can also check value of inventory and Insurance (by Mr. Pheap Mono)

Q. How can we do when we terminate staff contract?, if we are in HRM role.

✚ **General commented by speakers: Ms. Heng Rotana and Mr. Pheap Mono**

A- HR should look at the two points: UDC and FDC based on Labour Law.

If they have poor performance; HR should have the plan to improve them. However, if related to finished fund (if UDC); HR has to discuss and consult with a layer, before making the final decision with SMT.

- The best ways to solve the case is formal negotiation(face to face discussion)
- Find the third party to help in discussion
- Encourage and motivate them to speak out as closely friend
- HR and Admin manager must be a role model staff, respect rule/policies and professional speaking including dresses.



Session 3: Evaluation Results of the Learning Forum

Based on the evaluation sheet showed the result overall of the learning forum as detail below:

Topics	Very Unsatisfied (%)	Unsatisfied (%)	Normal (%)	Satisfied (%)	Very satisfied (%)
Venue			2.86	45.71	51.43
Logistics providing			8.57	60.00	31.43
Understanding the contents		2.86	25.71	45.71	25.71
Explanation of speakers		2.86	22.86	54.29	20.00

Sharing Experience with speakers			20.00	60.00	20.00
Duration	2.86	2.86	25.71	51.43	17.14

▶ ***The key points that the participants have captured well from the learning forum are:***

- Concept of Employee Relation
- Employee Relation and challenges
- Risk of policy formulation
- Complaint Mechanism and solution of complaint
- How to develop Internal Policy and preparation
- Grievance Procedure
- Guest Speakers experience
- Re-Hire former employee relation and job hunting (gave clearly example with the real case)
- Sexual harassment
- 4Hs(Head, Heart, Hand & Hope)
- Staff expectation and perception

▶ ***The key points will be applied to improve their own skills as well as their organization's performance:***

- Employee Relation and challenges
- How to write internal policy
- Improve Employee Relation
- Complaint Mechanism
- Grievance Procedure
- Relationship in workplace
- Happy hour
- What should we do to ensure an effective and successful employee relation program
- Emotional Boosting (working environment)
- Labour law compliance

▶ ***The key points that the participants will share with others:***

- Component of employee relation and solution
- Policy update
- Happy hour
- Staff separation
- Re-hire former employee policy
- Employee Relation and challenges
- Communication
- Complaint Mechanism
- Grievance Procedure
- Staff management
- Staff organizing
- Staff recruitment
- Internal policy implementation
- Policy preparation
- Skeleton of policy
- 4Hs(Head, Heart, Hand & Hope)
- Risk in policy formulation
- How to write policy and content of Employee Relation
- Learned from experiences of the speakers

► **The key commented by participants to improve for the next learning forum:**

- Time limited
- Great forum and continue finding more good topics to share in the next forum:
 - Performance Management(SMART) objective,
 - Pay Review/salary survey
 - Change process
- Give more specific topic and more real practical
- *Should update labour law and Taxation law*
- *Should reduce topic*
- *Should add more day*

Conclusion

In general, the participants appreciated and satisfied with the 35th HR learning forum related to the venue, logistics providing, the learning topic and the sharing of each speaker etc. as the results shown in the evaluation table and listed points above. The participants have learned a lot from the speakers as well as they learned from each other included open speech of the Executive Director of CCC. They well captured of the key contents listed down above such as Concept of Employee Relation and challenges, Risk of policy formulation, Complaint Mechanism, How to develop Internal Policy, Grievance Procedure, Re-Hire former employee relation, Sexual harassment, 4Hs(Head, Heart, Hand & Hope), Staff expectation and perception. Moreover, the participants committed to share their colleagues and apply what they learned to improve their skill and daily performance.

Closing Remarks

At the end of the 35th HRM Learning Forum, Mr. Khorn Bunthong, Head of Operation of CCC expressed that, the “Employee Relation” this topic is very important for HR practitioners, this topic is related to the leadership (related to vision, mission and value, people relation and building trust between staff & staff and management team...etc.). Moreover, we must have 4Hs, if so, the risk will be reduced at the workplace.

He thanked the participants who spent their valuable time to attend the forum until the end; he also expressed thanks to speaker and HR working members who shared their knowledge and experiences in this learning forum and the last is CCC staff who organized the learning forum as well as donors and partners. Finally, he wished all have good luck, good health, and safe trip all the time when they go back home.

Annexes: Learning Documentations



Employee Relation.pdf



Final_Review Session_for HR Learn



The 35th HR_Draft_Concept Note



Final List of HR participants in Oct 20



គណៈកម្មាធិការ
សហប្រតិបត្តិការដើម្បីកម្ពុជា
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ទស្សនវិស័យ: ការអភិវឌ្ឍប្រកបដោយនិរន្តរភាពសម្រាប់ប្រទេសកម្ពុជា

Vision: Sustainable development for Cambodia

**MINUTE OF
THE 34TH HRM LEARNING FORUM
ON
“LEGAL COMPLIANCE ON EMPLOYMENT TERMS AND CONDITION”**
31st May 2017, Diakonia Center/KSSA Building



*Prepared By: Ms. Keo Mara, Learning Specialist
Supported By, Ms. Soeung Satya, HR Specialist*

V. Introduction

As the longest established membership organization in Cambodia, the Cooperation Committee for Cambodia (CCC) has played a unique role since 1990 in strengthening the cooperation, professionalism, accountability, governance, and development effectiveness of the Civil Society Organizations (CSOs) that are working across diverse sectors in Cambodia.

To keep responding to the needs of the NGO community; CCC had conducted the 33th HR Learning Forum on 23 September 2016 with the main topic is ***“Performance Management”***. 2017. To continue the series of the learning forum to further improve the capacity of the HR practitioner, the HR Working Group members decided to select the main topic which raised by NGO participants during the previous learning forum is ***“Legal compliance on Employment Terms and Condition” for the 34th HR Learning Forum in 2017.***

The 34th HR Learning Forum is designed for HR practitioners who come from members and non-members organizations of CCC and private sector. This event has full-day conducted on 31st May 2017 at Diakonia center (ICF/KSSA) with the **88 participants (44 women)** including CCC staff attended and they are came from one private sector, 21 INGOs and 29 LNGOs. The learning forum focused on specific objectives, expected outputs, and agenda as below:

VI. Objective

1. To strengthen participant’s internal policy to comply with the relevant laws of Cambodia
2. To improve the understanding of participants on the ***Legal compliance on Employment Terms and Condition***
3. To give an opportunity for learning, sharing and build a stronger network of HR practitioners among CSOs community.

VII. Opening Remarks

The 34th HRM Learning Forum was opened remark by Mr. Soeung Saroeun, Executive Director of CCC.

Firstly, he thanks giving to all participants who have attended in the HR learning forum to day. He emphasized that this learning forum is very important for the HR practitioners and staff to know and understand the policies and other relevance laws. He expressed that CSOs should follow and reflect to the four relevant laws: ***1) VAT number & Salary Taxation, 2) Labor Law, 3)Accounting Law(accounting standards) and 4) Social Welfare or NSSF.***

Finally, he sincerely thanks to HR working group who contributed their value time, energy, experience and resource to oversight and support the series of learning forums to respond to the true need of the learning community.

VIII. Summary output of the 34th HR Learning Forum

Session 1: Review the last HR learning forum in 2016

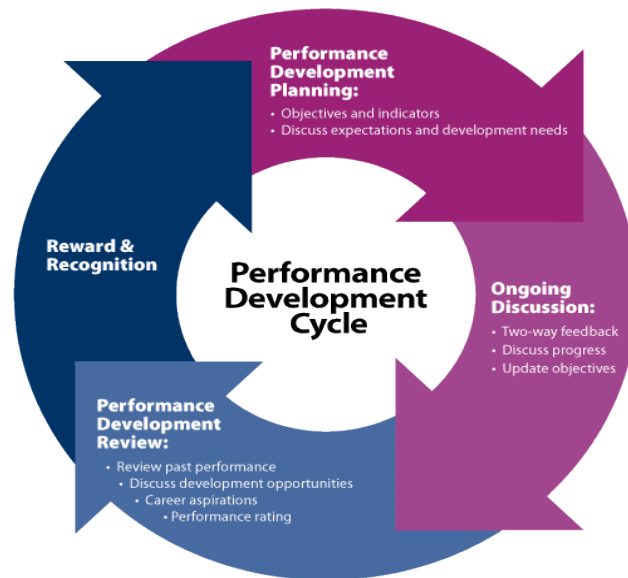
The last HR Learning forum in 2016 was reviewed by Ms. Soeung Satya, HR Specialist, CCC.

She explained briefly on the main points of **“Performance Management”** which has learnt in previous topic of the previous learning forum on 23 September 2016. Within this session, she shared briefly the key points as below:

- ▶ **The Performance Management can be focused: Organization, Department, Employee and Services.**
- ▶ **This session cover key points:**
 - **Performance Management,**
 - **Induction, Probationary/Performance setting,**
 - **Performance Appraisal,**
 - **Managing Poor/Unsatisfactory Performance,**
 - **360 Degree Feedbacks.**
- ▶ **Tips for successful use of probationary policies:**
 - **Be clear about the expectations**
 - **Give feedback regularly.**
 - **Get help for the employee**
 - **Get feedback from HR department**
 - **Documented everything**
- ▶ **The organization run smoothly should be consider the 6Ms:**
 1. **Management**
 2. **Manpower**
 3. **Money**
 4. **Machineries**
 5. **Motivation**
 6. **Moral**
- ▶ **The Comparison of performance evaluation with the 360 degree review**



► The Performance Development Cycle



To be learnt more on these topics she suggested participants access the detail information in the attached files on CCC website.

Session 2: Group Discussion on the real practical of participant on their internal policy (staff policy).

The participants were divided into three groups to discuss on the real practic of each organization on their staff policy which focused on staff recruitment, retention and termination by using the three questions of each topic as below:

1- Staff Recruitments:

- How to recruit staff effectively and quality?
- What are the challenges in staff recruitment? And,
- How do overcome those challenges?

2- Staff Retentions:

- How do you retent good staff?
- What are the challenges in retention staff? And,
- How do you overcome those challenges?



3- Staff Separation

- How many types of staff separation?
- What are factors that cause staff to separation from their work or organization?
- How do you overcome those challenges?

The results from the three groups' discussion

Group I. Staff Recruitments

a. How to recruit effective and quality staff?

We can do based on the resources of each organization; however, we have to follow the key points below:

- Design clear/Set up job description and job specification (Job evaluation, program/HR/finance...)
- Announcement (media, newspaper, Facebook, radio...)
- Short-list (if application met requirement)
- Interview (questions, rank sheet and results)
- Reference check
- Clear recruitment and Selection tools
- Appointment

Added by participants and HR Working members:

As the HR practitioners, besides the key points above, they have to concentrate on:

- Workforce planning at the recruitment process
- Reference check: we should check with the persons who worked in previous workplace as requested by committee and agreed by candidate. The reference check we must focus on the three points:

- **Personal Attitude =30%**
- **Educational Background =30%**
- **Work experiences = 40%**

Shared by: Mr. Pheap Mono, Director of HR & Administration, PSK

- The selection process(Interview performance) and reference check:
 - **Skills and experiences=50%**
 - **Behavior and Competency = 50%(it is a very important point)**

Shared by: Ms. Ang Dakmai, HR Advisor of Save the Children

And should follow the existing procedures 80% if it is right, but another 20% need to be analyzed by HR and management team.

b). The challenges of the recruitment processes:

The participants raised the key points that they met in the recruitment processes as listed below:

- Lack of cooperation from relevant department/programs
- Lack of qualified applicants
- Delayed and cancelled
- Interview process
- No workforce planning in place
- Not stated salary rank in Job announcement
- Reference check process
- Appointment (upon control/ was cancelled)
- Low salary rank and benefits
- Very technical position
- Location base and Organizational profile



c). **Solutions:**

- Review salary scale every 3 years
- Prepare attractive and clear Job announcement
- Select the right advertising agency
- Prefer resident base and location base
- Encourage candidates to check website

Group II. Staff Retentions

a. **Procedure to retain staff:**

The group results showing the ways how to retain staffs are below:

- Leadership and management style (fairness in any decision making, clear structure, motivation, transparency and accountability)
- Enabling environment at work place (have appropriate room and fresh)
- Career development
- Clear policies, JD ,roles and responsibilities
- **Motivation:** recognition, appreciation and engagement with staff (team meeting, enabling working/ environment working_ staff health and safety...)
- Good teamwork



Added by participants and HR Working members:

- *Building trust between staff and managers , mangers and staff, staff and staff is very important*
- *Non financial reward is very crucial for building trust(At the first day of work, manager should stay closely with the new staff)*

The 3 Rs are very important:

- Respect should be linked to building trust*
- Recognized the achievements of staff*
- Rewards both non financial and financial base, salary...*

b). **The challenges to staff retention:**

- **No Promotion plan:** staff has no capacity; poor performance (high expectation), promotion/ salary,
- Budget: shortfall (capacity building)
- Career development / Aspiration
- Staff training and development
- Well-being
- Compensation and benefits
- Recognition and reward
- Work environment
- Family recognition
- Compleitive salary and benefits
- Management and leadership
- Behavior and capacity(managers and staff)
- Succession planning

c). Solutions:

- Effective Leadership (good relationship, social interaction, understanding staff...)
- Enforcement Policies: Compensation and Benefits (work life balance)
- Promote transparency and accountability
- Market survey on salary and benefits
- Build capacity
- Consultation and performance review

Group 3: The types of staff separation

The two types of staff separation:

1. Separation by volunteering (resign for new opportunity ...,etc.)
2. Non-volunteering(End staff contract or termination)

There are many factors that can make staff separation such as:

- New job opportunity
- Study opportunity and personal development
- Family conditions
- Work environment
- No encouragement and Low benefits
- Implementing Policies(it means it is not a full compliance policy)
- Financing (shortfall in fund/no fund)
- Organization restructure or redundancy
- Poor performance and poor management
- Resignation
- Health issue
- Teamwork
- Ending contract
- Work pressure or work overload
- Unsafe work and advocacy/dissatisfaction

c). Solutions:

- Clear any compensation and all staff benefits based on internal policies and labor law
- The resignation staff must handover the rest works and clear other properties that they used to their manager, before they leave
- Talent/succession planning
- Complaints or grievance policy
- Exits interview and salary survey
- Policies review and update
- Staff perception/attitude survey
- Staff representative
- Mentoring and coaching
- Career movement
- Warning procedure

Session 3: The presentation of speaker “Legal Compliance on Employment Terms and Conditions”

The Legal compliance on Employment Terms and Conditions were shared by Mr. Yun Sokhann, Expert of job consulting from CLEC.

He expressed that, that we have education, certificates, skills and experiences means we have only 50% to 60% of our knowledge, so to get 100% we have to learn more about other relevant laws in Cambodia.

Before he shared his skills, knowledge and experience related to this topic, he agreed with all the results shared by each group and HR working group members. He concluded that the group discussion results related to the Staff recruitment, Staff retention and staff separation/termination; he expressed that it's based on the situation and resources in each organization etc. He added that in generally, in CSOs sector they used term “policy” such as organizational policy or staff policy, but government used “*internal regulation*”. **He expressed that to be more effective organizational policy, the manger must be consult with all staff for policy development/reviewing process, and then submits the drafted policy to ministry of labor to get final approval.**

The related topic “**Legal compliance on Employment Terms and Conditions**”, he shared the seven contents by following below:

8. Declaration opening or closing of the firm (company / organization..)
9. Declaration/information of staff movement
10. Internal regulation of a company
11. Union or staff representative
12. Staff recruitment
13. Staff retention
14. Staff separation (*Please see the detail information in the attached file on CCC website.*)



The plenary sharing between speaker, HR Working Group and Participants

Q_ To become a staff representative, what are the requirements?

- More than eight staff can be voted or can be automatically promoted based on the situation of the organization.

Q_ How many kinds of staff contract?

- Two kinds of staff contracts: Fix duration contract (FDC) and Undetermined-duration contract (UDC)
The Fix duration contract (FDC):
 - clear JD or documentation
 - Clear time frame of staff contract

If the FDC more than 2 years; it will become UDC automatically (it means that if the staff worked more than 2 years even they signed or not signed to renew the contract). **To detail information please have a look labour law in article 67.**

The speaker expressed “the staff contract that should have more benefits than law is the best”

The probation period:

It is based on skills and experiences such as:

- No skill: one month period
- Partially relevant skill: two month period
- Skillful: three month period

HR Working Group: Q_ If staff could not pass probation within three months period, but the management team wants to continue probation in other three months, thus is it right or wrong?

- It based on the negotiation and personal voluntary with the contract if they don't have any problem, but if we have the problem and staff continued complaint to the ministry of labour, if so the ministry of labour will be shoveled the problem by following the labour law.
- If the probation period result is still not satisfied by manager, and then the manager extended the next three months probation period and already agreed each other (between staff and manager). In this case the extend probation period cannot be able, if they finished three months period, they will became a full time staff and to improve them we must have clear improvement plan together. (it means we cannot terminate without any serious mistake).
- Notice: If UDC least than 6 months should inform 7days and FDC least than 3months no need any inform, but we terminated before period we need to pay compensation and benefits based on the labour law.
- If they pass the probation but their performance is not satisfied by the manager, we can terminate with the reason, if they received advice from the organization.

Q_ In the probation period what are the benefits they will get? (Worked only 2 months but personal issue happened)

- They will get 5% plus paid leave (following labour law)
- *In summary, staff termination we have to comply with labour law in article # 95, if UDC or FDC by inform and approved by ministry of labour.*
- *The director or manager cannot provide the certificate of work by putting or saying anything bad of staff who left; we need to give chance to them to go to other places (Labour law, article 73 & 93)*

Q_ How we address the serious mistake?

- The problem can be solved within 7 days after receiving the complaint; they have rights to jump over if more than 7 days (*Labour law, article 26*), *but they can complain to the ministry of labour and they can work as usual if the case happened more than 3 years (in case the problem not yet solved). And other compensations and benefits will be paid by following law in article 120.*

Session 4: Discussion to select new topic for the next learning forum

The key topics which selected by participants are below:

1. Succession Plan (Process and procedure)
2. Conflict Management and Resolution (Group and individual, How to manage & minimize conflict and solve)
3. Labour Law and Taxation (TOS, withholding tax and tax at final payment, Explanation on taxation, staff benefits)
4. Termination Contract (compensations)
5. Duty of organization to the ministry of Labour
6. Result Base Management (work performance, how to operate and manage effective activities?)
7. Recruitment Process (how to make/write the contract, how to evaluate the contract and type of contract)

8. Employment law and its implication for CSOs (How to develop organizational policy and regulation based on government law)
9. Complaint (prevention benefits, misconduct of organization and staff level, compensations)
10. Salary scale (definition of each scale and job evaluation)
11. Workforce planning (recruitment plan...etc.)
12. Performance Management and HR development (how to do TNA, career development plan, staff appraisal, coaching and session plan)
13. Training and Development Management (tool to control on staff's talent and capacity...)
14. Process and procedure of registration (workbook and card of work)- (inform to ministry or department of law, and contact place,)
15. Effectiveness of office management(HR system, filing, documenting, information system including hard and soft tool)
16. Staff Interview (how to develop questionnaires and committee)
17. Organizational Development and Leadership for HRM
18. Introduce GPP standards (6 topics of GPP) and How to develop HR policy to fit the standards (labour law, other relevant laws including GPP standards)

Session 5: Evaluation Results of the Learning Forum

Based on the evaluation sheet showed the result overall of the learning forum as detail below:

Topics	Very Unsatisfied (%)	Unsatisfied (%)	Normal (%)	satisfied (%)	Very satisfied (%)
Venue			11.67%	50.00%	38.00%
Logistics providing			20.00%	55.00%	25.00%
Understanding the key contents			13.33%	65.00%	21.67%
Explanation of speakers			10.00%	55.00%	35.00%
Sharing Experience of speakers		3.33%	8.33%	55.00%	33.33%
Duration		3.33%	8.33%	61.67%	26.67%

► **The key points that the participants have captured well from the learning forum are:**

- Staff leaving and turnover
- Staff compensation and benefits
- Type of staff contract, staff recruitment and Staff retention
- Cambodian Labour law
- Probation period
- Factor of staff separation and staff resignation
- Staff complaint
- Final payment for UDC and FDC
- Group discussion (Challenges, address etc.)
- Staff ending contract and notice
- Legal of employment of each article
- Staff appraisal in probation period

- Staff representative
- Experiences of HR working members

▶ ***The key points will be applied to improve their own skills as well as their organization's performance:***

- UDC and FDC
- Learn more about labour law
- Probation period
- Staff benefits (in probation period, resignation and termination)
- Staff recruitment, retention, separation and termination
- Terms and condition
- Staff motivation
- Staff life and work balance
- Working environment
- Reflection of internal policies with labour law
- Final compensation
- Procedure of notice or informing to staff (for resignation, termination...etc.)
- Union
- Legal compliance
- Reference check

▶ ***The key points that the participants will share with others:***

- Staff recruitment, retention, separation, termination and resignation
- Registration of internal policies with ministry of labour
- Results of group discussion (question # 2 and #3...etc.)
- Some article in labour law
- Brief report to director
- Staff benefits and compensations
- Type of staff contract
- Reflection of policies with labour law(some article)
- Representative of Union vs. staff Representative
- The factors of staff separation or resignation
- Probation period
- Good attitude of HR or manager
- Staff compensation based on labour law
- How to check reference and how to take care of staff
- Management and leadership

▶ ***The key commented by participants to improve for the next learning forum:***

- Please share the real experience of each topic that can be reference for participants
- Should have less presentation and more questions if possible
- Motivate participants to share their own practical and have more group discussions
- Remind participants to propose topic for next learning at least one-month period
- Should consider slides (color, words and attractive pictures)
- The speaker should explain with the good recommendation
- Add more topics related to the other international laws
- Should share how to efficiency and effectiveness of staff contract
- Should have more speakers involved if possible
- Water center should be easily accessible for people with disability
- Good facilitator and organizer should be friendly, however, should increase intimacy
- Should be more specific and detailed of each topic of group discussion or group activities

- The content is very good but the speaker should be more interactive (ex: asking, brainstorm, discussion and walking around participants etc., if possible).
- Short time for discussion and sharing staff benefits (severance pay and indemnity)
- Increase group discussion and activities
- Should have case study to share and share slide presentation
- Should increase day for Legal compliance and other relevant laws to be clearly understood
- Should compile questions and answers by responding via website after finishing learning

Session 6: Conclusion

In general, the participants appreciated and satisfied with the venue, logistics providing, the learning topic and the sharing of each speaker etc. as the results of evaluation. The participants have learnt a lot from the speaker as well as from HR working group members. They well captured of the key contents listed down above, and they also learnt from each group discussion and presentations. Moreover, the participants have committed to share their colleagues and apply what they learnt from this forum to improve their daily performance, and they have known each other, which is an opportunity to communicate and build network for the future work. By the way, to further improve their skill and knowledge, they raised some key topics to speakers for the next learning as listed above.

Closing Remarks

At the end of the 34th HRM Learning Forum, Mr. Khorn Bunthong, Head of Operation of CCC thanked the participants who spent their valuable time to attend the forum until the end; he also expressed thanks to speaker and HR working group members who shared their knowledge and experiences in this learning forum and CCC staff who organized this learning forum.

Moreover, he added that this learning forum is really important and the topic is interesting, so staff need to know and understand the two types of staff (asset and liability). We must take care of staff in three areas are recruitment, retention and termination; especially we must build trust to each other, pay attention, respect, and follow the labour law.

He added that generally, for the **staff recruitment**, we look at skills, knowledge and experiences, especially he agreed with the HR working group members and speaker who shared the percentage scoring as the attitude is the most important as well as reference check procedure. We should ask permission from applicant before checking with consideration and ensure that it's 100% good or not. However, we need to discuss face to face and then follow up the plan with them; it shows our professional work and respect. For **the staff retention**, we must take care of the good staff and it is also the risk of the organization. We should also look at the attitude of the leaders; we must trust each other and have good working environment. Staff motivation with respect and care is important. For the **staff turnover** either volunteer or non-volunteer we cannot retain 100%, but we must learn and reflect from the staff that left via exit interview and organizational health check (CCC tools) to improve our performance. He agreed with Mr. Soeung Saroeun, ED of CCC that the focus on the four main laws: **Taxation, Labour Law, NSSF, NGO Law and Accounting Standards (in draft by government)** is also the risk for our organization. Finally, he wished all have good luck, good health and safe trip all the time when they go back home.

Annexes: Learning Documentations



Final Concept Note
HR Learning Forum 3: Speakers for HRM 31



Agendas and



1_Review Session
in 2016 by (Satya) (:



Small Group
Discussion .pdf



Final_Legal
Compliance on Labor



2.

ប្រកាសដាក់បញ្ឈូលសេវាប្រកាសដាក់បញ្ឈូលសេវាប្រកាសលេខ២៣៨-ក/ប្រកាសលេខ-១០៩-ក



2.



3.



4.



Participants list of HR
forum 31 May 2017.p



ការវាយតម្លៃវេទិការៀនសូត្រ

Learning Forum Evaluation of Finance Learning Forum

1. តើអ្នកយល់យ៉ាងដូចម្តេចចំពោះចំណុចខាងក្រោម? សូមគូសសញ្ញា ✓ នៅក្នុងកំរិតពី១ដល់៥ (ទាបបំផុត ១ រហូតដល់ខ្ពស់បំផុត ៥) How do you think about below point? please ✓ to rate from 1-lowest to 5-highest

អធិប្បាយ	1	2	3	4	5
ទីកន្លែង /Venue					
ការផ្តល់ជូនផ្នែកភស្តុភារ /Logistics providing					
ការយល់លើមេរៀននិងខ្លឹមសារ មាតិកាសំខាន់ៗ/ Understanding the lessons and the key contents					
វិធីសាស្ត្រនៃការពន្យល់របស់វាក្តីន/Explanation of speakers					
ការចែករំលែកបទពិសោធន៍របស់វាក្តីន/Share experience of speakers					
រយៈពេល / Duration					

2. តើចំណុចណាខ្លះដែលអ្នកយល់ច្បាស់ពីវេទិការៀនសូត្រនេះ? What points have you captured well from the learning forum?

3. តើចំណុចអ្វីខ្លះដែលអ្នកនឹងយកទៅប្រើប្រាស់ដើម្បីធ្វើឲ្យប្រសើរឡើងនូវការងាររបស់អ្នករឺអង្គការរបស់អ្នក? (សូមបង្ហាញចំណុចជាក់លាក់) What points will be applied to improve your own skills as well as your organization's performance? (Please give specific point)

4. តើចំណុចណាខ្លះដែលអ្នកនឹងយកទៅចែករំលែកបន្តទៅអ្នកផ្សេងៗទៀត? What points will you share with others?

5. យោបល់ផ្សេងៗ /Any other comments?

តើចំណុចណាខ្លះដែលគិតថាវេទិការនេះគួរធ្វើការកែលំអ? What aspects of this forum do you think need to be improved?

សូមអរគុណ!

Employee Relation Program

