

CCC BI-MONTHLY MEMBERS MEETING

6 December 2018; 8:00am – 4:40pm

Diakonia Center (KSSA/ICF near Tuol Sleng Genocide Museum)

Introduction:

This 255th Bi-Monthly Members Meeting has convened on 6 December 2018 at Diakonia Center (KSSA/ICF No.19-21, St. 330, Phnom Penh). There are 92 participants/39 female who are country Representatives/Executive Directors and Senior Leaders/Managers of CCC members to attend and share knowledge and experiences, the common concerns on the development challenges and to prioritize the issues to be addressed by relevant stakeholders.

This meeting was organized to achieve the following objectives:

- To welcome new members and sharing of members' development approaches
- To share research results on CSOs Sustainable Index
- To share and generate feedback/inputs from CCC members for CCC 2019 Operational Plan, and upcoming Annual General Meeting
- Share and discuss on current update of legal framework (which more focus on pension fund, seniority and twice payment per-month for salary)



Detailed discussion following the agenda:

Topics	Detailed Discussion
<p>Welcome and opening remarks by Mr. Soeung Saroeun</p>	<p>He welcomed all participations and appreciated to the new seven members that had become the full membership, five of those organizations lead by woman director. We work together to achieve the common vision of sustainable development for Cambodia, and he highlighted some achievements of a common collective from the common key points raised to the government during different meetings, especially CSO-Government Meeting such as CSO-Government partnership meeting, committee dealing CSOs' issues, the good partnership to CSO group. CCC is ongoing discussion with Mol such as online reporting, whilst conducting CSO Census is almost come to an agreement together to update about registered NGOs in Cambodia. Other issues, which were not yet response to the inter-ministerial Prakas on controlling of ICT/social media.</p> <p>With the new trend of social and political context, we needed to transform the way of our performance in order to access to new modality of our performances. The roles of private sector were also significant that we cannot ignore. Before opening the meeting, he further shared about the key agenda of opportunity for civil society fund, the need of inputs from members on operational plan 2019 (which we could think about Member-Provincial Government Meeting), and upcoming Annual General Meeting which plan on 14 March 2019 and another half day for civil society day.</p>
<p><u>Session 1: CCC new member sharing and learning of member's development approaches</u></p> <p>1. Presentation of Komar RikReay Association (KMR) by Ms. Prom Kimchheng, Executive Director of KMR</p> <p>2. Presentation of SACRED by Mr. Leng Bunhong, Executive Director of SACRED</p> <p>3. Presentation of Organization to Improve Communication and Swallowing Therapy Services in Cambodia (OIC Cambodia) by Ms. Chenda Net,</p>	<p>1- Ms. Prom KimChheng, Executive Director of KMR</p> <p>She briefed about the background of engagement between CCC and KMR which started since earlier 2000s ranging from capacity development services and certification system. Then she highlighted about the program, which support to vulnerable children of about seven-thousand got from KMR so far. They received care at the center, and integration within the community where they live. She further shared about the intervention in 2017, which mostly support to children with returned family from Thailand. Totally, 282 children of 99 families have received supports from the first program. 80 children were supported scholarship, and 160 were provided uniformed and school materials, and so on. The hotline for child service intervention in Battambang: 163, 100 and 104.</p> <p>Three programs are currently implementing: 1) safe children in family, 2) I am a child, and 3) child safe movement.</p> <p>With the existing center, the organization will continue to support for existing services, and we motivate the clients to have a long-term success for their better future.</p> <p>2-Mr. Leng Bunhong, Executive Director of SACRED</p> <p>He thanked to CCC for getting SACRED to be new member. Then he briefed about background of SACRED which part of the program of HEKS support on returned families from the refugees. Then, he informed about the vision, mission, and values of organization. The structure of organization which governs by governing board consist of five members. He shared the five-year plan 2018-2021, which in three districts of Prey Veng province, which about 3,298 households and 1,000</p>

<p>Executive Director of OIC Cambodia</p>	<p>students who were direct beneficiaries. Two key approaches of working: Market System Development (MSD) and Human Rights Base Approach (HRBA).</p> <p>There certain challenges of the program in relation to mass migration of local community. SACRED has partnership with provincial departments included Labor and vocational training, Agriculture, Water Resources, Women Affair, Rural Development, and private sectors (MFI, Vet company...)</p> <p>SACRED just received GPP certificate in 2017, which have a long effort and support from board of director and other stakeholders.</p> <p>3- Ms. Chenda Net, Executive Director of OIC Cambodia</p> <p>OIC Cambodia started in 2013 with small team focuses on therapy, and grow rapidly ever since. Based on research, there were about 60,000 people in Cambodia have difficult in communication, which need intervention on speech therapy.</p> <p>By 2030, OIC will benefits to 100 Cambodia university qualified speech therapist into Cambodia’s public.</p> <p>Key outcomes which start to draft the curriculums and also engagement with special services of education model, as well as partnership with Krousar Thmey organization.</p> <p><i>Further information, please see slide presentation.</i></p> 
<p><u>Session 2: Sharing of research result “Civil Society Sustainability Index”</u></p>	<p>He briefed about the background of the study on CSO Sustainability Index (CSO-SI) which conducted every year in nine countries of Asia to learn about the sustainability through an index evaluated by expert panel who thought a tank working relevant to civil society in respected countries. The result of 2018 was getting worse for CSO-SI compared to 2017 results. Almost all dimension had decreased except capacity dimension that kept the same. Cambodia CSO-SI continued decreasing in 2017, negative development in all dimensions except organizational capacity. Those affected issues were relevant to High political tensions following dissolved of the only prominent opposition party, and government launched major campaign against CSOs alleged to be part of the</p>

	<p>color revolution. Several media, CSOs were closed, arrested, and intimidated. Outlet for advocacy were discouraged and reduced visibility of CSO, whilst CSO-Government mechanisms existed but gave some spaces for selective organizations. CSOs fund from foreign sources had reduced, and limited access to local philanthropy. These limitations of the capacity for CSOs to provide services (staff turnover), and inter-sectoral partnerships weakening.</p> <p><i>Further information, please see slide presentation.</i></p> <p>Question and Answer Q- Could you please more detailed about the methodology? A- This index was developed for use within the study countries and all individual expert panel which consist of at least 8-12 members who work relevant to civil society work had rated the index separately along with the supportive comments. Then, they came together for panel discussion, validation and revision of the index as appropriate. Finally, the overall index and all supporting ideas was compiled and developed into the report.</p>
<p><u>Session 3: Sharing and generating inputs/feedback on 2019 Operational Plan, and Up-coming Annual General Meeting</u></p> <p>Question and Answer</p>	<p>Mr. Vang Sean, M&E and Reporting Specialist of CCC</p> <p>He briefed about GHP program, which more relevant to the key program interventions, working approaches, and program strategies. Then he shared more detailed about the seven services of CCC for 2019, which engage:</p> <ol style="list-style-type: none"> 1) Govern system and tools, 2) Research, 3) Multi-stakeholder Engagement that will some more focus on sub-national level, 4) Advocacy and lobby effort, 5) CSO Fund, 6) Capacity development, and 7) ICT tools and innovation, which more on improve and update of CSO database, online reporting and monitoring for CSOs. <p>Question and Answer</p> <p>Q1: If CCC engages to advocacy with government on national budget? If CSO fund focus on technical assistance for CSOs? A1: We try to engage all efforts through drafting of NSDP and CSDGs. For the grant, the capacity of CSOs still limited that could not response to the need of the call, and we will consider on this support. CSF is a part of the mechanism that could be channel the national trust fund from the government but if the advocacy success, the budget could may concern allocate to another modality of CSO group.</p> <p>Q2: Any new approaches in advocacy effort to legal compliance in order to gain more benefits to civil society? A2: We would coordinate to have CSO hub, which working through technical working groups, therefore, it will be better works with relevant ministries. We have diversify of services for both advocacy effort and legal compliance, i.e. have grey period for compliance to certain obligations as well as without penalty, and</p>

	capacity development among CSOs.
<p><u>Session 4: Share and discuss on current update of legal framework by Mr. Manh Narith,</u></p> <p>Deputy of Department of Inspection, Ministry of Labor and Vocational Training</p> <ul style="list-style-type: none"> • Pension fund and seniority pay • Seniority pay, and twice payment per-month for salary 	<p>1-The two times salary payment per month: this mentioned in Labor law since 1997, and supported by this new Prakas. However, we tighten only within the garment sector as it had certain challenges lead to this Prakas. In reality, the employee on other sectors such as CSO, there was no problem. If the employee does not have any complaint against no getting salary two-time per month, organization could have common agreement with thumbprint of employee to agree and request for only getting salary once a month. Doing this to protect your organization when it is under the serious investigation of labor inspection.</p> <p>Question and Answer</p> <p>Q1: if almost 90% agree, and about 10% not agree what should we do? A1: This could be split for payment base on the request as the complaint to Ministry of labor will be deal upon compliance based, not majority based.</p> <p>Q2: If any referent document of internal agreement? How to deal with the tax payment? A2: There waiting for official letter from MEF for tax payment.</p> <p>Q3: If could payment only one on 15th of the month? A3: It needs two times payment, so paying in this modality still compliance issue.</p> <p>2-Prakas 443: Especially on article 89 which focuses on seniority payment.</p> <p>Article one is about the scope of Prakas, Article 2 is about the implementation, and article 3 about when it is implementing. It is only implement for UDC. In case of dismissal, there will be compensated for 15 days per year to employees for the previous article, but the current legal context applies for all employees. This will implement in 2019 starting from June 2019, which benefit 7.5 days each semester to employee. This will be benefits unless working at least one-month period. If the employee resigns or applies miss conduct will not be paid as in article 83.</p> <p>The past seniority considers from 2008 to 2018, which totally 156 days, and it is considered only with the pure salary base upon different rate per year. It is not included the probation period of three months. From 2019, seniority will consider of pure salary plus other benefit and over time.</p> <p>Q4: If we payback to staff before 2019 is Ok? How about tax? A4: It is beyond the minimum benefit than the law but MoLVT is waiting for the response from MEF for non-pay tax on this benefit.</p> <p>Q5: How to calculate the number of working day? Exclude of holiday? A5: Before 2019 is based on 26 days/month, while from 2019 is based on the average.</p> <p>Q6: If CSO doesn't have money, how can we do? A6: We need to follow, if doesn't have money we can delay. If any complain, there will be inspector dealing base on the fact. For garment there will be considered on available assets for dealing with the issue.</p> <p>Q7: If we are on leave without pay, do we get seniority pay? Do we have seniority when we go back?</p>

	<p>A7: This is the new case that difficult to interpret.</p> <p>Q8: If having new post, then apply? Do we need to calculate the benefit from previous post? UDC contract and then promoting to high rank with the same UDC contract?</p> <p>A8: There is nothing change in this case, just his position and benefits based to the rank of salary to the position. If the current position is stopped from the organization will be calculated all the benefits for them.</p> <p>Q9: If organization already has thirteen-month salary, do we still need to pay for seniority?</p> <p>A9: If having any article within internal policy mention about thirteen-month salary is equal to other benefits that will be OK. Moreover, the thirteen-month or even fourteen-salary is similar means to seniority payment and all staff agree without complain will OK as well.</p> <p>Q10: Is the law cover to part time staff?</p> <p>A10: The benefit is calculated base on the amount of time to work, but they are not long-term contract will not be get.</p> <p>Comment: Organization which pay by end of December 2018, we have Prakas No.11 in 2011 of MEF as referent document, which are not paying tax.</p> <p>Respond to comment: it is not clear enough as it is used for dismissal condition, which it is already terminate the previous article. The better solution is waiting for official letter from MEF that will not be late for the settlement.</p>
<p>Announcement of grand opportunity for CSOs</p>	<p>He briefed about the Civil Society Fund such as the committee and phase of development of CSF, this first phase will be focused on the grant which support from EU and BfdW. Now it is calling for concept note and will go for detailed proposal.</p> <p>The target beneficiary for this call is the partner and member of CCC, EU and BfdW, and organization within the ten target provinces. The maximum budget is 15,000 Euro. The new deadline for this call is delayed until 8 January 2019.</p>
<p>Wrap up and closing remarks by executive director</p>	<p>He impressed that the key presentation from all the speakers and let all participants considered any modality that could compliance to the law and could deal within the organization and staff. Last, he wished to see the female director to have specific meeting, and member meeting with the sub-national authorities, and then he wished best of luck and close the meeting.</p>

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