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## STAFF POLICY AND PROCEDURES

Implementation Date: July 2002

- With reference to the Labor Law of Royal Government of Cambodia
- With reference to the Statutes of the National Centre of Disabled Persons (NCDP)

### Article 1: General Introduction

#### Purpose of NCDP Staff Policy

The purpose of NCDP staff policy is to explain clearly what NCDP expects from its staff and what are the benefits that staff are entitled to receive from NCDP. The policy also describes the basic procedures, which must be followed in order to implement the policy and to claim particular benefits.

This policy only relates to staff that are salaried employees of the National Centre of Disabled Persons. This includes all staff that are employed at every level of NCDP's Salary Scale including the Executive Director.

Note: This policy does not include volunteers, casual staff or advisers. NCDP is developing separate policies for these groups.

#### Principles

This staff policy is based on the following principles;

- Fairness: NCDP has some standard expectations and benefits for its staff. Any differences in these expectations and benefits for staff are made clear in the policy.

- **Transparency:** All staff should be able to see clearly what NCDP expects of them and what are their benefits.
- **Competitiveness:** NCDP values its staff and wants to keep them for as long as possible. This means giving staff reasonable benefits in comparison with other similar organizations.
- **Availability of funds:** In order to implement NCDP's staff policy, NCDP must make sure that there are sufficient funds to do this. NCDP's Executive Director is responsible to make sure that there is sufficient funding to be able to implement this policy. If funds are withdrawn and alternative funds cannot be found then NCDP's Executive Director has the right to review this policy and to make recommendations to NCDP's Governing Body about whether the policy can be implemented and/or what changes may need to be made.

### Related Policies

This policy relates also to NCDP's Salary Scale Policy, Financial Policy, Staff Recruitment and Selection Policy and Staff Evaluation Procedure.

### **Article 2: Staff Contracts**

## **What is a 'staff contract'**

The staff contract is a legal agreement between the individual member of staff (employee) and NCDP (the employer).

## **Policy**

All staff that are employed by NCDP must have a staff contract. The contract must be signed by;

- The member of staff to say they agree to work for NCDP.
- NCDP's Executive Director to say that NCDP agrees to accept the member of staff as an employee

The contract includes basic information about the title of the post, the salary for the post, the name of the staff member's line manager and the period of the contract. A copy of the signed job description for the post must be attached to the staff contract.

NCDP uses two staff contracts:

- All new staff receive an 'Employment Contract for Staff on Probation'. This is valid for 3 months.

- Staff that are successful at the end of the probationary period will receive an 'Employment Contract for Regular Staff'.

The period of the contract is usually for one year unless it is otherwise stated in the contract. The period of the contract must not be longer than there is funding available for the post.

Note: The Executive Director's contract must be signed by the Chairperson of NCDP's Governing Body.

## **Procedure**

When a candidate is offered a post to work with NCDP, they are invited to a meeting with NCDP's Administration Manager. The Administration Manager is responsible for explaining the staff contract and also about the staff policy. After the candidate has received this information they must then decide whether they are happy or not to sign the staff contract. If the candidate signs the staff contract they are agreeing to become a salaried employee of NCDP.

NCDP's Administration Manager is responsible for preparing staff contracts. Whenever possible staff contracts should start on either the 1<sup>st</sup> or the 15<sup>th</sup> day of the month so that NCDP Finance department can easily calculate the salary payment.

NCDP Executive Director is responsible for meeting with the staff member to sign the contract.

## **Article 3: Management and Supervision of NCDP Staff**

# **Policy**

All NCDP staff must have a named 'line manager'. The line manager is directly responsible for managing the work of the member of staff. This includes;

- Assisting the staff to plan and prioritize their work
- Supervision and monitoring of the performance of staff (identifying strengths / difficulties and making necessary improvements)
- Formal evaluation of the work of staff according to NCDP's Staff Evaluation Policy.
- Identifying staff training needs and planning how to meet these needs.

# Procedure

NCDP's Executive Director is responsible for making sure that all staff have a named line manager.

This information must be included in the job description for the post and also the contract.

**Note;** NCDP's Executive Director is managed by the Governing Body of NCDP. The Chairperson of the Governing Body is the line manager of the Executive Director.

**Note:** Usually the line manager will be the Programme, Project or Department manager for the particular Programme, Project or Department that the staff member is employed to work in. However, in some cases the line manager may not be the Programme, Project or Department manager.

In this type of case it is very important that the Programme Manager clarifies who is responsible for managing issues related to:

Article 5: Evaluation for staff on Probation

Article 10: Staff Attendance at work

Article 12: Overtime Working

Article 14: Annual Leave with Pay

Article 15: Paid Sick Leave

Article 16: Other types of leave, which NCDP Staff can take if Necessary

Article 19: Recruitment and selection of new staff

Article 20: Staff evaluation

Article 21: Staff Training

Article 22: NCDP Disciplinary Policy and Procedure

Article 27: Payment of Per Diems and Expenses for work related travel in Cambodia.

If these responsibilities are divided between the Programme Manager and the 'line manager' then this must be approved by NCDP Executive Director and recorded in a memo to NCDP Executive Director with a copy to the staff member and NCDP Administration Manager.

**Note:** Only staff who are employed at NCDP salary scale level 3a and above can be responsible for line management of other NCDP staff

**Note:** In some cases the work of a staff member may be supervised by someone who is not their line manager. For example; CBR Field Supervisor supervises the day-to-day work of CBR guards in Kampong Speu. However this person does not have line management responsibilities.

**Important Note:** For the purpose of NCDP staff policy the term 'line manager' is used to describe the person who is clearly identified as directly responsible for managing each of the article that are covered by NCDP Staff Policy.

#### **Article 4: Staff Job Descriptions**

## **Policy**

All staff must have an up-to-date written job description for their post. The purpose of this job description is to provide clear information about the purpose of the post, the main responsibilities and the tasks that the member of staff will be expected to do.

## **Procedure**

According to NCDP Staff Recruitment and Selection Policy the Programme, Project or Department manager is responsible for writing the job description for each post that he / she manages. The job description must be produced according to the standard format used by NCDP.

**Note:** In the case that the line manager is not the programme/ project / department manager, then the line manager must also be involved in developing the job description for the post.

Once the job description has been written it must be submitted to NCDP's Executive Director for approval according to NCDP Staff Recruitment and Selection Policy.

The Programme, Project or Department Manager is responsible for reviewing and updating the job description at least once every year to make sure that the post continues to meet the need of the particular programme, project or department and that staff know clearly what is their role and responsibilities.

**Note:** The Chairperson of the Governing body of NCDP is responsible for reviewing and updating the job description for the post of Executive Director.

#### **Article 5: Probationary Contract and Probationary Period**

# Policy

All new staff that are employed by NCDP will receive a probationary contract. This contract is for a period of 3 months.

The purpose of the probationary contract and period is to give NCDP some time to introduce the new staff to their role and responsibilities and to test if the member of staff is really capable of doing the job.

## Procedure

Once the staff member has been in post for 2 months it is the responsibility of the line manager to organize an evaluation meeting according to NCDP Staff Evaluation Policy. The purpose of this evaluation meeting is to get information and make a decision about whether the member of staff should be offered a regular contract with NCDP or not.

The staff evaluation meeting must take place at least 2 weeks before the end of the probationary contract.

Once the line manager has made a decision about whether the member of staff should be offered a regular contract with NCDP, they must inform the Executive Director about their decision-making by sending a memo and the evaluation report at least one week before the end of the probationary period. The line manager is responsible for planning ahead to make sure that the staff evaluation is completed on time.

The Executive Director is responsible for approving all decisions about whether to offer new staff a regular contract with NCDP. The Executive Director is also responsible for writing a memo to inform the staff member, line manager, Administration Manager and Finance department about this decision-making.

**Note:** If a decision is made **not** to offer a new member of staff a regular contract then the member of staff will stop working for NCDP at the end of the probationary contract. In this case the staff member is **not** entitled to receive any termination pay. They may receive a clearance certificate but will not receive any letter of recommendation.

**Note:** During the probationary period staff are entitled to the following benefits, National Holidays, annual leave, sick leave and compassionate leave.

New staff are not automatically entitled to maternity leave or paternity leave during the probationary period. Any new staff who are pregnant or whose wife is pregnant must inform NCDP before they start working. It is the responsibility of NCDP Administration Manager to ask about this before the contract is signed. If a new member of staff is pregnant or their wife is pregnant this must be informed to the Executive Director who will consult with the line manager and make a decision about how to deal with this.

## Article 6: Salary

# Definition of 'Salary'

'Salary' means a fixed amount of money agreed every month as pay for an employee.

'Gross salary' means the amount of money agreed every month as pay for an employee before salary tax is deducted.

'Net salary' means the amount of money actually paid to the staff member after salary tax has been collected.

# Policy

All NCDP staff receive a regular salary.

The salary for each post will be decided according to NCDP Salary Scale Policy and is clearly written in the staff contract.

## Procedure

The net salary is paid in two parts, one part at the end of the month and one part in the middle of the month (usually the 15<sup>th</sup> day).

The salary is paid in cash by NCDP's finance department

All staff that work in NCDP main building are responsible for collecting their salary from NCDP finance department on these days.

Staff that work in the provinces have their salary delivered to them by an identified member of NCDP staff.

**Note:** NCDP does not give staff any advance on their salary or make any loan to staff.

**Note:** According to the Law of the Royal Government of Cambodia, NCDP has a legal duty to collect salary tax from its employees.

## Article 7: Regular Opening Hours of NCDP

# Policy

The Executive Director's office, Administration and Finance departments and IRS and CBR programmes are normally open 5 days a week (Monday – Friday) from

8am – 12pm and 1.30pm – 5pm.

NCDP's Retail Outlet is open from 8am – 6pm, 7 days every week

NCDP offices in the provinces are normally open 5 days a week (Monday – Friday) from

8am – 12pm and 1.30pm – 5pm.

## **Article 8: Normal Working Hours for NCDP Staff**

NCDP's Executive Director and staff who work in NCDP's Administration and Finance departments and IRS and CBR programmes are normally expected to work 5 days a week (Monday – Friday) from 8am – 12pm and 1.30pm – 5pm.

The total number of hours that these staff are expected to work each week is 37 and a half hours.

## **NCDP Retail Outlet staff**

Staff who work in NCDP's Retail Outlet project are normally expected to work 5 days a week. This may include working on Saturday and Sunday.

The Retail Shop Manager is responsible for planning the schedule for working hours and for making sure that all staff receive 2 days off each week. The Retail Shop manager is also responsible for planning a meal break (1 and a half hours) for staff that work in the Retail Outlet Project.

The total number of hours that these staff are expected to work each week is 37 and a half hours.

NCDP guards based at 3 Norodom Boulevard

NCDP guards who are based at 3 Norodom Boulevard are normally expected to work 5 days a week from 7am – 5pm. This may include working on Saturday and Sunday.

The Administration Manager is responsible for planning the schedule for working hours and for making sure that the Guards receive 2 days off each week. The Administration Manager is responsible for planning a meal break (half an hour) for the guards.



The total number of hours that these staff are expected to work each week is 47 and a half hours.

**Note:** The Administration Manager is responsible for recruiting, training and managing casual staff as guards to work when the regular guards have their days off.

NCDP guards based in the Provinces

NCDP guards who are based at NCDP offices in the provinces are normally expected to work 5 days a week from 7am – 5pm. This may include working on Saturday and Sunday.

The Administration Manager and Programme Manager share responsibility for planning the schedule for working hours and for making sure that the Guards receive 2 days off each week. The Programme Manager is responsible for planning a meal break (half an hour) for the guards.

The total number of hours that these staff are expected to work each week is 47 and a half hours.

**Note:** The Administration Manager and Programme Manager have shared responsibility for recruiting, training and managing casual staff as guards to work when the regular guards have their days off.

### **NCDP Cleaners**

NCDP cleaners based at 3 Norodom Boulevard are normally expected to work 5 days and a half days a week: Monday – Friday from 7am – 5pm and either Saturday or Sunday morning (7am – 12pm).

The Administration Manager is responsible for planning the schedule for working hours. The Administration Manager is also responsible for planning a meal break (1 and a half hours) for the cleaners.

The total number of hours that these staff are expected to work each week is 47 and a half hours

**Note:** Some NCDP staff may be expected to work hours different from those stated above (E.g. Executive Director's Driver). Where this is the case, the normal working hours will be clearly stated in the contract.

Note: Staff paid at levels 5, 4a, 4b and 4c of NCDP Donor funded salary scale are entitled to receive an overtime payment for any additional hours that they work over their normal working hours. (See Article 12)

Staff paid at levels 2a, 2b and 2c of NCDP Retail Outlet salary scale are entitled to receive an overtime payment for any additional hours that they work over their normal working hours. (See Article 12)

## Article 9: Temporary Closing of NCDP to the Public

# Policy

The decision to close NCDP or any of its departments, programmes or projects (e.g. For staff training, building maintenance or construction) can only be made by the Executive Director who must inform the Governing Body of NCDP about this.

NCDP policy is to close the doors during Khmer New Year and Pchum Ben festivals.

## **Article 10: Staff Attendance at Work**

# Policy

All staff must come to work on time and work the hours that they are expected to work according to their staff contract and NCDP Staff Policy.

# Procedure

Each member of staff has a line manager who is responsible for managing the attendance of their staff at work.

All staff are expected to sign the 'present list' (staff attendance book) when they arrive for work and when they leave. NCDP's Administration Manager is responsible for making sure that the guard prepares the staff attendance book and that the guard is at his desk so that staff can sign in and out.

If staff arrive at work late or leave early they must briefly record the reason for this in the remarks section of the staff attendance book at the time they leave / arrive.

If staff cannot arrive at work at the expected time then they must contact their line manager to inform about this. If a member of staff does not arrive at work and does not contact their line manager to explain about this then the line-manager must try to contact the staff and find out what is happening.

NCDP's Administration Manager is responsible for monitoring of staff attendance in general. If there seems to be a problem with staff attendance, the Administration manager will liaise with the line manager who will then discuss this with their staff. If

the line manager does not resolve the problem then NCDP's Administration Manager may inform the Executive Director.

**Note:** If a member of staff is often late for work or there is any other ongoing problem related to their attendance at work then it might be necessary to use NCDP Disciplinary Procedure (see Article 22)

**Note:** NCDP staff must not enter NCDP's main building outside normal working hours. If there is a strong need to do this then the staff must inform NCDP's Administration Manager about this in advance. This is very important to make sure about the health and safety of staff and also to make sure that NCDP keeps to the rules of its contract with the Private Security Company which guards NCDP main building in the evenings and at weekends.

#### **Article 11: Staff Identification cards (ID Card)**

## **Policy**

All NCDP staff will be issued with an official NCDP identification card. The purpose of ID card is to show clearly that a member of staff is an official employee of NCDP. Staff must wear this card at all times when they are working for NCDP.

### **Procedure**

NCDP Administration Manager is responsible for coordinating the production of ID cards for new staff.

New staff are responsible for providing NCDP Administration assistant with 3 recent photographs when they start working for NCDP.

NCDP ID cards are renewed every year and the Administration Assistant may ask staff to provide a new photograph for this.

A new ID card will only be issued to a member of staff when they return their old ID card.

Any staff that stop working for NCDP must return their ID card to NCDP Administration manager on their last working day.

Any staff that lose their ID card must report this to NCDP Administration Manager.

#### **Article 12: Overtime Working**

# Definition of 'overtime'

'Overtime' is time that a member of staff may spend doing their job in addition to their normal working hours. (see Article 8)

## Policy

All managers in NCDP are responsible for planning and prioritizing their own work and the work of the staff that they manage.

NCDP does not expect staff to work overtime on a regular basis. However sometimes it may be necessary for staff to work over time in order to meet a specific objective or deadline.

All Staff paid at levels 5, 4a, 4b and 4c of NCDP Donor salary scale are entitled to receive an overtime payment for any additional hours that they work over their normal working hours. (See Article 8)

Staff paid at levels 2a, 2b and 2c of NCDP Retail Outlet salary scale are entitled to receive an overtime payment for any additional hours that they work over their normal working hours. (See Article 8)

**Note:** According to Cambodian Labour law no member of staff should ever work more than **48 hours** (including overtime) in any one week.

**Note:** In general NCDP managers (NCDP Donor funded salary scale level 3a and above) are not entitled to receive any payment for working overtime. However the Executive Director has the authority to make an exception to this policy in the case of NCDP Retail Outlet Shop Manager.

## Procedure

The line manager is responsible for:

- Deciding whether it is really necessary to ask a member of staff to work overtime.

Sometimes staff themselves may feel it is necessary to work over-time, in this case they must discuss this with their line manager. It is the responsibility of the line manager to decide whether it is really necessary for the member of staff to work overtime.

- Planning and checking their budget to make sure that there is funding to pay for the overtime.
  - Completing an overtime request form. This form must then be sent to NCDP Administration Manager at least 2 working days in advance of the planned overtime work.

- In the case of an emergency or difficult situation it may not be possible to plan in advance for working overtime, in this situation it is acceptable for the line manager to authorize staff to work overtime, providing that the manager completes an emergency overtime request form clearly explaining the reason that they were not able to plan this work. In this situation the emergency overtime request form must be submitted to NCDP's Administration Assistant within one working day after the need has happened.

NCDP Administration Manager is responsible for

- Making the necessary arrangements to facilitate for those staff working overtime (e.g. To inform NCDP security guard if staff are working outside of normal working hours, arranging any equipment which may be necessary).
- Sending a copy of the overtime request form to NCDP Finance Department in order to arrange payment for overtime working.
- Monitoring the general level of overtime that is being worked by staff in NCDP and reporting any general concerns to the Executive Director

**Important Note: In this case the term 'working day' refers to the days when NCDP Administration Department is open. This is from Monday to Friday each week unless there is a National Holiday.**

## Payment for working overtime

Overtime will be paid equivalent to the hourly rate for the particular member of staff, (according to the salary agreed in their contract) multiplied by the number of hours overtime actually worked.

The hourly rate for each staff is calculated using the following formula:

(Monthly salary x 12) divided by (Normal working hours in one week x 52)

NCDP Finance department will make any payment for overtime working within a maximum one month of receiving the completed **overtime request form**.

**Article 13: National Holidays Provided by the Royal Government of Cambodia**

## Policy

NCDP staff can have a paid holiday on the following National Holidays each year:

- International New Years Day (1<sup>st</sup> January)
- Victory Day over Genocidal Regime (7<sup>th</sup> January)
- International Women's Day (8<sup>th</sup> March)
- Khmer New Year Festival (3 days)
- Visakha Bochea Day (1 day)
- Royal Ploughing Ceremony (1 day)
- International Labour Day (1<sup>st</sup> May)
- International Children's Day (1<sup>st</sup> June)
- Queen's Birthday (18<sup>th</sup> June)
- Constitutional and King's Coronation Day (24<sup>th</sup> September)
- Pchum Ben Festival (3 days)
- Paris Peace Agreement of Cambodia Day (23<sup>rd</sup> October)
- King's Birthday Festival (30 and 31 October, 1 November)
- Independence Day (9<sup>th</sup> November)
- Water festival (3 days)
- Human Rights Day (10<sup>th</sup> December)

The exact dates of the National Holidays that are not specified above will be according to the calendar, which is set each year by the Royal Government of Cambodia.

In the case that any of these holidays fall on either Saturday or Sunday then staff will receive an additional day holiday at the beginning of the next week.

If the holiday falls on both Saturday and Sunday staff will receive only **one** additional day holiday at the beginning of the next week.

It is normally expected that NCDP guards and staff working in the Retail Outlet project will work on National Holidays. The only exceptions are Khmer New Year and Pchum Ben Festivals when NCDP will close the doors.

## **NCDP Retail Outlet**

The Retail Shop Manager is responsible for planning the schedule for working hours for staff on National Holidays and for making sure that any staff who do work on this day will receive equivalent time off at another time (time off in lieu).

**Note:** Because the Retail Outlet operates 7 days a week it may sometimes be very difficult for the Retail Shop Manager to schedule time off in lieu. In this case the staff may choose to work on National Holidays and the Retail Shop Manager can authorize payment of overtime for the staff according to the Retail Outlet budget.

## **NCDP Guards**

NCDP guards can choose to work on National Holidays and will receive overtime payment for this work. NCDP Administration Manager is responsible for planning with the guards about whether they want to work on the National holiday or whether there is a need to hire casual staff.

**Note:** According to Cambodian Labour law staff who work overtime during Khmer New Year and Pchum Ben festivals must be paid equivalent to **double** the hourly rate for the particular member of staff, (according to the salary agreed in their contract) multiplied by the number of hours overtime actually worked. Staff that work overtime on other National holidays will only receive the ordinary rate for overtime payment (**not double**).

## **Procedure**

NCDP's Administration Manager is responsible for producing NCDP's calendar of National Holidays according to NCDP policy and for distributing this to all managers at least 2 weeks before the start of each new year (mid December).

NCDP line managers are responsible for making sure that all their staff are informed about the calendar of National Holidays

### **Article 14: Annual Leave with Pay**

## **Policy**

All staff can take up to a maximum of 18 days paid leave from their normal working days in each year (January – December). The purpose of paid annual leave is to enable staff to plan some time to rest and relax or to take a holiday.

## **Procedure**

Staff who wish to take annual leave must complete an **annual leave request form** (available from NCDP Administration Assistant) and when ever possible submit this to their line manager at least 2 weeks in advance of their planned date to begin to take the leave.

If the member of staff does not follow this procedure then the line manager has the authority to not allow the staff to take paid leave if taking leave might affect the work of the programme, project or department.

Once the line manager has approved a request for paid annual leave they must return the **annual leave request** form at least 3 days to NCDP Administration Assistant so that the record of annual leave can be updated.

The line manager is responsible for helping their staff to make a plan to take annual leave. Staff who do not take their paid annual leave or take less than the full amount **cannot** carry forward any annual leave to the next year and will not receive any compensation for this.

**Note:** The line manager is responsible for deciding whether there is a need to hire casual staff in order to keep maintain the activity of the programme or project. In this case the line manager should complete **the standard form to request to hire casual staff**. Any request to hire casual staff must be approved by the Executive Director.

#### **Notes for staff who stop working for NCDP:**

Staff that stop working for NCDP before the end of the year, who have not used all their entitlement to paid leave will not receive any compensation for this.

Staff that stop working for NCDP before the end of the year who have used more than their entitlement to paid leave will have the salary cost of this amount of leave deducted from their final salary. In this situation the annual leave entitlement for each member of staff is calculated according to each full month of employment that they work for NCDP (2 days for each month worked). NCDP Administration Manager is responsible for making sure that the record of leave is passed to NCDP Finance Department so that the deduction can be made.

#### **Article 15: Paid Sick leave**

## **Policy**

All NCDP staff can take up to a maximum of 15 days paid sick leave in each year (January – December).

## **Procedure**



Any member of staff who is sick and is unable to come to work must inform their line manager within 2 hours of the time they were due to start work. If the staff are unable to do this by themselves then a relative can do this for them. The line manager must inform NCDP Administration Assistant who is responsible for updating the record of sick leave for the staff.

If staff cannot contact direct to their line manager then they must contact NCDP administration Department who will inform the line manager as soon as possible.

#### **A. Paid sick leave from 1 - 5 days**

In this case the staff member does not need a doctors certificate. When they return to work the staff must complete a **paid sick leave request form**, which must be signed by the line-manager and sent to NCDP Administration Assistant so that the record of sick leave can be updated.

#### **B. Paid sick leave from 6 days to 15 days**

In this case the staff must get a doctors certificate. When they return to work the staff must complete a **paid sick leave request form**, which must be signed by the line-manager and sent to NCDP Administration Assistant so that the record of sick leave can be updated.

#### **C. Sick leave for more than 15 days**

After 15 days staff are no longer entitled to paid sick leave. However if they are still sick and cannot return to work then they may use their entitlement to paid annual leave so that they continue to have leave with pay. Staff who need to do this must inform their line manager about this at least 3 days before their paid sick leave is due to finish.

**Note:** The line manager and NCDP Administration Manager must visit any member of staff who is sick for more than 15 days to discuss about their situation and their plan to return to work.

**Note:** In this case if the line manager is not the Programme, Project or Department Manager then the line manager must inform their Programme, Project or Department Manager about this situation. The Programme, Project or Department Manager is responsible for deciding whether to approve any extension of the leave or not.

#### **D. Long term sickness**

In the case that staff use all their entitlement to paid sick leave and paid annual leave but are still not well enough to return to work then NCDP Executive Director has the authority to approve sick leave without pay for up to a maximum 2 calendar months.

The Executive Director will make this decision in consultation with the particular Programme, Project or Department Manager.

In the case that at the end of this period the staff member is still not well enough to return to work, then NCDP Executive Director has the authority to decide to terminate the contract. This decision must be made in consultation with the member of staff and the line manager.

Any staff that have their contract terminated for this reason are entitled to receive 'termination pay' equivalent to one month of their current salary.

**Note:** Staff that are absent from work and do not inform NCDP according to the procedure will be dealt with according to NCDP disciplinary policy (see Article 22).

#### Article 16: Other Types of Leave which NCDP Staff can take if Necessary

### 1. Paid Maternity Leave (Female staff)

The purpose of paid maternity leave is to give a female member of staff some time to prepare for the birth of her baby (up to 10 days) and some time to take care of her baby immediately after the baby is born (up to 50 days)

## Policy

Any female staff that is pregnant is entitled to receive up to a maximum of 60 days paid maternity leave (10 days which can be taken before the birth and 50 days which can be taken after the birth).

## Procedure

Any female member of staff who is pregnant must inform her line manager at least 4 months before the date that the baby is due to be delivered and discuss her plan to take maternity leave with her line manager. The staff must then complete the **form to request paid maternity leave**. This form must be signed by the line manager and submitted to NCDP's Administration Assistant so that the record of leave can be updated.

**Note:** NCDP understands that it can be difficult to know exactly when the baby will be born. Managers are expected to be flexible in allowing their female staff to take paid maternity leave when it is necessary.

**Note:** If the female staff has a miscarriage (the baby dies before it is born) or the baby is not alive when it is born then she is not entitled to maternity leave but can take compassionate leave and sick leave if necessary (please refer to Articles 15 and 16).

## 2. Paid Paternity leave

# Policy

The purpose of paid paternity leave is to give a male staff member, whose wife has a baby, some time to be with their wife and baby immediately after the baby is born.

Any male staff whose wife has a baby can receive up to a maximum of 6 days paid paternity leave. This only applies to men who are legally married to the woman who has given birth.

# Procedure

Any male staff whose wife is pregnant and who would like to take paid paternity leave should inform their line manager about the due date of the baby as soon as possible.

When the baby is born the staff must inform their line manager. When the staff returns to work he must complete the **form to request paid paternity leave** and have this form signed by their line manager. The staff must also get a doctors certificate to prove that their wife has had a baby and attach this to their request. This form must be signed by the line manager and submitted to NCDP's Administration Assistant so that the record of leave can be updated.

**Note:** NCDP understands that it can be difficult to know exactly when the baby will be born. Managers are expected to be flexible in allowing their staff to take paid paternity leave when it is necessary.

**Note:** If the wife of a member of staff has a miscarriage (the baby dies before it is born) or the baby is not alive when it is born then he is not entitled to paid paternity leave but can take paid compassionate leave.

## 3. Paid Compassionate leave

# Policy

All NCDP staff can receive a maximum 5 days off in each year (January – December) for compassionate reasons. The purpose is to help staff in the following situations.

- Death or serious illness of a family member (father, mother, wife, husband, child and brother/sister in blood)
- If a member of staff plans to get married

## Procedure

Any member of staff that needs to take compassionate leave suddenly and is unable to come work must inform their line manager within 2 hours of the time they were due to start work. If the staff are unable to do this by themselves then a relative can do this for them.

When they return to work the staff must complete a **compassionate leave request form**. This form must be signed by the line manager and submitted to NCDP's Administration Assistant so that the record of leave can be updated.

### 4. Extending maternity leave, paternity leave and compassionate leave

## Policy

In the case that staff use all of their leave entitlement for any of the above situations, and they still want to continue to take time off work then they may use annual leave.

## Procedure

The member of staff must discuss this with their line manager. Once the line manager has approved the request for paid annual leave they must sign the **annual leave request form** and submit this to NCDP's Administration Assistant so that the record of annual leave can be updated.

**Article 17: Monitoring and Controlling Staff Benefits in Relation to Articles 12, 13, 14, 15 and 16**

## Policy

NCDP staff are only allowed to receive these benefits according to the policy and procedures that are written above. All NCDP managers are responsible for making sure that these policies and procedures are implemented and followed. Line managers are also responsible for making sure that they submit all information and forms to NCDP Administration Assistant on time.

NCDP Administration Assistant is responsible for producing a written monthly report on staff leave within 15 days of the end of each month. This report must be submitted to NCDP Administration Manager for checking and distribution to all line managers.

If the Administration Manager becomes aware of any problems or difficulties with line managers implementing or following NCDP policies and procedure related to Articles 12, 13, 14, 15 and 16 he will feedback to the line manager about this. If the same problem continues then the Administration Manager has the authority to inform the Executive Director about the problem.

#### **Article 18: Accident and Inpatient Health Insurance**

### **Policy**

All staff that are employed by NCDP are entitled to Personal Accident and In-patient Health Insurance. This insurance will be effective from 5 working days after the member of staff starts to work for NCDP until the member of staff stops working for NCDP.

## **Procedure**

If a member of staff has an accident or needs to go to hospital because they are sick they must inform the insurance company directly to explain the situation and to check that the insurance does cover the type of situation. If the staff are not able to do this by themselves then a relative or friend can do this for them.

The staff should also contact NCDP Administration Manager as soon as possible to inform about situation.

NCDP Administration Manager is responsible for making sure that all staff receive a card that gives information about how to contact the insurance company.

NCDP Administration Manager is responsible for organizing Personal Accident and In-patient Health Insurance for each member of staff.

The Executive Director is responsible for deciding which company to use, the level of insurance payment and the benefit that will be received.

NCDP will select a local insurance company that operates in Cambodia. The insurance company that NCDP will use will be selected each year based on 3 quotes (if possible) and the final decision about which quote to accept will be made by the Executive Director. The performance of the insurance company and the cost of insurance will be reviewed once a year.

**Note:** NCDP is not responsible for any other payments or costs related to the health of its staff.

Note: NCDP staff who are transportation by motor in working hour must regularly wear helpmate. The Programme, Project and Department managers make sure staff who are transportation by motor in working hour are receiving helpmate.

**Note:** All NCDP Staff must inform NCDP Administration Manager about which person (relative or friend) any insurance benefit should be paid to if that member of staff dies.

**Note:** According to the policy of NCDP's Insurance Company, as soon as any member of staff stops working for NCDP then they will stop being insured by NCDP. NCDP Administration Manager is responsible for updating the Insurance Company about this.

### **Article 19: Recruitment and Selection of New Staff**

NCDP has a separate policy and procedure for the recruitment and selection of staff.

### **Article 20: Staff Evaluation**

NCDP has a separate policy and procedure for staff evaluation.

### **Article 21: Staff Training.**

#### **Policy**

NCDP will train staff according to the need of each programme, department and project. If it is not possible for the organization to provide internal training or support to the staff then it may be necessary to identify suitable training opportunities provided by other organizations.

#### **Procedure of the request for training**

The line manager is responsible for;

- Identifying the training needs in consultation with his or her staff according to the outcome of the Staff Evaluation policy and procedure.
- Planning their budget in order to meet the cost of staff training.
- Identifying good quality training that clearly meets the need.

The line manager must complete an **external training request form**, which should be signed by both the line manager and the member of staff and sent to the Executive Director.

Only the Executive Director can approve requests for staff to receive training that is provided by another organization. All **external training request forms** must be sent to the Executive Director at least 20 working days before the start of the training.

**Note:** In some cases NCDP Executive Director has the right to make a contract with the staff so that they will agree to continue working for NCDP for some specific length of time after they have received training. This is particularly the case where staff training is for a long period, where the cost is expensive or where NCDP has helped to pay for a member of staff to study for a degree that is directly related to their work at NCDP.

## **Article 22: NCDP Disciplinary Policy and Procedure**

### **Policy**

All NCDP staff are responsible to make sure that they work hard according to their job description and that their work is good quality.

If any member of staff has a problem or difficulty, which is affecting their work for NCDP they must inform their line manager as soon as possible.

In some cases the line manager may notice that a member of staff is not working properly and that this situation is affecting the work of the project, programme or department.

### **For example:**

- Staff may seem to ignore or refuse to follow NCDP policy even though the policy is known to them in advance.
- Staff arrive at work late or leave their work before the normal time without getting permission.

In this kind of situation it may be necessary to use NCDP disciplinary procedure

### **Procedure.**

There are 3 steps in NCDP's disciplinary procedure

**Step 1: The line manager identifies a problem and tries to solve it with the staff.**

If the line manager notices that a member of staff is not working properly or that there is a problem with the quality of work that they are doing, then the line manager must discuss this with the staff.

The purpose of this step in the disciplinary procedure is for the line manager to get information about the problem and to try to solve the problem through discussion with the staff. The staff may have a good reason why they are not working properly and it is important to find out if this is the case. By working together the line manager and staff may be able to make a plan to solve the problem.

**Step 2: The problem continues or it is not solved so the Executive Director may give a written warning to the staff**

If the problem cannot be solved or it continues to happen and there is no good reason for this, then the line manager must inform the Executive Director. The Executive Director will advise the line manager how to deal with this situation. The Executive Director may decide to meet directly with the staff member and the line manager to discuss the problem and try to solve it.

At this step the Executive Director may give a written warning to the staff, which says that if the problem continues or the situation does not improve then their contract may be terminated.

**Note:** In this case if the line manager is not the Programme, Project or Department Manager then the line manager must first inform their Programme, Project or Department Manager about this situation before they inform the Executive Director.

**Step 3. The same problem is still not solved so the Executive Director decides to terminate the contract of the staff.**

If the problem still cannot be solved or it continues to happen, then the line manager must again inform the Executive Director. In this situation the Executive Director must meet directly with the staff member and the line manager to discuss the problem and try to solve it.

If the Executive Director feels that NCDP has done everything reasonable to help the staff member to solve the problem but the problem cannot be solved then the Executive Director has the authority to terminate the contract of the staff member.

In this situation NCDP will give 2 weeks notice in advance to the staff member.

**Note:** In this case the staff member is **not** entitled to receive any termination pay. They may receive a clearance certificate but will not receive any letter of recommendation.



**Article 23: Disciplinary Procedure for Staff Whose Behavior is Completely Unacceptable to NCDP**

NCDP considers that the following behavior is completely unacceptable:

- Verbal, physical or sexual abuse to any other person including NCDP staff, clients or visitors.
- Any sexual activity or behavior during working time
- Legal complaint or arrest related to criminal activity
- Stealing NCDP property or money
- Stealing money or property from NCDP staff, clients or visitors
- Being drunk during working time or using any drugs (unless the drug has been prescribed by a qualified doctor for a specific medical condition)
- Fraud (e.g. If staff include false information in their application form for the post in which they are working)

If any member of staff behaves in a way, which is completely unacceptable according to the above guidelines this must be reported to the Executive Director immediately.

The Executive Director has the authority to immediately suspend the member of staff from working at NCDP. The purpose of suspending the member of staff from working is to give the Executive Director some time to investigate this situation and to interview the key people who were involved in the situation.

During the time that the member of staff is suspended from work they will continue to receive their salary.

The period of suspending the member of staff must never be more than 4 weeks. NCDP Executive Director is responsible for making sure that the investigation is completed and a decision is made within this time.

After the Executive Director has fully investigated the situation, he will make a decision about whether to terminate the contract of the member of staff or not.

If the Executive Director decides to terminate the contract of the member of staff, the Executive Director must contact directly to the member of staff to inform about this.

The decision will be effective from the day that the Executive Director meets with the member of staff to inform them that their contract is being terminated. NCDP Executive Director is responsible for informing the Programme, Project or Department Manager, Administration Manager and Finance department about this.

**Note:** In this case the staff member is **not** entitled to receive any termination pay. They may receive a clearance certificate but will not receive any letter of recommendation.

If the Executive Director decides not terminate the contract of the member of staff, then the Executive Director must meet directly with the member of staff to inform about this. The Executive Director is responsible for making a clear plan for the member of staff to return to work.

In the case of criminal activity the Executive Director must meet with the Chair of the Governing Body to discuss this and make an agreement about how to deal with this.

## **Article 24: Termination of Staff Contracts**

### **Policy**

There are 5 situations when it may be necessary to terminate the contract for a member of staff who is employed by NCDP:

- a. The programme, project or department finishes
- b. The staff contract finishes
- c. Long term sickness of staff
- d. According to NCDP Disciplinary Policy (Article 22)
- e. Terminating the contract of staff whose behavior is completely unacceptable to NCDP (Article 23)

### **Procedure**

#### **A. The programme, project or department finishes**

- According to a change the goal and objective of NCDP
- According to a lack of financial resources of NCDP

In this case the staff that have their contract terminated by NCDP will be informed at least 1 month in advance of the date that their contract will be terminated.

They will receive termination pay equivalent to one month's salary (based on the actual salary of the staff in the month that they stop working for NCDP).

**Note:** If the programme or project starts again in the future, previous staff will need to reapply for any posts according to NCDP Recruitment and Selection Policy

### **B. The staff contract finishes.**

All staff that work for NCDP have a staff contract, that they must sign. This contract is usually for a fixed period of time (e.g. 1 year). If there is no plan by NCDP to renew the contract after this period then staff will be informed at least 1 month in advance of the date that their contract will be terminated.

Staff that have their contract terminated in this way will receive termination pay equivalent to one months salary (based on the actual salary of the staff in the month that they stopped working for NCDP).

### **C. Long term sickness of staff.**

Please refer to Article 15, which explains NCDP policy and procedure related to long-term sickness of staff.

### **D. Termination of staff contracts according to NCDP disciplinary policy**

Please refer to Article 22, which explains about this

### **E. Terminating the contract of staff whose behavior is completely unacceptable to NCDP**

Please refer to Article 23, which explains NCDP policy and procedure related to terminating the contract of staff whose behavior completely unacceptable to NCDP.

**Note:** According to the policy of NCDP's Insurance Company, as soon as any member of staff stops working for NCDP then they will stop being insured by NCDP

### **Article 25: Staff Who Decide by Themselves to Stop Working for NCDP.**

#### **Policy**

In some cases staff may decide to stop working for NCDP (e.g. They may get a new job or decide to study full time). In this case staff need to 'resign' from their post (inform NCDP that they are leaving).

#### **Procedure**

If any member of staff decides that they want to resign from their post they must inform about this plan to their line manager and the Executive Director by written letter at least 4 weeks (20 working days) before the specific date that they plan to stop working at NCDP.

**Note:** In this case if the line manager is not the Programme, Project or Department Manager then the line manager must inform their Programme, Project or Department Manager about this situation.

**Note:** If NCDP's Executive Director decides to stop working at NCDP, the Executive Director must first meet with the Chairperson of the Governing Body to inform and discuss this. The Executive Director must then write a letter to confirm this decision and submit this letter to the Chairperson of the Governing Body at least 8 weeks (40 working days) before the specific date that she / he plans to stop working at NCDP.

The Executive Director is responsible for writing a memo to inform NCDP Administration Manager and NCDP Finance Manager about the resignation of any staff member with a copy to the line manager.

NCDP Finance Manager (in consultation with the Administration Manager) is responsible for working together to clarify the final salary of the staff member and for ensuring that any NCDP property (e.g. Mobile telephone) is returned to NCDP before the member of staff stops working for NCDP.

NCDP Administration Manager is responsible for issuing a clearance certificate for any staff that stop working for NCDP.

NCDP Executive Director is responsible for producing a letter of recommendation for staff that decide to stop working for NCDP by themselves.

## **Article 26: Payment of Staff Bonus.**

### **Policy**

The purpose of NCDP staff bonus is to reward all paid staff for their hard work during the year and specifically to enable staff to prepare for the important cultural festivals of Khmer New Year and Pchum Ben.

The bonus for each individual member of staff is equivalent to one month of their current salary. The bonus is paid in two parts; 50% at Khmer New Year (in April) and 50% at Pchum Ben (in October / November)

### **Procedure**

In order to get the bonus paid at Khmer New Year a member of staff must have been employed by NCDP on or before 1<sup>st</sup> January of that year and still be working for NCDP

one day before Khmer New Year.

Staff who have their contract terminated or resign from their post in this period (2<sup>nd</sup> January to one day before Khmer New Year) are not eligible to get this benefit.

In order to get the bonus paid at Pchum Ben a member of staff must have been employed by NCDP on or before 31<sup>st</sup> June of that year and still be working for NCDP one day before Pchum Ben.

Staff who have their contract terminated or resign from their post in this period (1 July to one day before Pchum Ben) are not be eligible to get this benefit.

NCDP Finance manager is responsible for organizing payment of staff bonus.

**Note:** Any member of staff who is promoted within NCDP will receive the bonus according to their new salary.

### **Article 27: Payment of Per Diems and Reimbursement of Expenses for Work Related Travel in Cambodia**

#### **Policy**

NCDP staff may be expected to work away from their normal place of working. The purpose of the 'per diem' is to compensate staff for some expense related to working away from their normal place of work. Per Diem may be paid to staff in the following situations;

**A. Staff working in the area that not mention in staff's job description for at least 6 hours in one day**

In this situation staff may claim a per diem for Lunch of \$1

**B. Staff working in the area that not mention in staff's job description whole day and who must stay overnight**

In this situation staff may claim:

- A per diem for Lunch of \$1
- A per diem for Dinner of \$1
- A per diem for Breakfast the following morning of \$1

**C. Payment of Expenses for Accommodation (Hotel or Guest House)**

Staff that are working away from their normal place of working the whole day and who must stay overnight in a guesthouse can have their actual expenses for accommodation paid according to NCDP Finance Policy

**Note:** the Executive Director (according to information provided by NCDP Administration Department) will decide the general limit of the cost for accommodation each year.

#### **D. Payment of travel expenses.**

If staff are not able to use NCDP's own transport and need to hire other kinds of transport, then staff can claim the actual cost of the travel but must provide an official receipt.

**Note:**

NCDP Logistics Assistant is responsible for:

- Getting information about the cost of different kinds of transport to/from areas that staff regularly need to travel to.
- Getting information about the cost of accommodation in these areas

NCDP Logistics Assistant is responsible for distributing this information to managers at the start of every year.

#### **Procedure.**

The line manager is responsible for planning in advance all activities, which relate to staff working away from their normal place of work.

The line manager is responsible for making sure that there is a clear budget for per diems if this is necessary to maintain the activity of the programme, project or department.

The line manager is responsible for authorizing all per diems, which relate to the staff that they manage.

Payment of per diems is made according to NCDP Finance Policy and Procedures.

### **Article 28: Payment of Per Diems and Reimbursement of Expenses for Work Related Travel Abroad**

#### **Policy**

NCDP staff may be expected to travel abroad for work, which is directly related to their work at NCDP or to represent NCDP at international events.

In this case NCDP may provide a Per Diem to cover the cost of meals, transportation and accommodation, providing that another organization or donor is not already paying for these expenses.

### **Procedure**

Only the Executive Director can authorize staff to travel abroad for work, which is directly related to NCDP.

All requests to travel abroad for work related to NCDP must be made to the Executive Director at least 20 working days in advance of the trip. If staff do not already have a passport then the request to travel abroad must be made at least 40 working days in advance so that the passport can be organized.

The Executive Director is responsible for making sure that the programme, project or department has the budget to meet the cost of any expenses related to this. If there is no budget then the Executive Director may decide to raise funds from another donor to meet the cost if there is enough time to do this properly.

### **Passport costs**

NCDP will pay 100% of the official cost of a passport for any member of staff who is expected to travel abroad for work directly related to NCDP and who does not already have a passport or if the passport needs to be extended or renewed.

## **Article 29: Getting Permission for Work Outside NCDP's Normal Areas of Activity**

### **Policy**

Sometimes staff may need to visit and do work on behalf of NCDP in areas of Cambodia that NCDP does not already operate in. To be able to do this, in some cases the Royal Government of Cambodia requires staff to have written authorization from the Executive Director of their organization.

### **Procedure**

Line managers who need to travel and do work on behalf of NCDP in an area of Cambodia that NCDP does not already operate in (or who need their staff to do this) should complete a '**Mission Request Form**'. This form must be submitted to the Executive Director for approval and signature at least 5 working days in advance of the travel. The member of staff who is traveling must take the original copy of the form with them on their trip and show this to the Government office if necessary.

A copy of the form must be given to NCDP Administration Manager. This is so that if the member of staff has any problems or difficulties whilst they are working away then NCDP Administration Manager can help sort things out.

**Note:** The '**Mission Request Form**' cannot be used to claim any Per Diem. If the staff is entitled to receive a Per Diem then a separate '**Per Diem Request form**' will also need to be completed.

### **Article 30: Use of NCDP Equipment.**

#### **Policy**

All staff are responsible for making sure that they take good care of NCDP property and use it properly. NCDP equipment should not be used for personal benefit except where this is clearly stated in NCDP policy.

#### **Procedure:**

NCDP Administration Manager is responsible to make sure about the contract and any necessary policy that relate with the equipment that is provided to staff who have permission to use NCDP equipment.

### **Article 31: Personnel Files and Confidentiality of Information related to NCDP staff**

#### **Policy**

Every member of staff who is employed by NCDP has a personal file that is kept in NCDP Administration department. This file should include the following information:

- Staff contract
- CV (including certificates / letters of recommendation) and Application Form.
- Most recent job description
- Record of leave (all types)
- Record of overtime payments
- Staff evaluation reports
- Training record **Standard form**
- Contact person in case of an emergency **Standard form**

#### **Confidentiality of staff personnel files**

- Any member of staff can look at their own file



- A programme, project or department manager can look at the files of any member of staff that they manage.
- The Executive Director, Administration Manager and Administration Assistant can look at all files

Personnel files are the property of NCDP and cannot be removed from NCDP Administration department except if the Executive Director needs them. NCDP Administration Assistant can copy information from the files according to the above policy.

**Note:** The Programme, Project or Department Manager may also keep a copy of the staff's job description, staff evaluation reports and training record in their office. In this case the manager is responsible for making sure that this information is kept safe.

Disposing of staff personnel files

All staff personnel files must be kept for 1 year after the staff stop working at NCDP. NCDP Administration Manager is responsible for keeping and maintaining a summary record of all staff that stop working for NCDP. This record must include information about

- Name of staff
- Job title
- Start date,
- Finish date
- Reason for leaving
- Any other strong comment

### **Article 32: Contact in Case of Emergency**

#### **Policy**

All NCDP staff are expected to complete a **Contact Person in Case of an Emergency Form**. The purpose of this form is to provide NCDP with information about who to contact if a member of staff has an accident or becomes very sick during NCDP Working Time.

#### **Procedure**

NCDP Administration manager is responsible for making sure that all staff complete the form. The form will be kept in the staff personal file in NCDP Administration Department.

### **Article 33: Visits from Friends and Relatives**

#### **Policy**

NCDP staff should not invite their friends or relative to NCDP offices unless there is an emergency or they have received permission from NCDP Administration Manager.

#### **Article 34: Language and Meaning**

This policy has been made the English languages and will be translated into Khmer. Both policies will have the same meaning.

#### **Article 35: Distribution of NCDP Staff Policy**

There are two original copies of this policy, one is kept by NCDP Administration Manager and one is kept by NCDP Executive Director. All programme, project and department managers must have a copy of this policy. This policy may be copied to other staff and other relevant organizations on request.

#### **Article 36: Update and Review of NCDP Staff Policy**

The Executive Director of NCDP is responsible for reviewing this policy once each year. This may be in consultation with managers and staff if it is appropriate.

NCDP Administration Manager is responsible for receiving information from other managers and staff about their experience of implementing this policy and their ideas for change and improvement.

Any conflict, which cannot be solved by NCDP will open to solve the problem according to the law of the Royal Government of Cambodia.

#### **Article 37: Effective of NCDP Staff Policy**

This policy will be valid for the date of signature and the official stamp.

**Note:** Any previous policies or procedures that relate to any of the issues dealt with in this Staff Policy are cancelled and are not valid after the date this policy was implemented.

The policy was reviewed on:.....02-01-2004.....



**Yi Veasna**  
Executive Director

Signed by



**H.E. Prak Chantha, Chair Person**  
NCDP Council of Management.