



HUMAN RESOURCES MANAGEMENT

MANUAL

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INTRODUCTION TO TRANSPARENCY INTERNATIONAL CAMBODIA

Transparency International Cambodia (TI Cambodia) was founded on 05 July 2010 by a group of professional Cambodian volunteers including Mr Soeung Saroeun, Mr Preap Kol and Ven. Thorn Vandong. It was formed with both financial and technical support from Transparency International Secretariat (TI-S).

TI Cambodia believes that, in order to reduce poverty and inequality in society and for a country to effectively develop, individuals and institutions must evolve in a corruption-free environment with a corruption-free mindset, and partake in activities that will enhance their values, reputation and dignity.

TI Cambodia is a National Chapter of Transparency International. It was officially registered as a local Cambodian non-governmental organisation with the Ministry of Interior on 06 July 2011.

VALUES: TI Cambodia shall respect and adhere to the following values:

- Integrity
- Accountability
- Transparency
- Solidarity
- Justice
- Democracy

VISION: For Cambodians to live in a society free of corruption.

MISSION: Work together with individuals and institutions at all levels to promote integrity and reduce corruption in Cambodia.

GOALS:

1. Promote individual and institutional best practices and integrity in their day-to-day performance through education and sharing of good models and examples.
2. Empower community members to actively engage in monitoring development process at national and sub-national levels.
3. Advocate for positive change toward a corruption-free society.

1. TI Cambodia's Human Resources Administration

1.1 Purpose of the Human Resources Policy

Transparency International Cambodia (TI Cambodia) considers that its employees are the greatest assets of the organisation and are critical in achieving TI Cambodia's mission. It aims to hire local staff where possible and to build their capacity, provide work that is satisfying, congruent with their career objectives, and fairly paid.

TI Cambodia seeks to employ a diverse team of dedicated and talented professionals who can work together to promote integrity, good governance and to reduce corruption. This policy serves as a tool to help TI Cambodia's employees work most effectively together to achieve its vision through a shared understanding of the way we go about our business from a human resources perspective. TI Cambodia seeks to strengthen capacity and empower its core staff so that each team member is supported, nurtured, developed, challenged and inspired to work to their full potential to make their contribution to achieving TI Cambodia's objectives and in so doing work to their full potential and meet their own aspirations.

This policy provides the essential information required by staff and supervisors to understand TI Cambodia's HR management and development, including the performance management framework, the conditions of service, recruitment, staff movement, staff training and development, exit policy and other HR processes followed in the organisation. The HR Team can provide more detailed advice to staff and support to supervisors and managers regarding this policy.

This policy defines TI Cambodia's human resources regulations and guidance in compliance with Cambodian labour law or other relevant legislations.

The Human Resources Policy is continually being developed, and will be reviewed whenever necessary. Recommendations for change are welcomed from all staff. All comments and suggestions should be made to the HR Manager/Officer.

TI Cambodia Senior Management reserves the right to change this policy at any time, provided the changes are reviewed by the Senior Management Team and approved by the Board of Directors and are in compliance with applicable laws.

1.2 Scope of the Human Resources Policy

This manual provides an overview of TI Cambodia's HR policies and procedures for all staff under employment contract with TI Cambodia. It sets out the organisation's standards and expectations as well as staffs' rights and obligations. The conditions of employment of expatriate staff are determined by their employment contracts and are governed by this policy.

1.3 Legislation

TI Cambodia abides by the labour law of the Kingdom of Cambodia. Where the legislation allows additional or supplementary protections or restrictions, TI Cambodia may choose to implement policies that go beyond the basic requirements of the law. Such policies will never be in breach of the laws.

It is the responsibility of the HR Manager/Officer to propose the legal position in any unknown or questionable situation after seeking proper legal advice from a professional lawyer and after obtaining approval from the Senior Management Team.

1.4 Equal Employment Opportunities

TI Cambodia complies with local and international laws with respect to equal employment opportunities. It does not discriminate on the grounds of race, colour, gender, religion, political opinion, marital status, pregnancy, military service, physical or mental disability, sexual orientation, union activities, or any other legally protected category. A competitive process providing equal opportunity to women and men will be followed to fill any vacant position. All things being equal, priority will be given to qualified TI Cambodia employees in good standing.

TI Cambodia encourages more women in the leadership positions such as Senior Management Team and the Board of Directors, as stipulated in Gender Mainstreaming Guideline.

The main factors taken into consideration when hiring people include skills, experience, employment history, past job performance, technical qualifications, and due diligence.

TI Cambodia does not hire anyone under the age of 18 or anyone who is actively engaged as activist of any political party in Cambodia, if it is seen to compromise TI Cambodia's neutrality.

1.5 Personnel Files

Each TI Cambodia staff member has a personnel file, which is stored securely in the HR/Administration Department. Access to files is limited to TI Cambodia Senior Management and to the authorised staff members. The maintenance and security of the personnel files are the responsibility of the HR Manager/Officer.

Personnel files contain resumes/CVs, job applications, signed employment contracts, and other documents including appraisals and letters notifying employees of pay rises, promotions and disciplinary warnings, etc.

2. Staff Recruitment

2.1 Identification of Need and Approval of Recruitment

The first step in recruitment is to identify the precise need that the new employee is to fulfil. This may not take long for a direct replacement of a current or previous employee, but for a new position, the current staffing situation should be reviewed and the impact of the new position considered by the responsible manager or officer and approved by the Executive Director.

2.2 Preparation of Job Description

Each job description should include, but not limited to, the employee's job title, job objectives, a summary of responsibilities and duties, and required qualifications. The job description shall be approved by the Executive Director prior to the post being advertised.

2.3 Advertisement

New jobs shall usually be advertised in newspapers, websites and other places as deemed appropriate for the specific role. This may not be appropriate for low-level, unskilled jobs where possible candidates are readily available and it is not worth the expense of advertising, or for internal promotions where a known candidate is already available. TI Cambodia may use human resource agencies to look for potential candidates.

The job advertisement should contain: the job title; the organisation's name and a summary of TI Cambodia's objectives and programs; a brief job description (see Section 2.2); the salary range and benefits offered (see Section 7); a list of desired and essential specifications for candidates; instructions concerning how to apply, including TI Cambodia's contact details; and the closing date for applications.

2.4 Internal Applications

TI Cambodia seeks to provide career development opportunities for employees, interns and volunteers. All staff, interns and volunteers are entitled and encouraged to apply for any positions advertised by TI Cambodia. All positions must therefore be advertised internally and any member of staff may apply.

In order to ensure transparency and fairness in the recruitment process, and to ensure that internal candidates are well suited for the new position they are applying for, all shortlisted candidates including internal ones must be interviewed (and tested if applicable).

All internal applicants for a TI Cambodia vacancy who meet the minimum skills, knowledge and / or experience required for the role should be shortlisted for testing and / or interview. However, in order to meet TI Cambodia's obligations to donors, the Recruitment Panel should recommend the best candidate for the role. Therefore, if an external candidate is found to be better, she/he should be offered the job.

Exceptions to this obligation can be made in circumstances where employees have had their performance and competencies consistently rated as excellent in their Annual Performance Appraisal and have been identified as having potential for promotion by their line managers, employees with good performance records. These exceptions have to be documented by the responsible line manager and endorsed and approved by the Executive Director before he or she is appointed.

2.5 Selection for Interview

Interviewing is expensive and time-consuming, so not all applicants for every job can be interviewed. A shortlist of 3-5 of the strongest applications should be drawn up.

The selection process for interviewing should be transparent and objective, based on a review of each application by the HR Manager/Officer and Director and/or other relevant staff, such as the prospective Line Manager. Criteria for selection will depend on the job being recruited for, but will typically include educational achievements, technical experience, and the quality of the application itself.

Candidates who have not been shortlisted for an interview should be informed, unless it states in the advertisement that unsuccessful candidates will not be contacted.

2.6 Interviewing and Written Test

The manager in charge of the recruiting should organise the interviews and necessary written test for the shortlisted candidates. The shortlisted candidates must be notified of the location and timing of their interviews and of any other logistical details such as qualification certificates to bring and the format of the interview.

The Line Manager and HR Manager/Officer should also agree on the interview format (which will be consistent for all candidates), including a pro forma list of questions, a written test (if appropriate), and any other material required. In particular, “interview record sheets” with details of the interview process, plus space for interviewers to take notes, should be prepared. The HR Manager/Officer should assemble an interview panel of two or three TI Cambodia staff including the hiring manager and the Director, as appropriate, to perform the interviews. Members of the Recruitment Committee may be different for various levels of positions being recruited and at various stages from short-listing to interviewing candidates.

All panel members should be issued with “interview record sheets” and should take written notes during the interview. Additional questions can be asked during the interview as required, to encourage each candidate to elaborate on their own skills, experience, and knowledge and understanding of TI Cambodia. All interviews should be approximately the same length, and the interview “day” should be run according to schedule.

The end of the interview should be reserved to allow the candidates to ask any question of their own about TI Cambodia. The interview is a two-way process, and their questions should be answered fully and honestly. If there is possible flexibility over pay, the candidate should be asked to suggest a preferred level of pay for the role.

2.7 Recruitment Decision

After all candidates have been interviewed, they should be evaluated against the job specification and qualification. Cultural and personal “fit” with the TI Cambodia and its staff should also be considered, along with the candidate’s pay expectations.

Input should be sought from all members of the interview panel. Candidates should be classified, first, as meeting requirements to be offered the job or not meeting requirements to be offered the job. Those that meet requirements should then be put in order, and the job should be offered to the top candidate. If she/he refuses, the next candidate should be offered, and so on. Once a candidate has accepted, the other shortlisted candidates should be informed about the result.

The application of potential applicants should be retained – TI Cambodia may wish to recruit additional staff in the future and an efficient way to do this is to contact previously interviewed applicants. Internal applicants should generally be given preference, as long as they meet the relevant criteria, as this fits with TI Cambodia’s aim of staff development and capacity-building.

2.8 References

All applicants should be informed that they will be required to supply details of referees who can vouch for the factual information on their applications, including the applicant's most recent employer. Only references for qualified final candidates should be contacted by the Recruitment Manager or HR Manager/HR Officer.

For low-level and technical jobs, the request for a reference should be restricted to factual information concerning the applicant's employment or educational history, their technical skills, qualifications, and job descriptions. For senior management and leadership roles, it should also include information about leadership qualities, temperament, and management style.

Depending on the post being recruited for, TI Cambodia may also be required to perform further background checks such as criminal records checks and degree authentication.

2.9 Recruitment of Interns

TI Cambodia's work in the field of promoting good governance, transparency, accountability and integrity has made the organisation well-known and attractive to fresh graduates and youth who may want to do internships. As part of its effort to build capacity of the youth, TI Cambodia creates a learning program called "Young Professional Program". The Program is designed for outstanding young graduates who can assist TI Cambodia in carrying out its mission and attain its objectives, while enabling each Young Professional Intern (YPI) to receive first-hand exposure and extensive experience from various program activities implemented by TI Cambodia and its partners. YPIs will initially be offered an orientation on the relevant policies as well as the programs. They will benefit from relevant training and capacity development opportunities and will be encouraged to apply for a full time position with TI Cambodia once such window of opportunity is opened. The duration for each YPI is 6 months and can be extended up to 12 months if desired by both TI Cambodia and the YPI.

YPIs shall be provided with sufficient support through coaching, mentoring and on-the-job training by the supervisors of the departments or units they are working for. In addition, YPOs are entitled to the following benefits:

- **Basic stipend:** USD 150/month.
- **Phone card allowance:** USD 10/month
- **Field transportation and accommodation:** will be offered in line with TI Cambodia's policy.
- **Annual and sick Leave:** provided as set in the leave provisions of the policy.

2.10 Recruitment of Volunteers

Transparency International is one of the most well-known and respected anti-corruption organisations worldwide, and TI Cambodia is one of its national chapters. Hence, people might be interested in working/learning from TI Cambodia on a voluntary basis, which can benefit both sides. To accommodate this, TI Cambodia opens opportunities for voluntary work under the terms and conditions as set below:

Volunteer work initiated by TI Cambodia:

This refers to when the organisation is in need of recruiting volunteers to support programs or operations according to its advance planning and budget allocation. The volunteer opportunity shall be filled through a competitive selection process as set in the recruitment and selection provisions of the policy. If hired, the volunteer will be entitled to the following benefits:

- **Basic stipend:** \$US 100/month
- **Phone card allowance:** \$US 10/month
- **Annual and sick leave:** provided as set in the leave provisions of the policy

Volunteer work initiated by interested individuals:

This refers to when an individual is interested in working for TI Cambodia and contributing his/her experience, knowledge and time. TI Cambodia may consider the request when there is a need for a volunteer within the organisation or when the volunteer can add significant value to the organisation. In this case, there will be no open and competitive recruitment process and the Executive Director can make a decision to accept the volunteer. However, clear Terms of Reference and a precise volunteer agreement shall be produced and signed by both sides. In this case the volunteer shall not expect any pre-arranged benefits or allowance from TI Cambodia. However, subject to available budget and approval of the Executive Director, the volunteer might be offered minimal financial support if deemed necessary for the volunteer to effectively perform his or her assigned duties.

2.11 Recruitment of Consultant/Service Contractor

During the implementation of its programmes, TI Cambodia may need short term consultant/service contractor to fulfil the specific assignment to achieve some deliverable outputs within specific time frame. The engagement of consultant/service contractor shall go through the competitive process including posting Job announcement in public, shortlisting, interviewing, and selecting the most qualified candidate for the assignment. The service fee may be provided as a lump sum package based on the scope of the assignment and the available budget of TI Cambodia. However, selection of consultant/service contractor from single source may be applied if the concrete reason provided but it shall be rare.

2.12 Induction/Orientation of New Employees

The orientation of new employees is a two-level process. Soon after joining, the new employee shall receive an "organisation-level" orientation covering TI Cambodia's mission, vision and objectives, the human resources and financial management policies and procedures, and the day-to-day operational guidelines. This orientation shall be conducted by the HR Manager/Officer and relevant staff. The employee shall also receive a "programme-level" orientation explaining more detailed information about the programmes, the job duties and responsibilities, and reporting expectations. This orientation shall be conducted by the direct supervisor or line manager.

After the orientation, the direct supervisor shall help the new staff member to develop his/her performance plan for the probationary period, with clearly identified tasks, indicators and a timeframe. Expected deliverables or outputs for the new staff over the probationary period shall be fairly developed, understanding that it takes a while for the new staff to settle down and understand his/her roles and responsibilities and how the organisation functions before he/ she can effectively perform his/her tasks.

2.13 Employee Identification

TI Cambodia provides its employees with employee ID cards. These serve as identification and evidence of entitlement to work. Issuing and tracking them is the responsibility of the HR Manager/Officer. They are the property of TI Cambodia and must be reclaimed from employees when they leave. Employees should also provide a copy of their family book and current address and telephone number to the Human Resources Department to be kept on file in case of emergencies.

2.14 Transparent Hiring Policy

TI Cambodia recognises the need to be transparent in its hiring of staff. Under no circumstances does it accept payments to hire staff. Existing TI Cambodia staff must disclose any conflict of interest if they are involved in the hiring process (for example, relatives such as cousins or in-laws) and if so, they should not take part in the hiring decision. Hiring of relatives or in-laws may be difficult to avoid, and they are not absolutely forbidden; however, one relative should not be the direct Line Manager of another (see Section 6.9). Direct family members such as spouse, parents, brother, sister or child shall not be hired.

3. Contracts and Terms of Employment

3.1 Contracts

All employees shall receive a written, signed employment contract with a job description outlining the responsibilities and tasks pertaining to their position. The employee and their supervisor shall meet within the first week of employment to discuss the defined tasks and expected results, as well as to identify guidelines and resources to achieve these results, and how performance will be evaluated.

The HR Manager/Officer should arrange for the new employee to sign the employment contract upon starting employment. A copy must be given to the employee, and another retained in the personnel files in the HR/Administrative Department. Responsibility for storing and updating contracts as needed rests with the HR Manager/Officer. Employment Contracts should be updated as needed – in particular, on completion of the probation period (depending on contract wording) or on expiry of a Fixed Duration Contract (FDC). As part of performance management at TI Cambodia, the job description should be reviewed and, where necessary, updated during the annual performance appraisal (APA).

3.2 Contract Types and Lengths

3.2.1 Fixed Duration Contract (FDC)

TI Cambodia shall issue new staff with Fixed Duration Contracts (FDC) of up to one year depending on the date of hire. FDC can be renewed, more than once if necessary, but the total duration of employment on an FDC cannot exceed four years. If it does, the contract automatically converts to an Undetermined Duration Contract (UDC). The total period of employment, as calculated for benefits, pension fund or any other purpose, includes any FDC as well as a subsequent UDC.

For consistency with appraisals and annual raises, TI Cambodia issues all contracts within a calendar year (January to December), meaning the majority of new contracts will be for less than one year. For example, an employee starting on June 30th will receive a contract from June 30th until December 31st or approximately six months. If however the employee's starting date is after October 1st, the employee's contract shall be valid for more than one year, up to a maximum of 15 months including probation. Renewed contracts for existing employees shall generally be for one full year.

3.2.2 Undetermined Duration Contract (UDC)

TI Cambodia shall apply Undetermined Duration Contract (UDC) only for any employee who shall be extended the employment contract while her/his lengths of employment under FDC has been exceeded as mentioned in the labour law.

3.2.3 Service Contract

TI Cambodia also applies Service Contract which shall be used for service providers, such as contracted teachers, technical assistants, and professional consultants and shall not receive FDC as they are not regarded as permanent employees of TI Cambodia. Non-permanent “contractors” may receive written Service Contracts, but on a temporary basis and exclusive of benefits, unless otherwise noted in the Service Contract.

3.2.4 Contract for Part-time Staff

This policy allows TI Cambodia to recruit part-time employees when the nature of work and situation requires. Part-time employees have the same status as full-time employees, with a reduced core salary and proportionally reduced annual leave.

3.2.5 Contract for Expatriate Staff

The expatriate staff contract is subject to the same policies and benefits. Generally, expatriate staff will be expected to cover their own health and accident insurance costs, although this will be reviewed on an individual case basis for longer-term employees. In accordance with the local tax law, expatriate staff will have the required deductions made from their salaries each month (see Section 7.12). By law, TI Cambodia is required to pay taxes on any salary paid for employees working in Cambodia. Expatriates are not exempt from tax on salary.

Expatriate staff will have employment contracts and personnel files set up exactly as for other staff, and are required to follow the same rules and regulations, including probation periods, preparing monthly reports for management, and regular appraisals. The precise arrangements may vary for each individual and will be set out in the appendix of the employment contract.

TI Cambodia will follow the Cambodian Labour Law and its Memorandum of Understanding or relevant legal agreements with the Cambodian Government in deciding which expatriate staff to employ in Cambodia. Where required, preference will be given to Cambodian applicants for a post.

3.3 Probationary Period

All new permanent employees are required to complete 3-month probation. All new employees, and employees who are promoted to new positions, will be given a probationary period of three months unless the employee is assigned to a specific short-term project, in which case, the probationary period will be stated in the contract of employment.

For short-term contracts, any applicable probationary period shall be agreed in advance and stated in the individual contract.

The purpose of the probationary period is for TI Cambodia to assess the professional performance and ability of the employee and for the employee to decide if they enjoy working with TI Cambodia. Some factors which will be considered during the probationary period include an assessment of the employee's technical skills required for the position, interpersonal relations, communication skills, general attitude, personal qualities, including, honesty, integrity, common sense, and loyalty.

During the probationary period both parties reserve the right to terminate the contract. If an employee's contract is terminated during the probationary period, she/he will be paid only for time worked with no additional remuneration (see Section 7 Salaries, Bonuses and Benefits) unless otherwise agreed. To ensure a smooth transition of responsibilities, TI Cambodia and/or the employee should provide a minimum of five working days' notice before ending a contract during the probationary period.

During the probationary period employees are entitled to use sick leave, compensation leave and emergency leave in accordance with the terms of Section 10.3 and 10.6 of this HR manual. They are also entitled to insurance benefits and accrued pension.

However, new employees will not be eligible to receive the following benefits during the probationary period:

- Annual Leave
- Severance Benefits
- 13th Month Salary

When an existing employee takes up a new position, and while under the probationary period, she/he is entitled to all existing benefits.

Moreover, when an intern/volunteer is promoted to be an employee of TI Cambodia, his/her internship/voluntary work seniority shall not count as their seniority with TI Cambodia. Their seniority shall be counted when she/he becomes an employee.

Although new employees are unable to utilise these benefits during the probationary period, the benefits will begin to accrue as of the date of employment, not as of the date of the end of the probationary period. The probationary period shall be included in calculating length of service for all purposes and for determining eligibility for all benefits.

Upon completion of the probation period the employee will have a formal appraisal from their line managers to review their progress and annual expectations. The HR Manager/Officer will also provide a letter confirming the employee's completion of probation along with any changes in pay or benefits that may have been agreed during the hiring process. Employees who do not successfully complete the probationary period will receive a letter providing the details related to their contract termination, including their end date and final pay.

4. Staffing and Reporting Lines

4.1 Line Managers

Every TI Cambodia staff member has an identified Line Manager to whom they report, and who is responsible for managing and supervising their work. The Line Manager is also the person to whom they submit written reports of their activities. All staff are to be made aware of the identity of their Line Managers as part of the orientation process (see Section 2.12).

4.2 TI Cambodia Staff Listing

A list is maintained at all times of all TI Cambodia employees by the HR Manager/Officer. This includes full name, gender, job title, staff category, and location. It shall be updated each time a new staff member is recruited or a current staff member leaves.

5. Working Hours and Overtime

5.1 Normal Working Hours

The normal TI Cambodia working week is 37.5 hours (5 days of 7.5 hours) from Monday to Friday. Business hours (i.e. when the office must be staffed) are traditionally 08:00am to 12:00 noon and 1:30pm to 5:00pm. Access to the office is normally possible at any time owing to the guards and administrative procedures, and employees may choose to reschedule their working hours as long as they still work the full amount of hours and are present primarily during core office hours which is between 9:00am – 11:30am and 2:00pm – 4:00pm. Employees wishing to work different hours should make arrangements with their Line Managers in advance.

TI Cambodia supports staff who have requirements outside of work, particularly staff who have commitments because they are studying for qualifications (see Section 8) and will attempt to help these staff arrange their working hours to allow them to both work and study.

The program office may change these working hours depending upon the needs, but a minimum work week of 37.5 hours is expected of all full-time staff. Part-time staff will agree their hours in advance with their line manager. Additionally, according to the employee's job description, an employee may be expected to work outside of normal office hours, especially when working on projects in the provinces or outside of the office.

5.2 Overtime

In general, overtime is not encouraged and will not normally be paid for programme staff and management (see Section 6). It will only be paid for guards, cleaners, drivers, housekeepers, and other basic support staff, and this should be rare.

The nature of working at TI Cambodia, for technical programme staff and management, is that some overtime (including travel time) is likely to be unavoidable during busy periods. It is expected that these staff members will acknowledge that TI Cambodia's public interest purpose and mission may require this extra commitment. For exceptional circumstances or requests outside the employee's job description, overtime may be approved by an employee's line supervisor.

All additional hours worked, by any staff, require the consent of the staff member. Technical staff who are not happy with being asked to work overtime should consult their Line Managers or discuss this directly with the Executive Director. TI Cambodia will ensure that expectations are clearly stated in the job description and emphasised as part of the recruitment process and contract-signing. In acknowledgement of this, technical program staff and senior management are given extra flexibility in their working hours.

Overtime for guards, cleaners, drivers, housekeepers, and other basic support staff must be “exceptional and urgent” and must not exceed two hours, except during public holidays. Staff must agree that they can work overtime with their Line Managers before doing so. If it has not been approved in advance, overtime will not be paid. It cannot be approved retrospectively.

Employees cannot be forced to work overtime; this must be voluntary. Any support staff member who is struggling to finish their work in the time available should consult with their Line Managers to find ways of reducing their working hours. If the manager does not take action within five days, the employee should inform the HR Manager/Officer or Executive Director. Employees must not work excessive hours as this will damage their productivity.

Overtime will be paid at 150% during normal working hours and 200% for additional hours worked at night (based on the labour law, night time is considered to be from 10:00pm until 05:00 am) on weekends, or on public holidays. This only applies to basic support staff and not to technical staff or management.

Guards, cleaners, drivers, housekeepers, and other basic support staff are eligible for overtime pay, to be calculated using the following overtime formulas:

Full time guards:

- Overtime pay on normal working hours = $\text{Monthly salary} / 22 \text{ working days} \times \text{number of overtime (day)} \times 150\%$
- Overtime pay at night, on Sundays, or public holidays = $\text{Monthly salary} / 22 \text{ working days} \times \text{number of overtime (day)} \times 200\%$

Weekend guards:

- Overtime pay on normal working hours = $\text{Monthly salary} / 8 \text{ working days} \times \text{number of overtime (day)} \times 150\%$
- Overtime pay on public holidays = $\text{Monthly salary} / 8 \text{ working days} \times \text{number of overtime (day)} \times 200\%$

Part-time guards:

- Overtime pay on normal working hours = $\text{Monthly salary} / 11 \text{ working day} \times \text{number of overtime (day)} \times 150\%$
- Overtime pay at night, on Sundays, or public holidays = $\text{Monthly salary} / 11 \text{ working day} \times \text{number of overtime (day)} \times 200\%$

Full time cleaners, drivers, and basic staff:

- Overtime pay on normal working hours = $\text{Monthly salary} / 22 \text{ working day} \times \text{number of overtime (day)} \times 150\%$
- Overtime pay at night, on weekends, or public holidays = $\text{Monthly salary} / 22 \text{ working day} \times \text{number of overtime (day)} \times 200\%$

Part-time cleaners, drivers, and basic staff:

- Overtime pay on normal working hours = $\text{Monthly salary} / 11 \text{ working day} \times \text{number of overtime (day)} \times 150\%$
- Overtime pay at night, on weekends, or public holidays = $\text{Monthly salary} / 11 \text{ working day} \times \text{number of overtimes (day)} \times 200\%$

To maintain a good work-life balance, TI Cambodia offers two options to staff who request to work overtime over the weekend, on public holidays and/or at night time. Option 1: staff can claim full amount of overtime (200%; or Option 2: staff can claim overtime 100% and earn time compensation for another 100% which they can use later.

5.3 Compensation Leave

When technical and managerial staff is requested to work on weekends or public holidays, TI Cambodia will allow staff to take leave days in lieu of the days worked outside of normal working hours. The direct supervisor and employee must discuss and agree on the dates and number of days that will be granted as compensation leave.

5.4 Other Employment

Staff shall not take on other paid or unpaid employment during their working hours at TI Cambodia. In special cases, they may be able to do so, but must discuss it beforehand with their Line Managers and it should be agreed upon by the Executive Director. Outside working hours, employees are allowed to engage in professional activities as long as they do not clash with the goals and aims of TI Cambodia and are not harmful to the reputation of the organisation.

6. The Working Environment

6.1 Health and Safety

TI Cambodia must maintain its workplace in such a way that it protects the health and safety of its employees. The HR Manager/Officer and the Administration Officers are responsible for health and safety and for the prevention of workplace-related accidents.

Risks to health and safety vary with the employee's role. Physical dangers include heavy lifting, falling items, operating machinery, fire, and risks from working alone. Tools, equipment, must be properly installed and maintained. Fire alarms, fire safety inspections, and other measures must be taken as necessary to minimize risks in the workplace.

Office-based working can also cause problems. For example, long hours working at a computer can damage employee's eyesight, and poor posture can cause back injuries. Computer workstations and seating arrangements should be set up so that they are safe; employees should make adjustments as required to ensure that they are comfortable and should take short 5-10 minute breaks when required. Light and noise levels in the workplace should be monitored and adjusted if necessary: staff must have enough light to do their work and should not be exposed to excessive noise.

Employees may be required to use toxic chemicals such as cleaning products. These should be handled with care, with adequate ventilation, and with adequate protective gear.

Smoking is not only harmful to the health of the smoker but it also affects the health of the surrounding people. Therefore, smoking is strictly prohibited within all work areas including conference rooms, private offices, reception areas, restrooms, stairwells, hallways and work stations. This policy applies to all employees, clients, contractors and visitors. However, smoking outside is allowed.

TI Cambodia must also protect the psychological health of its employees. Stress at work should be avoided wherever possible. In particular, this can be caused by overwork; bullying, etc. Line Managers should monitor their employees and take action as required to resolve stress-related problems. Employees should not consume alcohol or other intoxicating drugs whilst working. This may lead to disciplinary procedures (see Section 11).

Employees who are ill should not come to work. This is especially important for employees with colds, flu, coughs, etc., who may feel well enough to work but who are infectious to other employees. They should stay at home until they are well in order to avoid infecting other employees – see the sick leave entitlement in Section 10.3. Contact with children is a risk area for illness and infectious diseases, and employees and volunteers should take care when visiting schools, etc.

All workplaces must be kept clean and hygienic. Clean toilets and washing facilities, and clean drinking water, must be provided in all workplaces. All TI Cambodia places of work should have a first aid kit and a nominated person (usually the Administration Manager/Officer) who is skilled in administering first aid.

6.2 Security

TI Cambodia employees should ensure their own personal safety while they are at work. In particular, they should take care when working alone, working in remote locations, working after dark, and working in potentially hazardous areas. If in doubt, they should contact their Line Managers for advice and in certain situations it may be safer to work in pairs rather than alone.

TI Cambodia's assets should also be kept secure. The Central Office and other buildings should be guarded or kept locked, and staff must look after TI Cambodia property which is onsite and which is issued to them, especially keys. If in doubt, rooms should be kept locked when staff or volunteers are absent. The guards should monitor staff coming and going and should challenge any unknown visitors. More detailed information can be referred to Security Risk Management Procedure and Policy (SRMPP).

6.3 Use of Personal Vehicles or Motorcycles

TI Cambodia staff may use their personal vehicle and motorcycles for TI Cambodia's business. Staff must be skilled, insured, and authorised to drive these vehicles or motorcycles.

Roads are dangerous and TI Cambodia staff should not drive if they are tired, under the influence of alcohol, etc. For motorcycles, staff must wear helmets and for car staff must wear seat belt. TI Cambodia is not liable for medical costs or compensation if the employee has an accident and is not wearing a helmet or seat belt, nor does the insurance provided by TI Cambodia cover accidents where a helmet or seat belt is not worn.

For staff who use their vehicles or motorcycles for work purposes, a reimbursement on gasoline will be made (refer to the Financial Management Manual, section 9.9.3). For regular and long-term use of personal vehicles or motorcycles for work, a flat rate and budget to cover gasoline and maintenance costs is given to staff subject to approval of the Executive Director.

6.4 Telephone and Internet

The office telephone is for TI Cambodia work use only. All users must record their calls on the written log. Employees who are provided with mobile phones and/or phone cards should also use them for TI Cambodia work only. SIM cards issued by TI Cambodia are managed by the HR Manager/Officer, who must be notified immediately if a phone or SIM card is lost or stolen.

The internet in the office is for TI Cambodia work purposes. Employees should be vigilant to scan for viruses. Particular caution should be taken with cheap copies of software, which may contain viruses. The IT staff should always be consulted for advice on obtaining and installing new software. Staff should communicate by email, using their @ticambodia.org email address when possible, as this is faster and cheaper than phone or paper communication. Staffs who are on holiday should consider using the out-of-office function so that critical emails are not overlooked.

6.5 Emergencies

All TI Cambodia staff should be aware of who to contact in an emergency and should carry the relevant phone numbers with them or in their phones. In the event of fire, flood, riots, etc, staff should contact the HR Manager/Officer to confirm they are safe and to get advice. In the event of a burglary or other crime, staff should contact their Line Manager or HR Manager/Officer for advice. If staffs require immediate medical attention, they should go to the doctor or to hospital, and they should contact their Line Managers or HR Manager/Officer as soon as possible.

6.6 Avoiding Conflicts of Interest

Conflict of interest is difficult to define, yet many people think they know it when they see it. Most conflicts fall into a grey area where ethics and public perception are more relevant than laws or precedents. Conflict of interest arises whenever the personal or professional interests are potentially at odds with the best interests of the organisation. Some conflicts are common and petty: An employee performs professional services for another organisation, or offers that a relative or friend be considered for a staff position. Such transactions are perfectly acceptable if they benefit the organisation and if the decisions are made in an objective and informed manner.

If a staff member believes there is a conflict of interest between any director, manager or staff, they should speak to their Line Manager immediately to determine an appropriate remedy. If the conflict of interest involves the Executive Director, and the concerned staff does not feel that the Executive Director has taken appropriate action in a reasonable amount of time, then the concern should be raised with the Ethics Committee whose composition and responsibilities are described in the Terms of Reference for the Ethics Committee.

6.7 Promoting Integrity and Fighting Against Corruption

TI Cambodia is one of the leading organisations in the fight against corruption and in promoting integrity in the Cambodian society. Integrity is one of TI Cambodia's core values and all organisation's staff and extended members are expected to uphold it. All staff members are required to sign the People's Declaration Against Corruption.

Integrity is about people doing the right thing – not looking for personal gain or to reward others by taking advantage of ambiguity or uncertainty in the law or in this policy.

All employees, including executives, officers and senior level managers, as well as members of TI Cambodia's board of directors, are expected to conduct their activities with integrity and to refrain from all forms of corruption.

Those who engage in conduct that is contrary to the ethical standards set forth in the policy will be subject to disciplinary measures, up to and including, termination of employment. In addition, if circumstances warrant, the organisation may notify the appropriate authorities. If staff find themselves in a situation that they believe may involve or lead to a violation of this policy, they have a duty to disclose the situation and seek guidance.

6.8 Child Protection Policy

Protecting children falls under the responsibility of all communities and individuals. Children across the world are subject to exploitation and experience sexual, physical and psychological abuse. Many are forced into exploitative work, including commercial sexual exploitation. There are many factors that increase children's vulnerability to exploitation and abuse, including disability or being orphaned, displaced, homeless or abandoned. To effectively protect children from any form of abuse, TI Cambodia has developed a child protection policy and a child protection declaration which all staff, volunteers and interns are required to sign (See Annex 1). Any staff member found to be violating this policy is subject to disciplinary action.

6.9 Disclosure on Relationships

Employment of individuals directly related by birth or by marriage (parents, siblings, husband/wife, etc.) to any member of the staff is not allowed. Relatives such as cousin or in-laws are allowed in principle, but must be disclosed to the Management Team prior to the recruitment process. One relative should not be the direct Line Manager of another.

This also applies to romantic or sexual relationships within the workplace. While these relationships should be avoided, if a relationship between an employee or volunteer and their direct or in-direct Line Manager develops, it must be brought to the attention of the Management Team. The Management Team will then decide what, if any, action should be taken.

6.10 Appropriate Behaviour

People work best in a setting marked by mutual respect, gender equality, personal dignity and support that utilises one's skills and abilities, and encourages further learning. All members of staff may reasonably expect to pursue their work in a safe and civil environment, free from discrimination, harassment, sexual harassment, threatening or violent conduct, or offences against property. Any behaviour or conflict between members of staff that could be viewed as demeaning or threatening should be reported to the HR Manager/Officer, or Executive Director immediately. They will determine if any disciplinary procedures need to be implemented.

6.11 Codes of Conduct and Fundamental Prohibition

TI Cambodia adheres the codes of conduct that reflect values such as rule of law, political neutrality, loyalty, honesty, impartiality, competence, justice, public interest, accountability, efficiency and effectiveness, openness and transparency, reliability and predictability, and citizen participation.

Fundamental Prohibitions:

- **Common forms of corruption** (refer to Anti-Corruption Policy for further details)

Bribery

Transparency International Cambodia defines bribery as "the offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, etc.)"

Conflict of Interest

Situation where staff is confronted with choosing between the duties and demands of their position and their own private interests.

Gifts and favours

TI Cambodia's staff should not accept a gift if it could be construed as an inducement or reward placing the staff under an obligation to a third party.

Fraud

To cheat. The offence of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise).

Nepotism

Form of favouritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend, even though he or she may not be qualified or deserving.

Patronage

Form of favouritism in which a person is selected, regardless of qualifications or entitlement, for a job or government benefit because of affiliations or connections.

Extortion

Act of utilising, either directly or indirectly, one's access to a position of power or knowledge to demand unmerited cooperation or compensation as a result of coercive threats.

Sextortion

Sexual extortion or "sextortion" occurs when those entrusted with power use it to sexually exploit those dependent on that power. It is a gendered form of corruption that occurs.

Use of Property

An employee has a duty to protect and conserve organisational property and shall not use such property, or allow its use, for other than authorised purposes.

- Sexual Harassment

A sex-based behaviour that is unwelcome and offensive to its receipt. Unwelcomed behaviours can take forms of physical, verbal and non-verbal forms.

- Child Abuse

The physical, sexual, emotion mistreatment or neglect of a child resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of a responsibility, trust or power.

- Physical Abuse

Any intentional act causing injury or trauma to another person by way of bodily contact.

- **Serious Misconducts** as defined by the Labour Law of Cambodia and TI Cambodia's policies.

- Other Illegal Activities

Committing other illegal activities as stated in laws and regulations of Kingdom of Cambodia.

- **Other Prohibited Activities** which might be incurred.

7. Salaries, Bonuses, and Benefits

7.1 Scope of this Section

This section applies to full-time and part-time employees of TI Cambodia. It does not apply to consultants, contractors, service providers such as teachers, government counterparts, volunteers, interns, or staff from partner and affiliate organisations.

7.2 Base Salaries

TI Cambodia is committed to reviewing its salary and benefits framework regularly to ensure that compensation levels are maintained in line with cost of living changes and to ensure that they remain competitive.

Every employee has a monthly base salary that is defined in their written employment contract with TI Cambodia. A copy of the signed contract is given to the staff member, and a copy is retained in the personnel files in the HR/Administrative Department. All staff should be notified of how their actual monthly amount will be calculated before their employment commences. They are also informed if the method of calculation changes.

Staff who work an entire month will receive full pay. For partial months, TI Cambodia will calculate a reduced salary payment based on the number of days/hours worked.

Base salaries are decided using a classification system to ensure fairness and equitable pay. Each position has a pay scale from Grade A to Grade D and individuals will earn a salary based on their position, responsibilities and past experience. TI Cambodia aims to pay the competitive market rate with regard to the actual work performed, taking into account the level of skill and technical knowledge required, years of relevant experience, and the funding available. TI Cambodia will also follow any minimum wage legislation that may be introduced in the future.

Base salary does not change with performance level for a particular job. Exceptional performance, as determined by the appraisal system (see Section 8), is rewarded separately by discretionary performance bonuses.

7.3 Monthly Salary Payment

TI Cambodia shall prepare the payroll to employees 2 (two) times per month according to the government's Prakas. The first payroll shall be paid in the second week, and second payroll shall be paid in the fourth week of each month with the following formalities:

- The first payroll equals to 50% (fifty per cent) of gross wage per month

- The second payroll equals to the remaining wages and other benefits that employees shall receive each month.

7.4 Annual Salary Adjustment

Each employee (under both FDC and UDC) shall have annual salary adjustment based on her/his own performance result from the annual performance appraisal (please refer to section 8 for further information). The maximum salary increment rate up to 5% shall be added to the first monthly salary of the new year, provided that they have been employed for at least more than three months, i.e., hired before 1st October. Employees hired from 01st October shall generally not be eligible for a salary increment until they have been employed for a full year, i.e. the end of the following year.

The annual salary increment shall be authorised by the Executive Director, and dependent on the availability of fund.

7.5 Thirteen Month Bonus

Staff employed under FDC and UDC terms and conditions receives a 13th month salary paid at the time of the Khmer New Year (at the end of March or in early April). This is 100% of one month's salary. To qualify for the full 13th month salary, an employee must have 12 months of continuous employment with TI Cambodia. For a period of employment shorter than 12 months, the 13th month salary is reduced pro rata based on the number of full months worked to date.

7.6 Pension Fund

To help provide financial security to employees once they retire or reach a stage where they are unable to work, TI Cambodia will administer a Pension Fund for all staff (under FDC and UDC). TI Cambodia will supplement 10% of the staff's base monthly salary each month while staff has to contribute the same amount every month. The 10% contributed by TI Cambodia and the 10% contributed by employee shall also be covered for the government pension scheme under the Law on Social Security introduced by National Social Security Fund (NSSF) Authority which may come to effect in the future. In this sense, TI Cambodia shall take certain percentage defined by NSSF and deposit into pension scheme as instructed by NSSF.

The remaining amount of employee's pension fund shall be paid on monthly basis into a separate, interest-bearing bank account that is managed and administered by TI Cambodia.

For the Pension Fund which is administered by TI Cambodia, each employee's Pension Fund shall be paid to the employee when she/he leaves TI Cambodia irrespective of circumstances – whether leaving for another job, retiring, or being dismissed. In order to be entitled to pension fund supplemented by TI Cambodia, full-time employees have to work at the organisation for at least 2 years. If they leave before then, fund supplemented by TI Cambodia shall be transferred to TI Cambodia's reserve account.

It is the responsibility of the employee to inform the HR Manager/Officer who the beneficiary of their pension funds should be, in the event someone must receive it on their behalf. In case of dismissal due to theft, destruction of property, or outstanding loans, TI Cambodia reserves the right to deduct or withhold payment, in part or in full, to cover the outstanding amount.

7.6.1 Early Release of Pension Fund

Once employee has successfully completed a cycle of 2 years of uninterrupted service she/he can at any time request for early release of her/his pension fund which is administered by TI Cambodia f up to 80% of the balance of pension fund that was accrued for him/her. The early release of pension fund can be made only once for every two year cycle of uninterrupted service.

The Early Release of Pension Fund procedure shall be as follows:

- i) The employee completes the early release of pension fund request form
- ii) The HR Manager/Officer and Finance Manager verifies the requested amount
- iii) TI Cambodia's authorised person approves the request
- iv) The Finance unit proceeds with the payment.

7.7 Seniority Payment

To abide by the new development of labour law on Seniority Payment, TI Cambodia shall provide employees (under UDC) who are working with a seniority payment equal to 15 (fifteen) days per year of their wages and other benefits. The seniority payment will be made twice per year with the following formalities:

- Equal to 7.5 (seven and a half) day shall be made in June of each year; and
- Equal to 7.5 (seven and a half) day shall be made in December of each year.

For employees (under UDC) who have been employed in the first year and have worked consecutively from 1 (one) month to 6 (six) months, TI Cambodia shall provide the employees with 7.5 (seven and a half) days of seniority payment.

TI Cambodia shall make back payment of seniority indemnity to employees who have been employed (under UDC) since before 2019 in accordance with the related Prakas on back payment of seniority indemnity.

Employees who resign and employees whose contracts have been terminated due to a serious problem/misconduct shall not receive the back payment of the remaining seniority indemnity.

7.8 Severance Pay

For employees who have fixed duration contract (FDC), TI Cambodia shall provide the employees with severance pay which is proportional to both wages and length of the contract at least equal to 5% (five per cent) of the wages paid during the length of the contract. The Severance Pay shall be made at the end each employment contract period.

TI Cambodia shall make back payment of severance pay to employees who have been employed (under FDC) since before 2019 in accordance with the related Prakas on back payment of severance pay.

Employees who resign and employee whose contracts have been terminated due to a serious problem/misconduct shall receive neither back payment of severance pay nor current year of severance pay.

7.9 Insurance Benefits

TI Cambodia provides private insurance for all staff (under FDC and UDC) – Accident & Life, life insurance, and Group Hospital & Surgical. TI Cambodia also provides supplemental state (National Social Security Fund) insurance which covers accidents and health care in accordance with its policy. These policies are arranged and paid centrally for all staff by the HR Manager/Officer in Phnom Penh.

The Accident & Life insurance policy provides for medical and hospitalisation expenses as a result of accidents at work. Medical expenses are paid by the insurance company, up to the maximum amount stated in the policy. The Accident & Life insurance policy also includes Life and Disability coverage should the accident be severe enough for partial or full permanent disability or death. Due to the sensitive nature of TI Cambodia's work, life insurance will also be provided to the staff members including board members who are most at risk and most exposed to threats. The decision to cover staff and board members' Life Insurance shall be made by the SMT on a case-to-case basis and subject to fund availability.

Additional Group Hospital & Surgical insurance is provided to help cover in-patient medical treatment for serious accidents or illness.

It is the responsibility of the employee to inform the HR Manager/Officer who the beneficiary of their life insurance policy should be in the event someone must receive it on their behalf.

Medical expenses not covered by the above-mentioned insurance policies will be the responsibility of the staff member or their family, and not TI Cambodia. TI Cambodia is currently not able to pay for comprehensive health insurance for its employees, as this is prohibitively expensive. All employees should take time to understand both insurance policies and direct any questions to the HR Manager/Officer if required.

Sick pay is available for staff who cannot work owing to health problems – see details in Section 10.3.

7.10 HealthCare Allowance

The Surgical and Hospitalisation insurance only covers for hospital stays of six hours or more. TI Cambodia understands that its employees may have extra need and therefore creates an annual health care benefit package to help staff who do not go to hospital and stay in hospital less than 6 hours (it shall not cover the expenses related to cosmetic surgery or adding up beauty products). This healthcare provision consists of an allowance of US\$ 300 annually. Employee can get reimbursement of this healthcare allowance based on actual expenditure with original receipt following doctor's prescription. For annual medical checkup, TI Cambodia strongly encourages employees to do it with or without doctor's prescription since it is very important in detecting potentially life-threatening health condition or disease earlier so they can better provide prevention or treatment. The reimbursed amount shall not exceed US\$300 per year, and follow the procedure as below:

- i) The employee completes the reimbursement request form attaching with all supporting document (prescription from doctor, receipt, and other necessary document)
- ii) The HR Manager/Officer and Finance Manager verifies the document of reimbursement
- iii) TI Cambodia's authorised person approves the reimbursement request

- iv) The Finance unit proceeds with the payment.

7.11 Tax on Salary

In accordance with Cambodian Tax Law, TI Cambodia will withhold and pay its employees' tax payments based on the rate imposed by the government. All employees, whether resident or non-resident in Cambodia, are liable for tax on salary. The liability to pay tax is the responsibility of the employee, however, since Cambodia does not currently have an individual tax-payer system, responsibility for tax payments rests with the employer.

8. Performance Management and Appraisals

8.1 Aims and Use of System

The aims of the performance management system are to help TI Cambodia staff achieve their goals, to give staff feedback on their work, and to help TI Cambodia monitor and improve the quality of its operations. The system is flexible and is subject to change, as it must respond to the needs of TI Cambodia and its staff.

8.1.1 Helping TI Cambodia staff achieve their goals

The basic cycle is for staff to plan their goals, to determine what they need to do in order to achieve their goals, then to monitor and review progress. The goals must be properly defined and should tie in with the employee's job description in their employment contract. Goals should not be created for the sake of it, or because the appraisal system "requires" them. They must all be directly relevant to the employee's aspirations, to their job description, and to TI Cambodia's goals and objectives.

8.1.2 Giving staff feedback on their work

It is useful for staff to get feedback on their performance from another person, especially from their Line Manager, as this may help them to identify areas where they need to improve. Feedback of this kind should be documented, in writing, and kept on file as part of the employee's personnel records.

8.1.3 Helping TI Cambodia monitor and improve the quality of its operations

TI Cambodia's performance management system feeds into a decision-making process that can have significant consequences. For example, if an employee's performance is poor, they may need additional training, additional management support, or assistance with their workload; if an employee's performance is unacceptable, they may need to be dismissed; if an employee's performance is exceptionally good, they may receive a promotion. In all of these cases, TI Cambodia should document the reasons for the actions taken, as this will give TI Cambodia legal protection and will ensure that all staffs are treated fairly and consistently.

For staffs that are dismissed for poor performance or misconduct, in particular, TI Cambodia needs to be able to justify the decision it has taken with reference to appraisals and guidance given to the staff member. Hence appraisals must be written up and signed off promptly.

Furthermore, there is a risk that a staff member may not be fairly treated, or may complain of this, if there are only two people involved in the performance management system (the staff member and their Line Manager). Hence every supervisor has the right to seek as many peer evaluators as s/he may need. The peer evaluator can be anyone working in interaction with the employee—not limited to the employee's subordinates. Finally, the Executive Director must review and sign all appraisals, and they should involve further if any dispute arises or if there are serious problems with any employee's performance.

8.2 Types and Frequency of Coaching and Appraisals

Performance management is a continuous process. The lowest level is a “suggestion box” system for day-to-day operations, where staff can make suggestions (anonymously if desired) as to how their work could be improved. This will allow many small improvements to accumulate, which will make TI Cambodia more effective. Staff should be encouraged to raise issues via this system, no matter how small. Staff suggestions should be recognised via the appraisal system.

Staffs receive formal coaching sessions as needed from their Line Manager. This is a two-way process where the staff member can discuss their performance and get some feedback. Coaching sessions should not take too long to prepare and write up. It exists to pick up on potential problems and to address these before they develop further. It also allows mid-year monitoring of staff progress towards the goals they have set themselves for the year.

The annual appraisal is the highest level of the performance management system. All staff have an annual appraisal, with their Line Manager (and with input as necessary from the Executive Director). The employee will complete a draft appraisal form, and together with the Line Manager, will complete a final version of this, which is signed off and filed. This includes feedback on the employee's performance to date, and the employee's goals for the future – see below on the documentation required.

8.3 Importance of Technical Skills and Objective Reviewing

The nature of TI Cambodia's work means that most employees' jobs focus on specific technical areas. Hence the performance management system should do the same, including direct technical skills (education, delivering training, administration, using technology and machinery, etc) and general technical skills (written and spoken languages, report-writing, press releases, schedules and charts, photography, planning and managing meetings, websites, giving presentations, filing documents, and so on). The appraisal should focus primarily on these technical skills and secondarily on intangible aspects of performance such as “attitude to the job”, as these may result in arbitrary and subjective judgments.

The appraisal should also focus on factual evidence rather than on general judgments, which cannot be substantiated. For example, it should refer to specific programs completed during the year, and specific tasks within these programs. All of the employee's work during the year should be taken into account. There is a risk that the appraisal will be biased if, for example, mistakes, or tasks that were not performed well, are noted on the appraisal form, but other tasks that were performed well are not noted. The appraisal is not a list of failures and mistakes. The aim is for the appraisal to be objective enough so that for a given employee, different appraisers would give a similar appraisal; hence it needs to be fair, balanced, and focused on specific technical areas. Staff must be given a chance to explain any areas of weakness in their performance.

Line Managers should be given training where required to help them perform fair and appropriate appraisals.

8.4 Documentation of the Performance Management Process

The standard Performance Appraisal Form should be used for all employees, modified as necessary to ensure that they are assessed against:

- The requirements of their job description as given in their employment contract
- Specific performance goals chosen by the employee and/or Line Manager
- How they contribute to the operational aims of TI Cambodia

If areas of the form are not relevant, they should be crossed out. The entire form does not need to be completed for all staff. Only those aspects that are specifically relevant should be considered. In particular, only more senior staff should complete the entire form; staff at lower levels should focus on relevant technical skills and their experiences and achievements in these areas.

Furthermore, detailed feedback should be restricted to areas where the employee is performing especially well or especially badly.

The completed form must be signed off by the employee, the Line Manager, and Executive Director, and stored securely in the personnel files.

8.5 Schedules for Staff Appraisals, Coaching and Contract Renewal

Line Managers are responsible for drafting or reviewing the Job Description of their subordinates in consultation with him/her in appropriate time to ensure readiness for contract renewal (FDC). The annual performance appraisal shall be performed in November or December each year or earlier so that TI Cambodia has sufficient time to notify the employee on his/her contract's renewal/termination, and the outcome will determine the employee's annual salary adjustment for the following year outlined in Section 7.6.

9. Staff Motivation through Development and Career Progression

TI Cambodia is committed to capacity-building of its staff, with the aim of creating an NGO run primarily by local staff with appropriate technical skills. The appraisals system (see Section 8) should tie into this long-term aim, focusing on technical skills.

9.1 External Training

Every TI Cambodia employee (under FDC and UDC) who successfully passed the probationary period is entitled to an education annual allowance up to US\$500 to be used for external training courses, materials fee (books) or university/school fees, provided that the training, materials or schooling is essential to their performance at TI Cambodia and that there is sufficient staff available to cover for them when taking the required time off work. Employees are required to complete a training request form (see Annex 2) and seek approval from their Line Manager, the HR Manager/Officer and the Executive Director prior to the training or education program. After each course/training, staff must submit the results of their exams or record of attendance to the HR Manager/Officer for documentation. If the staff fails to pass the exams or to attend at least 80% of the total sessions/time required, staff must pay back all the amount claimed for

the training/school back to TI Cambodia. Staff are encouraged to take short courses on specialised skills or soft-skills that are relevant to their jobs.

A primary aim of any external training is to develop the capacity of the staff members and make them more effective in their roles at TI Cambodia. With the intent to retain trained staff, any staff member who receives paid, external training or school fees must agree to the following terms and conditions:

N	Description	Terms and Conditions
1	Any training/school fees under \$100	TI Cambodia pays 100%, the employee can resign from TI Cambodia with prior notice and will not be required to pay any fees back to TI Cambodia
2	Any training/school fees between \$101-\$200,	TI Cambodia pays 100%, the employee must continue to work with TI Cambodia for three months after the training course ends or will be required to pay back 50% of the training fee
3	Training fees between \$201-\$500	TI Cambodia pays 100%, the employee must continue to work with TI Cambodia for six months after the training course ends or will be required to pay back 50% of the training fee

Alternatively, some TI Cambodia staff study for external qualifications outside of their TI Cambodia working hours, at university, for example. TI Cambodia encourages its staff to build their capacity in this way, as long as it does not interfere with the satisfactory performance of their jobs. Staff are encouraged to speak to their Line Manager about their training or learning programme at the beginning of the year. However, Staff Education allowance entitlement is subject to fund availability.

9.2 Internal Training

Internal training is encouraged at TI Cambodia, as it has benefits for staff receiving and giving the training. This includes organisation-wide areas such as health and safety, financial procedures, as well as job-specific training, etc. All newly-recruited staff should have key training courses scheduled as part of the orientation process (see Section 2.12). In addition, internal training needs should be discussed as part of the annual appraisal process. Coordination of the internal training is the responsibility of the HR Manager/Officer.

9.3 Sharing of Job Skills

TI Cambodia promotes the sharing of job skills amongst employees. This builds capacity among TI Cambodia staff, reduces dependence on individual employees (which may cause challenges if they are absent) and allows the TI Cambodia offices to act responsively. Staffs are encouraged to look beyond their immediate job descriptions and to learn from each other. Where possible this should be supplemented by internal training as above.

The orientation process for new employees should include informal training on all important office procedures such as the filing system, how to use the shared drive, and so on. The HR Manager/Officer and or IT Administrator should maintain information relating to these procedures and should show all new staff how to perform them.

9.4 Acting-up in a Higher Capacity

An employee is sometimes required to act as a substitute for another employee in a higher position when she/he is absent from work, e.g. when the substantive post-holder is absent due to annual leave, sick leave, maternity leave, career break, etc., or when the post is vacant pending its permanent filling.

The objectives of letting staff act-up in a higher capacity are to:

- i) ensure continuity and operational stability so that there is no vacuum in the organisation that may compromise efficiency and effectiveness impair the service delivery;
- ii) Provide an opportunity for talented staff to try their best and assume responsibilities of a higher-level job, thereby helping to build up secondment within the program/unit and easing the future succession if needed.

The implementation of policy on Acting-up in a Higher Capacity must be ensured that:

- i) the practice of acting-up in a higher capacity and the payment of incentive are managed in an equitable, fair and transparent manner in order to enhance organisational performance;
- ii) where two or more talented employees within the same section/unit are deemed suitable candidates to temporarily take on the higher-level position, the suitable employees shall perform the job on a rotating basis.

The length of acting appointment shall be from one day to six months. If it is known in advance that the permanent post holder will be absent for over six months, recruitment of temporary staff might be considered. This is to avoid work overload for the acting employee which may affect their core work.

For any acting assignment of less than one month, staff will receive no particular incentive. For any acting assignment of one month or longer, staff taking up the acting position will receive 15% of the current salary of the absent post holder in addition to their monthly salary.

9.5 Promotions and Career Progression

The annual performance appraisal should include a discussion of the staff member's career aims, including possible qualifications, promotions, and additional job responsibilities. Where possible this should be tied into the succession planning process. Staff should be encouraged to discuss their career objectives and how TI Cambodia can help them achieve these objectives.

9.5.1 Staff Promotion

Staff promotion is the advancement of an employee's rank, salary, duties and/or designation within the organisation. TI Cambodia's promotion policy is aimed at providing an opportunity for talented staff and helping retain them within the organisation. However, staff promotions shall be exceptional and subject to approval from the senior management team acting as the staff promotion committee.

In case there are more than one staff qualified to be promoted to a higher position, they shall go through an internal competitive process that might include interviews and/or written tests. An internal process means that the competition is open internally for current staff, interns and volunteers. Criteria for promotion may include seniority, knowledge, past job performance, experience and other soft skills.

To avoid any gaps in the staff's experience, the promotion shall follow a specific career ladder. For example, the program assistant shall be promoted as junior programme officer, and then programme officer. Salary adjustment for the promoted staff shall match the qualification requirements for the position. The promoted staff shall undergo a three-month probationary period.

9.5.2 Staff Demotion

Staff demotion refers to a situation where an employee is re-assigned to a lower-level position, i.e. with a salary range that is lower than the salary range of his/her current position. A demotion may occur when an employee is unable to satisfactorily perform his or her current job even after capacity building has been provided within a specific timeframe; or as a result of disciplinary action. Staff demotion shall be subject to approval from the senior management team acting as staff demotion committee. When an employee has been demoted, their salary shall be adjusted based on the qualifications, requirements for the position and a decision from the committee. The demoted staff shall undergo a three-month probationary period.

9.5.3 Staff Transfer

Staff transfer refers to a relocation of an employee to the same-level job in a different department/unit or job site or to a related classification within the same salary range.

The staff transfer policy aims to open space for staffs who wish to learn new things and diversify their experience, while benefitting the organisation. However, staff shall be transferred on a voluntary basis only.

Transfer requests may be granted at any time, subject to the availability of the position and the qualifications of the applicant. Transfer requests shall be granted based upon seniority, job performance, qualifications, and the needs of the organisation. Transfers can be either temporary or permanent.

TI Cambodia acknowledges that when positions are available in the organisation and requires public competition, it is possible that there are more than one candidate who have attended the interview for a significant position that are identified as qualified candidates. After the committee decided to select one most suitable candidates, and the recruitment committee believe that the second most suitable candidate is really capable to take up the other position, this policy allows the recruitment committee to negotiate with the candidate if she/he is interested with the similar position as the continuous recruitment process without having to restart the recruitment process.

The transferred staff shall undergo a three-month probationary period.

9.5.4 Staff Relocation

As TI Cambodia establishes its regional offices in target provinces, staff at each regional office have been recruited in accordance with the organisational structure. TI Cambodia understands that each regional office may recruit staff who is not located in regional area. Staff relocation refers to changing duty station of an employee at the same-level job from his/her current duty station to another duty station with the same salary range. Staff relocation policy aims to open space for staff who wish to relocate from one regional office to another so that she/he can reduce her/his hardship/cost in terms of long travel from home to current regional office. Therefore, if the same position is available at other regional office which is nearer to her/his home, staff can request for relocation which is subject to approval from senior management team.

9.6 Friday Early Release and Tea Break

On Friday, the office closes at 3:00pm but there is no lunch break on Friday. Instead, there is a Tea Break at 12:00 for 30 minutes when everyone enjoys light refreshments together. This greatly enhances the sense of togetherness. Each staff member contributes 3 dollars a month to cover the expenses for Tea Break. Finance will collect this amount at the beginning of each month.

9.7 Monthly Half Day Free Time Learning

Every month each employee is entitled to a half day free time for their personal learning. The learning must be done in the office, however (for example by reading a book or job shadowing with a colleague). To avoid conflict of time, the arrangement for this half day learning needs to be agreed by staff's immediate line manager

10. Leave

10.1 Annual leave

All full-time employees of TI Cambodia (FDC & UDC) are entitled to 18 days of paid annual leave per calendar year, with an additional day for every three years of continuous employment. Part-time employees are entitled to annual leave reduced pro rata based on the proportion of a full week that they work: for example, an employee who works 20 hours rather than 40 hours per week is entitled to 9 days of annual leave with an additional half day at the fourth year of continuous employment.

Leave is calculated on a calendar year basis: an employee whose period of entitlement in a given year is less than the full twelve months is entitled to leave reduced pro rata based on the proportion of a full year that she/he has worked. Each month of service is equivalent to 1.5 days of annual leave. Employees must complete their probation before they are eligible to take annual leave.

Temporary staff, contractors, consultants, and other staff who are not under FDC or UDC employees will make individual arrangements as to the paid leave they are entitled to. Their entitlements will be set out in their employment contracts with TI Cambodia. These will ordinarily be in line with the entitlements for FDC and UDC staff, i.e. 1.5 days per full month of service, but may vary with the requirements of their roles.

The dates of annual leave should be chosen by the employee, but all annual leave must be approved by the employee's Line Manager. The Annual Leave Request Form should be completed and handed to the Line Manager, who should sign the form to approve the leave and notify all other relevant staff as to the employee's absence.

To avoid disruption to projects, employees should aim to submit their request for leave at least one week in advance for leave periods of less than five days. For leave periods of more than one week, at least two weeks advance notice is required. The total annual leave available is fixed, and employees should ensure that they take all of the leave to which they are entitled. Employees cannot earn improved appraisal scores by taking less than the maximum paid leave. TI Cambodia recognises the importance of taking leave to its employees' health and will not take "missed leave" into account when reviewing employee performance.

A maximum of nine unused annual leave days can be carried over from one year to the next. Unused leave will not be “reimbursed”, unless the employee is leaving TI Cambodia and then any current unused annual leave days can be included in the final payment (see Section 13.2).

The operational requirements of TI Cambodia may take precedence over leave requests at certain busy times of year, depending on the exact role of the employee. It may not be possible for all leave requests to be granted – employees should be aware of this and should be prepared to reschedule leave if they are required to be at work because of the operational requirements of TI Cambodia. If in any doubt, employees should discuss their leave plans well in advance with their Line Managers.

Paid annual leave is in addition to public holidays and sick leave, and is unaffected by these.

10.2 Public Holidays

TI Cambodia follows the public holidays issued by the government of Cambodia and in accordance with the labour law. The dates of these public holidays may change from year to year. The public holidays to be taken for each calendar year will be announced to all staff in advance via a memorandum prepared by the HR Manager/Officer and signed by the Executive Director. This will be distributed to all staff by email.

For any public holiday falling on Sunday, the employees shall be given a day off on the following day. Because of their roles (e.g. security guard), some staff may be required to work on public holidays. If this is the case, they will be given alternative days off so that they get the same amount of holidays. Work during public holidays will be paid at the indicated overtime rate (see Section 5.2).

10.3 Sick Leave

All employees are permitted to take off up to 12 sick days per calendar year without a reduction in pay. For all sick leave employees must inform their Line Manager and the HR Manager/Officer that they are unable attend work due to their sickness. For sick leave that requires three or more consecutive days off work, a note from a medical practitioner shall be requested by the HR Manager/Officer upon returning to work. Please also notice that medical check is not considered as sick. The unused sick leave will not be carried over to the following year.

If an employee is suffering from a more serious illness and time off is taken beyond the permitted twelve days, TI Cambodia Management will need to review the circumstances and some longer-term illnesses may result in a reduction of pay. Generally, ill staff requiring more than 12 days leave will receive 50% of their base salary for each additional sick day for up to three months, provided a certified doctor's notice is submitted to TI Cambodia each week confirming the employee is still too sick to work. An employee who takes more than three months of sick leave may be transferred to unpaid leave status (see Section 10.6) for a further three months, i.e. up to a total sick leave time of six months. An employee who takes more than six months of consecutive sick leave may have their contract terminated.

An employee will not be compensated for *not* taking their sick leave. Employees that are ill should use their sick leave entitlement and promptly seek medical attention. Those with contagious diseases should not come into work, as this will stop them resting and recovering as fast, and will risk making other employees ill.

10.4 Maternity Leave

All female employees (under FDC and UDC) are entitled to three months (90 continuous days) of maternity leave. Full salary shall be paid during this period to female employees no matter how long they have been working with TI Cambodia. However, the employees shall give at least a 2-month notice that they wish to take maternity leave and indicate the specific dates of the leave with approval from Executive Director..

During the first two months after returning to work from maternity leave, the employees will only be expected to perform light work that is not physically demanding. Fully paid time off for breastfeeding (one hour per day) is permitted for one year from the date of child delivery, in addition to all other leave.

10.5 Paternity Leave

All male employees (under FDC and UDC) are entitled to 10 working days of paternity leave. Full salary shall be paid during this period to male employees no matter how long they have been working with TI Cambodia. Alternatively, the 10 days of paternity leave can be spread out over the first three months of the child's birth with approval from Executive Director.

10.6 Emergency Leave

Emergency leave may be granted in the event of personal or family emergencies. The employee must call their Line Manager immediately to report that she/he wishes to take emergency leave. This can be taken for a period of up to two hours, at the discretion of the employee's Line Manager, without further monitoring. The employee should make up the time taken off by working additional hours. Emergency leave lasting longer than two hours must be reported as soon as the employee returns to work, via completion of a Leave Form. This may then be treated as sick leave, paid annual leave, or made up by working additional hours depending on the circumstances.

10.7 Special Leave

TI Cambodia employees (under FDC and UDC) shall be granted special leave of up to 5 (five) days which consists of annual compassionate leave and marriage leave. Special leave shall get approval from the Executive Director.

Annual compassionate is available for all TI Cambodia staff following a death of the immediate family. Immediate family includes a spouse, child, parent, sibling, grandparent, and cousin. This will not count against sick leave or annual leave. The unused compassionate leave will not be carried over to the following year.

Marriage leave is available for all TI Cambodia staff who get married. Full salary shall be paid during this period to employees no matter how long they have been working with TI Cambodia.

10.8 Unpaid Leave

TI Cambodia employees (under FDC and UDC) may be granted unpaid leave for up to two months depending on circumstances. They will not be paid during this period but will retain their job titles and their job will be kept open for them to return to. Longer leave periods may also be allowed for training,

education and overseas scholarships depending on the circumstances. All unpaid leave is at the discretion of the Executive Director.

Unpaid leave for a period of two months and above are only eligible for employees who have been working continuously for TI Cambodia for at least two years.

This may happen, as noted above, in the case of a long-term illness; it may also arise if, as part of the disciplinary process, an employee is suspended from work (see Section 11).

11. Disciplinary Procedures

11.1 Minor Problems

Minor disciplinary problems are to be dealt with by the employee's Line Manager and should follow the steps outlined below for the first, second and third instances of a disciplinary problem. All employees must be treated in the same way during this process, to avoid any liability for unfair dismissal from TI Cambodia.

First: The employee should be spoken to, and if necessary, given a verbal warning; guidance should also be given as to how to improve and/or avoid future problems. However, Line Manager has to record their verbal warning in writing and send it HR manager for filing. The Line Manager shall also need to convey the message to the staff to have him/her aware that it is a verbal warning.

Second: The employee should be given a written warning signed by line manager and in acknowledgment by HR manager, head of operations/ programmes (with a copy retained in the personnel file) and further guidance should be given as to how to improve and/or avoid future problems.

Third: The employee should be given a final written warning (with a copy retained in the personnel file), signed by the Executive Director, making it clear that a future repeat of the problem will result in dismissal. This should include a time period for improvement, typically of one month.

Minor disciplinary problems may relate to specific areas of under-performance on the job, or may include general issues such as: minor breaches of confidentiality, minor breaches of health and safety rules, minor breaches of IT rules, lateness or non-attendance at work, and antisocial behaviour towards other staff. This list is not exhaustive; what constitutes misconduct is determined by the Ethics Committee.

11.2 Serious Problems

Serious disciplinary problems will result in TI Cambodia terminating the employee's contract without notice. Serious problems include, but not limited to, those described in section 6.11 Codes of Conduct and Fundamental Prohibition.

Note that the above list does not include under-performance on the job; this is classed as a minor problem and must be handled via the procedure in section 11.1, with guidance given as to how to improve. Only if there is insufficient improvement can the employee's contract be terminated.

12. Whistleblower Policy

Whistleblowing is the disclosure of information about perceived serious problems (wrongdoings).

12.1 Purpose of the Whistleblower Policy

TI Cambodia, within its mandates, promotes integrity, transparency and fight against corruption in Cambodia. At the same time, we must uphold good principle and code of ethics in order to avoid serious problems (wrongdoings) which might happen within our course of work.

TI Cambodia's Ethics Committee is therefore committed to hearing any concern in which TI Cambodia may have related to this issue during the whole phase of programme implementation.

12.2 Scope of the Whistleblowing Policy

All individuals working under any form of contract or agreement with TI Cambodia, including full and part-time employees including the Board of Directors, interns, volunteers, contractors, advisors and consultants, can use this policy to make a report about serious problems.

12.3 Channel to Make a Report

If you has information about the activities related the above mentioned serious problems or believe that those activities may have occurred, has occurred, or could occur, you are encouraged to make a report to the Members of the Ethics Committee. The report can be made either in verbal and written forms or through suggestion box system.

While it is understood that you may want to seek further information or consult with any colleague before making a report, please avoid unnecessarily sharing the identity of individual affected by your report, undertaking your own investigations, or collecting evidence before making a report would be crucial.

In case a complaint is filed against any member of the Ethics Committee, the person who is the subject of that complaint shall be excluded from the decision making process of the Ethics Committee. However, he or she will be included in the meeting and discussion to have an opportunity to respond to questions or provide clarification to the complaint.

12.4 Confidentiality, Anonymity

Your report and the information contained in it, as well as your identity will be treated confidentially. The Members of the Ethics Committee have the duty to treat the information sensitive, and protect your identity. Your identity will not be revealed without prior written permission or unless required to do so by law.

You have the possibility to report serious problems anonymously, i.e. without disclosing your personal. Please be aware that investigations tend to be more difficult in this case because TI-Cambodia may need your feedback, clarification or confirmation of the case.

12.5 Whistleblower Protection

When you report a case related to serious problems, you may need to prove that your report is true and with adequate evidence. No action will be taken against you if you acted in good faith. If, after making a report, you find additional relevant information, you are also strongly encouraged to report it to TI Cambodia's Ethics Committee, regardless whether this information supports or modifies your original report. TI Cambodia fully protects you from any form of retaliation, disadvantage or discrimination at the workplace linked to or resulting from your report.

Any individual who retaliates against someone who has reported a serious problem under this policy, or who has cooperated in the investigation of a concern person, is subject to disciplinary, termination of employment contract, any further action which is appropriate.

13. Investigation

Investigation on Serious Problems case shall be conducted covertly and confidentially. The investigation shall be done carefully in an independent manner and free from undue interference. The person(s) who is assigned to investigate the case shall have broader knowledge of and well understand the case of serious problem, and through which the investigator(s) would be able to know where to obtain appropriate evidence to prove the case. The investigator (S) shall be given with adequate investigative power.

The investigator shall, during the course of investigation, collect all appropriate evidence and compile written reports once the investigation is ended. The report shall then be submitted to TI Cambodia's Ethics Committee for further processing.

14. How to Deal with Serious Problem

If the report shows that there is no clear and enough evidence on the case, the Ethics Committee will end the case and take no further action.

If there is clear, strong and enough evidence about the case, the Ethics Committee Members will meet with the concerned person to inform of the charged case and immediate dismissal.

The concerned person can bring staff representative or any staff whom s/he trusts in along with her/him during the meeting with the Ethics Committee Members.

The dismissal letter signed by the chairperson of the Ethics Committee shall be given to the concerned person. A copy of letter will be retained in the employee's personnel file.

In this case, the final settlement shall be made including final payment and clearance (returning of organisation's property). If the case was involved with the loss/damage of organisation's property, the lost/damaged amount shall be asked to return. Legal action shall be made against the concerned person if necessary.

15. Disputes and Grievances

15.1 Grievances Enabling Immediate Termination of Contract

TI Cambodia staff who have a dispute or grievance relating to their employment should follow the procedures described in section 12.2 below. However, staffs have the legal right to leave TI Cambodia without giving notice, if TI Cambodia commits any of the offences listed below:

- The use of fraudulent measures to entice a staff member into signing a contract under conditions to which they would not otherwise have agreed, if they had realised it
- Refusal to pay all or part of the wages
- Repeated late payment of wages
- Abusive language, threats, violence or assault
- Failure to implement staff health and safety measures in the workplace as required by existing laws

15.2 Disputes and Grievances Procedure

TI Cambodia staff are encouraged to notify Senior Management Team as early as possible of any grievances or problems at work, via the suggestion box system (anonymously if desired), or by speaking, emailing or writing to their Line Manager or directly to the Executive Director, or through the staff representative channel. They can also mention any problems at work in their quarterly coaching or annual appraisal with their line managers.

Line Managers who are notified of problems or grievances by staff should make written notes of the problem and the action taken to resolve the problem, or to escalate it to senior management for resolution. Serious problems may need to be discussed by the Ethics Committee. While informal solutions to grievances are preferred, TI Cambodia should protect itself by documenting any grievances noted and any actions taken to resolve them, and should keep copies in the relevant personnel files.

15.3 Staff Representative

Following good practice of professional organisations and based on the current number of TI Cambodia staff, two Staff Representatives (one man and one woman) shall be elected to serve as a liaison focal point of contact between staff and the Senior Management Team/Executive Director. The Staff Representatives shall perform their duties and responsibilities as described in the Terms of Reference for Staff Representative.

The Staff Representatives will serve a one-year term and cannot serve more than two consecutive terms. However, they can run as a candidate for this position again after one year.

The Staff Representatives shall be elected through a democratic election by secret ballot. The election process shall be overseen by the Senior Management Team and chaired by the Executive Director. Any full-time staff who is not member of the Management Team during the time of the election are eligible to run as a candidate. A staff member interested to run may nominate herself or himself or be nominated by other staff. If nominated by other staffs, the nominee must confirm her or his interest to run as the candidate for this position.

All full-time staff are eligible to vote for the Staff Representatives. Consultants and Interns who have a valid contract of at least 6 months from the time of the election to the end the contract are also eligible to vote.

Each eligible voter can cast two votes, one for the man candidate and one for the woman candidate of their choice.

15.3.1 Staff Representatives Incentives

The staff Representatives are entitled to the following incentives:

- A Certificate of Recognition signed by the Executive Director
- US\$ 300 bonus for a successful one-year service as the Staff Representative to be paid at the end of the year.
- A special privilege to have a direct contact with the Executive Director to perform their Staff Representative's roles and duties without violating reporting lines if the grievance cannot be handled at the direct supervisor's level or at the lower level indicated in the grievance or complaint handling mechanism.
- An opportunity to learn leadership skills and how to serve the interest of the staff most effectively.
- Take extra five working day off during the mandate

16. Contract Termination

This section relates mainly to contract termination of core staff, employed on FDCs or UDCs. Similar procedures apply to short-term contractors, consultants, volunteers and interns.

16.1 Fixed Duration Contract (FDC) Termination

By definition, Fixed Duration Contracts (FDCs) terminate at the specified ending date. They can however be terminated before the ending date if both parties are in agreement and the contract termination date is agreed in writing. TI Cambodia alone cannot terminate an FDC early, unless there are disciplinary problems or serious misconduct as outlined in Section 11 or the short of funding for this position.

Written notice must be given to an employee/employer on an FDC at the end of their contract, even though the date of termination is verbally agreed in advance. The minimum notice period shall be followed as shown in the table below:

Length of employment	Prior Written Notice Period
Less than or equal 6 months	5 days
More than 6 months	10 days
More than 1 year	15 days

If proper written notice is not given, the FDC rolls over to a new period of the same length as the previous FDC.

It is important for TI Cambodia to send out adequate notice to all employees whose FDCs are coming to an end or as a project is finishing. Preparation for written notices should be discussed between the Program Manager and the HR Manager/Officer and should be part of the project closure process. Ideally, TI Cambodia should give longer notice periods than the law requires – three months or more – although this depends on the certainty of ongoing funding during the closure period. The HR Manager/Officer is responsible for preparing all written notices and should keep copies of the letters in the relevant personnel files.

16.2 Undetermined Duration Contract (UDC) Termination

Undetermined Duration Contracts (UDCs) can be terminated at will by either TI Cambodia or the employee, with appropriate prior notice by the terminating party in writing. The minimum period of prior notice shall be shown in the table below:

Length of employment	Prior Written Notice Period
Less than 6 months	7 days
From 6 months to 2 Years	15 days
More than 2 Year to 5 Years	One Month
More than 5 year to 10 Years	Two Months
More than 10 Years	Three Months

Due to the important contribution of each TI Cambodia staff member, either party should give longer notice periods than the law requires – ideally one month or more – for employees who have held their positions for more than one year.

16.3 Leaving Procedures – All Staff

Terminations cannot proceed without the approval of the Executive Director, who should be notified in advance of the termination procedures. A specified manager should be appointed to oversee the process – ordinarily, as for hiring, this would be the relevant Program Manager, or the HR Manager/Officer.

As soon as the termination process begins, the relevant manager should include succession planning as part of the process, if necessary. New recruitment can then be considered and promptly put into action as required to ensure no gap in project staffing.

On or close to the last day of employment, the HR Manager/Officer should arrange an **exit interview** with the leaving employee, to also be attended by the Line Manager or Executive Director as appropriate. This should be an open and honest discussion about the employee's reasons for leaving and general feedback on their employment experience at TI Cambodia. Attendees should take written notes and should ensure that these are filed in the personnel file; they should also be reviewed at the next monthly management meeting and any recommendations arising should be acted upon. If the leaving employee does not wish to have an exit interview, or if one cannot be arranged, then written or telephone feedback should still be sought.

The HR Manager/Officer should prepare a brief checklist for the leaver, which should include key points such as returning all of TI Cambodia's property (including all keys, business cards, computer and other equipment, ID cards, etc) and settling any accounts with TI Cambodia (e.g. expense advances or salary advances). Contact details must be obtained for the employee including telephone and address. A deduction from the final pay amount can be made for any tools or other equipment belonging to TI Cambodia that are not returned by the leaver.

The Finance Manager is responsible for calculating the final salary payment for all leaving employees. This includes all of the wages they are owed (which must be paid within 48 hours if TI Cambodia has terminated the contract) together with any holiday compensation, severance pay, and indemnity for dismissal (see 12.4). A payslip should be produced showing exactly how each amount has been calculated, with a copy given to the leaver. Note: if an employee dies, all of the above benefits are still paid to a designated dependent or beneficiary. It is the staff member's responsibility to ensure the HR Manager/Officer has this

information on file. In the case where a dependent or beneficiary has not been identified by the employee, the Management Team reserves the right to decide which family member or friend will receive the final payment.

Depending on the amount of holiday days already taken, the staff member will either receive additional holiday pay as compensation (on a pro rata basis per day) or will have an amount deducted from their final pay if they have taken more than the number of holidays they accrued.

The final pay shall only be made after the leaver completely fulfil his/her obligations to TI Cambodia as mention above including exit interview.

16.4 Return of Pension Fund

All staff (under FDC and UDC) shall receive the savings they have accrued via the Pension Fund as stated in the Section 7.7 on the day that they leave TI Cambodia.

16.5 Certificate of Employment and References

Any employee leaving TI Cambodia may request a certificate of employment containing the starting and finishing dates of his employment, the types of jobs held, and the periods that these jobs were held or recommendation. Staff can receive one among both. No charge will be made for this, and no harmful statements must be added that could prejudice the future employment of the leaver.

Employees leaving in good standing may also request a personal reference from their Line Manager or other relevant managers including the Executive Director.

17. Amendment and Review

The manual shall be updated every 4 years, or when required, based on the practical experiment of implementation by the involved stakeholders.

The manual was revised by the Senior Management Team with proper consultation with TI Cambodia's staff. This revision ver. 2 shall be effective from 1 July 2020.



Pech Pisey
Executive Director

And approved by the Board of Directors on 27 June 2020,



Vong Socheata
Chair of Board of Directors