

Human Resources manual

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New Delhi

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Section 1

Purpose and Objectives

1.1 Applicability

This document will be called the "Human Resource Management Manual" of **Collective action for Basic Rights Foundation** (hereinafter called CBRF) and the conditions therein will be applicable to all employees of the Foundation, and to everyone desirous to join and render an effective human service through CBRF .

These rules shall come into force with effect from Apr 1, 2012 and shall supersede all or any previous conditions or practices, which have been in operation on matters covered by these service conditions.

In the event of any doubts as to the interpretation of these service conditions, the decision of the Executive Committee will be final.

1.2 Purpose of the manual

Human Resources forms the backbone of any organization because they form the face of any organization. Programs are implemented and services are offered by the people who comprise the organization. In this context it is critical that the organization has a team of motivated and well trained resources in order to fulfil the goals and objectives of the organization.

- (A) The process involves:
- a) the recruitment of the different categories of staff,
 - b) defining their roles and responsibilities,
 - c) providing training and positioning them to execute the job they have been recruited for in compliance with the values of the organization,
 - d) staff who have been recruited need to be appraised from time to time and prepared to take on higher responsibilities based on their performance and abilities,
 - e) the process of assessment rewards in terms of compensation increases and promotions all need to be in place,
 - f) the grievances and other staff problems need to be heard and settled - a process has to be established to hear and finalize the same.
- All these form part of the Human Resources management.
- (B) The purpose of the manual is:
- a) to clearly outline the process of human resource management
 - b) to make the entire process a transparent one
 - c) to minimize subjectivity in the process of handling any aspect of Human Resource Management
 - d) to ensure that the right resources are available for the right job

- e) to enable the organization to develop the skills required in the personnel on an on-going basis
- f) to provide employer and employees alike with a statement of the organization's basic HR policy.

With this Policy as the basis for an understanding between the employer and the employee regarding mutual expectations and obligations, it is anticipated that CBRF will be better able to co-ordinate, motivate, and utilize its staff towards the end of accomplishing CBRF's goals in India. The Policy does not pretend to be exhaustive in covering every detail pertinent to personnel management, but it does provide a sufficient foundation for guiding both employer and employees in the interpretation and implementation of the HR policy.

1.3 Intended Users of the Manual

For now, the organization will have a person assigned to care for Human Resources Management. Down the line, based on the need, it may have a separate HR Department.

The users of this manual will be the HR personnel and the committees vested with the responsibility for recruitment. This document has been developed to facilitate CBRF to handle the HR function as well as govern the recruitment process. The guidelines provided are generic and need to be appropriately adapted.

1.4 Objectives

- (A) The objectives of this manual are:
 - a) to clearly capture the process involved in:
 - i. recruitment
 - ii. training and development
 - iii. awarding compensation, deduction and leave
 - iv. performance management
 - v. regulating attendance, travel and holidays
 - vi. grievance and disciplinary issues
 - vii. termination and retirement
 - b) to capture in each of the processes the steps involved and outline a set procedure
 - c) to establish guidelines for the different aspects of HR management function in order to ensure that all personnel follow processes and procedures uniformly across the organization
 - d) to serve as resource material for training personnel in HR Management.
- (B) This manual is only meant to serve as a guideline and provide the purpose and principles. The interpretation of these principles by the Executive Committee shall be final and binding.

1.5 Changes and Clarifications

The organization reserves the right to change/ modify or rescind the contents of the manual and the authority to change vests with the Executive Committee. These changes will be effective from the date of notification of such changes to all employees through a notice issued by the Executive Director in this regard.

If there are any clarifications and queries regarding the different aspects of the manual, the same shall be sought for from the Executive Director. The approved interpretation shall be incorporated into the manual at appropriate time intervals.

Section 2

Recruitment

2.1 Objective

Having multi lingual, multi-cultural and multi-skilled competent staff selected based on the Governing Principles of CBRF is the main objective. While CBRF intends to have 50% women and 50% Persons with Disability on its staff, all recruitment in CBRF will be based on predetermined specific positions and competency.

2.2 Categories of employment

(A) **Staff categories:**

- a) **Probationary:** Staff on joining will be on probation for a period of one year unless stated otherwise in their letter of appointment.
- b) **Permanent:** Staff who hold permanent positions in the organization, subject however to the terms and conditions of appointment.
- c) **Contract:** Staff who are appointed to fill a temporary vacancy within the organization.

(B) **Other categories:**

- a) **Consultants:** Those hired for a specific task which requires professional competence and specialization when the organization requires external assistance / guidance – such as assessment, evaluation, accompaniment, training etc.

Professional fee for such consultants will be calculated on a per day basis for the duration of the assignment or as a consolidated amount for the entire assignment or as per milestones laid down and achieved as part of the assignment. Fee paid to consultants will be subject to deduction of tax at source as per prevalent IT laws. Consultants are not listed on the muster roll and are bound by the agreed terms of reference. Professional fee for consultants will be determined by the Executive Committee from time to time on the basis of fee for comparable skills available in similar institutions.

- b) **Training Resource Centres:** The services of these TRCs are enlisted for specific tasks which require professional competence and specialization. These services are directed to the Partner NGOs (working in partnership with CBRF) to meet their training requirements as they progress in the execution of the project in question.

Such assessment, evaluation, accompaniment, training etc. by the TRCs is compensated by a pre- determined Professional fee agreed upon through a separate specific contract signed by the TRC and CBRF. This fee will be paid to the TRCs directly by CBRF or from funds raised by the Partner NGOs. The fee will be subject to deduction of tax at source as per prevalent IT laws. CBRF, TRCs and Partner NGOs are bound by the agreed terms of reference. Professional fee for TRCs will be determined by the Executive Committee from time to time on the basis of fee for comparable skills available in similar institutions.

2.3 Job analysis, Job description and Skill profile

As a dynamic organization, the organizational needs have to be analysed periodically to identify the job requirements. This process would help in identifying the required suitable positions. This analysis should be done every year and documented by the one/ those responsible for HR processes.

Each job and position needs to be analysed in terms of **job content** and broken down to **knowledge and skill requirements**. The job/ position analysis carried out will form the basis for the HR department to document the skill and knowledge profile of each position. The number of persons required for each position will be assessed from the HR requirement plan drawn up.

It is necessary that the organization has documentation of the position description with skill profile and knowledge profile in order that the recruitment board can identify and recruit suitable personnel.

2.4 General criteria governing recruitment

(A) Staff categories:

- a) The term of the Executive Director is for five years. It may be renewed by the Governing Body on mutually agreed terms. The post of Executive Director is to be given to someone who has worked in the organization for at least a year as the Assistant Executive Director. This may be relaxed by the Executive Committee in deserving cases. The upper age limit for this post at the time of recruitment is 55 years.
- b) For all other regular staff the minimum age for recruitment is 18 years, while the upper age limit is 45 years.
- c) The basic minimum educational qualifications should be:
 - matriculate for support staff
 - graduation for other staff
 - post-graduation for the Executive Director.In the case of persons with disability however, these parameters may be relaxed at the discretion of the Executive Committee.

- d) Any person recruited should not have any criminal or unethical background.
- e) If the aspiring candidate already has a relative working for CBRF , s/he will not be considered for employment.

(B) Other categories:

For the post of a Consultant there is no age bar as it is easier to get consultants to work for us when they are not into regular service.

2.5 Advertisement

(A) Staff categories:

The person/ persons in charge of Human Resource and Administration will be responsible for initiating action such as advertising for the vacancy, use of recruitment consultants, and use of panel of past short listed candidates as may be appropriate after acquiring requisite approvals.

There should be at least a minimum of 15 days gap between the date of publication of the advertisement and despatch date of the call letter.

Every applicant should apply in the specified format provided by CBRF with a minimum of two references.

Due to the critical nature of some posts, application time for all positions, in general, may be shortened to accommodate immediate closure of position and such application time may be different for different positions. HR shall determine this with intimation to and approval from the Executive Director.

(C) Other categories:

For consultants – it is not mandatory to follow the advertisement procedures.

2.6 Screening and Short listing

As CBRF is an equal opportunities employer, positions to be recruited are advertised both internally and externally. Sourcing of Curriculum Vitae can also be done through existing data bank, employee referrals and consultants. The applications received from various sources will be screened for their appropriateness and short listed. The guiding principle is to select the best person for the post with the knowledge that any other person would affect the working of the team.

Curriculum Vitae are short-listed as per:

- ⇒ job description
- ⇒ position description
- ⇒ past experience

⇒ qualification and skills that can be assessed from the CV

The CVs will be screened by at least two members of the staff. In view of avoiding subjectivity, staff members knowing any of the candidates will not be involved in the process of shortlisting or recruitment.

2.7 The Interview

(A) Call letters:

Call letters for the interview will be sent to all the candidates who have been short listed. The interview call letter shall mention the cherished values of CBRF. For a single post, a minimum of 3 applicants or 10% of total applications received, whichever is less, should be called for the interview process. The call letter for the interview should be sent to the candidates both by mail and email at least 15 days prior to the date of the interview.

(B) Travel Reimbursement:

The shortlisted candidates shall be reimbursed II Sleeper Class fare by non Rajdhani trains or by non AC bus, depending on each case. In emergencies the travel eligibilities for the candidates will be decided by the Executive Director and the same shall be informed to the candidate in writing. Local conveyance to and from the bus stand/ railway station will not be reimbursed.

(C) The Interview Panel:

The interview panel must meet in advance in order to prepare and agree on questions, tests etc. to be asked/ administered to candidates and to ensure that similar questions and the same range of topics will be covered for each candidate for the same position. It is also the responsibility of the above team to review the position description sheet and make it available as a part of the interview documentation.

The interview panel will comprise of the Executive Director, at least two Members of the Executive Committee and, where required, subject specialists. There should be sufficient gender balance in the panel. All panellists should be familiar with the Vision, the Purpose and the Governing Principles of CBRF.

(D) The Interview Rating Form:

The Interviewer's rating form is aimed to achieve two things:

- ⇒ To map the process through which the candidate passes and
- ⇒ To create a comprehensive document, with all the interviewers' ratings along with the comments substantiating the ratings thereof.

This format is very crucial and needs to be filled immediately after the interview.

The interview panel makes the final decision regarding the selection of the suitable candidate for the post immediately after the interview process is completed.

2.8 Letter of Appointment/ Regret Letter

Once selected, the Appointment Letter giving in detail the job description, roles and responsibilities and details of terms and conditions, signed by the Executive Director, is issued to the candidate in duplicate. The Appointment Letter of the Executive Director will be issued by the President. The candidate is required to sign this letter and return a copy to the organisation by a specified date.

The Appointment Letter should contain a clause that the appointment is subject to being medically fit.

A regret letter is sent to candidates not found suitable during the interview.

2.9 Medical Examination

Before joining active duty the newly appointed staff have to undergo a pre-employment medical examination in a hospital recognised by the medical council of India, empanelled by CBRF. The expenses incurred on the medical examination in accordance with prescribed medical standards by the organization shall be borne by the organization. Joining active duty will depend on the result of the medical check up.

2.10 Probation, Confirmation and Continued Assessment

(A) Staff categories:

All new staff will initially be on a probation period for a period of one year. During this period their services may be terminated from either side by giving one month's notice or one month's salary.

A monthly review of work plan will be done regularly. At the end of probation period, a final review on the basis of monthly reviews shall be carried out.

HR will initiate the probation review a month before the period of probation is coming to an end. All probation reviews are to be shared with the employee.

In exceptional circumstances, the probation may be extended for such further period depending upon the indications of likely improvement of the staff member. If however after this period the staff member's performance is still not considered satisfactory, then her/ his employment will stand terminated. A notice given to the staff member shall outline reason for non-confirmation, and or extension of probation period.

If the performance is found to be up to the expectations of the organization, the staff member's services are confirmed in writing. A fresh appointment letter will be issued

– however the employee will be informed that continuation in service will depend on the quality of her/ his performance.

Even after confirmation of service, the performance of the staff member will be evaluated at regular intervals. If found to be ineffective in execution of his/ her role even after a Performance Improvement Plan is put in place and taken forward, the employee will be terminated by giving one month's notice or one month's salary in lieu of notice.

At any time during his/ her service, the employee may resign by giving one month's notice or one month's salary.

In the case of those on contract, if found to be ineffective, the employee will be terminated by giving one month's notice or one month's salary in lieu of notice.

(D) Other categories:

If the performance of Consultants and Training Centres is found to be ineffective a Performance Improvement Plan is put in place. If no improvement is observed, the contract with the Consultant/ Training Centre will not be renewed (Note: contracts are to be made one year at a time).

2.11 Personnel file

A personnel file shall be opened for each employee. The personnel file shall contain the following:

1. Application of the candidate
2. Bio-data and written comments of reference
3. Copies of certificates of birth, education and medical fitness
4. Call letter
5. Interviewer's rating form, completed preliminary tests etc.
6. Appointment letter
7. Job Description, Performance & Development Plan
8. Confirmation letter
9. Letters of annual salary revisions
10. Copies of Accident and Medical Insurance policies of the employee
11. Copies of performance appraisal made at all levels and shared with the employee
12. Form –16 from previous employer, if any.
13. One colour passport size photograph
14. Any other personal memos
15. Resignation/ Termination letter
16. No Claim Certificate
17. Any other information deemed appropriate by the agency

The HR will maintain personnel Files at the Secretariat for all employees. It is the responsibility of the employees to inform HR in writing when there are changes.

2.12 Job Description

The Executive Director shall give each employee under staff or other category a job description for his/ her specific assignment. The Job Description shall indicate the Job Summary and Functional Areas of Responsibilities, each one of which shall be broken down into its specific activities. All copies of the job description shall be signed by the employee and by the concerned immediate supervisor and the Executive Director.

One copy of the job description shall be given to the employee; one copy retained by the immediate supervisor and one copy will be kept by HR in the individual file of the employee. An employee's job description shall be revised as and when appropriate as determined by the appointing authority.

2.13 Working Hours

The working hours for all categories of employees with specified lunch and other breaks shall be provided by the Executive Director.

Normal hours of work total only 40 hours per week. However, it may be necessary on occasion, for one or more office staff members to work additional hours during the week or on weekends. It is expected that staff members comply with such requirements.

The timings for work will be from 8.00 to 4.00 / 9.00 to 5.00 or 9.30 to 5.30. Change in shift timings due to exigencies need the prior approval of the Executive Director.

Habitual late coming will be treated seriously. Attendance register and late Register will be maintained. Attendance Register will be maintained till 8.00/ 9.00/ 9.30 as the case may be. Late Register will be kept for 15 additional minutes. Attendance in the Late Register would be recorded as Present Late in the Main Register. In case the person is present late for three times, this will be regarded as one CL. In case the person comes to work after the additional 15 minute period or if s/he stays away from work without informing by 9.45, s/he will be marked absent and will lose the day's pay.

Section 3

Training and Development

3.1 Induction training

A comprehensive orientation to CBRF is an important first step for new employees.

All newly joined employees shall, upon completion of the formalities, undergo an induction program, intended to familiarize them especially with the agency policies, procedures, vision, purpose, strategy, values, functions and operations. The methodology would be that of spending formal time with selected employees. The newly inducted employees should also use this time to understand the various dimensions of their roles. They should also gain an understanding of the roles of other employees in the organization and see the connectivity between the roles of various employees within the organization.

The induction period will be from three to six months. While the first three months are the most critical, the overall period of six months provides the space to include review mechanisms to identify development needs and gauge progress.

In recognition of their experience and expertise, senior staff members would often be asked to participate as facilitators in the Induction Programme, on a need basis.

HR is responsible for ensuring that all new employees participate in a structured orientation program within two weeks of their joining. An "Induction Pack" must be made available to facilitate awareness about the organization and its activities. The guidelines are meant to be concise and practical.

The coverage of such a program shall be:

- ⇒ Welcome the new employees on the first day and introduce them to everyone in the office.
- ⇒ Explain the Vision, Purpose and Governing Principles of CBRF.
- ⇒ Provide access for the new employee to read the policy documents and various other Manuals of the Organization.
- ⇒ Special attention should be paid to ensure that important processes like the fire drill are comprehended within the first week of joining duty.
- ⇒ Provide access for the new employee to read the Strategic Plan of the organization.
- ⇒ Describe key office norms and policies.
- ⇒ Review the role of the individual in relation to the organization and required interacting with others to fulfil the same.
- ⇒ Provide essential input to all staff on CBR, Disability, Mainstreaming, DLI etc.
- ⇒ An induction pack prepared by HR consisting of service rules, samples of vouchers, claim forms, reimbursements forms and other relevant documents related to the matters listed in this section to be handed over to the new candidate.

By the end of six months all new staff will prepare a report covering the following aspects:

- ⇒ Their understanding of the organization, its objectives and tasks
- ⇒ Internal and external environment of the organization
- ⇒ Understanding of the respective functions of the various employees of the organization in relation to their own
- ⇒ Areas where contributions can be made by the individual now and in future
- ⇒ Recommendations for improvement in any area
- ⇒ Suggestions and comments on the induction process.

This report will be submitted to the HR department with copy to the line manager. It is the responsibility of the concerned staff member to submit this report well within the deadline.

Innovative suggestions are to be brought to the notice of the Executive Director.

3.2 On-going Training and Development

(A) Process:

A Training Need Analysis (which is also followed by a performance appraisal) will be conducted internally at regular intervals with an external expert specifically looking into the job requirements of each individual, scope of the job in the future as well as the capacity of the individual in various levels of scale up. This should provide opportunity to move up in the hierarchy vertically and laterally across various departments if need be, without man-made restrictions or prejudices. It is advisable that this process is guided by an HR consultant in close collaboration with the management duly taking into consideration the desire and capacity of the individual.

(B) Training Plan:

On the basis of a need analysis and performance appraisal, a yearly plan of action will be prepared, approved and strictly followed up.

The Organisational Training Plan covers various forms of training which would be relevant to the needs of the organization and which would include:

- ⇒ experience assignments inside and outside the organisation,
- ⇒ formal courses and
- ⇒ coaching etc.

Areas of training would include:

- ⇒ Programme Specific Training (Skill / Knowledge)
- ⇒ Training in Generic Behaviour (attitudinal training)
- ⇒ Training for future inputs etc.

The manner in which training can be imparted is as follows:

1. One can be in-site training with the help of external resource persons or agencies for a larger group of personnel. These will be planned from time to time depending on the requirement.
2. The second type of training is an individual availing training provided by external organisations.

(C) Training Budget and other Preconditions:

The management is committed to such a process and specific budget will be made available in each year's budget and the number of trainings or programs available specified accordingly. Staff members are to take the initiative to identify appropriate opportunities to avail such trainings. The Executive Director is to ensure that opportunities are given to all. HR will be responsible for the same.

(D) Post-Course Report:

All employees, upon attending any program, will make a written report and supplement the same with a presentation to the rest of the colleagues in the office. This will be considered as an important part of each training. The intent here is to comprehend and multiply newly acquired skills and also to set in place an action plan to utilize these inputs.

Those attending the program will ensure that the resource materials procured as part of the training are made available to the organization to be later availed by those interested in the same.

(E) Sponsorship for outside courses:

For the purpose of the development of staff employed with CBRF, the organisation may consider sponsorship of staff members (who have worked in the organization for a minimum of three years) to recognized correspondence courses in institutes/ universities of repute for specific training. The programme sponsored should be relevant to the assignments being carried out by CBRF and undergoing the same should enhance the contribution of the staff member to the organisation.

The individual should make a written request, which will be examined by the Executive Director for a final decision. The organisation will bear the expenses incurred for the said course.

Individuals sponsored for such correspondence courses will be entitled for salary during the period of the course and special leave will be granted only during the examination days. Any additional leave sought will have to be availed from the Casual/ Earned leave available.

Section 4

Compensation, Deductions and Leave

4.1 Compensation

CBRF has a standard compensation for different categories of staff and these have been documented and will be applied to all the staff and consultants / trainers of CBRF. The Executive Committee may modify the compensation package from time to time¹.

4.2 Other Financial Eligibilities

(A) Dearness Allowance and Variable Dearness Allowance:

A Dearness Allowance of 25% of the Basic per month will be given to all employees.

Variable DA will be given as per the declaration of the concerned State Government each year.

(B) House Rent Allowance:

An allowance equivalent to 40% of the basic salary will be given to all categories of staff by way of a House Rent Allowance.

(C) Education allowances:

(Note: IT Exemption: 100000- 80C)

Education allowance will be granted every month to employees as follows:

Grade A + B: Rs. 2,500/= per child per month up to 2 children

Other Grades: Rs. 1,500/= per child per month up to 2 children

This will be given from KG until completion of graduation (or 3 years of professional studies after completion of class 12). By graduation we mean a degree course. Any other course or training will be considered on a case to case basis by the Executive Committee.

(D) Transport allowance:

(Note: IT Exemption: 800 per annum)

All employees are entitled to Rs. 2,000/= per month as travelling allowance. This is part of the salary package. In the case of employees with disability, where required, the Executive Committee will grant additional allowance to cover travel costs.

¹ See Annexure 1: Pay scale as on 1 Apr 2012. (Include RPs and TCs package too)

(E) Medical Reimbursement and Mediclaim:

(Note: IT Exemption: 15,000 per annum)

- a) For the purpose of covering domiciliary medical expenses incurred on account of medical treatment, an amount of Rs. 10,000/= per year is reimbursable to all categories of employees.
- b) Mediclaim amounting to Rs. 100,000/= for staff, spouse and two children are in operation. In case of the unmarried, the provision can be availed for any two dependents. In case of any claims, staff are required to fulfil the formalities prescribed by the Insurance Company.

(F) Accident Insurance:

Premium for Accident Insurance amounting to Rs. 300,000/= will be paid by CBRF for all employees. In case of an accident, the staff are required to fulfil the formalities prescribed by the Insurance Company. The organization will assist in the case of serious injury/ death of the employee.

(G) Festival Gift:

A festival gift will be given to all staff as per the norms set by the Executive Committee of CBRF. For now it is Rs. 5,000/=.

(H) Provident Fund Scheme:

All employees are eligible for the benefits of the Provident Fund. Probationary and Permanent staff up to the age of 60 will be covered under the PF Scheme. The scheme will operate as per the norms of the EPF.

(I) Gratuity:

- a) All employees are eligible for payment of gratuity after completion of 5 years of continuous service. Uninterrupted service of 240 days per year is required and this includes leave taken for sickness/ accident/ casual reasons/ maternity/ paternity and absence from duty without leave. The amount is payable after cessation of service (retirement/ termination/ resignation etc.)

For the computation of gratuity break in service period, on grounds of study leave etc., will not be considered.

- b) Calculation of Gratuity will be at the rate of one month Basic salary plus Dearness Allowance plus VDA of the last pay drawn for every completed year of service. An actuarial evaluation will be made periodically to determine the amount credited to each employee as on 31 Mar each year and the Gratuity Fund will be increased accordingly.

4.3 Deduction of tax

Tax will be deducted at source from staff, consultants, trainers and others where applicable as per income tax, professional tax and other rules.

4.4 Leave

(A) Introduction:

This policy aims to enable staff members to strike a work-life balance and take their normal holiday each year for rest and relaxation as well as take time off from work to attend to some personal/ family exigency/ sickness or any other requirement. Health, efficiency, and productivity may be impaired if staff work long periods without a break/ holiday.

Leave as a matter of policy would not be denied and we encourage all employees to take appropriate and admissible leave and we discourage en-cashing of leave. However, no leave can be claimed as a matter of right. The Executive Director has the discretion to refuse, postpone, curtail, or revoke leave according to the exigencies of service and the situation.

(B) Types of Leave:

Various types of leave are included in the Organization's policy to meet organizational and employee needs.

The leave of Permanent/ Probationary/ Contractual employees shall be based on the calendar year. Entitled Earned Leave, Sick Leave and Casual Leave shall be credited to employees at the beginning of the year.

Staff on probation period shall be entitled to one-day leave per month to be availed one day at a time on completion of each month. In the event of change of probationary period, such staff shall be entitled to proportionate leave on the basis of the above limits. Leave taken in excess of the above will be considered as leave without pay.

Availing of leave should be with proper notice so that the work of the organization does not suffer. The procedure required to be followed in applying and granting of leave is set out in the following paragraphs:

(a) Casual Leave:

An employee will be entitled to Casual leave not exceeding 12 days in a calendar year. Casual Leave will not be combined with Earned Leave. It may be combined with Compensatory Leave. Further, Casual Leave (whether combined with Compensatory leave or not) will not be

availed of for more than a total of 3 days on a single occasion. If more than 3 days leave is required, Earned Leave will have to be availed of. Normally, applications in writing for Casual Leave should be made in advance with the prior approval of the Executive Director. This application should then be handed over to the HR personnel.

If, however, for sudden or unforeseen reasons an employee is unable to obtain prior approval, s/he should communicate only with the Executive Director as soon as possible by telephone giving the reasons for the absence. If an employee fails to do so, Casual leave will not be granted and the leave taken will be considered as Leave without pay.

Casual leave cannot be carried over to the next year. The same will lapse and cannot be encashed.

(b) Sick Leave:

An employee is entitled to Sick Leave not exceeding 5 days in a calendar year.

The written application should reach the desk of the Executive Director on the day of joining duty. This application should then be handed over to the HR personnel.

If the employee is about to exhaust the Sick Leave, it may be combined with Casual Leave or Compensatory Leave. However, the employee may not take more than 3 days of sick leave on one occasion. If the period of leave exceed 3 days, Earned Leave has to be claimed.

Sick leave cannot be carried over to the next year. The same will lapse and cannot be encashed.

(c) Earned Leave:

- i. All employees are entitled to an annual leave of 30 days with full pay for every completed 12 months of service calculated @ of 2½ days per month. In the case of new employees, when the length of service is less than 12 months, the entitlement of leave will be proportionate to the service put in. This leave has to be normally availed of each year and accumulation will not be allowed beyond 60 days. Leave beyond 60 days, which has not been availed of, will automatically lapse.
- ii. Earned Leave (which has been applied for by an employee) may be postponed or refused, in exceptional circumstances, when CBRF requires a particular employee's presence. In case of refusal, the leave may be availed of subsequently.

- iii. In case of an emergency, where an employee has to be recalled from leave at the discretion of the Executive Director, CBRF will cover the actual fare incurred on account of the return of the employee as well as permit the employee to avail of the unutilized portion of the leave at a later date. In such a case, travel cost back to vacation venue, if required, will also be covered.
- iv. Employees desiring to avail of Annual Earned Leave must submit an application in writing to the Executive Director at least 30 days in advance of the commencement of the leave. No employee may avail of such leave without prior approval of the Executive Director. The Executive Director will obtain prior approval for his Earned Leave from the Secretary/ President. This application, duly approved, should be handed over by the concerned staff to the HR personnel.

(d) Maternity Leave:

- i. Expectant women will be eligible for 90 days maternity leave with full pay.
- ii. In case of miscarriage or any other significant obstetrical / gynaecological conditions during pregnancy necessitating bed rest, an employee shall be entitled to 45 days leave only. The request for such leave must be supported by medical certificate from a qualified medical practitioner. If management sees fit, the employee may be required to obtain the opinion of a gynaecologist approved by the management.
- iii. Maternity leave can be prefixed or suffixed by earned leave or sick leave.
- iv. Maternity leave can be availed of for the first two children only.
- v. In case of legal adoption (provided the proviso in (iv) above is met), whereby the adopted child is less than 3 years, the employee is entitled to 25 days leave commencing from the date of signing the adoption deed.

(e) Paternity Leave:

- i. The spouse, of the expectant wife will be eligible to 15 days paternity leave with full pay.
- ii. Paternity leave can be availed of for the first two children only.
- iii. In case of legal adoption (provided the proviso in (ii) above is met), whereby the adopted child is less than 3 years, the employee is entitled to 10 days leave.
- iv. In case of medical termination of pregnancy (provided the proviso in (ii) above is met), the employee is entitled to 10 days leave.

(f) Compensatory Leave:

In case, when due to the exigency of services, Secretarial staff have to visit the field or attend the office on Sundays or holidays, prior approval of the Executive Director must be obtained.

Then, based on the above instances, compensatory leave may be availed of. This does not apply to work done on Saturdays or as over time on other working days.

Compensatory Leave may be taken alone or combined with Sick Leave/ Casual Leave/ Earned Leave.

(g) Leave provision for Travel:

If an employee on official travel is to leave her/ his residence after 05.00 p.m., then the employee may leave the Secretariat after putting in four hours of work on that day. However, if this employee is to leave her/ his residence before 05.00 p.m. then s/he need not report for duty at the Secretariat on that day.

Similarly, if an employee returning from an official trip arrives at her/ his residence between midnight and 10.00 a.m., then s/he may be on leave for the first four hours of work on that day. However, if an employee returning from an official trip arrives at her/ his residence after 10.00 a.m., then s/he may be on leave for the entire day.

Such leave will be treated as Leave during Travel.

All travel plans have to have the prior sanction of the Executive Director.

(h) Compassionate Leave:

A maximum of 5 days leave per occasion with pay is permissible to attend the funeral of a member of the employee's family as defined below:

- ⇒ Parents of the employee or spouse
- ⇒ Spouse
- ⇒ Children (including legally adopted children)
- ⇒ Siblings – of the employee.

Employees are expected to return from Compassionate Leave as scheduled, unless approval of casual or earned leave has been granted in advance to extend the leave.

(C) Leave Encashment:

A maximum of 30 days Earned Leave may be encashed once in two years provided a minimum balance of 15 days is available after the encashment. Encashment of entire balance accrued will be permitted only at the time of leaving service. Earned Leave will be encashed @ Gross Pay less PFO.

(D) Mode of calculating period of leave:

Holidays can either be prefixed or suffixed, i.e. either the leave availed ends before the holiday or begins after the holiday. When any employee takes casual leave / sick leave/ Earned leave on Friday or on the previous day of a holiday, and remains absent on a subsequent Monday or working day, then the employee will be considered to be on leave during the intervening holiday(s).

Section 5

Performance Management

5.1 System Elements

CBRF's mandate is to effectively appraise the performance of an employee to determine and recognize individual performance in contributing to the growth of the organization and reward the deserving employees.

CBRF's performance management system comprises of performance planning, capacity enhancement mechanism, feedback system, assessment and recognition in concurrence with its Vision and Purpose. In totality it measures performance against set objectives and value based behaviour in job management.

(A) This system will be based on four principles:

- (a) Link plans to the Short - term goals which is in line with the overall Vision and Purpose of the Organization
- (b) Focus on priority results, not routine activities and make it simple.
- (c) Ensure continuous feedback from colleagues and partners.
- (d) Link increases to performance appraisals.

(B) The system includes:

- (a) Job description.
- (b) Performance planning (selecting achievable, results-based objectives from the short term Organizational plan).
- (c) Capacity Enhancement (training, learning and skills development of employees).
- (d) Feedback system (At least twice per year employee performance review and feedback provided).
- (e) Assessment (performance review at the end of the financial year).
- (f) Rewards, Recognition and penalty (incentives for achievement and penalty for not performing).

5.2 Job Description

The Executive Director should give a clear job description to each employee according to the designation.

The job description should be developed through a process of consultation between the Executive Director, the immediate supervisor and the employee. The same has to be given to the newly recruited within the first month of her/ his joining duty.

5.3 Performance Planning

During April each year, each employee should set a target (*5 objectives - related to his/ her job description*) to be achieved during the financial year. This will be done in consultation with the immediate supervisor. Simultaneously, the required knowledge and skills to achieve the set objectives should be worked out.

The set objectives along with the requirements should be submitted to the Executive Director for approval. The approved performance plan should be signed by the employee, the immediate supervisor and the Executive Director. A copy must be retained in the employee file and the same be given to the immediate supervisor and the concerned employee.

HR will look into the training and capacity requirements suggested and the monitoring system.

Orientation and training on the performance management system should be provided by HR to each new employee so that they will understand the system and each staff member will be held accountable for its smooth implementation.

5.4 Capacity Enhancement Program

- (A) Identification of need for skill development, based on the interest of the employee, related to the job description and the findings of the 360-degree assessment.
- (B) In consensus with the immediate supervisor and the employee, the identified need for capacity enhancement should be submitted to the management.
- (C) HR will ensure the identification of opportunities and its implementation.

5.5 Feed Back System

- (A) Immediate supervisors will review the progress of the set objectives quarterly and give feed back to the employee by encouraging, motivating, and assisting in identifying the weaknesses and strengths, which will enable the employee to improve her/ his performance.
- (B) Concrete findings of the review along with the suggestions made for improvement should be recorded in the employee file to assess the growth in the performance of each employee.

5.6 Assessment

- (A) Yearly assessment will be conducted in March of each financial year, using 360 degree assessment systems.
- (B) The assessment will be based on the set objectives and the findings of the quarterly and half yearly reviews.
- (C) There will be a platform for interaction, discussion and sharing of the ratings/ findings of the employee with the management.

5.7 Reward, Recognition

The rewards, recognition and penalty will be based on the 360 degree, yearly assessment, quarterly and personal interview at the end of the financial year. The employee's job related behaviour that is in line with the value system of the organisation will be considered.

Performance appraisals are strictly confidential. Hence, only the management/ HR, Immediate Supervisors and the concerned employee will have access to the results. These have to be filed separately and kept under lock and key.

All staff members employed in CBRF for six months or more shall be evaluated during the month of March, just prior to the end of the financial year. A signed copy of the appraisal will be available for the individual employee after approval by the HR/ Executive Director.

5.8 Implementation of Performance Management System

- (A) HR/ Management will develop the 360-degree appraisal system/ format for assessment.
- (B) HR/ Management are responsible for ensuring that each employee's yearly plan has been developed and finalized and provided to the concerned employee by April 30th. This will include all the requirements that have been identified by the concerned employee and the manager of the department and approved by the HR/ Management.
- (C) Immediate Supervisors will be responsible for conducting Quarterly reviews in the month of July, October and January for each employee in their concerned department, for continued encouragement and feedback for improvement. The report will be submitted to the HR/ Management.
- (D) HR/ Management, in collaboration with immediate supervisors, will be responsible for ensuring the Half-yearly 360-degree review of each employee in the month of October.

- (E) HR/ Management will initiate the yearly assessment review process from the 2nd week of March.
- (F) By March 25th all the employees should have completed their yearly assessment review.
- (G) In the first week of April the HR/ Management should share the results of the review with the concerned employees.

Those employees who join during the year shall be eligible for participating in the performance appraisal in the year following the completion of their one-year contract with CBRF. However, for such employees their entire employment period since joining would be considered at their first performance appraisal.

If an employee fails to perform as per her/ his performance plan, the managers shall draw up a Performance Improvement Plan for the concerned employee for a period of six months in consultation with HR/ Management and the employee. During this period the employee is expected to improve her/ his performance along the defined parameters.

At the end of six months of Performance Improvement period, if the employee fails to meet the expected level of performance, the services of the employee may be terminated.

5.9 Promotion

The required posts in CBRF will be based on the need assessment of the work in the organisation. HR will work out the required number of employees to take ahead the work of CBRF.

As per CBRF's requirements, a vacant position or a new position is advertised/ posted within CBRF specifying clear eligibility criteria. Every eligible employee can apply for the position. All job vacancies will be posted internally as well as externally simultaneously. Internal employees are encouraged to apply through their immediate supervisor and their short-listing for interviews would be made as per the profile and requirements of the job.

Promotions to higher positions and higher bands are based on competence, past performance and on merit. On promotion, the individual's work profile and responsibility will change.

Employees competing for promotions to Higher Positions shall generally be considered on the following criteria:

- ☛ Requisite qualification and experience
- ☛ Job knowledge
- ☛ Skill requirements/ competencies of the job
- ☛ Performance history of past 3 - 5 years
- ☛ Value-based job related behaviour in the past.

In order to avoid stagnation of competent employees and in view of encouraging further growth, HR/ Management should develop a mechanism for creating avenues for growth/ promotion.

Section 6

Attendance Norms, Travel and Holidays

6.1 Record of Attendance

Before leaving for field visits, Project Officers/ Field Staff should submit a copy of tour itinerary to their immediate supervisor who in turn gives it to the Executive Director.

All Project Officers/ Field Staff will submit a detailed daily report in respect of visits to project sites giving factual details of how the time was spent together with their claims for per diem in the prescribed forms. Reimbursement will be made only after the tour report is found to be complete and in order. This tour report should be a complete account of all that the employee has done while on tour. Failure to do so (or withholding details of what has transpired while on tour) could result in withholding of subsequent salary increments or even termination of service.

While in office, all employees will record their attendance in the attendance register which will be considered as the true record of their attendance.

If any employee remains absent without leave or permission for more than ten consecutive days, s/he shall be deemed to have abandoned the employment unless s/he gives an explanation found satisfactory to the Executive Director, in which case such absence may be treated as leave without pay.

Similarly, should an employee remain absent from duty beyond the period of leave originally granted or subsequently extended, s/he will lose lien on her/ his appointment from the 11th day unless s/he or a representative returns within 10 days of expiry of such leave and explains to the satisfaction of the management her/ his inability to return before the expiry of her/ his leave.

6.2 Travel Norms

(A) Principle of safety:

In view of avoiding risk to the staff, no travel should occur after 8.00 p.m. If such travel is unavoidable, the permission of the Executive Director should be obtained.

(B) Onus in the case of accidents:

All employees are covered under accident insurance by the organization. The organization will not be liable to compensate the employee beyond the amount given by the insurance company.

(C) Booking of tickets:

- a) All have to make use of an economic means of transport in view of the organization option for the poor and oppressed.
- b) Tour plans must be prepared and given for travel booking well in advance in view of availing less expensive travel options.
- c) Request to book Tatkal tickets to be given only in cases of unavoidable situations with the permission of the Executive Director.
- d) While booking Tatkal tickets, staff must take a train, which has its destination nearest to the place to be visited.
- e) Requests to book flight tickets can be given by the Executive Director for long distance journeys and emergencies.

(D) Conveyance Reimbursement:

- a) Employees will be entitled to the following mode of travel:
For all Secretariat Staff: auto only
For Support Staff: bus or auto only.
- b) However, due to exigencies of work and with the sanction of the Executive Director, taxi services may be availed.
- c) If own vehicles are used, for local travel (office purpose), with the prior permission of the Executive Director, the same will be reimbursed @ Rs. 12/= per kilometre for four wheelers and Rs. 8/= per kilometre for two wheelers. These amounts may be revised from time to time by the Executive Director based on market rates.
- d) If an official duty is attended to on the way to work or back home from work, only extra distance covered is compensated. If official duty is attended to on a Saturday/ Sunday/ Holiday travel to/ from site will be covered only if it exceeds the distance the employee travels on a day to day basis to reach the CBRF office premises. In such a case only the extra distance covered will be compensated as per norms specified above.
- e) All local conveyance bills need to be approved by the Executive Director before payment.

(E) Working beyond Office Hours:

- a) Staff members working beyond 6.30 p.m. with the permission of the Executive Director, and not having their own conveyance may use autorickshas to return home.
- b) Staff members who wish to stay beyond the normal working hours on their own shall not be eligible for travel reimbursement.
- c) Emergencies and special cases will be treated separately as per the discretion of the Executive Director.

(F) Outstation Travel:

In pursuance of official duties, for staff and Consultants, the following travel facilities are permitted:

- a) Train: 3 tier A. C., A. C. Chair Car, 2nd Class Train, (2 tier A. C. if 3 tier A. C. is not available).
- b) Bus: Luxury Bus / Other Buses.
- c) Air: The Executive Director may sanction Air Travel by Apex fares or other concessional / promotional fares or 2nd AC fares where travel time exceeds 15 hours.
- d) In all cases of travel, the actual railway / bus ticket/ Boarding Pass will have to be produced in support of claim. In case of non-production of the above documentation, reimbursement may not be made.

(G) Foreign Travel:

- a) Travel will be by the shortest route lowest economy class fares. Travel details are to be approved by the Executive Director prior to booking tickets.
- b) Those on travel abroad will get \$/Euro 20 for Secretariat staff and \$/Euro 25 for the Executive Director as per diem. This amount may be revised from time to time.

(H) Relocation Allowance:

Staff that are transferred to another location are entitled to the following allowances and privileges:

- a) The spouse and children, provided they are shifting their residence, will have the same travel entitlement as the Staff concerned would, had s/he been travelling on official work.

- b) Actual cost of transport of household goods, subject to a maximum of one large truck load from door to door, on submission of appropriate documents. The estimate needs to be pre-approved by the Executive Director.
- c) Leave will be granted with pay and per diem for 7 consecutive days for packing and relocating.

(I) Per Diem during Travel:

- a) The Per Diem Allowance will cover all costs of food, phone calls and incidentals. This rate will be fixed by the Executive Committee. For now it is Rs. 350/= per day.
- b) A full day's Per Diem Allowance may be claimed by the Project Officer/ Field Staff if s/he leaves the city/ town of office before mid-day on the day of departure. In the event of her/ his departure from the city/ town of office after mid-day of the day of departure, only half the Per Diem Allowance will be allowed.
- c) Similarly, a full day's Per Diem Allowance may be claimed by the Project Officer/ Field Staff if s/he returns to the city/ town of office after mid-day on the day of arrival. In the event of her/ his arrival at the city/ town of office before mid-day of the day of arrival, only half the Per Diem Allowance will be allowed.
- d) Per Diem for Training/ Seminars/ Field visits:
 - i) Staff members who are Resource Persons for outstation trainings/ seminars/ field visits are entitled to get full Per Diem.
 - ii) Staff members who are participants of special outstation trainings/ seminars/ field visits organised by CBRF or staff who represent CBRF at such programmes are entitled to get 50% of Per Diem to meet incidental expenses provided the boarding and lodging is paid for by CBRF or the sponsors of the training/ seminar/ workshop. This implies that if the above programmes are organised at the city of employment, staff are not entitled to get Per Diem.
- e) Project Officers/ Field Staff may not attend Meetings/ Seminars/ Conferences on behalf of CBRF without the prior approval of the Executive Director.
- f) Per Diem and Honorarium for consultants: Rate of per diem and Honorarium for consultants will be determined by the Governing Body. For now, National consultants will be paid a per diem of Rs. 500/= per day. Honorarium will range from Rs. 1,500/= to Rs. 2,000/=. Rates for international consultants will be determined on a case to case basis.

6.3 Leave Travel Allowance

(Note: IT Exemption: Actual expenses twice in a block of 4 years)

The Leave Travel Allowance is fixed at differential rate to different categories, once in a block of two years. This is also considered on the basis of reimbursable expenses.

Category A1	Rs. 15,000
Category A2	Rs. 13,000
Category B1	Rs. 12,000
Category B2	Rs. 11,500
Category C1	Rs. 11,000
Category C2	Rs. 10,500
Category D1	Rs. 9,000
Category D2	Rs. 8,000
Category E1	Rs. 7,000
Category E2	Rs. 6,000

This is permissible once in two years of service with an obligation of taking a minimum of 10 days of Earned Leave in one stretch.

6.4 Holidays

- a) The Executive Director will draw up a list of 16 public holidays for the following year at the end of every calendar year. The list will be posted on the notice board of CBRF.
- b) Regional Offices may suitably modify the list, taking into consideration the local holidays and submit the list by the end of each calendar year for the approval of the Executive Director. However, in no case will the total number of holidays exceed 16 days.
- c) Any extra holiday declared other than those listed above shall be compensated by working on the preceding/ following Saturday. No travel allowance will be given for such days.

Section 7

Grievance and Disciplinary Procedures

7.1 Grievance Procedure

- 1) Any employee who feels that s/he is unjustly treated; in the discharge of her/ his duties either by the Management or by a colleague or a subordinate may submit such grievance in writing to the nominee of the Secretary/ Executive Director. A copy of the same is to be marked to the person concerned. Such grievance shall be duly considered by the Grievance Committee, which would include the Secretary, the Executive Director or another member of the staff and a Board Member.
- 2) The first step in grievance redressal shall be a verbal report by the aggrieved employee to her/ his immediate superior. S/he should listen to the employee, collect the relevant facts and try to settle the grievance. S/he should also seek a verbal explanation from the person against whom the complaint is directed. Thereafter, s/he should in all cases submit a report in writing, particularly where the alleged grievance is not settled. The same is forwarded to the Secretary or the Executive Director.
- 3) If the employee who has lodged the grievance is not satisfied with the decision of the Committee s/he may approach the Secretary or the Executive Director for redressal. It is only on exhausting this procedure, that an employee may appeal to the President of CBRF who may consult the Governing Body if s/he deems fit.
- 4) This procedure has been specifically provided so that disputes and differences, if any, are mutually and amicably resolved and settled as a family within the Institution.

7.2 Protection from Harassment (including sexual harassment) at Work Place

(A) Introductory remarks:

Consistent with CBRF 's vision and purpose, CBRF seeks to create and maintain an organisational environment that is free of discrimination and harassment (including sexual harassment).

It shall be the duty of the management to prevent or deter the commission of acts of harassment and to provide the procedure for resolution, settlement or prosecution by taking all steps required.

(B) Guiding Principles:

- 1) Those working in CBRF (including its consultants) have the right to work in an environment that is fair and equal and free from all forms of workplace related harassment.
- 2) Discrimination on the basis of race, color, religion, caste, national origin, sex, age, sexual orientation, designation, position, language, marital status, disability, terms of employment/ contract, personal circumstances amongst others, will not be tolerated.
- 3) Prevention of harassment by building a healthy and positive work environment shall be a governing principle for implementation of this policy.
- 4) CBRF shall take necessary steps to ensure that all employees/ consultants are aware of this policy.
- 5) Major/ Minor misconduct/ Harassment as defined, shall be severely dealt with as per procedures defined.
- 6) It shall be the duty of all working in CBRF/ its consultants to comply with the contents.

(C) Sexual Harassment:

1) Definition:

For this purpose, sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

- ⇒ Physical contact and advances;
- ⇒ Behaviour which impinges on the modesty of another;
- ⇒ A demand or request for sexual favours;
- ⇒ Sexually coloured remarks;
- ⇒ Showing pornography;
- ⇒ Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Where any of these acts is committed, such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the victim has reasonable grounds to believe that her/ his objection would disadvantage her/ him in connection with her/ his employment or work, including recruitment or promotion or when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

2) Preventive Steps:

The employer or person in charge of the work place should take the following steps:

- a) Prohibition of sexual harassment as defined above at the work place should be notified, published and circulated in appropriate Rules.
- b) If any one is found guilty of the above act, the same may be taken into account and the penalty imposed on the offender as per Conduct Rules.
- c) Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the management shall initiate appropriate action in accordance with the law by lodging a complaint with the appropriate authority.

3) Complaints Committee:

- a) The Complaints Committee consists of 5 staff (3 women and 2 men) from among the staff. It is the Standing Committee and any staff may directly approach the said Committee. The name of the President and its members are to be known to all staff members.
- b) The Standing Committee shall:
 - i) Sensitize people to prevent occurrence of sexual harassment.
 - ii) Ensure a clear and strong message is sent to all that any act of this nature shall not be tolerated and is non-negotiable.
 - iii) Inquire/ Investigate into filed complaints as and when required.
 - iv) Conduct a just, objective and speedy inquiry into the complaint, as per defined laws and regulations, as required.
 - v) Submit a written report to the Secretary or the Executive Director recommending actions based on investigation.

(D) Disciplinary Action:

CBRF will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports discrimination, harassment or sexual harassment, provides any information or other assistance in an investigation. Any violation of the above will result in disciplinary action, up to and including termination of services.

If after an objective investigation, a complaint is found to be false, the person who filed the complaint may be subject to disciplinary action, up to and including termination of services.

7.3 Misconduct

The following acts of misconduct are illustrative and not exhaustive and are to be considered as misconduct for which the employee will be liable for disciplinary action as per rules.

Any violation of the Rules & Regulations of the Institution is a misconduct, which needs to be corrected through disciplinary action by the management.

(A) Acts of Major Misconduct:

Some of the major misconducts are as follows:

- a) Willful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior.
- b) Theft, fraud or dishonesty in connection with the Institution's work or property.
- c) Refusal to go on transfer or deputation.
- d) Wilful damage to or loss of Institution's goods or property.
- e) Taking, or giving bribes, or any illegal gratification.
- f) Habitual absence without leave, or absence without leave for more than three days.
- g) Habitual breach of any law applicable to the Institution.
- h) Habitual late attendance.
- i) Riotous or disorderly behaviour while on duty.
- j) Being under the influence of drugs or alcohol while on duty.
- k) Habitual negligence or neglect of work.
- l) Striking work, or inciting others to strike work.
- m) Conviction in any court of law for criminal offence(s).

- n) Any act subversive of discipline or good behaviour either on the premises of the Institution or while on tour/ training, including at residential premises if provided by the management.
- o) Maligning the name of the organization, its management or staff.
- p) Using the name of the organization for making illegal personal gain.

(B) Acts of Minor Misconduct:

Some of the minor misconducts are as follows:

- a) Idling or loitering during duty hours.
- b) Entering or leaving, or attempting to enter or leave, the establishment except in accordance with rules or orders.
- c) Late attendance or leaving place of work earlier than the appointed time without approval.
- d) Deliberate low work production.
- e) Any attempt at unduly influencing the recruitment or retention/ retrenchment process on behalf of colleagues or friends.
- f) Abetting any minor misconduct.
- g) Malingering (Lazy)
- h) Exaggerates or feigns illness in order to escape from work
- i) Failure to sign the daily attendance register.

(C) Consequences of Misconduct:

1) Suspension:

- a) On receipt of a report in writing the appointing authority may suspend an employee for any act of alleged misconduct, pending enquiry.
- b) The order of suspension shall take effect immediately on its communication to the employee. Charge sheet should be given within seven days.
- c) During the period of suspension, the employee shall not leave station except with the written permission of the management.
- d) A suspended employee will get subsistence as per norms.

- e) If an order of suspension is rescinded the employee shall be deemed to be on duty during the period of suspension and will be entitled to the same remuneration as s/he would have received if s/he had not been suspended.

2) Subsistence Allowance:

- a) Where the enquiry contemplated or pending is departmental, the subsistence allowance shall for the first ninety days from the day of suspension, be equal to 50% of the basic, dearness allowance, VDA, HRA, ... PF will be paid as per legal norms.
- b) If the departmental enquiry is prolonged and the employee continues to be under suspension for a period exceeding ninety days, the subsistence allowance shall for the period beyond 90 days be equal to 75% of such basic wages, dearness allowance and other compensatory allowances.
- c) On the conclusion of the domestic enquiry if the employee is found guilty of the charges framed against her/ him and an order of dismissal is passed, s/he will be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period. However, the subsistence allowance already paid to her/ him shall not be recovered.

3) Domestic Enquiry:

- a) The management may proceed to institute a domestic enquiry in respect of alleged misconduct or in respect of any alleged criminal misconduct committed by the employee. The management shall not be stopped from proceeding with the domestic enquiry even if criminal proceedings have been initiated against such an employee.
- b) During the criminal proceeding, the domestic enquiry shall proceed as the test of evidence before a criminal court is different and distinct to that, before a domestic tribunal (domestic enquiry). If, on conclusion of the domestic enquiry, the employee has been found to be not guilty of any of the charges framed against her/ him, s/he shall be deemed to have been on duty during the period of suspension. S/he shall be entitled to the same wages as s/he would have received if s/he had not been placed under suspension. The subsistence allowance paid to her/ him for such period will be deducted and balance paid to the employee.
- c) No order of punishment shall be made without the employees having been given an opportunity of explaining to the satisfaction of the management the circumstances alleged against her/ him. Accordingly, a charge sheet will be issued calling for the explanation of the employee. In the event, the management is not satisfied with

such an explanation, and action is contemplated (as detailed in section 7.3 (c) above), an enquiry officer will be appointed who will be required to conduct the domestic enquiry.

4) Procedure of Domestic Enquiry:

- a) In the case of a major misconduct, there shall be a recorded enquiry. However, no such enquiry will be necessary if the employee concerned admits the charges in writing. The employee concerned shall be issued a charge sheet (or show cause notice) clearly setting forth the charge(s) alleged against her/ him, by the management within seven days of suspension or the establishment of a prima facie case.
- b) If an employee refuses to accept a charge sheet or any other communication, then the same shall be sent by registered post with A/D or any other mode of communication accepted by the court of law. This shall be deemed as sufficient proof of the tender of the above mentioned charge sheet.
- c) The management shall appoint an enquiry officer if it decides to proceed with the enquiry.
- d) If an employee refuses to accept any communication issued by the enquiry officer, then the same shall be sent by registered post with A/D or any other mode of communication accepted by the court of law. This shall be deemed as sufficient proof of the tender of the above mentioned communication.
- e) The enquiry officer may then proceed ex parte against the employee if s/he fails to respond to communications referred to in para (d) above or if s/he is not present at the time of inquiry.
- f) The employee shall be permitted to have a co-worker assist her/ him during the enquiry.
- g) The employee shall be permitted to produce witnesses for her/ his defence and to cross-examine witnesses against her/ him.
- h) The enquiry officer shall submit her/ his findings to the management along with a record of the evidence obtained from either side.
- i) After the receipt of the findings of the enquiry officer, the management may drop the case or issue a show cause notice to the employee along with the findings of the enquiry officer and indicate the proposed disciplinary action and ask the employee to explain why the proposed action should not be taken.

- j) After considering the employee's reply, the management may take such disciplinary action as it thinks fit.
- k) In the interest of justice, all enquiries shall ordinarily be completed within a period of three months from the date of issue of the charge sheet.
- l) Right of Appeal: Any employee aggrieved by the decision of the management may file an appeal in writing to the President of CBRF within fifteen days of the date of the decision. The decision of the President of CBRF shall be final.

5) Penalties following the domestic enquiry:

- a) Warning or censure
- b) Fine
- c) Withholding of annual increment.
- d) Demotion with salaries applicable to that grade
- e) Dismissal

(Note: for penalties a to d the employee will be reinstated and full salary for period of suspension will be paid; in the case of dismissal, no additional amount will be paid other than the subsistence allowance already given, except for payment of dues under PF and Gratuity as per applicable norms.)

Section 8

Termination and Retirement

8.1 Termination

- (A) Either party, i.e. employee or management, may terminate the service contract by giving thirty days notice in writing or on payment of one month's salary in lieu of notice to the opposite party.
- (B) Any employee found to be medically unfit for further service shall be liable to termination/ discharge from service on the recommendation of a medical board constituted by the Management.
- (C) Settlement of final dues will be made only after the Executive Director / President is satisfied that handing over procedures have been complied with.

8.2 Retirement

Every employee shall retire on the date she/ he attains the age of 60 years which shall be the age of superannuation.

8.3 Service Certificate

An employee who was employed by CBRF may be provided with a Service Certificate at the time of her/ his leaving by the Executive Director, should s/he make a request for the same only after the Executive Director / President is satisfied that handing over procedures have been complied with. In the case of the Executive Director, the certificate will be issued by the Secretary/ President.

(Note: Employee to sign a letter stating that he accepts the terms and conditions of the employee rules)