Campaign for Human Rights and Social Transformation (CAHURAST) Nepal

Personnel Rules – 2009

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Kathmandu

2009
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1. **Short name and Commencement:**
   
a) The name of these rules shall be Personnel Rules of Campaign for Human Rights and Social Transformation, Nepal, 2009.

b) These rules shall immediately come into force after adopting it approved by the Executive Committee of Campaign for Human Rights and Social Transformation, Nepal.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Rules:

   a) "Organization" means Campaign for Human Rights and Social Transformation (CAHURAST), Nepal registered pursuant to Association Registration Act, 1977.

   b) "Executive Committee" means the Executive Committee of Campaign for Human Rights and Social Transformation (CAHURAST), Nepal.

   c) "Chairperson" means the Chairperson of the executive committee of the organization.

   d) "Personnel" mean entire personnel including executive director or director working full time in the organization.

   e) "Executive Director" means the office-bearer or person having responsibility prescribed by the secretariat.
f) "Professional personnel and Professional expert" means the program officer or personnel having equivalent post or superior to them.

g) "Assistant Personnel" means Research Associate, Office Secretary, Computer Operator, Office Assistant, Intern or personnel equivalent to that post or below them.

3. **Designation in the organization**:

   (a) For regular operation of the organization the designation in the numbers and designation as prescribed by the executive committee shall be made.

   (b) In addition to the designations mentioned in sub-rule (a) there may be designations as mentioned in the concerned projects.

   (c) There may be consultant, intern and volunteers in the organization as per necessity.

4. **Nature of Service**:

   The service of almost all personnel shall be of contract nature. The function, duties and liabilities of the personnel of the organization and their remuneration and facilities receivable by them shall be according to the agreement between the personnel and the organization.

5. **General of Rules**:

   In respect to the terms and conditions of the agreement entered in between the organization and personnel shall according to that agreement. Other matters that are not mentioned shall be according to these rules.

6. **Appointments**:
(a) There shall be a Vacancy Fulfillment Committee consisting 5 members in maximum prescribed by the Executive Committee for any vacant post of the organization.

(b) The Vacancy Fulfillment Committee shall draft procedure of vacancy fulfillment according to the direction of the Executive Committee.

(c) The persons recommended by Vacancy Fulfillment Committee shall received appointment letter along with the employment agreement. Such agreement shall contain designation/post of appointment, commencement date of service, salary, working hour, leave, probation period and circumstance to be terminated from the post, terms of reference and terms and conditions of appointment and other information. Terms of reference shall be crucial part of the agreement.

(d) The appointment letter shall be signed by the official or person assigned with such responsibility prescribed by the secretariat.

(e) If intern and volunteers has to be assigned, the Executive Director or Director can appoint them by obtaining prior approval by the office-bearers of the Vacancy Fulfillment Committee.

7. Probation Period:

(a) The personnel generally shall have to complete probation period. Generally the probation period except mentioned in the agreement shall be of three month. If the employment period shall be less than a year the probation period shall be one and half month.

(b) Within the probation period the appointment may be terminated by giving written information of one month.
Similarly the personnel also can terminate the contract by giving one week advance notice.

(c) The probation period for the consultant serving the organization giving one year or more or in the event of reappointment can be terminated.

8. **Liability and Responsibility of the personnel:**

The personnel of the organization shall have to fulfill their responsibilities being impartial and honest being faithful for attainment of goal and objectives of the organization.

- **Commitment:** The personnel of the organization should be committed towards the function and objectives of the organization. They should not be directed by the external persons and organizations.

- **Professionalism:** The personnel shall have to perform of their high level. It is their liability to prosper the integrity and decency of the organization. They shall not perform any sorts of activities that shall harm the organization.

- **Courtesy in Office:** Personnel should be aware towards the necessity of companion. The secrecy of the office should be maintained. The file and table of the personnel should be deemed private and sensitive and should not be used except the office purpose and without the approval of the concerned personnel of the organization.

- **Gift:** If any personnel or executive director or director shall have to receive any amount or gift as an appreciation or honor the information thereof should be given to the Executive Committee through Executive Director or Director. Such appreciation, honor may be refused by the decision of the
Executive Director or Director according to the decision of Executive Committee.

- **External Responsibility and Consultancy**: In course of receiving any kinds of external works by the personnel of this organization the Executive Committee should be informed. Without the prior approval of the Executive Committee the personnel cannot work as a consultant in external authority. If any personnel received responsibility of consultant without the prior approval of the organization, such personnel may be terminated from this organization.

- **Ideological Conflict**: Personnel shall not participate and attract towards any disputes that hamper the prestige and damage to the organization.

- **Credibility**: Personnel should be caution within and outside office in course of performing own responsibility. The information that is secret that are received in course of performing the work cannot be divulge outside without the prior approval of Executive Director or Director.

- **Transmission of information**: No personnel is authorized to present or publish any kinds of statement in any manner to any media except the authorized personnel of the organization.

- **Intellectual Property**: Except any special agreement into, the organization shall have copy right to any electronic document, electrical amendment, audio visual, map and photographs and statistics. Such statistic shall be published in the name of the organization which ever personnel have produced, collected, reviewed and / or analyzed. The retired personnel of the organization cannot publish such information without obtaining prior approval of the organization without expressing gratitude. The organization shall honor the personnel
publishing any kinds of article, investigation, analysis etc by obtaining the prior approval of the organization.

- Article for Publication: The organization shall motivate their personnel to publish any kinds of intellectual article, work paper and books. If any personnel publish any kinds of article that may create conflict it shall be their responsibility. In the event of hampering the character, opinion and policy of the organization due to personal publication of the personnel such personnel shall be retired from the organization.

9. **Office Hour:**

Generally the office of the organization shall be from 10:00 AM to 5:00 PM.

Provided however that, notwithstanding may be written above, it is the duty of the personnel to work more time according to work schedule and work plan for attainment of the objectives of the organization.

10. **Office Leave:**

10.1 The office of the organization shall remain closed every Saturday.

10.2 The public holiday according to the calendar of Government of Nepal shall be applicable to this organization. In the event of sudden public leave except calendar, the office shall remain close by deducting the leave eligible of the personnel.

11. **Attendance:**

(a) Every personnel shall have to come and go from office in the office hour. The organization shall maintain attendance book for every personnel.
(b) Every personnel shall mention the time of coming to office and going outside from the office. The organization shall monitor in this regard.

(c) The Executive Committee shall take disciplinary action to the late comer personnel and going home before office time.

(d) The administration shall keep updated record of leave and absent of entire personnel.

(e) Lunch time should be made in rotation so that the work of the office shall not be hampered. At least one office assistant or one office secretary should be present in this office.

(f) The office assistant must be present before half an hour of office time for opening and cleaning the office and shall stay half an hour after office time for closing the office.

12. **Time Schedule**:

The work accomplished by the personnel should be filled in the weekly / monthly time schedule, wherefrom it shall be clear that the time required for performing any work.

Note: Generally time schedule shall clarify the weekly / monthly works of the personnel of program and project, like research, proposal writing, workshop / symposium, meeting, administrative work, travelling to work site.

13. **Overtime Allowances**:

Personnel may be granted with overtime allowance or replacement leave for extra time service to the organization.

14. **Leave receivable by the Personnel**:

14.1 **Home Leave**:

(a) The personnel are entitled to 1.5 day leave per month.
(b) Personnel are eligible to utilize home leave by obtaining approval from personnel or authorized person prescribed by the secretariat of personnel. Executive Director or Director can utilize home leave in the prior approval of the Secretary General.

(c) Home leave can be given half a day.

(d) Leave more than 7 days a time cannot obtained. Personnel willing to take long leave shall have to get the leave approved 15 days prior.

(e) Personnel on probation period are also eligible to obtain home leave at the rate of 1.5 day per month.

(f) The Executive Director or Director may grant leave considering the necessity of leave. After approval of the leave the leave shall be calculated according to the ratio of leave at the end of fiscal year.

14.2 Accumulated Home Leave:

(a) Accumulated leave may be transferred to following year in the recommendation of unit chief. The leave transferred for following year shall not be more than 7 days.

(b) The home leave transferred from previous year should be utilized within first six month of another year. Amount for accumulated leave shall not be paid.

14.3 Special Leave:

(a) The personnel may immediately receive the following leave in the following event:
Event  
In the event of death of father, mother, husband / wife, dependent children of personnel and mother-in-law and father-in-law of female personnel
In own marriage
Within 1 month after the birth of child (for father)

14.4 **Sick Leave:**

Every personnel of the organization are entitled to receive 6 days paid sick leave.

While obtaining sick leave for more than three days medical certificate should be issued. By considering the complexity of the disease the personnel or authorized person prescribed by the Secretariat shall convert other leave as sick leave. Sick leave shall not be accumulated.

14.5 **Maternity Leave:**

(a) Female personnel are entitled to obtain 55 days paid leave before and after delivery. Personnel working one year are entitled to leave maternity leave.

(b) If the prescribed maternity leave is not sufficient the unit chief and executive director or director can add sick leave from home leave.

(c) If the aforementioned leave is not sufficient 30 days unpaid leave may be given.

(d) Maternity leave for two times shall be given during service period.

(e) This leave can be obtained generally after two years of obtaining maternity leave.
15. **Salary:**

(a) Salary shall be provided to the personnel according to the agreement entered between the organization and the personnel. Personnel are provided salary on the last day of every month.

(b) Salary of every personnel shall be kept secret.

(c) The salary shall be monitored and reviewed time to time according to the budget, market value and skill of the concerned person.

16. **Deducting from salary:**

By evaluating the salary of the personnel the organization shall deduct the tax on source and shall deposit to the concerned tax office of the Government of Nepal. After termination of the fiscal the certificate of tax amount so deducted shall be provided to the concerned personnel.

17. **Work Evaluation:**

(a) The organization shall evaluate their personnel regularly on the basis of objective oriented procedures and on the basis of indicators. Work evaluation shall be according to the form mentioned in schedule -1.

(b) Work evaluation of the personnel shall be done on the basis of work evaluation and work performance. Work evaluation of personnel shall be done by unit chief.

(c) The salary of the personnel shall be determined by the work performance of the personnel. The prescribed official or personnel prescribe by the secretariat may promote to one or more than one level according to their working performance. Provided however that, in the event of evaluation that is not
appropriate the prescribed official or personnel prescribe by the secretariat may not make such recommendation.

(d) In the event of evaluation if some weaknesses are found, appropriate advice shall be given and the personnel shall improve work performance.

(e) The work evaluation shall be taken as the basis of future and capacity of the concerned personnel.

18. **Promotion:**

On the basis of the following grounds promotion can be considered:

- If the level of work performance shall be more than as prescribed,
- Potentiality of profession,
- Capacity to handle the increased accountability,
- Availability of budget for aforementioned level.

19. **Grievance:**

(a) The organization shall motivate its professional / assistant personnel to work in a group. The organization wishes to take group decision for any complaint and obstacles. Likewise, if such complaints are not able to solve within group, it should be informed to the Unit Chief and the Unit Chief shall solve the problem as soon as possible.

20. **Usage of Facilities of Office:**

(a) Existing entire facilities and available equipments of the organization should be used for in effective manner for attainment of the objectives of the organization.
(b) Generally responsible personnel only may use overhead projector, L.C.D. Projector, computer, camera, fax and photocopy machine.

(c) The administrative officer should be informed about the equipments that are not in working condition.

(d) The administrative officer should be informed about the equipments should be informed for supply.

(e) If any equipment is required to be taken outside the office premises a form should be filled 5 day prior and submit to the administration section. Equipments that are taken outside office should be submitted to the office as soon as possible.

(f) Telephone should be used for office work purpose for office work only.

(g) The expenditure of trunk call made by the personnel for their private work should be paid by the concerned personnel. For this purpose the details of trunk call details should be filled in the register kept in the concerned section.

(h) If the private trunk call is listed in the name of the organization it shall be reimbursed from the office. In those circumstances disciplinary action shall be taken.

(i) The Xerox made in the organization should only be used for the organization. While making Xerox of more than four pages the concerned personnel shall fill up the form and get it approved. The Xerox expenditure made by the personnel should be bear by the concerned personnel.

21. Usage of motor vehicle of the office:

The personnel of the organization should fill up the form for using the motor vehicle of the organization and after getting it approved by
the administration, such personnel may use the vehicle for the office purpose only. If the demand of the motor vehicle is more than the availability motor vehicle shall be used on the basis of priority. If not required the first applicant shall be given first priority.

After using the motor vehicle the visit should be mentioned in the logbook and the person signing the vehicle should put their signature.

It is the liability of the motor vehicle user to keep motor vehicle in the office premises after its use.

Generally, the personnel of the organization cannot use motor vehicle for their personal use. Provided however that, in emergency by obtaining the approval of the administrative officer the motor vehicle can be used. After using accordingly the concerned personnel shall make payment of the expenditure thereof. The rate of expenditure of using the motor vehicle shall be as prescribed.

22. **Organization Conflict of Interest**:

Any personnel should not perform any activities causing organizational conflict of interest.

**Interpretation**: Taking direction in course of work performance from the persons outside the organization or working as consultant for other organization while being working in the organization or deploying own relatives in the work of the organization shall be deemed as organizational conflict of interest. Personnel should consider seriously in these subjects and shall not perform any activities that might conflict in the organization.

23. **Bad Conduct and Disciplinary Works**:

23.1 The activities that hamper the character, credibility and prestige of the organization shall be deemed as bad conduct. If any personnel perform such activities they shall be restricted.
23.2 **Serious Bad Conduct:**

If personnel perform following it shall be deemed as serious bad conduct:

- If present in the office consuming alcohol or any substances that may excite.

  **Interpretation:** If any substances that are deemed illegal according to law.

- If violated the policy and rules of the organization and knowingly damage and destroyed the property and vehicles of the organization.

  **Interpretation:** Any kinds of financial loss or damage to the organization shall be reimbursed from the concerned personnel.

- Any attack or risky risk that might hamper the security of the organization.

- Unpleasant criticism, unpleasant look, unpleasant work, unpleasant advise, or sexual intercourse on the basis of gender, tribal matter or other private character causing bad impact and oppressed.

24. **Termination of Service:**

(a) Termination of service of every personnel shall be according to the agreement entered with them.

(b) Any personnel is learned to have been nearest relative and has been certified, the service of such personnel shall be *ispo facto* be terminated.

(c) By making following written information one can be terminated or can leave the service from/of the organization.
• One month prior information on first year of service.

• In respect to the personnel serving for one year or more than one year two month prior information should be given, 24 hours prior in respect to consultant, intern or personnel working partially except pursuant to part (a), (b) and (c) of Rule 21 for termination of the service. In the event of giving such notice by the Organization half salary from one week to one month shall be given. If the personnel leave the serving giving 24 hour notice salary half of equivalent to one week to one month shall be deducted.

25. Dismissal:

By obtaining the prior written approval the Executive Committee, the Executive Director or Director may be terminated by the chairperson and other personnel shall be terminated by the Executive Director or Director by giving one week prior information in the following event:

• If criminal offense has been proved,
• If serious bad conduct is proved,
• If unable to comply by acceptable policy and procedures,
• If loose professional capacity in regular manner.

Appropriate opportunity for presenting clarification to the person shall be given stating the reason for termination.

26. Amendment:

The Executive Committee as per the necessity may amend the personnel rules.

27. Final Decision: The decision of the organization shall be final relating to the dispute between the personnel and organization.