

The Family Planning Association of Sri Lanka

HUMAN RESOURCE POLICIES & PROCEDURES MANUAL

2011

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INTRODUCTION

The Human Resources and Procedure Manual (hereinafter referred to as HR Manual) provides the Policies & Procedures for managing staff related operations at each stage of the employee life cycle. It also provides guidelines that FPA Sri Lanka will use to administer these policies, with the correct procedure to follow.

The role of HRM (Human Resources Management) includes Manpower Planning, Recruitment, Selection, Induction, Staff Training & Development, Performance Management, Compensation & Benefits, Managing Personal Records, Managing Disputes & Grievances, Implementing Disciplinary Procedures, Provision of Welfare Facilities, Full & Final Settlement as well as others operations which directly relate to an organization's employees. The role of HRM is total management of employees from the date of joining to date of resignation and is a decentralized, progressive activity where every line manager, in his/her capacity, is an HR manager.

FPA Sri Lanka shall endeavour to update its HR Manual with industry standards and amendments to labour regulations. Staff members will be notified to such changes made to the current FPA HR Manual

Questions regarding the interpretation of FPA HR Manual should be referred to the National Council (NC) through the Head of HR and/or Executive Director

Nothing contained in or implied by this manual creates or shall be deemed to create or constitute a contractual obligation to employees on the part of FPA Sri Lanka. The policies, procedures and guidelines contained in this manual do not confer any obligation on the part of FPA Sri Lanka, and do not create any right to permanent or continuous employment with FPA Sri Lanka

These policies and procedures apply to **all** employees of FPA Sri Lanka and have been approved by the National Council of FPA. The National Council and/or the Executive Director reserves the right to actions and initiatives beyond the provisions stipulated in this manual, if and only if such an actions and initiatives are deemed by him/her to be of strategic and/or operational advantage to FPA, subject to the condition that such actions and initiatives do not violate the laws, rules and regulations of Sri Lanka and/or human rights.

1. PRINCIPAL LAWS

The following laws regulate the various aspects of employer-employee relationship and this manual has been modeled after the provisions stipulated in these acts, mainly concentrating on the Shop & Office act.

1. Shop & Office Employees Act
2. Wages Boards Ordinance
3. Employees' Provident Fund Act
4. Employees' Trust Fund Act
5. Payment of Gratuity Act
6. Workmen's Compensation Ordinance
7. Industrial Disputes Act
8. Termination of Employment of Workmen (special Provisions) act
9. Maternity Benefits Ordinance

Additionally, the following have been strategically merged into this manual where appropriate to give broader, comprehensive management standards for FPA

10. IPPF Accreditation Standards (Principle 7)
11. IPPF Sexual Harassment Policy
12. IPPF HIV workplace policy

2. POLICIES ON PERSONAL CONDUCT

FPA Sri Lanka expects its employees to maintain a high standard of conduct and work performance to ensure the business maintains good reputation with all stake holders

2.1 This requires that all employees

1. Comply with all policies and procedures
2. Treat all co-workers with courtesy and respect
3. Treat all stake holders in a professional manner
4. Adhere to safety standards

2.2 Dress code policy

As a minimum standard, the following is recommended. Please note that this code may not cover every aspect comprehensively and if management feels that a staff member has dressed or presented himself/herself inappropriately, he/she will be requested in a more suitable fashion from the following day onwards.

FPA Sri Lanka reserves the right to require an employee to dress in the appropriate uniform as a condition of employment.

2.2.1 Gents

Monday – Thursday

- Office wear - trousers with long sleeve or short sleeve shirt with collar. Tie is recommended but not essential, except for sales staff.
- Shoes – Office shoes (minor staff on Grade IV may wear sandals)

Friday (promotion day)

- T-shirt provided by FPA, with a simple denim, or cotton trouser
- Office shoes (minor staff on Grade IV may wear sandals)

2.2.2 Gents should not wear

- Styled denims, cargo pants, track bottoms, three quarters, shorts, t-shirts of any kind, track shoes, tennis shoes, boots, slippers of any kind, sandals, batik shirts, silk shirts, foreign designer clothes, or any kind of headwear (unless required by religious reasons) ties with cartoons, pictures or logos other than FPA
- However, slippers may be worn, in the event of injury to foot, or ankle and where it's not possible to wear shoes or sandals

2.2.3 Ladies

Monday – Thursday

- Sari, or business suit (pants or skirt)
- Simple, easy to wear shoes appropriate for an office environment.
- Rubber slippers are NOT permitted.
- Moderate level of jewellery is permitted

Friday (promotion day)

- T-Shirt provided by FPA, with a simple denim, cotton trouser or skirt
- Simple, easy to wear shoes appropriate to an office environment

During pregnancy

- A simple appropriate dress that is neat and tidy

2.2.4 Ladies should not wear

- Styled denims, cargo pants/skirts, track bottoms, three quarters, shorts, t-shirts of any kind, track shoes, tennis shoes, boots, batik shirts, batik skirts, foreign designer clothes, or any kind of headwear (unless required by religious reasons). Blouses with inappropriate or offensive patterns, and/or sleeveless blouses are not permitted

2.2.5 Personal Grooming Code

- No employee shall have visible tattoos or artificial markings exposed on any part of their body
- No employee shall wear excessive jewellery, excessive make up, or excessive perfume
- No employee shall wear or display offensive jewellery and/or personal accessories
- Employees who are provided with uniforms must wear their uniforms during working hours
- Employees who are provided with uniforms shall ensure that their uniforms are, at all times, clean, tidy and well maintained and should inform management if replacements are needed, within sufficient time to provide the replacements
- All employees shall adhere to dress code provided in office and dress codes specified in program agendas for special events.

2.3 Policy on Office Mobile Phone

The decision on whether or not to issue an official mobile phone is at the sole discretion of the unit head. Requisitions should be made via the unit itself, from its own budget, and ready for use (SIM

and/or handset) when a new employee comes on board, or when an existing employee requires a replacement by a particular date.

2.3.1 Official Calls & Reimbursement

1. Making and receiving personal phone calls is limited to five minutes for each call, unless otherwise approved by your manager.
2. Maximum allocated amount for official purposes is LKR 800.00 which can be reimbursed from the Finance unit, after providing bills
3. FPA shall not pay any additional costs as reimbursements other than the allocated amount unless authorized by the unit Head and approved by the Executive Director, subject to the condition that additional costs shall not include, under any circumstance, costs for personal calls, and cost of reconnection charges (if applicable)

2.3.2 Handset/Mobile phone unit

1. The official mobile phone must be switched on at all times
2. Staff members must program the official numbers of all staff members into their phone, and where necessary, the mobile numbers of members of the National Council and related governing bodies.
3. Employees must answer their mobile phone during office hours, unless otherwise indisposed due to a meeting or programme where the use of mobile phones is not permitted.
4. Employees must answer their mobile phone even outside working hours, especially when the call is from an official source, unless otherwise indisposed due to illness, participating in examinations or classes where the use of mobile phones is not permitted.
5. It shall be considered an offence not to comply with the above regulations
6. The immediate supervisor reserves the right to confiscate the mobile of his/her subordinate if the mobile phone is not used as per the above guidelines, and submit the same the head of HR and shall be retained thereof, pending disciplinary action and/or verbal or written warning.
7. Staff member is responsible for the safety of the mobile phone and SIM
8. Mobile phone maybe replaced/renewed after a period of 2 years
9. Damages to mobile phone before this period will not be compensated and the staff member must undertake to replace with a similar phone (current market value) at his/her own expense
10. In case of loss of SIM and/or mobile phone, a police entry must be logged immediately by the employee and the copy of this must be submitted to HR unit, through the unit head, attached with a letter requesting for a replacement SIM. Staff member shall undertake to call the mobile service provider and disconnect/de-activate the SIM on the day the SIM and/or mobile phone was misplaced
11. FPA management, shall consider it an offence, warranting disciplinary action if a policy entry is not logged and/or if the SIM is not deactivated for lost SIM/Phone

2.4 Email policy

Giving an email address is at the sole discretion of the unit head. A form should be obtained from IT unit, and be handed over to the HR unit, where HR shall coordinate with the IT unit to make available the email facility

An Email has legal status as a document and may be accepted as evidence in a court of law. Even when it is used for private purposes, FPA Sri Lanka can be held responsible for the contents of email messages, including any attachments. Access to employees email account can be demanded as part of legal action in some circumstances.

It is therefore important that the official email is used within the following guidelines:

1. All employees must respond to official emails if a response is required and shall not exceed the requested deadline to respond to emails.
2. It shall be considered an offence not to reply to official emails, within the requested period of time.

3. No employee shall use his/her personal signature for emails, other than the signature provided by FPA Sri Lanka
4. Email should mainly be used for formal business correspondence and care should be taken to maintain the confidentiality of sensitive information. Formal memos, documents and letters for which signatures are important, should be issued on FPA Sri Lanka letterhead regardless of whether a physical or electronic delivery method is used
5. If electronic messages need to be preserved they may be printed out and filed if there is a provision for it.
6. Limited private use of email subject to conditions is permitted, provided that such does not interfere with or distract from one's work.
7. However, management has the right to access incoming and outgoing email messages to determine whether such usage or involvement is excessive or inappropriate.
8. Non-essential email, including personal messages, should be deleted regularly from the 'Sent Items', 'Inbox' and 'Deleted Items' folders to avoid congestion
9. All emails sent should include the approved FPA Sri Lanka disclaimer
10. No material is to be sent as email that is defamatory, in breach of copyright or business confidentiality, or prejudicial to the good standing of FPA Sri Lanka in the community or to its relationship with staff, client's, suppliers and any other person or business with whom it has a relationship.
11. Email is not to contain material that amounts to gossip about colleagues or that could be offensive, demeaning, persistently irritating, threatening, and discriminatory, involves the harassment of others or concerns personal relationships.
12. The email records of other persons are not to be accessed except by the ED(or persons authorized by the ED) engaged in ensuring compliance with this policy, or by authorized staff who have been requested to attend to a fault, upgrade or similar situation. Access in each case will be limited to the minimum required to complete the task. However the ED or his/her authorized agent shall give advance notice of such access.
13. When using email an employee must not pretend to be another employee or use another employee's computer without permission. It is the responsibility of the employee not to compromise their email facilities. It is presumed that any email sent from an employee's address has been sent by such employee. Impersonation shall be deemed a serious offence warranting disciplinary action which may include dismissal if found guilty of such an offence
14. Excessive private use, including mass mailing, "reply to all" etc. that are not part of the employee's duties, is not permitted.
15. Employees should not use FPA or FPA Sri Lanka or IPPF as part of their personal email addresses

2.5 Internet usage Policy

Giving an internet username and password is at the sole discretion of the unit head. A form should be obtained from IT unit, and be handed over to the HR unit, where HR shall coordinate with the IT unit to make available the email facility

The internet is a facility provided by FPA Sri Lanka for business use. Access is authorized for employees on the basis of business needs. Limited private use is permitted provided the private use does not interfere with or distract from a person's work. Management has the right to access the system to determine whether private use has been excessive or inappropriate.

2.5.1 The following activities, using FPA Sri Lanka internet access are not permitted:

1. Attending to personal activities of a business nature
2. Viewing, other than by accident, sites of incoming emails portraying obscene, violent, defamatory and unlawful material and downloading or printing material as described above
3. Showing to others, or allowing to be seen by others, items as described above
4. Repeated or prolonged use that is not directly relevant to the user's work
5. Introducing computer viruses by failing to follow FPA Sri Lanka IT procedures
6. Downloading software from the internet or from unauthorized Flash drives and DVD/CD ROMs on to the internal network.

7. Employees are prohibited from installing software on FPA Computers. In the event of any special software being required by the user a request for such software should be made to the Head of the IT unit.
8. Blogs of employees should not include the word “FPA Sri Lanka” or any other symbols which are connected with FPA Sri Lanka
9. No employee shall view/visit social networking websites such as Facebook™ and/or streaming media websites such as Youtube™ during working hours. However, approx 5 minutes per day may be allowed at the discretion of the unit head, provided it is during the lunch break. However, this does not apply to staff members who use such networking sites and steaming media sites as a work tool, and as part of their duties at FPA Sri Lanka, as approved and authorized by unit Head and Executive Director
10. IT unit shall constantly monitor excessive usage of such websites

2.6 Anti – Smoking Policy

1. FPA acknowledges that it is the right of an employee whether or not to smoke. However, FPA Sri Lanka employs a strict anti-smoking policy.
2. Smoking is strictly forbidden in FPA Sri Lanka offices, premises and project sites at any time.
3. Clear graphic signage may be prominently exhibited at all such places but the non-display of such signage is not an indication of permission to smoke,
4. To this effect, smoking in the presence of senior officers, during working hours at office or affiliated premises, or during official functions outside such premises shall be considered a gross misconduct.

2.7 Alcohol, Narcotics & Other Substance Abuse Policy

The policy is not concerned with social drinking or the taking of prescribed drugs for medical purposes. The policy is directed to instances of alcohol, narcotics and other substance abuse/dependence that affects the job performance, safety of respective employees and/or other employee(s).

FPA Sri Lanka is concerned by factors affecting an employee’s ability to safely and effectively perform work to expected standards. FPA Sri Lanka recognizes that habitual and excessive use of any form of substance abuse may cause short-term or long-term impairment to work performance. FPA Sri Lanka is committed to creating and maintaining a safe, healthy and productive workplace, for all employees. As such:

1. Alcohol shall not be used during office hours at all FPA Sri Lanka offices, premises and project sites except at official functions where social drinking is allowed, in moderation subject to the condition that proper civility and appropriate behavior is upheld, and such activities does not inconvenience, to other staff members. Attending work under the influence of alcohol will not be tolerated and may result in disciplinary action which may include dismissal
2. This policy shall also be linked to the FPA Policy on Harassment, where no employee shall harass or cause to be harassed, on account of being intoxicated during, before, or after, such functions
3. FPA Sri Lanka has a zero tolerance policy on the use of narcotics at the premises or while attending to other business related activities while under the influence of narcotics.
4. Being in possession of narcotics is considered a grave misconduct that may warrant dismissal and even criminal prosecution.

5. Additionally, certain use of addictive substances such as chewing beetle, and spitting out remnants shall be considered an offence, as it creates a negative image of the organization and often inconveniences other staff members.
6. Any form of damage, discoloration, caused to property of FPA on account of any form of substance abuse shall warrant disciplinary action against employees found guilty of such activities

2.8 Gifts & Gratuities Policy

FPA Sri Lanka is committed to ensuring all business relationships with suppliers and clients are legal and based on professional integrity.

1. No employee may solicit or accept for his/her own benefit, any benefit, bribe or advantage, in money or otherwise, from customers, suppliers, suppliers, co-workers, contractors or any person having dealings with FPA Sri Lanka.
2. The term “advantage” includes a gift, loan, fee, reward, contract, service favors and entertainment.
3. All employees should actively, discourage customers or suppliers from offering personal benefits of all kinds including every type of gift, favor, service, loan, fee entitlement or anything of monetary value.
4. If there is any doubt as to whether an advantage may be accepted, the matter should be reported to the ED as to the appropriate action to be taken.

2.9 Failure to comply

1. Failure to comply with the terms and conditions of this policy sets a negative example and as such it shall be considered a grave misconduct to fail to report such instances and/or fail to take disciplinary action to reported cases of violating terms and conditions stipulated in this policy.
2. Employees may refer to the Whistle Blower Policy and/or Grievance Policy with regarding to reporting cases of non-compliance in either or both case mentioned above.
3. In all cases under this policy, it shall be considered an offence to breach the terms and conditions under this policy and employees found guilty will be made subject to appropriate investigation.
4. In cases deemed or specified to be of serious misconduct, disciplinary action may warrant a penalty and/or dismissal and/or criminal persecution under the provisions of the Penal Code of Sri Lanka.

3. POLICIES ON OFFICIAL CONDUCT

3.1 Exclusive Service Policy

1. An employee shall not, without prior written permission of the Executive Director, engage himself/herself in any private business of his/her own, or be employed in any capacity or do any work or assignment elsewhere.
2. If such permission is granted, it will be subject to the condition that such extracurricular work shall not in any way what so ever, interfere with the exclusive service at FPA Sri Lanka on any day during a seven day week.
3. If an employee, by way of an official request is required to report for work or a special project/programme at FPA Sri Lanka, he/she shall oblige without question or reprisal unless otherwise indisposed due to a verifiable and acceptable personal reason. The unit head shall be the sole authority to determine if such an excuse is acceptable
4. If there is a feeling of injustice upon the rejection of the aforementioned personal reason, he/she/they may follow the Grievance Process
5. An FPA employee is expected to devote his/her working hours exclusively to FPA Sri Lanka

3.2 Policy on the conduct of spouse

An employee shall make a declaration at the time of recruitment and shall thereafter update information regarding the employment of his/her spouse.

1. It is a condition of employment at the time of recruitment, that the spouse shall not be in competition with FPA Sri Lanka and its activities or be in any employment or position where the business activities of the FPA Sri Lanka could be endangered.
2. If the spouse, after the recruitment of the employee to FPA Sri Lanka, be engaged in competition with FPA and its activities or be in any employment or position where the business activities of the FPA Sri Lanka could be endangered, the FPA staff member may be requested by the Executive Director, to advise the spouse to change his/her business activities.
3. However, access to confidential information may be restricted to such an employee whose spouse is in competition with FPA, or on a position to endanger the business activities of FPA. This will be done NOT as a penalty but as a business initiative to protect the interests of FPA.

3.3 Media Relations Policy

An employee shall not, without the prior written consent of Executive Director:

1. Publish or cause to be published any article, vacancy advertisement, book, photograph or letter related to FPA Sri Lanka
2. Give any interview or broadcast or deliver any lecture or speech on any matter which concerns his/her duties or the business/objectives of FPA Sri Lanka, or which in any event causes FPA Sri Lanka or its business associates, Managers or Board of Directors ridicule or contempt.

3.4 Confidentiality Policy

1. All employees shall keep confidential and shall not, during the tenure of their employment or any time after the termination thereof, without the express written consent of the Executive Director of FPA Sri Lanka, disclose to any person or organization any financial and/or business information of FPA Sri Lanka which may have been acquired during his/her employment.
2. Any changes to confidentiality agreements will only be done by the Executive Director in liaison with the National Council
3. All employees and shall sign an Oath of Confidentiality which shall be maintained in their personal file

3.5 Time Keeping Policy

All employees shall record their entry & time of leaving by making appropriate entries in the documents maintained for such purpose. Accurately recording time worked is the responsibility of every employee.

1. The Shop and Office Act requires the employee to keep accurate record of time worked in order to calculate employees pay and benefits.
2. Altering, falsifying, tampering with time records may result to the disciplinary action, up to and including termination of employment.
3. To maintain accuracy in time keeping, FPA Sri Lanka has installed a bio-enabled system at the entrance to the office.
4. Observe this policy in relation to the working hours stipulated by FPA Sri Lanka

4. POLICIES ON EQUAL OPPORTUNITIES

Objectives

1. To provide equal employment opportunity to all qualified individuals without discrimination on the basis of gender, age, ethnic group, disability, health status, religion, marital status, or sexual orientation in accordance with applicable local, state and national laws and regulations.
2. To ensure that employment, promotion and/or salary increments decisions will be based solely upon individuals' qualifications, experience, and demonstrated capacity to perform at higher or improved levels, and not on favoritism or nepotism
3. The Executive Director may at his/her discretion, grant employment to individuals solely on the basis of any characteristic mentioned in objective 1, to create an organizational balance and/or strategic or operational requirement
4. To adhere to Principle 7 of the IPPF Accreditation standards
5. To ensure that FPA Sri Lanka provides reasonable job accommodation for persons with disabilities, who can perform the essential functions for which they are qualified and that the Equal Employment process is reflected throughout FPA Sri Lanka's staff recruitment & retention processes and procedures.

4.1 Gender Policy

The policy is to ensure that FPA Sri Lanka takes positive actions to improve the opportunities given to women in terms of careers growth, recognition, providing a harassment free working environment, and promote gender equality. FPA Sri Lanka believes that

1. Women should have the same opportunities, benefits, rights, entitlements, dignity and respect given to men in terms of their career at FPA
2. The capacities of women will be recognized as being equal to men
3. Gender should be balanced in teams especially at managerial level
4. The working culture of the organization should be conducive to the empowerment of female team members.
5. Proper care and security is provided to female staff for travelling, & accommodation.
6. Granting of certain special arrangements such as paid or half pay or no pay leave, flexi time to care for their dependent children to ensure that women can continue their careers even after live childbirth(s)

4.2 Harassment Policy

FPA Sri Lanka is committed to ensuring that employees are treated fairly and equitably in an environment free of intimidation and harassment. Harassment is an unacceptable and unlawful form of behavior which will not be tolerated under any circumstances.

All complaints of harassment will be treated seriously and promptly, with due regard to confidentiality and disciplinary action will be taken against any employee who has been found guilty of breaching this policy.

FPA recognizes that harassments may be of two categories

1. Hostile work environment harassment
2. Sexual harassment

4.2.1 Policy on Hostile work environment harassment

Hostile work environment harassment occurs when unwelcome comments or conduct of another employee unreasonably interferes with an employee's work performance, or creates an intimidating, hostile or offensive work environment.

As such, the use of vile language in the general work area or in person when addressing peers, subordinates, or superiors causing embarrassment, humiliation, shall be considered an offence.

Harassment that results in a significant change in an employee's employment status (e.g. hiring, termination, promotion, failure to promote, demotion, formal discipline, such as suspension, undesirable reassignment, or a significant change in benefits, a compensation decision, or a work assignment), at any level, will not be tolerated by FPA Sri Lanka.

Furthermore, FPA Sri Lanka,

1. Encourages any employee who feels they have been harassed to follow the procedures laid down in the 'Grievance Policy'.
2. Recognizes comments and behaviour which do not offend one person can offend another. Management accepts individuals may react differently and expects this right to be generally respected.
3. Will ensure that any complaints or reports of harassment will be treated promptly, seriously and sympathetically. They will be investigated thoroughly, impartially and confidentially.
4. Managers and supervisors must act immediately on any reports of harassment. Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.
5. Ensure that appropriate disciplinary action will be taken against anyone who is found guilty of harassing a co-worker, either peer, superior or subordinate
6. Depending on the severity of the case, consequences can include an apology, counseling, transfer, dismissal, demotion or other forms of disciplinary action.
7. Disciplinary action will also be taken against anyone who victimizes or retaliates against a person who has complained of harassment.

4.2.2 Policy on Sexual Harassment

1. Sexual harassment is any unwanted, unwelcome or uninvited behavior of a sexual nature which makes a person feels humiliated, intimidated or offended.
2. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the displaying of offensive material or other behavior which creates a sexually tense or hostile working environment.
3. Sexual harassment can occur between an employee and a co-worker, supervisor, manager, agent, consultant or contractor.

4. Sexual harassment is not just unlawful during working hours or in the workplace itself. The behavior is unlawful in any work-related context, including conferences, work functions, business or field trips, and interactions with clients

4.2.3 Management responsibility to prevent sexual harassment

FPA Sri Lanka has a legal responsibility to prevent sexual harassment as the Penal Code (Amendment) Act No 22 of 1995 has recognized sexual harassment as a criminal offence with a prescribed jail term up to five years or a fine of both and compensation to the victim as determined by court.

Section 345 of the Penal Code states that

“Whosoever by assault or use of criminal force, sexually harasses another person, or by the use of words or actions, causes sexual annoyance or harassment to such other person commits the offence of sexual harassment and shall on conviction be punished with imprisonment of either description for a term which may extend to five years or with fine or with both and may also be ordered to pay compensation of an amount determined by court to the person in respect of whom the offence was committed for the injuries caused to such person”

Therefore, FPA Management shall:

1. Monitor the working environment to ensure acceptable standards of conduct are observed at all times
2. Model appropriate behaviour themselves
3. Treat all complaints seriously and take immediate action to investigate and resolve the matter encourage aggrieved staff members to lodge complaints following the procedures in the Grievance Policy.

4.2.4 All employees have a responsibility to:

1. Comply with the organization’s harassment policy
2. Offer support to anyone who is being harassed and let them know where they can get help and advice (they should not approach the harasser themselves)
3. Employees found guilty of compromising the confidentiality of information pertaining to ongoing or past cases of harassments, will be made subject to disciplinary action.

4.2.5 Procedure: For handling an incident of harassment and making a complaint

Employees who believe that they are being, or have been, harassed, should follow this procedure.

1. Tell the offender politely that his/her behaviour or conduct or manner of speaking is offensive, unwelcome and against HR Policy and that he/she should stop. Additionally, the employee may politely request the offender to leave the vicinity if such an offence is caused at the employee’s work station or the employee may leave the vicinity himself/herself if the offence is committed at the work station of the offender.
2. If the unwelcome behaviour continues, follow the steps laid down in the Grievance Policy.

4.2.6 Procedure: To receive a complaint on harassment

When a manager or above receives a complaint, they should follow this procedure.

1. Listen to the complaint seriously and treat the complaint confidentially. Allow the complainant to bring another person to the interview if they choose to.
2. Ask the complainant for the full story, including what happened, step-by-step.

3. Take notes, using the complainant's own words.
4. Ask the complainant to check your notes to ensure your record of the conversation is accurate.
5. Explain and agree on the next action with the complainant.
6. If investigation is not requested:
 - I. act promptly
 - II. maintain confidentiality
 - III. pass your notes on to your manager

If an investigation is requested or is appropriate, the next procedure should be followed.

4.2.7 Procedure: Investigating a complaint on harassment

When a manager or above investigates a complaint, they should follow this procedure.

1. Do not assume guilt.
2. Interview all directly concerned, separately.
3. Interview witnesses, separately.
4. Keep records of interviews and investigation.
5. Interview the alleged offender, separately and confidentially and let the alleged offender know exactly of what they are being accused of. Give them a chance to respond to the accusation. Make it clear they do not have to answer any questions.
6. Listen carefully and record details.
7. Ensure confidentiality, minimise disclosure.
8. Decide on appropriate action based on investigation and evidence collected.
9. Check to ensure the action meets the needs of the complainant and FPA Sri Lanka
10. If resolution is not immediately possible, refer the complainant to more senior management. If the resolution needs a more senior manager's authority, refer the complainant to this manager.
11. Discuss any outcomes affecting the complainant with them to make sure where appropriate you meet their needs.

4.2.8 Possible outcomes

If after investigation management finds the complaint is justified, the complainant may be entitled to any or all of the following:

1. A written commitment the behaviour will cease
2. a private apology (verbal or written) from the management
3. Ensure that disciplinary action is taken against the offender, if proven guilty, not to the satisfaction of the complainant but to ensure in general that harassment will not be tolerated by FPA

4.3 HIV/AIDS Policy

Under this policy FPA Sri Lanka endeavours to prevent discrimination and/or harassment of employees living with HIV. It is also to ensure the appropriate management of employees affected and/or infected with the HIV/AIDS (hereinafter referred to as 'employees living with HIV') and educate all employees about all aspects related to HIV such as stigma, discrimination, prevention, treatment, care & support.

FPA Sri Lanka recognizes that, because of the stigma associated with HIV/AIDS, it can create challenges in the workplace. HIV is not transmitted through casual contact, so there is no risk of transmission in the workplace.

In order to safeguard the rights of employees living with HIV and relieve concerns that other employees may have, the following guidelines are presented.

1. FPA Sri Lanka is committed to maintaining health and safety of all employees and ensures that employees living with HIV are not harassed in any form. (See Policy on Harassment)
2. FPA Sri Lanka maintains an "open door" policy on all employee concerns. Employees living with HIV and employees concerned about working with someone with HIV or have other concerns are encouraged to contact their supervisor or Director - Medical to discuss their concerns.
3. The supervisor or Director - Medical will take reasonable steps to address any concerns, including providing education, counseling and referring them to community based HIV organizations for more information and support
4. FPA Sri Lanka respects employees' right to confidentiality in the workplace. An employee is not obliged to inform FPA Sri Lanka of his/her or her physical condition, such as HIV. If the employee chooses to disclose this information, it is to be kept private and confidential.
5. With the employee's consent, only managers directly involved in providing assistance or arranging benefits may need to know an employee's health status, and they are required to keep the information confidential. Any other employee, who acquires such information, even if told directly by the employee living with HIV, should keep the information confidential and never disseminate it. Breach of this condition shall be considered a serious offence.
6. Where statistical information is required, such information may be provided based on available information and **under no circumstance** shall the identities of employees living with HIV at FPA is to be disclosed to anyone at FPA or related governing bodies.
7. FPA Sri Lanka recognizes that employees with HIV may have special needs that should be provided in the workplace and as such at the discretion of the unit head and/or Senior Management Team
8. It shall be considered an offence amounting to harassment, to deny employees living with HIV of their special needs which has been officially communicated.
9. FPA Sri Lanka will treat HIV/AIDS like any other illnesses in terms of all other employee policies.
10. Employees living with HIV will be treated like employees with any other disabling conditions: with compassion and understanding and undertake to ensure a harassment free environment, where, under the policy on harassment, it shall be considered an offence to harass an employee living with HIV
11. Employees may continue to work or return to work after a period of disability as long as they are able to perform their duties safely and in accordance with performance standards. Disabled employees are responsible for asking for assistance, if required.
12. Recognizing the need for all employees to be informed about health and safety issues in the workplace, FPA Sri Lanka will provide education to employees about HIV/AIDS.
13. Co-workers are expected to continue to maintain effective working relationships with any employees living with HIV
14. Co-workers who refuse to work with, withhold services from, harass or otherwise discriminate against an employee with living HIV will be subject to the same disciplinary procedures that apply to other policy violations and/or as per the terms and conditions stipulated in the letter of appointment.

4.4 Workplace Violence Prevention Policy

FPA Sri Lanka is committed to preventing work place violence and to maintain safe work environment. Given the increasing violence in society in general FPA Sri Lanka has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

1. Under no circumstance shall unauthorized person(s) be allowed to enter FPA premises, and FPA assigned security and/or reception shall take prescribed measures to prevent unauthorized person(s) from gaining access to FPA premises.
2. All employees and temporary employees shall be treated with courtesy and respect at all times.
3. Conduct that threatens intimidates or coerces another employee, a customer, or a member of public at any time, including off duty periods, will not be tolerated and shall warrant disciplinary action and/or criminal persecution
4. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the employee's supervisor or any other member of the Senior Management Team. FPA Sri Lanka will promptly and thoroughly take action and/or investigate all reports of threats of (or actual) violence and of suspicious individuals or activities.
5. FPA Sri Lanka encourages employees to bring their disputes or differences with other employees to the attention of their supervisor or the [head of HR before the situation escalates into potential violence.
6. FPA Sri Lanka is eager to assist in the resolution of employees disputes, and will not discipline employees for raising such concerns.

5. POLICIES ON RECRUITMENT & SELECTION

Objectives

1. To maintain a standardized process to recruit & retain the best qualified individuals whose experience and knowledge is beneficial to the organization
2. To ensure that recruitment decisions are made, based on projected man power plans, in relation to future requirements of staff, replacements for vacancies created by staff turnover or retirement and is aimed at continuously improving the productivity at FPA Sri Lanka
3. To ensure that selection decisions are based on knowledge, qualifications, abilities and experience and are made without regard to the Policies on Equal Opportunities (chapter 4) except where a specific characteristic is considered a "bona fide occupational qualification" for a specific position.

Under the provisions of this policy, the Executive Director in liaison with the HR unit shall ensure that

4. Appointments to FPA Sri Lanka shall be initially made on a probationary basis for not less than six months.
5. Permanent employment may be granted to employees who hold core organizational positions, where whether or not a position is deemed as a core function or a project based function is at the discretion of the Executive Director and shall be established at the compilation of the manpower plan for the next year. This is to ensure that FPA Sri Lanka does not lose the investment made on training and capacity building of its core employees and to ensure continuity of the organization.
6. Where employees are employed on a contract basis, new contracts will be awarded after the initial contract if the level of performance of the contracted employee has been up to required standards. The period of the new contract will depend on the nature of the position and availability of funds.
7. The employment period for the payment of gratuity or seniority will not be affected unless there is a break in the service period, and as such, no employee will be given the same EPF number upon re-joining FPA, where whether or not to accept a candidate as a re-joining employee will be at the discretion of the Executive Director.

5.1 Policy on Manpower Plans

1. This should be included in the Annual Work Program budget.
2. Unit Heads should submit their manpower requirements to the HR Unit based on the proposed work program. Staff members ear-marked for promotions (tentatively) must be included in the man-power plan with the proposed increments for the following year. Additionally, Unit heads must also include their 'succession planning' initiatives for the pending retirements and/or known resignations for the following year. If vacancies have not been filled in the current man power plan, the reason should be set out..
3. The HR Unit will check, collate and summarize the proposals received and submit them for consideration to the Senior Management Committee.
4. The Senior Management Team will comprise of the ED, The proposed manpower plans will then be submitted to the NC for approval.
5. When the proposals have been approved, unit heads will be notified by Executive Director and/or Director – Finance and subsequently this information will be forwarded to HR Unit to draft the recruitment calendar for the next year in liaison with SMT members.

5.2 Policy on Alterations to the Manpower plan

1. In the event that it becomes necessary for Unit Heads to seek posts additional to, or to re-grade any post, they should submit their requests to the ED with a statement of the need with a valid justification of the need. Such request should contain the following information
 - a. No of Staff required
 - b. Designation(s) required
 - c. Need by Date/month
 - d. Re-Designation proposed
 - e. Proposed Salary/Grade for New Recruit
 - f. Reasons why existing staff cannot fill the job
2. Requests for hiring additional staff not initially budgeted for, shall require the approval of the National Council.
3. Requests for re-designations may not require National Council approval as it does not affect budgets. Promotions without increments shall also be treated the same. Both conditions may be done shall be subject to approval of the Executive Director
4. However, if Executive Director deem that such a re-designation (or promotion without increment) affects the integrity organizational structure and image of FPA he/she may deny the request or seek the National Council approval, unless the Hony. President of National Council deems otherwise where the decision of the Executive Director shall be final
5. Upon such approval, the request shall then be forwarded to HR unit in the format specified in point 1 above

5.3 Policy on the Employment of relatives

1. The purpose of this section is to be in accordance with being an 'equal opportunities employer' thus to ensure that favoritism, nepotism will not e a factor in selecting and appointing a candidate for a post.
2. The appointment of persons related to staff members and volunteers such as spouse, partner, parents, grand-parents, siblings, children, grand-children, in-laws, cousins, children of relatives, to any position in the organization (on fixed term contract or contract) or as 'service providers' or 'consultants' is strictly prohibited.
3. FPA will remain silent on the matter of marriages between staff members of different units after joining FPA and/or with no direct reporting line to each other.
4. Marriages between direct reporting lines will result in the transfer of one or both parties to different units. This shall be decided by Executive Director in consultation with SMT members and if the decision is regarding one or more SMT member(s), the consultation will be with the Hony. President and other SMT members not involved in the matter.

5.4 Policy on Job Profiles

1. The HR Unit shall create and maintain accurate job profiles for all positions within the organization, distribute them among all staff members within 7 working days of appointment, or re-designation or promotion or transfer

2. Each Job Profile shall include a job description and a job specification. Further information may be provided based on employee grade.
3. The format in which the Job Profile may be given will be reviewed periodically and shall have no effect on the terms and conditions under this policy.
4. Job profile shall aid in orienting new member to their jobs, identifying the requirements and each position, establishing hiring criteria, setting standards for employee performance evaluations.
5. Job profiles shall be revised periodically to reflect changes in duties and responsibilities. All employees are expected to ensure that their job descriptions are accurate up-to-date, And reflective of real-time work
6. Job descriptions do not necessarily cover every task or duty that might be assigned to employees, and a clause mentioning that additional responsibilities may be assigned as and when necessary should be included.
7. Job profile is not a contract of employment and shall not be deemed as such by any staff member

5.5 Policy on the Advertising Vacancies

1. The head of the unit in which, the vacancy occurs due to an employee resignation or where a vacancy has been created for a new project shall inform the HR Unit of the need to fill such vacancy giving reasons why the vacancy should be filled.
2. Reasons why the job functions cannot be performed by other employees in the Unit should also be given.
3. Internal applicants will be considered before advertising the post externally and to this effect, an internal job posting will be circulated among staff members.
4. Internal applicants will be given priority subject to the provisions of clauses 5.4 on the employment of relatives.
5. The HR Unit will then publish a staff vacancy notice giving details of the vacancy.
6. Vacancies shall be advertised externally by means of a press advertisement after obtaining clearance (via signatures) from the Unit head and Executive director, for the draft advertisement. The draft advertisement shall include a brief description of duties, a brief description of candidate requirements, and the approved salary scale (inclusive of allowances) and increment bands
7. Under no circumstance shall HR unit or any staff member independently coordinate and publish vacancy advertisements without the expressed approval from the Unit head and the Executive Director, and when the recruitment is for the post of Executive Director, the expressed approval of the Hony. President, Hony. Secretary, and Hony, Treasurer of the National Council.
8. It shall be considered a gross misconduct to publish vacancy advertisements without all the required approvals, and to recruit staff without advertising internally and/or externally shall be an offence warranting disciplinary action which may include dismissal.
9. Additionally, certain vacancy advertisements, publications of Terms of Reference (ToR) thereof, may require approval from IPPF/SARO representatives, in addition to the Executive Director and/or Hony. President, Hony. Secretary, and Hony. Treasurer and whether or not such an extended degree of approval before advertisement is published will be at the sole discretion of the Executive Director, unless otherwise specified by Hony. President of NC

5.6 Policy on Short-listing applications

1. Short listing shall be done in accordance with, and compliance of, the provisions in “Policies of Equal Employment Opportunities” (chapter 4)
2. FPA is under no obligation to acknowledge all applications, except in the case of all internal applications. FPA shall not endeavour to send ‘rejection letters’ to applicants.
3. Short listing applications will be done initially by HR Unit and subsequently by the head of the unit.
4. In certain occasions where FPA does not have the technical know-how, an external party may be invited to short list the applications.
5. Canvassed applications and/or applications that do not meet the minimum requirements will be rejected immediately.
6. Candidates who are perceived to be out of the compensation scale offered by FPA, shall not be called for an interview, but their resumes shall be kept in file in HR unit (this file will be readily available for inspection by any SMT member, Executive Director, any NC member or representative of IPPF/SARO)
7. Only the short listed candidates will be called for an interview via telephone, and evaluated on the merits of their previous performance, education qualifications and the manner in which they perform at the interview by the ‘Selection board.

5.7 Information on the Selection Board

1. The non-hr personnel of the Selection Board shall be provided with the ground rules of, and procedures for, interviewing candidates by the Head of HR prior to the commencement of interviews.
2. For all posts, the Selection Board will comprise the Head of HR, a representative from the Unit in which the vacancy occurs and at least one other person of Management Grade.
3. In certain occasions where FPA does not have the technical know-how, an external party may be invited to sit at the interview panel, ideally the same individual who assisted in short-listing the applications.
4. The ED has the discretion to invite both professionals who are members of FPA Sri Lanka and professionals who are not members of FPA Sri Lanka to sit on selection boards in addition to or as per the provisions of point 3 in this section
5. The selection board shall not comprise of any member of the National Council unless it is for the recruitment of the Executive Director or Deputy Executive Director or where the expertise of any member of the National council shall be deemed to be an advantage by the Executive Director, for the selection of a candidate to a Director/SMT position.

5.8 Policy on Candidate Selection

1. All members of a Selection Board are required to make his/her assessment of the candidates that are interviewed on an Interview Assessment Form.
2. Candidates are expected to fill an application form, unless it is for high profile recruitment. However at the discretion of the (where applicable) Executive Director, or President of National Council, it may be necessary for such candidates to fill an application form.

3. Candidates who confirm participation but do not turn up for interviews shall be black-marked in the CV database maintained by HR and shall never be called for interviews in future at any level.
4. Candidates who request for another interview date may be granted another date, at the discretion of the unit head or Executive Director.
5. Candidates who are late for interviews shall be disqualified and turned away at the reception, unless Executive Director requests to grant a grace period for candidate arrivals.
6. Depending on the nature of the post, candidates may be required to sit for a psychometric test and/or a practical examination conducted internally or through an external HR consultant.
7. Applicants are required to attend a second interview with the Executive Director, where he/she shall determine if recruitment is to be made.
8. All information of the interview assessment shall be presented to the Executive Director prior to this interview by the HR unit
9. The decision of the Executive Director is final regardless of interview assessment results, and Executive Director shall, for record purposes, state in writing, the reasons for not selecting an applicant, on the interview assessment form or on the candidates CV.
10. Selected candidate will be informed within 7 working days (or before) of his/her success and will be required to report to work after his/her one month notice period or immediately, or on a date specified by Executive Director

5.9 Employment, Pre-Employment formalities

1. The HR Unit will check the applicants background, authenticity of certificates and declarations, references made, educational qualifications, work experience prior to informing an employee of his/her selection.
2. In addition, the following pre-employment formalities will be required:
 - I. a chest x-ray and medical checkup and other medical test considered necessary for the particular position by FPA Sri Lanka Medical Director. Such medical tests should be approved by FPA Sri Lanka Medical Committee.
 - II. Security clearance. A certificate from the Police Station nearest to his/her place of residence will be required to the effect that the applicant is a person of good character and has no criminal record or pending investigations against him.

5.10 Letter of Appointment

1. FPA Sri Lanka will furnish to an employee the basic terms of employment in writing in the language with which the employee is fully conversant, on the date of appointment.
2. The letter of appointment should be issued in accordance with the provisions set forth by the labour code, namely the shop & office act (and/or respective amendments to the same).
3. The letter of appointment should be signed by Executive Director or Acting Executive Director, and each page must be initialed by him/her. The Letters shall be prepared only by HR Unit, except in the case of appointing the Executive Director, where the letter shall be prepared by the Hony. Secretary of National Council, and signed by Hony. President, and initial each page.

4. The selected candidate must sign the photo copy of this document in the space provided and initial each page in acceptance of the letter of appointment, in agreement of the terms and conditions set forth in each page.
5. The purpose of initialing each page by the Executive Director or Acting Executive Director on the original, and the selected candidate on the photocopy, is to preserve the authenticity of both documents and ensure that both parties understand the contents to which they are signing.
6. If any right(s) conferred on any employee by the labour code is affected or modified to the detriment of the employee or any liability imposed on an employer by the labour code is in any way removed or reduced, by such agreement or contract between the employer and employee, such terms or conditions shall be null and void and be replaced by the corresponding amended provision(s) of the labour code

5.11 General Contents of letter of appointment

The Terms and Conditions of Employment that must be furnished in writing to an Employee are as follows-

1. The name of employee, designation and the nature of the appointment.
2. The grade to which the person is appointed.
3. Basic remuneration and the scale of remuneration as appropriate.
4. Whether remuneration is paid weekly fortnight or monthly.
5. Cost of allowance or any other allowance, if any
6. The period of probation or trial, if any and the conditions governing such period of probation or trial.
7. Conditions governing employment and termination
8. Normal hours of employment.
9. Number of weekly Holidays, Statuary Holidays, and Casual and privilege Leave
10. Overtime rate payable.
11. Provision of medical aid, if any
12. Conditions governing any provident, pension scheme or gratuity scheme applicable to the employee.

5.12 Duration of employment

Employment for staff shall initially be on fixed term contract basis for a specified period subject to satisfactory completion of the probation period. FPA is under no obligation to grant permanent employment and such decision may be recommended by the unit heads, but will be subject to final approval of the Executive Director.

Employees who are recruited for projects which have a limited project life shall be employed on a contract basis and may be renewed on contract based on the availability of funds..

5.13 Offer of employment prior to completion of pre-employment screening

When it is necessary to offer employment to successful candidates before they have completed their pre-employment formalities, letters of appointment issued should indicate that continued employment will be subject to successful completion of pre-employment formalities, or in the first instance a temporary contract of employment may be considered.

5.14 Commencement of Employment

When recruits report for duty, the HR Unit should inform the Finance Unit in writing of details of the employee's salary and other relevant details. The Head of HR shall be held responsible for imparting this information to the designated member of the Finance unit, usually the Manager – Finance, unless otherwise specified by Director Finance. Upon submission of this information, Finance unit shall issue an EPF number to the new recruit.

5.14.1 Induction & Orientation

HR Unit shall arrange for the conduct or facilitate an Induction and orientation for new recruits in order to assist their integration into the organization

5.14.2 Personal Data

On acceptance of an appointment, the new staff member is required to complete the Employee Personal Data form

5.14.3 Declaration of dependents

New employees must also furnish FPA Sri Lanka with a declaration of dependents, that is spouse and own children; next of kin and provide photocopies of certificates and other testimonials.

5.14.4 Official Address

An employee shall at the commencement of his/her employment give his/her correct postal address email address and telephone contact to the HR Unit and shall update the records when necessary. Any notice given to the registered address shall be considered as notice to the employee and if letters returned undelivered from such address the employer would have discharged the obligation to serve the relevant communication.

5.14.5 Changes in personal status

Any changes in personal status shall be reported within one week of such occurrence to the Human Resources Unit by completing a fresh Personal Data Form.

5.14.6 confidentially of staff records

Staff records and related correspondence shall be treated confidentially at all times.

5.14.7 Identity Cards

1. FPA Sri Lanka shall issue identity cards to all employees, except casual/temporary employees and it is essential that when such identity card is provided, it should be carried by

the employee at all times during working hours, including periods during which the employee is engaged in work outside FPA Sri Lanka.

2. Such Identity cards are the property of FPA Sri Lanka and shall be returned to the HR Unit prior to the employee being given clearance on leaving.

5.15 Probation & Confirmation

5.15.1 Probationary Period

All employees are required to serve a mandatory probationary period of six months on appointment and in some occasions, on promotion, The period of probation is stated in the employee's letter of appointment or letter of promotion as the case may be.

The maximum duration on which probation may be extended is three months as per the standards of the National Worker's Charter of Sri Lanka stated by International Labour Organization,

This is subject to the condition that, if at the end of six month probation, the Unit head at his/her discretion, is convinced that another opportunity should be awarded to the employee. The Executive Director may override this conviction and decide that it would be a better alternative to award the employment to another individual.

5.15.2 Responsibilities of Unit Heads

Unit Heads and where relevant, the Head of HR shall ensure that a probationer is briefed

1. Of his/her duties, obligations and responsibilities
2. The regulations which he/she should adhere to such as the HR Manual
3. Special requirements which a probationer is expected to meet and the method of monitoring his/her work and conduct such as the FPA performance evaluation mechanism.

5.15.3 Regular Appraisal

1. Regular checks must be made on the probationer's progress and he should be assessed at least once a month by his/her supervisor or other authorized executive, who should inform him/her of his/her weak points as well as his/her strong points, and advise him/her how to correct the former.
1. This information must be communicated to HR unit for records and shall be factored in, at the probation evaluation at the end of six months. In the 3rd month of probation from date of employment, if the work, aptitude, attendance or conduct of a probationer A continues to be unsatisfactory, he/she should be warned in writing that he/she will not be confirmed in his/her appointment if /she does not show sufficient improvement. This written warning must be sent by the probationer's Unit Head with a copy to the HR Manager.
2. If a probationer is charged with misconduct, negligence, late attendance, failure to adhere to rules and unauthorized absence – he/she should be granted an opportunity of explaining his/her position for the Management to satisfy itself that he/she is in fact guilty as charged or at the discretion of the Executive Director, his/her employment may be terminated before completion of probation immediately.
3. Inefficiency, lack of aptitude and inability to relate to fellow employees at any level shall not be regarded as misconduct under (3) above but at the discretion of the unit head and/or Executive director, may warrant immediate dismissal, during probation period.

5.15.4 Procedures for Confirmation

1. It is imperative to acknowledge that the term 'confirmation' is in relation to, and is used in the context of the 'probation period' and does not imply having being absorbed to the permanent cadre. Therefore, this probation confirmation will only be a successful completion of probation.
2. The HR Unit will request from the Unit Head his/her report regarding confirmation at least 4 weeks before the last date of probation and the Head of the Unit should make his/her recommendation within 2 weeks.
3. The report should either recommend the extension of probation if there is a possibility or the termination of probationers employment if there is no purpose in a further extension or where no further extension is possible in terms of the letter of appointment or other agreed term.
4. If the employee has been promoted to a position on probation the report may recommend the reversion of the employee to his/her former position. In such case, the Executive Director in liaison with SMT members shall decide the Unit to which the employee should be assigned in the lower capacity. The HR Unit will subsequently notify the employee in writing of the decision within 3 working days, or immediately as directed by ED
5. As the letter of appointment specifically states the probation period from the date of appointment, only probation extensions shall be communicated to employees, and where no document regarding a probation extension is given to the employee, it shall be deemed as having completed the probation successfully. This is in accordance with the provisions National Workers Charter of Sri Lanka where at the end the probation period, the employee shall be deemed to be confirmed in his post, but shall be subject to point 1 of this section

5.16 Employment Types

5.16.1 Casual employment

1. A Casual employee is one who is taken, either for work of a casual nature or on the basis of fulfilling a casual need.
2. Casual employees cannot be engaged on work which is of a regular nature or which forms part and parcel of FPA Sri Lanka normal business.
3. A casual employee unlike other employees cannot be expected to report for work daily and there is no obligation to offer work on a daily basis. Casual employees should be paid on a daily rated basis and as far as practicable, by the day and in no case not later than at the end of the week. Attendance must be checked by the Unit Head or supervisor and sent to HR for approval. Attendance records not checked by Unit head shall be reverted back to unit head for checking. It shall be considered an offence not to check or approve the records of casual workers which result in delays in payment, warranting disciplinary action
4. Payment will be made by voucher directly to the casual employee, and the signature of the employee should be obtained. Payments shall be channeled through finance unit and it shall be the responsibility to the unit head to provide accurate information to casuals on how to claim payments. HR unit may provide assistance if required regarding this matter except in matters of claiming payments on behalf of casuals.
5. Casual employees may not be entitled to any benefits given by FPA or overtime, unless otherwise requested by unit head and approved by HR. This information should be communicated to HR unit and records will be maintained to this effect. However if the nature of the work performed by

casual employees fall under 'covered employees' such casual employees shall be entitled for EPF/ETF as per the provisions of the EPF Act

5.16.2 Temporary Employment

1. Temporary staff are various persons who fill one-time positions established to undertake a particular piece of work or assist with a particular administrative matter or project and whose skills will not be needed by FPA Sri Lanka on a continuing basis. This category includes part-time, casual workers and short-term consultants.
2. Appointment of temporary staff shall be effected by signing of a contract specifying terms and condition of the employment, the duration and the remuneration thereof (i.e. a "Service Provider" contract) and such contracts may be given to temporary workers in GRADE IV level or higher as required.
3. The ED on the recommendation of the Unit managers shall hire temporary employees.
4. Temporary staff shall not be entitled to any other benefits granted by FPA or overtime.

5.16.3 Permanent Employees

1. Permanent employment may be granted to employees upon successful completion of initial contract period of one year or at the discretion of Executive Director, on the successful completion of probation.

Awarding permanent employment on successful completion of probation shall also consider the importance of the job role, performance of employee and the strategic and operational advantage of having such an employee in the organization and shall only be reserved for core positions.

5.16.4 Fixed Term Employees

1. A contract issued to employees on a fixed term creates an employment relationship and all statutory dues should be met. This will be subject to a mandatory six month probation period
2. Temporary employees shall enter into a contract with FPA Sri Lanka, which shall specify the terms of reference, duration of the assignment and fee. The contract shall also have disclaimers from FPA Sri Lanka regarding insurance, medical and other benefits. It shall place the onus of reporting income to the tax authorities on the temporary staff.
3. The contract will not be valid unless signed by both the ED and the contracted temporary employee.

5.16.5 Short-term consultants

1. Consultants to undertake and provide specialized services to FPA Sri Lanka which cannot be performed by staff within the organization shall be hired by the ED, subject to approval by the NC
2. The Duplicate copy of this fixed term contract/MOU should be signed by the employee agreeing to the automatic termination of the contract on the dates specified without any further notice or act on the part of the FPA Sri Lanka. At the end of the period covered the contract would end by operation of law.

5.16.6 Employment of Persons above the retiring age

1. Such contracts shall be granted only in respect of persons required to perform highly technical and professional jobs and shall be fixed in terms of the period of operation.

2. The employee should give his/her consent in writing to the termination of his/her services by operation of law on the specified date without further notice.
3. Such contacts require the approval of the NC

5.17 Transfer to another unit & demotions

1. As agreed in the letter of appointment, though a transfer to another unit may be effected by FPA Sri Lanka at the discretion of the unit head/director and approved by Executive Director, the Executive Director shall endeavour to ensure that such transfers shall be done bona fides (in good faith) where the transfer shall not be detrimental to the employee's performance and shall be, where possible, to match the qualifications and experience of the employee.
2. The Executive Director shall endeavour to ensure that the transfer shall not result in the demotion or lowering of job status in terms of the FPA Sri Lanka grading system, unless the employee himself/herself has, in writing, for reasons beneficial to him/her, has voluntarily accepted such a change in designation and/or grade.
3. Where demotion in grade and/or designation is requested at the behest of the behest of the employee and is mutually agreed upon with FPA Sri Lanka management (unit head and/or Executive Director) there shall be a new contract of employment (fixed term or contract, based on the current status of employment)
4. Where a transfer is effected as an alternative to termination of employment and where prevalent circumstances would otherwise have justified such termination of employment, the HR unit of FPA Sri Lanka shall undertake to obtain consent from the employee to such a transfer and/or the lowering of grade and/or designation.
5. As observed in (2) above, a demotion in rank is also possible at the request of an employee for his/her benefit, in which, in law - there would be by mutual arrangement a new contract between FPA Sri Lanka and the employee with agreed terms of employment.

6. PROCEDURES FOR THE APPOINTMENT & DISMISSAL OF EXECUTIVE DIRECTOR

This chapter shall aim to provide information on the special provisions allocated for the appointment and dismissal of the Executive Director. This section has been presented separately owing to the descriptive information, but is under no circumstance, independent of the policies on recruitment & selection.

6.1 Hiring the New Executive director

6.1.1 Advertise the position

- a) National Council, through the Governance Unit or HR Unit must publish an advertisement in local major newspapers. The advertisements must comply with the current advertising standards of FPA Sri Lanka, and shall include the Job Title, General Responsibilities, Person specification, to whom/where the applications must be addressed/posted/emailed and the deadline for closing application. Additionally the remuneration rate must also be included to maximize the efficiency of short-listing applications, and avoiding applications from candidates with expectations that cannot be met by FPA pay grade.
- b) Moreover, official correspondence on FPA letterheads, with critical information related to Terms of Reference of the Job and/or Job Description may be sent to professional organizations, at the discretion of the National Council. To this effect, a professional recruiting service may also be hired to assist National Council.
- c) The job will also be advertised internally.

6.1.2 Provision for current employees to apply

- a) National Council must consider applicants from both internal and external sources
- b) Where deemed necessary, National Council may utilize the services of the professional recruiting service to undertake this analysis, or may themselves undertake this analysis

6.1.3 Screening Applications

- a) Initially, the first screening of candidates shall be done by a National Council committee and/or a professional/organization selected by National Council committee. The basis for hiring must be transparent.
- b) The following factors, considered of strategic importance for a leadership role at FPA, shall be taken into consideration
 - I. Career Objective – a candidate without a personal vision/mission in life/career development may negatively impact the role of Executive Director at FPA
 - II. Career Commitment – a candidate with multiple short durations of employment, and/or with gaps in work history may pose a risk to the stability of the Executive Director post
 - III. Career adaptability – a candidate with a education/training/career background that is far different than that which is required he/she may not be appropriate for the role of Executive Director. The capabilities, skills in past and present work activities must be thoroughly investigated/probed and those with a proven track record of success must be given priority for the next stage in the selection process
- c) Ensure, that the proceedings follow a professional, unbiased methodology and that FPA adheres to the philosophy of being an 'Equal Opportunities Employer'

6.1.4 Short List the Candidates

- a) This is a critical stage in the selection process, to ensure that favoritism, nepotism and canvassing is not tolerated.

6.1.5 Interviewing candidates

- a) The interview board shall comprise of the National Council committee members and/or a professional organization hired by the National Council committee.
- b) The interview process must be just and equitable
- c) The panel must ensure that all questions posed, must be of strategic importance
- d) General Methodology
 - I. The general methodology shall be decided by the National Council, subject to the condition that all proceedings must be transparent, WHERE, proceedings must be disclosed to all staff members at a general staff meeting

6.1.6 Selecting one candidate

- a) The National Council committee shall recommend the top two/three candidates to the National Council for the final selection process
- b) This may require calling candidates for another round of interviews, which may include more national council members.
- c) The final decision will be a unanimous decision of the National Council committee and may require drawing votes among the members, in favour of the final shortlisted and interviewed candidates.

6.1.7 If there does not seem to be a suitable candidate

- a) The National Council shall decide on an appropriate course of action, which shall be communicated to staff members at a general staff meeting

6.1.8 After selecting the new Executive Director

- a) The National Council shall proceed with all the appropriate HR related matters, in liaison with the Governance Unit.

6.2 Orienting the New Executive Director

The orientation of the new Executive Director shall fall under the responsibility of the National Council.

- a) The National Council shall liaise with SMT members to ensure a smooth orientation programme AND the orientation process shall contain strategic & operational information, as deemed appropriate by the National Council
- b) Any additional decision(s) and/or activities with regard to the orientation process shall be determined at the sole discretion of the National Council

6.3 Dismissal of Executive Director

- a) All processes and procedures regarding the dismissal of Executive Director shall be similar to the dismissal of any other employee and as such shall observe the principals of natural justice and bona fides.
- b) Only the National Council shall have the sole authority whether or not to dismiss the ED, and to this effect, such a decision shall only be approved and authorized by the Hony. President of the National Council, subject to the condition stipulated in point (a) of this section 6.3

7. POLICY ON TERMINATION OF EMPLOYMENT

7.1 Termination of employment categories

1. Resignation submitted by employee
2. Retirement
3. Notice given by employee or organization
4. Dismissal due to misconduct
5. Retrenchment

7.2 Process for Resignation

- a. An employee who has decided to resign, who has completed his/her probation period is required by contract to give one month's notice or the notice period stipulated in the letter of appointment. The process for submission of letters should be as follows
 - I. Submission of letter of resignation to unit head, where the unit head either accepts or rejects the letter of resignation
 - II. If the unit head accepts the letter of resignation, he/she must acknowledge it on the letter and forward the same to the Executive Director
 - III. If the Executive Director accepts the resignation, he/she must acknowledge it on the resignation letter and forward the same through his/her secretary to the head of HR
 - IV. The head of HR shall draft a letter titled 'Resignation Acceptance Letter' to be signed by the Executive Director, and issue an 'Exit Clearance Form' to the employee
 - V. Subject to approval of the unit head, the employee shall avail of his/her balance Annual leave against his/her notice period (see section 6.3 for more information)
- b. Though probationers need not give notice, FPA shall appreciate if probationers do give at least 2 week's notice as professional courtesy towards FPA management.
- c. The payment in lieu of notice cannot be unilaterally deducted from wages, provident fund and gratuity.

7.3 Outstanding Leave

1. An employee with annual leave to his/her credit at the time of resignation may **not** use any period of such leave to offset the required period of notice, except at the discretion of FPA Sri Lanka. It is for FPA Sri Lanka to decide whether he/she should be sent on leave. If he/she is not given his/her leave, FPA Sri Lanka would have to pay for the un-availed of annual leave. If permission is given however, to avail annual leave it shall be as follows:
 - a. An employee is entitled to take leave for the year of termination at the rate of 1 day for each month for ten months and 14 days if in excess of ten months, under the Shop & Office Employees' Act.
2. An employee who is on un-availed of annual leave prior to the effective date of his/her resignation is not entitled to commence work elsewhere.

3. If it is found that the employee has begun work during his/her notice period, FPA Sri Lanka will stop payment on account of annual leave from the date on which he/she commences work elsewhere.
4. If the employee has, during his/her notice period commenced work elsewhere, on notification of this fact the HR Unit will address a letter to the employee stating that he has by his/her conduct terminated his/her contract as from the date he commenced his/her new employment.

7.4 Acceptance or Non-acceptance of Resignation

1. The ED will reply acknowledging the receipt of an employee's resignation and accepting the same provided he has given the required period of notice, or has made payment in lieu of notice. and provided he/she has also fulfilled all other contractual obligations (including bond agreements and loans)
2. If either the required period of notice, or payment in lieu of such notice, has not been given or made, or the employee has not fulfilled any of his/her contractual obligations, the Head of HR shall be informed of this by the unit head and/or Executive director upon which the head of HR shall inform the employee who is resigning, that his/her resignation is accepted on the basis of a breach of his/her contractual obligations and that FPA Sri Lanka reserves to itself the right to take appropriate steps in relation to such breach.
3. For breach of the contractual obligations, FPA Sri Lanka may take appropriate action. The contract of employment, it may be noted, cannot be enforced by specific performance, i.e., cannot force the employee to remain in employment. Such action may include, but not be limited to, issuing a letter of 'Vacation of Post' following the proper procedures in Bona fides (good faith)

7.5 Resignation Acceptance Letter

All letters of acceptance of resignation shall set out the payment due to the employee, together with deductions, if any, and shall be copied to the Finance Unit and the Unit Head concerned.

7.6 Retirement

1. The age of retirement at FPA Sri Lanka shall be **55 years**.
2. No notice of retirement is required, but merely as a reminder. The Executive Director may issue a letter, drafted by head of HR in, **three months** in advance confirming retirement on the employee reaching his/her **55th** birthday.
3. The date of birth given at the commencement of employment on his/her National Identity Card and/or birth certificate, would be taken as conclusive evidence of the same
4. This notification will be copied to the Unit Head concerned and Finance Unit and Finance Unit shall calculate the dues owed to the employee.
5. At the discretion of the Executive Director, a person may be employed after retirement age and the retirement age shall not be a factor to terminate employment under 'Fixed Term Contract'

7.7 Exit Clearance Process

Upon termination of an employee's services for any reason whatsoever, the employee shall hand over to FPA Sri Lanka all goods, cash books, documents, ID card, stationery, tools,

uniforms and equipment other property of whatsoever kind or nature in the custody of the employee. The exit clearance process is as follows

2. This shall be done via filling an exit clearance form which can be obtained from the HR unit, AFTER resignation has been accepted, or termination enforced by the Executive Director, and not before
3. The employee shall also hand over complete charge of his/her duties to such person or persons as may be authorized by the Executive Director.
4. Upon termination of employment on account of the end of a fixed term contract, where no contract extension or absorption to permanent cadre is awarded, the said employee will be notified one month in advance that his/her contract shall expire on the date given on his/her letter of appointment and HR unit shall obtain information on such a decision 2 months prior to end of contract from the Unit head, with final approval from Executive Director AND all equipment, accessories, items, keys, stationary, vehicles, motorbikes, and all other movable and/or immovable property must be handed over to the unit head and/or stores as per the exit clearance form, and signatures obtained and finally handed over to HR unit

7.8 Misconduct & Dismissal

1. An employee shall conduct himself/herself in accordance with his/her obligations and duties, whether express or implied, arising from his/her employment, whether during or out of working hours, at his/her work-place or elsewhere. This is to uphold the image and reputation of FPA and ensure that conduct unbecoming of an FPA employee is addressed immediately by the Executive Director, and/or any staff member (See policy on 'Whistle Blowing')
2. Any conduct which is incompatible with such obligations and duties would constitute misconduct.
3. An employee found guilty of gross misconduct whether during or out of working hours, and, whether at his/her place of work or elsewhere may be dismissed, and such dismissal shall be without a notice period or payment of salary in lieu of notice period or without payment of any compensation whatsoever and where dues are owed to FPA, such amount shall be legally recovered from the employee (refer policy on Disciplinary Process' for further information)

7.9 Redundancy & Retrenchment

Redundancy and retrenchment, is covered by the Termination of Employment Act, if the employee is over 01 year in service, the following procedure would be adopted:

1. The Unit concerned should list out the persons and for positions which are considered redundant with individuals who would be affected including their names, designations, dates of appointment, completed years of service, current earnings on which EPF is paid and gratuity in terms of the Act.
2. The information for this exercise should be discussed with the HR Unit, bearing in mind that in the event of redundancy in a category the principle which should be adopted is that the last to come should be the first to go.

8. POLICY ON WORKING HOURS, REST DAYS, AND LEAVE

8.1 Hours of employment

Normal office hours shall be from 8.00 am to 4.30 pm with a half an hour lunch break which can be taken from 1130 am to 2.00 pm. This is applicable to all FPA staff in all locations. However, during special working hours on project/programme, the working hours and lunch/dinner break duration shall be mentioned in the agenda.

8.2 Rest Days

FPA Sri Lanka is a five day a week employer For certain Units, where the holiday is not a Saturday or Sunday but some other day for any category as determined by FPA Sri Lanka, the particular Unit shall prepare a roster before the commencement of the month in which the relevant rest days fall, informing the employee of the days appointed to be his/her rest day This shall be done by the Unit Head in consultation with the HR Unit.

8.3 Shift workers

Employees who work on shifts shall report for and complete the work in accordance with the time shown on their rosters

8.4 Payment for Weekly Holidays

Employees in Grade IV who work on **weekly holidays, statutory holidays and poya days** will be paid one and a half times their normal hourly rate of pay for the hours worked and in addition be granted a day off in lieu to be taken within the ensuing week.

8.5 Working on Statuary Holidays and Poya days

When working on Statuary, Mercantile, weekly holidays or Poya days, a **full day** would be from 8.00 am to 4.30 pm inclusive of breaks, and a **half day** would be a 4 hour period excluding breaks.

1. An employee who is required to work on a statutory holiday will be given a day off in lieu on or before 31st December of that year **or** be paid an extra day's salary at the ordinary rate of pay for one day's work in addition to the ordinary rate of pay for that day, provided that the full 8 hours have been covered.

8.6 Statutory Holidays

1. Every employee shall be entitled for a paid holiday at his/her ordinary rate of pay on statutory holidays declared by the Government.
2. The nine Statutory Holidays at present are as follows
 - I. Tamil Thai-Pongal
 - II. National Day
 - III. Milad—Un-Nabi (Holy Prophet's Birthday)
 - IV. Day prior to Sinhala and Tamil New Year Day
 - V. Sinhala and Tamil New Year Day
 - VI. May Day
 - VII. Vesak Full Moon Poya Day
 - VIII. Day following Vesak Full Moon Poya Day
 - IX. Christmas Day
2. Each Unit or Section will forward a list of the employees who work on public holidays to the HR Manager immediately after the holiday concerned indicating whether lieu leave is to be granted, for HR records and verification of attendance for the full 8 hours

3. This list must be copied to the Finance Unit for purposes of payment.

8.7 Statutory Holidays coinciding with holidays

1. Where a Statutory holiday coincides with what is customarily a weekly holiday that day would be treated as the statutory holiday and the weekly holiday must be allowed on another day which shall be decided by the ED.
2. This form of concession shall not apply in the case of Poya days falling on the weekly holiday

8.8 Statutory Holidays and weekly holidays coinciding with leave

Where an employee has been allowed leave and if any day on which he is on leave is either a statutory or weekly holiday such holidays must be allowed in addition to the days he is on leave.

8.9 Overtime

1. A Grade IV employee is entitled to overtime payments If he works for more than 8 hours a day and/or for more than 40 hours in a week.
2. The period of any leave or holidays during the week will be deemed to be "time worked", for the purpose of ascertaining the number of hours he has worked In that week.
3. This is not applicable to any person who is employed as a Travelling Sales-man, travelling inspection, Travelling Agent, or Field Program staff or in any other similar capacity. Therefore, these employees may be required to work more than eight hours on any day and more than 40 hours in a week, without the payment of overtime. They are however entitled to the weekly two days full holiday.
4. The two weekly holidays may be taken on their return to base after completion of their tour of duty. The accumulated holidays may be taken in the following month or quarter.

8.10 Restrictions on Overtime

1. The Unit head must ensure that the employee's safety and ability to work is not affected by the extended period of work during Overtime and adequate, appropriate rest time must be given, especially where skilled work and heavy concentration on work is required (e.g. Drivers).

8.11 Payment of overtime

For the purpose of computing overtime, the hourly rate of remuneration shall be:

1. Where remuneration is payable at a daily rate, one eighth of the daily rate.
2. Where the remuneration is payable at a monthly rate, one eighth of the monthly rate, divided by thirty

8.12 Leave

8.12.1 Casual leave

1. In respect of each calendar year (except the first)an employee is also entitled to not more than 7 days leave in the year, for private business, ill health or other reasonable cause.
2. In the first calendar year of employment employees are entitled to one day for each complete period of two month's service.

3. Casual leave should be applied in advance.
4. Where the reason for absence could not be foreseen, Management at its discretion can approve such leave. Leave should be applied within 24 hours of reporting for work.
5. Probationers and those who are not in regular employment are similarly entitled to casual leave.

8.12.2 Vacation leave (Annual Leave)

1. In respect of each **calendar year** during which a Shop or Office employee has been continuously in employment, he shall be entitled to take 14 days with full remuneration, in the following year subject to the variation given below, in respect of the First year of employment.
2. In respect of the first calendar year of employment an employee is entitled to proportionate leave in **the succeeding year** on the following basis.
 - I. 14 days if employment commenced on or after 1st January but before 1 st April.
 - II. 10 days if employment commenced on or after 1 st April but before 1st July
 - III. 7 days if employment commenced on or after 1st July but before 1st October
 - IV. 4 days if employment commenced on or after 1st October but before 31st December
3. A period of leave of not less than 7 consecutive days excluding holidays should be granted to all employees entitled to vacation leave.

8.12.3 Medical Leave

1. Employees can avail themselves of 21 days medical leave each year. medical leave over 2 days has to be supported by a valid medical certificate from a government registered MBBS medical doctor.
2. In respect of the first calendar year of employment an employee is entitled to proportionate leave in **the succeeding year** on the following basis
 - I. 21 days if employment commenced on or after 1st January but before 1 st April.
 - II. 10 days if employment commenced on or after 1 st April but before 1st July
 - III. 7 days if employment commenced on or after 1st July but before 1st October
 - IV. 4 days if employment commenced on or after 1st October but before 31st December
3. Sick leave cannot be carried over to the following year.
4. If the employee has over seven days of unutilized sick leave at the end of the year, such leave could be encashed.

8.12.4 Maternity leave

1. A female employee is entitled to 84 working days as maternity leave in respect of two child births, on full pay after joining FPA, regardless of the number of children prior to joining FPA
2. For an employee to be entitled to maternity leave as above, the confinement must result in the birth of a "live" child.
3. Maternity leave 84 working day will be in addition to the all holidays falling within this period .
4. 14 days of leave can be taken as pre confinement and 70 days post confinement leave making a total of 84 days at the discretion of the employee.

5. If the employee decides to take the 14 days pre-confinement leave and the child is born before the expiry of 14 days, then this unutilized portion of the pre-confinement leave should be added to her post confinement leave.

8.12.5 Maternity leave for the third subsequent confinement

1. A female employee, if at the time of confinement already has two or more children, the employee is entitled to 42 working days on full pay .
2. A female employee who on her first confinement gives birth to twin is entitled to 84 working days as maternity leave.
3. For the second confinement she will be entitled to only 42 days of maternity leave on the basis that she already has two living children.
4. A female employee who is nursing a child under one year of age should be allowed two nursing intervals within the normal working day at such time as she may require.

8.12.6 Maternity leave in the event of a still birth or the issue of violable fetus

In both situations a female employee is entitled to 42 working days on full pay

8.12.7 Short Leave

1. This is not a staff entitlement, but only a benefit granted at the discretion of the Unit Head who shall notify the HR Manager of the reason for approval.
2. The maximum period of short leave permitted at any one time should be at the 1 1/2 hours and can be at any time of the working day subject to approval of the unit head..

8.12.8 Accident Leave

1. Accident Leave will be granted only by the ED when an employee suffers an accident arising out of and in the course of his/her employment, and if the said accident was not due to willful default or negligence of the employee.
2. An employee will not be entitled to paid accident leave and also compensation under the workmen 's Compensation Ordinance for loss of pay
3. Eligibility
 - I. Staff are disabled by reason of an accident whilst on FPA Sri Lanka service.
 - II. Investigation should prove that the accident was not due to willful default or negligence of the employee.
 - III. Leave should be recommended by the government registered MBBS medical doctor.
 - IV. There is no limit on the number of days of Accident Leave which may be granted, provided the conditions in the preceding paragraph have been satisfied.

8.12.9 Duty leave

1. An employee who has to attend to work outside the premises of FPA Sri Lanka and is unable to return to his/her place of work on the same working day is entitled to paid duty leave.
2. Leave should be applied for in advance and Unit Head's approval obtained.

8.12.10 Lieu Leave

1. Lieu leave day is granted to an employee for working on weekends and/or weekday holidays, provided that he/she has covered 8 hours (excluding meal hours).

2. Lieu leave payment (Per Diem) may be granted apportioned to the number of hours worked unless the employee has participated in a programme organized by FPA Sri Lanka, where the employee shall receive full lieu leave payment (Per Diem), according to his/her grade. Please refer the section on Per Diem for more clarification on 9. 6. 1
3. Staff member may take a lieu leave day **or** lieu leave payment

8.12.11 Absence without leave

1. An employee is deemed to have committed a serious breach of discipline if the employee is continuously absent for work for more than two days without informing his/her respective unit head.
2. After the second day of absence without informing, the unit head shall call inform HR Unit.. The HR unit shall call via telephone the employee for an explanation. This explanation shall contain information when the staff member shall report for work. The explanation shall be noted and inserted in the employees personal filed.
3. If the employee does not return to work after the deadline to return mentioned in the explanation, the HR Unit shall dispatch a registered letter stating that if the employee does not respond immediately on receipt of the same, FPA shall hold the view that he/she has vacated his/her employment voluntarily
4. If the employee returns to work, he/she should be request to show cause for his/her absence without leave and thus violating of the rules of the organization.
5. If the employee does not return to work, then a letter will be issued via registered post stating that the employee had vacated his post.

9. POLICIES ON THE PAYMENT OF SALARIES, ALLOWANCES AND SUPERANNUATION

9.1 Policies on the payment of Salaries

1. Salaries may be credited to the employee's bank account. Employees should inform the Finance Unit of this, stating the name of the bank and account number
2. Salaries of monthly paid staff have to be paid in terms of the law, within 10 days of the expiration of the month.
3. The practice in FPA Sri Lanka is to make payment on the 25th of the month or on the first working day thereafter in the case of daily paid workers, i. e., those referred to as casuals, payment should be made, if possible, at the end of the day but not later than the end of the week.
4. Since overtime is computed only at the end of the wage period, the payment for over-time performed should be paid with the mid monthly salary on the 25th with the monthly salary

9.2 Policy on Salary Advance

1. Employees who so desire will be given an advance of half the month 's basic salary on the 15th of each month, or the nearest working day if the 15th falls on Saturday Sunday or a public holiday
2. The balance salary will be paid at the end of the month.

9.3 Policy on the Collection of Salary on Employees Behalf

1. Salaries of employees may be collected by a third party on production of a letter from the employee.
2. However the EPF and ETF deductions shall be paid to the respective authorities.

9.4 Policy on Festival Advance

8.4.1 Eligibility for Festival Advance

1. Only a confirmed employee may apply for a festival advance for one festival (i.e., Sinhala & Hindu New Year / Vesak / Thai Pongal/ Hajjhi / or Christmas) as appropriate to him/her.
2. The quantum of the advance shall be at the discretion of the Management.
3. The employee will not be granted a festival advance if the authorized deductions are already above the permitted amounts in terms of the Shop & Office Employees' Act.

9.4.2 Procedure: obtaining festival advance

1. Written applications for the Festival Advance should be made to the Finance Department through the HR Unit at least one month before the applicable festival.
2. An employee will have the right to choose which festival he should choose for purposes of obtaining his/her advance.

9.4.3 Procedure: Repayment of festival advance

1. The advance granted will be recovered by deductions from the employee's salary in ten (10) monthly installments.
2. Authorized deductions are those which can be made only with the consent of the employee and which together do not total to more than 60% for an employee gross salary, covered by the Shop & Office Employees' Act.

9.5 Policy on Annual increments

9.5.1 Increment Review

An annual increment will be granted to those on the salary scale applicable, provided an employee's work and conduct have been completely satisfactory during the previous 12 month period

9.5.2 Date of Review

1. Annual increments will be payable on 1st January of each year, which is the common incremental review date for all employees.
2. In the case of a new employee, his/her first increment shall be in January following his/her confirmation.

9.5.3 Procedure for Annual increments

1. The Unit Head's recommendations must be sent to the HR Unit at least one month before the review date.
2. Employees who are recommended for an annual increment will then be notified by the Personnel Unit and the new stage on the scale should be mentioned.
3. A copy of this form will be sent to the Finance Unit who will effect the necessary changes in their records.
4. Executives and above are not entitled to automatic annual increments, The increments for Executives shall be decided on a review of their performance, by the ED, in consultation with the Board of Senior Management. Performance appraisals in the annexed form I should be filled in by the supervising Executive or Manager and approved by the Head of the Unit before submission to the ED.
5. The appraisals of the Heads of Units will be done by the ED

9.5.4 Procedure for Deferment or Forfeiture of Annual Increment

1. An employee whose increment is to be deferred or forfeited (because of unsatisfactory work or conduct, or both) must be notified of this by the Unit Head.
2. The reason for the deferment or forfeiture of his/her increment shall be notified.
3. A deferment or suspension for disciplinary reasons should be after following the disciplinary procedure.
4. A copy of this letter must be sent to the HR Manager for the personal file of the employee.

9.6 Policy on Allowances

All employees are entitled for the following allowances, based on their grade, and subject to the terms and conditions stipulated in each allowance category, regardless of employment status. In all cases, employees will have to provide bills of expenses and/or evidence of having participated in projects and /or programmes that have made them entitled to the allowances

9.6.1 Per Diem

1. Per Diem payment is subject to approval from the Unit Head only
2. This is a specific amount of money that FPA Sri Lanka allows an employee to cover additional expenses incurred for working on weekends and weekday holidays
3. Per Diem payment shall be apportioned according to the number of hours worked
4. However, if a staff member attends a programme organized by FPA on a weekend or a weekday holiday, the full Per Diem will be paid.
5. Per Diem is based on the employees' grade.

9.6.2 Meal allowances

1. Staff members who travel out of their home base on duty are eligible for a meal allowance based on the time of return to their home base.

Start of journey before	7.30 am	Breakfast allowance
Arrival after	1.30 pm	Lunch allowance
Arrival after	3.00 pm	Tea allowance
Arrival after	8.00 pm	Dinner allowance

2. The allowances will be reviewed from time to time and the information will be readily available for staff members with unit heads or HR unit.
3. No meal allowances are payable if FPA Sri Lanka provides the meals.
4. In areas where the actual costs of meals are above the permitted allowance, such actual costs may be reimbursed on production of receipts, subject to approval from unit head.

9.6.3 Transport allowance

1. This allowance is paid to employees to subsidize the transportation expenses in coming to work.
2. It is a four tier system dependent on the distance from the employee's residence to the place of work.

9.6.4 Duty Travel allowance

1. This is the actual cost of travel incurred by a staff who is required to work away from the home base when FPA Sri Lanka does not provide transport.
2. This should be supported by receipts.

9.6.5 Overnight allowance

1. This is paid to employees who are required to spend a night out as a result of being required to stay away from the home base.
2. The amount of the allowance will depend on the grade of the staff.

3. Drivers, who return to base **after** 9.00 pm, will be provided with accommodation at the office premises with the full overnight allowance.

9.7 Policy on SUPERANNUATION

9.7.1 Employee Provident Fund

1. EPF is payable in respect of all employees whether casual or otherwise. FPA Sri Lanka will contribute 12% of the salary/wage and the employee should contribute 8%.
2. Employers and employees by mutual agreement can elect to pay a higher rate of contribution to the Provident Fund.
3. Once election to pay the higher rate has been exercised, the rates cannot thereafter be reduced.
4. The definition of total earnings includes, in addition to the salary or wage, the following elements:
 - I. Cost of living allowance, special living allowance and other similar allowances.
 - II. The non-recurring cost of living gratuity paid under certain collectives, do not, by practice and as a result of certain understandings with unions, attract provident fund contributions.
 - III. The cash value of any cooked or uncooked food provided by the employer to employees, and any a such commodity used in the preparation or composition of any food as is so provided
 - IV. Remuneration paid to employees by way of commission for any services rendered to the employer. This includes all commissions paid to sales staff on sales.
 - V. Allowances which are in the nature of reimbursements (travelling, entertainment), rent allowance are excluded

9.7.2 Employers' Trust Fund

The contribution of the Companies towards ETF should be 3% based on the total earnings as described above.

9.7.3 Gratuity

1. Under the Gratuity law an employee is entitled, on completion of 5 years of uninterrupted service, to a payment of 1/2 month's salary for each year of completed service and will be subject to the provisions of the gratuities act.
2. The salary for this purpose is the terminal/last drawn salary and would include all elements mentioned above except commissions.
3. Uninterrupted service includes the service interrupted by cessation of work not due to any fault of the employee.
4. Employees who have completed 5 years service with a without a break are entitled for gratuity.
5. To avoid confusion regarding this matter and preserve the integrity of records, no employee shall be given the same EPF number if he/she rejoins the organization.

6. When an employee's service has been terminated for reasons of fraud, misappropriation of funds of the FPA Sri Lanka, willful damage or loss of goods the employer can forfeit the gratuity payable to the extent of the loss.

10. POLICY ON DEDUCTION FROM REMUNERATION OF AN EMPLOYEE

10.1 Definition of 'Deduction from remuneration'

For the purpose of this Section a payment which is made out of the remuneration to the employer or his/her agent immediately after the payment of such remuneration to such person is deemed to be a deduction from the remuneration

10.2 Limits of deduction

1. Any deductions from the remuneration of an employee can be only with the written consent of the employee.
2. The aggregate of the authorized deductions however should not exceed 60% of the remuneration earned during the subsequent wage period.
3. The limit, it must be noted, does not have any bearing on the statutory deductions such as EPF or those imposed by an order of court or imposed as taxes.

10.3 Classification

1. Deductions under the Income Tax Ordinance or other written law.
2. Deductions in compliance with any order or decree of court.
3. Deductions authorized under the shop and office Act- those permitted with the consent of the employee

10.4 Deductions permitted under the Shop and office Employees Act

1. Any advance of money paid out of the remuneration payable to the employee for the remuneration period.
2. Contributions to pension funds, provident fund, insurance or saving scheme or recreation club * approved in writing by the Commissioner and operated wholly or mainly by the employer
3. The price of any food or article of food supplied to the employee by the employer charges for lodging provided to the employee by the employer and house rent provided for the employee by the employer
4. Any amount required to be furnished as security by the employee, being an amount not in excess of such percentage of the remuneration as may be approved by the Commissioner
5. Any amount approved in writing by the commissioner as a charge for any amenities or services provided for the employee by the employer
6. The price of any goods sold to the employee or goods kept for sale by the employer at the place of employment or at any other place.
7. A fine imposed on the employee by the employer
8. Loans taken by the employee from any fund managed wholly or partly by the employer

9. Payment made out of the remuneration of the employee by his/her employer at the instance of the employee to the employee to any person other than the employer or an agent of the employer

10.4.1 Fines

1. In terms of the Act, a fine can be imposed only with the consent of the employee.
2. In any event, the aggregate amount of the deductions made in respect of fines at any one time should not exceed 5% of the remuneration earned by the employee during the period which such fine was imposed.
3. A fine may be imposed for the commission or omission of the following acts
 - I. Absence from work without reasonable excuse,
 - II. Late attendance at work without reasonable excuse,
 - III. Causing damage to, or causing the loss of goods or articles belonging to the employer such damage or loss being directly attributable to negligence, willfulness or default of the employee,
 - IV. Slacking or negligence at work,
 - V. Sleeping whilst on duty
 - VI. Willful failure on the part of the employee to comply with any lawful order given to him in relation to his/her work,
 - VII. Theft of goods or articles belonging to the employer or fraud or dishonesty in connection with the employer's business,
 - VIII. Being intoxicated during working hours, (alcohol or drugs)
 - IX. Willful insubordination or willful breaches of discipline,
 - X. incivility to any person who visits the employers premises for the transaction of business,
 - XI. Malingering,
 - XII. Interference with any safety devices installed in the employers premises,
 - XIII. Distribution or exhibition of pamphlets or posters not relating employment inside the employers premises, without the employer's permission,
 - XIV. Violation of instructions given for the maintenance of cleanliness in the employers premises,
 - XV. Smoking in any part of the premises where the employer prohibits smoking.

10.5 Disposal of deductions.

The amounts so deducted should be used for such purposes as are beneficial for the employees and authorized in writing by the Commissioner of Labour.

11. POLICY ON TRAINING & DEVELOPMENT

11.1 Objective

1. To develop the capabilities of all staff members without any discrimination (See policy on Equal Opportunities) in terms of developing their knowledge, skills, and application of the same to their duties and responsibilities.

11.2 Process

1. Unit heads and or head of HR, shall from time to time identify training courses, seek funding, and identify staff to attend such courses and nominate them via approval of ED
2. Unit heads and or head of HR will also encourage staff to pursue further training on their own, which it could also support whenever there are funds available;
3. The HR Unit shall conduct an annual training needs survey and prepare a training plan which should be submitted to the Senior Management Committee for approval.
4. Training or capacity building programs shall only be offered after a thorough needs assessment by the Head of Human Resources in consultation with the Unit Managers.
5. Nominees are obliged to attend courses nominated for and agreed upon.
6. Failure by a nominee to attend a course amounts to misconduct and will be dealt with in accordance with the Disciplinary Code.
7. In the event where a nominee cannot attend a particular course for one or the other reason, such nominee should inform the Head of Human Resources in writing at least five working days before the commencement of the course through his/her supervisor. Shorter notice through the same procedure shall only apply in the event of unforeseen circumstances, such as illness, death, unplanned leave, and the like.
8. Trainees shall be nominated by their respective immediate supervisors with relevance to their Performance Plan, whereupon the Human Resources Officer will consider such nominations for confirmation, or otherwise.

11.3 Training report

Employees who have been nominated to attend conferences and short courses within and outside Sri Lanka shall be required to submit brief reports thereon, within seven working days upon return, to the Head of Human Resources through his/her supervisor who in turn will recommend specific interventions to the Executive Director.

11.4 Training identified by individuals

1. Where these activities are deemed important by the Unit head and/or Executive Director, an equitable selection process of who shall attend the course shall be made by the head of the unit in liaison with head of HR
2. Where the training activity is deemed important by the employee, the said employee must forwards his/her request through the head of the unit, to HR unit
3. In both cases above, the final approval shall rest with the Executive Director, subject to the following terms and conditions
 - a. The training must be in line with the work area of the employee(s) and not of a generic nature such as language training and basic computer skills training, or any other basic skill that had been one or more of the criteria for having recruited the employee
 - b. The training budget for the year shall determine the individual training budget allocation for the year and the Executive Director and unit heads shall be informed of the same

- c. The training course/seminar/programme/workshop etc an employee has applied for or has been nominated for, shall not exceed the allocated individual training budget. Additionally, if the total cost of training exceeds the individual training budget allocation, 1/3 of the course fee shall be paid to the institute, provided that the said amount shall not exceed the individual training budget allocation. This shall not apply to employees who are nominated for training/seminars/programmes/workshops etc that entail a special grant from a governing body, or donor or other institute.
- d. In such instances, the fee may, at the discretion of those who provide the funding, shall be credited to the employee's name
- e. In all other instances, the fee may only be paid to the institute, and under no circumstance, be paid to the individual employee or credited to his/her personal account, and no unit head shall authorize payments to the employees name or credit to personal accounts.

11.5 Responsibilities of Human Resources Unit

1. Determine training & development needs that currently exist by carrying out a training needs survey and projected future needs by ensuring that all employees have their own Individual Development Plans which is to be developed in consultation with the employees Head of Unit with Reference to Performance Plans
2. Select and write training & development objectives in order to determine and sequence course contents per employee;
3. Produce and procure suitable training & development programmes;
4. Conduct training and/or co-ordinate training to be provided by others from within or outside FPA Sri Lanka

12. POLICY ON STAFF PROMOTIONS & SUCCESSION PLANNING

12.1 Objectives

1. To identify replacement needs
2. To provide opportunities for high potential employees (retention)
3. To increase pool of promotable employees
4. To support implementation of business plan
5. To guide individuals in their career paths
6. To encourage the advancement of diverse groups
7. To improve ability to respond to changing environmental demands
8. To improve employee morale
9. To cope with the effects of downsizing, attrition, retirements

12.2 Promotions Procedure

1. Vacancies occurring in the approved cadre will be filled wherever possible, from within the organization to initiate promotion opportunities for existing staff and such vacancies will be brought to the notice of all employees.
2. A procedure similar to that of recruitment will be followed when filling vacancies via promotions
3. Promotions will be done by **'The Promotion Board'** which shall consist of SMT members, headed by the Executive Director
4. Promotion will be done following a stringent decision making process by The Promotions Board, taking into active consideration, the performance information, disciplinary information, probation status, and any other relevant information submitted by HR Unit.
5. Applicants should meet all requirements stipulated for the position.
6. Applicants who have been found guilty of commission of a major offence are not eligible to appear for a promotion interview until two years have elapsed from the date of commission of the offence and provided no offence has been committed in the interim period.
7. The applicant should have been recommended as suitable for promotion to a higher grade at the last appraisal.
8. The successful applicant may be placed on six month probation prior to confirmation in the new position. If at the end of six months the applicant's performance is found to be unsatisfactory he/she may be reverted to the former grade.
9. It will remain the responsibility of the Directors and/or Deputy Directors and/or other unit heads to ear-mark members of staff deemed eligible for promotions in the following year when the Man-Power plan is prepared for the APB
10. The Executive Director may reject recommendations for promotions made by SMT members and at his discretion, may provide reasons for doing so.

12.3 Succession Planning Procedure

1. Executive Director in liaison with SMT and/or head of HR shall assess the potential vacancies in leadership and other key positions (who is of retirement age, which positions / Units are most affected etc)
2. Upon this, the readiness of current staff to assume the positions (competencies, discussed under Training and Development)
3. Additionally, the Executive Director in liaison with SMT and/or head of HR shall develop strategies to address these needs based on the skill gaps.

13. POLICY ON PERFORMANCE MANAGEMENT

13.1 Objectives

1. To ensure that decisions concerning career development, promotion, succession planning and compensation depend on HR information provided through effective performance management.
2. To ensure that all new employees understand the requirements of their jobs as well as the expected results.
3. Specifically, the appraisal process at FPA Sri Lanka will be undertaken to:
 - I. review performance of the staff against assigned tasks and responsibility
 - II. identify the areas of weaknesses and provide positive feedback to the staff on their individual and team performance;
 - III. identify the areas of strength in each staff
 - IV. identify staff who can be developed to take up increased responsibilities
 - V. identify the staff training needs
 - VI. create a basis for rewarding superior performance
 - VII. plan for the following year

13.2 General Process of Performance Evaluation

1. The actual assessment of how well they have done will be undertaken at the end of each year through a comprehensive appraisal of their performance in relation to these expectations.
2. FPA Sri Lanka will therefore seek to promote a healthy understanding of this process in terms of being an avenue to promote dialogue between staff and management as well as a system through which specific needs of staff are identified and brought into the limelight.

13.3 The Performance Management Process

1. Performance Planning
2. Monitoring
3. Performance Summary
4. Recognition

13.3.1 Performance Planning

1. The performance plan is a written document between an employee and his/her or her manager which describes what has to be done during the performance cycle, how well it has to be done, and how the accomplishment will be measured.
2. Performance Management shall be a continuous process.

13.3.2 Monitoring

1. The manager will provide timely feedback throughout the performance by making accurate and objective performance observations based on the outcomes and expectations contained in the employee's performance plan.
2. Performance observations should be provided from multiple sources.

13.3.3 Performance summary

1. A performance summary which is a consolidation, discussion, and acknowledgement of employee accomplishments and effectiveness throughout the performance cycle, shall be made in respect of each employee.

- I. Assess actual achievements based on the outcomes and expectations contained in the performance plan.
 - II. Includes a synopsis of formal feedback received during the performance cycle.
 - III. Include highlights of developmental activities undertaken during the period.
2. The performance summary represents the review of record for the performance cycle.

13.3.4 Recognition

1. This is a means of acknowledging employees for sustained outstanding performance/service and providing incentives to continue provide outstanding performance/service.
2. Recognition should be linked to performance outcomes.

13.4 Responsibilities of Managers/Supervisors

Managers/Supervisors are responsible for conducting substantive discussions and taking conclusive performance-related actions. These actions include selecting or

1. developing performance plans,
2. communicating outcomes and expectations to employees,
3. establishing employees' development plans,
4. providing performance-related feedback to employees at prescribed intervals,
5. preparing end-of-cycle summaries,
6. and discussing the summaries with employees.

13.5 Performance Improvement Policy

1. Where warranted the FPA Sri Lanka will use improvement processes to improve performance or to end an employee's employment.
2. Depending on the circumstances, performance improvement action may include verbal or written warnings, suspension, counselling or retraining.
3. FPA Sri Lanka requires a minimum standard of conduct and performance. If an employee does not meet this standard, FPA Sri Lanka will take appropriate corrective action, such as training.
4. Formal performance improvement procedures will generally only start when other corrective action fails.
5. If an employee deliberately breaches business policy or procedure, or engages in misconduct, FPA Sri Lanka will start improvement procedures.
6. Each employee must understand their responsibilities, be counselled and given the opportunity to reach the standards expected of them.
7. FPA Sri Lanka will give an employee the opportunity to defend themselves before management takes further action.

13.5.1 Procedure

1. The ED, DED, HR Head or Unit Head as appropriate will advise the employee of any shortfall in their performance, and give them an opportunity to respond.

2. Once they respond, the Head of the Unit and in the case of Directors, the ED in consultation with the Head of HR will consider their response and decide if performance improvement action should be taken. FPA Sri Lanka will provide support such as training where relevant.
3. If the employee is given a verbal warning, the Head of the Unit should make a note of it, date it and sign it.
4. The Head of the Unit will advise the employee in clear terms what they see as the performance problem or the unacceptable conduct.
5. To highlight the deficiency they should use specific examples, and refer to the correct policy or procedure.
6. The Head of the Unit will allow the employee to respond before making a decision and consider the employee's responses.
7. The Head of the Unit will decide if more action is needed.
8. If a written warning is to follow, the ED in consultation with the Head of HR is to:
 - I. Document it and give the employee a copy
 - II. Give the employee the opportunity (and their support person the opportunity) to sign the warning
 - III. Keep a copy on file.
9. The warning must clearly define:
 - I. The deficiency
 - II. A clear explanation of the expected standard
 - III. By when the employee needs to achieve it
 - IV. How the business will help the employee achieve the improvement required, and the consequences of failing to do so.
10. The Head of the Unit concerned will keep a record of all meetings, training and/or coaching given and a summary of discussions, and forward such copies to the HR Unit for a copy to be placed in the employee's personnel file. This should include date, location and time of discussion.
11. They will continue to support the employee and note the support they give, for example, training or counseling.
12. If the employee's performance or conduct doesn't improve, the Head of the Unit will advise HR to give the employee a final written warning. The warning should be in accordance with step 8 to 10.
13. This document needs to warn the employee in clear terms FPA Sri Lanka will terminate their employment if there is not enough improvement, and a sustained improvement in, their performance.
14. Some circumstances justify going straight to a second or final warning.

14. DISCIPLINARY POLICY

14.1 Objectives

1. This policy is designed to help and encourage all employees to achieve and maintain good, ethical and professional standards of conduct, attendance and job performance stipulated by FPA Sri Lanka and promotes orderly employment relations as well as fairness and consistency in the treatment of individuals.
2. To ensure that FPA management shall take disciplinary action against employees acting in breach of their contract of employment by committing any act(s) of misconduct, which by implication, are not tenable with their position as employees.

14.2 Classification of misconduct

An act of indiscipline could be broadly classified as including the following

1. Minor Offences

Acts of indiscipline which are not of a serious nature, but which cumulatively or in particular situations could in fact be grievous offences.

2. Major Offences

- I. Acts of indiscipline which are of such a serious nature, the punishment for which should therefore be severe even for a first or only offence.

- II. In such offences, even mitigating circumstances may be disregarded. E.g. Assault of a superior officer, fraud

14.3 Action by Heads of Units

14.3.1. In the case of certain minor offences committed for the first time

1. If the misconduct reported is not of a serious nature, the head of the Unit should summarily deal with it by warning the employee verbally and thereafter having this recorded in writing and obtaining the signature of the employee
2. If it is considered a verbal warning is inadequate, or where further investigation is necessary reporting such matter to the HR Unit forthwith.

14.3.2. In the case of other minor offences or of major offences

1. The HR Unit will cause a preliminary investigation to be done as per the procedure laid down, to determine the need for further action and/or the miscreants to be dealt with.
2. The HR Unit will call for the explanation of the employee by serving him with a charge sheet/show cause letter giving him a reasonable length of time (E.g. 4 clear days) for reply
3. If the explanation is unsatisfactory a disciplinary inquiry should be held.
4. A disciplinary inquiry should be held and action taken against a workman for misconduct without awaiting the decision of a Criminal Court, where a criminal charge is pending, on the same facts or a similar cause of action, unless evidence cannot be obtained due to the pending action.

15. DISCIPLINARY PROCEDURE

15.1 (STEP 1) Preliminary Investigation

1. This is only an investigation done by an authorized person in the respective unit or a staff member assigned by Executive Director or the head of HR Unit with a view to ascertaining the facts fully and collecting necessary evidence on the act(s) of misconduct complained of
2. It would be advantageous to hold a preliminary investigation in the case of all offences and for the recording of statements from all persons is connected with the act of misconduct complained of
3. No person can be forced to make a statement, but he/she should be told that the refusal to make a statement may be against his/her best interests.
4. There may be situations where an employee makes a statement but refuses to sign where in such event, the person recording the statement should endorse the fact that the statement was accepted as correct but that the **witness** refused to place his/her signature there to.
5. The alleged offender need not be present when statements are recorded. He/she should be present when stocks in his/her charge, documents, or goods detected are taken into custody, for the purpose of identification. Later he/she should verify that the stocks were correctly taken or that precautions had to be taken and sealed in his/her presence.
6. The "**Investigation Report**" should be immediately forwarded to the HR Unit for follow-up action, with a report giving the observations and conclusions of the investigator. The productions and documents should be handed over at the same time.
7. It may be necessary to immediately suspend an employee. In such circumstances, the verified complaint against the employee, supported by statements and/or evidence, should be reported to the Executive Director.
8. The Executive Director will decide whether the offender should be suspended or not.
9. In the event of suspension, the employee should, within 24 hours, be informed in writing of the reasons for the suspension and whether it is with pay or not.
10. In the event of the act of indiscipline taking place outside office hours, or if the HR Director or authorized officer in the HR Unit is not available for any reason, a manager on duty in the affected unit or an authorized officer in charge, may at his/her discretion, impose a suspension where a full report of the incident must be submitted within 24 hours or as soon as practical to the HR Unit, copied to the Executive Director and in such event, the suspension letter may be issued within 24 hours of the HR unit being notified via telephone and/or email notification or both.
11. In all cases which are liable to result in dismissal, pertaining to theft, fraud, dishonesty, misappropriation, and gross negligence, any act that comes under the category of a criminal offence, and those where the suspension is to ensure the protection, maintaining of security of the premises or personnel, **the suspension shall be without pay.**

15.2 (STEP 2) Preparing Show Cause Letter

If the preliminary investigation report reveals the commission of an act of misconduct, the HR Unit shall prepare a show cause letter, signed by the Executive Director.

The Show Cause Letter must have the following details.

1. A preamble which indicates the background of the, incident/ detection/transaction which gives rise to the charges.
2. The time, date and place of each alleged offence.
3. An indication of the charge/s in simple words. The use of technical terms such as 'theft', 'breach of trust' should be avoided.
4. The date on or before which a reply should be received. (Four days time should be given to reply the show cause letter)
5. That if no reply is received on or before the time and the date indicated, it would be presumed that the employee has no explanation to give and action will be taken on such presumption.

15.2.1 Serving of Show Cause Letter

1. Handing over to the employee and obtaining his/her signature on the duplicate as acknowledgement or,
2. Posting to the last known address under registered cover or certificate of posting.

15.2.2 After the receiving the reply to Show Cause Letter

1. If the explanation is acceptable no action need be taken and the employee should be informed in writing accordingly and if the employee had been suspended, he should be requested to report back for work.
2. If the employee admits his/her offence, no further inquiry is necessary, and action can be taken to impose the punishment, except in a case where there are mitigating circumstances which require an inquiry
3. If the employee denies the charge/s a disciplinary inquiry should be held at an early date, not later than one month.
4. If the employee has failed to send a reply, it could be presumed that he/she has no explanation to give, and action will be taken to punish him/her.
5. The Executive Director should decide on the punishment.

15.2.3 Request for extension of time to reply

1. If a request is received for an extension in time to reply such extension should be usually given, at the discretion of the Executive Director.
2. The extension should be for a reasonable period of time.

15.6 (STEP 3) Notice of disciplinary inquiry

If a disciplinary inquiry is to be held, the employee should be notified in writing of:

1. The date time and place of the inquiry

2. A statement that the accused employee is entitled to examine and make notes of all relevant documents by prior appointment
3. Request the accused employee to be present with his/her witnesses and he/she should be informed that he/she should ensure the attendance of his/her witnesses
4. That he/she is not present, inquiry will be conducted ex-parte
5. That he/she could be granted permission, on a written request at least 48 hours before the date fixed, to have the assistance of a co-employee as an observer.
6. This co-employee should be a person of his/her own rank or someone of superior rank
7. No travelling or other expenses shall be paid to the accused or his/her witnesses

15.6.1 The Inquiry Officer

1. The Inquiry Officer shall be appointed by the ED.
2. In a case where a Head of a Unit is the virtual complainant, it would be advisable to obtain the services of an outsider to hold the inquiry.
3. If the inquiring Officer is an employee he/she should be a person who is of **superior rank** than the accused employee.

15.6.2 The Prosecuting Officer

A person above Management grade (above Grade II) shall prosecute the case in order to facilitate the work of the Inquiring Officer, and the prosecuting officer shall also be appointed by the Executive Director, based on the case.

15.6.3 Presence of the Accused Employee

1. The accused employee should be present in person throughout the proceedings.
2. If he/she is not present at the commencement and no excuse has been submitted the inquiry shall proceed ex-parte.
3. However it is essential that evidence be nevertheless recorded and relevant documents marked as evidence.
4. If the employee withdraws from the proceeding without reasonable cause, the inquiry will be continued ex-parte.

15.6.4 Witnesses

1. Prosecution witnesses should be granted duty leave for purpose of attending a domestic inquiry.
2. In the case of defense witnesses also, the FPA Sri Lanka should release them on duty leave so long as they have relevant evidence to give, which shall be determined by the Executive Director in liaison with the prosecuting officer and the inquiry officer.

15.6.5 Where there are Co-accused

1. Where there is more than one accused employee in respect of the same charges or there are several accused employees charged with different offences in connection with the same transaction, one inquiry may be held.

2. However the decision to hold one inquiry or several shall be taken by the H. R. Unit, on legal advice where necessary

15.7 (STEP 4) Inquiry Proper

1. The Inquiring Officer should read out the charge and inquire whether the employee is guilty or not guilty.
2. The employee, if he/she pleads guilty, should be asked whether he/she has any statement to make in that connection such as, for example, extenuating circumstances.
3. If an employee replies not guilty the inquiry should proceed by:
 - I. Firstly, opening the case by summoning witnesses in sequence for the FPA Sri Lanka and recording their evidence one by one.
 - I. The accused should be given an opportunity to cross—examine the witnesses.
 - II. Allowing the prosecution to re-examine the evidence given.
 - III. The inquiring Officer may ask question in clarification of any evidence given.
 - IV. At the end of the prosecution case, the accused employee should be asked to give his/her evidence.
 - V. He should also be cross examined by the Prosecuting Officer
 - VI. The Inquiry Officer may also clarify any matter, by questioning the accused, but subject to his/her not doing so in a manner to do justice, in an unbiased and fair manner
 - VII. The accused employee could also call other witnesses to support his/her case.
 - VIII. All recorded evidence must be signed by the witnesses as correct, after affording such, witness an opportunity of reading over the recorded evidence.
 - IX. If the witness refuses to sign, then the inquiring Officer should sign the record confirming it to be a correct record, of the witness' evidence.
 - X. At the end of the inquiry the accused employee should sign the statement to say that he was satisfied that the inquiry was conducted in a fair and reasonable manner.

15.8 Amendment - Additional charges

1. Where before the conclusion of the prosecution case, it appears that additional charges may be framed, or the existing statement of charges need be amended, or other parties may be charge-sheeted, the Prosecuting Officer may make an application to this effect to the inquiring officer who may allow it.
2. If there is no Prosecuting Officer the HR Director could make such request.
3. In the event of the existing charges being amended or additional charges framed, the Prosecuting Officer may recall witnesses, summon new witnesses or entertain any further documents as the Officer considers necessary.
4. In such a case however, the accused must be afforded an adequate opportunity of defending himself against such new/amended charges, of cross-examining such witness or examining such documents as the case may be.
5. Where the inquiring Officer considers the presence of a certain witness or document necessary to throw light on the inquiry proceedings or in the interest of natural justice, he/she should be entitled at any state to call such witnesses or such documents to the inquiry.
6. The inquiring Officer should be given a checklist by the HR Unit to assist him.

15.9 (STEP 5) Re-opening concluded inquiry

Where the inquiry is concluded but no order has been made as yet and the Inquiring Officer feels that it is necessary to hear further evidence in order to make up his/her mind, or where the Management makes a request to lead further evidence which was not available when the inquiry was going on, the inquiry may be reopened.

15.10 (STEP 6) The Inquiry Report

The Inquiring Officer should at the earliest available opportunity after the conclusion of the inquiry submit 'The Inquiry Report' to the ED through the HR Director, which should contain the decision on each of the charge(s) together with the reasons for such decision.

15.11 (STEP 7) Punishments

1. The ED shall decide the punishment to be imposed.
2. The punishments to employees who have been found guilty of the above offences may be as follows
 - I. Verbal warning or written warning.
 - II. Fine commensurate with offence committed which should not exceed 5% of the employee's monthly earnings, if there is a fines fund approved by the commissioner of Labour
 - III. Extension of probationary period
 - IV. Suspension from service for a determinable period.
 - V. Debarring from attending all promotional interviews for a determinable period.
 - VI. Suspension, stoppage or deferment of increment.
 - VII. Transfer and/or demotion in grade
 - VIII. Dismissal.
3. The punishment shall be communicated in writing to the accused by the Head of HR, before awarding the punishment,
4. Factors such as length of service, position of the employee, his/her past record etc, should be taken into consideration.
5. The punishment should not be out of proportion to the offence committed.

15.12 (STEP 8) Appeal procedure

1. Any appeals against the decision should be made in writing **within 14 days** from the date of the communication of such decision and shall be addressed **to the President of the FPA Sri Lanka** giving the specific grounds for such appeal.
2. The President FPA Sri Lanka in consultation with the ED should review the facts of the case and inform his/her decision to the appellant.
3. This decision shall be treated as final and conclusive in so far as the FPA Sri Lanka is concerned.

15.13 Employees convicted by a criminal court

1. Every employee convicted by a criminal court shall forthwith inform the head of HR, through the head of the Unit.

2. On receipt of this communication the HR Unit should call for the certified copy of the findings and on receipt of these documents, shall decide on what disciplinary action should be taken against the employee.

15.14 Examples of Some major offences

1. Misappropriation or failure to account for the funds of the FPA Sri Lanka
2. Theft or dishonesty in relation to the property belonging to the FPA Sri Lanka
3. Habitual breach of regulations or orders of the FPA Sri Lanka
4. Negligence resulting in loss or damage to the FPA Sri Lanka
5. Dangerous or unauthorized driving or use of FPA Sri Lanka vehicles.
6. Driving of FPA Sri Lanka vehicles under the influence of liquor or drugs.
7. Acting in collusion with customers and/or agents of the FPA Sri Lanka, resulting in loss or detriment to the FPA Sri Lanka
8. Insubordination to superior Officers of the FPA Sri Lanka
9. Conviction in Court of a criminal offence or finding by other statutory authority which involves moral turpitude.
10. Sabotages of or willful damage to property of the FPA Sri Lanka
11. Taking or giving of bribes or gratification in cash or kind.
12. Riotous or disorderly behaviour in FPA Sri Lanka premises
13. Gambling in FPA Sri Lanka's premises.
14. Misuse of property belonging to the FPA Sri Lanka
15. Failure to carry out lawful orders.
16. Issue of unlawful instructions to subordinates.
17. Willfully acting in a manner calculated to or negligence which causes loss, prejudice or harm to the FPA Sri Lanka or which affects adversely its goodwill or prestige.
18. Misuse of authority power or position for personal gain.
19. Submission of false or forged certificates.
20. False or incorrect declaration in forms pertaining to applications for employment.
21. insobriety or drunken behaviour
22. Willfully giving false evidence or altering FPA Sri Lanka documents without authority
23. Habitual late attendance and/or habitually being absent without leave or informing head of unit.
24. Absence without authority beyond entitlement or after warning.
25. Failure to observe FPA Sri Lanka Regulations.
26. Sexual harassment of fellow employees or unbecoming conduct.
27. Causing disaffection or mischief among fellow workers.
28. Acts or omissions which undermine the Management or members of the
29. Refusal to accept communications from the FPA Sri Lanka
30. Carrying on a business, occupation or calling which is in competition with the FPA Sri Lanka
31. Refusal to perform overtime.

15.15 Examples of some minor offences

1. Unpunctuality
2. Failure to wear uniforms whilst on duty
3. Discourtesy to clients, customers and agents of FPA Sri Lanka
4. Failure to observe safety precautions.
5. Wearing of untidy or dirty uniforms.
6. Failure to report an accident.
7. Failure to maintain essential records.
8. Smelling of liquor and/or cigarettes whilst on duty

16. GRIEVANCE POLICY

12.1 Objectives

FPA Sri Lanka has formulated a grievance procedure, of which the main objective is the speedy resolution of employee grievances, eliminating possible and unnecessary conflict and causes of it. Specifically, the objectives of this policy are as follows.

1. To resolve **work related grievances** at FPA Sri Lanka as fairly and as swiftly as possible.
Subject to the conditions that:
2. This Procedure is not used for appeals against disciplinary action. Such are to be carried out in accordance with Disciplinary and Appeal Procedure.
3. This Procedure is neither used for the resolution of collective or individual grievances related to wages or salaries.
4. To enable an environment where employees may lodge grievances without fear of victimisation.
5. To maintain records of all statements and decisions of grievance related matters.

16.2 Grievance Procedure

Grievances are feelings of injustice or dissatisfaction affecting an employee. Grievances may be real or imaginary, but in either case, it is essential that the grievance is brought to light, discussed and the matter resolved to the satisfaction of all concerned.

Failure to do so will only result in the grievance becoming a far more serious problem. FPA Sri Lanka regards it important that all its employees will have sufficient knowledge of such procedure and easy access to it.

The Grievance Procedure will be implemented as follows:

16.2.1 Step 1 - Immediate Supervisor

1. The employee must discuss his/her grievance with his/her immediate supervisor or the latter's supervisor in case the grievance is against the immediate superior.
2. The superior who has received a grievance complaint, must endeavour to solve the problem within two (2) working days and inform the employee.
3. Should the employee not be satisfied with the outcome, he may proceed to Step 2.

16.2.1 Step 2 - Unit Manager

1. The employee completes a grievance form with all relevant details.
2. He/she may be assisted by the head of HR or an authorized HR Officer in completing the form.
3. The form is handed to the Unit Manager.
4. The Unit Manager shall endeavour to solve the problem within two (2) working days and inform the employee.
5. Should the employee not be satisfied with the outcome, of if the grievance is against the unit manager, he/she must proceed to step 3

16.2.3 Step 3 - Grievance Hearing

1. The matter is referred to the Executive Director by handing him/her the grievance form together with any other relevant written information.
2. The ED shall convene a grievance hearing and attempt to resolve the matter within a period of ten (10) working days.
3. His/her decision shall be final.
4. In the event the employee(s) is/are not satisfied with the decision of the Executive Director, the matter shall be forwarded to the 'Grievance Committee' or directly to them if the grievance is against the Executive Director, subject to the condition that the immediate supervisor and/or Unit head had been informed of this, unless they too are implicated in the grievance.

16.3 Procedure to be followed by a Group of Employees

If a grievance to be raised affects not one employee, but a group, then a spokesman for the group, accompanied (if he/she so wishes) by a delegation of **not more than three** of the employees concerned, should proceed with Step 2 as one would for an individual grievance.

16.4 The Grievance Committee

1. The Grievance Committee will act as a mediator for solving grievances, and if the decision of the Executive Director is not acceptable to the aggrieved staff member or group of staff members, he/she or they may approach the National Council.
2. The Grievance Committee will be appointed by the National Council and will comprise of, subject to periodical revision, members comprising of:
 - I. Senior and/or Middle management of FPA Sri Lanka, subject to the condition that appointees are not alleged offenders in the grievance issue
 - II. Members of the National Council itself subject to this condition that such appointees are not alleged offenders in the grievance issue
 - III. Any other member from a recognized government or private authority (e.g. a retired labour commissioner, or an HR expert from an HR institute)
3. The Terms of Reference for the Grievance Committee, subject to periodical revision, will be stipulated by the National Council and/or Executive Director of FPA Sri Lanka
4. The Grievance committee shall be approached if and only if one or more of the '**Steps**' from 1 to 3 had been attempted by the aggrieved person or group of staff members. The objective of this, is to facilitate an environment where solutions are given to the aggrieved person or group, with the least amount of delays
5. The Grievance committee reserves the right to re-direct the aggrieved person or group of staff members to exhaust at least one option from the '**Steps**' stipulated above, if he/she or they had not done so prior to approaching them

16.5 Terms of Reference for 'The Grievance Committee'

16.5.1 Preliminary Responsibilities

1. Examine the nature of the submission, grievance, complaint, allegation to ascertain the nature of it in terms of whether it is personal, against the organization, against related/affiliated institution, or an individual
2. Collect additional information, related documents from all parties as deemed necessary
3. If the grievance is related only to views/attitudes and perceptions with no tangible evidence whatsoever, afford the opportunity for complainants to express these views/attitudes in person, and/or support complaints with testimonials in writing, or any electronic media such as audio or video recording devices
4. Enable a provision for the representation/support of a third party, if a request is made, whether it is the complainant or alleged offender, as the case may be
5. Submit the findings back to the Executive Director through the National Council, subject to the condition that the Executive Director has not been implicated in the case, where the findings shall be reported to the Hony. President of the National Council or a member appointed by him/her
6. Recommend a course for remedial action, and follow up to ensure that no individual is penalised/discriminated/harassed due to submission of a grievance to 'The Grievance Committee'

16.5.2 Handling the Grievance

1. At least three members appointed subject to the conditions stipulated in point 2 of section 16.4 in this chapter.
2. If there is a dissention, the committee may decide to appoint from among them, a 'KEY DECISION MAKER' to spearhead 'The Grievance Committee' in terms of decision making, and arriving at conclusions, subject to such mutual agreement of the remaining members, prior to submitting the findings to the National Council, subject to the condition stipulated in point 5 of section 16.5.1 in this chapter.
3. The Grievance Committee shall request the National Council, to appoint a sub-committee to examine the details of this report and arrive a final decision, where every member of the National Council shall be informed of this decision, and where details of the case shall be given only upon request if such details are confidential in nature and dissemination may affect the employee negatively.
4. If a solution and/or mutual agreement cannot be arrived at, 'The Grievance Committee' may recommend that the matter be submitted for relevant legal procedures.
5. The Grievance Committee' reserves the right to request the services of an individual or organization specialized in a particular field, if they feel the need for additional expertise.

17. WHISTLE-BLOWER POLICY

17.1 Objective

To encourage employees to report any concerns or suspicions of corruption, fraud, or misconduct, without fear of being penalized

17.2 About this policy

1. FPA Sri Lanka does not tolerate corruption, fraud or misconduct therefore requires suspected cases to be referred directly to the Executive Director.
2. All reported cases will be handled confidentially and thoroughly investigated
3. Anonymous letters, slander, tabloids, blogs, or any other means shall not be covered under this policy and in fact, may warrant disciplinary action and/or criminal prosecution.
4. Employees should be aware that, if a suspicion is reported and results in a prosecution or disciplinary hearing, their involvement as a witness in those processes may be necessary, unless other substantial, reliable evidence is available.
5. Fraud refers to any dishonest or deceitful act including, but not limited to: forgery, misappropriation of funds, profiteering as a result of inside knowledge, disclosing confidential information to outside parties, altering or damaging documents inappropriately, and accepting or seeking anything of material value from clients or related organizations.

18. INTELLECTUAL PROPERTY & SECURITY

18.1 Objective

To ensure that all intellectual property developed by employees during their employment with FPA Sri Lanka, related in any way to the business of FPA Sri Lanka, will remain the property of FPA Sri Lanka.

18.2 About this policy

1. This policy is in direct relation to the policy on confidentiality 3.4 of Chapter 3
2. Employees may be given access to or acquire confidential information, data, business knowledge, or any other business related information in the performance of their duties.
3. This must be protected and used only in the interests of FPA Sri Lanka.
4. Employees must not:
 - I. Disclose or use any part of any confidential information outside of the performance of their duties and in the interests of FPA Sri Lanka; or
 - II. Authorize or be involved in the improper use or disclosure of confidential information during or after their employment without the FPA Sri Lanka's written consent, other than as required by law.
5. Confidential information' includes any information in any form relating to FPA Sri Lanka and related bodies, clients or businesses, which is not in the public domain.

19. RECORDS REQUIRED TO BE MAINTAINED IN RESPECT OF EACH EMPLOYEE

19.1 Personal File

1. A Personal File must be maintained for each employee. This file should contain the following documents which should be serially numbered.
 - I. Application form
 - II. Interview assessment form
 - III. Copies of references
 - IV. Security clearance forms (where applicable) and/or Referee letters
 - V. Employment contract signed by employee
 - VI. Copy of Job description
 - VII. Copy of Birth certificate
 - VIII. Copies of Educational and Professional certificates
 - IX. Copy of NIC and Passport
 - X. Annual appraisal forms up to 2 years (balance to be maintained via summary to avoid bloating of files)
 - XI. Correspondence with employee disciplinary correspondence
2. An index of the contents of the file should also be maintained in the inside back cover.
3. In addition personal data will be maintained in the HRIS.
4. Personnel files are the property of FPA Sri Lanka, and access to the information they contain is restricted
5. Generally, only HUMAN RESOURCE personnel shall have access to these files unless otherwise instructed by Executive Director.
6. Employees who wish to review to their own file should contact the Head of HR with reasonable advance notice employee may review their own personnel files in HR office and in the presence of an individual appointed by FPA Sri Lanka to maintain the files.

19.2 Personnel data change

1. It is the responsibility of each employee to promptly notify FPA Sri Lanka of any changes in personnel data.
2. Personal mailing addresses, telephone numbers, numbers and name of the dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.
3. If any personal data has changed, notify the HUMAN RESOURCE UNIT.

19.3 Remuneration Records

This must contain the following particulars, for each period in respect of which Remuneration is paid should be maintained in respect of each employee.

1. Name of Employee
2. Age
3. Class grade if any

4. Category designation or occupation;
5. Remuneration period
6. Number of hours of work performed during the remuneration period
7. Number of hours of overtime work performed during the remuneration period,
8. Rate of remuneration,
9. Gross remuneration earned during the remuneration period;
10. Deductions made from the gross remuneration,
11. Advance made out of the remuneration during the remuneration period,
12. Contributions made by the employer and the employee to any pension scheme or provident fund, during the remuneration period; the balance remuneration and the date of payment.
13. The total overtime remuneration paid in respect of each remuneration period,
14. The amount recovered under the Income Tax Ordinance or under any other written law or order of court,
15. Acknowledgement of the employee in proof of receipt of net remuneration.

19.4 Service Record

1. In respect of each employee must be maintained.
2. The service records shall contain the following particulars.
 - I. Name of the Shop or Office (in this case, FPA Sri Lanka)
 - II. Name of the employee
 - III. Gender, race, date of birth, nationality and civil status
 - IV. Date of commencement of employment
 - V. Post to which appointment was made
 - VI. Period of probation
 - VII. Basic salary and allowances if any
3. Service records should be maintained in respect of each employee, and, the records should be kept for a period of 2 years from the date of termination of the contract of such employment

19.5 Time & Leave Record

1. The following particulars must be entered in a Time and Leave Record
 - I. Name of Shop or Office
 - II. Address of shop or office
 - III. Nature of business carried on in the shop or office
 - IV. The month and year in respect of which the record is maintained
 - V. Date and day of the week
2. In addition, the following particulars must be entered in respect of each of the employees

- I. Name
- II. Sex
- III. Age
- IV. Times of arrival and departure
- V. Hours worked in each month
- VI. Overtime worked in each month
- VII. Weekly holidays allowed in a month
- VIII. Leave allowed in each month
- IX. Public holidays allowed in each month
- X. Initials of employee

19.6 Records required to be maintained in respect of deductions

19.6.1 Articles Sold

If any article is sold to an employee, the name of the employee, the price at which it was sold the date on which it was sold and the dates on which such recoveries were made.

19.6.2 Fines

1. Name of the employee;
2. Date on which the fine was imposed;
3. Reasons for the fine;
4. Amount of the fine and dates on which the recoveries were made in respect of such fine.
5. Deductions in respect of Security the employer should maintain a record of such deductions and furnish a receipt in respect of the amount so deducted.

19.6.3 Advances

1. The full name of the employee
2. The amount of the advance;
3. The date on which the advance was made
4. The dates on which such recoveries were made
5. The signature of the employee in acknowledgment of the receipt of the advance.

19.7 Preservation of records

1. Records must be preserved for a minimum period of 4 years except for service records, which are required to be kept for a minimum of two years.
2. In this regard it must be noted that the actionable period for all prosecutions is six years from the commission of the offence.
3. Therefore, if disputes relating to any records arise within the actionable period but after the records have been dispensed with, employers could be faced with difficulties in justifying their positions without the relevant records. For instance, if a complaint is made regarding non-payment of gratuity five years after the termination of employment (within the actionable period), the employer will face difficulties in proving his/her case.

19.8 Backups

Backup copies of all employee records shall be electronically stored in a safe place away from the premises of FPA Sri Lanka