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### HR Policies

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#### STAFF RULES OF DISCIPLINE/GRIEVANCE SETTLEMENT

The SHPOUL encourages frequent interactions among staff, fair expression of views, giving suggestions to improve work etc. to maintain a pleasant and participatory working environment. The staff members are expected to follow high standards of work ethics to maintain conducive working environment. However, there may be instances where staff members are grieved by other staff members. The SHPOUL believes that any such incidence must be addressed as soon as possible before it starts affecting work performance.

The rules of discipline and disciplinary control system are vital for the organization to maintain discipline, instances of overriding controls, and breach of regulations to maintain high output level. Observing these rules helps in providing fair, open, uniform and objective criteria for correcting and improving staff behavior, work environment and thus performance.

#### Application

These rules shall apply to all staff members of the SHPOUL and to all the persons working with SHPOUL in capacity of consultants, Volunteers, interns, part-time staff etc.

#### Code of conduct

- i. All staff members are required to observe high standards of performance, discipline, norms and customs of service, and behavior appropriate to their employment.
- ii. All staff members will observe and abide all lawful orders and directions issued by the respective authorities.
- iii. Staff members will never violate the fundamental principles of good human conduct, and the dignity of beneficiaries.
- iv. At all times information, publicity and advertising activities shall recognize the SHPOUL beneficiaries as dignified human beings, not hopeless objects deserving alms.
- v. Following shall be considered as misconduct for the SHPOUL staff. The nature of offence (major or minor) will be decided by the relevant authority, taking into account the gravity of misconduct, previous record of the staff member, and any other circumstances that may exist at the time of misconduct:
  - a) Habitual tardiness and or not completing required working hours;
  - b) Repeatedly leaving job or work area during the office timings without informing or taking authorization from concerned official or taking short leave;
  - c) Smoking during working hours in the enclosed premises of the SHPOUL or official vehicles;
  - d) Reporting for work or being on duty with intoxication;
  - e) Work output is not in accordance with the standard set in the work-plan and job description;
  - f) Excessive defective work due to staff members own errors;
  - g) Habitual absence without leave or absence from duty without approved leave/informing the concerned authority, reception or the Senior Program Manager

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for more than 8 days 'Contract' staff and more than 12 days for 'Permanent' staff. Absence without approved leave(s) or informing the line supervisor or the Senior Program Manager for more than days shall render the concerned staff member to temporary suspension;

- h) Gambling or promoting gambling in the office;
- i) Malicious/willful damage or destruction of the SHPOUL property;
- j) Gross/willful insubordination or disobedience, whether alone or along with others, to any lawful and reasonable instructions of supervisor/legal commands;
- k) Striking work, or inciting others to strike work, in contradiction of provisions of any law or rule, or adoption of slow tactics (staff members may form union under relevant statutes);
- l) Gross misconduct or misbehavior with immediate supervisor or with any staff member including persons working under supervision;
- m) Stealing, fraud or dishonesty in connection with the SHPOUL funds or property/valuables of other colleagues;
- n) Wrangling brawling;
- o) Harassment of all kinds, especially sexual harassment of all types as per organizational policy;
- p) Deliberate falsification of the SHPOUL records;
- q) Giving wrong information about personal particulars and previous service(s);
- r) Undertaking private paid work of any nature without taking prior approval;
- s) Conviction by a court of law of any criminal offence or offenses of moral turpitude;
- t) Taking or giving of bribes or any illegal gratification;
- u) Unauthorized approaching media, any business firm, Government or private organization, without following the procedures set by the organization or obtaining necessary approvals;
- v) Taking or accepting any gift or award from any individual or institution whatever, in connection with the official work, without prior approval of authority; or accepting hospitality while working outside the office beyond cultural norms of the area, which may place an unreasonable burden on the host or expose the staff member(s) and/or the SHPOUL to future liabilities;
- w) Deliberately giving confidential or restricted information to unauthorized person(s);
- x) In-discipline or breaking of rules of the SHPOUL, including rules and regulations of the organization, or contravention of standing/routine orders issued in regard to the promotion and maintenance of the working of the organization.
- y) Misuse of staff members, including utilizing to carry out personal work without consent;
- z) Misuse of office premises/equipment and facilities or their personal use out of the limits set by the organization or without prior approval from the Senior Program Manager;
- aa) International faulty complaints; and/or
- bb) Any other act considered offence by the authority.

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### 3. Authority

Authority to handle/attend matters of disciplinary nature or grievance is given in the table below

S.No.	Level of staff member accused (against whom complaint is initiated)	Authority
1.	Staff of G-5	Executive Body
2.	Staff of G-3, G-4 and consultants	Senior Program Manager and Executive Body
3.	Staff of G-1, G-2, volunteers, interns, part time staff	HR & Administration, Internal Disciplinary Committee
4.	Daily wages staff	Manager Finance

### 4. Internal Disciplinary Committee

An Internal Disciplinary Committee comprising of the following permanent and temporary members shall be constituted to attend the disciplinary matters of G-1 and G-2 staff and give advice for other levels as and when required by the relevant authority.

S.No.	Designation	Permanent/ temporary
1.	Executive Director or his/her nominee	Permanent
2.	Manager Operations/Senior Program manager	Permanent
3.	Senior most or any other women staff member nominated by women staff	Temporary, appointment for one year
4.	Any other staff member invited by above three on case to case basis	Temporary

In case, any of the above staff member or his/her immediate supervisor is involved in grievance/matter under consideration, the staff member will not take part in the proceedings, following the conflict of interest policy. The replacement of such member shall be decided by other members of the committee.

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#### 5. Disciplinary Procedure

Any staff member can bring any offence or misconduct by any staff member into the notice of his/her immediate supervisor, the Executive Director or his/her nominee, Manager Operations, the Senior Program Manager or any member of the staff with whom she/he feels Comfortable.

The following procedure shall be observed when a staff member of the SHPOUL proceeds against under the regulations. As a first step, on occurrence of the alleged act of offence, the matter shall be brought in the notice of the line supervisor, who will make an initial oral inquiry under intimation to the concerned authority. In cases where the complainant is against the line supervisor, the initial inquiry shall be conducted by a person designated by the Internal Disciplinary Committee. If the nature of offence is judged minor taking into account the gravity of misconduct, the previous record of the staff member and any other circumstances that may exist at the time of misconduct, the staff member shall be warned verbally as stated under Penalties. If the nature of offence is not considered minor, further inquiry shall be conducted as given below for which the complaint staff member will file a formal complaint on the 'Complaint Form' given Annex 21-A.

In case where the accused staff member is found 'not guilty', the relevant authority shall take appropriate action against the complainant if the complaint is considered to be intentionally malafide.

#### A) 'Contract' Staff and 'Permanent' Staff of G-2 to G-4

The concerned staff member shall be informed about the alleged act of offence in writing by his/her supervisor or authority or the person designated by the authority, as first show cause notice or charge sheet. The staff member shall be given an opportunity to explain in writing the circumstances of offence alleged against him/her within three days of receipt of explanation letter or as mentioned in the notice.

On receipt of reply or explanation from the accused staff member, the authority shall decide, in the interest of justice, whether an inquiry should be conducted through an Inquiry Officer/Committee or not. If considered necessary, the appropriate Authority shall nominate inquiry officer/committee to conduct inquiry.

The Inquiry Officer/Committee on from behalf of and with the agreement of the Authority will issue a formal charge sheet and statement of allegation to the alleged staff member and hold an independent inquiry. The inquiry officer/committee will present its report in writing and recommend penalty and/or other appropriate measures to the competent authority within 15 days of its nomination. On the approval of the Authority, the Administrator will ensure the implementation of such measures. The individual concerned shall be provided a copy of the decision of inquiry committee.

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Based on the gravity and nature of the offence, if considered necessary by the Authority, the staff members involved (both or any of complainant or accused) may be sent on leave during the inquiry, for not more than a period of 15b days, as per the availability of leave quota.

### B) 'Permanent' Staff of G-1

The concerned staff member shall be informed, in writing, about the occurrence of alleged act of offence by his/her Supervisor, the relevant authority, or the person designated by the competent authority as first show notice or charge sheet. The staff member shall be given an opportunity to explain, in writing, the circumstances of offence alleged against him/her within three days of receipt of the show cause notice/explanation letter or as mentioned in the letter.

If a reply or explanation to the show cause notice is not found satisfactory by the authority, the authority shall decide whether, in the interest of justice, an inquiry should be conducted, through an inquiry officer or inquiry committee nominated by the competent authority, or not.

The inquiry officer/committee shall hold an independent inquiry, and if the alleged staff member found guilty of misconduct, the authority shall issue a second show cause notice to the alleged staff member, proposing punishment. If reply from the alleged staff member is not found satisfactory, the authority shall pass an order for punishment. The HR&Admin will ensure implementation of such measures. The individual concerned shall be provided a copy of the punishment order.

Based on the gravity and the nature of the offence, if considered necessary by the authority, the staff members involved (both or either of complainant or accused) may be sent on leave during the period of inquiry for not more than twenty-eight days total. Each order of leave shall not be more than four days. The order of sending on leave shall be in writing, keeping in view the available leave quota.

## 6. Penalties

A staff member, who is found guilty of breach of the code of ethics, regulations of the SHPOUL, or any other act of misconduct, may be subjected to one or more of the following penalties by the authority; depending upon the gravity of offence, having followed the procedure prescribed under disciplinary procedures. Inefficiency in performance of work according to work-plan(s) or job description/contract shall not require full procedure, in such cases penalties can be awarded by the Senior Program Manager (the contracting authority) upon advice of or in consultation with the line supervisors (s) and the Executive Council.

### A) Minor Penalties

- i. Oral warning/reprimands without formally filling complaint;
- ii. Oral warning/reprimands that is noted in the person's employment record;
- iii. Written warning noted in the employment record; and/or
- iv. Recovery from pay of the staff member, whole or any part of any financial loss, caused to the SHPOUL by negligence.

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#### B) Major Penalties

- i. Stoppage of promotion or financial increment for a specific period;
- ii. Demotion;
- iii. Putting a confirm staff member on probation;
- iv. Termination from service with notice period or notice period salary;
- v. Dismissal from service without notice or pay in lieu of notice period; and/or
- vi. Dismissal and filing law suit.

#### 7. Appeals

The 'permanent' staff member of G-1 category against whom any major penalty is recommended by the authority can appeal, within ninety days of the receipt of such decision, to the chairperson of the Executive Council by submitting an appeal through proper channel. For the 'permanent' and 'contract' staff in G-2 to G-4 categories, the time limit for filing an appeal is seven days. In cases of major or minor penalty, appeal can be forwarded to the Executive council, which may, for reasons to be recorded in writing, either:

- i. Accept the appeal and forgive the individual;
- ii. Change the nature of punishment taking a lenient view; or
- iii. Reject the appeal.

#### 8. Grievance Settlement

The SHPOUL encourages its staff members to interact frequently and meaningfully participate in pursuing individual work-plan as well as overall objectives of the SHPOUL. There can be instances where a staff member feels aggrieved from another staff member. Though many factors which may cause grievances have been given in the code of conduct, all human behaviors and possible grievances cannot be listed. It is expected that most of the grievances shall be resolved informally. In cases where informal resolution is not reached, a formal procedure, given below, shall be followed.

#### 9. Procedure for Grievance

If grievance is with the immediate supervisor, the supervisor's supervisor will be the relevant position to approach.

- i. Any staff member feeling aggrieved must notify the grievance to his/her immediate supervisor, with copy to the relevant authority, as given in **section 21.3** 'Authority', on ; 'Compliant Form' given in annex **21-A**. Anonymous grievances and complaints will not be given full consideration, if nature of the complaint requires anonymity, the aggrieved staff member must justify it in the note.
- ii. The concerned supervisor will try to resolve the matter. If the supervisor is unable to resolve grievance to the satisfaction of the complainant, the supervisor will inform the relevant authority to take further action within three days of receipt of complaint. The concerned supervisor will also inform the Authority about efforts already made to resolve the matter.

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- iii. The authority may decide to conduct initial inquiry and/or refer the matter for formal inquiry procedures mentioned above. The complainant staff member will be informed about the decision in writing within seven (7) calendar days of submission of grievance to the Authority. The inquiry procedure, penalty, and appeal shall be the same as given above for the Disciplinary procedure.

If grievances relate with the Senior Program Manager or decision taken by the relevant authority is not up to the satisfaction of the staff member, the matter may be forwarded to the Executive Council. A note explaining the actions taken by the SHPOUL Head Office shall also be submitted to the Council. The Executive Council, upon its discretion, may discuss the matter with concerned staff member(s), hold inquiry as it deem fit and take decision. The decision of the Council will be final.

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