



**NETWORK OF PEOPLE LIVING WITH HIV/AIDS IN NIGERIA
(NEPWHAN)**

HUMAN RESOURCES POLICY MANUAL

Reviewed JUNE, 2013

GOAL:

To advocate for the rights of PLHIV in Nigeria and seek to put in place comprehensive HIV and AIDS prevention, care and support services

VISION:

A country where PLHIV are given equal rights and privileges like every other member of the society

OUR MISSION

To empower, strengthen and coordinate all support groups, state networks, constituencies, associations and organizations of people living with HIV and AIDS in Nigeria to contribute meaningfully to the national response.

SPECIAL NOTICE

This Human Resources Policy Manual was first developed and adopted in June 2009 with the technical support of Management Science for Health (MSH). The provision of these policies, procedure and manual are subject to annual review by Management Board. Efforts shall however be made by Administration Department to issue due notice when changes and revisions occur and such changes will duly be incorporated in the next issue.

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NEPWHAN Background

NEPWHAN refers to the central coordinating body of all support groups of people living with HIV/AIDS (PLHIV) who choose to register with the body throughout the country. Being a central coordinating body implies that it does not execute programs while it assists its member support groups to carry out its stated mission and activities leading to achievement of our goal and objectives. NEPWHAN however is actively involved in the mobilization and capacity development of PLHIV throughout the Federation and organizing them into new or existing support groups thereby broadening its own organizational base.

HIV was given official recognition in Nigeria when the first case was announced in 1986. As in other parts of the world the infection came into Nigeria with its full complement of attending fear, stigma, discrimination and rejection. It is therefore not surprising that PLHIV tended to hide their status. Even when terminally ill, the cause of their illness is rather ascribed to other infections such as Tuberculosis. At that time, government was still in denial and there was therefore no commitment of any sort to HIV response by government and its arms. Responses to the epidemic in the country were mainly by nongovernmental organizations (NGOs) including faith-based ones and international agencies that were only operating half-heartedly due to the political climate at the time.

Lack of capacity and basic infrastructure however severely limited activities of NEPWHAN. In the year 2000, PLHIV from all over the nation were again called together to fashion a way to move the network forward and invigorate the executive. A new executive was put in place at this meeting. The mission of the network was set at –_To empower, strengthen and coordinate all support groups, state networks, constituencies, associations and organizations of people living with HIV and AIDS in Nigeria to contribute meaningfully to the national response. Its goal; “ To advocate for the rights of PLHIV in Nigeria and seek to put in place comprehensive HIV and AIDS prevention, care and support services.” The vision of the network was; “_A country where PLHIV are given equal rights and privileges like every other member of the society”

In terms of directional thrust, the network set itself two main tasks:

- a. Mobilization of PLHIV all over the country, organizing them into support groups and empowering them to join in the national response with the aim of reducing and eventually eliminating further spread of the virus.
- b. Mitigating the impact of HIV and AIDS on the life of PLHIV, PABAs, orphans and other vulnerable children.

Values at NEPWHAN

- Empowering individuals and institutions to improve the health status of populations at risk as a positive contribution to social justice.
- Personal integrity, high moral standard, commitment to our shared mission, and excellence in our work are expected.
- Common courtesy in our personal interactions, a collaborative working style, and concern for the rights of others are the chief manifestations of, and basis for, building NEPWHAN’s mission.
- Pursuit of public health goals at NEPWHAN is driven by their importance, by the possibility of positive impact, and by technical and financial feasibility, not by potential profitability. Hence, NEPWHAN is constituted as a nonprofit corporation to serve the public interest.
- The immensity of the tasks we face in public health management requires a high degree of humility. Our individual energy, intellect, sense of humor, and dedication can make a difference.
- Management support for development means long-term commitments to our clients and colleagues. It demands that we work for the success of others, promoting their capacity to work more effectively and independently and placing a higher value on facilitating their success than on personal or organizational recognition.

INTRODUCTION

This policy manual exists to promote unity through a common understanding of what is expected of NEPWHAN and her employees. This document shall be subject to a review annually, in order to reflect current practices.

- NEPWHAN will hire and retain employees, and provide those benefits and rights under the guidelines of Nigerian labour law and as provided by the project under which the staff is hired.

NEPWHAN will treat employees in a manner in keeping with the mission and ethical standards of the organization.

To support the mission, NEPWHAN is committed to:

- Employing staff who are recognized for technical excellence, integrity and dedication;
- Collaboration with colleagues on the basis of mutual respect and shared goals;
- Providing a workplace that is professionally stimulating and supportive;
- Ensuring the protection of the health, safety and welfare of men and women in NEPWHAN will take affirmative action to ensure that qualified applicants are employed and are treated without regard to their race, age, color, religion, sex, national or ethnic origin, social or marital status, physical disability or HIV status. In accordance with the labour law of Nigeria, NEPWHAN will ensure equal opportunity for women, in relation to remuneration, employment security and provision of maternity and paternity leave.

NEPWHAN shall maintain ethical standards in the hiring and termination of all staff.

Office Operations Policy

NEPWHAN will set operation policies in collaboration with the management team,

- Following sound business practices and complying with any applicable Nigerian law and donor requirements where necessary;
- Providing a workplace that is secure, comfortable and efficient;
- Creating policies that treat employees equitably;
- Implementing procedures that safeguard assets and equipment from loss, fraud or misuse.

Standards of Ethical Conduct

Personal integrity is considered to be the most important contribution an individual may bring to NEPWHAN. NEPWHAN expects all employees to adhere to the highest standards of ethical conduct in their professional and private affairs. General standards of conduct include avoiding any action that might result in or create the appearance of:

- obtaining personal financial gain from one's position or activities with NEPWHAN;
- facilitating the financial gain of a competitive organization or individual through disclosure of confidential information about NEPWHAN;
- failure to properly account for NEPWHAN fund with which one is entrusted;
- failure to report personal use of NEPWHAN facilities (e.g. vehicles, furniture, and other equipments)
- All employees shall be loyal to the policies, procedures and activities of NEPWHAN above all other considerations.

Fees, honoraria, and gifts of nominal value may be accepted by a staff member. However, acceptance of any gift, meal, or social invitation which is not in keeping with good business ethics, or which obligates the staff member or the recipient, is in conflict with NEPWHAN interest is prohibited.

CHAPTER ONE

EMPLOYMENT WITH NEPWHAN

01.01 RECRUITMENT:

i) Notification of a Vacancy

- The Admin Officer charged with communicating vacancies should be informed of the vacancy by the Admin Manager, after having conferred with the relevant manager.
- The Admin Officer will circulate an internal memo announcing the vacancy, if internal applications will be entertained.
- Internal candidates wishing to apply may do so once they have informed their line manager in writing.
- NEPWHAN will recruit externally if deems it necessary in meeting the job requirements.

ii) Short listing

Selection criteria shall be objective, related to inherent job requirements and competencies and consistently applied across all candidates. When making the selection the following factors should be considered:

- Qualification
- Training
- Experience

NEPWHAN encourages the engagement of HIV positive persons, as well as physically challenged persons, as long as such persons are capable and fit, and meet the requirements for the vacant position.

- Criminal, credit and reference checks shall be conducted where necessary with due regard to the rights of privacy and confidentiality of the candidate and the referee before employment.
- Records/entries must be evaluated in the context of whether or not they would have any relevance to the job.
- Selection will not be final until NEPWHAN conducts a qualification and criminal check.
- Unsuitable candidates should be regretted immediately when disqualified.

iii) Interviewing

- Interviews shall be conducted by an interview panel set up by the head of Administrative department.
- Competencies which are material to the successful performance of the position should be used to formulate questions and/or role plays and/or tests. Candidate responses and performance should be recorded as accurately as possible and weighed in order to identify the best candidate for the position. Reasons for decisions should be recorded.
- Interviews should be structured, and consistent criteria used to identify potential candidates.
- Interviews must be competency-based, using updated job criterion and specifications as the basis of question formulation. Tests and assessments could be consistently and objectively used in conjunction with other measures of screening.

- Job specific risks should be disclosed to candidates such as:
 - Exposure to patients with active TB at clinics, home visits and counseling sessions.
 - Stigmatization of NEPWHAN staff, as it can be seen as an indicator of the employee's own HIV status by community residents.
 - Verbal abuse during home visits
 - Aggressive clients during counseling sessions.

iv) Credit, Criminal and Reference Checks

- Candidates may appoint their own referees as long as the referees are credible and in a position to give justifiable and factual information.
- Only justifiable and job-related issues may be elicited and taken into consideration.
- References may only be checked by the manager responsible for recruiting.
- Only the Administrative Manager and the National Coordinator of NEPWHAN shall authorize the contact of the referees on staff members.
- List of candidates for senior positions should be sent to the management board for approval.

v) Non-Citizens

- Only legal non-citizens whose work permits are in order may be employed.
- The responsibility for ensuring the continued validity of any permit rests with the staff member and NEPWHAN. The network reserves the right to terminate the employment contract by giving contractual notice if the staff member errs in this regard. The termination will only be done after a formal enquiry has been launched into the matter.

vi) Employment

- It should be common practice to disclose all employment conditions (including policies and procedures) to candidates whom NEPWHAN wishes to employ before finalizing employment in order to ensure consensus and understanding thereof.
- NEPWHAN does not allow immediate and extended family members to work in the same department or division.
- NEPWHAN is willing to offer 3 – 6 months internship to University or polytechnics students (or volunteers)
- NEPWHAN is willing to offer 12 months practical work experience to tertiary institutions' graduates under the National Youth Service Corps (NYSC), or students under the Students' Industrial Work Experience Scheme (SIWES) as required, and as openings exist and paid a stipend as it aligns with the financial policy.
- NEPWHAN may accept the services of volunteers and or engage the services of person(s) on temporary and casual basis. Based on their qualifications and or experiences NEPWHAN will provide allowances for meal and transport.
- Degree/HND holders (equivalence) from tertiary institutions can only be employed upon completion of NYSC program, or on presentation of exemption certificate.

vii) **Making the offer of employment**

- Only the National Coordinator shall make an offer of employment.
- Upon completion of a satisfactory probationary period of 6 months, the employee shall be offered a permanent position subject to the following conditions:
 - The employee continues to maintain a satisfactory level of work performance
 - The employee continues to maintain the ethical standards of NEPWHAN and adheres to the policies and procedures outlined in NEPWHAN manual.
 - The employee upholds all applicable Nigerian labour laws
 - NEPWHAN retains adequate donor funding to continue its activities in Nigeria

01.02 **INDUCTION**

- There should be a formal standardized induction programme for all new staff members. The importance hereof lies in the need to facilitate transition into different working environments and to assist equipping staff members in common areas of operation.
- It is policy for all new staff members to undergo induction within two weeks of joining NEPWHAN.

Areas to be covered in formal induction would include:

- Goal, Mission, vision and structure of NEPWHAN
- Detailed focus on the culture, structure and resources of NEPWHAN
- Health and safety matters
- An overview of diversity programmes
- An overview of all administrative and policy issues
- Orientation of disciplinary, grievance and performance management systems
- An overview of all applicable training and development programmes and facilities
- Any fundamental, specialized or necessary initial product or service training and on-the-job training which is to follow
- The labour relations differences between permanent, temporary, contract and other staff
- Taxation and remuneration issues

01.03 **PROBATIONARY PERIOD**

- New staff will be subjected to a probationary period of :
 - 6 months for all staff.
 - A performance review shall be conducted every two months.
 - At the conclusion of 6 months period, a performance review will be conducted to determine if the relationship should continue.

- Terms of Reference, policies and procedures will be provided to new staff and standards for satisfactory performance will be discussed and agreed upon.

01.04 WORK CONTRACT

- All staff shall be issued an Appointment Letter accompanied by Terms of Assignment, which clearly outlines their duties, rights and benefits as an employee of NEPWHAN. Employees shall also be provided with a job description that gives additional details regarding the roles, responsibilities and requirements of their position.

01.05 TERMINATION OF EMPLOYMENT

NEPWHAN and/or employees may terminate their appointment according to these guidelines.

- Staff who fails to meet expectations will be given written warning prior to termination.
- The notice period to be given by either party for non-managerial staff (trainee, administration, personnel and secretaries):
 - Employment for six months or less, one week's notice
 - Employment between six months and up to one year, two weeks notice
 - There after, a minimum of thirty calendar days' notice
- NEPWHAN will pay confirmed staff member a month's salary in lieu of notice, where it is not a dismissal. Staff is also expected to pay a month's salary in lieu of notice.
- If a staff member wishes to leave the employment of NEPWHAN before the expiration of the notice period, NEPWHAN will not be bound to the payment of notice for the period not worked.

Notice of termination of a contract of employment must:

- Be given in writing
- Include the date of the notice and the intended date of Termination.
- Not to be given during any period of leave to which the staff member is entitled.
- shall not run concurrently with any period of leave to which the staff member is entitled, except sick leave
- Shall be given on the first or fifteen day of the month.

NEPWHAN will **issue the employee with a certificate of service which includes:** the name and address of the employer; nature of the business of NEPWHAN employee's name and position employee's start date and termination date

- In addition, NEPWHAN may provide a letter of reference, testimonial or other certificate of character, provided termination is not for negative cause.

01.06 SEVERANCE PAY

NEPWHAN does not pay severance to any disengaged or terminated staff.

01.07 CASH IN LIEU OF LEAVE AT TERMINATION OF EMPLOYMENT

A staff member, who leaves NEPWHAN's employment, having exceeded the leave entitlement, will have the monetary value of the excess in leave deducted from the final salary. Staff members who are due for leave will receive payment equal to the monetary value of the leave up to a maximum of 26 working days' leave.

01.08 WORKING HOURS

- The standard office hours are 8. 00 a.m. to 4 p.m. However, hours may vary from one employee to another, based on the nature of their work. This is generally agreed in the employee's contract of employment.
- Overtime done by staff may not be compensated in monetary terms. Although it is normal that occasional overtime may be required to complete a task or meet a deadline, staff is expected to manage their workloads to ensure adequate rest and leisure time.
- Where overtime periods are verified by the supervisor, Management may use its discretion to compensate the staff accordingly.
- Staff is entitled to a one hour lunch break and may take two 15 minutes breaks throughout the day. In accordance with Nigerian labour law, no employee may be required to work more than five hours without a meal break.

01.09 ABSENTEEISM

- It is appreciated that employees may at times be unable to report for work on some occasions as a result of unforeseen circumstances. These may include issues such as tragedy, ill health and unavailability of transport due to strikes in the transport sector.
- In such an event, the employee is to contact the Admin Manager or his/her line manager by phone at least by 10 am and notify them of their absence, unless there are reasons why this is not practicable. Failure to make contact may be regarded as a disciplinary offence.
- If the employee does not make contact with their Manager or any other member of management for a period of three days, this may be considered and treated as desertion.

01.10 RETIREMENT

- Retirement age of all employees is sixty (60) years.
- Early retirement may however be considered at age fifty-five (55) and late retirement after sixty (60) but not beyond sixty (60) years old, subject to approval and annual

review by Management and the National Coordinator. In the case of the National Coordinator, the Board of Trustees approval is required.

01.11 INCAPACITY DUE TO ILL HEALTH

- a)** Incapacity on the grounds of ill health or injury may be temporary or permanent. If a staff member is temporarily unable to work in these circumstances, NEPWHAN should investigate the extent of the incapacity or the injury. If the staff member is likely to be absent for a time that is up to three months in the circumstances, NEPWHAN shall explore possible alternatives short of dismissal, which includes;
 - 1) Recruiting a temporary staff to fill in the gap created by the incapacitated or injured staff, such a temporary staff shall be entitled to a 50% package of the staff in question on monthly basis.
 - 2) A maximum period of nine (9) months may be entertained before the staff member shall be advised to voluntarily resign starting from the period of absence.

- b)** When alternatives are considered, relevant factors might include the nature of the job, the period of absence, the seriousness of the illness or injury and the possibility of securing a temporary replacement for the ill or injured staff member. In cases of permanent incapacity, NEPWHAN should ascertain the possibility of securing alternative employment, or adapting the duties or work circumstances of the staff member to accommodate the staff member's disability. A maximum period of nine (9) months from the first day of absence may be entertained before the staff member may be advised to voluntarily resign.

- c)** NEPWHAN shall established staff accident insurance policy to cover all confirmed staff. The degree of incapacity is relevant to the fairness of any dismissal. The cause of the incapacity may also be relevant.

- d)** Particular consideration should be given to staff members who are injured at work or who are incapacitated by work-related illness.

CHAPTER TWO

STAFF SALARY, TRAINING AND DEVELOPMENT

02.01 PAY SCALES

NEPWHAN Pay rates will be set based on the following criteria:

- Position being filled
- Candidate's past experience and salary history
- Local market for similar positions
- Qualification

02.02 TIME SHEETS AND SALARY PAYMENTS

- All staff are required to complete standardized timesheets, which may be used to control paid time. Timesheets shall be obtained from the Admin department. They are to be filled from the 23rd of the preceding month to the 22nd of the current month.
- Timesheets are to be submitted to the Admin department on or before the 23rd day of the month. Failure to submit time sheet means failure to receive salary for the current month
- Falsification of any details on a timesheet shall be deemed a serious disciplinary offence.
- Timesheets require the signature of the employee and of his/her supervisor after due verification, and will be kept in file.
- Salaries are paid monthly by direct deposit to the employee's bank account not later than the 30th of each month.

02.03 BANK DETAILS

Upon employment, employees are requested to furnish the Finance Department with the details of their bank accounts. Employees have the liberty to subscribe for current or savings accounts.

02.04 TAXES

Employees Tax will be deducted at source from all employees' salaries and paid over to the Federal Inland Revenue Service in accordance with legislation governing payroll taxes.

02.05 BONUSSES

- Bonuses and additional payments i.e. "13th month", granted by NEPWHAN to the Employee depend solely on NEPWHAN's own discretion, and the availability of funds.

- Employees are not entitled to a bonus as of right. NEPWHAN may discontinue the payments of bonuses at any time.
- If a bonus is paid and an employee has not worked with NEPWHAN for a full year, the bonus will be paid on a pro-rata basis, if a basis which implies a year's employment is used. If an employee's services are terminated during the course of the year prior to a bonus being paid, no bonus will be paid to the employee

02.06 SALARY ADVANCE Rules

governing Salary Advance:

- i) The application must be approved by the National Coordinator ii) NEPWHAN reserves the right to refuse the salary advance iii) Acknowledgement of receipt and repayment terms must be signed iv) Payment will be made into employee's bank account and not the account of a third party.
- v) The maximum advance that may be approved is one month's salary including all benefits and allowances. Staff may be granted advance exceeding one month's salary at the discretion of National Coordinator. Repayment must be within the year.
- vi) The advance must be repaid in not more than six months.
- vii) Should any amount be outstanding at the termination of the employee's employment, that amount will be deducted from the employee's salary in the last month of their employment.
- viii) No fresh advance request will be entertained until the previous one is paid

02.07 STAFF TRAINING AND DEVELOPMENT

STAFF TRAINING, DEVELOPMENT AND EDUCATION/STUDY ASSISTANCE

- All staff members should be equitably informed of and have equitable access to training and development opportunities as far as is reasonably practicable and based on the operational needs of the business and the guidelines of this section.
- Training and development activities should be regularly audited and updated.
- Training and development should aim to equip staff members with competencies required to fulfill job requirements, focusing particularly on the transfer of skills from the classroom to the "workplace".
- NEPWHAN may fund 100% of the costs associated with the "appropriate" assistance to be given in training, development and education if such training has been budgeted, approved and relevant to the staff in question.
- Subject to availability of fund, NEPWHAN may fund 50% of the costs associated with "appropriate" assistance to be given to support a staff that has identified a developmental training which can add value to the organization and to the skill of the staff.

02.08 NEEDS ASSESSMENT

- There should be ongoing regular assessment of training and development needs of staff members via a formalized performance management system.
- These needs should be objectively determined via a process of consultation and performance appraisal where it is reasonably practicable.
- There should be a supportive supervision given to subordinates and new staff to enable them learn and understand the ethics and operations of the organization.

02.09 TYPES OF TRAINING AND DEVELOPMENT ASSISTANCE

- The identification of assistance required could result in various forms including:

- ✚ Routine basic training
- ✚ “refresher” training
- ✚ Information technology training (e.g. E-mail)
- ✚ On-the-job training
- ✚ Accelerated Training and Development needs, particularly for previously disadvantaged groups or persons
- ✚ Mentorship programmes
- ✚ Any combination of the above.

- Once it has been established that assistance requested or identified is “appropriate”, NEPWHAN should give due consideration and preference in contemplating providing such assistance.
- In determining whether assistance required is “appropriate”, the following criteria should be used as a guideline:
 - 1) Whether or not training resources can be secured internally
 - 2) Directly related to inherent job requirements and/or the possible career path
 - 3) The business strategy and financial resources of NEPWHAN (i.e. budgets and strategic plans)
 - 4) The outcome of needs analysis exercises and performance management systems.

CHAPTER THREE

EMPLOYEES WELFARE AND BENEFITS

03.01 MEDICAL

- NEPWHAN shall register its staff and dependants in the National Health Insurance Scheme (NHIS) or any other competent health maintenance organization (HMO). The staff shall be registered as a group within the total limit of NEPWHAN budget or project fund.

03.02 PENSION BENEFIT

- A total of **15%** of gross salary is contributed to a pension plan for the benefit of each employee. NEPWHAN contributes **10%**, while the balance of **5%** is deducted at source withheld from the employee's monthly gross pay.
- Each staff is mandated to choose a Pension Fund Administrator.

03.04 CONFIDENTIALITY

- NEPWHAN works in the health industry and deals with issues that are very sensitive to her clients. As in any medical field, NEPWHAN client records and all information regarding the clients are highly confidential.
- No employee shall disclose any information regarding a client, be it their identity (name), where they live, HIV status, or any illnesses they may have, sensitive financial information, without the express written consent of the client.

03.05 WORK PLACE SAFETY, HEALTH AND WELFARE

- NEPWHAN will take all necessary steps to ensure the safety, health and welfare of employees in the workplace. In addition, employees are responsible for ensuring that their acts or omissions in the work place do not endanger themselves or others.

- The office space, Furniture and Equipment will be maintained to ensure that they pose no safety hazard.
- Proper ventilation, sanitation and lighting standards will be maintained in the office.
- Training will be provided, as necessary, to ensure that staff understands the proper operating procedures for all office equipment.
- Electrical appliances and equipment should be turned off and unplugged when not in use. Equipment that should remain on, such as the fax machine and file server, will be attached to a UPS/surge device to guard against data damage caused by power failure or surge.
- Great care should be taken to ensure that electrical circuits are not overloaded and that wires do not pose a tripping hazard.
- Functional fire extinguishers shall be kept in the office to extinguish small fires. Staff should respond quickly to any fire alarms and exit the office promptly. The exits must not be blocked.
- A first aid kit will be maintained in the office to deal with routine, minor problems. Prompt medical attention should be sought for more serious workplace accidents or illnesses.
- The office will be kept clean and food products stored properly in order to reduce the risk of insects, to the greatest extent possible.

03.06 SMOKING/ USE OF DRUGS AND ALCOHOL ▪

Smoking is prohibited in the office.

- NEPWHAN maintains a drug and alcohol free work environment. Drugs taken under a doctor's prescription are allowed. However, if taking such medications impairs the employee's ability to work productively or safely, the employee will be requested to take sick leave and return to work when the situation improves.
- Convictions or evidence of illicit drug use shall result in termination of employment.

03.07 SEXUAL HARASSMENT

- Employees of NEPWHAN are prohibited from engaging in activity that creates an intimidating, hostile or humiliating work environment through sexual advances, requests for sexual favors, or other physical or verbal actions of a sexual nature. Employees who are found to engage in such behavior may be subject to termination of employment with NEPWHAN.
- Sex must not be used as coercion to guarantee continued employment, garner promotions or raises other work related benefits.
- Complaints about sexual harassment should be made to the senior management, or directly to the Admin Manager.
- Employees may not be subjected to retaliation or dismissal for filing a complaint of sexual harassment.

03.08 EMPLOYEE BENEFITS

The following are the benefits that accrues to NEPWHAN staff:

I. SALARY INCREASES

- Merit increases may be recommended after the annual performance review. Recommendations for percentage of increases will be made based on performance achievements and with regard to local inflation.
- An employee may also be given an increase in salary if their work duties have changed to include a significant change in responsibility. Their terms of reference and job description should be amended accordingly to reflect the change in status.
- NEPWHAN strives to provide all the benefits mandated by Nigerian law and followed standard business practice in Nigeria. In addition, NEPWHAN strives to provide compensation and benefit packages that will encourage the recruitment and retention of highly qualified and motivated staff.
- The benefit and compensation packages will be reviewed periodically to ensure that all laws are met and new benefits may be added to the extent that funding allows.

II. HOLIDAYS

12 paid holidays are granted. The paid holidays selected are based on government and religious holidays observed in Nigeria and are as follows:

| | |
|--------------------------|----------------------------|
| New Year's Day | January 1 |
| Good Friday | subject to change |
| Easter Monday | subject to change |
| Eid-El-Fitri * | subject to change |
| Labor Day (Worker's Day) | May 1 |
| Democracy Day | May 29 |
| Eid-El-Kabir * | subject to change (2 days) |
| Eid-El-Maulud | subject to change |
| National Day | October 1 |
| Christmas Day | December 25 |
| Boxing Day | December 26 |

- ✚ The Muslim holidays are moveable and are subject to ratification by the Federal Government.
- ✚ In the event that a public holiday falls on a weekend, the holiday may be taken on the preceding Friday or following Monday, (often determined by Nigerian law) or the day may be used as a floating holiday at a later date.
- ✚ Each year, NEPWHAN will post a list of holidays and office closings. This list will be provided to all staff. Management reserves the right to alter the above schedule, if needed to satisfy the workload or to provide a more reasonable benefit to staff. Any changes will be by mutual consent and notice will be provided to the necessary staff and departments.

III. OFFICE CLOSINGS

The office will be declared closed if weather or political situations jeopardize the safety of staff. Senior management will make the decision to close, following any official government guidelines, and ensure that all staff is notified. To the extent possible, staff will be encouraged to work from home during this period.

03.09 LOCKING UP AND SECURITY

- When leaving NEPWHAN premises, it is the duty of the Admin Manager to ensure that the offices are properly secured. Failure to secure offices when leaving may be deemed to be a disciplinary offence.
- The office should be kept locked when unattended or after business hours.

CHAPTER FOUR LEAVE ISSUES

04.01 ANNUAL VACATION LEAVE

- i) All staff that has been in the employment of NEPWHAN for one year is entitled to leave, as stated in their employment letter.
- ii) Management staff is entitled to a total of 26 working days annually, while other cadres will be entitled to a total of 14 working days in a year.
- iii) Annual leave does not accrue while on maternity leave.
- iv) Annual leave roster shall be prepared at the beginning of every year by the Admin. Department and each staff is expected to notify the department with their choice of tentative leave period.
- v) To ensure that leave is coordinated to minimize disruption to NEPWHAN activities, annual leave must be arranged with the relevant unit head. A leave application form must be completed, signed by the unit head, and submitted to the Admin Manager prior to the leave being taken. For management staff, the National Coordinator must sign the application form.
- vi) The employee must receive a leave approval letter before proceeding.
- vii) If an employee who is on leave of any kind is called to attend an official meeting, or to perform an official function, then that day shall not be regarded as leave.

Annual leave may be converted to sick leave on presentation of a doctor's certificate.

04.02 SICK LEAVE

If an employee feels s/he is too ill to come to work, s/he must inform her/his relevant supervisors by 10 am that day. Failure to inform the relevant supervisor within 3 days may be considered employee desertion, and appropriate steps may be taken in accordance with the code of conduct upon enquiry.

- i) If sick leave is taken on a day adjacent to a public holiday or weekend (such as Friday), or if two or more consecutive days are taken together, a doctor's certificate must be handed in to the Admin Manager. In the absence of this, the leave will be converted to annual leave or unpaid leave if no annual leave is available to him/her.
- ii) An employee who feels too ill to remain at work does not need to put in a sick leave, but must obtain the permission of his/her supervisor.
- iii) Time off for emotional stress due to the nature of an employee's work shall not be considered sick leave if sanctioned in writing by unit head.

Nigerian labor law requires that employees absent for more than two days due to illness provide a doctor's report and the likely duration of the employee's incapacity.

04.03 CASUAL LEAVE

- i) All staff is entitled to seven days casual leave per year, but only after they have been in the employment of NEPWHAN for more than one year.
- ii) Casual leave may be taken in the event of a child being sick, a relative contracting dreadful disease such as cancer or in the event of the death of a relative.
- iii) The relative must be directly related to the employee. That is, it must be his/her parent, guardian, child, spouse, brother, or sister. For this purpose a guardian is defined as a person who raised the employee in their home for a minimum of five years while the employee was under the age of 18 years.
- iv) The leave does not accrue from one year to another. Whatever is not used is lost.

04.04 MATERNITY LEAVE

- i) Female staff is entitled to 3 months maternity leave in the event of their giving birth.
- ii) Unless otherwise necessitated on medical grounds, maternity leave may not be taken earlier than 6 weeks prior to confinement date.
- iii) If the staff member has been in the employment of NEPWHAN for less than two years, half of their normal salary shall be paid during this period and full salary for a staff member of two years and more.
- iv) The staff, on return from maternity leave, may be permitted to close from work at 3pm for eight weeks.
- v) In the event where a staff adopts a child, which is less than six months old, s/he is entitled to three months leave. While a staff who adopts a child above six months

but not more than one year old shall be entitled to two months leave. Thereafter, one month regardless of the age of the child.

04.05 PATERNITY LEAVE

A staff whose wife put to bed is entitled to 7 working Days leave to see to the wife's welfare once in a year.

04.06 STUDY LEAVE

- i) Where a staff member is studying a course for his self or professional development ii) Proof and notice of registration have been submitted to the National Coordinator iii) A copy of the Examination Timetable has been submitted to the Admin Manager at least seven days in advance of the first examination. iv) And approval granted by the National Coordinator
- v) They shall be entitled to leave depending on the examinations time table.
- vi) Study leave does not apply to tests or assignments.

04.07 UNPAID LEAVE

- i) Where a staff member wishes to take leave but has no more leave due to them, they may apply to take unpaid leave. Unpaid leave will be granted solely at the discretion of the National Coordinator.
- ii) The number of days' unpaid leave taken shall be deducted from the number of working days in that month in calculating their salary. The total number of working days in any one month shall be deemed to be 22 days.

04.08 OPTIMUM LEAVE PERIODS

At the National Coordinator' discretion, NEPWHAN may close during 22nd of December, Christmas holidays. This leave is given in addition to the various leave above. Leave may not normally be taken until 12 calendar months of service have been completed. Advance leave will only be granted in exceptional circumstances, with the approval of the National Coordinator.

04.09 APPLICATION FOR LEAVE

- i) Staff is eligible for leave if S/he indicate on the leave roster at the beginning of the year indicating when they wish to proceed on leave
- ii) Applications for leave must be made on the appropriate Leave Form and this must be done at least two (2) weeks in advance, unless approval from the National Coordinator has been obtained. iii) After approval by the relevant manager, the form must be forwarded to the Admin Manager who will give final authorization after reconciling to staff files.

CHAPTER FIVE

INFORMATION TECHNOLOGY AND SAFE GUARDING OF NEPWHAN PROPERTY

05.01 POLICIES

These policies cover the usage of all the NEPWHAN's Information Technology and communication resources, including, but not limited to:

- All computer-related equipment, including desktop personal computers (PCs), portable PCs, terminals, workstations, Personal Digital Assets, wireless computing device
- Telecom equipment, networks, databases, printers, servers and shared computers, and all networks and hardware to which this equipment is connected
- All electronic communications equipment, including telephones, e-mail, fax machines, Personal Digital Assets (PDA), wired or wireless communications devices and services, Internet and intranet and other on-line services.

- All software including purchased or licensed business software applications, written applications, employee or vendor/supplier-written applications, operating systems, firmware, and any other software residing on NEPWHAN owned equipment.
- All intellectual property and other data stored on NEPWHAN equipment.
- All of the above are included whether they are owned or leased by NEPWHAN or are under NEPWHAN's possession, custody, or control.
- These policies also apply to all users, whether on NEPWHAN property, connected from remote via any network connection, or using NEPWHAN equipment.
- The use of NEPWHAN's Information Technology facilities in connection with NEPWHAN business is a privilege and not a right, extended to various NEPWHAN employees or representatives. Users also agree to comply with applicable country, federal, state and local laws and to refrain from engaging in any activity that would subject NEPWHAN to any liability.
- NEPWHAN reserves the right through her authorized agent or representative without notice, to limit or restrict an individual's use, and to inspect copy, remove or otherwise alter any data, file, or system resource which may undermine the authorized use of any computing facility or which is used in violation of NEPWHAN rules or policies.
- NEPWHAN also reserves the right periodically to examine any system and other usage and authorization history as necessary to protect its computing facilities.
- NEPWHAN disclaims any responsibility for loss of data or interference with file resulting from its efforts to maintain the privacy and security of those computing facilities or from system malfunction or any other cause

05.02 APPROVED DOWNLOADS

- Although it would be impossible to name every executable or downloadable file in this policy, users should adhere to these guidelines:
- The download enhances the employee's productivity
- The download is from a reputable source
- The file does not subject NEPWHAN to potential liability.
- The application, tool, or template has been approved by IT

The following is a list of files that employees can download onto their local machines:

i) Instant Communication Query (ICQ)

Like AOL Instant Messenger, employees can use this application to exchange work-related instant messages. MSN Messenger, Skype, facebook, twitter, linkage and Yahoo Messenger are also allowed.

iii) WinZip

Employees who e-mail large files to contractors and consultants are encouraged to use WinZip, a compression utility, in addition to all other zip applications.

iv) Viruses

All system users should contact the IT in the event of virus, worms and system malfunction.

✚ **Please note:** Some useful proprietary applications on NEPWHAN network are seen as viruses and worms by this and other similar applications. Contact the IT department if you have questions about this kind of application.

v) RealOne Player

Employees can use this application to listen to music and view streaming media at their workstation. Users will take care not to adversely affect other workers and will, for example, keep the volume of the music and other media played on this application within reasonable levels, if they are located in an office.

vi) Adobe Acrobat Reader

Adobe Reader Users must have this downloaded to view Portable Document Files (PDF).

vii) Materials

This has to do with downloadable internet contents that contain information about our involvement as an organization.

05.03 PROHIBITED DOWNLOADS

The following downloads are not allowed on NEPWHAN computer resources unless approved by IT.

i) Kazaa Media Desktop

Peer-to-peer (P2P) file sharing applications have come under scrutiny in recent years for their ability to allow users to share copyrighted material and for their network resources that they consume.

ii) iMesh

As with Kazaa Media Desktop, this application is not allowed because it could facilitate users sharing copyrighted files on NEPWHAN network. Such applications can also contain third-party applications, so called adware or spy ware, that collect information about a user's Web surfing habits, change system settings, or place unwanted advertising on the local computer.

iii) Use of these P2P file-sharing programs is prohibited.

Morpheus (all versions)

- WinMX
- LimeWire

- Grokster
- BearShare

iv) Zone Alarm

While security is an issue that every employee can help manage, IT does not allow the use of personal firewalls on NEPWHAN equipment.

v) Any third-party screen saver or wallpaper

This is to prevent images that might be deemed offensive by some staff members from being displayed on NEPWHAN monitors. Employees will use the default screen savers available on their local machines or any other inoffensive screen saver.

vi) Games

Games provide no benefit to our organization and have a tendency to affect productivity; as such they are not allowed on NEPWHAN machines.

05.04 OPERATIONAL POLICIES:

- All Staff with email accounts are encouraged to check their mails regularly.
- All staff must shut down their computer systems and associated peripherals properly prior to closing for the day.
- Electronic copies of all corporate data must be stored in a defined central network location.
- The server comes up at 8:00am and goes off at 4:00pm daily from Monday to Friday except as agreed by management.

05.05 APPLICATION POLICIES:

- Operating system and office productivity applications minimum lifespan is 3years within the organization (this is subject to constant review by the organization's IT Department).
- All installed software must be legally licensed.
- All new software must be certified by IT department, prior to deployment on any PC.
- IT Department must ensure that Anti-Virus application are installed on all systems

05.06 MANAGEMENT AND SUPPORT

A centralized monitoring and management solution and preventive maintenance schedule must be adhered to for all equipment. Third party support providers must be retained for the provision of advanced troubleshooting and problem resolution.

05.07 INTELLECTUAL PROPERTY RIGHTS

a) Development While an Employee

From time to time employees, in the course of their duties, may develop, design, research, or otherwise, create intellectual property. In the event of usage, NEPWHAN will not pay royalties. Employees may not sell same material to a competitor. Examples of this include AIDS prevention plays, research and methodology models. The only exception to this is if the employee obtains written permission from either the National Coordinator

b) Development before Becoming an Employee

- If on joining NEPWHAN an employee has intellectual property that belongs to them they are to make a written submission to the National coordinator or Admin manager declaring the full details of the property. Failure to do so may result in NEPWHAN using such property in the course of its business
- The onus to prove that the property belongs to the employee shall rest upon the employee.
- NEPWHAN shall make no compensation to the employee for any use of the property up to the date at which the employee notified NEPWHAN of their personal property rights.
- NEPWHAN shall continue to use the property without compensation at its discretion

05.08 DISCLOSURE OF OUTSIDE WORK

All technical staff is expected to disclose the nature of all similar work, including independent consulting, which is conducted outside of work hours with NEPWHAN, in order to determine if a competitive conflict of interest may exist. Full time employees shall not engage in work that is in direct competition with NEPWHAN objectives. Employees shall not undertake any other employment Mondays to Fridays. This clause does not cover Saturdays and Sundays.

05.09 CONFLICT OF INTEREST

The employee shall devote all his/her working hours to NEPWHAN, and shall not provide services to another person or organization where there is likely to be a conflict of interest.

05.10 SAFEGUARDING NEPWHAN PROPERTY:

OFFICE EQUIPMENT:

- Office Equipment, including computers, will be used for business purposes only. Equipment should be operated according to manufacturers' instructions and be properly maintained. Electronic Equipment will be equipped with UPS devices and/or stabilizers to prevent damage caused by power surges.
- All staff is expected to safeguard the equipment assigned to them from water and heat damage, theft or other damage that could result from intentional misuse or negligence.

- The Admin officer is responsible for maintaining all furniture, fixtures and equipment located in the NEPWHAN offices or assigned directly to staff. A physical inventory will be taken annually by the Administrative Officer, and the results sent to the Administrative Manager. A copy of the inventory record will be sent to the Internal Auditor and Finance manager each time it is updated.

1) PHONE, FAX & PHOTOCOPIERS

NEPWHAN landline telephones, fax machines, and photocopiers are to be used, strictly, for business purposes only. Files will be maintained of incoming and outgoing faxes.

2) MAIL

All official incoming and outgoing mail must be duly registered by the receiving administrative officer.

3) FILING

The relevant managers will maintain the financial and administrative files for NEPWHAN. In addition, they will establish and maintain files of technical documents and reference materials. Files will be maintained and organized in a manner that facilitates easy retrieval.

Financial files will be retained in separate files by month, in the order that the transaction was completed. Each month's file will contain all vouchers with their supporting vendor invoices and supporting documents, the month-end financial reports from the appropriate accounting package, a copy of the bank statement and reconciliation report, and a list of outstanding travel advances.

Separate files will be maintained to document the procurement process (price quotes, selection notes, technical specifications, etc.) for all major purchases of Equipment, Furnishings and services.(see procurement policy).

4) Employee Files

- NEPWHAN will maintain an employee file for each staff member. It will contain, at a minimum, the job description, work contract, and copies of all performance reviews and recommendations for merit increases or promotions. Emergency contact information, Curriculum Vitae and other pertinent information should also be retained.
- Employee records are confidential and should be kept in a secure place. Employees have the right to view the contents of their own files

5) VEHICLES

- On no condition should NEPWHAN official vehicles be used for personal reasons except by the approval of the Administrative Manager.
- All vehicles must be in the pool and returned to the office before closing hours. Also, no officer is allowed to drive him/herself except by NEPWHAN drivers. For personal use of the vehicles see financial procedure manual

6) CONSUMABLES

- NEPWHAN stationery, cleaning materials, income generation materials or any other consumable may not be removed from NEPWHAN premises or converted to personal use. If such property is removed, it may be deemed to be theft and dealt with as such. (See procurement policy)
- Food is purchased for the benefit of our clients. Employees may partake of the food during the course of their interaction with the clients, such as having lunch together, but may not take any of the food for own use.
- Employees may use income generation materials during work hours to show clients how to perform the activity, but the materials do not belong to them and they may not use the materials for personal benefit. Any use of food or materials for personal benefit without express authorization from a Manager shall be viewed as theft.

7) USE OF NOTEBOOKS AND HOME COMPUTERS

- From time to time NEPWHAN may make Notebook computers and Desktop computers available to staff for work purposes that at times will not be located on NEPWHAN leased or owned property.
- It is the responsibility of the employee to ensure that at all times due diligence is exercised to maintain the equipment in the condition in which it was supplied. If in a home, in a vehicle, or in any other place, the equipment is to be in a place that is locked and cannot be freely accessed by another person without the employee's consent. If at a place of work, the employee is still to safeguard the Notebook as these can easily be removed. Instances of gross negligence may be treated as an offence under the Disciplinary Code.(see Assets Policy).

05.11 SAFE STORAGE OF VALUABLE EQUIPMENT

The following equipment is to be kept in the custody of the Administrative Department:

- ✚ Digital Camera
- ✚ Handy cam
- ✚ Video projector
- ✚ Television sets
- ✚ VCRs
- ✚ Sound system
- Etc.

- This equipment is to be kept in the store. Each item is to be signed out when removed and signed in when replaced. It is the responsibility of the employee who signs it out to safeguard it from harm. If the employee claims to hand it to another employee but has no written proof of this and the other employee does not acknowledge receipt of the equipment, then the employee who signed it out shall be responsible for the equipment. This policy also applies to state and zonal offices and support groups with NEPWHAN properties.

- Damage to or loss of the equipment through negligence shall be deemed to be a disciplinary offence.

CHAPTER SIX

PERFORMANCE APPRAISAL/PROMOTION, OTHER CONDITIONS OF SERVICE AND GRIEVANCES & DISCIPLINARY PROCEDURES

06.01 PERFORMANCE STANDARDS

Employees are expected to meet the following performance standards:

- Demonstrate personal integrity in the conduct of his/her work
- Work effectively and collaboratively with supervisors, peers and subordinates
- Anticipate and avoid problems through planning, whenever possible
- Use resources wisely and effectively
- Manage time effectively
- Be willing to accept reasonable work and offer help to others
- Seek opportunities to develop skills, knowledge and experience
- Show courtesy and respect at all times
- Engender trust

Staff supervisors should:

- Encourage high performance from staff
- Inspire respect and confidence
- Use coaching and more formal development activities to improve staff performance
- Respond promptly and thoughtfully to the needs of staff

06.02 PERFORMANCE REVIEWS

- An annual performance review will be conducted between the employee and his/her supervisor according to NEPWHAN Performance Plan & Review schedule, which is March of each calendar year. The review will discuss how well planned objectives were met, determine objectives for the next performance period, and outline any improvements to work performance or behavior that are needed. The annual performance review provides an opportunity to review and update the job description/terms of reference.
- Recommendations for promotion change in job responsibilities, if applicable, will be made during each review time.
- Merit increases may be made at the March review sessions.
- The Admin Manager's office will provide the standard format and training regarding the execution of the performance review.

06.03 POOR PERFORMANCE

A staff member shall be sanctioned for unsatisfactory performance after NEPWHAN has –

- given the staff member appropriate evaluation, instruction, training, guidance or counseling;

- given a reasonable period (3 – 6 months) for improvement and the staff member continues to perform unsatisfactorily.
- The sanctions range from verbal warning to dismissal. The procedure leading to possible dismissal should include an investigation to establish the reasons for the unsatisfactory performance.
- In the process, the staff member should have the right to be heard and may be assisted by a fellow staff member.

06.04 OTHER SERVICES OR CONDITIONS

TRANSFER TO BRANCHES:

I. Relocation of Staff

- Where NEPWHAN initiates an employee's transfer, the transfer is deemed to be at NEPWHAN's convenience. Employees will have actual relocation expenses paid by NEPWHAN according to the guidelines below, which cover most of the usual relocation expenses, on the basis that employees should suffer no unreasonable expenses as a result of the transfer.
- An employee transferring as a result of a request by him or herself will generally not be assisted financially.
- There will be no recovery of any relocation expenses paid to an employee transferred at NEPWHAN's convenience, whose services are terminated by NEPWHAN, provided the termination is not due to misconduct or poor performance.
- If the employee resigns within twelve months of transfer, the employee must reimburse NEPWHAN a pro rata portion of the amount spent by NEPWHAN on the relocation based on the number of months worked after transfer.

II. Relocation Expenses

The following relocation expenses will be considered if an employee transfers at NEPWHAN's request:

- i. Transport of household goods
- ii. Transport of family
- iii. Initial trip to look for housing, a maximum of 15 working days
- iv. One-year accommodation allowance may be advanced

06.05 MODE OF DRESSING

Staff is expected to come to office in attire which is respectful of NEPWHAN clients, guests and coworkers, and suitable for their job

Responsibilities. Suitable traditional ethnic attire is also acceptable. More formal business attire may be required for participation in meetings or special event.

06.06 DISCIPLINARY AND GRIEVANCES PROCEDURES

FOUNDATION

- It is the policy of NEPWHAN to ensure that all parties treat one another with mutual respect, with a premium being placed on both employment justice and the efficient operation of business.
- Instances of misconduct must be addressed by implementing the provisions of the disciplinary code, and management action must be timely, consistent and fair, based on the merits of each case.
- A disciplinary committee shall be constituted to address disciplinary issues in the organization; the Admin Manager shall head the committee which will consist of 3 or 5 members.
- All disciplinary committees are ad hoc committees
- Staff members who are dissatisfied with terms or conditions of employment or other issues related to the working environment should make use of the grievance procedure before external recourse is taken.
- Staff members have the right to be assisted by a fellow staff member at the appropriate steps provided for. External representation will neither be allowed in disciplinary nor grievance procedures.
- The disciplinary procedure/code must be used to address all instances of misconduct and all managerial staff will be trained in its use.
- Any sanctions instituted against a staff member must be recorded in writing stating:
 - Date and time of the investigation
 - Charges which were investigated
 - Reasons for guilt determination
 - Mitigating and aggravating issues
 - The sanction (warning)
 - Corrective actions (if applicable) and period of validity
 - Consequences of a failure to improve conduct and/or repetition of the same or similar offence.
- This portion of the manual is designed to provide a uniform disciplinary code of practice for NEPWHAN to ensure that all employees are treated in a fair and consistent manner in circumstances where disciplinary action is required. It is also intended to ensure that the employees and Management of NEPWHAN have the same understanding of discipline.
- It is the responsibility of management to maintain discipline at NEPWHAN, and the code recognizes the right of management to initiate disciplinary action against any employee where circumstances so warrant;
 - Discipline should be corrective and not punitive in nature.
 - Discipline is a managerial tool.
 - Discipline should not be evoked out of anger.
 - Discipline should take place as soon as it is reasonably possible after the infraction.
 - Discipline should be applied consistently to all staff

- Dismissal should be resorted to, when the continuation of employment relationship has been rendered intolerable by the actions of the employee.

06.07 INFRINGEMENTS, OFFENCES AND PENALTIES

- The disciplinary procedure will be initiated against any employee who contravenes the provisions of this policy, or who acts against the interests of NEPWHAN or client, or who commits any social, criminal or other offence.
- The disciplinary measures include a verbal warning, a written warning, a final written warning, and termination or dismissal. Each case will be determined on its own merits. Suspension and demotion may only be given as alternatives to dismissal.
- Termination of employment for reasons of incapacity, incompatibility, retrenchment, ill health, or retirement is excluded from this particular procedure.
- A disciplinary code setting out a schedule of offences and possible penalties formulated by NEPWHAN is attached. This schedule should not be seen as exhaustive but merely as a guideline of possible penalties.

06.08 AUTHORITY TO INITIATE DISCIPLINARY ACTION

- The authority to initiate disciplinary action against an employee of NEPWHAN is vested in the National Coordinator.
- While the authority to initiate disciplinary action against a member of MB is vested on any member of the MB.
- Any unresolved matters between the management board members shall be referred to the BOT for arbitration.

06.09 CUMULATIVE NATURE OF DISCIPLINARY ACTION

All warnings given to an employee will have a cumulative effect no matter what the reason for the warning. That is, all warnings will be taken into account when assessing the penalty at a disciplinary hearing.

06.10 PROCEDURES a) GENERAL

- The authorized officer must determine whether there is adequate proof to suggest that the offence has been committed before taking the appropriate disciplinary action.
- Other disciplinary procedures shall be less formal. No decision regarding disciplinary action will be taken without first providing the employee with the opportunity of defending him/herself.
- For record purposes, the presiding officer may use the “Disciplinary Enquiry Minutes of Proceedings” form in cases where dismissal appears to be the appropriate penalty.

b) THE DISCIPLINARY ENQUIRY

(PRIMA FACIE CASE OF DISMISSAL)

Stage i) Before the Enquiry

The employee must be notified in writing of the pending disciplinary enquiry using the 'Advice to Attend a Disciplinary' enquiry form".

The following requirements must be met:

- where possible this notification must be given 48 hours before the actual hearing;
- the charge against the respective employee must be specified

Stage ii) Plea and Determination of Guilt Before

a decision concerning guilt is taken:

- the charge must be put to the employee and S/he must be given the opportunity of pleading guilty or not guilty
- If he/she pleads guilty, questions must be asked to determine whether he/she understands the charge. If it is clear that S/he understands the charge, the employee can be found guilty, and the presiding officer can move to the third stage;
- if the employee pleads not guilty, evidence must be led, and the following procedure adopted:
 - All the witnesses (if any) in support of the case must give evidence
 - Upon completion of evidence of each witness, the employee must be given the opportunity to cross-examine the witness.
- When all the witnesses have been led, the employee must be given the opportunity to lead his evidence in person and call witnesses, who may be cross-examined by the authorized officer.
- A decision concerning guilt must then be made. (The presiding officer should not look at the employee's previous record at this stage). Before making the decision, an adjournment may be requested by the presiding officer in order to consider all the information gained. If an employee is guilty, proceed to stage iii. If found not guilty, the employee is excused and the incident may not be taken into consideration again.

Stage iii) Penalty Consideration

A decision concerning sanction is made at this stage. The employee should be requested to plead in mitigation. Mitigating factors must be taken into account, including length of service, work record, and response to queries. Based on all the evidence and the code, a decision regarding sanction is then made.

Stage iv) Notification of Penalty

The employee should be given his/her sanction in writing by the presiding officer.

06.11 DISCIPLINARY MEASURES:

a) **Verbal Warning** (Authorized Official)

Verbal warnings may be issued by an authorized official for minor disciplinary infringements

b) **Written Warning** (Authorized Official)

- All written warnings should be recorded in duplicate on the disciplinary form provided and should state the date on which the offence took place, the date in which the warning was issued, the reasons for the warning, and any corrective action which may be required to improve performance or change behaviour.
- Where a warning is issued, the employee should be advised that failure on his/her part to correct or improve performance or change behaviour will result in further and possibly more severe disciplinary action being taken.
- The employee will be required to sign the warning, not as an admission of guilt, but to indicate that he/she received it. Should an employee refuse to sign the warning, this should be noted by having a witness sign the form verifying the fact that the employee refused to sign.
- The warnings should also be signed by the authorized official.
- The original copy of the warning must be sent to the Administrative department, and the duplicate handed to the employee.
- Each written warning may be cancelled after the expiry of a period of 6 (six) months provided no similar offences are committed during that period, and giving consideration to the gravity of the offence.

c) **Final Written Warning** (Authorized Official)

- When an employee has accumulated the requisite number of warnings in terms of the disciplinary code or where the nature of the offence warrants it, a final written warning may be issued.
- A procedure notifying the employee of the charge, allowing the employee internal representation, proving the charge, allowing a defense, a decision regarding guilt, and determination of the appropriate sanction must be followed.
- When issuing a final warning, the authorized official must make it clear to the employee concerned that a final written warning is viewed seriously, and that any further breach of discipline within the particular category of offence within the next (6) six months could result in dismissal.
- Each final written warning may be cancelled after the expiry of the period of 6 (six) months, provided no similar offences are committed during that period, and giving consideration to the gravity of the offence.

d) **Dismissal**

- Where an employee has accumulated the requisite number of warnings in terms of the disciplinary code, or where the nature of the offence warrants it.
- Recommendation for dismissal shall now be made to NC for action. The employee concerned may be suspended without pay (required to work without pay) until the

completion of an inquiry into the alleged incident has been conducted and/or a disciplinary enquiry has been completed and a decision made as to the form of disciplinary action to be taken.

- This whole process should not exceed 2 weeks. If after the enquiry, the employee is found not guilty, all withheld salary will be paid.
- The exact nature of the employee's offence and the decision taken by the presiding officer must be recorded on the relevant form. This form must be signed where required by the employee concerned and the presiding officer. Should an employee refuse to sign the form, this should be verified by having another witness signature.
- In cases where the penalty of a dismissal is imposed, the Finance department must immediately take the necessary action to terminate the remuneration of the employee concerned.

06.12 APPEAL PROCEDURE

- If the employee is dissatisfied with the outcome of the disciplinary enquiry, then the employee may, within three (3) working days of the date of the outcome, complete a disciplinary appeal form and submit an appeal to the immediate superior for action.
- If the employee is dissatisfied with the outcome of the disciplinary enquiry, then the employee may, within three (3) working days of the date of the outcome, the staff may appeal to the management board. An appeal panel will be constituted to sit on the case, which will consist of the management board members.
- The employee concerned may be suspended without pay until the completion of an inquiry into the alleged incident and/or a disciplinary enquiry has been completed and a decision made as to the form of disciplinary action to be taken. This whole process should not exceed 2 weeks. If after the enquiry, the employee is found not guilty, all withheld salary will be paid.

06.13 DISCIPLINARY ACTION FOR OTHER MISCONDUCT

- Any misconduct not specifically covered in the code below will be dealt with according to the seriousness of the offence. This code is not exhaustive.

06.14 CODES

- Drunkenness,
- Fighting in the office/ NEPWHAN organized events
- Rudeness
- Disobedience of lawful official instruction,
- Foul language,
- Insubordination,
- Removing and destroying of official records.
- Habitual lateness to office,
- Disclosure of official information cum other misconducts or inefficiencies as stipulated in this manual

CHAPTER SEVEN

DEFINITION OF TERMS AND APPENDICES

DEFINITION OF TERMS

1. The Management Board - Shall be NEPWHAN's national elected officers
2. Staff/Employee- Shall mean all persons employed by NEPWHAN.
3. Child-:
 - Any person who is under the age of 18 years
 - Is entirely dependent upon the staff, for example a maid
 - The employee's offspring
 - The employee's step child being the offspring from previous marriage
A child adopted by the employee in accordance with statutory provision.

APPENDICES

- 07.01 Personnel Record Form
- 07.02 Performance Appraisal Form
- 07.03 Leave/Absence Application Forms
- 07.04 Assumption/ Resumption of Duty Form
- 07.05 Organizational Chart
- 07.06 Job Profiles
- 07.07 Time Sheet

