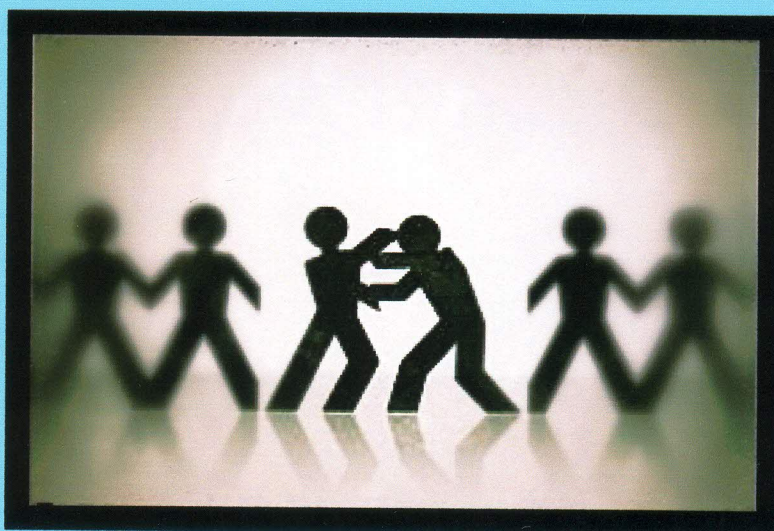


DISCIPLINARY POLICY



**NGO FORUM
FOR PUBLIC HEALTH**

4/6, Block- E, Lalmatia, Dhaka-1207, Bangladesh

STATEMENT of POLICY and PROCEDURE			
Manual:	Human Resources	SPP No.	HR 0.00.
Section:	HR & Admin	Issued:	May. 14, 2014
Subject:	Disciplinary Policy	Effective:	June. 2, 2014
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		Replaces:	
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Disciplinary Policy

1.1 PURPOSE

Regulations and procedures are necessary for the orderly progress of every organization. Disciplinary policies are re-intended to facilitate productivity and satisfactory working relationships based on trust, self-discipline, and respect for the rights of others.

The purpose of this policy is to provide guidelines for the treatment of conduct by employees that adversely affect **NGO Forum for Public Health**. This policy applies to all employees. Policies and regulations are intended to facilitate productivity and satisfactory working relationships based on trust, self-discipline, and respect for the rights of others. Depending on the gravity of the situation and whenever possible and feasible, **NGO Forum for Public Health** will work with an employee through a "progressive disciplinary" process which means that the least severe level of corrective action applicable to the situation will be explored before invoking more harsh levels of discipline.

1.2 The principal of the policy :

- All disciplinary matters will be treated with due confidentiality
- Department heads will initially aim to resolve minor disciplinary issues through an informal procedure
- Disciplinary action will not be taken before a case has been fully investigated.
- Except in cases of gross misconduct, employees will not normally be dismissed for a first disciplinary offence.
- At every stage in the Disciplinary Procedure, employees will be clearly advised in
- Writing of the nature of the allegations against them, and will have the opportunity
- To state their case before any decision regarding disciplinary action is made.
- Employees will be provided with evidence gathered through the investigation

1.3 Termination: Service of a permanent employee may be terminated by **NGO Forum for Public Health** authority on disciplinary/other ground by serving four month notice period or four months basic salary. 14 days notice shall be required to terminate the services of apprentices, probationers, temporary employees, part-time employees, substitutes and casual employees.

Termination may occur as a result of misconduct or performance deficiencies. It may

also occur due to a Reduction in Staff (RIS) or because of situational change due to the Gauging demand of having more capable & knowledgeable individual for the post or redundancy of workers.

Procedure:

- Before any action is taken to terminate an employee, the employee's line manager, must request a review by the Termination Review Board comprised three members including representative of HR and 02 another third party department representative to ensure neutral judgment.
- If the Board recommends termination, it is the supervisor's responsibility to notify the employee and coordinate with HR to ensure that the terminated employee follows the checkout procedure.
- Sufficient ground should be recorded in the employee's file for future reference and demonstrate transparency in all actions.
- The terminated employee will receive legal dues at separation.
- Termination letter will be issued by the Executive Director.

Grounds for Misconduct: Where an employee of **NGO Forum for Public Health**, in the opinion of the competent authority is inefficient or has ceased to be efficient whether by reasons of infirmity of mind or body, or otherwise and is not likely to recover his efficiency; or is guilty of misconduct. HR department shall be consulted regarding the consistency of rule interpretation and appropriateness of the penalty being applied for violation of any of the following rules of conduct.

- ✓ Neglect of duty.
- ✓ Habitual late attendance
- ✓ Publishing confidential information of NGO Forum for Public Health without approval of competent authority.
- ✓ Absent without permission/approval of competent authority for more than 10 working days.
- ✓ Insubordination or refusal to comply with employer's instructions, unless such instructions are injurious to the employee's safety and health.
- ✓ Willful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a senior.
- ✓ Immoral or indecent conduct;
- ✓ Conviction of a felony;
- ✓ Conviction of a misdemeanor involving moral turpitude .Violation of local, state, or organization law which causes unfavorable publicity to the organization.
- ✓ Causing damage to any property of the organization.
- ✓ Sleeping on duty hours.
- ✓ Consuming alcoholic beverages while on duty.
- ✓ Abusive, threatening, or coercive treatment of another employee.
- ✓ Giving false information regarding name, age, father's name, qualification or previous service at the time of employment.
- ✓ Taking part in or suspected of being engaged in activities subversive to the state.
- ✓ Carrying out private business without permission of the competent authority.
- ✓ Involvement/association with any political party or playing active role in any political party.
- ✓ Breach of regulations, policies, standing orders or instructions issued by NGO Forum for Public Health authority.
- ✓ Taking and giving loan to and from colleagues.
- ✓ Sexual harassment.

1.4 Penalty/Punishment procedure:

For the commission of any offenses, an employee shall be subject to disciplinary action up to and including dismissal. Disciplinary action different offenses shall progress in the following manner:

(1.4.a) Oral warning:

The first step in disciplinary actions will be oral warning. This may be given by an employee's supervisor/ department head for substandard performance, poor attendance, and other types of minor offenses or misconduct that occur for the first time. The supervisor should keep notes of oral warnings in the department/unit file. These notes will be kept as official record.

(1.4.b) Written Warning:

A written warning may be given by an employee's supervisor for substandard performance, poor attendance, misconduct, and other types of more serious offenses that occur after the first oral warning. A written warning may be given instead of an oral warning for first-time gross misconduct or major offense. All written warnings should be addressed to the employee in memorandum form. If there has been a prior oral warning given to the employee, it should be referenced in the first written warning. The employee will sign back a received copy of warning letter as evident. A signed copy of all written warnings letter will kept by HR to be placed in the employee's official, permanent personnel record. If the employee refuses to sign the written warning, that should be noted, and the unsigned copy should be sent to HR. An employee who receives three written warnings during an 18-month period (whether or not the first two written warnings resulted in probation and/or suspension) may be terminated without proceeding through the remaining steps in the disciplinary process.

(1.4. c) Show Cause

When a written complaint is received against an employee that is serious in nature and that falls under misconduct, employee will issued a show cause letter from HR department which will ask the employee to explain his/her side why disciplinary action will not be taken against him/her by 07 working days of receiving the letter. Show cause letter will mention the brief details of the charges, time, date & place of the incident.

(1.4.d) Notice of enquiry:

- The accused will be issued notice of enquiry by Head of HR & Admin if the explanation is not found satisfactory.
- The notice to inquiry mentions the name of the inquiry officers, date, time, venue, their opportunity to defend themselves before the inquiry committee.

(1.4.e) Investigation:

- A formal enquiry will be conducted to conclude whether the accused is guilty or not.
- The inquiry officer must be at least one grade higher than accused employee. The inquiry board must be constituted with neutral person. The supervisor or anyone who has conflict of interest with the accused person, cannot be included in the inquiry team. The inquiry team will collect all information and collect written statement from accused persons and other witness. The inquiry team will obtain signature in each pages of recorded procedures by the concerned persons and prepare a written report for management action. Such investigation must be completed within 60 working days.

(1.4.f) Dismissal:

- Based on report and recommendation of the of the enquiry committee the decision will be taken for dismissal.
- Dismissal would take place when an employee is convicted of an offense or is found guilty. According to the section 18(1) of Bangladesh Employment of Labor (Standing Order Act), 1965, no order for discharge or dismissal of a worker shall be made unless- the allegation against him/her are recorded in writing,
- S/he is given a copy thereof and not less than 07 days time to explain,

- S/he is given personal hearing if such a prayer is made, and
- The Executive Director approves of such order.

Dismissal letter is issued by the Executive Director.

(1.4.g) Penalty: No penalty shall be imposed on an employee without proper disciplinary proceedings. The penalty shall be imposed in writing and the signature of the employee concerned shall be obtained as token of its receipt.

Stoppage of Increment: Continued substandard performance, poor attendance, insubordination, misconduct, and other serious offenses or behavioral problems may result in a Stoppage of increment or demotion on ground of inefficiency, irregular attendance and misbehavior etc.

Recovery from payment: Recovery from the pay of the employee of the whole or part of pay to defray any pecuniary loss caused to the organization by negligence, default or breach of orders on the part of the employee.

Suspension: An employee of **NGO Forum for Public Health** against whom action is being proposed to be taken under regulation may be placed under suspension; if in the opinion of the competent authority, suspension is necessary or expedient. All suspension notices will be given in writing by the appropriate supervisor, will be approved by the department/unit head, and will be sent to HR department to be placed in the employee's official, permanent personnel record. During this period the suspended employee will be paid his/her basic salary only.

Procedure which will be implied for suspension:

- An employee charged with misconduct may be suspended pending an enquiry into the charges against him/her, but the period of such suspension shall not exceed sixty (60) days unless the matter is pending before any court recognizable under the laws of Bangladesh.
- The employee should be issued a Suspension Order, which shall take effect immediately on delivery.
- If the employee is not found guilty, he/she shall be deemed to have been on duty for the period of suspension for enquiry, and shall be entitled to his/her unpaid balance of salary and other benefits (if applicable) for the period of suspension.
- A suspended employee cannot attend the office or sign any official documents unless authorized to do so.

(1.4.h) Discharge: On the ground of certified physical or mental incapability to perform job an employees may be discharged by the management. In this case employee will receive all the service benefit as per the organization defined policy.

Annexure:

- ❖ Show Cause Letter
- ❖ Dismissal Letter
- ❖ Warning Letter
- ❖ Termination Letter

Date:

Personal & Confidential:

Name of the employee:

Current Designation:

Department:

Date of joining:

Dear Mr. / Ms,

Sub: Show Cause Notice.

We regret to inform you that it has been observed that you

- ✓ You have proceeded on leave without prior permission of the concern authorities on (Date) .
- ✓ Willful insubordination & gross negligence of duties
Time & detail of allegedly committed misconduct:.....

- ✓ Leakage of vital information.
Time & detail of allegedly committed misconduct:
.....

- ✓ Threatened / physically abused

- ✓ Willful or irresponsible action resulting in damage to any goods or property of the Organization.
Time & detail of allegedly committed misconduct:.....

- ✓ Gross disregard of organization rules & regulations/ policy violation.

Time & detail of allegedly committed misconduct:.....

You have been warned to refrain from such activities earlier as well & warning letter has been issued to you to refrain from such activities.
Reference of warning letter:

You are hereby given a period of 7 working days from the issuance date of this letter in order to submit a written explanation as to why any sort of disciplinary action should not be taken against you.

If you fail to submit a satisfactory explanation by the stipulated date, will result to strict disciplinary action from the management part.

On behalf of **NGO Forum for Public Health**

Distribution:

Date:



Personal & Confidential:

Name of the employee:

Current Designation:

Department:

Date of joining:

Dear Mr./ Ms,

Sub: Dismissal from employment with NGO Forum for Public Health

This letter communicated the decision of management concerning the recommendation for disciplinary action due to.....

On..... you were given a written warning letter to notify you about

- Unsatisfactory job performance, specifically due to.....
- Unacceptable personal conduct
- Unauthorized absence from duty

It is our understanding that; unfortunately, you have failed to improve your Performance / Behavior/ Ethical traits in spite of receiving prior warning letter / Warning letters.

Your final pay shall be for the period ending onYou must have to complete all handover procedure as per the organization to obtain the clearance certificate.

You can be assured that we will not divulge the details of your termination to any other organization seeking reference. We are disappointed that this action is necessary & wish you success for your future endeavor.

On behalf of **NGO Forum for Public Health**

Copy To:

Date:

Personal & Confidential:

Name of the employee:

Current Designation:

Department:

Date of joining:

Dear Mr. / Ms,

Sub: Warning.

It is alleged/ reported against you that the following justified complain levied against you:

- ✓ You disobeyed the command of
- ✓ You did not maintain proper dress code.
- ✓ You did not maintain organization time table.
- ✓ You are very much careless regarding your duty.
- ✓ You don't follow any chain of command.
- ✓ Your behavior does not go with the code and conduct with this organization.

Gravity of the incident: Minor misconduct Major misconduct

Detail of the complain:.....

In accordance with organization procedure, a record of this warning letter will be kept on your personal file.

This acts as mentioned above constitute as misconduct as per the employment policy of NGO FORUM FOR PUBLIC HEALTH. Repetition of the same will result to appropriate disciplinary measure in place.

On behalf of **NGO Forum for Public Health**

Distribution:

Date:



Personal & Confidential:

Name of the employee:

Current Designation:

Department:

Date of joining:

Dear Sir/ Madam

Sub: Termination of employment with NGO Forum for Public Health

It is with sincere regret that your employment with **NGO Forum for Public Health** is being terminated effective from/ **immediately**.

Your final day of work with the organization would be Within..... / Immediately. You must repay all your outstanding loans (If any) & return any property of the organization that was handed over to you during your tenure with the organization. You must have to complete all handover procedure as per the organization policy. You will be paid.....Month/.....Days salary as a last & final compensation.

You can be assured that we will not divulge the details of your termination to any other organization seeking reference. We have enjoyed your work here in **NGO Forum for Public Health** & wish you the best in further employment.

On behalf of **NGO Forum for Public Health**

Distribution: