



HUMAN RESOURCE POLICIES AND PROCEDURES MANUAL

African Technology Policy Studies Network (ATPS)



TABLE OF CONTENTS

1	STATEMENT OF INTENT	1
2	INTRODUCTION.....	2
2.1	BACKGROUND AND HISTORY OF ATPS	2
2.2	ATPS MISSION.....	2
2.3	FUNCTIONS OF THE ATPS	2
3	DEFINITION OF TERMS.....	3
3.1	THE ATPS.....	3
3.2	THE BOARD.....	3
3.3	THE EXECUTIVE DIRECTOR.....	3
3.4	CONTRACT OF EMPLOYMENT.....	3
3.5	SPOUSE.....	3
3.6	DEPENDANT CHILDREN	3
3.7	IMMEDIATE FAMILY.....	3
3.8	FAMILY DOMICILE	3
3.9	DUTY STATION	4
3.10	COUNTRY OF PROJECT ON TRAVEL DUTY.....	4
3.11	SALARY.....	4
3.12	REIMBURSABLE EXPENSES	4
3.13	PER DIEM.....	4
3.14	ONE CALENDAR YEAR/MONTH.....	4
3.15	ONE CONTRACTUAL YEAR	4
3.16	NATIONAL STAFF.....	4
3.17	EXPATRIATE STAFF.....	5
3.18	EMPLOYEE	5
3.19	BUDGET HOLDER.....	5
3.20	CONTRACT EMPLOYEES.....	5
3.21	TEMPORARY EMPLOYEES	5
3.22	CONSULTANTS	5
3.23	DISCIPLINARY COMMITTEE.....	5
3.24	PERSONAL RECORDS.....	6
4	APPLICATION.....	7
4.1	CONTRACT EMPLOYEES.....	7
4.2	TEMPORARY STAFF.....	7
4.3	CONSULTANTS	7
5	DELEGATION.....	9
5.1	THE BOARD.....	9
5.2	THE EXECUTIVE DIRECTOR.....	9
5.3	BUDGET HOLDERS	11
5.4	FINANCE AND ADMINISTRATION MANAGER.....	12

6	GENERAL WORKING AND DEPLOYMENT CONDITIONS	14
6.1	WORKING HOURS	14
6.2	WORKING PATTERNS	14
6.3	ACTIVITY REPORT	14
6.4	DEPLOYMENT POLICY.....	14
6.5	CONDUCT	15
6.6	EMPLOYEE WELFARE.....	17
6.7	INSURANCE	17
6.8	LEAVE	19
6.9	EDUCATION ALLOWANCE	23
6.10	LOANS, ADVANCES, GUARANTEES.....	24
6.11	GRATUITY PAYMENTS.....	24
6.12	RELOCATION AND FREIGHT EXPENSES.....	25
7	RECRUITMENT, PROMOTION AND PROGRESSION	27
7.1	POLICY	27
7.2	DETERMINING A VACANCY	27
7.3	APPROVAL FOR RECRUITMENT	27
7.4	RECRUITMENT PROCESS.....	27
7.5	INTERVIEWING OF CANDIDATES	29
7.6	TRAVEL EXPENSES FOR CANDIDATES	30
7.7	LETTER OF OFFER	30
7.8	REFERENCES	30
7.9	MEDICAL EXAMINATIONS.....	31
7.10	DATE OF APPOINTMENT.....	31
7.11	PROBATION PERIOD.....	31
7.12	PERSONAL RECORD.....	31
7.13	INDUCTION.....	32
8	REMUNERATION	35
8.1	POLICY	35
8.2	SALARIES	35
8.3	DEDUCTIONS	35
8.4	SALARY STRUCTURE	35
8.5	SALARY REVIEW.....	36
8.6	STANDARD RATES OF PAY	36
8.7	OVERTIME	36
8.8	TIME OFF IN LIEU	36
8.9	MERIT BASED PAYMENTS/AWARDS	36
8.10	REIMBURSABLE EXPENSES	37
8.11	PER DIEM.....	37
9	PERFORMANCE REVIEW AND EVALUATION.....	38
9.1	INTRODUCTION.....	38
9.2	PURPOSE OF THE PRE.....	38
9.3	PRE PROCESS	39
9.4	ASSIGNING APPRAISERS.....	41
9.5	OBJECTIVES.....	41
9.6	SCORING PERFORMANCE	42
9.7	APPRAISAL PROCESS	43

10 STAFF DEVELOPMENT	44
10.1 INTRODUCTION.....	44
10.2 SCOPE OF DEVELOPMENT.....	44
10.3 PHASES OF DEVELOPMENT.....	44
10.4 DEVELOPMENT PROGRAMME.....	45
10.5 EFFECTIVENESS OF DEVELOPMENT PROGRAMMES.....	45
10.6 EVALUATION OF DEVELOPMENT PROGRAMMES.....	45
10.7 RECORDS.....	45
11 DISCIPLINARY PROCEDURES	46
11.1 POLICY.....	46
11.2 APPLICATION.....	46
11.3 NATURE OF OFFENCES.....	46
11.4 COUNSELLING.....	48
11.5 FORMAL DISCIPLINARY PROCESS.....	48
11.6 PUNISHMENT.....	50
11.7 CRIMINAL PROCEEDINGS.....	52
11.8 APPEAL PROCEDURES.....	53
11.9 DISCIPLINARY RECORDS.....	53
12 GRIEVANCE PROCEDURES	54
13 TERMINATION OF EMPLOYMENT	55
13.1 RESIGNATION.....	55
13.2 TERMINATION OF EMPLOYMENT BY ATPS.....	55
13.3 ADMINISTRATION.....	57
13.4 TERMINATION INTERVIEW.....	57

APPENDICES:

APPENDIX I: HR REPORTING RESPONSIBILITIES AND PAPER TRAILS

APPENDIX II: PERSONAL RECORD FORM

APPENDIX III - APPRAISAL FORMS

1 STATEMENT OF INTENT

This Manual contains agreed personnel policies and procedures of **African Technology Policy Studies' Network** with effect from 1st June 2001. The Manual is prepared by **Deloitte and Touche** and will act as a reference document for the Board, management and staff of ATPS. It also forms the basis upon which ATPS's working culture and environment will develop.

Any changes to the policies contained in this Manual will require authorisation of the **Executive Director**. However, where changes in policy may have significant financial implications, the **Executive Director** will seek approval from the Board prior to implementation.

All instructions issued which affect or change the policies and/or interpretation of any policies and procedures contained in this Manual must be retained in original form as an addendum to this Manual, until the relevant section of the Manual is amended.

2 INTRODUCTION

2.1 Background and history of ATPS

ATPS **Networks** was established in 1993 as a network of multidisciplinary researchers from fifteen sub-Saharan African countries: Botswana, Ethiopia, Ghana, Gambia, Kenya, Lesotho, Liberia, Malawi, Nigeria, Sierra Leone, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe. It is a successor of two predecessor networks, the Eastern and Southern African Technology Policy Studies and The West African Technology Studies Networks. ATPS is a company limited by guarantee incorporated in Kenya.

The International Development research Centre (IDRC), Carnegie Corporation of New York, Rockefeller, Ford Foundation, Coca-Cola Northern Africa, OPEC and World Bank fund **ATPS Networks**.

It provides research grants to individuals and institutions to carry out research on issues of science and technology policy in Sub-Saharan Africa. The research results are disseminated to policy makers and other end users through manuscript reports, published books, journal articles, workshops, conferences and the Internet.

2.2 ATPS Mission

“To **improve** human and institutional capacity for **technology policy** formulation, implementation, research, analysis, assessment, monitoring, evaluation and dialogue.”

African Technology Policy Studies Networks objectives

To achieve its mission, ATPS **Networks** has the following objectives:

- a) Capacity building and enhancement for technology formulation, implementation and research
- b) Generating a critical mass of knowledge on technology policy issues
- c) Fostering networking and collaborative research
- d) Dissemination of research material

2.3 Functions of the ATPS

To efficiently carry out its work, ATPS has two main departments:

- (i) Finance and administration which provides support services and;
- (ii) Research and programme management

3 DEFINITION OF TERMS

3.1 The ATPS

Means the **African Technology Policy Studies Network**.

3.2 The Board

Means the members of the Board.

3.3 The Executive Director

Means the **Executive Director** who is also the Chief Executive Officer of ATPS.

3.4 Contract of employment

The Letter of Appointment constitutes the individual's contract of employment with ATPS

3.5 Spouse

A spouse is the legally recognised partner of the staff member. For the purposes of personnel records, the spouse must be declared at the time of appointment, or at the time of marriage if it occurs during employment with ATPS. Proof of marriage will be required.

3.6 Dependant children

Dependant children are biological offspring or legally adopted children under 21 years of age that are wholly dependent on the staff member or still dependent due to pursuit of a four-year post secondary course upto a maximum of 24 years. For purposes of personnel records, all dependant children must be declared at the time of appointment or at the time of birth or adoption if it occurs during employment with ATPS. Copies of birth certificates or legal adoption papers of dependants will be required in either case.

3.7 Immediate family

This consists of the employee's spouse and dependant children as defined above, the employee's biological father and biological mother and the employee's spouse's biological father and biological mother as listed in the employee's personnel record.

3.8 Family domicile

This is the location specified by the employee as his/her family domicile as shown in the employee's personnel record.

3.9 Duty station

This describes the normal base of the employee's working activity as contained in the employee's personnel record. Currently the duty station of all ATPS employees is Nairobi, Kenya.

3.10 Country of project on travel duty

This is the country in which the employee is temporarily undertaking official ATPS business or is operating on behalf of ATPS.

3.11 Salary

This is the monthly monetary payment based on the salary scales currently in operation within ATPS. Salaries are based on a 'clean-pay' system and are quoted before tax and statutory deductions.

3.12 Reimbursable expenses

In performing their duties, staff members will from time to time incur expenses, for example, on travel or hotel accommodation. Staff will be reimbursed for the expenses incurred based on the submission of an authorised claim duly supported by appropriate receipts as proof of expense incurred. The immediate supervisor must approve all reimbursable expenses.

3.13 Per diem

When performing duties outside his/her duty station, an employee may be entitled to a per diem allowance. The per diem allowance will change from time to time. Current rates are available from the **Finance and Administration Manager** and are obtained from similar institutions.

3.14 One calendar year/month

A calendar year starts on 1st January and ends on 31st December, while a calendar month starts on the first day of a month and ends on the last day of that month.

3.15 One contractual year

A contractual year can start on any day but runs for 12 months from that day.

3.16 National staff

National staff are employees who are nationals of the country in which their duty station is located. National staff may be expected to travel outside their duty station as part of the normal course of their duties.

3.17 Expatriate staff

An expatriate is an individual who is not a national or permanent resident of the country in which their duty station is located. Expatriate staff may be expected to travel outside their duty station as part of the normal course of their duties.

3.18 Employee

With specific reference to this manual, the term employee refers to national and expatriate staff engaged by ATPS unless otherwise stipulated.

3.19 Budget holder

A departmental heads is an employee who has been assigned responsibility for executing a budget related to a particular function and/or an assignment/project within ATPS.

3.20 Contract employees

All ATPS employees (other than consultants and temporary employees) will be recruited on fixed term contracts of 1-3 years.

3.21 Temporary employees

Temporary employees are employed on contracts for a minimum period of one week and a maximum of three months.

3.22 Consultants

Consultants are engaged to undertake specific assignments on behalf of ATPS or on a project basis.

3.23 Disciplinary committee

The disciplinary committee is responsible for hearing appropriate discipline cases affecting ATPS personnel.

For discipline cases regarding the **Executive Director**, the disciplinary committee will consist of the Board of Directors.

For discipline cases regarding heads of department, the disciplinary committee will consist of the **Executive Director** and at least two board members.

For discipline cases regarding all other employees, the disciplinary committee will consist of the Financial & Administration Manager, the head of department concerned and a head of department from any other department or the employee's nominated representative.

3.24 Personal records

Personal records contain personal details on all employees of ATPS. Details include names of spouses, dependants and their ages, previous employment details, next of kin, family domicile etc. Decisions which take into consideration an employee's spouse, dependant children, immediate family, family domicile and all other personal items will be based on information relating to the employee at the time the decision is to be made. It is, therefore, important that employees ensure that their personal records are promptly updated as appropriate.

4 APPLICATION

Unless otherwise stated in individual letters of appointment, policies and procedures contained in this Manual govern the practice of all staff undertaking activities on behalf of ATPS.

ATPS employs three categories of staff:

1. Contract employees.
2. Temporary staff.
3. Consultants.

4.1 Contract employees

Contract employees are employed on 1 to 3 year fixed term contracts. The terms and conditions of service of a contract employee will be detailed in his/her Letter of Appointment. Both the Letter of Appointment and this Manual constitute the contract of employment between the individual and ATPS.

4.2 Temporary staff

- (i) Temporary staff will be appointed for a minimum period of one week to a maximum of three months.
- (ii) Temporary staff will normally be employed in support or administrative positions.
- (iii) Budget holders will be responsible for selecting and appointing temporary staff with approval of the **Executive Director**. The departmental heads will advise the **Finance and Administration Manager** prior to the appointment of temporary staff to ensure compliance with regulations on pay, tax and other legislative requirements regarding temporary employment.
- (iv) All temporary staff will be issued with Letters of Temporary Appointment setting out their duties and terms and conditions of service.
- (v) The departmental heads will be responsible for ensuring temporary staff conduct themselves in accordance with ATPS procedures and expectations.
- (vi) Payment to temporary staff will only be made on provision of a bi-monthly timesheet signed by the ATPS budget holder.

4.3 Consultants

- (i) Consultants will be engaged on an assignment/project basis to supplement the resources of ATPS employees engaged on the assignment/project.
- (ii) ATPS will maintain a database of consultants in various areas of expertise, who can be employed on an project basis. Prior to their initial engagement with ATPS, consultants listed in the database will be subjected to the same standards

ATPS applies for internal recruitment. Only ATPS approved consultants will be used on projects or provided as consultants to other agencies.

- (iii) The Project Manager and Finance and Administration Manager are responsible for identifying appropriate consultants. In addition, the departmental heads is required to identify and implement methodologies for skills transfer between consultants and ATPS personnel during the assignment, with a view to developing ATPS's in-house capabilities.
- (iv) The **Executive Director** will approve appointment of all consultants, in keeping with financial and procurement policies and procedures of ATPS.
- (v) Before determining terms of engagement with consultants, departmental heads will liase with the **Finance and Administration Department** to ensure adherence to regulations on pay, tax and other legislative requirements regarding employment.
- (vi) The departmental heads will be responsible for ensuring that consultants conduct themselves in accordance with ATPS's procedures and expectations.
- (vii) A consultant will receive a separate contract for each project contracted. The Letter of Appointment and this Manual will govern this contract, unless otherwise stated. Terms of payment and other terms and conditions of service must be stipulated in the contract.
- (viii) Payments to consultants will only be made against provision of certificates of satisfactory performance signed by the ATPS supervisor on the assignment/project and/or the budget holder.
- (ix) Whilst working for ATPS, consultants will be responsible for their own insurance that should include medical evacuation if working abroad.
- (x) Final payments will be made after acceptance of the final report by ATPS or the client and on completion of the Assignment Evaluation Form.

5 DELEGATION

Below is a summary of the authority delegated to positions in this Manual.

5.1 The Board

The Board shall have the following responsibilities:

- (i) review and approve the annual programme of activities of the organisation;
- (ii) approve the annual budget of the organisation;
- (iii) appoint a firm of auditors to audit accounts of the organisation so as to ensure funds are properly expended and accounted for;
- (iv) review and approve the annual reports on the activities of the organisation;
- (v) appoint an **Executive Director** of the organisation;
- (vi) delegate to the **Executive Director** the appointment of staff and other employees, consultants or agents necessary for proper and efficient discharge by the organisation of its functions;
- (vii) delegate to the recruitment panel for recruitment of professional staff, which will consist of the **Finance and Administration Manager**, the **Research Co-ordinator** , and the **Executive Director**;
- (viii) the Chairman of the Board will sign the Letter of Offer for the **Executive Director**;
- (ix) approve the salary structure, salary increments and bonuses of the organisation;
- (x) approve the amount of Settling Allowance paid to internationally recruited staff members or employees relocated to another country;
- (xi) hear and make final decisions on all appeals regarding discipline and grievance cases in the event that an employee is not satisfied with the outcome of his/her disciplinary or grievance hearing; and
- (xii) hear discipline cases regarding the Executive Director . For discipline cases regarding Heads of Department, two board directors will sit on the disciplinary committee with the **Executive Director**.

5.2 The Executive Director

The **Executive Director** shall, subject to the general direction and control of the Board, be responsible for direction of affairs and transactions of the organisation, the exercise, discharge and performance of its objectives, functions and duties, and the administration and control of employees of the organisation.

The delegations to the **Executive Director** are to:

- a) submit to the Board for approval, not later than one month before the commencement of each financial year, a programme of activities of the organisation in respect of that financial year;
- b) identify emerging issues for public policy and analysis and to design appropriate work plans for carrying out this analysis;
- c) prepare the annual programme of activities and budgets of the organisation for the approval of the Board;
- d) decide whether discounted or premium-priced fees will be paid for each assignment;
- e) approve all recruitment proposals including those of consultants, and approve recruitment of contract professional staff, including the **Finance and Administration Manager** and the **Research Co-ordinator** and advice board on recruitments made of professional staff;
- f) approve private work or assistance by ATPS employees and provide guidance to the Board on whether part or all of payments made for such work or assistance will be forfeited to ATPS or retained by the employee concerned;
- g) decide on the method of disposal of any gift received by an employee from representatives of and/or organisations seeking to do business with ATPS;
- h) approve the recruitment of contract support employees;
- i) approve all new job descriptions, and changes to existing job descriptions;
- j) review all major disciplinary cases and where appropriate advise the Board on final decisions;
- k) establish procedures for effective communication and co-ordination with agencies of Government, the universities, other research bodies, donor agencies and the general public;
- l) authorise the submission of tenders for the award of contracts and sign any contracts on behalf of the organisation;
- m) review and approve terms and conditions of all employees of ATPS;
- n) prepare the annual reports on activities of the organisation;
- o) maintain efficiency and discipline of all staff of the organisation;
- p) manage the budget of the organisation so as to ensure that funds are properly expended and accounted for;

- q) approve in advance, travel and accommodation expenses for candidates invited to attend interviews at ATPS;
- r) subject to satisfactory references, proof of all academic qualifications and satisfactory medical report, will make offers of employment, including offers to temporary employees, in writing;
- s) sign Letters of Offer for all staff;
- t) extend or refuse confirmation of an employee, on completion of the probation period;
- u) implement all salary increases and bonuses on recommendations of respective heads of department and the **Finance and Administration Manager**, subject to approval from the Board;
- v) under exceptional circumstances occasioned by workload, approve payment of unutilised leave for an employee;
- w) approve home leave to be taken by an expatriate employee, in a country other than that employee's home country;
- x) extend at his/her discretion sick leave at full pay up to three months, to an employee who has been in service for more than one year;
- y) approve sabbatical/study leave;
- z) grant compassionate leave for exceptional reasons;
- aa) either generally or in any particular case delegate his authority to any officer;
- bb) suspend an employee (with or without pay) pending investigation into cases of gross misconduct as defined in section 13;
- cc) hear and review an appeal from an employee regarding a disciplinary case and make a ruling; and
- dd) Perform such other duties and functions as may be assigned by the Board from time to time.

5.3 Budget holders

The delegations to budget holders are to:

- (i) approve all expenditures related to their specific departments/programmes;
- (ii) approve overtime before it is incurred;
- (iii) approve annual leave for all employees in his/her department;

- (iv) hire temporary staff in consultation with the **Finance and Administration Manager** and with the approval of the **Executive Director**;
- (v) provide for certificates of performance by consultants and;
- (vi) Recommend payment of bonuses to staff with exceptional performance to the **Executive Director**.

More detailed statements concerning the financial delegations to budget holders will be contained in the Financial Policies and Procedures Manual.

5.4 Finance and Administration Manager

The delegations of the **Finance and Administration Manager** are to:

- (i) monitor deployment of staff and work allocation to ensure that ATPS's resources are efficiently utilised to serve clients and that all employees have an equal opportunity for development and progression;
- (ii) review and recommend alternative work allocation methods and/or use of temporary staff with heads of departments, in instances of excessive overtime;
- (iii) ensure that the appropriate mix of staff is put together for each project in consultation with the project Team Leader;
- (iv) monitor, on a monthly basis, utilisation of employees and advise heads of department and the **Executive Director**;
- (v) annually revise daily per diem rates;
- (vi) establish and update appropriate per diem rates on a regular basis;
- (vii) ensure that department heads conduct project appraisals, quarterly and annual
- (viii) appraisals for each employee and ensure training and development takes place and is evaluated;
- (ix) co-ordinate all recruitment for ATPS;
- (x) prepare the total revenue and operating costs of the organisation during the annual salary review process in consultation with department heads for consideration by a remuneration review committee for approval by the **Executive Director**;
- (xi) review the medical insurance scheme and group life insurance scheme on an annual basis and make recommendations to the **Executive Director** on renewal of the scheme; authorise absence from work in the absence of employee's immediate supervisor; compile Quarterly Absence Reports, to be reviewed by the **Executive Director** and Heads of Department;

- (xii) take corrective action through counselling, training and/or instituting disciplinary procedures, where problems of lateness and absenteeism persist;
- (xiii) arrange for new employees' orientation with the immediate supervisor and;
- (xiv) investigate all disciplinary cases with the respective head of department and will be a member of the Disciplinary Committee.

6 GENERAL WORKING AND DEPLOYMENT CONDITIONS

6.1 Working hours

The number of official working hours will be 37.5 hours per week unless specified otherwise in the Letter of Appointment. However, staff should be aware that they will be expected to work outside the official hours to meet client demands in order to enable ATPS to achieve its objectives.

Working hours may be reviewed and changed by the **Executive Director** from time to time. The **Finance and Administration Manager** will inform staff of such changes.

Working hours:	8:00am –12:30pm 1:30pm-4:30pm
Lunch break:	12:30pm-1:30pm

Employees can work on a flexible time basis with prior approval of the department head.

6.2 Working patterns

The **Finance and Administration Manager** will advise the **Executive Director** of changes to be made to staff deployment and working hours including options of:

- part-time working;
- job sharing;
- flexi-time systems – permitting employees to work flexible hours of day and/or week, around an agreed core time when staff must be on duty, as long as they meet stated daily/weekly working hours; and
- ad hoc ‘contracting-out’ for services and skills on a need be basis.

6.3 Activity Report

At the end of each month, all staff are required to complete and submit to their immediate manager the ATPS Activity Report form providing details of work, official travel, leave etc. The manager signs and forwards these reports to the **Finance and Administration Manager**.

6.4 Deployment policy

The objective of ATPS’s deployment policy is to provide the best possible services to ATPS’s clients and to build and encourage professional development and teamwork within the organisation. Therefore, in order to respond to changing operational environments, ATPS reserves the right to re-deploy any member of staff between jobs and around ATPS’s operating region or client base in order to meet organisational and client needs.

The basis for making deployment decisions will be work allocation and distribution, with the intention of optimising utilisation of internal capability and resources. It

should also be recognised that re-deploying a member of staff to a different work environment can be a useful part of career and personal development programme.

In deploying staff on assignments, ATPS will consider:

- competence of individuals; both social and technical;
- experience;
- career progression; and
- work load.

The **Finance and Administration Manager** will:

- (i) give guidance on selection of staff to heads of department. However, heads of department will be responsible for deployment of employees in their respective departments; and
- (ii) ensure that all heads of department are informed of, and are implementing, the deployment policy.

The **Finance and Administration Manager** will monitor deployment of staff and work allocation to ensure that ATPS' resources are efficiently utilised to serve clients and that all employees have an equal opportunity for development and progression.

6.4.1 Deployment on Projects

As a technical organisation, ATPS depends on an internal "pool of experts", supplemented when necessary by external consultants. The appropriate mix of staff will be put together for each project by the **Project Coordinator**.

At the end of each assignment, the Project Coordinator will evaluate performance of team members of the project team using predetermined criteria.

These evaluations will contribute to quarterly and annual appraisals. The evaluation will also provide an immediate opportunity to recognise good performance and rectify any weaknesses identified.

6.5 Conduct

6.5.1 Services to other organisations

The nature of work at ATPS calls for linkages and networking with other organisations. ATPS employees can therefore be called upon to provide either services or advice to these collaborating organisations. Payment for such services will be the property of ATPS.

Where an employee may be called upon to provide assistance in their private capacity, approval must first be obtained in writing from the Executive Director. Any infraction of this regulation is subject to sanctions under the Disciplinary Policy.

6.5.2 Employees' loyalty to ATPS

Employees are expected to be loyal to the organisation at all times while employed by ATPS. Where an activity or project may be in conflict with ATPS interests, the employee will refrain from such activities. Where employees are unclear about possible conflicts, they should approach their respective head of department or the **Executive Director** for clarification.

6.5.3 Release of information to third parties

ATPS retains the right to all titles, copyrights and patent rights for any work produced by an employee as part of his/her official duties.

The **Executive Director**, any officer, consultant, agent or other employee of the organisation shall not disclose to any other person any information which he/she acquires or comes to his/her knowledge in the performance or purported performance of his/her functions in ATPS, except in so far as it may be necessary for performance of those functions or for due compliance with any requirements of, or proceedings under, the Company Act or any other written and applicable law, or with the order of the court.

A person who contravenes the above provisions shall be liable to summary dismissal and prosecution under the Act.

6.5.4 Protection of ATPS's property and interest

Employees are expected to protect the interests of ATPS at all times and should not cause damage to the property or reputation of the organisation.

Employees should also avoid any action that may be seen to be undesirable, or bring the **organisation**, or its name, into disrepute.

Where damage is caused by carelessness, negligence or malicious acts, the employee will be held liable, and will meet the cost of damage, as determined by the **Executive Director**, in keeping with the Disciplinary Policy.

6.5.5 Gifts and other benefits

ATPS strongly discourages employees and their immediate families from accepting or soliciting for gifts, payments, loans, services, entertainment (apart from normal occasional social business meals/drinks) from representatives of and/or organisations seeking to do business with ATPS.

Where a gift cannot be refused without causing offence, the item will be passed to the **Executive Director** who will decide on its disposal.

6.6 Employee welfare

ATPS will provide adequate welfare cover for its employees to ensure a healthy and stable work force. All contract employees will be entitled to the benefits listed below. All employees must indicate existing medical, group life, personal accident, permanent injury health and air travel insurance covers they, their spouses and dependants may have at the time of appointment to employment on the Notification of Engagement Form.

6.7 Insurance

6.7.1 Medical insurance

ATPS will provide medical cover to contract employees, spouse and dependant children under 21 years of age.

The benefit of paying premiums on behalf of staff and their dependants may be subject to local taxes. These taxes will be borne by the employees.

The **Finance and Administration Manager** in consultation with the **Executive Director** and with the approval of the Board will review the scheme on an annual basis and make recommendations to the **Executive Director** on renewal of the scheme.

The terms and conditions of the scheme are available from the **Finance and Administration Department**.

6.7.1.1 Medical examinations

ATPS will pay for a pre-employment medical test for all new employees, excluding temporary staff, as a condition of employment. A doctor of ATPS' choice will conduct the medical examination.

Where this is impractical, the medical examination will be done as soon as possible after commencement of the job.

The medical report is confidential and is the property of ATPS.

6.7.2 Group life insurance

ATPS operates a Group Life Insurance Scheme for contract employees. The scheme covers an employee in the event of his/her death while still in the employment of ATPS.

The amount payable under the scheme is equivalent to three times the employee's annual basic salary and is paid to the employee's designated next of kin, in the event of death due to natural causes.

The terms and conditions of the scheme are available from the **Finance and Administration Department**. These may be amended from time to time.

6.7.3 Personal accident insurance

ATPS operates a Group Personal Accident Insurance Scheme for all contract employees.

Specified amounts are payable under the scheme to employees who receive injuries arising from accidents during their period of employment.

The terms and conditions of the scheme are available from the Finance and Administration Department and may be amended from time to time.

6.7.4 Disability insurance

ATPS operates a Permanent Injury Health Insurance scheme which will provide income to contract employees who have suffered long term or permanent injury during employment, or are incapable of continuing their duties with ATPS due to the nature of injuries sustained.

The terms and conditions of the scheme are available from the Finance and Administration Department and may be amended from time to time.

6.7.5 Air travel insurance

Air travel insurance is provided for employees travelling on official business and will include medical evacuation in case of emergencies.

The terms and conditions of the scheme are available from the Finance and Administration Department and may be amended from time to time.

6.7.6 Workman's Compensation

All employees, be they on temporary service or on contract, are covered under the workmen's compensation scheme as per the Workmen's Compensation Act. Any injuries, not incurred deliberately by an employee, but incurred in the line of duty, are covered under this scheme. To cover any liabilities arising from injuries by employees at work, ATPS have taken a workmen's insurance cover.

6.8 Leave

6.8.1 Annual leave entitlement

All employees will be entitled to 24 working days for each completed year of service. Annual leave entitlement is earned at the rate of 2 days per month. ATPS encourages all its employees to take their leave in the year earned and not to carry it forward.

Employees are expected to accumulate leave entitlement before they apply for leave. However, they may utilise up to half of their leave entitlement in advance provided that the employee's service is expected to continue for a period long enough to cover leave taken and with the approval of the head of department, or the **Executive Director**.

The leave entitlement is accrued on the basis of each completed year of service. In case of service of less than one year, leave will be calculated on a pro-rata basis.

Annual leave should be taken in the contractual year in which it is earned. A maximum of 14 days earned leave may be carried forward from one year to the next year. Any balance in excess of fourteen days will be forfeited but may exceptionally be approved by the **Executive Director**.

At the beginning of each year, every employee shall indicate, on a prescribed form, his/her leave plans. This form shall then be submitted to the **Finance and Administration Manager**. Board appointees will be expected to negotiate their leave at the time of appointment or in consultation and with the consent of all other top managers.

Employees will be required to complete a Leave Application Form covering all absences from the workplace. Leave will be taken subject to operational requirements and only with prior approval of the head of department. Approval for leave will be recorded on the Leave Application Form. The heads of department will be responsible for submitting the form to the Finance and Administration Department.

The Finance and Administration Department will record and monitor the number of leave days used per individual.

A copy of the Cumulative Leave Application Form will be returned to the employee once the Finance and Administration Department has processed it.

6.8.2 Public holidays

The employee is entitled to all public and statutory holidays of the country in which he/she is working at that time, and will take them at full remuneration.

Furthermore, employees may apply to their heads of department and/or **Finance and Administration Manager** to take leave for country-of-origin religious or public holidays, which are not recognised in the country of assignment. Such leave will be counted against the employee's annual leave entitlement.

When an employee is on annual leave he/she may not shift the status of leave to sick leave or extend annual leave by crediting a portion to sick leave, except in exceptional circumstances and with approval of the **Executive Director**. Each head of department /supervisor will circulate a leave schedule in January for employees to enter anticipated leave dates in order to allow proper planning and deployment of staff.

If, on termination of service, an employee has taken leave in excess of his/her entitlement, ATPS will make a deduction from the employee's final dues calculated at the standard daily rate for each day taken.

If an employee has not utilised his/her full leave entitlement before leaving, and with the prior approval of the **Executive Director**, unutilised leave will be paid at the standard daily rate of the employee concerned. (See Section 8.6 for calculation of standard rates.)

Leave due on separation will be calculated as at the end of last day of service.

6.8.3 Sick leave

Absence due to illness must be reported to the immediate supervisor as soon as possible.

Continuous absence for three days or more will require a medical certificate issued by a recognised medical practitioner. The medical certificate will indicate first day of illness and the date on which the employee is expected to return to work.

All sick leave will be recorded and signed by the immediate supervisor at the end of the period of absence on the Leave Application Form with copies forwarded to the **Finance and Administration Manager**. Visits to the doctor will be deducted from sick leave entitlement.

An employee on sick leave is entitled to full pay for the first month (30 days) and for a further 2 months (60 days) at half pay. If, after the three months, the employee has not recovered he or she may be asked to utilise accrued leave days or proceed on unpaid leave.

If the employee has served for more than one year, the **Executive Director** may use his/her discretion to extend sick leave at full pay to three months.

Should the period of illness exceed six months, the member of staff will be entitled to the provisions of the Disability Insurance (Section 6.64). However, ATPS retains the right to withdraw this benefit at any time. At the same time the contract will be deemed to have been terminated.

Annual leave entitlement and other benefits based on service continue to accrue during periods of sick leave.

6.8.4 Maternity leave

An employee will be entitled to 3 months maternity leave on full pay as long as she has completed one year of continuous service.

An employee with less than one year of continuous service on the date maternity leave falls due, shall be given her unused accrued annual leave entitlement and, on request, the balance of maternity leave will be taken as leave without pay for up to a total of 3 months.

If an employee takes maternity leave during her probation period, the probation period will be extended by the period taken for maternity leave.

The employee will be expected to go on maternity leave a minimum of 5 days before the expected date of delivery.

Extension of maternity leave can be considered where serious complications occur and medical documentation is produced, or for non-pregnancy related illnesses. However, extra days will be charged to and treated as sick leave.

Annual leave entitlement is forfeited if maternity leave is taken. However, other benefits based on service continue to accrue during periods of paid maternity leave.

6.8.5 Paternity leave

An employee will be entitled to paternity leave for up to a maximum of two weeks per year, with pay as long as he has completed one year of continuous service. This leave will be awarded to an employee upon request and with the approval of the **Executive Director**. The **Finance and Administration Manager** should be notified no later than three weeks prior to the date maternity/paternity leave is anticipated.

6.8.6 Study/Sabbatical leave

ATPS recognises that employees may need to undergo further training to enhance their professional and operational competence. In such cases the **Executive Director** may approve sabbatical/study leave.

The heads of department together with the **Finance and Administration Manager** will evaluate benefits for both ATPS and employee against both financial and opportunity cost implications, and advise the **Executive Director** accordingly.

Employees will be encouraged to source their own funding. The leave will only be approved after funding has been secured. Only employees with more than three years of service will qualify for study/sabbatical leave in excess of one month.

Annual leave entitlement and other benefits based on service will not accrue during periods of study/sabbatical leave that exceed one month.

6.8.7 Compensatory leave

Due to frequent absences from family and loved ones in the case of official travel, ATPS will allow an employee one compensatory leave day for every ten (10) days travelled. This leave can only be taken up in the year in which it is earned and will only be carried forward where it is earned at the end of the year.

6.8.8 Compassionate leave

Compassionate leave will be granted at the discretion of the **Executive Director** and heads of department for exceptional reasons, such as bereavement in the immediate family.

Compassionate leave will be granted for up to a maximum of 14 calendar days.

Where air travel is necessary to meet obligations of bereavement in a country other than that of the assignment, ATPS will provide one round trip economy ticket, which may be used by the employee's spouse, if the employee opts not to go on compassionate leave.

Annual leave entitlement based on service will not accrue during periods of compassionate leave.

6.8.9 Absence

Whenever possible, absence from work must be authorised in advance by the employee's immediate supervisor or the **Finance and Administration Manager**.

In cases of emergency (e.g. sickness or injury), the immediate supervisor or the **Finance and Administration Manager** should be informed of circumstances at the earliest practicable time.

It is the responsibility of the heads of department to monitor and control the level of absenteeism in his/her department.

Absence for more than 5 days but less than 10 days without notification to the head of department or the **Finance and Administration Manager** will be a major offence and is liable to punishment by interdiction or half pay.

Failure to notify the Department Head or the **Finance and Administration Manager** of absence from duty on a working day will require justification and may be considered unsatisfactory conduct. Absence for more than ten consecutive working days without notification will be deemed to be desertion and the employee will be liable to disciplinary action which could result in termination of employment.

6.8.10 Absence reporting

Employees will be required to complete a Leave Application Form return from unauthorised absence.

Department heads and supervisors are required to record all incidents of lateness and/or absenteeism. Each department will submit a monthly absence record to the **Finance and Administration Manager**. The **Finance and Administration Manager** will compile Monthly Absence Reports, to be reviewed by the **Executive Director** and Heads of Department.

Unauthorised absence for a day or more will be deducted from the annual leave entitlement.

Where problems of lateness and absenteeism persist, the **Finance and Administration Manager** will take corrective action through counselling, training and/or instituting disciplinary procedures.

6.9 Education Allowance

All employees, other than those in temporary service, shall be eligible to apply for reimbursement of school fees and other related costs, such as books, transportation, laboratory equipment and uniforms, for their dependent children enrolled in a recognised educational institution in Kenya. Dependent children must therefore be enrolled in a recognized elementary (age three and above), primary or secondary school, college or university program.

At the beginning of each school year, eligible staff should give the name of each child, the name and location of the school, and the grade attended.

The rate of reimbursement for *bona fide* educational expenses, covering elementary, secondary, college or university levels, is a maximum of Kshs. 80,000/= per child per year, and is reviewed annually.

Reimbursement is provided for up to a maximum of four (4) dependent children. Education allowance will only apply to dependants up to the age of twenty-four years.

Staff will be notified of any adjustments to these limits. Items eligible for coverage by the education allowance include fees, uniform, building fund, tuition materials, boarding, transport, and examination fees.

Eligible staff members should present invoices for education expenses to the **Finance and Administration Manager** who will arrange for direct payment through an Education Trust. Any direct reimbursement to staff by ATPS is subject to tax.

Full and further details on education allowances may be obtained from the **Finance and Administration Manager**.

6.10 Loans, Advances, Guarantees

It is the policy of the ATPS not to grant loans or act as a guarantor for loans contracted by its staff. Under special circumstances, the Executive Director may at his discretion grant an employee in extreme need up to two months salary advance. Interest will be charged on such advances at the 5% p.a. rate and the sum will be payable within a year of its acquisition the monthly payment amounts being agreed on by both the employee and the **Finance and Administration Manager**

6.11 Gratuity Payments

Gratuity payments will be paid to all contract employees and will take the place of a pension or provident fund. Gratuity payments will be payable on a lumpsum basis at the end of a three year contract period or as per the following gratuity payment schedule:

Year 1:	• 7% of basic pay
Year 2:	• 8.5% of basic pay
Year 3:	• 10% of basic pay

The Finance and Administration Manager will manage and co-ordinate gratuity payments.

6.12 Relocation and Freight Expenses

6.12.1 Passages

On appointment and termination of contract ATPS will provide return air fares for expatriate contract employees, spouse and dependant children for travel by the most economical means of travel using the most direct route.

In case of a Kenyan national recruited from abroad, ATPS will provide on appointment single route air fares for the employee, spouse and dependant children for travel by the most economical means of travel using the most direct route.

6.12.2 Relocation expenses

ATPS will reimburse expenses of international relocation for expatriate contract employees and Kenyan nationals recruited from abroad. Such reimbursement will include household goods and personal effects, if the appointment is for more than six months away from either the place of recruitment or the family domicile.

Reimbursement by ATPS for removal expenses will be subject to the following limits, which are subject to review by the **Executive Director** from time to time:

Air Freight

Air freight will include the cost of a maximum of 20 kilos accompanied excess baggage and a total of 60 kilos unaccompanied air freight for the employee and immediate dependants.

Surface freight

One 20-foot container of 23 cubic metres. Storage charges, other than those directly related to the normal transportation procedures, will not be allowed.

Reasonable cost of packaging will be allowed for shipments within limits mentioned above. Costs of installation of appliances and fixtures will not be borne by ATPS.

The cost of insurance in transit of household goods and effects (excluding any article of value for which special rates or premiums are charged) will be reimbursed up to the value for which the employee ordinarily insures them provided it does not exceed an approved maximum limit.

A statement of valuation of property should be forwarded to the **Finance and Administration Department** for review and approval before property is packed for shipment. ATPS will in no case be responsible for loss or breakage of property during relocation. Valuation will be subject to a maximum limit. This limit will be reviewed and amended from time to time.

Employees will be expected to forward an inventory of goods to be transported to the **Finance and Administration Department** before property is packed for shipment.

ATPS will then undertake clearance procedures on behalf of employees and bear any bonded storage charges up to the time clearance has been obtained.

Reimbursement will be made against receipts. Employees will be required to complete a Relocation Expenses Application and Agreement Form for approval from the **Executive Director** to incur relocation expenses. These expenses must be accounted for using the Relocation Expense Claim Form.

Where both husband and wife are employees of ATPS and each is entitled to reimbursement of the cost of relocation, ATPS will reimburse one claim only.

Removal expenses are reimbursable only if the employee transports goods within three months of start or end (as appropriate) of his/her employment with ATPS. The **Executive Director** may extend this period under exceptional circumstances.

If the employee resigns from the service of ATPS before completing one contract period, relocation costs will be recovered from the employee based on the difference between the completed period of service and the outstanding months of service up to the end of the contract period.

6.12.3 Local relocation

On initial appointment, local employees will not be entitled to relocation expenses. However, should an employee relocate his/her family within three months after appointment, the employee may claim a relocation allowance.

Relocation allowance will only apply to those employees who relocate more than 300 kilometres from their former place of work or residence.

The cost of insurance of goods in transit will be subject to a limit, which will be reviewed and amended from time to time.

Local employees relocated to a station more than 300 kilometres away from their homes are entitled to recover the cost of one way first class rail or air fare (whichever costs less) from their former station, for self, spouse and dependant children.

6.12.4 Overseas relocation accommodation expenses

ATPS will pay the following expenses for an employee relocated to or from another country on commencement of their new appointment as follows:

- reasonable accommodation expenses on presentation of invoices, for a period of up to three months if the employee is single. Payment will be evaluated on a case by case basis; or
- reasonable accommodation expenses on presentation of invoices for the employee, spouse and dependent children for up to one month from the commencement of the appointment.

Eligible staff will be expected to complete a Relocation Expense Claim Form to claim the expense and attach copies of relevant receipts.

7 RECRUITMENT, PROMOTION AND PROGRESSION

7.1 Policy

ATPS's recruitment policy is to employ the most appropriate candidate available to ensure that its clients receive quality service irrespective of race, colour, marital status, tribe, religion, gender or nationality.

7.2 Determining a vacancy

The head of a department will be responsible for determining the existence of a vacancy in his/her department. Before the decision to recruit is made, the heads of department will consult the **Finance and Administration Manager** on other options which might be appropriate, such as work re-design, re-project of existing staff, promotion or outsourcing of the service. Once the decision to recruit is made, the relevant department head, together with the **Finance and Administration Manager**, will determine if a full time, part time or a temporary employee should fill the position. The heads of department will then complete a Personnel Requisition Form (PRF).

7.3 Approval for recruitment

The PRF will serve as a formal request to fill a vacancy. The form will be forwarded to the **Executive Director** for processing.

The **Executive Director** will approve all recruitment proposals including those of consultants. However, approval for recruitment of contract employees, including the **Finance and Administration Manager** and the **Research Co-ordinator**, will be in consultation with the Board.

Where approval of recruitment is denied, the heads of department will revisit the alternatives of work re-design or re-project of existing staff.

7.4 Recruitment Process

7.4.1 Review of job descriptions

On approval to recruit, the department head, together with the **Finance and Administration Manager**, will review and, if appropriate, revise or develop new job descriptions and detailed specifications for the position, which will be approved by the **Executive Director**.

7.4.2 Contracting of consultants

If the position is to be advertised externally, the **Executive Director** will determine whether the recruitment should be contracted to external recruitment agents or be undertaken by the **Finance and Administration Manager**.

7.4.3 Administration and co-ordination of recruitment

The **Finance and Administration Manager** will be responsible for co-ordinating all recruitment exercises. This is irrespective of whether recruitment is being carried out in-house or is contracted to outside consultants.

The **Finance and Administration Manager** will complete a recruitment progress form as an administrative checklist for each recruitment assignment.

In all cases the **Finance and Administration Manager** will file the minutes of the interview panel meeting and Job Interview Assessment Forms described below. This is to address any potential complaint or legal action which might arise.

7.4.4 Drafting of advertisements

Based on the job description and personal specifications, the **Finance and Administration Manager** or recruitment consultants will draft an advertisement for approval by the heads of department and the **Executive Director**. This will apply to all vacancies irrespective of whether the intention is to fill them with internal or external candidates.

7.4.5 Internal recruitment policy

It is ATPS's policy to encourage employees to apply for vacant positions. Internal applicants will be required to complete an internal applicant's application form. In all cases, preference will be given to internal applicants who meet the job specification.

7.4.6 Screening of candidates

Based on the job description and personal specifications, the **Finance and Administration Manager** or recruitment consultants will screen the applications to identify those who meet the minimum requirements for the position. All applications meeting minimum requirements will be forwarded to the heads of department for further screening.

If no applicants meet the minimum requirements, the **Finance and Administration Manager** will notify the heads of department and together decide what action should be taken, including revising requirements, redesigning the job and therefore the requirements, re-advertising, head hunting or other actions.

7.4.7 Regret letters

Applicants who fail to meet minimum requirements will receive a letter of regret from the **Finance and Administration Manager** or consultant, unless otherwise stated in the advertisement.

7.4.8 Shortlisting of candidates

The heads of department or the recruitment consultants will shortlist candidates to be invited for interview.

7.4.9 Application forms

Each candidate invited for interview will be required to complete a Confidential Application for Employment Form. A brief summary of ATPS and details of the position will be despatched with the application form.

7.5 Interviewing of candidates

The **Finance and Administration Manager** will convene the relevant interview panel, co-ordinate the interview schedule and invite applicants to attend the interview.

There are two interview panels in ATPS depending on the grade of the position being filled:

(i) Support grades

Executive Director or his nominee

Finance and Administration Manager

(ii) Professional grades

Executive Director

Finance and Administration Manager

Head of department in which the vacancy exists

iii) The panel for recruitment of the **Finance and Administration Manager and **Research Co-ordinator** will be appointed by the **Executive Director** and may, at his discretion, include a board member.**

Panel members may co-opt other members of staff and/or consultants to provide technical assistance during the interviews.

Each member of the panel will complete a Job Interview Assessment Form after every interview. The form has been developed to ensure each candidate is assessed using the same criteria.

The Job Interview Assessment Form will be modified to suit the particulars of each recruitment exercise, with weightings agreed in advance.

On completion of the interviews, the interview panel will decide on the most suitable candidate.

Both internal and external candidates will be assessed using the same criteria. Where an internal candidate and an external candidate are equally qualified for the position, priority will be given to the internal candidate.

7.6 Travel expenses for candidates

In cases where candidates have to travel from outside Nairobi to attend interviews, ATPS will reimburse travel and, where appropriate accommodation expenses. The Executive Director must however, approve such expenses before they are incurred.

Candidates will be requested to complete an Interview Expenses Claim Form and attach receipts in order to be reimbursed for their travel and accommodation expenses.

7.7 Letter of Offer

Once a candidate (including any temporary employee) has been selected, the **Executive Director** will prepare a Letter of Offer detailing the main terms and conditions of service and a summary of duties. The Letter of Offer will be signed by the **Executive Director** except for heads of departments, where the Letter of Offer will be signed by the Chairman of the Board. The candidate will be given a specific period of time in which to accept the offer.

The Letter of Offer will specify the length of contract. Ideally, ATPS would like to make long-term career commitments to every productive member of the staff sharing a demonstrated commitment to the values and mission of ATPS. However, the nature of the ATPS work environment requires a high degree of flexibility in meeting changing needs over which ATPS has very limited control.

The number and the types of jobs available within ATPS will always depend on the volume and nature of projects at hand and on ATPS's overall financial position.

The **Finance and Administration Manager** will keep employees aware of the status of their employment. Employees will also be given early notification of job opportunities.

On acceptance of the offer, the **Finance and Administration Manager** will issue a Notification of Engagement Form to be distributed to the **Executive Director** and the head of the relevant department.

Final appointment will be subject to satisfactory references, proof of all academic qualifications and satisfactory medical report.

7.8 References

ATPS will endeavour to obtain written references, asking referees to complete the Reference Request Form.

Where written references are difficult to obtain, the **Finance and Administration Manager** will complete the Telephone Questionnaire Reference Check.

One of the referees must be the candidate's immediate past employer. This reference should be obtained in writing, or a copy of the telephone questionnaire sent to the organisation for verification.

7.9 Medical examinations

All candidates excluding those to be hired on temporary and casual terms will be required to undergo a medical examination at a medical facility of ATPS's choice and at ATPS's expense. Pre-existing medical conditions should have been notified on the application form. Medical results will remain confidential to ATPS.

7.10 Date of appointment

The date of appointment for expatriate staff and for Kenyan nationals recruited from abroad is the date on which they reported to work. For local staff, the date of appointment is the date they report to the duty station.

7.11 Probation Period

The probation period for all contract employees in professional grades will be three months. The probation period may be exceptionally extended by three months at the discretion of the **Executive Director**, subject to a maximum of one extension.

The probation period for non-professional contract employees will be three months, but this period can be extended for a further one month at the discretion of the **Executive Director**.

At the end of the probation period, the head of department will review and evaluate the employee's performance and make his/her recommendation to the **Executive Director**. The **Executive Director** will make his/her decision and issue a Letter of Confirmation, Termination or Continuation of Probation as appropriate.

Where the employee is not confirmed, reasons for non-confirmation will be given to him/her in writing by the **Executive Director** for professional grades (including the **Finance and Administration Manager** and the **Research Co-ordinator**) or by the **Finance and Administration Manager** for support grades.

In the event of termination during the probationary period, the employee or ATPS will give one month's written notice, or equivalent salary in lieu of notice.

7.12 Personal Record

Upon engagement, employees will be required to provide the **Finance and Administration Manager** with the following details, as per Notification of Engagement Form: (Appendix I)

- full names as they appear in official documents;
- a copy of the national identity card and/or passport;
- permanent home address;
- marital status;
- names of spouse(s) and dependant children;
- date of birth;
- medical evacuation scheme in force;

- existing health/life/medical insurance;
- bank and account number;
- Personal Identification Number (PIN) for PAYE;
- driving license number;
- NSSF number;
- NHIF number; and
- Name of next of kin, relationship and address.

Employees will notify the **Finance and Administration Manager** of any changes in personal details. The **Finance and Administration Manager** has responsibility for ensuring that personal records are promptly updated with new information.

To ensure that all data is valid and complete, the **Finance and Administration Manager** will, at least once a year, circulate to staff basic (non sensitive) information held on file and request staff to confirm that all the data is correct and complete or to update the information, as appropriate.

7.13 Induction

The induction guidelines checklist has been designed to ensure each new employee receives the necessary information, tools and support to enable him/her to become a productive member of the team in as short a time as possible.

The head of department is responsible for ensuring each new employee receives induction.

Induction guidelines

The head of the new recruit's department will be responsible for ensuring that the induction programme is carried out. The **Finance and Administration Manager** will support this activity and will be available where assistance is needed. Copies of the induction checklist will be given to the new employee and to his/her immediate supervisor.

Pre-employment

On appointment the **Finance and Administration Manager** will send the new employee a welcome letter with details of starting time (10:30am) and who will meet them on arrival.

A week before the arrival of the new employee, the **Finance and Administration Manager** will circulate a memo to all members of staff with details of the new employee (name, position, department, main function, immediate supervisor, telephone extension and brief background). The memo should ask all staff to ensure they introduce themselves to the new employee within one week of starting date, and managers should ensure staff introduce themselves within three days if in the same department. The **Finance and Administration Manager** will also advise the receptionist of the name, department, location, time of arrival, telephone extension of the new employee and whom to contact on his/her arrival.

For junior employees, the immediate supervisor will identify somebody to act as “mentor” and explain their role to them. If possible, the mentor should be a member of the same working group and age group. The “mentor” will be responsible for helping them find their way around and answering any queries. They will also introduce them to support staff.

The immediate supervisor will ensure that the work area, equipment and phone (where appropriate) are ready for the new employee.

Day 1

The immediate supervisor will welcome the new employee at about 10.30 am. The new employee will then be introduced to the mentor and other members of staff in their offices. The role of the mentor will be clearly explained to the employee.

The “mentor” will explain the general layout of buildings and show him/her location of key facilities such as toilets, coffee machine, photocopier, print room, etc.

The immediate supervisor will carry out the functional induction into the job i.e. introduction to department, information about the job, understanding of their role and how it fits within the department.

It will be the responsibility of the immediate supervisor to see that the new employee settles in and becomes an effective employee as soon as possible. The new employee should be allowed some time on his/her own to get used to the environment and equipment. Where the employee is unfamiliar with equipment or computer package, training should be arranged.

After day 1 (and within 2 weeks)

Within two weeks of commencement of duty the **Finance and Administration Manager** will conduct an induction course into ATPS

The **Finance and Administration Manager**, head of department and immediate supervisor will ensure that all essential information is passed to the employee. This will include:

- record card;
- medical scheme booklet;
- payment of salaries;
- sick leave;
- first aid;
- copy of induction checklist;
- tax forms;
- leave;
- holidays;
- fire drill;
- plan of buildings; and

- list of staff with job titles.

At end of 4 weeks

The immediate supervisor should have a meeting with the new employee(s) to see how he/she is getting on and if there are any problems or anything that is unclear. Where necessary, they should also ask the “mentor” how the new employee is getting on.

A copy of the induction checklist should be signed by the new employee to show that everything has been covered, which will be passed to the **Finance and Administration Manager**.

Induction should be evaluated to ensure employee’s needs are being met. New employees will be asked for their views in a questionnaire, which should be taken into account for future employees.

8 REMUNERATION

8.1 Policy

ATPS's remuneration policy is aimed at ensuring the **organisation** attracts, motivates and retains committed and competent employees that it requires to accomplish its mission. The **organisation** operates a "Clean Pay" system, which consolidates basic pay and other allowances, such as housing and utilities, into a lumpsum consolidated salary.

8.2 Salaries

Each employee will have a stated monthly salary. The salary will be quoted before any statutory deductions.

Salaries will be paid monthly in arrears and will be denominated and paid in Kenya Shillings.

Expatriates' salaries may, if permitted by local laws and with the agreement of the Board, be paid in foreign currencies, with payment made into a foreign bank account.

On termination of employment, the last payment will be made on provision of a Certificate of Clearance.

8.3 Deductions

Statutory deductions such as income tax/pay-as-you-earn (PAYE), Local Authority Service Charge (LASC), social security deductions (e.g. NHIF, NSSF) and other legal taxes, as well as deductions arising from court orders/arrestment of earnings, will be made from an employee's salary without his/her authorisation.

Voluntary deductions such as contributions to co-operatives or payment for personal insurance premiums will be made provided the employee gives written authority to The **Finance and Administration Manager** for ATPS to effect deductions.

8.4 Salary structure

Each position in ATPS will have a salary range showing minimum and maximum salary payable for the grade.

The **Executive Director** will propose salary ranges for approval by the Board.

The **Finance and Administration Manager** will conduct periodic salary surveys and provide information on changes in cost of living and terms of employment being offered by similar organisations.

8.5 Salary review

Salaries will be reviewed on an annual basis with effect from 1st January of each year. The review will take into account changes in the cost of living but will also be based on the approved budget of the organisation. The performance review and evaluation process (PRE) will feed into this process, i.e. any increases in salary will be based on actual performance of the employee as determined by the performance evaluation and project reports (see Section 9).

The Board will grant all salary reviews and bonuses on recommendations of the **Executive Director** in consultation with the department heads and the **Finance and Administration Manager**. The **Finance and Administration Manager** will consider the total revenue and operating costs of the **organisation** during the annual salary review process.

8.6 Standard rates of pay

Standard rates of pay will be based on 22 working days per month, while the standard hourly rate will be based 7.5 hours per day as shown below:

$$\begin{aligned} \text{Standard daily rate} &= \frac{\text{Monthly basic salary}}{22} \\ \text{Standard hourly rate} &= \frac{\text{Standard daily rate}}{8} \end{aligned}$$

8.7 Overtime

No employee will be entitled to overtime payments. The **Executive Director** may however give time off in lieu of overtime worked.

8.8 Time off in lieu

Time off in lieu (TOIL) applies to all staff and will be awarded by the **Executive Director** at his discretion.

Work which involves travelling or working over weekends or designated public holidays will be compensated by TOIL for each weekend or holiday worked or travelled.

TOIL must be approved and taken within one month of earning it and at a time agreed with the head of department.

8.9 Merit based payments/awards

Consistent with the principles of the remuneration policy which focus on a clean pay system, ATPS will award merit payments which are aimed at providing a performance related incentive, rather than a fixed benefit.

The capability of ATPS to provide a merit payment will be determined through the methodology described in the Performance Review & Evaluation System (Section 9)

and will be dependent on the satisfactory performance of the **organisation** with respect to:

- the success of the **organisation** in meeting quality and time bound objectives of its annual work programme; and
- its ability to generate additional revenues through increased donor support.

The allocation of the merit payment between staff members will be linked to their basic salary and their performance as determined by the performance review and evaluation reports.

8.10 Reimbursable expenses

In performing their duties, staff members will from time to time incur expenses, for example, on travel or hotel accommodation. Staff will be reimbursed for the expenses incurred based on the submission of an authorised claim duly supported by appropriate receipts as proof of expense incurred. The immediate supervisor must approve all reimbursable expenses. These expenses are not part of employee's salary.

8.11 Per diem

When performing duties outside his/her duty station, an employee may be entitled to a per diem allowance. The per diem allowance will change from time to time. Current rates are available from the **Finance and Administration Manager**.

9 PERFORMANCE REVIEW AND EVALUATION

9.1 Introduction

ATPS's success is dependent on its ability to recruit high calibre staff and empower them to reach their full potential. An ATPS performance review and evaluation (PRE) system has been developed to create quarterly and annual opportunities to discuss and plan career and skills development for each staff member. Performance management is a continuous process of monitoring and evaluating staff's performance. The system also incorporates a procedure for evaluating performance after each major assignment.

9.2 Purpose of the PRE

Broadly the aims of the PRE system are to:

- ensure ATPS meets its organisational goals through careful management of its sole resource; staff/consultant performance on assignments;
- identify staff strengths and fully develop their potential;
- identify needs and assist in preparation of a focussed staff development programme;
- utilise feedback from clients to ensure performance deficiencies are identified and remedial action taken on a timely basis; and
- ensure that staff are rewarded in terms of individual contribution to the achievement of ATPS's goals.

For ATPS:

- to provide itself with an objective tool to measure its' employee's actual performance against its annual and quarterly work programmes;
- to provide every employee with periodic objectives which when amalgamated, will ensure ATPS meets its business objectives; and
- to ensure training and development is directed to meet the needs of the **organisation** and its employees.

For the manager:

- to provide managers with clear standards against which employees are to be assessed;
- to provide managers with an objective assessment of the abilities and achievements of their employees; and

- to use the process as a method of reviewing and reinforcing individual's objectives and development needs and to provide individuals with necessary coaching, counselling and support to meet those objectives.

For the employee:

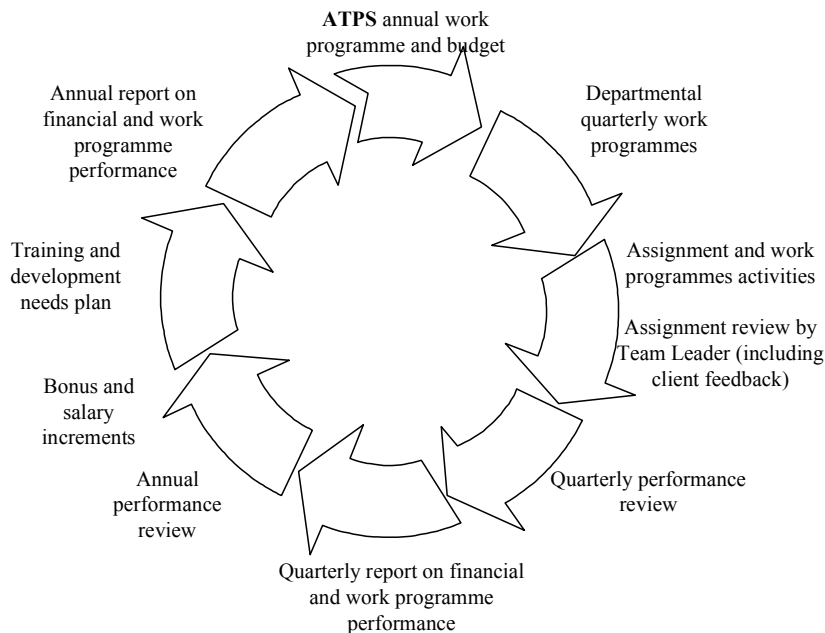
- to provide clear objectives and an effective development plan to support achievement of those objectives;
- to understand ATPS's expectations and criteria for evaluation; and
- to have a clear framework for periodic self-appraisal.

The PRE system is also used to assess new employees at the end of their probationary period.

The role of the **Finance and Administration Manager** in the PRE process is to ensure that department heads conduct project appraisals, quarterly and annual appraisals for each employee. All evaluation forms will be submitted to the **Finance and Administration Manager** for record keeping.

9.3 PRE process

The system is designed to record organisational and individual achievements, highlight strengths, identify areas requiring improvement, set professional and work objectives for the coming year, assess staff development needs and carry out career planning. This process is illustrated below:



Appraisal is intended to be a continuous process. The supervisor will be required to monitor, discuss and record the employee's performance throughout the year. The

employees are encouraged to keep a documented record of their achievements/shortcomings. However, successes, achievements and areas of improvement will be highlighted in formal appraisals.

There are three types of formal appraisals as discussed below:

i) Assignment appraisal

After each sizeable assignment, the performance of the project team should be evaluated. The evaluation will focus on the overall achievement of the project and each individual's contribution. The project evaluation is a formal appraisal and involves both the employees and the Team Leader in completion of the Assignment Evaluation Form.

The objective of project evaluations is to measure performance against targets, and document learning points so as to improve future work programmes. The project appraisal will also be used to provide formal feedback to ATPS consultants' temporarily engaged on specific assignments. The project evaluation is a written appraisal using the Assignment Evaluation Form. The project evaluations will form the basis for future recommendations for engagement.

Prior to the start of any assignment, the Project Coordinator and team member(s) must agree and document the specific objectives to be met by each team member during the assignment.

The appraisee will complete the appraisee sections of the evaluation form, giving their personal assessment of performance and comments. There will subsequently be an project interview during which the appraiser and appraisee will discuss the appraisee's performance and give a performance rating and comments for each section.

The overall performance rating will be based on the average rating of appraiser and appraisee.

ii) Quarterly reviews

Quarterly reviews are aimed at developing a culture of continuous assessment and improvement in ATPS. The basis for appraising staff quarterly will be the quarterly department work plans. The evaluations are a way of ensuring continuous supervision and evaluation of performance of ATPS and its employees against the quarterly work programme and budget and objectives set at the beginning of the quarter. It will enable the supervisor to recognise good performance and implement measures to rectify poor performance more closely. Modifications may be made to quarterly and annual work plans as a result of these reviews, if major variances (either positive or negative) are identified.

A Quarterly Performance Review (QPR) Form has been developed for use during review.

iii) Annual Performance Review and Evaluation

An Annual Performance Review and Evaluation (APRE) will be conducted for each contract employee every year. Such reviews must be completed at least six weeks before

the start of each financial year in order to utilise them for preparation of the annual work programme and budget.

The purpose of the APRE is to give each employee an opportunity to discuss his/her performance during the year and to set goals for the coming year. During appraisal, specific performance areas which need improvement through training, change in work methods, etc, will be identified and appropriate recommendations made. The appraiser and appraisee will also discuss the future career path for the employee, including opportunities for promotion.

Employees and their supervisors will jointly recommend a staff development and progression programme for the year. Training and development will be aimed at enhancing the employee's performance in their current jobs, help them achieve future objectives and develop them to progress along their career paths.

Training and development will be specific and should detail what action is required to satisfy the need, e.g. formal training course, mentoring, secondment, etc. The **Finance and Administration Manager** will be responsible for ensuring training and development takes place and is evaluated.

9.4 Assigning appraisers

Appraisers are accountable for evaluating staff under their direction and for the quality of the performance reviews. The **Executive Director** will be responsible for appraising the **Finance and Administration Manager**, and the **Research Co-ordinator**. The Project Coordinator will be responsible for appraising those staff and consultants that report to him/her during a specific assignment.

9.5 Objectives

A key element of the Performance Review and Evaluation system is setting of objectives. Both the employee and the employee's supervisor will do this at the beginning of each appraisal period.

The objectives/targets will be derived from the employee's job description, the employee's and the **organisation's** workplan and will be discussed and agreed between the supervisor and the staff member.

An objective can be described as a short specific statement which expresses an action and describes what an individual should achieve and when. Objectives should be stated clearly. They must be achievable, realistic and measurable so that performance can be reviewed against them.

Objectives will be set at a review meeting and will be documented on the PRE Form. This will be based on the department's work plan and budget, which is linked to ATPS's overall work plan and budget.

When setting objectives, employees and supervisors should use the following steps:

- Clarity ⇒ objectives should be simple and easily understandable by the employee
- Relevant⇒ objectives should be drawn from overall ATPS objectives, departmental and/or project or project objectives and personal objectives
- Quantifiable⇒ objectives should be quantifiable so that the employee's performance can be reviewed against measures such as quantity, quality, cost, completion date, budget, workplan, etc.
- Realistic⇒ every employee should feel that his/her objectives are realistic. Objectives should be designed to enhance the employee's strengths and enable them to overcome their weaknesses. Measures set against objectives should also be realistic.
- Responsibility⇒ objectives should be set within the limits of the employee's responsibility, or the employee should be empowered to achieve them.
- Involvement⇒ every employee should propose his/her own objectives. These should then be discussed with the supervisor to ensure they are in line with the unit or divisional objectives and the overall objectives of ATPS. An employee's suggestions should be supported where appropriate.

It is important that both the supervisor and the employee discuss and agree on the objectives and targets set for each appraisal period.

9.6 Scoring performance

The PRE system uses the following scoring for rating performance:

- | | |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5 | Outstanding: Exceptional performance against indicators. The appraisee clearly exceeds the job requirements and frequently performs tasks beyond his/her position. |
| 4 | Good: Appraisee consistently meets job requirements and makes above average contributions based on grade and experience. |
| 3 | Satisfactory: Appraisee meets all the requirements of the job as expected for the employee's level of experience and qualification |
| 2 | Below Average: Appraisee falls short of meeting some indicators and requires improvement via remedial action/training. |
| 1 | Unacceptable: Appraisee falls short of many of the indicators and therefore does not meet job requirements. |

9.7 Appraisal process

The appraisal process consists of two stages and is designed to be a collaborative effort between colleagues, i.e. appraiser and appraisee.

Step I: Self-appraisal

In preparation for an appraisal, every employee should review his/her own performance against objectives and performance indicators/competencies agreed for the appraisal exercise. For annual appraisals the employee should identify objectives for the next year and his/her training and development needs.

By conducting self appraisal, the employee:

- takes the initial responsibility for representing his/her achievements to his/her supervisor;
- is required to consider his/her performance, training and development needs and career path;
- has a stake in his/her evaluation and progress within the **organisation**; and
- is provided with a communication channel to his/her supervisor.

Step 2: Appraisal interview

The next step is the appraisal interview, during which the supervisor will review and discuss the appraisal and make his/her evaluation. Each employee will have an opportunity to discuss his/her performance with his/her immediate supervisor in terms of his/her job description and all specific objectives and tasks set for the assignment, quarter or year. In addition, the appraisal process provides both the supervisor and the employee with an opportunity to reflect on changes in the job vis-à-vis the job description, e.g. changes in scope, responsibility, etc.

The appraisal interview will give the employee a chance to find out how his/her performance is being assessed and to receive guidance on how to improve it. It is also an opportunity to discuss career aspirations within ATPS

The appraisal interview is a two-way process and both parties should have full opportunity to air their views as part of a constructive dialogue. The appraisal interview should be a positive validation of employee's contribution to the **organisation**, and should not be judgmental or victimising in any way.

At the interview, employees must be shown what has been written about them, including recommendations on training or future career development. These recommendations will be discussed and the record of the interview signed by the appraiser and the appraisee.

A copy of the completed evaluation form, after the **Executive Director** has commented on it, will be given to the employee for his/her record.

10 STAFF DEVELOPMENT

10.1 Introduction

Staff training and development is one of the most significant non-financial features of an employment package used to attract and retain professional staff. The **Finance and Administration Manager** will be responsible for co-ordinating ATPS's annual training programme.

Since all professional recruits are expected to hold postgraduate qualifications, emphasis will be placed on in-service training at ATPS. Most training and development should be a natural part of work of ATPS. Partnering of junior staff with senior staff on technical activities and assignments to attend and deliver papers at professional conferences are examples of cost effective approaches to staff training and development.

There will be times when formal courses are appropriate and when ATPS does invest in a formal training programme or professional conference, the staff member who attends will be asked to give a presentation to staff on the experience. This mechanism provides recognition to the individual, may alert senior staff to a potentially useful resource, and solidifies the content of the learning experience. This presentation will be co-ordinated by the **Finance and Administration Manager**.

ATPS may also be required to provide training for non-organisation employees. This is likely to include periods of internship, on-the-job training and formal courses where appropriate.

10.2 Scope of Development

The scope of development will include:

- functional and specialised knowledge and skills;
- management skills; and
- organisational capacity building.

10.3 Phases of development

The phases of development will include:

(i) Induction

ATPS has a structured induction programme whose aim is to provide all employees with an initial orientation of the organisation, its aims and objectives, organisation structure, activities and services, geographical scope of operation and his/her job.

The immediate supervisor and the **Finance and Administration Manager** will arrange for the new employee's orientation. The induction programme is described in Section 7.13.

(ii) Continuous on-the-job development programmes

Development programmes will constitute formal training, work rotation, on-the-job training, etc. The aim will be to:

- develop and maintain an optimum level of performance and allow for continuing growth and adaptability in the job; and
- assist employees to gain the managerial, functional and technical skills, necessary for their growth and progression.

10.4 Development Programme

Development needs will be identified during appraisal reviews and documented through the Performance Review and Evaluation system.

The **Finance and Administration Manager** will co-ordinate the annual development programme with department heads.

10.5 Effectiveness of Development Programmes

The effectiveness of the development programmes will be dependent upon clearly identifiable needs which are primarily derived from work targets, forward performance objectives, changes in the external environment, changes in the requirements of researchers and donors and the sector as a whole.

10.6 Evaluation of Development Programmes

Evaluation of development programmes will be responsibility of the employee, his/her immediate supervisor and the **Finance and Administration Manager**. The value of the development programme is ultimately assessed by measuring the effectiveness of applied learning in the work situation.

It will be the responsibility of the **Finance and Administration Manager** to develop evaluation procedures for each programme.

10.7 Records

ATPS will maintain an up-to-date record of employees' skills and training courses attended. After each completed training programme, the employee will be required to update the Personnel Record Form. The **Finance and Administration Manager** will be responsible for maintaining a profile of each employee's skills and qualifications.

The record will be circulated annually to department heads and all employees to enable them to prepare for the Annual Performance Review and Evaluation (APRE).

11 DISCIPLINARY PROCEDURES

11.1 Policy

An employee who commits an offence is subject to disciplinary action depending on the nature of the offence.

Disciplinary action will be taken in cases where good reasons and clear evidence exists. It is the policy of ATPS that disciplinary action should be:

- (i) appropriate to the nature of the offence that has been committed;
- (ii) consistent with set precedence, within the provisions of the Personnel Policies;
- (ii) fair, since in all disciplinary cases employees will be allowed to make their representations and will have the right to appeal, after the disciplinary decision has been conveyed to them.

11.2 Application

The disciplinary procedures apply to employees of ATPS, whether or not they are seconded to work within another organisation.

It is the responsibility of the head of department to ensure all employees (contract and temporary) conduct themselves in accordance with ATPS procedures and expectations.

Where an employee fails to adhere to ATPS procedures or expectations, the head of department or immediate supervisor will take necessary disciplinary action to rectify the situation, record measures/decisions taken and send a copy to the **Finance and Administration Manager**.

Where a supervisor or heads of department is unsure of procedure, the **Finance and Administration Manager** will provide guidance on the appropriate measures.

11.3 Nature of offences

There are three types of offences: minor, major and gross misconduct. In some cases, the boundary between these categories is not clearly defined and the **Executive Director** may be asked for guidance. Any precedents established in this manner will be used to update the categorisation of offences. Each offence will be dealt with as specified in these procedures.

- (i) Minor offences

Punishment for minor offences ranges from caution to warning (oral or written). Examples of minor offences include, but are not limited to, the following:

- continued lateness to work;
- absence from duty for not more than 5 days without permission;
- idling and loitering during working hours;

- avoiding work on account of feigned sickness;
- misuse of telephone;
- pecuniary embarrassment; and
- causing unnecessary commotion in ATPS's premises, client organisations or in public places.

(ii) Major offences

Punishment for major offences ranges from severe reprimand to dismissal/termination of appointment or even prosecution in a court of law.

Examples of major offences include, but are not limited to the following:

- absence from work for a period of more than 5 days but not more than 10 days without permission or acceptable excuse;
- entering into unpaid employment/occupations which in the view of the management may not be in ATPS's interest;
- failure to obtain approval in writing before providing professional assistance in a private capacity;
- breach of standing regulations;
- repetition of minor offences;
- sexual harassment;
- contravention of traffic laws while using **organisation** vehicles;
- misuse of **organisation** vehicles e.g.:
 - carrying unauthorised personnel;
 - driving without valid driving licence;
 - using **organisation** vehicle without authorisation; and
 - permitting non-ATPS personnel to drive the **organisation's** vehicles;

(iii) Gross misconduct offences

Punishment for gross misconduct offences may result in summary dismissal or even prosecution in a court of law.

Examples of gross misconduct offences include, but are not limited to:

- absence from work for a period of more than 10 days without permission;
- repetition of major offences;
- wilful neglect to perform official duties or to carelessly and improperly perform any work which is in one's line of duty;
- insubordination;
- wilful misuse/damage of the **organisation's** property;

- physical violence on self or other employees;
- soliciting, giving or accepting bribes or commissions. This includes accepting gifts from suppliers. If a member of staff is given a gift by a supplier, irrespective of whether the gift is as a result of orders awarded, such gifts whether in cash or other forms must be declared to the organisation. It will be considered as a bribe or a “kickback” if an employee fails to declare such presents;
- misappropriation and theft of ATPS property. Theft in this regard also includes colluding with other staff or with suppliers of goods and services to secure individual monetary or material rewards, payment “kickbacks”, gifts connected to any financial or material transaction between ATPS and suppliers.
- fraud and obtaining money by false pretence;
- writing or publishing any official information which has not been cleared for publication by the Executive Director ;
- misuse of information of confidential nature;
- any offence by an employee that would be deemed to jeopardise ATPS and the public;
- use of abusive language or behaviour deemed inappropriate to both ATPS and the public;
- being under the influence of alcohol or harmful drugs during hours of duty to the extent of not being capable of discharging one’s duties effectively and efficiently; and
- criminal offences in cases where a member of staff has been convicted of a serious crime.

11.4 Counselling

The first stage of the disciplinary process is counselling. Where circumstances indicate that there is no need to resort to the formal procedures, the supervisor should talk the matter over with the employee.

If it becomes obvious the matter is more serious, discussions should be adjourned and the formal disciplinary procedure invoked.

11.5 Formal disciplinary process

11.5.1 Oral warning

The immediate supervisor will issue an oral warning in respect of the first instance of minor offences or of any failure to reach minimum standards of conduct or performance on the job, or for breach of ATPS’s rules and less serious offences. The supervisor shall note any oral warnings in his/her diary for future reference.

11.5.2 Show Cause Letter

The formal disciplinary procedure starts with a Show Cause Letter. The employee will be informed by the appropriate supervisor, in writing, of the nature of the complaint/allegation.

11.5.3 Procedure

In all instances of disciplinary cases i.e. minor, major, gross misconduct, the following procedure will be used:

- (i) The employee will be issued a Show Cause Letter citing the nature of the offence and requiring him/her to show cause why disciplinary action should not be organisationd.
- (ii) The employee shall within 2 working days of receipt of the Show Cause Letter:
 - state his/her defence in writing, or
 - state in writing that he/she reserves his defence for personal hearing.

Depending on the nature of offence, the period of 2 working days can be extended to 5 working days to enable the employee complete his/her explanation.

An interview will be arranged no later than 3 working days after receipt of the written statement, and the date of interview will be set by mutual agreement.

- (iii) An employee who opts to be heard in person shall be heard by an ad hoc disciplinary committee as follows:
 - (a) For the **Executive Director**, the case will be heard by the Board of Directors;
 - (b) For heads of departments, the case will be heard by the **Executive Director** and an ad hoc committee of the Board; and
 - (c) For all other staff, the case will be heard by the **Finance and Administration Manager**, the head of department concerned and another head of department or his/her nominated representative.

During the hearing of the case, the employee:

- will be permitted to call any employee of his choice as a witness to the case; and/or
- may be accompanied by a fellow worker who was present at the time when the offence was allegedly committed.

However, the employee will meet any expenses incurred by the witness, such as travel if the witness is located in another station.

- (iv) The disciplinary committee will examine the recordings of the hearing and the decision communicated to the employee within 5 days.
- (v) If the explanation is acceptable, the employee will be so advised.

11.6 Punishment

In the event that the explanation is not acceptable, punishment will be meted out to the employee. Punishment will include, but not be limited to:

- written warning;
- withholding of bonus payments;
- recovery of days of absence from salary
- resignation;
- surcharge;
- interdiction;
- suspension;
- summary dismissal; and/or
- prosecution.

11.6.1 Written warning

If the explanation is not acceptable to the supervisor or departmental manager judging the case, this shall be so stated in a warning letter to the employee, copied to the **Finance and Administration Manager**. The employee is required to signify in writing that he/she has read and understood contents of the letter.

A warning letter shall be in force for 3 months.

First written warning shall be applied in case of repetition of an offence for which an oral warning has been given.

Second written warning shall be given to an employee who has committed a minor offence repeatedly over a period of time.

Third written and final warning will be issued when the employee commits the same or another offence of similar severity, during the period when a second warning is still in force.

If the offence is repeated or failure is not corrected by the employee, disciplinary action will take the form of a final warning initiated by the supervisor through the **Finance and Administration Manager** and issued by the **Executive Director**.

Before a final warning is given to an employee, the reasons contemplated will be made known to the employee in writing, and she/he will be provided with opportunity to answer within a reasonable period of time.

If the offence is repeated or the failure not corrected, the employee may be summarily dismissed.

The warning will lose effectiveness after one year following satisfactory improvement in performance or behaviour but will not be removed from the employee's file until the employee leaves the organisation.

There may be exceptions to the formal disciplinary procedures, in cases where misconduct is serious enough to justify only one written warning, which will act as the first and final warning. Examples (which are not exhaustive) of offences in which this exception may apply include insubordination, sexual harassment, verbal abuse, refusal to obey reasonable instructions and unauthorised absence.

11.6.2 Surcharge procedure

This formal disciplinary punishment will be applied to minor disciplinary offences. The disciplinary committee may resolve to surcharge an employee, on account of misappropriation of **organisation** monies or property, or misuse of the same.

The committee may resolve to surcharge the employee in full or an amount proportionate to the offence.

In all surcharge cases, a Show Cause Letter must be issued and the employee allowed to make his/her defence.

In implementing the surcharge, the following provisions shall prevail:

- (i) surcharge will be implemented in monthly instalments that shall not exceed 25% of the employee's monthly basic salary;
- (ii) at termination or completion of contract, any outstanding surcharges will be settled from the employee's terminal dues; and/or
- (iii) the employee will sign an agreement to any surcharges that will be outstanding on termination or completion of the contract. The agreement will remain even after the separation of the employee from the organisation, until the full surcharge is paid.

11.6.3 Interdiction

This formal disciplinary punishment will be applied to major disciplinary offences. An employee who is on interdiction will only be paid 50% of his/her basic monthly salary less any statutory deductions. He/she will, however, cease to draw other benefits and allowances from ATPS

While on interdiction, the employee will be required to report to his/her supervisor and sign a register once a week, unless directed otherwise by the **Executive Director**.

In the event that the employee fails to sign in during any given week, his/her interdiction will automatically be changed to suspension.

Interdictions shall not exceed 3 months, except in cases, which involve police investigations.

11.6.4 Suspension

This formal disciplinary punishment will be applied to gross misconduct offences. On suspension, an employee will earn no salary; neither will he or she draw any benefits or allowances from ATPS

The employee will be required to leave his/her home address and telephone number with the **Finance and Administration Manager** and immediate supervisor to enable them to communicate when need be.

Suspension cases shall be resolved in less than 3 months, except where police investigations are involved.

11.6.5 Summary dismissal

In the event of failure to heed a final written warning, an employee will be advised that he/she may face summary dismissal.

A note detailing the facts of the case and giving reasons for recommended dismissal will be sent to the individual and a copy placed in his/her personnel file. The employee will be provided with an opportunity to answer within 3 working days. At the discretion of the Executive Director, an employee may be suspended with pay for two days before he/she is due to give a reply on the third day.

An employee who is declared bankrupt or in any way commits an act which is likely to cause embarrassment to ATPS will be liable to summary dismissal.

In the event of gross misconduct (e.g. gross insubordination, misappropriation, fighting, misuse of information of a confidential nature, unauthorised absence, public outrageous behaviour, unauthorised drinking on the premises, conduct which brings the **organisation** or the individual into disrepute etc.), an employee will be liable to suspension (with or without pay) pending outcome of an investigation by the **Executive Director** and/or summary dismissal.

11.7 Criminal proceedings

In the event that criminal proceedings are organisationd against an employee for offences, which do not directly relate to ATPS, the **organisation** may interdict or suspend the employee. However, no dismissal action of such an employee, upon grounds involved in the criminal charge, will be taken by ATPS, until the conclusion of such criminal proceedings.

11.8 Appeal procedures

All employees charged under the above procedure may appeal to the **Executive Director**. This should be done within 14 days of the date of letter conveying disciplinary decision and be copied to the **Finance and Administration Manager**.

The **Executive Director** will review the case and make a ruling. However, for heads of departments, management staff, the **Executive Director** will refer the case to Board of Directors.

An employee may, on receipt of communication regarding the outcome of his or her case, appeal directly to the Board, if not satisfied with the decision.

11.9 Disciplinary records

All records of disciplinary action will be filed in the employee's personnel file. The disciplinary records lapse after the period stated on the Warning Form if there has been no recurrence of the offence. Lapsed disciplinary records will not be removed from employee's personnel file.

Once a disciplinary measure has lost effectiveness, records may only be used to identify historical patterns in misconduct.

12 GRIEVANCE PROCEDURES

Every employee is entitled to have his/her grievances heard, using the procedure below.

The **Finance and Administration Manager** will act as a mediator in the grievance process.

- (i) An employee will first report the grievance to his/her immediate supervisor who will attempt to resolve it, unless the immediate supervisor is involved in the grievance. In such cases, the grievance will go to the next highest supervisor, and so on, up to a supervisor who is not involved in the grievance.
- (ii) The grievance should be reported in writing.
- (iii) The supervisor will address the issue in writing within three working days, with copies to the **Finance and Administration Manager** (for filing in the employee's personal file) and the **Executive Director**.
- (iv) If the matter is not resolved to the satisfaction of the employee, the employee may appeal in writing to the **Executive Director** to intervene and to make a decision in writing.
- (v) If the matter is not resolved to the satisfaction of the employee or the grievance involves the **Executive Director**, the employee may present the matter to the Chairman of the Board in writing. The decision of the Board is final.

13 TERMINATION OF EMPLOYMENT

13.1 Resignation

Employees in professional grades who intend to resign must give 2 months' written notice or make payments in lieu of notice, equivalent to three months' pay. All other employees who intend to resign must give one month's written notice or make payments in lieu of equivalent notice, to one month's pay. The employee will be required to make payments in lieu based on gross salary for the portion of the notice period not served.

The period of notice may be waived by mutual agreement between the **Executive Director** and the employee.

Leave cannot be taken as part of the notice period, except with the prior agreement of the **Executive Director**.

Outstanding annual leave entitlement earned at the time of separation will be paid together with other terminal benefits.

13.2 Termination of employment by ATPS

Employees will be notified of termination of employment by ATPS in writing. The **Executive Director** will sign notice of termination.

Where full notice is not given, payment of gross salary will be made in lieu of the period of notice which cannot be serviced, except in cases of summary dismissal (see Section 13.2.1) where no payment will be made in lieu of notice.

13.2.1 Summary dismissal

Employees whose termination is through summary dismissal will not be entitled to payment of any benefits. Only the days worked by the dismissed employee will be paid. No payment in lieu of notice will be paid to the dismissed employee.

13.2.2 Retirement

The normal retirement age is at 60 years and an employee's services shall terminate on attainment of this age or earlier where an independent medical opinion confirms that the employee is in poor health or otherwise unfit to work.

An employee's services may be terminated under early retirement rule on medical grounds, inefficiency and poor performance.

In all retirement cases, the employee shall be given 3 months notice, or be paid 3 months basic salary in lieu of notice, together with any other final dues. The company shall also meet the relocation costs of his household goods and his family to his home, as per the rate in force at the time.

Where it has been determined that an employees service is still needed beyond this age, the company shall draw up an agreement contract with the employee. Such contract, will qualify for a gratuity at the agreed rate on expiry of his contract

13.2.3 Redundancy

ATPS assumes responsibility for ensuring that its staff complement is at an optimum level at all times. Redundancies can, therefore, arise due to a decline in activity, change in programme direction, organisational change, etc.

Every attempt will be made to eliminate or minimise the need for redundancies, and when faced with a potential redundancy situation, the **Executive Director** and the **Finance and Administration Manager** (and department head, where appropriate) will review and take all possible measures to retain employees.

Should measures fail, voluntary staff redundancy will be considered, subject to retaining an essential balance of skills and experience.

If voluntary redundancy does not wholly resolve the problem, ATPS will be obliged to declare redundancies.

ATPS will give as much advance warning as possible of impending redundancies.

Every effort will be made to find alternative employment for potentially redundant employees.

A potentially redundant employee will be given the opportunity for retraining to facilitate transfer where appropriate.

Rules for serving notice of termination in cases of redundancy are the same as the notice period for resignation or termination.

Employees served with a notice of redundancy may, at their own request, leave during the notice period. The date of termination will be the date on which they actually leave. Nevertheless, redundancy payment will be based on employee length of service and salary, which would have applied at the end of the notice period served.

Redundancy payments will be at the rate of one month's pay for each completed year of continuous service.

Payment in respect of any outstanding leave entitlement at the date of termination will be made in addition to any other entitlements, and any appropriate deductions will be made in respect of any leave taken, but not earned at date of termination.

Redundancy payments will be made only to employees who leave after notice of redundancy has been given.

13.3 Administration

The **Finance and Administration Manager** will complete a Termination Report Form. This form has been developed to ensure all termination administration procedures are conducted.

All employees leaving the employment of ATPS, for whatever reason, must complete a Certificate of Clearance which certifies that the employee has:

- completed all reports and other documents, and other tasks, which are necessary for the smooth transfer of responsibilities;
- cleared outstanding financial obligations to ATPS; and
- returned all ATPS documents, equipment and any other property of ATPS to the appropriate persons.

It is the employee's responsibility to ensure the necessary signatures are obtained on the Certificate of Clearance and the completed document returned to the **Finance and Administration Manager**. Final payment to the employee is dependent upon completion of the Certificate of Clearance.

13.4 Termination Interview

Before leaving, the employee will have a termination interview with the head of department or the **Finance and Administration Manager**.

The departing employee will be required to complete a termination interview form before the exit interview takes place.

In the event of summary dismissal, there will be no exit interview.

APPENDIX I: HR REPORTING RESPONSIBILITIES AND PAPER TRAILS

APPENDIX I: HR REPORTING RESPONSIBILITIES AND PAPER TRAILS

EXECUTIVE DIRECTOR

Responsibilities	Documents
<ul style="list-style-type: none"> Approve the appointment of staff, consultants and resource persons 	Interview notes, Letter of Offer
<ul style="list-style-type: none"> Appraisal of the Research Co-ordinator and the Finance and Administration Manager. 	Appraisal Forms
<ul style="list-style-type: none"> Approve serious disciplinary action against an employee Listen to disciplinary appeals 	Warning letters, Dismissal letters

FINANCE AND ADMINISTRATION MANAGER

Responsibilities	Documents
<ul style="list-style-type: none"> Co-ordination of all recruitment exercises and of the appointment of staff Orientation of new staff 	Application blanks Letters of application Interview notes, Regret Letters, Letter of Offer
<ul style="list-style-type: none"> Ensure adherence to regulations on pay, tax and other legislative requirements regarding employment 	Tax Return Forms
<ul style="list-style-type: none"> Maintenance of personnel records 	Notification of Engagement Form Employee records
<ul style="list-style-type: none"> Ensure that department heads conduct project appraisals 	Appraisal forms
<ul style="list-style-type: none"> Implement and provide guidance on disciplinary procedures 	Warning letters
<ul style="list-style-type: none"> Mediator in the case of employee grievances 	Written grievance
<ul style="list-style-type: none"> Co-ordination of termination of employee contracts 	Termination report form

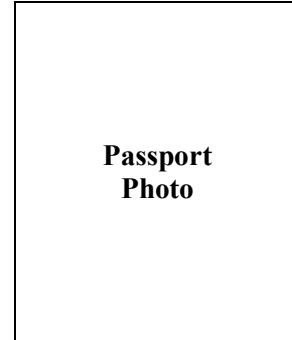
APPENDIX II: PERSONAL RECORD FORM

African Technology Policy Studies Network

Private and Confidential

PERSONAL RECORD FORM

NAME _____



Instructions

1. Fill in all sections of the form legibly in ink or type.
2. Ensure photocopies of certificates are enclosed as indicated in the form, and a photo affixed.
3. This document is important and it is in your interest to complete it accurately.

Statement

I declare that the statements contained in this Personal Record Form are, to the best of my knowledge, true and complete in every respect, and that no material facts have been withheld, misrepresented or suppressed.

Signed _____

Date _____

(i) Personal

Surname		Other names (in full)		Sex Male Female	
Postal address			Telephone numbers Home Business		
Temporary address (if applicable)			Kenya Identity Card Number		
From			To		
Nationality			Date of Birth		Age
Marital Status			Children		Department
Age			Sex		Relationship
Do you need a work permit for this job?			Do you have a valid driving licence?		
Have you ever been convicted of a criminal offence? If so, please state the type.					

(ii) Next of Kin

Name	Age	Relationship

(iii) Health

Date and result of last medical examination	Height
	Weight
Have you any physical disabilities	

iv Availability

Are there any industries or locations in which you are not able or willing to work? Please state

Specify what languages you speak, read or write (tick)

L A N G U A G E	Language	Speaking	Writing/Reading
N	English		
G	Kiswahili		
U	Other:		

(v) Education (Please attach copies of education and professional certificates)

	Institution	Qualifications/Certificates	Year
E D U C A T I O N	Secondary School		
	University		
	Other		

(vii) The information required below is important. Please take your time to complete it to the best of your ability

C A R E E R O B J E C T I V E S	Please state how you would like your career to develop over the next five years.
---------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------

A C H I E V E M E N T S	What do you consider to be the main achievements of your career to date?
----------------------------------------------------------------------------	--------------------------------------------------------------------------

I N T E R E S T S	Business interests other than main employment (specify general nature and your involvement)
----------------------------------------------------------	---------------------------------------------------------------------------------------------

List three references, including one from your previous employer.

	Name	Position	Company name and address	Telephone number
R E F E R E N C E S	1.			
	2.			
	3.			

G E N E R A L	Please use this space to give any additional information about yourself and your career
----------------------------------------------	-----------------------------------------------------------------------------------------

APPENDIX III

-

APPRAISAL FORMS

Appendix II (a)

AFRICAN TECHNOLOGY POLICY STUDIES

PERFORMANCE APPRAISAL AND CAREER ENHANCEMENT (PACE)

Name of appraisee: _____
Signature of appraisee: _____
Date joined ATPS: _____
Date appointed to current position: _____
Period under review: _____
Date of review: _____
Name of appraisor: _____

Notes on completing this form:

- i) The appraisal form should be used as a focal point during the discussions between the appraisee and appraisor and the contents of the form should be mutually agreed by both parties.
- ii) The performance assessment ratings imply the following:
 - 1 - Outstanding - (Performance is above expectations based on grade and experience)
 - 2 - Good - (Performance fully as expected based on grade and experience)
 - 3 - Average - (Performance meets minimum requirements)
 - 4 - Poor - (Performance does not meet minimum expectations.
 - N/A - Not applicable

PERFORMANCE ASSESSMENT

A.	TECHNICAL AND PROFESSIONAL	<u>RATING</u>				
	Technical knowledge	1	2	3	4	N/A
	Judgement	1	2	3	4	N/A
	Creativity	1	2	3	4	N/A
	Decisiveness	1	2	3	4	N/A
	Written Communication	1	2	3	4	N/A
	Oral Communication	1	2	3	4	N/A
B.	ORGANISATION AND MANAGEMENT	<u>RATING</u>				
	Planning and organising (meeting deadlines)	1	2	3	4	N/A
	Supervision of staff/team motivation	1	2	3	4	N/A
	Development of other staff	1	2	3	4	N/A
	Administration skills	1	2	3	4	N/A
C.	PERSONAL SKILLS	<u>RATING</u>				
	Drive and enthusiasm	1	2	3	4	N/A
	Self confidence	1	2	3	4	N/A
	Initiatives	1	2	3	4	N/A
	Teamwork	1	2	3	4	N/A
	Tolerance to pressure	1	2	3	4	N/A

D. OVERALL PERFORMANCE RATING

Please indicate your overall rating for the staff member (Tick the appropriate number)

- 1. ()
- 2. ()
- 3. ()
- 4. ()

E. Please provide overall strengths or weaknesses demonstrated by the staff member during the year (or period under review)

- i) Positive comments on performance (please give specific example of cases where the staff member has performed well)

- ii) Examples where performance could have been better (please give specific examples)

- iii) Specific recommendation on how to improve future performance

- iv) Recommendations on specific areas for skills improvement and career enhancement.

APPENDIX III (b)

APPRAISAL FORM (SUPPORT STAFF)

This form is to be completed for all the support staff

Person Evaluated: _____
Signature: _____
Date joined ATPS: _____
Date appointed to current position: _____
Date of Review: _____
Evaluation by: _____
Name: _____
Signature: _____

A. Assessment of performance

Tasks Performed	Comments on Performance
Driving	
Delivery of mail	
Typing	
Demonstration	

B. Examples where performance could have been better (also give specific examples)

C. Recommendation on how to improve future performance:

D. Recommendations on specific areas for skills improvement or further training.

E. Overall performance rating. (Please circle your overall evaluation of performance).

- | | | |
|-----|---|----------------------------------------------------------------------|
| 1 | - | Outstanding - (above expectations based on grade and experience) |
| 2 | - | Good - (Performance fully as expected based on grade and experience) |
| 3 | - | Average - (Performance meets minimum expectations) |
| 4 | - | Poor - (Performance does not meet minimum expectations). |
| N/A | - | Not applicable |



Science Technology and Innovation for African Development

African Technology Policy
Studies Network (ATPS)

Contact Executive Director:
executivedirector@atpsnet.org
8th Floor Chancery Building,
Valley Road

P. O. Box 10081-00100, Nairobi
Tel: +254 (020) 2714092
www.atpsnet.org