

GENERAL RULES AND REGULATIONS FOR USF EMPLOYEES

SECTION 11 (GENERAL RULES AND REGULATIONS)

11.1. Policy Statement

The primary purpose of this policy is to provide information to employees and head of the departments on the set of “Office Rules” that exist within the Company and to set clear boundaries for the employees with regards to standards of behavior and conduct expected of them.

The objective of this policy is to set out standards, and it aims to support the effectiveness of the Office and to provide a framework to enable all employees to act with integrity, honesty, impartiality and objectivity.

11.2. Grievance Procedure

11.5.1. Purpose

As a Company policy, USF is committed to ensuring fair treatment of all employees when dealing with their grievances with a view to addressing problems in the best possible manner.

11.5.2. Policy

USF's policy is that employees should

- be provided a fair treatment on their grievances by the management of the Company;
- be given a fair hearing concerning any grievances;
- have the right to channel their grievances to the Chief Executive and/or HRGC.

The aim of this policy is to establish a proper channel for employees to voice out their grievances and to settle grievances. Employee grievances may include but are not limited to management deficiency, unfair treatment to staff, sexual harassment and concerns about possible improprieties in financial reporting or internal control. Regardless of the issues and/or individuals involved, no one shall suffer retaliation for involvement in employee grievances. All grievances shall be handled independently and treated in strictest confidence. Grievances which are made anonymously shall not be handled.

11.5.3 Procedure

11.5.3.1 Informal Stage

- As most complaints and grievances can be resolved informally by discussion with immediate Supervisor, the first stage in dealing with most problems is to book a meeting with them and talk about it. Dealing with problems in this way can often lead to a quick resolution, as Supervisor may be able to resolve the matter directly.
- If any employee feels that he/she has a grievance of any sort against any employee, he/she should first of all endeavor to resolve the matter by a direct approach to the other member of staff. If possible, he/she should make it clear to the person causing the offence that their behavior/actions are unacceptable and should stop.
- It is advisable for the individual to keep a note of the details of any relevant incident which distressed her/him and details of any requests made to cease the behavior/action.

11.5.3.2 Stage 1

Sometimes employee may not be able to resolve his/her grievance informally or the matter may directly concern employee's immediate Supervisor and he/she may not feel that it is appropriate to raise it with them. In these circumstances employee raise the matter in writing with HR Section. Employee is likely to find it helpful to raise any grievance as soon as possible after the event giving rise to his grievance (it should normally be raised within 2 weeks). A hearing will then be arranged to discuss the matter. Wherever possible, the hearing will be scheduled to take place within 10 working days of employee written grievance being received. He/she will be invited to attend that hearing to present the complaints and should bring with him any documents or witnesses he intend to rely on. The USF will consider and respond to employee grievance in writing, normally within 10 working days after the hearing.

Timeline

The timelines above are intended to be as a guideline although in most cases, USF management would expect the process to operate more quickly. However, there may be occasions where it may prove impossible to meet the timelines. This may include times where key participants in the process are not available due, for example, to holiday or where the matter is especially complex and requires detailed investigations. In these circumstances employee/aggrieved party will be told the date by which to expect a response and every effort will be made to complete the process as quickly as is possible.

11.5.3.3 Formal Hearing

1. A formal hearing will be arranged by HR Section between all parties and will take place ideally no later than two weeks following receipt of the response to the complaint.
2. The meeting will be chaired by all Department Heads. HR Section will act as an independent advisor to the Chaired Committee of the meeting and will be responsible for ensuring that a formal written record is taken.
3. Employee must make all reasonable efforts to attend any grievance hearing in accordance with the procedure outlined above. If he/she fails to do so, the USF may proceed with the hearing in his/her absence.

Hearing Format

During the meeting the aggrieved employee will be asked to outline his/her concerns, following which the meeting will hear the response from the other parties. The Chaired Committee of the meeting reserves the right to ask questions of all parties to gain clarification or further information.

If during the hearing new facts emerge, the Chaired Committee may decide it is appropriate to refer the case back for further inquiries. If this is the case, a further hearing should be convened as soon as possible and certainly within two weeks of the date of the original hearing.

Decision

At the end of the hearing, the Chaired Committee should forward its recommendation and any appropriate action required to CEO for approval. However, in exceptional circumstances the Chaired Committee may defer a final decision with consultation of CEO. Notwithstanding this, the outcome of the meeting will be confirmed in writing by the HR Section to all parties involved in the hearing no later than one week after the hearing has taken place. The decisions normally open to the Chaired Committee are as follows:-

- The respondent may be advised that any recurrence of the unacceptable behavior may result in disciplinary action being taken.
- A mutually agreeable resolution may be identified for all parties.

Appeal Procedure

The individual involved in the process have the right of appeal against any decision reached and new evidence can be brought forward in substantiation. (Stage 2 will be repeated)

How to raise a Grievance

The initial complaint may have been made verbally but for any of the formal stage employee should put his complaint in writing. He/she should:

- make clear that it is a formal complaint under the USF grievance procedure;
- give as much detail as possible about his/her complaint;
- Mention name, sign and date of letter;
- when appealing, state the reason why employee disagrees with the previous decision.

Where the procedure is not workable because of position or the nature of the complaint

- If employee feels that the procedure isn't appropriate in his/her circumstances, he/she should write to the HR Section, stating that he/she wishes to make a complaint and why the procedure would not be workable in his/her case. If HR agrees, HR will put into place a different procedure for the employee to ensure that his/her grievance can be heard fairly.

Note and records

- At each formal stage of the process records will be kept detailing any evidence collected, interviews conducted and decisions made.

11.3. Business/Professional Attire

The Company is committed to upholding its professional image, specifically relating to the dress and appearance of employees. It is expected that all employees will be dress in an acceptable professional manner while on the job.

11.4. Conduct Outside of Work

In general, the Company does not seek to interfere with employees' off-duty activities. However, the Company cannot tolerate off-duty conduct that in these situations impacts negatively on the Company, either in terms of an employee's individual work performance or the business interest of the Company, including its reputation.

11.5. Confidentiality

The Company requires its employees to maintain strict confidentiality regarding the following matters:-

- Remuneration
- Increments/Bonuses/Other Benefits
- Other terms of employment
- Business affairs of the Company in relation to other employees, third parties engaged in business with the Company or other companies, firms and institutions

All Company employees are to adopt a "clean desk policy" by clearing their tables/desks before leaving the office and ensure that no papers or documents are left on the table/desk.

The Company reserves the right to issue warning letters to or terminate the services of an employee who has been found guilty, after due inquiries have been held in the matter, of breaching confidentiality and leaking secrets of the Company in relation to the factors mentioned above.

11.9. Closure of Work due to unanticipated circumstances

The Company may at any time stop work in any department(s) of the establishment, wholly or partly for any period if this is required due to:-

- Fire.
- Catastrophe.
- Civil commotion.
- Breakdown of equipment and installations etc.
- Stoppage of power supply.
- Epidemics.

And any other causes beyond the Company's control.

Notice for such stoppage of work is displayed on the Notice Board of the department concerned or on the Company's Notice Board as soon as practicable. Such notice shall also specify when work is to be resumed and whether the employees affected are to remain at or leave the place of work.

11.10. Financial Loss to the Company

POLICY FOR INVESTIGATION IN CASE OF FINANCIAL LOSS TO THE COMPANY DUE TO REASON(S) ATTRIBUTABLE TO EMPLOYEE(S):

Financial loss to Company is divided into two categories:

- 1 Due to theft, forgery and fraud etc
- 2 Due to inefficiency, indolence or negligence relating to the service discipline of an individual

In both categories, the following Standing Operating Procedure (SOP) shall be adopted:

1. Intimation to Head of Admin by complainant. Complainant means the person who holds/carrys the relevant Company assets and is custodian of that/those assets (as described in Company's assets register) that got stolen/lost immediately after happening of event or any other employee who notices an item missing from the office.
2. HoD (A) shall immediately inform the CEO for his directives, if any.
3. HoD (A) shall also inform insurance company immediately.
4. Depending on the circumstances and the volume of loss, CEO shall appoint an Inquiry Committee (IC) or an Inquiry Officer (IO).
5. HoD (A) together with complainant shall inform/brief IC/IO about the loss/case in detail.
6. IC/IO shall immediately hold a meeting and shall define steps for investigation.
7. IC/IO may call upon any employee or concerned person/s during the course of investigation.
8. IC/IO shall use all available means to investigate and conclude the report for submission to CEO. The Accused or Employee charged shall not object to the modus operandi adopted by the IC/IO.
9. IC/IO shall submit the inquiry report along with its recommendations, duly signed, to CEO within one week who shall then advise HoD (A) to proceed with appropriate action depending on the nature of the case.
10. If recommended by IC/IO, CEO may also refer the case to an outside (government) agency for investigation

Action depending upon the Category of the Case

- 1) Following steps shall be taken if the accused is proven guilty after investigations by IC/IO (Category-1):
 - If the financial loss is recoverable from insurance company then only appropriate disciplinary action shall be taken against concerned employee(s), as per USF HR Manual Clause No.11.11.
 - If financial loss is not recoverable from insurance company, a disciplinary action shall be taken against concerned employee as per USF HR Manual clause No.11.11 AND the financial loss shall also be recovered from the concerned employee. The recovery could be in kind or in cash to the satisfaction of IC/IO and the CEO.
- 2) Following steps shall be taken if the accused is not proven guilty and the real culprit could also not be found but negligence of custodian is proven (Category-2):
 - In case financial loss is completely recoverable from insurance company, a warning letter shall be issued to the custodian of the asset of the company to avoid negligence. Disciplinary/administrative action shall be taken if he/she is repeating such negligence for the 2nd time or more.
 - In case financial loss is (fully or partly) not recoverable from insurance company, a disciplinary/administrative action shall be taken against custodian of the lost asset AND the unrecovered financial loss shall also be recovered from the custodian, as per the quantum of loss approved by HRGC/Board. The recovery could be in kind or in cash to the satisfaction of IC/IO and CEO.
- 3) Following steps shall be taken in case neither guilt nor negligence is proven.
 - In case financial loss is recoverable from insurance company then only the accounting transaction shall be recorded.
 - In case financial loss is not recovered from insurance company the matter shall be escalated to the Board for, among other things, writing off the asset from the book of accounts.

All recommendations and actions of the IC/IO shall be executed by HoD (A) after approval by CEO.

In addition to all the above stipulations, the CEO/management reserves the right to register the case with Police, as per law of the land.

11.11. Disciplinary Philosophy

USF should strive to assure that the work environment remains safe, pleasant and harmonious for all employees. Violation of employment terms and conditions and code of conduct/ethics could result in disciplinary action, up to and including termination.

The CEO reserves the right to review each disciplinary case on an individual basis and may, at his or her sole discretion, proceed to a higher offence level.

11.11.1 Disciplinary Procedures

The proposed progressive disciplinary system as follows:

Level I Offences

- Step One: Oral Warning
- Step Two: Written Warning/Show Cause Notice

- Step Three: After 2 written warnings/Show Cause Notices an employee may be suspended from Service or demoted.
- Step Four: Discharge

Level II Offences

- Step One: Written Warning/Show Cause Notice
- Step Two: After 2 written warnings/Show Cause Notices an employee may be suspended from Service or demoted.
- Step Three: Discharge

Level III Offences

- Action: Discharge

The CEO may, in his sole discretion, suspend an employee from work, with or without pay, for any length of time, for any level of offence. However, Inquiry Committee will recommend the appropriate disciplinary action on a case-by-case basis. Consequently, the assessment of discipline in one case shall not serve as precedent for the assessment of discipline in another case.

11.11.1.1 Level I Offences

The following list is not all inclusive of Level I offences for which HR may issue an Oral Warning for the First Offence, a Written Warning for the Second Offence and recommend Discharge for the Third Offence:

- Excessive absence from work.
- Failure to call in each day it is necessary to be absent.
- Frequently reporting to work late or leaving early.
- Sleeping on the job during work hours or walking off the job without permission.
- Deliberately creating or contributing to unsanitary or dirty conditions in office.
- Smoking in other than designated smoking areas.
- Overstaying lunch periods.

11.11.1.2 Level II Offences

These are more serious offences. If the employee commits more than one Level II offence, the employee is subject to immediate discharge. The following list is not all-inclusive of Level II offences for which HR may issue a Written Warning for the First Offence and recommend Discharge for the Second Offence:

- Doing work of a personal nature, reading, use of Internet or computer games (other than in connection with employee's job), visiting other departments without authorization, or other deliberate waste of time during work hours.
- Distracting attention of others or creating a disturbance.
- Use of obscene language and/or spreading malicious gossip and/or rumors, making derogatory statements concerning employees, contractors or USF.
- Violation of safety rules/safety policy.
- Performance of substandard work relative to quality and content.

11.11.1.3 Level III Offences

These offences generally lead to employee's immediate discharge from USF for the first offence. The following list is not all-inclusive of Level III offences:

- Dishonesty and/or falsifying records.
- Theft of USF property or the property of a USF employee
- Reporting to work while under the influence or in the possession of illegal drugs or intoxicating beverages on USF premises.
- The deliberate destruction, damage, abuse, removal or attempted removal of USF property or the property of fellow workers.
- Physical violence, fighting, or creating a disturbance on USF.
- Possession of any dangerous weapon (as defined by law) on USF.
- Immoral or indecent conduct.
- Insubordination, including refusal to perform work assigned and/or assaulting or threatening to assault a superior officer.
- Threatening, intimidating, coercing, harassing or abusing fellow employees, or any attempt to disturb, interfere or slow the work of fellow employees or his/her own work.
- Convictions in courts of law.
- Failure to properly notify superior officer within two (2) calendar days concerning absence from work.

11.11.2 Disciplinary Probation

Senior staff (with the approval of CEO) may place an employee on disciplinary probation to allow the employee to show improvement on the problem(s) specified at the time of probation. The disciplinary probation period begins when the supervisor provides the employee with a written documentation (signed by the employee and the superior officer) which:

- Identifies the problem(s)
- Indicates the necessary improvement
- Specifies length of probation period
- Informs the employee that further disciplinary action could result from failure to show satisfactory improvement within the specified probation period

11.12. Conflict of Interest

A conflict of interest exists when there is a divergence between an employee's personal interests and his or her professional obligations. Employees shall seek to avoid conflict of interest situations and to report any such conflict or apparent conflict to their line managers and to the Human Resources department.

11.12.1. Policy Statement

The prime purpose of conflict of interest policy is to provide guidance to employees to enable them to avoid situations in their personal activities and financial affairs which are, or may appear to be, in conflict with their responsibility to act in the best interests of the USF.

11.12.1.1 The central principle of this policy is that staff should not allow self-interest or personal factors to interfere with their commitment to their work and duties, and should ensure that their behavior towards colleagues contributes to a positive working environment.

- 11.12.1.2 All staff is entitled to work within an environment characterized by a spirit of openness, in which information about the conditions of their work and the effective discharge of their duties is always available.
- 11.12.1.3 It is expected that staff will take every precaution to avoid situations where conflict of interest or any suspicion of them would arise in the carrying out of their duties.
- 11.12.1.4 Staff should take care that financial, familial or personal relationships entered into on a consensual basis, do not disadvantage or unfairly advantage any member of staff, or other individuals (i.e. applicants for jobs or service providers).
- Should such situations arise, staff is expected to inform their line managers as soon as any actual, perceived or potential conflict of interest arises to ensure that it can be minimized.
 - Managers will treat these matters in confidence at all times and will, in consultation with the member of staff, find ways in which conflicts of interest might be avoided.
 - If staff are working in the same department or section or are in a supervisory relationship and the actual or perceived conflict of interest cannot be resolved by other means and is interfering with the effectiveness of work, it may be necessary to explore the possibility of one party being moved to another area of work or work location.
 - If staff have a close personal or familial relationship (parents, children, siblings, grand parents, same categories of in-laws, foster and step children and anyone living in the same household as a family member) with an applicant for employment it will normally be necessary for the member of staff to avoid any involvement in the appointment process (i.e. membership of an appointment panel or acting as a referee).
 - External and internal applicants for posts will be asked to declare any close personal or familial relationships on the application form for the post.
- Staff must ensure the highest standards of behavior in the accepting of gifts or rewards. Any gifts that might attract the suspicion of improper motives should be rejected and declared to their immediate supervisor.