

DISCIPLINARY POLICY

OF

Center of Participatory Research and Development-CPRD

Adopted in January 2017



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This document has been approved by 21th Executive Committee Meeting of Center for Participatory Research and Development-CPRD

Date and Place: 05 January 2017, Dhaka, Bangladesh



Approved by

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2. Disciplinary action and separation

2.1 OBJECTIVE

Disciplinary action is warranted for misconduct, violation of code of Ethics and the activities detrimental to the interest of the organization. Disciplinary actions are not intended and should not be used to alienate the employee from the organization.

- Whenever disciplinary action is required, it is important that the penalty imposed should be commenced with the offence.
- When the disciplinary action is warranted the employee may be subject to the following actions, subject to due process in issuing show cause notice and inquiry if considered necessary.

Verbal Advice: Supervisor may advise the employee concerned verbally for not committing such offence in future.

Written Warning: A warning letter may be issued to an employee for an offence (misconduct) which does not warrant dismissal.

- The employee shall be issued a confidential letter describing the offence and warning that repetition of such offence shall bring dismissal.
- Warning letter shall be issued by the HR unit on the advice of the supervisor and approval of the appropriate authority.

2.2 TERMINATION

- CPRD may terminate any employee without assigning any reason by giving 1 (one) month notice or payment of a sum equal to the one month gross salary in lieu of such notice at any time. This benefit will be given before the expiry of the seventh working day from termination date.
- Although CPRD is not bound to state any reason in the termination letter but sufficient ground should be recorded in a separate termination file to be kept in the custody of CE as a confidential document.
- The terminated employee will receive admissible dues at separation.
- Termination letter will be issued by the Chief Executive.

2.3 TERMINATION BENEFITS

The terminated employee (confirmed) shall be entitled to the following benefits:

- Unpaid salary and allowances up to the last day of work;
- Encashment for the unused balance earned leave, if any;
- Any other benefits as admissible in the context of the termination as determined by the authority

- When a probationary employee is terminated, he/she will receive only unpaid salary and allowances up to last day of work and encashment for unused balance earned leave, if any.

2.4 MISCONDUCT DEFINED

The following acts on the part of an employee shall be considered as misconduct:

- a) Violation of CPRD's values and code of ethics.
- b) Any financial fraud
- b) Wilful insubordination or disobedience to any reasonable order of the supervisor(s).
- c) Theft, fraud or dishonesty in connection with the property of CPRD.
- d) Taking or giving bribes or any illegal gratification in connection with his/her work.
- e) Habitual "Absence without Leave" or absence without authorized leave.
- f) Habitual late attendance.
- g) Breach of any terms and conditions of service rules or employment or any rules applicable to CPRD or any rules made under there.
- h) Riotous, disorderly or indecent behaviour of the employee.
- i) Habitual negligence or neglect of work.
- j) Wilful damage to work in process or to any property of CPRD.
- k) Tampering with records and registers of CPRD.
- l) Unauthorized removal of records and registers of CPRD.
- m) Failure to observe the safety and security of the office article and records and registers of CPRD property kept in charge of the employee.
- n) Use of drugs, intoxicating substances narcotics. Drinking of alcohol, smoking at office;
- o) Sexual harassment and violation of other provisions of Gender Policy.

2.5 SHOW CAUSE

- When a complaint is received against an employee that is serious in nature and that falls under misconduct as defined in this manual, a charge sheet shall be prepared and an employee shall be issued a show cause letter asking, why disciplinary action will not be taken against him/her.
- On receipt of show cause letter, the employee shall explain his/her side within 5 working days.
- The show cause letter must mention the specific charges, the letter will be issued by HR/DAF with the approval of CE.

2.6 INVESTIGATION

On receipt, the reply from the employee or expiry of the time period will be given, CE may constitute a committee with appropriate level of officers with no conflict of interest for appropriate investigation and report.

2.7 PUNISHMENT

- Based on report of the enquiry committee, Chief Executive will decide whether the accused will be dismissed/terminated/asked to sign or reprimanded in other ways.
- Dismissal/termination/Reprimanded letter is to be issued with the written consent of Chief Executive.
- Payment in case of dismissal:
- Unpaid salary and allowances to the last day of service; and
- Encashment for the unused balance earned leave, if any.

2.8 PROCEDURE OF SUSPENSION

- An employee charged with misconduct may be suspended pending an enquiry into the charges against him/her, but the period of suspension shall not exceed thirty (30) days.
- The suspended employee shall be paid 50% of his/her basic salary during the period of suspension. This payment is not reimbursable, even if dismissal occurs. Any other allowances are not entitled during the time of suspension.
- The employee should be issued a Suspension Order, which shall take effect immediately on delivery.
- If the employee is not found guilty, he/she shall be deemed to have been on duty for the period of suspension for enquiry, and shall be entitled to his/her unpaid balance of basic salary and other benefits (if applicable) for the period of suspension.
- A suspended employee cannot attend to the office or sign any official documents and should not have access to the same. In case such comment is needed for his/her defense, access may be given subject to specific permission of CE.

2.9 GRIEVANCE PROCEDURES

- CPRD tries to provide prompt and orderly resolution of all types of grievances relating to employment conditions.
- Any employee may submit personal grievances within 15 days of the occurrence of the incident.
- Employees will submit written and signed complaint to CE in person or a designated box/ e-mail. CE shall consider and dispose of the complaint within 30 days.

2.10 RETRENCHMENT

- Retrenchment will be used when an employee must be removed because their positions no longer exist or of his/her service is no longer required. The employee shall be given one month's notice in writing indicating the reason of retrenchment, or one month gross salary in lieu of notice.

2.11 BENEFITS OF RETRENCHED STAFF

A confirmed employee shall be entitled to receive following benefits in case of retrenchment:

- i) Unpaid salary and allowances up to the last day of work;
- ii) Encashment for the unused balance earned leave, if any;
- iii) Payment of one month's basic salary in lieu of notice in case of without notice by the organization.
- iv) Accrued Bonus and End of Contract benefits.
- v) Any other admissible benefit when available.

2.12 RELEASE

- i) Staff terminated, dismissed and resigned (confirmed staff), shall take clearance from the place of posting and take release from the head office;
- ii) Field based staff may be take release for the concerned field office.

