

HAMI YUWA

HUMAN RESOURCE MANUAL

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CHAPTER I – INTRODUCTION

1. About Hami Yuwa

Hami Yuwa, Nepal Biratnagar is a nongovernmental, non-political and non-profit making members-based youth organization registered in District Administration Office, Morang under Organizational Registration Act, 2034 in 2072 B.S. It is affiliated with the social welfare council, Kathmandu, Nepal.

From the date of its establishment Hami Yuwa, Nepal Biratnagar has been actively engaged in Social Mobilization, Youth and Women empowerment, Community empowerment and development adopting issue and right based approaches. It has clearly defined primary focus group which is socially, economically, culturally and politically deprived and disadvantage young people and communities.

HAMI YUWA is a registered not for profit, youth led organization working to promote youth empowerment through participation and advocacy. HAMI YUWA is a group of youth activist, unofficially working in this sector since 2011 and officially registered in 2015. Starting focus of organization was to provide platform for involved youth: to develop their leadership skills, to train as youth activists and build them as change agents. As organization growing it start work under its thematic working area which, finally took the shape of HAMI YUWA. The word “HAMI YUWA” has its root in the Nepali language referring "We Youth".

We work for youth's skills development, personality development, confidence building, and optimism enhancement. We have a network of youth all over the Morang District and Biratnagar region. In Biratnagar area we have network and youth team in all 19 wards of different origin, ethnicity, race, and religion.

With its strong networking, good leadership and youth friendly environment, HAMI YUWA has provided a platform for youth to explore themselves and to talk about and take initiative on different national, international and local issues. The strength of Hami Yuwa is its body of members who come from diverse social background and their common goal to use activism for social betterment.

Hami Yuwa has been running its own Youth centre in Biratnagar where young people come together, meet, discuss, and plan for their own development as well as for society.

Mission

We want to develop Hami Yuwa as an inclusive and open space that encourages and fosters dialogue, exchange and the celebration and strengthening of Nepal's cultural diversity. In addition, we strive to offer a platform especially to young theatre artists and activists to explore and collaborate for innovative performances and art-works.

Through our activities, we are committed to develop and practice a creative work that is strongly based on social issue and justice as well as deeply rooted in our desire to be a strong, yet, aesthetical, voice for social justice, political awareness and human rights. We want to provide a common platform for young generation discourses and innovation as per the potential of each youth

Vision

Hami Yuwa' envisions a situation whereby youth, as indispensable change agents, needed to be motivated with optimism and positivity with a potential and belief to make a change for good. 'Hami Yuwa' believes that one day, the energetic youth would make a positive vibe and spread optimism throughout and within each youth

Objectives

Objectives that the organization has determined to focus on within this Strategic Plan are:

- To empower the youth through motivation, training, spreading positive vibe, to participate in local and global issues and work for positive change and to maintain and build-up sustainable partnership, develop youth networking and believing each other visions and principles, beliefs and help in possible ways.
- To advocate for greater youth participation at all levels of society and the nation.
- To provide a common platform for young generation discourses and innovation as per the potential of each youth

1.1 HR Guiding Principles

The following are the key guiding principles of Hami Yuwa:

- i. Human resource is an integral part of its strategic planning.
- ii. Human resource policies shall be fair, gender responsive and transparent.

- iii. Hami Yuwa recognizes that the development, implementation and monitoring of human resource policies and practices rely on appropriate consultation and communication with the people who work for the organization
- iv. Recruitment and selection policies and practices aim to attract and select a diverse workforce with the skills and capabilities required to fulfill the organization's duties and responsibilities. Hami Yuwa recruitment and selection policy reflects its organizational commitments towards promotion of gender equality and diversity.
- v. Hami Yuwa recognizes the importance of relevant training, productions, theatre tours, and development and learning opportunities, both at personal and professional level. We aim to maintain a culture of learning in the organization so that staff, intern, volunteer can share, learn and develop together.
- vi. The security, good health and safety of staff,intern, volunteerare of paramount importance to the organization.
- vii. All Hami Yuwa Staff,intern, volunteer shall have clearly defined roles and responsibilities and be held accountable according to these.
- viii. The HR Policy will be guided by mission and vision of Hami Yuwa. By Joining Hami Yuwa, you commit yourself to mission and vision of Hami Yuwa.
- ix. Hami Yuwa recognizes that workforce diversity is a management responsibility.
- x. Hami Yuwa employees shall actively promote gender equality, social inclusion and diversity at all levels. The principal responsibility of promotion and implementation of work force diversity lies with the Board representatives and peace worker. S/he holds the responsibility to communicate and reinforce equity and fairness through words and action. Similarly, the line managers are responsible for ensuring compliance with this policy through advocating, advising and monitoring at program and project level.
- xi. Hami Yuwa commits to ensure equitable access of information to wider populace especially to the socially excluded groups.

1.2 General Guidance

- i. The purpose of this policy manual is to describe Hami Yuwa's core HR policies manual and a set of minimum standards for human resources management.
- ii. Where the word "Organization" is used in this manual, it shall be taken to mean "Hami Yuwa".
- iii. Where the word "Manual" is used, it shall be taken to mean this Human Resources Policy Manual.
- iv. Where the word "Staff, intern, volunteer" is used, it shall be taken to mean Hami Yuwa's staff, intern, volunteer.
- v. Matters not covered in this manual shall be interpreted and applied according to the prevailing law of the country and prevailing best practices, including Hami Yuwa policies.
- vi. The President can amend, cancel and modify policies and procedures in this manual or introduce new ones in consultation with the board members through memoranda as and when necessary.
- vii. The Secretary is entrusted with the final responsibility for the interpretation, administration and application of the HR Policy Manual.

1.3 Compliance with Existing Laws and Regulations

Hami Yuwa will meet all its statutory obligations under the laws of Nepal and no clause of this HR manual or employment contract and any amendment to the manual will violate the existing laws of Nepal. In particular, the manual and its clauses including amendments will comply with the broad legal frameworks provided by the agreement of Hami Yuwa with the Social Welfare Council and the Nepalese Labor Act and regulations. In case of the conflict of any of the clauses of this HR Manual, the local law of the land will prevail.

1.4 Organization of this Manual

This Manual is divided into two volumes. Volume one is divided into four chapters:

- (i) Introduction
- (ii) Staff, Consultants Hiring and Separation
- (iii) Staff compensation and
- (iv) Staff and Career Development.

Volume two contains other supporting materials in the form of annexes (these include relevant forms and formats, detailed tools and procedures, examples and explanations, other related policy documents etc.)

CHAPTER II–STAFF/INTERN, VOLUNTEER HIRING AND SEPERATION

2. Staff/intern, volunteers

2.1.1 Basic Premises for Human Resource Management

Hami Yuwa implements its projects and programs in Nepal with financial support from donors. Consequently, the tenure of Hami Yuwa's staff of any type depends on the continuity of financial support from donors. The competition among NGOs for financial support from donors is ever on the increase, and uncertainty about fund availability has become a rule rather than an exception. Given this context, Hami Yuwa will position itself as an agency with a time-bound mission and not as some kind of a permanent employer like the government. The staff classification and grading system, particularly in relation to job nature and tenure, will take this context seriously, and avoid raising staff expectations. Hami Yuwa staff members are contracted to provide their best services in achieving the mission of Hami Yuwa effectively, in a timely manner and with reasonable flexibility. All Hami Yuwa staff is governed by the contractual agreements between them and Hami Yuwa. These contractual agreements are framed within the legal frames guiding the registration and operation of Non-governmental Organizations in Nepal.

2.1.2 Staff Categories

a. Regular Staff

All staff (except short term, volunteer, trainees and interns) will be considered as "regular staff". Staff in a non-project related position will receive an open-ended contract (i.e., no end-date, but with standard termination clause).

b. Short Term/Project based Staff

Hami Yuwa may hire short term/Project based staff, for specific service. Project-based staff will receive a fixed term contract determined by the end date of the project. Such contracts will also contain a standard termination clause.

Such staff will be hired for fulfilling short term requirements for funded projects. Hami Yuwa may find such staff through HR Active CV file, headhunting, and previous applicants through different recruitments process or by position announcement for short term opportunity through email circulation to all staff. The advertisement can also go external, depending on the competency available in the market or as required. However, such recruitment should meet the job requirements and the selection will be done through a panel assessment.

The salary of short-term staff will be according to the donors provided salary. They will be eligible for travel allowance, per diem, leave, and lodging (in official travel) as per funding available.

c. Trainee Staff/Intern

Hami Yuwa provides opportunities to develop young and energetic graduates through exercising their newly acquired knowledge during their education to learn by doing and gain work experience with professional staff and team member. A traineeship may be provided to interns who have completed an internship with Hami Yuwa for a minimum period of 3 months. The traineeship contract can be extended for a maximum period of 1 year, based on the organization's requirements.

d. Interns staff

Hami Yuwa provides internship opportunities to individual students. The purpose of the program is to provide interns/students with the opportunity to apply academic and knowledge and skills in a professional environment and participate in various development and socio-political activities through activism.

e. Volunteer

Hami Yuwa is volunteer based organization and has to work with different young people (doctor, engineer, writer, actor, directors, musicians, painters etc). Here we mentioned them all as volunteer. Hami Yuwa will not hire any Volunteer in a regular salary paying basis but will hire them for short term projects like training, workshops, Events, festivals etc. and pay according to the budget made for specific projects. Project-based volunteer will receive a fixed term contract

determined by the end date of the project. Such contracts will also contain a standard termination clause.

f. Consultants

Consultants are the key members for Hami Yuwa to implement any projects. Consultants will hire them for short term projects like training, workshops, festivals etc. and pay according to the budget made for particular projects. Project-based consultants will receive a fixed term contract determined by the end date of the project. Such contracts will also contain a standard termination clause.

3. Staff Recruitment & Selection

2.2.1 Basic Principles

Hami Yuwa is an Equal Opportunity Employer. It applies consistent and fair recruitment, hiring, promotion, and performance management practices to ensure that all individuals - regardless of gender, race, ethnicity, caste, religious beliefs, sexual orientation, age, HIV/AIDS status or disability - have equal opportunities.

In recent years, the issues of social inclusion and gender equality have gained tremendous importance in Nepal. Staff hiring and composition is one area where this needs to be urgently addressed. Diversity in staff composition has been recognized as an important element of HR policy among development agencies in Nepal. Recruitment of women and people of excluded groups, apart from issues of justice, equality and equity is necessary because it has been researched and recognized that their perspective makes a difference for more holistic program approaches and work environment.

Hami Yuwa supports this principle strongly, and utilizes appropriate instruments and tools to ensure social and gender inclusion in all its initiatives. It is committed to the principles and practice of equal employment opportunity and excellence through promoting gender equality and diversity (GED) in recruitment, retention, promotion and development.

Hami Yuwa will create separate HR recruitment committee during the time of recruitment of the staff/intern as necessary.

2.2.2 Specific Policies

Hami Yuwa has the following specific staff recruitment and hiring policies that apply to regular staff, short term contracted staff, interns and trainees.

g. Minimum Age

The minimum age for employment with Hami Yuwa is eighteen years on the date of hire. The age will be verified with the official documents such as birth certificate, citizenship or other proofs during the submission of application or during the final stage of staff selection.

h. Recruitment of Relatives

As a general policy, Hami Yuwa does not encourage the employment of relatives of staff. However, a relative of a staff can be hired with the appointment authority's approval provided that the relative is the most qualified candidate among the applicants for the vacant position. This provision notwithstanding, relatives will not be placed in supervisory roles in the same line of management as each other. Irrespective of whether the relative of a staff is finally hired or not, it is the joint responsibility of the concerned staff as well as the applicant to inform the appointment authority of their relationship before a selection decision takes place. Failure to do so will lead to disciplinary action against the concerned staff.

i. Hiring Local Staff/Artists

In recruiting other project staff/intern, volunteer, preference will be given to the local candidates and Hami Yuwa's core group far as practicable without compromising on the minimum competencies required for the position.

j. Conflict of interest

It is required that all staff, trainees, interns and students of Hami Yuwa will put the organization's interests before any other commitments. In cases where such conflicting commitments exist, the staff must inform the Secretary or Program Co-Ordinator or a staff designated by her/him in order to determine if the commitment constitutes an actual or potential "conflict of interest". In order to comply with Hami Yuwa's zero tolerance policy, all staff, trainees and interns need to declare any conflicting commitment within five working days when such situations arise the concern staff will face disciplinary action. Specifically, the following rules then need to be followed strictly:

A regular employee may not assume another position outside the organization if the management judge that it will interfere with duties at Hami Yuwa. This decision will be based on possible conflict of interest and/or interference with ability to perform duties. Instances of inappropriate outside employment are:

- i. Employment with a direct competitor that constitutes a conflict of interest,
- ii. The use of Hami Yuwa's proprietary information to perform an outside position's responsibilities; or
- iii. The use of organization's time or resources to perform outside work responsibilities.

Hami Yuwa staff should not accept any position with local NGO / firms / company with whom Hami Yuwa is working and implementing the program.

Hami Yuwa staff members should not be an active member of a political party or participate in political rallies or meetings.

Hami Yuwa staff member should not receive separate fees, salaries from individual projects if they are getting monthly salary.

2.2.3 Staff Recruitment Process

The following sections describe procedures concerning recruitment and selection of regular staff.

a. Job Description

A standard job description will be maintained for all the approved regular positions and will include appropriate levels of competencies, skills and attributes regarding crosscutting concerns such as gender and social inclusion. The job description forms a starting point for appropriately profiling a prospective candidate for the position. The management will take lead role in assuring preparation of job descriptions. Job descriptions will clearly specify the duties of the post and the knowledge, skills and competencies required for effectively doing the job.

b. Analyze Organization Need

Hami Yuwa reserves the right to analyze the organization's needs with respect to the recruitment of employees for vacant jobs or the creation of new jobs. The number and categories of employees that the organization needs to employ will be largely determined by the strategic plan of the organization. The analysis

document will contain a section outlining in brief the number and types of employees needed for the organization to realize its objectives.

The Secretary will assess and analyze gaps between the employees needed and the existing employees on a periodic basis. The strategy plan will be developed to fill the gaps, keeping in mind that recruitment should be intimately linked to efficient program delivery and effective management of financial and human resources.

c. Advertise the Vacancy

All job vacancies will be advertised internally and externally through national newspapers, notice boards at the office, emails, websites etc. It is not always essential, however, to advertise a vacancy externally if the vacancy offers an opportunity to promote an existing member of staff. However, the process will be open and transparent, whenever the post is advertised.

To advertise a vacancy externally a job advertisement procedure will be followed. The advertisement will provide a succinct summary of the job description and a brief statement about equal opportunities and diversity

d. Short-listing of potential candidates

The short listing of candidates is done based on the competencies and the requirement for the given position with due consideration of social inclusion and diversity in the workplace. At the end of the process, a manageable shortlist of candidates will be prepared for each position, and these candidates will be invited for in-depth assessment.

e. In-depth candidate assessment process

An assessment process will be organized for selecting the most appropriate candidate from the list of shortlisted candidates. The assessment process may consist of written tests, practical tests, group dynamics scenarios, presentation sessions and/or panel interview of the candidates. The exact types and number of tests, and other details will be worked out by considering the specific needs of each vacancy. Reasonable time will be allowed between the end of short-listing process and the in-depth assessment process to ensure participation of all the prospective short-listed candidates in the assessment.

An Assessment Team may involve specialists/experts, Board Representative and respective Program coordinator or Program Design team to carry out the assessment of candidates. It will ensure that the assessment team itself is also

inclusive as far as possible and composed of people sensitive to inclusion aspects of recruitment. At the end of the in-depth assessment, the candidates will be ranked and a decision taken by the assessment team on whom to recommend for the role. The selection criteria should consist of technical competencies for the position advertised but also whether a candidate fits the organizational criteria and profile. The selection process should always be objective and not be influenced by individual preference or biased by external pressure of any kind.

Hami Yuwa, where necessary, may also use the services of external service provider to implement the entire process of recruitment and selection (vacancy advertisement, applications management, short-listing, in-depth candidate assessment and so on) or to assist it in some of the steps in the process.

4. Appointment, Placement & Induction

2.3.1 Approval by Appointing Authority

Based on the recommendations of the assessment team, the Chairperson or Secretary will be the appointing authority to give approval for a final selection decision irrespective of grades or any category of staff hire. After the completion of the selection process, the Secretary or Project Co-Ordinator will issue an offer letter to the selected candidate. The information of salary, grade / step, major benefits, contract period and provision of probation status should be mentioned in the offer letter.

2.3.2 Contract of Employment

All new staff will be issued a contract of employment prior to the commencement of work, as per the standard format. This document details; but not limited to:

- The effective date of employment,
- End date of employment (where applicable)
- Position title and job classification,
- Place of hire and place of assignment,
- The project or department of assignment,
- The salary and other benefits,
- Personnel number, and

- Other relevant terms of employment as required.

Current job description will be attached as part of the contract of employment. The contract becomes valid only after signature by the staff candidate and designated appointment authority.

2.3.3 Personnel files

The Finance Officer will open a numbered Personal as a permanent record of the staff's employment history for each regular, & short-term staff employed by Hami Yuwa. Personal file must contain at least the following documents:

- Contract of Employment
- Current Job Description
- Copy of citizenship certificate or valid Nepali Passport
- Copy of work permit if required
- Copies of all salary/ benefits adjustment notices
- Curriculum Vitae (CV)
- PAN Card
- Academic, Personal and Professional Certificates
- Letters of past work experiences
- Annual performance appraisal
- Copies of all other relevant correspondence related to individual staff.

Only relevant persons will have access to personal files. However, Auditors (internal and external) are allowed to access the relevant information in personal files. It is the duty of all staff members who have access to personal records to maintain and adhere strictly to the confidentiality of that information. Failure to follow this policy will be regarded as major misconduct and result in severe disciplinary action.

2.3.4 Probation Period

A probationary period of three months shall apply from the date of hire to all new staff. The probation period might be either waved or reduced by the Board Representative/Secretary depending on the duration of the project and the nature of employment.

5. Working Environment

2.4.1 Official Working Days/ Hours

The hours of work and other related provisions to be followed by the regular employees/Short term project-based staffs shall be as below. This could be different for trainee, interns and consultants should be approved by the Program Co-ordinator.

- **Work Hour:** 42 hours a week
- **Office Time (Regular):** 10:00 am to 5:00 pm
- **Office Time (Winter):** 9:00 am to 4:00 pm (Winter Season are considered from November, December, January and February)
- **Lunch time:** Half an Hour
- **Work days:** Sunday to Friday in general days. In case of Urgent work s/he need to work holiday too.
- **Work Calendar:** As per Nepali Calendar (B.S). In project basis as per donor requirement.
- **Flexible Working Hour:** Flexible working hour shall be provided to the employees upon approval of the Secretary. The flexible working hour shall be normally provided to female employees nursing their babies.
- **Overtime:** Hami Yuwa discourages the use of overtime. Sometimes it is required during the awareness program, events, workshops, training, festivals and during the tour. Hami Yuwa will compensate the overtime by giving compensation leave or half day work in the next days. Overtime hours will be calculated and consider it as one working day if it exceeds eight hours.

2.4.2 Staff Timesheet

Each office of Hami Yuwa shall maintain proper timesheets records indicating the time of arrival and departure from the workplace. The attendance register/system will record leave, travel/field visits, training and other events. And submit to the Secretary every end of the months.

2.4.3 Absence from Duty

If staffs are unable to report to work due to unavoidable circumstances, they should attempt to inform their Secretarys quickly as possible, on the same day. It is the duty of the concerned supervisor to inform the staff absence to Board Representative. Absence from duty of more than half a day shall require the text or phone, and need to submit leave application for a day and more. And need to get leave approval.

2.4.4 Smoking, Drug & Alcohol Use

Smoking is totally prohibited in Hami Yuwa premises and office vehicles, except for designated areas. Unlawful manufacture, distribution, disposing, possession or uses of legally prohibited substances are not allowed in the workplace. Violation of this regulation will be considered major misconduct and action will be taken accordingly. Hami Yuwa does not cover alcohol expenses of any internal official events.

2.4.5 Gender Equality and Diversity Sensitivity

Gender Equality and Diversity (GED) training at organizational level is necessary in order to orient staff about gender equality and diversity. Respect and dignity are not to be compromised and every staff member should be accountable to ensure a respectful working environment. Due to the gender specific vulnerability of women, special safety arrangements, as appropriate, will be made for the following situations:

- working late hours
- travel to isolated or troubled locations

The regular office hour is to be respected. The staff should not be encouraged to work late hours and on weekends unless it is absolutely required. Official gatherings or get-together programs (like partners meetings, visitor welcome parties, farewells and other official gatherings) should in principle be organized during office hours.

2.4.6 Sexual Harassment, Exploitation and Abuse

Hami Yuwa believes in the worth and dignity of the staff and the people with whom we work, and respects the rights of each person to work in an environment that is free of harassment, exploitation, and discrimination and seeks to ensure the same in all of our work with communities and partners.

Sexual harassment at work refers to any unwelcome physical, verbal or non-verbal conduct of a sexual nature. It includes demeaning comments about a person's appearance, indecent remarks, questions about a person's sex life, sexual demands by members of the same sex or opposite sex, attempts to punish refusal to comply with such requests, name calling with demeaning terminology which is sexual in nature, sharing jokes with sexual overtones, unwelcome physical contact and other conduct of a sexual nature that creates an intimidating, hostile or humiliating work environment interfering with work performance.

There are two significant manifestations of sexual harassment in the workplace, which are important to describe:

a. Abuse of Authority

A demand by a person in authority for sexual favors in exchange for work related benefits (e.g. a benefit increase, a promotion, training opportunity, a transfer or the job itself) is prohibited.

b. Creating a Hostile Environment

This refers to any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature, which interferes with an individual's work performance or creates an intimidating, hostile, abusive or offensive work environment. Harassment is viewed from the perspective of the complainant, therefore it is important to regard the impact of the action rather than intention of the accused and that it is unwelcome to the recipient.

2.4.6.1 Handling of Grievances about Sexual Harassment

The process for investigating any suspected sexual harassment, exploitation and/or abuse is described below.

a. Inquiry

- The suspicion shall be reported immediately to the Secretary who shall initiate an inquiry through a person or a team of persons to investigate the grievance/s and to prepare a written report.
- In cases of sexual harassment, staff can either verbally or in writing registers her / his complaints to the supervisor who will then bring this to the immediate attention of the Secretary. Any written complaint of sexual harassment against a staff member will result in an immediate investigation.

- If during the investigation, sufficient evidence is found to suggest that there is case to answer or if the presence of the individual will severely affect the investigation, including if the accused staff creates any evidence in favor of him/her or destroys any evidences against him or s/he is charged with a criminal offense in any court of law (judicial or quasi-judicial), then the accused staff member will be suspended. The suspension will be valid until the investigation is finalized and a hearing has been completed but the suspension will not exceed six months' time from the date of suspension.

b. Hearing

On receipt of the inquiry report and the accused staff/artist member's explanation, the Investigation team shall hold a hearing of the case in the presence of both complainant and accused staff member(s) and their supervisor(s). Other person(s) may be called to present evidence.

c. Final Decision

Secretary shall write a letter to the staff following the completion of the hearing, advising them of the action that will be taken. This decision will be based on the outcome of the investigation process. In the event that a staff member is found to be guilty of sexual harassment or social discrimination of any kind, s/he will be subject to summary dismissal from the organization. No salary in lieu of notice or other benefits will be paid.

d. Documentation

It will be the responsibility of the Investigation team to keep proper documentation of all phases of the inquiry. Confidentiality shall be maintained.

e. Establishment of Non-Guilt

If the accused staff member is not found guilty s/he will be reinstated and all records on the case will be struck from her/his file. In cases where it is suspected that allegations have falsely made, the complainant will then be subject to an investigation/inquiry and action. This will be treated as major misconduct.

2.4.7 Disciplinary Action

Hami Yuwa Staff are obliged to comply with policies and procedures, staff regulations, work rules and other standards and codes of practice adopted by Hami Yuwa. This code of conduct is binding on all staff. Hami Yuwa is committed

to honesty, integrity, transparency and non-discriminatory behavior in all its dealings. Therefore, it is essential that all staff conduct themselves in the highest standard possible. The personal interest of a staff member, political or public pressure must never guide her/his conduct.

2.4.7.1 Types of Misconducts

Violation of the code of conduct will be considered misconduct. Two types of misconduct have been defined: minor misconduct and major misconduct. The minor misconducts do not involve intentional or purposive acts but tend to spoil the healthy working environment for which we strive. Major misconduct involves intentional or purposive acts including acts of gender or caste/ethnicity harassment or discrimination.

2.4.7.2 Procedure to deal with Minor Misconduct

Any staff or supervisor should report (verbally or in writing) the cases of minor misconduct to her/his line manager/ supervisor, and the case should be discussed with Secretary. On being found responsible for minor misconduct, staff members will be subject to:

a. Verbal Warning

On the first offence of a minor misconduct, the supervisor may issue a verbal warning to improve the conduct of the staff. Such warning can be issued without consulting the Secretary or designate. A note of such warning must be recorded with the signature of at least the supervisor (and preferably also the employee concerned) and should state in brief the subject of the warning. This documentation is to be recorded in the personnel file of the staff.

b. Warning Letter

Following the first instance of minor misconduct, if found guilty of a second offence, the staff member will be issued a warning letter prepared by his or her supervisor in consultation with the Secretary or designate. This letter will describe the problem in detail with objective observations. A copy of this Warning Letter will be placed in the staff's Personnel File.

c. Dismissal

If, after a Warning Letter has been issued, the misconduct is repeated, the staff member will be dismissed.

2.4.7.3 Procedure to deal with Major Misconduct

Staff shall be subject to the following investigation, on suspicion of major misconduct:

a. Inquiry

The suspicion will be reported immediately to the Secretary or designate who will commission the investigation committee. If sufficient grounds for an official inquiry are found, the committee will recommend to the Secretary that such an official inquiry be initiated. Following this recommendation, the Secretary may designate a person or persons to carry out the inquiry and prepare a written report, or he/she may take action to dismiss the staff.

Furthermore, the Secretary may request the staff to prepare a written explanation concerning the alleged offence(s).

b. Hearing

On receipt of the inquiry report and the staff's explanation, the Secretary may hold a hearing of the case. The following persons will be present at the hearing: the staff; the staff's supervisor(s), and the Secretary or designate. Other persons may be asked to present evidence related to the allegations. During the hearing process, the defendant will be provided with opportunities to respond to the accusation.

c. Final Decisions

Secretary will write a letter to the staff with conclusions of the hearing, informing the staff about the decision regarding the action to be taken which may include one of the following;

- The staff may be issued a letter marked "Warning Letter". This Warning Letter can be first or final depending upon the degree of offence and will be placed in the staff's Personal file.
- The staff may be issued a notice of immediate dismissal from Hami Yuwa.
- In conjunction with either of the above, the staff may be required to settle the cost of damages of properties or reimburse Hami Yuwa for any misappropriated funds.

2.4.7.4 Authority to take Disciplinary Actions

Only the Secretary or designate can issue warning letters or a notice of dismissal. On the basis of the written report from the investigation committee, the Secretary will take action for major misconduct. Secretary, at her/his discretion, will choose either to issue a warning or dismissal.

General Procedure relating to disciplinary action:

- Before issuing an order of disciplinary action to a staff, the management shall have to provide, stating the reasons for the action going to be taken against him, a reasonable opportunity to defend him/her.
- The charges leveled against him/her must be clearly specified and also be stated on which matter and reason the charge is based on.
- The concerned staff shall have to submit his /her explanation within the given period.
- If the concerned staff does not submit the explanation within the given period or the explanation so submitted is not found to be satisfactory the management shall have to provide three days' period to such employee to submit clarification.
- The management shall have to make a decision based on the evidences available.
- Notwithstanding anything contained elsewhere in this Manual, in the case of a staff who is absconded or where there is impossible to establish contact in writing, the proceedings of such action may be initiated by giving one week's period for submitting explanation by publishing a public notice in a newspaper of national level.

2.4.7.5 Documenting Cases of Disciplinary Action

All actions from and after the first warning letter must be in writing and the written reply will be submitted within two working days of receipt of the action notice. This written reply, if offered, will be enclosed to the Personal File at the project and central offices. Particular attention should be paid to areas of improvement, or indications that the warning was heeded and positive behavioral changes have occurred.

2.4.7.6 Protection of the Person Complaining (Confidentiality)

Hami Yuwa will maintain high level of confidentiality in order to protect the person and to prevent exploitation of the complainer. If the exploiter attempts further exploitation during or after investigation it will be treated as major misconduct and it may lead to immediate dismissal.

6. Staff Transitions

2.5.1 Staff Promotion

In order to retain competent staff members, Hami Yuwa may promote existing high-performance staff to relevant vacant positions without going through formal recruitment processes. In order to do so, Arts manager will recommend in writing to the Board. The senior management will review such cases and may recommend for Chairperson's approval. The review will be on the basis of identifying the competency, his/her most recent two years of performance, supervisor's comments, person's attitude and peer's review. Gender equality and diversity considerations will be taken into account while promoting staff, without compromising on the core competencies required.

2.5.2 Staff Retention

Staff whose project is being phased out may be transferred under retention plan from their current work place or geographic location to another or from one department to another based on the need of the organization. Such changes can be granted to project / program phase out staff in line with the retention of potential staff within the organization for any possible vacant position or depending on the requirement of the organization.

Any possible changes in work responsibilities resulting from staff transfer cannot be made without prior consultation with the senior management who will further discuss these with Board Representatives before proposing the retention for consideration. The senior management will consider and make relevant recommendations to Board for approval. Not all the staff from the phasing out project will be retained. Staff retention must be done on the basis of affordability and is always subject to funding.

7. Separation

Staff may leave Hami Yuwa due to their own reasons, and similarly Hami Yuwa may release staff due to a variety of reasons such as violation of the code of conduct, unsatisfactory performance, violation of contractual obligations, redundancy of the position, and so on. In such cases, either the staff writes a resignation letter to Hami Yuwa or Hami Yuwa issues a separation letter. Upon acceptance of the resignation/ separation letter by the other party, the contract between the staff and Hami Yuwa will be considered null and void. After separation from the organization, ex-Hami Yuwa staff cannot use any written information and data related to Hami Yuwa that are not publicly available without prior information and consent of the Secretary. Different types of separation are described below.

2.6.1 Retirement

Staff retirement will be on two grounds: age and medical/physical fitness. The retirement age for the staff is 65 years. Management will give notice at least three months prior to the date of retirement of staff who reaches the retirement age. The contract will end when regular staff reaches this age and employment beyond retirement age is not normally given. Similarly, a staff will retire if s/he is unable to perform her/his duty due to physical or medical problem even after utilization of the entire medical and leave related benefits provided by Hami Yuwa. Management will hold dialogues with the concerned doctors and staff who could not recover from the serious medical/physical problem on the possible future retirement.

Staffs who retire (because of age or medical/physical fitness grounds) shall be entitled to all accrued benefits due to them.

2.6.2 Death

In case of death of a staff, the contract is considered null and void from the date of death. However, all legal/contractual obligations of the staff and Hami Yuwa to each other will be taken stock of and appropriate actions will be taken to ensure that all matters are settled within two months of submission of death registration certificate.

2.6.3 Resignation

Regular staff across all levels must give a minimum of 30 calendar days' prior notice of resignation. Staff can take a maximum of 7 working days leave after the approval of resignation but not during the last working week. Staff within a

probation period can resign with two weeks' notice. Staffs who resign will be entitled to all accrued benefits such as gratuity, leave accrued, and pro-rated festival bonus as may be applicable to them up to the effective date of separation.

Any staff wishing to resign should submit his/her resignation in writing through the supervisor to the Secretary or designate, stating the reasons (if any) for resignation and the effective resignation date.

Board Representative/Secretary will verify the resignation letter with the concerned staff and acceptance of resignation by him/her will be considered final. However, if the staff is under investigation for minor or major misconducts, or if the staff has not yet settled her/his liabilities with Hami Yuwa (e.g., any advances), the final settlement and quit claim will not be processed until all the issues are sorted out.

Failure by the staff to provide minimum 30 days' written notice of intention to resign from Hami Yuwa will result in the staff forfeiting salary and benefits on a pro-rata basis.

2.6.4 Retrenchment

All Hami Yuwa staff will be given a minimum of one month notice of retrenchment. Staff, whose services are terminated in this way, will be entitled to all accrued benefits due to them. Under special circumstances when Hami Yuwa gives shorter than one month's notice, the staff will get full compensation of a month period. Retrenchment will result due to abolition of the position, phase out of the position for organizational realignment/restructuring processes, premature closure of the project or termination of funding. A staff can also be retrenched when s/he is unfit to work on medical grounds.

2.6.5 End of contract

Hami Yuwa will give a reference letter to all separated staff upon request and will give priority to relevant separated staff when there is a need for local resource persons or short term consultants/advisors.

2.6.6 Dismissal

Staff can be dismissed on any of the following grounds:

i. Disciplinary action:

Staff can be dismissed on disciplinary grounds according to the procedures and actions outlined in this manual. Recovery from the concerned staff shall be made

where possible in cases of fraud, harassment, misuse of funds, or the stealing of, or willful damage to Hami Yuwa assets or property. Hami Yuwa will not give any advance notice of dismissal to the concerned.

ii. Poor Performance:

Staff can also be dismissed on the ground of poor performance.

iii. Conviction in any criminal case:

If a staff has been found to have been convicted by a competent court of law, S/he shall be dismissed from the service.

The dismissed/terminated staff is entitled to their accrued benefits yet to be paid out by the organization. However, the staff being convicted of criminal case involving moral turpitude from the court of law is entitled to get their accrued benefits.

CHAPTER III - STAFF COMPENSATION

3.1

Salary and Deductions

Hami Yuwa will maintain a compensation package (salary, benefits and allowances) that is comparable and competitive with other similar organizations. Hami Yuwa will review its salary and compensation package normally once in every year, and earlier than one year under special circumstances. Necessary amendments in the compensation packages, based on the outcomes of the review, might then be made and enforced. These amendments will be enforced only after an approval from the Secretary.

3.1.1 Salary Structure (Level & Steps)

The salary structure corresponding to each level of staff duties and responsibility as per funding available.

3.1.2 Income Tax Deductions

Hami Yuwa is required by the Government of Nepal to deduct income tax at source on the total remuneration paid by Hami Yuwa. Income tax deductions will be made from staff's remuneration each month, based on Income Tax Act and Rules. The Finance department, on request from staff, will provide a statement of income tax deductions. Staff requiring "tax clearance certificates" should approach the concerned tax office of the Government of Nepal her/himself and get the clearance letter from the tax office with support from Hami Yuwa Finance department.

3.1.3 Salary Deductions

Salary deductions will be made, as per the information received, for days not worked due to unauthorized leave, or leave without pay. Salary deductions will also be made if excess payments were made for any reasons to a staff. Staff deposited to CIT fund will be deducted from the salary of the staff and deposited as actual cash in hand. Personal expenses, outstanding advances and other liabilities owed to the organization by the staff will also be deducted from the monthly salary where applicable.

3.1.4 Payment of Salary

Salaries shall be paid monthly/quarterly in Nepalese Rupees to all staff based on their employment contract and as donor procedure Salary payments to staff shall be within last week of end of each Nepali calendar (B.S)month.

3.2

Benefits & Allowances

3.2.1 Festival Allowance

A festival allowance equivalent to one month' salary will be paid every year to all regular staff and Local professional's. For staff that completed less than a year of service with Hami Yuwa, the festival allowance will be not being paid. Project based staff; consultants will not be benefited by Festival allowance.

3.2.2 Gratuity

This gratuity amount is meant to be a gesture of appreciation to all staffs who have been considered to have effectively contributed to the organization's achievement and growth. The gratuity shall be provided as per provisions laid down in Labor Act, 2074. This facility will be provided to the entire staff category.

3.2.3 Medical and Accident Benefits

i. Medical Benefits

Hami Yuwa will provide medical/accidental insurance coverage for regular staff and Local professional's such coverage may be provided through the local Insurance Company or appropriate in-house arrangement if only donor provide this facility. Travel insurance will be done to the artists and crew during the time of production and theatre tours.

3.2.4 Travel Allowance

i. Reimbursement of Travel Expenses

Staffs are entitled to claim reimbursement from Hami Yuwa for actual travel related expenses incurred on official duty including that for out-of-station travel. The travel authorization form has to be approved by the program coordinator /Secretary for any travel within and outside of the country. Hami Yuwa will reimburse only the exact amount of authorized expenses.

All actual expense claims shall be considered only where the staff has properly justified them in a Travel Expense Claim Sheet. Travel advances shall be settled within 7 working days of return to (or arrival at) their place of assignment. The supervisor with approving authority must authorize the claims. Besides travel advance if cash advance is taken for any official task then cash advance and cash settlement form has to be filled. It is essential to present documentation such as original receipts, in most cases, to support the claims.

ii. Per Diem allowances and accommodation expenses during travel

All staffs that are required to make overnight trips for official purposes are entitled to claim the actual accommodation expenses (subject to specified limits). The per diem is paid to cover the food expense during such travel (subject to specified limits) and for per diem no receipts are required. Per diems are given to a staff member only when s/he has properly justified the entitlement on a Travel Expense Claim Sheet. The supervisor with approving authority shall authorize each sheet. Travel expense claims are subject to:

Prior Approval:

The travel authorization form must be approved before the actual commencement of travel. The staff should submit a Travel Expense Claim sheet within 7 working days upon return to his/her office from the trip. It is the responsibility of the staff to clear any advances received against this Travel Expense Claim. If the travel advance is not settled within 30 days of the completion of the trip, the outstanding advances will be adjusted via payroll.

During Official Work Days:

Generally, a per diem can be claimed only for official travel days which may include weekends and/or holidays as well. In the case of drivers travelling to the field with same day return, full per diem would apply if s/he has spent more than eight hours in the field.

Accommodation rates:

Hami Yuwa will reimburse the actual cost of accommodation related to official travel subject to the limits below:

- Metropolitan, Sub-metropolitan and Municipalities – Max. NRs. 2500/-
- VDCs- Max. NRs. 2000/-

Per Diem rates:

The per diem rate of Hami Yuwa shall be applicable as follows:

- Metropolitan, Sub-metropolitan and Municipalities – NRs. 1500/-
- VDCs- NRs. 1000/-

3.3

Leave and Holidays

3.3.1 Public Holidays

Hami Yuwa will provide up to 18 days holidays per year out of the government's list of public holidays. The list of public holidays applicable to Hami Yuwa will be prepared in mid-April of each year and posted on Hami Yuwa website. A copy of same will be circulated to all staff on an annual basis in the form of a memorandum circulated to all staff.

Hami Yuwa will make all efforts to align the HAMI YUWA holidays with the Government of Nepal (GoN) list of holidays published at the start of the Nepali New Year in mid-April. In special cases (such as declaration of a general election, or celebration of national day etc) Board representative will decide and notify to all

concerned as to whether Hami Yuwa will observe the particular holiday declared by the Government of Nepal. HAMI YUWA staffs are entitled to weekend (Saturday) is considered in general days.

3.3.2 Procedures for Managing Leave

a. Leave Request

All staff wishing to take leave must submit a prior written request to Secretary/Creative Director using the leave request form.

b. Leave Records

Finance & Administration Department will ensure that all staff have a leave record, which monitors all types of leave taken, and leave due. Secretary is responsible for preparing monthly leave reports for their staff and providing these to Administrative staff. Copies of these reports will be submitted quarterly to the Finance & Administration Department in Hami Yuwa. The minimum leave period is one-half of a day. Calculation of leave records will be based on the calendar year.

3.3.3 Different Types of Leaves Provided

i. Annual Leave

Annual leave for all staff will be provided for 18 days each calendar year. Staff can carry over up to a maximum of 20 (twenty) unused annual leave days at the end of one calendar year. Accumulated leave in excess of 20 days will be forfeited until and unless Secretary approves carry-over of additional days of leave in special circumstances. This must be justified in writing.

Hami Yuwa will not allow encashment of accumulated annual leave days to staff during the service period. However, staff, or their designated beneficiaries, will obtain encashment of maximum of 90 days on separation based on the following reasons;

- Retirement
- Resignation
- Death
- Retrenchment
- End of Contract

Encashment for Annual Leave will not be offered to:

- Probation status staff
- Staff dismissed for major misconduct

ii. Sick Leave

All staff shall be entitled to 12 (twelve) days of sick leave per calendar year. Sick leave can be used only in cases when staffs are sick. Sick leave can be accrued for up to 45 days and can be encashed at the time of discontinuation of service.

Staff should notify the P-coordinator as early as possible at the start of sickness. Sick leave can be taken for up to two days without evidence of illness or accident, beyond which staff are required to submit evidence of illness (in the form of a letter or certificate) from a licensed medical practitioner. The evidence should describe the condition (diagnosis). The certificate must be submitted as soon as possible during the period of illness or by the second day upon returning to work. It is the responsibility of the P-coordinator to check and validate the authenticity of the medical practitioner's certificate, if required.

If staff fall sick for a period exceeding the total number of accrued sick leave days, the excess shall, in the first instance be deducted from his or her annual leave balance. When accrued annual leave is exhausted, staff can be provided next calendar year's advance sick leave of a maximum of 12 (twelve) days. In order to claim such advance sick leave, the supervisor should recommend to Human Resource Department for approval by Secretary. If more sick leave days are required then the additional 3 months will be counted as leave without pay. Beyond that Human Resource Department will analyze the medical fitness of the person for continued service and will recommend to the Secretary as necessary for decision. Any sick leave days taken in excess of three days that are not supported by certificate of licensed medical practitioners will be recorded as "Leave Without Pay" or as recommended by Human Resource Department.

iii. Maternity/Paternity Leave

All female regular/LP staff shall be entitled to maternity leave up to 14 weeks, fully paid for 90 days, of which at least a minimum of 2 (two) week must be taken before the delivery of the child. Maternity leave benefits are restricted to a maximum

number of two children. And maternity/paternity leave is for male staff for two weeks.

In cases of abortion, miscarriage and still birth, the staff can get up to 45 days of maternity leave upon recommendation by a registered medical practitioner.

Maternity leave shall be granted on the submission of a medical certificate of pregnancy by a registered medical practitioner, which indicates the expected delivery date and pregnant staff's health conditions that may be relevant to the staff's working conditions. The request for leave should be submitted at least four months before the planned maternity leave.

iv. Mourning Leave

For the observance of mourning rites (Kriya) of near relatives (parents, parent-in-laws, spouse and children) all staff are entitled to take mourning leave up to a maximum of 15 (Fifteen) calendar days from the date of death.

A verbal request to the Board Representative shall be accepted in advance of taking mourning leave, but staffs are required to submit a leave application form with a copy of the death certificate upon return to work for record-keeping purposes.

CHAPTER IV - STAFF & CAREER DEVELOPMENT

4.1

Overview of Performance Management System

The performance management system within Hami Yuwa is geared towards setting staff performance objectives, monitoring the achievement of the objectives, staff supervision and coaching for further development of staff competencies in needful areas, and thus improving the effectiveness of Hami Yuwa's interventions. The performance management system within Hami Yuwa is therefore not geared towards fault-finding but towards motivating the staff for better performance and enhancing her/his performance capacity through better skills and knowledge, better work environment and better organizational support.

4.1.1 Setting Performance Goals

The Secretary will sit with every staff reporting to them in the beginning of the fiscal year and discuss the mutual expectations (personal as well as professional) from

each other. They will jointly set performance goals, focusing on a maximum of five job-result areas, with specified indicators of achievements for one year. They will also agree on the frequency and type of monitoring of the performance. Normally the performance will be monitored twice a year (mid-term and year end).

4.1.2 Monitoring Performance

The supervisors will monitor the performance of their staff as per the agreement described under section 4.1.1 above. Performance of new staff might be monitored more frequently than the performance of old and proven staff. The supervisors will provide immediate feedback to their staff based on their observations rather than wait for the annual performance appraisal time to come.

4.1.3 Supervision and Coaching

The supervisors will provide supervision, coaching and mentoring support to their staff based on the needs identified during performance monitoring. Staff needs beyond the scope of coaching of the line managers will be separately taken note of and fed into the annual staff development plan via the annual performance agreement and assessment report.

4.1.4 Appraising Performance

Besides the regular supervision and coaching, the supervisors will annually appraise the performance of staff using the annual performance agreement and assessment form. The supervisors will produce staff appraisal reports focusing more on the staff development needs and proposed action plans based on the individual appraisals.

The main purpose of the assessment is to gain and provide feedback on the staff's effectiveness and efficiency, as well as to identify areas for staff development and training. The appraisal will also assess the efforts to address gender and social inclusion issues and changes in behavior.

Performance appraisal covers the 12-month period from Mid July to Mid July. Performance appraisals are required for all staff, except for those newly hired staff who joined Hami Yuwa after January and have not completed three months' probation period by the mid of July.

4.2

Capacity Building and Staff Development

Regular performance monitoring and annual staff performance assessment may result in identification of areas for future capacity building and staff development. Board in coordination with the Secretary will prioritize these staff development and capacity building needs and prepare an organizational plan of action for staff development and capacity building. The Management plans will outline tentative staff development activities, individuals or organizations to deliver the activities, timing for the activities and results expected at the end of the staff development and capacity building activities. Management will ensure that the staff development and capacity building activities are implemented within the planned timeframe in a satisfactory manner. Management will also monitor and evaluate effectiveness of the staff development and capacity building activities.