

# Human Resources policy



DECISION DATE: 15/09/2020

DECISION BY: Concrete Jungle Foundation's Board

APPLICABLE FROM: 15/09/2020

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## Ethics

### 1. Values

The stated Vision and Mission of Concrete Jungle Foundation (CJF) guide the Human Resource policies of CJF. The values set out below are the guiding principles for the organization and its members. We therefore not only own them and value them but also manifest them in all our endeavors to make this world a better place for all - especially for the poor and the marginalized for whom we seek to benefit. We believe in the dignity of the human persons, their right to rule and manage their own lives by developing their inherent potentials and making the optimum use of the opportunities before them. We become the facilitators in the process.

#### 1.1. The dignity of the human being

CJF, in all its endeavors will ever strive to protect and promote the dignity of the individuals in its own workplaces, in dealing with partners and the society at large. We believe in the sacredness and the value of life and the inalienable right to life of every human being. CJF in all its efforts will promote respect for human lives irrespective of Religion, Caste, Culture, Gender, Language, Territory or any other distinction.

#### 1.2. Equality

CJF believes in a society where equal opportunities are provided to every person to avail, access and control resources in proportion to each one's needs and capacities. CJF is aware of the need to be gender sensitive, gauging the limitations of the present day society in developing countries. Our efforts are to ensure indiscriminate participation of women and men. We believe in a society where biases and prejudices do not have a strong hold. It is also our conviction that we need to reduce vulnerabilities and marginalization through our interventions within the society so that each one has the opportunity to be included and be an enriched human being.

#### 1.3. Justice

We will promote justice and peace in society. We believe that every human being has the right to express and be heard and treated justly in all situations. We are the one in the forefront when justice is denied, human rights are violated, and when the vulnerable and the marginalized are oppressed and exploited. We focus our interventions in such a way that we support and network with like-minded individuals and organizations working for the same cause.

#### 1.4. Solidarity

CJF will strive to enhance solidarity among all. Through solidarity we express a firm determination and commitment to the common good.

## **2. Anti-harassment and bullying**

2.1. We are committed to having a workplace which is free from harassment and bullying and to ensure that all employees, contractors and, others who come into contact with us in the course of our work, are treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is central to ensuring equal opportunities in employment.

This policy and procedure is intended to support this commitment in practice and to provide guidance to staff on how to deal with concerns of bullying or harassment.

2.2. We will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying.

2.3. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment. We will take appropriate action if any of our employees or contractors are bullied or harassed by our stakeholders or suppliers.

2.4. Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal.

2.5. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

## **3. Conflict of interest**

The Employee shall take all necessary steps to prevent any situation, which might compromise impartiality and objectivity in the execution of the Employment Agreement. In particular, such a conflict of interests might stem from an economic interest, political or national affinities, family or emotional ties or any other pertinent connection or community of interests. Any conflict of interests, which emerges during the performance of the Employment Agreement, shall be notified by the Employee to the CJF in writing immediately and the Employee must take all necessary steps to resolve any conflict that has arisen.

CJF reserves the right to ascertain whether the steps taken by the Employee are appropriate and may - if necessary - require additional action to be taken within the period specified by CJF itself.

## 4. Whistleblowing

### 4.1. Policy

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the charity is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the charity or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

### 4.2. Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called 'qualifying disclosures'. A qualifying disclosure is one made by an employee who has a reasonable belief that:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation
- concealment of any of the above

...is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the charity's responsibility to ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

### 4.3. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of the charity will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the chief executive or the chair of the board of trustees.

# Employment & Recruitment

## **1. Equal opportunity**

Concrete Jungle Foundation does not discriminate against anyone based on race, religion, gender, social background, or sexual orientation. We expect every member of our staff to be like-minded in working toward a society with equal opportunities.

## **2. Probation period**

- The probationary period allows supervisors to oversee an employee's work, offer advice to increase effectiveness or dismiss the employee.
- This policy applies to any newly hired.
- All staff employees new to a position at CJF are subject to a 30 day probationary period. A new probationary period starts when an employee transfers or is promoted to a different position. In situations where a department requires additional time to assess an employee's performance, CJF may authorize the extension of a probationary period.
- Employees must be informed of an extension, in writing, prior to the expiration of the initial probationary period.
- When employees are absent from work for a total of 10 working days or more during their probationary period, the period may be extended by the length of the absence. When the supervisor's position is vacant during an employee's probationary period, the supervisor hired to fill the vacant supervisory position, may extend the probationary period by the length of the vacancy.
- A probationary period does not guarantee employment for the month period, an employee may be terminated for any reason at any time, either during the probationary period or after completing it, if authorized by CJF. In cases of termination during the probationary period, notice or pay in lieu of notice may be offered.

## **3. Remuneration**

### 3.1 Policy Statement and Scope

As an organisation we recognise our key responsibilities towards our beneficiaries, donors, supporters, staff and the public. We understand the significance of raising accountability and transparency in all aspects of our work. That's why we are detailing our approach to pay. At Concrete Jungle Foundation, each of us is driven by our mission to empower disadvantaged individuals and communities worldwide through fostering and sustaining the positive values inherent to skateboarding. This means that we are committed to maximising our impact across all elements of our life-changing work. We must offer a fair salary for the skills and the experience that we need to run a high performing, cost-effective and successful charity. Aiming to maximise our impact through fair salaries for talented people is what defines our approach to pay. This policy will apply to all staff employed at CJF, it does not however apply to self-employed contractors engaged on a contract of service.

Note: This policy is non contractual and may be updated or varied by CJF.

### 3.2. Aims of this policy

The Concrete Jungle Foundation remuneration policy is built around the following aims:

- Pay will be competitive so that the charitable objectives can be delivered.
- Every employee is different, so every employee's needs and motivations are different.
- Peoples' working arrangements can be flexible to aid productivity (where appropriate to the job role)
- Concrete Jungle Foundation encourages a work-life balance and encourages regular breaks from work using paid holiday.
- Strong governance structures in place to ensure remuneration is managed in line with best practice and properly monitored

### 3.3. How Pay Is Governed at Concrete Jungle Foundation

- Our principles are to pay our staff a fair salary, proportionate to the complexity of each role, it's related funding and responsible in line with our charitable objectives.
- Pay levels for all employees are to be reviewed annually and any overall percentage increases are to be authorised by the Board.
- The Executive Director is responsible for setting all other employees salaries.
- Salary increases will relate to the funding available for each role and whether the increase will be affordable long term.

### 3.4. Equal Pay

Equal pay deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value. We recognise it is unlawful to pay people unequally because they are a man or a woman.

### 3.5. The Wider Employment

We understand that pay is one part of the employment package we offer to our employees, we seek to promote personal development and fulfilment where possible. The charity is open to discussions with staff if they feel that their role can be worked more productively in another way.

### 3.6. Board remuneration

- The Board Members are to receive no remuneration for their activities.
- They are however entitled to reasonable compensation for the expenses they incur as a result of carrying out their function on a basis by submitting proper documents (see Financial Management and Risk Policy).

### 3.7. Volunteer remuneration

Volunteers are entitled to receive, to prior approval of the Directors or Managers, remuneration for expenses incurred on a reimbursement basis by submitting proper documents (see Financial Management and Risk Policy).

# Absence

## **1. Annual leave**

The Employee shall be entitled to 24 days paid holiday per calendar year based on a full-time employment. For periods of employment of less than one year, leave shall be calculated on a pro rata basis.

Holidays that have been built up during year "n", can be transferred to year n+1 and – with the exception of days of holiday that exceed the legal minimum - will expire on 30 June of year n+1.

## **2. Public holidays**

In addition, the Employee is entitled to paid leave on the public holidays as set out on the “List of the public Holidays for CJF sites” that is amended by the CJF yearly and published on the Gdrive.

## **3. Sickness leave**

3.1 In the case of illness, the Employee shall inform without delay its management.

3.2 As soon as the Employee is capable of resuming its duties, the Employee must do so and inform the CJF.

3.3 If the Employee does not observe these rules, sickness pay can be withheld and, in the worst case, the Employment Agreement can be terminated with immediate effect

3.4. For absences in excess of one month in the case of sickness, or accident, or unpaid leave, staff will lose their monthly leave entitlement on a pro rata basis.

## **4. Maternity leave and paternity leave**

CJF grants paid maternity/paternity leave which will be governed by the country specific Govt regulations and laws on the subject.

## **5. Matrimonial leave**

5.1 The Employee is entitled to fifteen calendar days of special paid leave in the event of their getting married during the period of the contract upon submission of the marriage certificate to CJF. This leave has to be taken as a whole at one time and cannot be broken down to smaller periods. The Employee can take this leave either at the moment of the matrimonial ceremony or for the purpose of the honeymoon.

## **6. Parental leave**

6.1 Both parents have the right to be absent from work without pay (parental leave) for each child during their first eight years of life. The sum of the parental leave of both parents may not exceed ten months. If the working father exercises his right to be absent from work for a continuous or fractioned period of not less than three months, the combined limit of parental leave for both parents is raised to eleven months. However during the periods of parental leave up to the end of the child's first year, the Employee has a right to an allowance equal to 30% of the remuneration, for a maximum combined period of six months.

Parental leave can be taken part-time (fixed pattern) or full time. It can be taken continuously or in maximum 6 fractioned periods, each period of at least 1 (one) month. Parental leave needs to be requested at least 2 months in advance.

# Performance Management

## 1. Purpose and Scope

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The company rules and this procedure apply to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.

## 2. Principles

- Informal action will be considered, where appropriate, to resolve problems.
- No disciplinary action will be taken against an employee until the case has been fully investigated.
- For formal action the employee will be advised of the nature of the complaint against the staff and will be given the opportunity to state the Employee case before any decision is made at a disciplinary meeting.
- Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.
- An employee will have the right to appeal against any disciplinary action.
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

## 3. Procedure

### *First stage of formal procedure*

This will normally be either:

An improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will:

- Set out the performance problem,
- The improvement that is required,
- The timescale, and,
- Any help that may be given and the right of appeal.
- The individual will be advised that it constitutes the first stage of the formal procedure.

A first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and

- Set out the nature of the misconduct,
- The change in behaviour required, and,
- The right of appeal.

The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change.

A record of the warning will be kept, but it will be disregarded for disciplinary purposes after a specified period (six months).



#### **4. Final written warning**

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give details of;

- The complaint,
- The improvement required and the timescale.
- It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal), and,
- Will refer to the right of appeal.

#### **5. Dismissal or other sanction**

If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment).

Dismissal decisions can only be taken by the appropriate senior manager, and the employee will be provided in writing with;

- Reasons for dismissal,
- The date on which the employment will terminate, and,
- The right of appeal.

If some sanction short of dismissal is imposed, the employee will

- Receive details of the complaint,
- Will be warned that dismissal could result if there is no satisfactory improvement, and,
- Will be advised of the right of appeal.

The following list provides some examples of offences which are normally regarded as gross misconduct:

- Theft or fraud
- Physical violence or bullying
- Deliberate and serious damage to property
- Serious misuse of an organisation's property or name
- Deliberately accessing internet sites containing pornographic, offensive or obscene material
- Serious insubordination
- Unlawful discrimination
- Harassment
- Bringing the organisation into serious disrepute
- Serious incapability at work brought on by alcohol or illegal drugs
- Causing loss, damage or injury through serious negligence
- A serious breach of health and safety rules
- A serious breach of confidence

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

#### **5. Appeals**

An employee who wishes to appeal against a disciplinary decision must do so within five working days.