



Institute of Policy Analysis
and Research - Rwanda

ADMINISTRATIVE AND PERSONEL RULES & REGULATIONS

INTRODUCTION

Considering the law No. 20/2000 of 26 July 2006 regarding the establishment of the Institute of Policy Analysis and Research- Rwanda (IPAR-Rwanda), the staff rules are intended to provide a general overview and guidance of various administrative and personnel practices and policies within IPAR- Rwanda’.

This document of the working procedures provides each administrator and employee with a clear explanation of all existing personnel policies, procedures and practices.

The information is to be used as a guide to assist employees and supervisors in understanding and following personnel procedures, to help assure procedural uniformity throughout the organization. The procedures shall also assist in the orientation of all personnel.

The documentation is presented in good faith and reflects the intent of providing fair employment practices, equal opportunity for present and future employee and good working conditions.

CHAPTER I: GENERAL ADMINISTRATIVE PROVISIONS

The staff of institute of Policy Analysis and Research hereafter referred to, as “IPAR” comprises of the Executive Director, Director of Research, FAM, Researchers and Administrative support staff. All members of IPAR staff are employed under the current staff rules and terms of employment as provided for under contract terms of service.

The management committee of IPAR is chaired by the Executive Director and is comprised of the Executive Director, the heads of departments, Researchers representative, M&E and any other invited staff. Periodic meetings are held on weekly basis and the committee determines their frequency.

The statute establishing IPAR gives powers to the General Assembly of IPAR to appoint the Chairman and the members of the BoD. The BoD appoints the Executive Director and key professional staff after being subjected to recruitment procedures.. Other employees are recruited, assigned, appointed, promoted and demoted by the Executive Director in conformity with the provisions of the present rules. The Executive Director appoints short-term staff and consultants through acceptable recruitment procedures.

The obligations of the IPAR and the Staff are both governed by the law n° 51/2001 of 30/12/2001 establishing the Rwanda Labour Code



CHAPTER II: RECRUITMENT, PROBATION PERIOD, OFFICIAL APPOINTMENT

Section 1: Recruitment

Recruitment of any staff follows the recruitment policy and procedure of IPAR - Rwanda. A consistent recruitment plan and strategy must be followed to ensure fairness in staff recruitment.

It is prohibited to directly or indirectly make any form of discrimination aiming at denying the worker’s right to equal opportunity or to the salary based on the following: race, colour, origin, sex, marital status, family responsibilities, religion, beliefs or political opinions, social or economic conditions, country of origin, disability, previous, current or future pregnancy and any other type of discrimination.

The IPAR Rwanda shall hire an individual consultant / consultancy firm or use an internal recruitment committee with the following members to handle the recruitment process.

- Executive Director,
- Research Director,
- Administration and Finance Manager

Additional member specialized in the domain of recruitment (From BoD/Donor/Public Service).

Upon Management’s request, the committee shall meet, to review vacancies, new positions, and status changes (permanent or temporary); these requests will be considered as part of the regular budget process and in accordance with the organization structure.

Requests for new positions must be submitted to the Executive Director as part of the budget process. These requests are then submitted to the Recruitment Committee for review and recommendations of the committee are sent to the Executive Director. The management committee prioritizes personnel requests for inclusion in the proposed budget.

Article 1: Staffing Requests.

Directors and/or Heads of Departments shall be responsible for indicating the number of positions required in their respective departments with proper motivation for each extra position or vacancy that must be filled. When a position becomes vacant, the Directors and/or Head of Departments shall



prepare and send a motivation letter, together with a job description for the proposed vacant position to the Executive Director for recruitment approval.

After the request has been approved by the Management Committee, the Administration and Finance Department shall proceed with the recruitment process.

Upon receipt of an approved Personnel Requisition form, a position file is created. This file is used as a record of all action taken in recruiting, screening and the selection processes for the position.

Job Vacancy Notices and employment advertisements will be handled by the Administration and Finance Office. Vacant positions are advertised through recognized print media and/or Internet via the IPAR Website. Exceptions may be made based on a determination considered to be in the best interest of the IPAR management.

The Vacancy advert shall include the job title, Minimum requirements, a brief description of the job tasks and closing date for accepting applications. The posting period shall be at least fourteen (14) working days for any position.

All applications will be collected through the Office of the Executive Director, screened by the recruitment committee using criteria established.

Recommendation report shall be drawn by the recruitment committee and forwarded to the Executive Director / the Board of Directors for approval. The approved report shall be submitted to the Administration and Finance Unit for filing together with the signed contract.

The Executive Director notifies all candidates as to the outcome of the selection process. An effort will be made to secure a written acceptance of the tentative job offer from the successful applicant prior to Executive Director / Board's approval.

Article 2: Temporary replacement

For temporary positions, Directors/ Heads of Department must write a motivation letter and submit it to the Executive Director for approval after consultation with Management Committee. If it is temporary replacement of a permanent employee, the Executive Director shall endorse the request and the Administration and Finance Manager shall effect the appointment.

Article 3: Appointment and dismissal of staff

All IPAR- Rwanda staff are appointed and dismissed by the Executive Director. However, the appointment and dismissal for the positions, Directors and Managers, are the responsibility of the Executive Director after consulting the Board of Directors.

Section 2: Commencement of service, probation period and official appointments

Article 4: Appointment and Commencement

The date of appointment of staff to IPAR - Rwanda is the date mentioned on the appointment letter. Commencement date is the date on which the employment contract is signed by both parties. The salary and other benefits are computed from the date of commencement.

Every new employee is given a copy of his/her signed employment contract and a copy of internal rules and regulations.

Article 5: Probation period

Every new employee will undergo a mandatory three months probation period. The purpose of the probation period is to allow IPAR – Rwanda's management to assess whether the new employee has the ability and skills required or as desired by the respective funders.

A performance appraisal must be conducted by the immediate supervisor one week prior to the completion of the three months' probation period. The appraisal form must be forwarded to the Administration and Finance Manager two days prior to the end of the probation period. The employee must be informed that he/she has satisfactorily completed his/her probation period.

Where it is necessary to extend the probation period, the employee will be informed of the reasons for the extension. A letter advising the employee of the extension of probation period shall be issued and the employee shall acknowledge receipt. The extension should not exceed three (3) months.

Article 6: Orientation & Induction

All new employees shall be given orientation and induction as provided for by the orientation and induction policy and procedures in place.

Article 7: Staff records

It is the responsibility of the Administration and Finance Manager to ensure that a personal file is opened for every employee. The file should include: application letter, letter of appointment, copy of Identity card/passport, Curriculum Vitae and certified copies of qualifications, employment contract, leave forms, disciplinary/grievance procedure forms, performance appraisals and other general information related to personnel

Article 8: For expatriate staff

Expatriate staff need a visa and work permit to work and stay in Rwanda. Visas issued to them are valid for a maximum period of 2 years and must be renewed before expiry and when the employment contract is still valid. The IPAR - Rwanda will facilitate staff by paying a maximum of 75% of total amount required for visa - where applicable.

CHAPTER III: DURATION OF WORK AND OBLIGATIONS

Section 1: Duration of work

Article 9: Duration of work

The legal working hours are forty five (45) hours per week for all staff. The timetable for daily work and rest is fixed by the respective Head of Department/Unit manager. Hours of work must be recorded on a daily basis by use of electronic attendance register fixed at the office entrance. The number of hours worked shall be the basis for the computation of monthly salaries for staff.

-Official working hours shall start at 8.00 AM and close at 5.00 PM with a lunch break of one hour from 12.00 A.M to 1P.M

-Sports shall start at 3.00 P.M every Friday

Section 2: Obligations

Article 10: IPAR- Rwanda's Obligations to employees

The employer will:

- Make effort to ensure that staff are placed in the positions to which they are best suited



- Create conditions under which staff can enjoy a high level of job satisfaction, personal safety and dignity
- Pay the staff the agreed remuneration regularly and in due time.
- Avoid whatever may hamper the organization's functioning, its staff and the environment

Article 11: Employee obligations to IPAR – Rwanda

Every employee is expected to provide the best quality of work and service to the employer and contribute to the successful fulfilment of IPAR's mandate by:

- Performing the duties faithfully as captured by the job descriptions and co-operate with others in order to provide quality work,
- Respecting the rules and regulations of the Institute and safeguard its interests, implementing with diligence the professional orders by their superiors and mutually work together for the good of the organization,
- Participating in research projects, workshops, seminars, conferences, publications and advanced courses planned by IPAR,
- Showing courtesy at work or in public and to attend work punctually and for the specified hours according to regulations.

Article 12: Staff Confidentiality

Every employee is bound at any time and wherever they may be to observe confidentiality and professional ethics for all information they have learnt or acquired during the course of their service at IPAR- Rwanda.

Article 13: Staff Dress Code

Every employee must dress appropriately while on duty to reflect the corporate image of IPAR

All employees are required to display their identification badges at all times at work.

Article 14: Staff code of conduct

Staff ethics and code of conduct, disciplinary and grievance procedures are determined and further detailed under the policy entitled Staff Code of Conduct and Disciplinary Procedures.

CHAPTER IV: PERFORMANCE APPRAISAL

Article 15: Duration of performance appraisal

Every employee shall be appraised every year. The performance appraisal must be an objective exercise in which the employee fully participates. It should reflect the actual performance, behaviour and output of the staff during the period under consideration, ideally to establish a plan of improvement and development.

Article 16: Model of performance appraisal

Within the Service/Unit the appraisal will be done by the immediate Supervisor in collaboration with the respective Director and/or the Executive Director if necessary.

Article 17: Objectives of performance appraisal

The objectives of the performance appraisal are to:

- Identify and highlight the employee's potential for development.
- Identify and assist the employee to overcome his/her weaknesses in order for his/her performance to improve.
- Provide positive information and encouragement of an employee for good job performance over the period under review.

Article 18: Performance appraisal procedures

- Provide staff members with appraisal forms to complete and do the self appraisal
- Every staff member shall return the completed form to the Supervisor ahead of time for the appraisal meeting
- Set up a meeting with the supervisor to discuss the appraisal and comments
- Prepare the staff member to receive feedback
- The employee should be informed and sign on her/his final score.

Article 19: Performance appraisal rating

The appraisal is rated as follows:

Rating	Rating	Category	Description
1	1-69%	Sub-Standard Performance	<p>⇒ Performance does not meet the standard expected for the job.</p> <p>⇒ The review/assessment indicated that the job holder has achieved <u>less than standard results against almost all</u> of the performance criteria and indicators as specified in the Performance Agreement and Work plan.</p>
2	70-79%	Standard Performance (and slightly above expectations)	<p>⇒ Performance fully meets the standard expected in all areas of the job.</p> <p>⇒ The review/assessment indicates that the jobholder has achieved as a minimum <u>standard (effective) results against all</u> of the performance criteria and indicators as specified in the Performance Agreement and Work plan.</p>
3	80-89%	Strong Performance	<p>⇒ Performance is significantly higher than the standard expected in the job.</p> <p>⇒ The review/assessment indicates that the jobholder has achieved <u>strong or better than fully effective results against more than half</u> of the performance criteria and indicators as specified in the Performance Agreement and Work plan and fully achieved all others throughout the performance cycle.</p>
4	90-100%	Superior Performance	<p>⇒ Performance far exceeds the standard expected of the jobholder at this level.</p> <p>⇒ The review/assessment indicates that the</p>



			<p>jobholder has achieved <u>superior or better than fully effective results against all</u> of the performance criteria and indicators as specified in the Performance Agreement and Work plan and maintained this in all areas of responsibility throughout the performance cycle.</p>
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- Sub-standard (0-69) : With difficulty of adaptation
- Standard (70-79) : Expected level of performance
- Strong(80-89) : Significantly higher performance
- Superior (90% and above) :Highest rate performance exceeding normal expectations

Article 20: Promotion:

Any promotion based on the annual performance appraisal of staff is recommended by the Head of Department/Director according to set criteria and approved by the Management Committee.

Article 21: Performance Improvement Plan

Staff who are appraised as Sub-Standard will be given a Performance Improvement Plan and be re - assessed in the next three months and if there is no progress in their performance, they shall be dismissed. If the staff improves his/her performance during that period he/she is given new Key Result Areas and the performance appraisal be done in the next three months.

During Performance Improvement process, the following procedures should be observed

- Informal feedback: a conversation with the employee about the problem
- Verbal warning: a second, formal conversation with the employee about the problem, what must be done to address it, and by when
- Review performance appraisal: a formal meeting with the employee to review the employee goals and learning contract, determine what must be done to address the employee’s performance problem, and by when
- Written warning: a written document that describes what the performance problem is and what the employee must do to fix it and by when

- Termination: Terminating service contract

Article 22: Professional Development

IPAR-Rwanda is committed to capacity development for its employees. IPAR shall support and encourage the use of training and career opportunity programs in accordance with the equal opportunity principles and in compliance with regulatory and policy requirements.

Article 23: Performance appraisal appeals

Before the performance appraisal process starts, the management committee shall appoint an appeal committee.

Any staff who is not satisfied with his/her appraisal will raise a concern and, the immediate Supervisor will submit his/her appraisal to the appeal committee to re-evaluate the staff appropriately.

Article 24: Transfers:

The Management shall transfer employees from one department to another in a related field of expertise and to require employees to undertake such duties as IPAR- Rwanda may reasonably direct. This shall be agreed upon between the Employer and the Employee.

Any staff that is transferred from the department/unit to another after spending at Least four months in the first unit should be evaluated by the previous immediate supervisor.

CHAPTER V: INTERRUPTION OF SERVICE

Section 1: Leaves

Article 25: Leave category

Leaves are subdivided as follows:

- Annual leave
- Maternity leave
- Sick leave
- Incidental leave (in case of good or unfortunate events which may occur in his/her family)
- Special leave
- Study/Training leave

Article 26: Annual Leave

An employee is entitled to a leave of 22 working days exclusive of Public Holidays, for each year of continuous service including the probation period. In addition, he/she has one supplementary leave day added after every three years of service at IPAR - Rwanda for consecutive nine years.

Article 27: Maternity Leave

Every employed woman has the right to a maternity leave of twelve (12) consecutive weeks. This woman may decide to start benefiting from this leave two (2) weeks before the tentative date of delivery.

Of the twelve (12) consecutive weeks of maternity leave, the first six (6) weeks are compulsory. The second six (6) weeks are optional with either continuing with the leave and earn 20% of the monthly gross salary or reporting on duty. In the second six (6) weeks, the employee shall be entitled to 2 hours break for breast feeding.

A woman who delivers a still-born or whose infant of less than one month of age is dead shall benefit from a leave of four (4) weeks as of the day the event occurred.

For a twelve month period starting from the day on which an infant is born, every employed woman is entitled to a rest period of one (1) hour per day, to allow her to breastfeed the child.

Article 28: Incidental Leave

Employees are entitled to compassionate leave within the following limits:

- Death of a spouse : 8 days(calendar)
- Death of a direct family member (first degree i.e. Father,mother,child): 5days (calendar)
- Death of brother or sister : 4 days (calendar)
- Death of a father or mother in law : 4 days (calendar)
- Legitimate wife giving birth : 6 days (calendar)
- Wedding of staff : 6 days (calendar)

N: B. Incidental leave is given at the time of the event that gives right for the leave.

Article 29: Sick leave

Sick leave is given in case of illness or injury duly diagnosed by medical doctor and must be issued with a medical certificate.

Article 30: Mission, Conference, Seminar, Workshop.

An employee going for a mission, conference, workshop or seminar must have authorization of the Executive Director before leaving.

Article 31: Unpaid leave:

Unpaid leave shall be applied for at least one month in advance In this case; the employer shall decide and reply within 30 days. If at the end of this period the employer has not decided on the case, the request will have been granted.

Article 32: Training/Study leave

The study leave request should be approved by Executive Management Committee; it has to be in the IPAR – Rwanda’s priorities.



Any Staff awarded a study leave will be paid 50% of his/her Gross salary during the period of studies.

Article 33: Leave procedure

The procedure for each leave category is detailed in the leave policies and procedures

Article 34: Special Leave form

All signatories shall sign the leave form before an employee goes on leave. Relevant documentation must be attached to the leave form (Medical note, Death certificate if applicable, etc).

CHAPTER VI: TERMINATION OF SERVICE:

Article 35: Employment termination

The contract of employment with IPAR- Rwanda shall be terminated due to the following reasons:

- Desertion
- Resignation
- Poor performance
- Retirement
- Retrenchment
- Violation of IPAR's rules and regulations
- Physical unfitness

Article 36: Desertion:

Desertion occurs when an employee is absent without permission for a period of more than five working days. In this case, the contract is terminated without notice.

Article 37: Resignation

Resignation shall occur when an employee decides to terminate a contract and this resignation shall be subject to a prior notice given by the employee as provided for by the labour code, Exits & Termination policy and the employment contract.

Article 38: Sub standard-performance

An employee appraised as Sub standard shall be re -assessed in the next three months and if there is no progress in his/her performance, he/she shall be dismissed.

Article 39: Retirement

The Minimum retirement age is set at 55 years, the maximum shall be 65.

Article 40: Retrenchment

- i. The employer shall dismiss individual or collective employees due to economic reasons, internal reorganization or consecutive restructuring for economic difficulties or technological transfers with the aim of protecting the economic competitiveness of the institution. In such a case the dismissal ranking shall be done in accordance with the performance, professional qualification, time spent in the organisation and social charges of each employee. The employer informs the competent labour inspector in writing.

Article 41: Violation of IPAR-Rwanda's rules and regulations

An employee shall be dismissed when he/she displays gross misconduct as detailed in the IPAR-Rwanda's Code of conduct and disciplinary procedure.

Article 42: Physical unfitness

An employee shall have the right to payable sick leave of three (3) months and a non payable work suspension of three (3) months maximum. Any sick leave which exceeds the maximum of six months will lead to termination of the employment contract.

CHAPTER VII: APPEALS

Article 43: Appeals mandate:

The Executive Director makes the final decision on the appeals brought in by staff against the following situations:

- Non-confirmation at the end of the probation period
- Disciplinary sanctions
- Performance Appraisals.



CHAPTER VIII: FINANCIAL PROVISIONS

Section 1: Salaries, Allowances and Benefits

Article 44: Salary categorization and payment

Salary shall be paid using currency with legal tender in Rwanda. The employer shall pay the employee the whole salary to which he/she is entitled and deposit it in a bank or in any other financial institution on account of the employee's choice.

Article 45: Hourly Workers/Casual Workers

Casual workers must keep attendance registers, as remuneration will be calculated according to the duties recorded in this document.

Electronic monthly attendance registers must be handed in on the first day of the following month and payment will be made at the end of each month.

Article 46: Overtime

Employees must have permission from the Executive Director to work overtime and this has to be indicated on the staff duty roster.

Enforcement of overtime modalities will be as per the Labour Code and related Order.

Article 47: Overtime allowance

All claims concerning salaries for over time must be handed in by the 5th of every month to the Finance office

Article 48: Death allowance

In case of the death of a staff during employment, IPAR - Rwanda grants his/her spouse or other legal beneficiaries an allowance equal to a net of 800,000 Rwf.

An allowance of 1,000,000 Rwf will be granted to his/her spouse or other legal beneficiaries if the death is caused by accident at work or work related illness.



In both cases, Funeral costs of five hundred thousand Francs (500,000 Rwf) as well as the transport of the body from where to where shall be supported by IPAR- Rwanda.

In case of death of spouse or legitimate child of an employee, the IPAR-Rwanda shall give an allowance equal to 600,000 Rwf to the employee.

300,000 Rwf shall be given to an employee who has lost a direct relative (father/mother/sister/brother).

In both cases, a death certificate for deceased should be produced and submitted to the Finance Office. Where urgency necessitates, payment is made of the allowances before producing this document. A grace period of 1 month shall be allowed for the concerned staff to produce the death certificate, failure of which the amount mentioned amount shall be deducted from his/her salary.

Article 49: Medical cover

Staff members shall have the optionedical insurance cover available. This will change from time to time as management deems it fit.

Article 50: Requirements for Medical Insurance

All staff benefiting from the medical cover above shall provide Administration and Finance Office;

- The given names and photos of their legally accepted dependants. Dependants include wife or husband and children.
- For the wife/husband a copy of the marriage certificate must be handed in as well
- In case of biological children, a birth certificate is required as proof.
- In the case of adopted children, a certificate from the competent court is required. The children mentioned here are those at or under 21 years of age.

Article 51: Salary advance

IPAR - Rwanda shall only approve salary advance in cases of utmost critical emergency.

Procedure:

- Employees who wish to apply for a salary advance must write a request letter to the Administration and Finance Manager.
- Once approved, this will be forwarded to the Accounts department.



- A maximum amount of 30% monthly salary will be approved.
- The Executive Director shall approve special cases.
- The amount of the advance will be deducted in full over one month period.

Article 52: Other Allowances

IPAR shall provide employees who travel in course of its business, within the country, but outside the district of Kigali, transport & travelling allowance. The amount shall be fixed by the Mission Allowances and Procedures Policy.

Article 53: Employee in acting positions

Employees in acting positions shall receive the responsibility allowance corresponding to the position after three (3) months without arrears. Duration of the acting position should not exceed six months.

Article 54: Deductions

The following deductions will be made from the employee's salary:

- Professional Tax (according to the law).
- Social security contributions
- Other deductions as provided for under the law and/or by IPAR- Rwanda's management.
- Medical Insurance contributions where applicable
- And others as detailed in the agreement / staff contract.

The Administration and Finance Manager shall provide to staff a payslip indicating all the entitlements and deductions at the end of every month.

CHAPTER IX: HEALTH AND SAFETY AT WORKPLACE

Section 1: Employer's responsibilities

Article 55: Cleanliness at work place

Working premises shall be kept clean and equipped with health safety and protection facilities.

The employer has to educate his/her workers on health and safety and to post in the work premises those safety and health instructions to be observed with regard to safeguarding health and prevention of hazards.

Article 56: Protection equipment

The employer shall put at the worker's disposal all necessary and appropriate protection equipment and look after their correct use. He/she must know ways and means to protect against hazards and train workers on such ways and means.

Article 57: General and specific conditions for health and safety at the workplace

Safety, Health & Environment policies and procedures determine the general and specific conditions for workers' health, prevention of and protection against hazards at workplace.

Article 58: Employee responsibilities:

The employee shall be responsible for the safety of themselves and others in the workplace. All employees shall report amongst other things to their immediate supervisors in the prescribed manner:

- Potential hazards
- Anything having potential for dangerous or disastrous consequences involving individuals, clients and visitors.

CHAPTER X: TRANSITIONAL AND FINAL PROVISIONS

Article 59: The Internal rules and regulations and labour code

For anything that is not covered by these internal rules and regulations, the Organisation shall apply the Rwandan labour code in force. Rwanda.

Article 60: Language of the Internal Rules and Regulations

The internal rules and regulations are written in English.

Article 61: Publication

The rules and regulations contained in this document are approved by the Management Committee, signed by Executive Director and circulated to ensure that they are known and as a result adhered to, by all employees.

Article 62: Amendments

The Management Committee has the sole right and authority to amend these rules and regulations. Any amendments proposed by the IPAR Management Committee shall be approved by the Executive Director and be made effective from the date of approval.

Article 63: Date of implementation

These internal rules and regulations come into force after the approval by the Management Committee and signed by the Executive Director.

Annexure

CODE OF CONDUCT AND DISCIPLINARY PROCEDURES

OBJECTIVE

The Code of Conduct for IPAR- Rwanda staff and Disciplinary Procedures is a document, which outlines the Code of ethics and establishes the disciplinary procedures and related applicable sanctions.

The Code of conduct is formulated to help employees understand the standards of personal and professional behaviour required of them to maintain public confidence in IPAR –Rwanda

DISCIPLINARY MISCONDUCTS

1. Definition

For the application of this code, the word, "**Misconduct**" means any breach of legal and lawful provisions of IPAR -Rwanda.

Any attempt to commit a fault will be punished in the same way as misconduct effectively committed.

2. Categorization of Disciplinary Misconducts

The disciplinary misconducts are subdivided in three categories:

- a) Minor misconducts;
- b) Serious misconducts;
- c) Gross misconducts.

2.1. Minor misconducts

Minor misconducts include the following:

- a) Attendance of the service with delay without permission.
- b) Leave the service early without permission.
- c) Unauthorized absence from the work place during working hours
- d) Failure to display the identity card when on duty.

2.2. Serious misconducts

Serious misconducts include:

- a) An unjustified absence from work for a period from 1 to 5 working days.
- b) Threatening or aggressive behaviour towards colleagues, superiors, and the client or vice versa.
- c) Failure to obey lawful and reasonable instructions given by the superiors (Insubordination).
- d) Drinking alcohol during working hours.
- e) Smoking on the IPAR premises.
- f) Insult colleagues or clients while on duty.
- g) Unauthorized use or abuse of IPAR- Rwanda facilities or equipment including computer system.
- h) Deliberately sending bulk of unsolicited mail, commercial advertising of other businesses flooding, or excessive cross posting on UseNet newsgroups (called spam); whether on the internal email system or externally
- i) Failure to abide by the Policies and Procedures and instructions set by IPAR - Rwanda management.
- j) Failure to take action against an employee under your supervision who has committed an offence.
- k) Carry out any private business during working hours.
- l) Making unnecessary loud noise in the Office premises
- m) Spreading harmful rumours about the Institution.
- n) Spreading harmful rumours against a colleague

- o) Signing attendance register on behalf of another

2.3. Gross misconducts

Gross misconducts include the following:

- a) Theft
- b) Negligence that leads to loss of IPAR- Rwanda property(s)/asset(s).
- c) Fraud.
- d) Cover up of any acts of bribery, corruption or theft.
- e) Corruption or any attempt to corruption.
- f) Using or attempting to use his/her position to have personal advantage.
- g) Falsifying documents.
- h) Award tender regardless of tender procedures.
- i) Violation of recruitment procedures.
- j) Mishandling clients, including: Being impolite, biased or unfair; Failure to provide information intended for the clients when required. ; Not providing services deliberately to the clients without a genuine reason.
- k) Assault
- l) Damaging IPAR-Rwanda assets
- m) Incapacity with work due to alcohol intoxication and/or being under the influence of other illegal drugs and substances
- n) Breaking professional confidentiality.
- o) Use of any computer resource to promote any business or enterprise, except that of IPAR-Rwanda, unless such use is explicitly permitted by an agreement between the Employee and the Employer
- p) Deliberately damaging or deleting IPAR-Rwanda business electronic files
- q) Obtaining and/or using access codes and/or passwords of another computer user without authorisation.
- r) Refusal to carry out duties in relation to the individual's job description.
- s) Violation of financial regulations or guidelines issued by IPAR-Rwanda.
- t) Being guilty of criminal acts within or outside of IPAR-Rwanda.
- u) Absence from duty without authorisation for more than five(working) days
desertion

- v) Sexual harassment against, client, visitor or fellow staff.

DISCIPLINARY SANCTIONS

The disciplinary sanctions are taken according to the misconduct displayed taking into account mitigating or aggravating circumstances.

Subject to the mitigating or aggravating circumstances, the employees having displayed the same misconduct shall be subjected to the same sanction.

Verbal warning:

Verbal warning applies to minor misconducts made. Verbal warning shall be given by the direct supervisor and be documented in the respective department/unit. The document has to be signed by both parties.

First written Warning

First written warning applies to minor misconducts made after verbal warning. The first written warning shall be sanctioned by the direct supervisor after consulting Administration and Finance Manager and a copy to the respective Director.

This sanction is waved after 6 months if the employee does not undergo any other sanction.

Second Written Warning

The second written warning applies:

- When the employee displays a second minor misconduct before the first sanction is waved;
- When the employee displays a serious misconduct for the first time.

This sanction is waved after twelve months if the employee does not undergo any other sanction within twelve months.

Last written warning

The last written warning applies:

When the employee displays serious misconduct for the second time. This sanction is waved after twelve months if the employee does not undergo any other sanction within twelve months.



Suspension

Suspension from duty for 8 days as provided in law No: 51/2001 of 30/12/2001 establishing the Rwanda labour code, with salary deprivation

Suspension applies in the event of;

- A final written warning followed by minor and or serious misconduct.

Summarily Dismissal

- Summarily dismissal applies when an employee displays gross misconduct

DISCIPLINARY PROCEDURE

i. Minor misconduct

All minor misconducts that have a First written warning sanction shall be handled by the respective Service/Unit of the accused employee.

ii. Case of Serious and Gross misconduct

- Case of a serious/gross misconduct requiring no further collection of evidence
When an employee is caught red-handed, he/she must be dismissed immediately and without notice in a period not exceeding 48 hours.
- Case of a gross misconduct which requires investigation
An employee who is presumed to have committed a gross misconduct which requires investigation may be suspended from his/her duties for a period not exceeding 8 days without pay

The Administration and Finance Manager in liaison with concerned department shall carry out necessary investigations before the disciplinary committee meets.

- The investigation shall follow the following stages:
 - Identifying the rules or procedures which were violated, gathering all necessary documentation relating to the case;
 - Hearing of the suspect and witnesses;
 - Drawing up a report of investigation;

- Submit an investigation report to the Executive Director with copy to the respective Head of Department
- The investigation report concerning a Management Committee member shall be submitted to the Executive Director only who is entitled to give the disciplinary sanctions or to forward to the Board of Directors.

Any gross misconduct requiring investigation shall be examined by the disciplinary committee.

If the case requires to be examined by the disciplinary committee:

- The Administration and Finance Manager shall convene the disciplinary committee to examine the case and inform the Executive Director.
- The invitation letter accompanied by the investigation report shall be sent to the committee members at least 2 working days before the sitting of the disciplinary committee and shall specify the date and the venue of the disciplinary committee meeting.

iii. Composition of the Disciplinary Committee

The Administration and Finance Manager in consultation with the Executive Director shall designate disciplinary committee members.

In case of a hearing, two members from the same department will not be part of the disciplinary committee.

At least two members are required for the Disciplinary Committee to take decision. If not, it is postponed to another date within three days. No member of IPAR - Rwanda employees shall take part as member of the disciplinary committee if he/she acted as a witness or if he/she has personal interests in that particular case.

iv. Invitation of the Employee facing Disciplinary action

The Administration and Finance Manager shall address the invitation letter to the Employee facing the disciplinary action and forwards it to him or her within 2 working days before the meeting of the disciplinary committee convenes. This letter must specify the nature of the allegation, the date and the place of hearing.

If the Employee fails to turn up for the hearing without prior notice, the disciplinary committee will make a decision accordingly and the Employee shall be notified. However if the Employee notify the committee of his/her absence with justifiable reasons, the disciplinary hearing shall be rescheduled.

v. Meeting of the Disciplinary Committee

The chairperson of the disciplinary committee opens the meeting and asks the person who carried out the investigations to outline and explain facts compiled against the employee under disciplinary action;

- The Employee under disciplinary is invited and if he/she finds one of the disciplinary committee members happens to have justifiable personal issues and need not to be on the committee, after assessing the issue, the committee chairperson shall decide whether to exclude that member from the panel or not.
- After the presentation of the facts, the chairperson asks the Employee on disciplinary to present his/her defence;
- The disciplinary committee members ask questions to the Employee on disciplinary and he or she answers the questions, put to him or her;
- The chairperson asks the Employee to leave the meeting so that the committee members deliberate in secret session;
- The disciplinary committee members propose sanctions to be submitted to the Management Committee for a decision;
- The disciplinary committee report is drawn by the secretary of the committee and is signed by all the members;
- The secretary makes copies of the signed report and forwards them to the Administration and Finance Manager for transmission to the Management Committee members;
- The Management Committee examines the report of the Disciplinary Committee and makes a final decision that is notified to the employee on disciplinary by the Executive Director.

APPEAL

- An employee will have the right to lodge an appeal if he/she wishes, against any disciplinary sanction resulting from the application of this manual with the exception of a verbal warning.

- The employee lodges a written appeal to the Executive Director, the respective immediate supervisor or to the Chairperson of the Board of Directors where applicable within 14 calendar days that follow the notification of the sanction. After that period the appeal is inadmissible.
- An appeal against a disciplinary action will be treated within a time that does not exceed 14 calendar days starting from the date the appeal was lodged;
- The Executive Director or the Chairperson of the Board makes the final decision and notifies the employee in writing.
- The members of the appeal committee are designated by the Executive Director

The appeal committee has the following powers:

- To summon any person for additional evidence and report;
- To make a decision by either confirming, modifying (reduce/increase) or cancelling the sanction;

The appeal committee designated by the Executive Director or Chairperson of the Board of Directors draws up a report and submit it to the Executive Director or to the Chairperson of the Board

AMENDMENT OF THE CODE

Any amendment of this code requires the approval of the Management Committee.

Gasamagera Wellars

Chairman, Board of Directors



DATE: _____