

GRIEVANCE REDRESSAL AND DISCIPLINARY POLICY

Grievance Redressal

1. Policy Statement

- 1.1. The Grievance Redressal procedure at Oxfam India aims to reinforce the organization's commitment towards providing fair and equitable work opportunities to all employees. The objective of the grievance resolution process is to provide employees with an easily accessible mechanism for settlement of their individual grievances. This policy applies to all staff of Oxfam India and those of Partner organizations who are in a relationship with Oxfam India.
- 1.2. For the purpose of the policy, Grievances "means individual grievance and includes all matters but excludes the following:
 - Annual performance appraisal
 - Grievance pertaining to, or arising out of, disciplinary action or appeal against such actions.
 - Grievance arising out of termination/dismissal

2. Grievance Statement and Policy

- 2.1. A grievance can be defined as any sort of dissatisfaction, which needs to be addressed in order to enable staff to function efficiently and effectively within the organization. A grievance is a sign of an employee's discontentment with his job or his relationship with his colleagues. Broadly, a grievance can be stated to be any discontent or dissatisfaction with any aspect of the organization.
- 2.2. Oxfam India's grievance policy is designed to provide an effective procedure for resolution of problems. Oxfam India's policy in grains a disciplinary procedure that will afford consistent and equitable treatment to all employees.
- 2.3. The purpose of the disciplinary procedure is to ensure that unacceptable conduct is addressed promptly and appropriately.
- 2.4. The disciplinary procedure applies to all Oxfam India employees.
- 2.5. The procedure takes account of the Oxfam India code of conduct and will be reviewed periodically in line with developments in good practice

3. Criteria

- 3.1. Except for gross misconduct, no employee will be dismissed for a first breach of discipline. The level of any formal action will be dependent on the seriousness of the offence, having regard to the need for fairness and natural justice.
- 3.2. The procedure is internal to Oxfam India and does not allow for any external representation
- 3.3. No disciplinary action will be taken against an employee until the case has been fully investigated

4. Grievance Redressal Procedure

- 4.1. The following process should be followed for expressing and seeking Redressal to a grievance;
- 4.2. Employees may communicate their grievance in writing to their Line Managers

while at the same time, addressing a copy to the HR manager. In case the grievance involves the Line manager, then the employee can contact the Line Manager's manager, while simultaneously copying the HR manager

4.3. The concerned manager must immediately acknowledge receipt of the grievance in writing informing the employee of the receipt of grievance and inviting the employee for a formal meeting. Managers may consult with the HR manager and revert to the employee with a course of action/ solution within 7 working days from the date of receipt of grievance

4.4. In case an employee is not satisfied with the solution, the employee may choose to represent the grievance to Director Operations (or the CEO, if the grievance concerns the Director Operations).

4.5. The SLT member will convey their decision to the aggrieved employee through the HR manager within 5 days of receipt of the complaint. If however, the SLT is of the view, that the matter should be referred to the Grievance Resolution Committee, they may do so

4.6. The **Grievance Resolution Committee consists of three members from the India Leadership Team, and the HR Manager and should try to have at least two women representatives.** The Grievance Resolution Committee (as mentioned below) will provide an opportunity to the aggrieved employee to present their concern.

Name	Designation	Email ID	Mob. Number
Ritu Mendiratta	Manager-Human Resource and Administration	ritu@oxfamindia.org	9810898968
Mirza Firoz Beg	Project Lead- Social Inclusion	mirza@oxfamindia.org	9771419701
Amrita Sharma	Head - Individual Fundraising	amrita@oxfamindia.org	9739937319
Nand Kishor Singh	Regional Manager – UP	nand@oxfamindia.org	8004921383
Namit Agarwal	Lead Specialist – Private Sector Engagement	namit@oxfamindia.org	9654437800
Himanshi Matta	Media Coordinator	himanshi@oxfamindia.org	8860182310

4.7. The Grievance Resolution Committee will give their recommendation to the SLT within 4 working days. The SLT will take a decision based on this recommendation and communicate their decision through the HR Manager to the aggrieved employee within 15 working days from commencement of inquiry

4.8. Grievances will be treated with utmost confidentiality and sensitivity.

4.9. Human Resources shall maintain a record all grievances referred to the Grievance Resolution Committee, number of grievances settled/ pending and report to the Senior Management Team on a quarterly basis.

5. Disciplinary Procedure

1.1 Policy Statement:

We expect all employees to comply with Oxfam India's policies, procedures and Code of Conduct. Disciplinary procedures will be implemented, in case of unsatisfactory performance, or deviant behavior which is in breach of organizations interest or harmful to welfare and rights of others. Disciplinary procedures are meant to be corrective, rather than punitive and follow principles of natural justice. They are meant to motivate employees to accept standards of conduct, which are desirable or necessary for organizational performance.

1.2 Principles of Disciplinary Procedure:

1.2.1 Counseling will be offered, where appropriate, to resolve problems

1.2.2 No disciplinary action will be taken against an employee until the case has been fully investigated

1.2.3 At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made

- 1.2.4 No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, where the penalty will be dismissal without notice or payment in lieu of notice
- 1.2.5 An employee will have the right to appeal against any discipline imposed.
- 1.2.6 The procedure may be implemented at any stage if the employee's alleged misdemeanor or warrants such action

6. Informal Procedure –Advice and Support

- 6.1 It is the line manager's responsibility to communicate, develop and motivate staff and to ensure that relevant training is provided. In cases of minor infringements of conduct the line manager should initially seek to advise and support the employee concerned on an informal basis with a view to effecting an improvement and thus to avoid using the formal procedure.
- 6.2 The employee should be advised of the conduct expected of them in the future and of the possible consequences of further problems. Where necessary an informal warning given by the line manager will reinforce the advice. Informal advice and support are not part of the formal disciplinary procedure and the employee should be informed of this. However, a record of an informal warning needs to be kept on the employee's personal file held in Human Resources department and may be used in future proceedings

7. Formal Disciplinary Procedure:

1.1 Stage 1: Warning for continued unsatisfactory performance or misconduct:

If performance does not meet acceptable standards post counseling, the employee will be given an improvement note by his or her Line Manager setting out the performance problem, the improvement that is required, the timeline for showing improvement and any capacity building or counseling that is required that may be given. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for three months, but will not form a part of the formal Annual Appraisal - subject to achievement of satisfactory performance

If an employee's conduct does not meet acceptable standards, the employee will be given a written warning. This will set out the nature of the misconduct and the change in behavior required. The warning should also inform the employee that a final written warning might be considered if there is no sustained satisfactory improvement or change. A record of the warning should be kept, but it should be disregarded for disciplinary purposes after a period of three months

The discussion regarding shortcomings of performance or behavior should be held between the immediate manager, and the concerned Director and the employee

1.2 Stage 2: Final written warning:

If the offence is sufficiently serious or there is a failure to improve performance/ conduct during the currency of a warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timeline. It will also warn that failure to improve may lead to action under Stage3 (dismissal or other action as appropriate), and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor and HR manager but will be disregarded for disciplinary purposes after three months subject to achievement of satisfactory conduct or performance

1.3 Stage 3 : Dismissal or other action:

1.3.1 If there is still a failure to improve or in case of gross misconduct, the final step in the procedure may be dismissal or some other action short of dismissal.

1.3.2 Written note will be sent to the employee setting out the allegation and the basis for it. The process must be initiated by the HR Manager on the request of the Line Manager.

1.3.3 The employee will be given an opportunity to meet with the line manager and HR Manager to respond to the allegations and provide necessary supporting evidence.

1.3.4 On conclusion of the meeting and investigation process, any commendation for appropriate action will be made to the Director Operations jointly by the line manager and HR Manager

1.3.5 Based on the decision to proceed by the Director Operations, the final disciplinary action along with the right to appeal will be communicated to the employee in writing and there cord will be maintained by the HR manager

8. Penalties that can be imposed

Possible forms of disciplinary actions may include, but are not limited to

8.1 Minor Penalties

8.1.1 Being put on Probation for 6 months irrespective of length of service

8.1.2 Reprimand in writing to be placed on record in the Personal File

8.2 Major Penalties

8.2.1 Reduction in salary not exceeding 1/3 of the gross pay

8.2.2 Forfeiture of Annual Increment

8.2.3 Suspension from work for a period not exceeding 3 months on half pay

8.2.4 Dismissal

9. Gross Misconduct

In case of gross misconduct, the employee will be removed from employment without notice and no payment will be made in lieu of notice. The list provided below is illustrative but not exhaustive, and should be deemed that any other conduct not falling within the purview of what is stated below is a kin to gross misconduct; the SLT will exercise the authority in consultation with the Grievance Redressal Committee to determine gross misconduct depending on the circumstances of each case:

- (a) Fraud,
- (b) Deliberate falsification of records
- (c) Embezzlement
- (d) Theft
- (e) Intimidation, harassment, threats or acts of violence
- (f) Misuse or misappropriation of position or benefits
- (g) Willful damage to organization's assets, including those of its employees, partners, other stakeholders
- (h) Disparagement or defamation of the Organisation, its employees, partners or other stakeholders
- (i) Taking or giving bribes or any other illegal gratification, including sexual gratification
- (j) Serious incapability due to being under the influence of alcohol or being under the influence of illegal drugs at the workplace and during working hours
- (k) Serious negligence which causes unacceptable loss, damage or injury
- (l) Serious act of insubordination
- (m) Deception or inappropriate access to private and/ or confidential Company records and/ or information without authorization or need-to-know

10. Appeals:

An employee who wishes to appeal against a disciplinary decision must do so within

five working days. The Grievance Redressal Committee will hear all appeals and will make are commendation to the SMT. Where felt appropriate; the SLT may further consult the Board. The SMTs decision will be final and communicated in writing to the employee by the HR Manager. At the appeal, any disciplinary penalty imposed will be reviewed.

11. Right of Appeal

11.1 An employee has the right of appeal against formal action, including dismissal. The emphasis on the appeal hearing is to ensure the disciplinary hearing was carried out correctly, the evidence presented appropriately, the employee was given the opportunity to present his case and the disciplinary action taken was proportionate to the misconduct. It does not need to be are-hearing of the original disciplinary hearing unless there have been procedural errors, which need to be addressed, or new evidence has become known. In such circumstances, are-convened disciplinary hearing usually should be called and the process commenced again.

Should an employee wish to appeal they must do so, in writing, to the appropriate manager within five working days of being informed in writing of the formal action.

<u>Minimum level of authority</u>	<u>Action</u>	<u>Opportunity to appeal</u>
Line Manager	Oral warning/Written warning	Director Operations
HR & Admin Manager	Written warning	Director Operations/SLT
Director Operations	Final written warning Dismissal	CEO or nominated representative

A request for an appeal must specify the grounds of the appeal, preferably under one or more of the following headings:

- The severity of the action.
- The finding of the hearing on a point of fact, which is pertinent to the decision of the hearing.
- A failure to adhere to the published procedure.

12. Guidance for making an appeal:

Employee	Management
<ol style="list-style-type: none"> 1. Grounds of appeal 2. Case statement which should include as appropriate: 3. Introduction explaining there as ones for appealing and why they consider the action harsh or unwarranted summary of case outcome sought 	<ol style="list-style-type: none"> 1. Response to grounds of appeal 2. Case statement which should include as appropriate: 3. Introduction, background to the case, processes followed on calling the original hearing, how the decision was arrived at, any other warnings taken into account, rationale for the decision and any mitigation taken into account summary of case recommendations

The Board will be kept informed of all disciplinary matters and this information will be presented at the Board Meeting every quarter.