

# INTERNAL SERVICE RULES OF PRIDE BHUTAN 2021

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In exercise of the powers conferred under section 61(8) of the Articles of Association of Pride Bhutan 2021, Pride Bhutan hereby adopts the Internal Service Rules.

## **Chapter 1 Preliminary**

### **Title**

1. These Rules are the Internal Service Rules of Pride Bhutan 2021.

### **Commencement**

2. These Internal Service Rules comes into force on the 12<sup>th</sup> day of the 5<sup>th</sup> month of 2021

### **Application**

3. The provisions of these Rules shall apply to all the employees of Pride Bhutan.
4. Where the provisions of these Rules conflicts with the Labour Rule or where the Rules are silent, provisions of the Labour and Employment Act 2007 shall prevail.

## **Chapter 2 Recruitment**

### **General Rule**

5. Keeping in view the Government's policy to reduce dependency on foreign workforce, Pride Bhutan intends to recruit only Bhutanese nationals, as far as possible.

Provided that foreign workers shall be employed only when nationals are not available.

6. The term of appointment will be for a period specified in the employment contract with the option of extension, depending on the performance of the employee.

### **Executive Committee**

7. The Board shall constitute a 3 member Executive Committee chaired by the Executive Director, which shall act as the Selection Committee.
8. In addition to section 7, the Executive Committee is responsible for determining the overall staffing pattern of Pride Bhutan.
9. The staffing pattern proposed by the Executive Committee shall be subject to the approval of the Board.
10. The Executive Committee shall, subject to the approval of the Board, determine the entry grade for various categories of employees.

### **Quorum and Decision**

11. The quorum for a meeting of the Executive Committee shall be half of the total strength of the Committee.
12. If there is a failure to achieve quorum within an hour of the scheduled time, the Chairperson shall call the meeting to order, announce the absence of quorum, and then entertain a motion to adjourn the meeting to a later date.
13. A decision taken by the Executive Committee shall be based on simple majority, and in the case of a tie, the Committee may conduct further assessment.

### **Qualification for Appointment**

14. A candidate is eligible for employment in Pride Bhutan, if the candidate:
  - 1) is a Bhutanese citizen;
  - 2) meets the minimum qualification requirements specified for the position;

- 3) has attained at least 18 years of age and not more than 40 years on the date of appointment.

Provided that the Board may stipulate special requirements relating to sexual orientation or disability.

### **Disqualification**

15. A candidate is not eligible for employment in Pride Bhutan, if the candidate has:
  - 1) been convicted of a criminal offence;
  - 2) been superannuated, terminated or compulsorily retired from the Civil Service, a CSO or the private sector;
  - 3) been declared medically unfit for employment by a competent medical authority;
  - 4) intentionally provided false information in the application for employment or used fraudulent practices in the recruitment examination;
  - 5) failed to furnish documents, as required; and
  - 6) participated in politics and not completed the minimum 'cooling off period' of one year.

### **Vacancy announcement**

16. Vacancies shall be advertised in the local media giving details of the requirements of the posts.
17. The selection shall, as far as possible, be carried out based on merit, qualification and experience.
18. A vacancy announcement shall include the following:
  - 1) profile of the position, including position title and position level;
  - 2) qualification requirements;
  - 3) required minimum experience;
  - 4) required documents;
  - 5) application deadline;
  - 6) contact number and address;
  - 7) special requirements, if any.

### **Application**

19. All applications shall be submitted to the Finance and Administration Department.

### **Short-listing**

20. Upon receiving all the applications, the Finance and Administration Department shall review the documents and shall shortlist the candidates.

21. The Finance and Administration Department shall handover the list of shortlisted candidates to the Executive Committee with all the documents.
22. The Executive Committee shall then further review and assess the candidates and prepare a final list of shortlisted candidates.
23. The Finance and Administration Department shall then contact the shortlisted candidates through calls, emails or by postal mail and notify the candidate of the date, time and place of the written test or interview and other instructions, they consider fit.

### **Selection Procedure**

24. The competitive selection process may, depending on the requirement of the position, include the following methods:
  - 1) evaluation of the candidate's academic achievements; and/or
  - 2) written/practical examination.

### **Appointment**

25. The Finance and Administration Department shall:
  - 1) compile the results of the selection interview and submit the final tabulated results in clear ranking order to the Executive Committee for endorsement;
  - 2) submit the duly endorsed results of the Selection Committee to the Board;
  - 3) send each candidate a notification of the selection result.
26. Non-selected candidates will receive cordial letters thanking them for their participation, while selected candidates will receive letters containing an offer of acceptance.
27. All original documents of the non-selected candidates, if any, shall be returned to them after ten days, but latest by the fifteenth day of the declaration of the result.
28. The Finance and Administration Department shall:
  - 1) allot Employee Identity (EID) Numbers;
  - 2) register and acquire TP numbers for the employees;
  - 3) open a Personal File and Service Book for each new employee;
  - 4) file the duly executed employment contract;
  - 5) execute an undertaking of Adherence to the codes of conduct and ethics as prescribed by the Board;
  - 6) administer Oaths of Allegiance as prescribed by the Board;
  - 7) execute undertaking for confidentiality as prescribed by the Board.



## **Grievance Procedure**

29. Any grievance under this Chapter shall be dealt in accordance with the grievance procedure laid down in chapter 10 of these Rules.

## **Chapter 3 Promotion**

### **Types of Promotion**

30. An employee shall be considered for promotion to the next higher level purely based on merit, and no employee shall claim promotion as a matter of right or automatic entitlement.
31. The types of promotion in Pride Bhutan are as follows:
  - 1) General Promotion;
  - 2) Positional Promotion.

### **General promotion**

32. General Promotion refers to a promotion to a higher grade, irrespective of post vacancy.
33. The grant of general promotion is subject to the following criteria:
  - 1) the employee has completed a minimum three years of active service;
  - 2) the performance rating of an employee for three years shall be taken into account for consideration of the promotion;
  - 3) the employee shall meet the minimum qualifications required for the respective post.
34. Promotion shall not be processed during leave or Short Term Training (STT) or Long Term Training (LTT) period of the employee.

### **Positional Promotion**

35. A Positional promotion refers to a promotion to the post of Head of Division/ Department, which shall be granted only when there is availability of such post.
36. Selection for such promotion is subject to the following criteria:
  - 1) availability of post;
  - 2) suitability of a candidate to the position;
  - 3) qualification and seniority of an employee shall be taken into consideration;  
and
  - 4) an employee has a clean service record.

### **Authority to Grant Promotion**

37. The Board is authorised to grant Positional Promotion and the Executive Director is authorised to grant General Promotion.

## **Promotion Procedure**

38. All respective heads shall initiate promotion processes twice a year (i.e. from 1<sup>st</sup> January and 1<sup>st</sup> July of each year) based on the fulfilment of promotion criteria by their subordinates.

Provided that the concerned heads shall provide written justifications for their recommendation.

## **Chapter 4**

### **Pay**

39. The pay scale for different positions in Pride Bhutan shall be as prescribed by the Board.
40. The Executive committee shall periodically review the pay scale and recommend its revision to the Board.

#### **Pay Fixation**

41. The basic pay of an employee on initial appointment shall be fixed at the minimum pay scale of the position level of appointment.
42. On promotion of an employee, the pay shall be fixed at the minimum of the pay scale prescribed for the higher position.
43. The pay of an employee on demotion shall be fixed at the minimum pay scale for the position the employee is demoted to.

#### **Payment of Wages/Salary**

44. An employment contract signed with each employee shall specify the pay period.
45. An employee shall be paid wages/salary at the end of the period specified under section 44.
46. Pride Bhutan is entitled to deduct wages/salary up to a maximum of 50% of the salary payable in any one salary period.

Provided that such deductions are allowable under the labour and Employment Act of Bhutan 2007.

#### **Performance Rating**

47. The evaluation of the performance of the Executive Director shall be the responsibility of the Board and the respective supervisors shall evaluate the performance of other employees.

#### **Increments**

48. An increment of 5% of the basic pay of an employee shall be paid to all the employees subject to the maximum pay scale of that position.
49. An employee shall receive an increment on 1st January or 1st July upon serving a minimum of 12 months.

50. An employee who is demoted shall receive the annual increment on 1st January or 1st July upon serving a minimum of 12 months in that position.

## **Chapter 5**

### **Conditions of work**

#### **Probation**

51. An employee who is employed for one year or more shall be on probation for a 6 month period within which either party may terminate the contract by giving the other party a notice of 7 days.

#### **Hours of Work**

52. The normal working hours for an employee shall be:
- 1) 7 hours a day;
  - 2) 35 hours a week;
  - 3) 5 days a week.
53. The working hours shall be from 9am- 5pm in summer and 9am-4pm in winter from Monday to Friday.

#### **Over Time Work**

54. All overtime work is voluntary and an employee must not be disciplined or punished by Pride Bhutan for refusal to perform overtime work.
55. Subject to the Labour and Employment Act of Bhutan 2007, an employee at supervisory level and above shall not be entitled to overtime payment.
56. Hours worked additional to 7 hours per day are overtime hours and must not exceed 2 hours per day except for those who work on fixed shifts. Such shift workers may perform the entire shift, provided no other arrangements can be made.
- Provided that no worker shall be required to perform more than one overtime night shift in a week.
57. Pride Bhutan shall pay an employee performing overtime work at a minimum of the worker's normal rate of pay.

#### **Meal Intervals**

58. An employee shall be entitled to a meal break of 60 minutes after four hours of work and the meal break shall be excluded from the working hours.

#### **Daily and Weekly Rest Period**

59. An employee shall have:

- 1) a daily rest period of 16 consecutive hours;
- 2) a weekly rest period of 48 consecutive hours.

### **Public Holiday**

60. All employees of Pride Bhutan are entitled to all national and local holidays declared by the respective Dzongkhags.

### **Training**

61. Training period beyond 24 months and extraordinary leave shall not be considered as active service for promotion.
62. The training obligation of an employee to serve Pride Bhutan shall be as follows:
  - 1) at least one year after a short-term program and other long term program besides Master's or PhD;
  - 2) at least three years after a Master's or PhD program.

## **Chapter 6**

### **Leave**

63. An employee shall be entitled to the following kinds of leave:
- 1) casual leave;
  - 2) annual leave;
  - 3) sick leave;
  - 4) maternity leave;
  - 5) paternity leave.

#### **Casual leave**

64. An employee is entitled to 5 working days of casual leave in a calendar year.
65. Casual leave, if not availed during the calendar year, shall be merged with annual leave of an employee at the end of each calendar year.
66. A Probationer is not entitled to casual leave.

#### **Annual Leave**

67. An employee who works for Pride Bhutan for 6 or more months of continuous employment is entitled to paid annual leave.
68. An employee is entitled to 18 working days of annual leave in a calendar year.
69. An employee shall apply for annual leave at least 15 days before the date from which leave is required.
70. Employees are entitled to en-cash their annual leave, subject to a maximum of 30 days for each completed year of service.

#### **Maternity leave**

71. A pregnant full time female employee who works for Pride Bhutan for 12 or more months of continuous employment is entitled to maternity leave with pay.
72. A female employee is entitled to 12 weeks maternity leave, in addition to other leaves, on production of a medical certificate duly signed by a recognized medical practitioner in Bhutan.
73. A maternity leave is to be for an unbroken period of time with pay based on the employee's normal rate of pay in her most recent pay period.
74. A female employee is entitled to maternity leave with salary subject to three confinements during the entire service of the employee.



75. In the event of a miscarriage, a maximum leave of four weeks shall be granted on the production of a medical certificate from a recognized medical practitioner in Bhutan.

### **Paternity Leave**

76. A male employee who works for Pride Bhutan for 12 or more months of continuous employment and whose legal wife gives birth, shall be entitled to paid paternity leave.
77. An employee is entitled to 5 working days paternity leave for each confinement and up-to a maximum of three confinements.

### **Sick leave**

78. An employee who works for Pride Bhutan for 6 or more months of continuous employment shall be entitled to sick leave.
79. An employee is entitled to 5 working days sick leave per year.
80. An employee taking or seeking to take sick leave shall notify the supervisor in advance of any sickness that will cause the employee to be absent from work and the approximate period of absence or, if this is not possible in times of emergency, notify the supervisor as promptly as possible, personally or through another person of the absence and the approximate period of such absence.
81. If employees take sick leave of more than 5 consecutive working days, they shall produce evidence of the sickness, such as a signed certificate from a registered medical practitioner in Bhutan, indicating that the employee was/is sick and unfit for work.

## **Chapter 7 Training**

### **Categories of Trainings**

82. The categories of trainings recognised by pride Bhutan is as follows:
- 1) training of six months and below is categorised as Short Term Training (STT);  
and
  - 2) training above six months is categorised as Long-Term Training (LTT).

### **General Rules**

83. Pride Bhutan shall ensure that only relevant and appropriate employees are nominated for a training program.
84. The performance of an employee undergoing STT or LTT shall be monitored and assessed for the purpose of human resource evaluation.
85. An employee may avail study leave for LTT.
86. Employees are eligible for STT and LTT, if:
- 1) they are employees of Pride Bhutan;
  - 2) the program is relevant to their work and their position level;
  - 3) they have completed their probation period.
87. Completion of STT or LTT shall not automatically lead to promotion.

### **Approving Authority for STT**

88. STT for all positions shall be approved by the Executive Director.
89. STT (including cost sharing) not reflected in the work plan shall be reviewed and approved by the Executive Director, depending on the priority of the training.
90. Nomination of a candidate for ex-country STT shall be the duty of the Executive Committee.

Provided that the Committee is expected to provide justification for the nomination.

### **Eligibility for STT**

91. An employee selected for STT by an external organization shall seek an approval from the Executive Director or immediate supervising officer before their departure.

### **Requirements during and after completion of STT**

92. Upon joining the office, the candidates shall submit a report of their learnings, achievements, challenges and other experiences.

### **Approving authority for LTT**

93. LTT for all positions shall be approved by the Board.
94. The Board shall ensure that only relevant officials are nominated and the courses must lead to specialization.
95. Continuing education shall be approved by the Executive Director for adjustments in working hours and class timings.

### **Eligibility for LTT**

96. An employee shall avail LTT opportunities that are relevant and lead to specialization.
97. An employee may avail a maximum of three LTTs in the entire service period, if approved by the Board.

Provided that an employee is not allowed to pursue the same LTT more than once.

### **Disqualification for LTT**

98. Employees shall not be eligible for LTT, if:
- 1) the program they are selected for is not relevant to their work and their position;
  - 2) they have discontinued a previously selected training program for reasons within their control;
  - 3) they have previously discontinued a program and failed to produce evidence or a fitness certificate from the medical board to apply for the LTT;
  - 4) they are on Maternity Leave or Medical Leave;
  - 5) they are short term contract employees.

### **Pre-departure procedure for LTT**

99. The candidate and guarantor shall sign the training obligation undertaking with Pride Bhutan.
100. A guarantor must be a credible person and preferably a family member.
101. The guarantor of the candidate shall be briefed on the liability of signing the Undertaking, in case the candidate fails to abide by the Undertaking signed.

### **Requirements during and after completion of LTT**

102. The office shall carry out periodic monitoring of all candidates undergoing LTT.
103. An employee shall complete the training within the approved duration, and failing to do so will result in appropriate administrative action being initiated in accordance with the conditions specified in the Undertaking.
104. An employee reporting after the completion of LTT shall submit the following documents:
  - 1) training report;
  - 2) consolidated academic certificate, academic transcript as evidence of successful completion of the course.

## **Chapter 8 Allowances**

### **Travel**

105. Pride Bhutan shall pay travel and other expenses to the employee for travel costs incurred in the performance of the employee's tasks and responsibilities.
106. An employee shall be allowed to travel after obtaining approval from a competent authority.
107. Travel shall be planned for a specific period and the program schedule shall be submitted while seeking approval.
108. If employees are unable to follow the approved tour program due to unavoidable circumstances, they shall obtain approval for making changes in the program immediately on their return to the office.

### **Authority**

109. All travels including ex-country shall require the approval of the Executive Director.

### **Entitlement**

110. Employees travelling to a location farther than 10 km from the duty station shall be eligible for Daily Subsistence Allowance (DSA), provided their absence from the duty station exceeds eight hours.
111. The day of duty shall be calculated from the time of commencement of the journey from the place of posting and the days shall be calculated on the basis of 24 hours of absence from office.
112. If the absence from work is more than eight hours but less than 12 hours, an employee is entitled to half DSA, but if the absence is 12 hours or more, the employee is entitled to full DSA.
113. When DSA and other travel expenses are paid by a donor, DSA and related expenses shall not be paid by the office during a training period.
114. In absence of payment of DSA/TA by other external agencies, DSA/TA shall be paid by Pride Bhutan.

### **Rate of Allowance**

115. An employee on official tour within Bhutan shall be paid Nu.15/km as Travel Allowance and Nu.500 as their DSA.

Provided that rates for TA and DSA for in-country travel may be revised by the Board, in keeping with the cost of living.

116. The rates for TA and DSA for ex-country travel, if paid by Pride Bhutan, shall be paid in accordance with the rates prescribed by the Government for civil servants.

**Submission of Tour Report**

117. It is mandatory for every employee to submit a report within 10 days after their return.

## **Chapter 9 Service Benefits**

### **Retirement**

118. An employee of Pride Bhutan shall retire from service upon completion of 65 years.
119. The Executive Director shall issue separation orders for all employees and the Board shall issue separation order for the Executive Director.
120. The date of birth recorded in the service record at the time of the initial appointment of an employee shall be the basis to determine the date of retirement.
121. The gratuity and other post-retirement benefits shall be computed on the first day of the month following the actual date of retirement.
122. An employee shall be entitled to one-month preparatory leave before retirement age.

### **Voluntary Resignation**

123. Employees intending to resign from service shall, by giving 1 month advance notice, notify the relevant Authority in writing of their intention.  
  
Provided that the length of notice period shall be same for Pride Bhutan and its employees.
124. In the event where an employee fails to do so, Pride Bhutan shall be compensated with one month of the employee's basic pay in lieu of the notice period.
125. An employee shall resign from service prior to standing as a candidate for any election conducted under the electoral laws of the Kingdom or holding any paid or unpaid post in any political party.
126. All employees shall submit their resignation to the Executive Director and the Executive Director shall submit the resignation to the Board.

### **Retrenchment**

127. The Executive Committee shall have the right to retrench employees depending on the needs of Pride Bhutan.
128. The retrenchment shall be conducted as follows:
  - 1) consult the employees at the work place, advising of the number of employees likely to be made redundant and the period over which this may occur; and

- 2) give notice of one month and additional notice of seven days for every year of continuous employment by the employee for that employer, up to a maximum of 42 days.

### **Termination**

129. If an employee is convicted for a criminal offence of misdemeanor and above, such employee shall be terminated from service with no post service benefits.
130. Pride Bhutan may terminate employees on disciplinary grounds, if the employees are found in material breach of the Codes of Conduct and Ethics or on the grounds of serious lapses in the discharge of their official function.
131. The Board reserves the right to terminate the Executive Director.
132. The Executive Director reserves the right to terminate the employees.

### **Provident Fund**

133. An employee who has completed the probation period as indicated in the contract of employment shall be entitled to participate in the provident fund scheme.
134. An employee shall contribute 5% of the employee's monthly basic wage in the provident fund scheme and Pride Bhutan shall match the employee's contribution.
135. The provident fund contribution shall commence from the first pay period after the completion of the probation period.
136. For the purpose of these Rules, monthly basic wage means the wage paid to an employee before the deduction of income tax, but excluding overtime, allowances and other benefits.
137. Interest earned on the overall provident fund account shall be credited to an employee's individual account as per norms of the authorized financial institution.
138. The number of years of participation in the scheme shall be calculated from the completion of the probation period.
139. On severance of employment, other than termination for gross misconduct, after a minimum of 5 years of continuous contribution, an employee shall be entitled to receive the full amount, including interest, credited to their individual provident fund account.

### **Gratuity**

140. Pride Bhutan shall, without any contribution from the employees, operate a defined gratuity scheme for the benefit of all employees who have completed a minimum



of 10 years of continuous employment.

141. A gratuity payment shall not be paid to:
- 1) an employee who has not completed the years of continuous employment;
  - 2) an employee who has been dismissed on the grounds of gross misconduct after all procedures required by section 87 of the Labour and Employment Act of Bhutan 2007 have been complied with.
142. The amount of gratuity payable to an employee shall be an amount equivalent to one month's last basic pay of the employee for every completed year, or part thereof of service with Pride Bhutan.

### **Pension**

143. An employee who has served a minimum of 10 years in the service and made 120 monthly contributions to the pension fund or retires from service on completing retirement age, shall be entitled to a monthly pension.

### **Transfer Grant**

144. An employee who leaves service for a reason other than termination shall be entitled to the transfer grant of one-month basic pay.

### **Benefits Payable to the Family**

145. If an employee expires while in service, the nominee shall be entitled to all retirement benefits.
146. If employees are required to resign due to illness or disability incurred while in-service, their nominee shall be eligible to process all retirement benefits.

### **Nominee**

147. Employees shall submit to the Finance and Administration Department, a nomination conferring on one or more persons the right to receive the retirement benefits that may be due to them in the event of their demise.
148. Employees desiring to nominate more than one person under section 147 shall specify the amount payable to each of the nominees.
149. Employees may, at any time, cancel a nomination and submit a fresh one in its place.
150. Employees may state in the nomination that, in the event of the pre-decease of the nominee, the right conferred upon the nominee shall automatically change to another person or persons, as may be specified in the nomination.

151. Every nomination made and every notice of cancellation by the employees shall, to the extent it is valid, take effect on the date on which it is received by the office.

**Formality**

152. An employee who vacates office shall hand over the charge, including the office property, official files and records to the Finance and Administration Department.
153. Pursuant to section 152, the Finance and Administration Department shall be responsible to immediately process the employee's post-retirement benefits and settle all payments within one month.

**Recovery**

154. The amount due from an employee, if any, at the time of retirement or demise and not recoverable otherwise, shall be recovered from the retirement benefits payable to the employee.

## **Chapter 10**

### **Grievance Procedure**

155. The Executive Committee shall oversee the Grievance Procedure.
156. The complaint must be in writing and duly signed by the complainant, specifying:
  - 1) the fact giving rise to complaint supported by documents, if any, relied on by the complainant;
  - 2) nature and extent of the loss caused to the complainant; and
  - 3) the relief sought.
157. The Executive Committee shall acknowledge the receipt of a complaint under section 156 within three working days and commence investigation within five working days.
158. The Executive Committee must investigate the complaint by considering information and evidence from all sides.
159. Pursuant to section 158, the Executive Committee shall hold a meeting with the concerned employees to discuss their concerns.

Provided that the Executive Committee should allow the employees enough time to prepare for the meeting.
160. The Executive Committee shall dispose of a complaint fairly and equitably within 10 working days from the commencement of the investigation.
161. The employee who lodges the complaint shall not be subject to disciplinary provisions under these Internal Service Rules.

## **Chapter 11 Conduct and Discipline**

### **Employee Code of Conduct**

162. All the employees of Pride Bhutan shall abide by the following codes of conduct:
- 1) maintain highest standard of loyalty to the Tsa-Wa-Sum, and under no circumstances should the speech and action of an employee of Pride Bhutan conflict with them;
  - 2) not bring into disrepute the name and image of Pride Bhutan;
  - 3) respect and maintain confidentiality of the client at the highest level;
  - 4) not share any information of Pride Bhutan, unless legally required;
  - 5) respect the opinion and idea of their coworkers;
  - 6) refrain from any form of nepotism;
  - 7) refrain from harassment and abuse;
  - 8) abstain from alcohol consumption during office hours;
  - 9) abstain from drugs and psychotropic substances;
  - 10) refrain from embezzlement of funds and properties of Pride Bhutan;
  - 11) refrain from misusing their position over their subordinates for personal gains;
  - 12) not give false information to mislead any authority;
  - 13) ensure transparency, accountability and efficiency in their duties;
  - 14) deliver services to the clients efficiently and effectively, with the utmost respect, courtesy, and sincerity;
  - 15) not hold any other regular jobs during the working hours of Pride Bhutan;
  - 16) work as a family, being each other's support system, and work in cooperation and harmony;
  - 17) remain apolitical.
163. An employee shall be liable for punishment, including termination from the service, in the following cases of misconduct:
- 1) fraud, theft or misuse of Pride Bhutan's property;
  - 2) assault and other serious crimes;
  - 3) willful insubordination or disobedience of a repeated or serious nature;
  - 4) habitual irregular attendance;
  - 5) sabotage;
  - 6) sexual harassment of co-workers;
  - 7) abandonment of the employees post;
  - 8) persistent absence from the workplace without good excuse; or
  - 9) material breach of codes of conduct.
164. Depending on the nature and severity of any misconduct, an employee may be imposed any of the following penalties:

- 1) reprimand;
- 2) withhold increment(s);
- 3) withhold Promotion or demote to lower level/position;
- 4) compulsory retirement;
- 5) termination with benefits;
- 6) termination without benefits.

### **Procedure for imposing penalties**

165. While taking a decision on imposing any penalty, Pride Bhutan shall observe the principles of natural justice and afford a full opportunity to the employees to defend themselves by presenting evidence. In particular, procedure shall adhere to the following:
  - 1) charges shall be framed on the basis of allegations on which the inquiry is proposed to be conducted;
  - 2) charges shall be communicated in writing to the employee;
  - 3) in the course of investigation, consider such documentary evidence and witness that may be material to the case;
  - 4) employee shall be entitled to give evidence in person and cross examine the witnesses;
  - 5) at the conclusion of the inquiry, if the decision is to impose a penalty, Pride Bhutan shall provide a written notice informing the employee the grounds for the decision.
166. In the event, the explanation submitted is found satisfactory, the charges against the individual shall be dropped.

## **Chapter 12 Miscellaneous**

### **Workers' Compensation**

167. Pride Bhutan shall insure employees with an authorized insurer to ensure that all types and levels of compensations are covered by the insurance policy as per Labour Laws.
168. The agreed premium shall be paid by Pride Bhutan and shall not be deducted from the employees' wages/salaries.

### **Sexual Harassment**

169. The policy of this rule is to prohibit the incidence of sexual harassment in work place and during recruitment.
170. Sexual Harassment shall include:
- 1) subjecting a person to any act of physical intimacy;
  - 2) making any oral, written remark, or statement with sexual connotations to a person or about a person, in that person's presence;
  - 3) making any gesture, action or comment of a sexual nature in a person's presence.
171. The victim shall make a complaint in writing, identifying the alleged harasser, describing the incident, including place, time, date, and naming witnesses, if any.
172. A sexual harassment case shall be dealt in accordance with the grievance procedure under chapter 10 of these Rules.

### **Amendment**

173. The amendment of these Internal Service Rules by way of addition, variation or repeal may be effected only by the Board of Trustees.
174. Any new rules or major changes in the existing Rules shall be consulted with the employees first and then forwarded to the Board of Directors for approval.

### **Interpretation**

175. The Board of Trustees has the authority to interpret these Rules and such interpretation is considered final and binding.

**Adoption**

176. The Board of Trustees hereby adopts these Internal Service Rules as of the commencement date herein first mentioned.