

Definitions

HR Policies—A set of rules, values or guiding principles that define how an organization addresses human resources-related matters. Human resources policies should reflect sound practice, be written down, be communicated across the organization and be reviewed and modified periodically to reflect changing circumstances.

Topic: Human Resources

Human Resources Policies

Q. What HR policies do I need to have in place?

A. People are your organization's most valuable asset. Establishing a set of human resource (HR) policies does not restrict your staff and volunteers—rather, it helps guide and protect them, so they may contribute to the best of their abilities.

Some HR policies are required by local law, U.S. law or your funding agency, while others are practical or necessary rules for managing an effective organization. Regardless of the source, establishing clear, well-developed HR policies will not only enhance communication between managers and employees, clarify expectations, and ensure that all staff are treated equitably, but they can also protect your organization against grievances and lawsuits if they arise.

While a number of U.S. Government (USG) regulations touch on HR-related issues (for example, under procurement you will find policies on conflict of interest, gratuities and disciplinary actions) only a few HR-specific USG regulations apply to all recipients of USAID funding. This issue of *NGOConnect eNews* focuses primarily on those.

Policy Essentials

Local Labor Laws and Regulations—Organizations must comply with local labor laws where they employ staff. For example, there may be regulations to prevent hiring discrimination or to require certain benefits. It is also important for both the organization and the employees to be clear from the beginning about the rights of the employee and employer, the grounds for discipline/termination and the processes for discipline and termination.

Standards of Conduct—Standards of conduct are established to address the behaviors and professional conduct that affect the employee's ability to perform his/her job and represent the organization. They may include reporting to work on time, performing assigned duties, supporting a safe and healthy work environment and common workplace standards, such as prohibiting sexual harassment or discrimination.

Timesheet Tracking—Timesheets are required for your annual audit and for all personnel who are paid with USAID funds, including contractors and part-time staff. In addition, it is helpful to have volunteers fill out simplified timesheets, so you can track their hours and count their contribution toward your cost-share contribution (if you have one).

Due Diligence in Hiring Decisions—You are required to have a summary of a candidate's academic and work history (a Curriculum Vitae or CV) for

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References

Mandatory Standard Provisions:

- U.S.-based Organizations
<http://www.usaid.gov/policy/ads/300/303maa.pdf>
- Non-U.S.-based Organizations
<http://www.usaid.gov/policy/ads/300/303mab.pdf>

Examples of HR Policy Documents
www.npi-connect.net/humanresources.

Human Resources Policies

- **Apply to:** All recipients of USG funds
- **Required for:** Annual Audit (particularly time tracking)
- **Verified by:** Annual Audit
- **Governed by:** Your Cooperative Agreement and funding agency regulations and in-country laws

every employee hired under your award to verify his or her employment and salary history. While your Cooperative Agreement may *not* require the use of the SF-1420—the “Contractor Employee Biographical Data Sheet” (form [AID-1420-17](http://www.usaid.gov/forms/AID1420-17.doc), <http://www.usaid.gov/forms/AID1420-17.doc>), the standard form used to document the salary history of employees and contractors—the “1420” bio data is often used during the hiring process, because it is an easy way to capture the relevant information. It is also used by USAID to help justify salaries.

Faith-Based Organization Hiring Protections—Under U.S. Equal Employment Opportunity laws, a faith-based organization implementing a USAID program has the right to hire people who share the organization's faith. If you choose to do this, make sure your HR policies are clear. You may wish to have a lawyer or HR expert review your policies before implementing them.

Drug-Free Workplace Policy—Your Cooperative Agreement requires you, and any of your organization's subgrantees, to establish a drug-free workplace policy. This policy statement must be signed by every staff member in your organization. A good way to address the signature requirement for this policy is to include it in two documents: first in the personnel manual and second as a separate one-page policy document that is signed by each employee and filed in personnel files.

According to USG Mandatory Standard Provisions, the Drug-Free Workplace Policy statement must include:

- A declaration that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace;
- Specific actions your organization will take against employees *who violate that prohibition; and*
- *Conditions* of employment under any award which state that an employee must abide by the terms of the statement, and must notify you in writing if he or she is convicted of violating a criminal drug statute occurring in the workplace no later than five calendar days after the conviction.

In addition, your organization is required to establish an ongoing drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; your drug-free workplace policy; any available drug counseling, rehabilitation and employee assistance programs; and the penalties you may enforce for drug-abuse violations in the workplace.

The policy statement and program must be in place no later than 30 days after the effective date of your award.

If an employee is convicted of a drug violation in the workplace, you are required to notify USAID, in writing, within ten calendar days after conviction. The notification must identify the employee's position title and the number of each award on which the employee worked.

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The laws of the country in which you are registered as an organization and in which you work take precedence over U.S. Government policy.

For More Information

For this or other issues of this eNewsletter, please visit www.NGOConnect.Net. The Web site is a dynamic and interactive portal dedicated to connecting and strengthening NGOs, networks and NGO support organizations worldwide.

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Within 30 days of an employee's conviction, you must either:

- Take appropriate action against the employee, up to and including termination (as appropriate with your organization's HR policies and applicable labor laws), or
- Require the employee to participate satisfactorily in a drug-abuse assistance or rehabilitation program approved by a national, state or local health, law enforcement or other appropriate agency.

In the event that local laws prevent you from following the mandates of the USG drug-free workplace policy in full, notify your AO or AOTR and seek their guidance.

HIV/AIDS Policy—An HIV/AIDS policy defines an organization's stance on the employment of persons living with HIV or AIDS and the expected treatment of persons living with HIV or AIDS in the workplace. Although an HIV/AIDS policy is not required by USG funding agencies, it is considered best practice for any organization, particularly those working within the field of HIV/AIDS. An HIV/AIDS policy formalizes the organization's commitment to addressing HIV/AIDS and supporting staff living with HIV or AIDS, including benefits for care or treatment, adjustments in working assignments where possible, and job security. The development of a comprehensive HIV/AIDS policy can enable the organization to keep and benefit from talented staff.

Ensure your organization is in compliance with national and local labor laws regarding the employment of persons living with HIV/AIDS. In some cases, your organizational policies may exceed what is legally required, particularly in countries with no laws regarding the employment of persons living with HIV.

Creating an Employee Handbook

Once you have developed and reviewed your organization's HR policies, print and assemble them in an employee handbook to share with your staff. Ensure that staff sign a statement that they have received, reviewed and understand their obligation to adhere to your organizational policies, and include a personnel policy review in your orientation process.