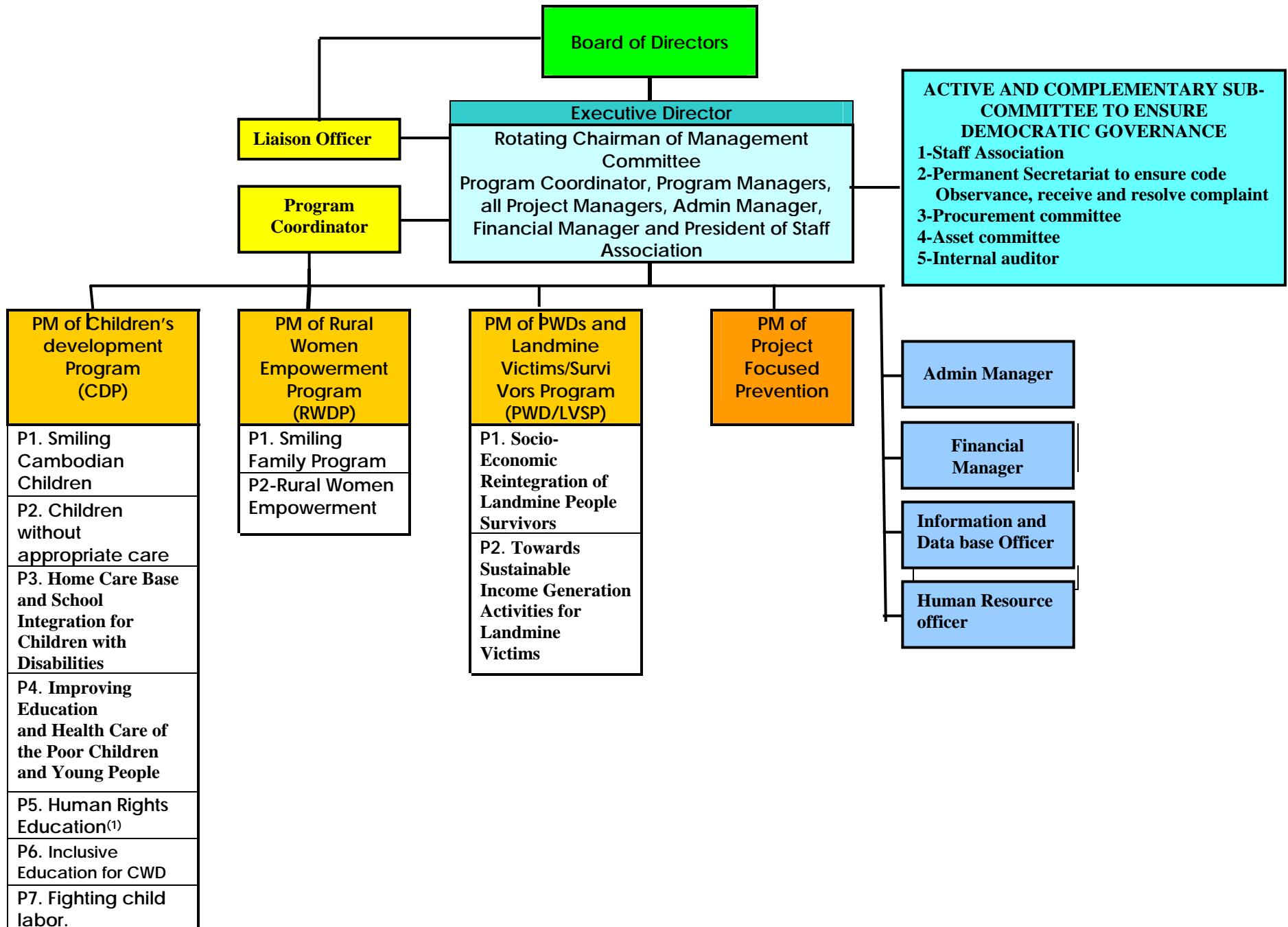


Organizational Structure of OEC 2011- 2015



**BY-LAWS
OF
OPERATIONS ENFANTS DU CAMBODGE
(FORMERLY OPERATIONS ENFANTS DE BATTAMBANG)**

Preamble

Difficulties and suffering caused by insufficient nutrition and medicines had spiritually attracted Mrs. Tit Davy to start creating generous activities for the well-being of children in the hospital-base of Battambang. This activity started on 1st June 1996 and obtained authorization of Ministry of Interior, by paper n° 198 សជណ, dated 14 March 1997, as Organization named "**Operations Enfants de Battambang**" (OEB).

After having operated fruitfully within ten years and further to achievement and expanded working fields, the organization was authorized by n°1564 សជណ, dated 5 December 2006, of Ministry of Interior, to adopt a new following name:

Chapter 1
Name, Logo and Location

Article 1

Former Name of the organization:	អង្គការប្រតិបត្តិការកុមារខេត្តបាត់ដំបង / ប្រ.ក.ប
In French:	Operations Enfants de Battambang (OEB)
New adopted name of the organization:	អង្គការប្រតិបត្តិការកុមារកម្ពុជា / ប្រ.ក.ក
In French	Operations Enfants du Cambodge (OEC)

Article 2

The logo of the organization is a round sign. At the top, a curved written line in Khmer: "**អង្គការប្រតិបត្តិការកុមារកម្ពុជា**" At the bottom, a curved written line in French: "**Operations Enfants du Cambodge**" In the centre, there is a picture of three handicapped children, one girl and two boys holding books, looking at the sun. The meaning of the logo: **Cambodian children having a hope for the future.**

Article 3

The office of the Operations Enfants du Cambodge is located at N°23, group 2, Sophy village, Rattanak commune, Battambang district, Battambang province.

Article 4

The Operations Enfants du Cambodge is a national non-governmental organization, non-profit, neutral, created for saving, protecting and improving social and economic situation of children with disabilities and children living in poverty, without discrimination based on class, religion, race or political tendency, by cooperating with international and national organizations, institutions of royal government, including related institutions within and outside of the country.

CHAPTER 2 VISION, MISSION AND CORE VALUES

Article 5

Vision: Disabled children, handicapped people caused by mines, young people and children in areas facing difficulties in Cambodia receive heightened capabilities, good standing of life, with dignity, freedom, adequacy and equality of opportunity, living with each other in the society full of peace and prosperity.

Article 6

Mission: Build and raise capabilities, and good living condition of the above targeted people by means of primary health care, rehabilitation of working possibilities, reproductive health, education and life skills, by strengthening existing communal structure, and supporting logical initiatives of local people for cooperation.

Article 7

Core Values: We believe in implementing the principle of democratic governance, inclusive cooperation full of harmony, transparency, quality and efficacy, active responsiveness with professional responsibility and social moral to serve children facing difficult conditions.

CHAPTER 3 BASIC GOALS OF THE ORGANIZATION

Article 8

The basic goals of the organization are to safe, protect and improve basic rights of children including health and education.

- 8.1- To alleviate the heavy load of poor families and children with disabilities by providing capital for their small business.
- 8.2- To organize home literacy and numeracy training for children with disabilities, who cannot go to school like other children.
- 8.3- To eliminate illiteracy among bodily handicapped, allowing them to develop themselves spiritually and intellectually.
- 8.4- To provide basic education to children in the areas facing difficulties, which have no teachers, nor schools.
- 8.5- To make children living in the areas of difficulties aware of basic children rights and way of maintaining health care.
- 8.6- To conduct education, dissemination of civil rights and the rights of disabled children, aiming at eliminating discrimination in schools, in service providers and in the whole society.
- 8.7- To make parents and authorities, in the areas of difficulties understand the use of education, in tracking the learning performance of their children, and in facilitating learning possibilities.
- 8.8- To improve learning and teaching capabilities of teachers in areas of difficulties, and provide school materials to promote, for children, equal access to good quality of education.
- 8.9- We shall educate adult people to take care of reproductive health.

- 8.10- To provide assistance to orphans of AIDS families, children infected by HIV/AIDS, hospitalized or treated at home.
- 8.11- To build network with related organizations, inside and outside of the country, including civil associations and communities, in the view of giving opportunity to disabled children and children facing difficulties to be able to develop themselves.
- 8.12- (**Amended on 21.03.2011**) OEC can have additional sub-office(s) in other province(s) or district(s) depending on the evolution and necessary needs

CHAPTER 4 ORGANIZATIONAL STRUCTURE OF THE ORGANIZATION

Article 9

The organizational structure directing and supervising the Operations Enfants du Cambodge (OEC) consists of:

1. Board of Directors
2. Management Committee
3. Executive Director
4. Program Coordinator
5. Project Managers
6. Administrative Manager
7. Financial Manager
8. Project Coordinator
9. Volunteers

CHAPTER 5 RECRUITMENT AND QUALIFICATION

Article 10

10.1- Selection of the Board of Directors

The number of members of the Board of Directors shall have in minimum 5 members, and in maximum 7, among them, there shall be 1 Chair person, 1 financier, 1 secretary; the others shall be members of the Board of Directors. Members of the Board of Directors shall be selected from volunteers invited from International/national organizations, from national institutions and related agencies, such as department of social affairs, education, health, head of district, having at least an age of 21 years old, through election supported by 2/3 of the former Board members. Candidates voluntary to serve the Board of Directors of the Operations Enfants du Cambodge (OEC) shall have the following qualifications:

High education; experience in education field; development affairs; deep knowledge of human rights, especially rights of children and rights of people with disabilities; experience in good communication with international/national organizations and related services; commitment to support the goals, missions and objectives of the organization (OEC), having closed relationship manner and good disposition. The chair person of the Board of Director, financier and secretary shall be nominated by a vote, receiving 2/3 of the total voices of the whole Board's members. The Chair person, the financier and the

secretary of the Board can resign from their function, subject to submitting written request supported by clear reasoning.

The Chair person, financier and secretary can be dismissed from the Board of Directors in condition of agreement expressed by 2/3 of the total voices, or based on the following mistakes:

1. Not respecting the statute of the organization (OEC)
2. Having involved in political party
3. Behaving contrarily to the moral code of non-governmental organization
4. Absent often from participating in the Board meetings.

The mandate of the Board of Directors is for 5 years. After the end of their first mandate, Board members can present their candidacy for the next following mandate.

10.2- Executive Director of the organization

Executive Director is Mrs. Tit Davy, first creator of the organization, force harmonizing, moralizing and propelling working train of the organization, who stands permanently, unless she resigns her position, or dismissed by the judgment of the Board of Directors, due to her grave mistakes.

10.3- Program Coordinator

Developmental and Technical advisor shall be recruited among persons having experience from education, deep knowledge in human rights, especially rights of the child, disabled people, gender and possessing managerial experience. He/she shall have human skills leading patiently and faithful to the vision, mission and core values of the organization (OEC); skillful in making analysis, interpretation and presenting viewpoints to safe and protect the rights of the children in Cambodia, as well as having seniority of working with international/national non-governmental organizations at least for over 7 years with an age of upper 40 years old.

10.4- Management Committee

Program Coordinator leads professional, conceptual, administrative and technical sections for effectiveness and efficiency of OEC's operational projects. He receives assignment from Executive Director with the discussion and approval from management committee members. He regards as a leader of working group by working closely with project managers and members of management committee, enabling and making equity and prosperity that ensues operation and cooperation with NGOs and IO as well as local authorities to succeed OEC's projects at operational areas.

10.5- Composition of the Management Committee

1. Executive Director of the organization
2. Human Resource Manager
3. Program Manager
4. Project Managers
5. Administrative Manager
6. Financial Manager
7. One Representative of the staff

CHAPTER 6 RIGHTS AND DUTIES

Article 11

11.1- Rights of the Board of Director

a- Duties and Obligations of the Board of Director

1. Providing conclusion and approving strategic plans, goals, objectives, and framework of the organization (OEC).
2. Providing conclusion and approving annual budgeting plan of the organization (OEC).
3. Providing constructive consultation and assisting in enhancing principal policy and other necessary principles for efficiency of the organization.
4. Assisting in analyzing and giving recommendation to enhance implementation of the projects and the budget expending.
5. Assisting in giving point of view and solving internal conflict of the organization.
6. Representing the organization in public.
7. Supporting activities of the organization (OEC).
8. Assisting the organization in finding the way for fund raising to support new projects.

All decisions to be made by the Board of Director must have been supported by 2/3 of the total voices of the Board of Directors.

b- Duties and Tasks of the Chairman and members of the Board of Directors

1. Chairpeson of the Board

- Provocateur of the meeting and leading ordinary or extra-meeting of the Board.
- To be chair of the meeting organized by the Board of Directors, or holding the position of Executive Director, during a long absence of the Executive Director, or appoint an interim director instead.
- In charge of ensuring conformity of all Board's members with the principal policy of the Board of Directors of OEC.
- Approve new appointment of Executive Director requested by selecting committee with signature of an organization representative or donor.
- (**Amended on 21.03.2011**) Approving nomination of new executive director presented by a recruitment committee wherein signed by one of the principal funding organizations or donors.

2. Secretary of the Board of Directors

- Responsible for archives.
- Letter and diverse decisions.
- Taking notes and distribution of minutes of the Board's meetings.
- Making observations for all Board members before starting the meeting.

3. Financier of the Board of Directors

- Controlling financial reports concerning income and expense of the OEC.
- Giving advice to all Board's members and to the Executive Director

regarding financial affairs of the organization.

- Assisting in controlling and giving advices to enhance the implementation of budget expenditure.

4. Members of the Board of Directors

- Participating in the meetings of the Board of Directors.
- Assisting in enhancing activities plan.
- Representing OEC in public.
- Supporting the activities of OEC.
- Finding funds to support the projects of OEC

c- The meetings of the Board of Directors are subdivided into 2kinds:

- 1- Ordinary meeting. 2- Extra-meeting

- 1- Ordinary meeting shall be organized in every semester, in the first week of January, and the second meeting in the first week of July.
- 2- The extra-meeting is the meeting to solve special problem, or any urgent affairs. It shall be proposed by the Executive Director of the organization, Management Committee, or by members of the Board of Directors with a member superior to 50%.

- d- **The Quorum of the Board of Directors** is 2/3 of the total of the Board. The chair person of the Board is the chair of the meeting. In his/her absence, the Chair Person delegates his power to some one to lead the meeting. The secretary should be in charge of registering the participants and writing the minutes of the meeting.

11.2- Rights of the Management Committee

a- Duties, tasks and rights of the Management Committee

1. Preparing strategic plan, missions, goals, objectives and program of the whole organization (OEC).
2. Preparing periodic budgeting plan.
3. Approving rules and principles necessary for the organization efficacy.
4. Preparing activities plan already approved by the Board of Directors.
5. Managing, leading and supervising the daily activities implementation of the organization, including recruitment and dismissal of staff.
6. Solving conflict between staff members.
7. Representing the organization in public.
8. Seeking funds for assuring development of the organization and, in the absence of the Executive Director, can in replacement sign all forms of contracts.
9. Contacting all donors or other institution-supporters of the organization.

b- Duties, tasks and rights of the Chairman and members of the Management Committee:

1-Chairman of the Management Committee

- a- Convening and leading ordinary or extra-meeting of the Management Committee.
- b- Assisting in solving great internal conflicts, when proposed by the Executive Director of the organization.
- c- Representing the organization in public.

- d- Assisting in heightening reputation and activities of the organization (OEC).
- e- Supervising and synthesizing reports of activities for the information of the board of Directors.
- f- Controlling all expense and reporting to the Board of Directors for information and approbation.
- g- Preparing financial request for different projects of the organizations.
- h- Making relation with all donors and institutions supporting the organization.
- i- All new recruitments shall be proposed by the Executive Director and approved by the Management Committee, submitted to the Board of Directors for endorsement.

2- **Financial Manager, Project Managers, Project Coordinators and Representative of staffs** are members of the Management Committee, in charge of determining activities plan to build budgeting plan, and to implement the activities approved by the Board of Directors and by the decisions of the Management Committee.

3- **Meeting of the Management Committee**

- a- The Management Committee shall organize meetings in all the 2-month to study and evaluate the activities of the project recently finished and in activities, in order to analyze the result, internal and external obstacles, identify ways for strengthening, enhancing, changing objectives and, making strategic analysis for new projects and solving different problems. Sometimes there may be affairs proposed by the Executive Director or by the Board of Directors.
- b- In case of having important or urgent problem, or necessary event, the Management Committee can convene extra-meeting.
- c- The meeting quorum of the Management Committee is at least 2/3 of the total members of the Management Committee. All decisions of the meeting shall be made in accordance with democratic governance, decided by 2/3 of total voice.
- d- The Management Committee shall organize monthly meeting among all staffs of the organization for sharing information to each other, coordinating or mutual strengthening, or an occasion for capability building essentially for general and effective operations.
- e- **(Amended on 21.03.2011)** Meeting process: The Chairman of the Management Committee is the meeting facilitator; in case that the chairman himself is involved in any conflict which is the object of the meeting, the Permanent Secretariat for Code Observance and reception of complaints will take in charge of facilitator of the meeting. By absence of the secretary, the participants can unanimously assign a participant to be facilitator. The facilitator shall ensure that everyone on the team is fully involved by giving his or her point of view; everyone's opinions are sought and valued by others on the team; list all options before making a decision. The closure of the meeting can be decided when a clear or accepted decision have unanimously been agreed.

4- **Unitary meeting**

- a- Project Managers shall organize weekly meeting to study working train of

the projects, implementation of the plan, obstacles, resolution or making recommendations.

- b- Coordinators of the project shall organize meeting between their own staffs, including social workers from districts twice a month, by choosing favorable date for studying development of the projects, establishing monthly application plan, or liquidating financial affairs with financial staff.

5- Minutes

All meetings shall be recorded in a minutes written by an appointed secretary, hierarchically distributed; minutes of the Management Committee meeting and minutes of monthly meeting shall be submitted to the Executive Director and the Board of Directors; minutes of unitary meeting shall be submitted to the chairman of the Management Committee and the Executive Director.

11.3- Duties and responsibilities of the Executive Director

- The Chair Person of the Board of Director, depending on the result of the Board meeting, is the annual evaluator of the works of the Executive Director.
- Working closely with the Board of Directors, Management Committee and other programming committee under supervision of the Executive Director, including all financial affairs and control of all activities program of the organization.
- The Executive Director is the pointer of goals, objectives and principal ideas for the organization, including assurance that all documental plan (strategic plan and annual plan) go on line with vision, mission and core values of the organization.
- The Executive Director is responsible for keeping programming documents (activities plan, reports) and budget requests to be presented to the Board of Directors and to donors.
- The Executive Director is the official representative of the organization (OEC) and responsible to keep close relation with administrative units of governmental institutions, non-governmental organization, donors and bipartite or three partite agencies to find supporting ways or get inter-cooperation.
- In term of cooperation with the Board of Directors, the Executive Director is a liaison person arranging assistance provision, and in charge of creating and maintaining good friendship with all existing donors.
- The Executive Director is responsible for recruitment and dismissal of OEC's staff by consulting with the Management Committee.
- The Executive Director is responsible for the well-being of staffs and for staff development in condition of complying with the organization growth.
- The Dismissal of the Executive Director would be the decision-making by the Board of Directors.

11.4- Role and duties of the Program Coordinator

- Program Coordinator assists management committee and project managers to identify main activities, impact of operational areas and mainly achieved results.
- Observe the results identified by OEC to ensure the activities for accession and achievement as planned.
- Monitor to see whether the impacts cause to obviously change.

- Use education system and analysis with all project managers to find out the change of attitude, skills, goals of target groups as well as environment received from the beginning of each project.
- Evaluate operational areas using measurement tools to see that all activities address to common goal, the success of OEC project fitting the policy of donors.
- Cause to have a special meeting for adjusting objectives or creating objectives of new project in accordance with analyzed result, obvious factors, indicators or environment situation.

Program coordinator supports vision, goal and objectives ensuring that all goals of project, objectives and activities go with the standard and vision of the organization, and managerial projects and stakeholders and supporters serve the objectives stated in fundamental rule.

CHAPTER 7 MEMBERSHIP

Article 12

Operations Enfants du Cambodge provides Cambodian people of both sexes, aging over 18, with opportunity to be members of the organization, under the condition that they accept to respect and comply with the statute, internal rules and policies of the organization.

12.1-Type of membership

Members of the Operations Enfants du Cambodge are:

- **Honorary members:** Any persons who have supported the organization physically or financially, or offered experimented ways for prosperity of the organization.
- **Active members:** Any persons who have asked to be members of the organization by accepting to participate actively in the operations of Operations Enfants du Cambodge.

12.2- Situation of members: Operations Enfants du Cambodge does not stick its policy only on membership, but on the availability of funds that allows the organization to hire staffs to accomplish effectively the activities in a duration conformable with each project, in respecting fully labor law of the Kingdom of Cambodia.

12.3- Loss of membership: Members and staffs of the organization may lose their membership because of any of the following cases:

- Death
- Written request to resign from Operations Enfants du Cambodge
- Not complying with the statute, internal rules or other instructions.
- Being sentenced of any crime with preliminary or final judgment of the court in the Kingdom of Cambodia.
- End of contract with limited length of time.
- Being dismissed from member or from staff by the decision of the Management Committee with a voice of 50% + 1, approved by the Executive Director and endorsed by the Board of Directors. This case may happen after the Management Committee had correctively advised the concerned two times, but he/she did not change his/her mind or activity.

Article 13 Allocation of living allowance or salary

The allocation of living allowance or salary for staffs contracted in a limited of time shall be analyzed and decided by the Management Committee, unanimously agreed with the Executive Director, who has the responsibility for all financial affairs, adapted to the actual condition, and approved by the Board of Directors.

Article 14 Delegation of power:

In her absence inferior to 1 month, the Executive Director shall delegate her power to one staff managing affairs in her behalf. In case an absence is superior to 1 month, the Executive Director shall appoint an Interim Director, after consulting the Management Committee with accord supported by the Board of Directors.

Article 15 Internal Rule

Internal rules and working regime, taking leave, other necessities, professional and moral discipline shall be apart described in internal rules, established by the Management Committee and approved by the Board of Directors.

**CHAPTER 8
POLICY FOR MANAGING FINANCIAL AFFAIRS**

Article 16 Principle for Withdrawing money from Bank and Expenses

Instructional note concerning financial management, inspection and supervision of cash box shall be elaborated apart.

Principal persons in charge of managing funds of the organization are:

1. The Executive Director of Operations Enfants du Cambodge
2. The chairman of Management Committee
3. The Administrative Manager
4. The Financial Manager

Article 17 Budget of the organization

17.1- The budget of the organization may have:

- Grant, contribution, donation from generous person, from external foundation, governmental institution and from international/national non-governmental organizations.
- Income coming from vocational training, technical assistance bound by a contract and income coming from selling some products.

17.2- The organization does not accept donation from any political party or from any representatives of the political party. Any provision of funds with no recognition of vision, mission and core values of the organization cannot be accepted.

17.3- All organizational funds are the properties of the organization. No staff and nor any member of the Board of Directors, and nor other officer can unlawfully use these funds as their own.

17.4- The account of the organization shall annually be controlled by auditing company officially recognized, and the inspection result shall be distributed to members of the Board of Directors.

CHAPTER 9 GENERAL MEETING OF THE ORGANIZATION

Article 18:

The General Meeting of Operations Enfants du Cambodge is the supreme institution of the organization in democratic governance to reinforce the rule of law and heighten participation activities and common decision making. The general meeting of the organization may be organized ordinarily or in extra-meeting.

Article 19: Ordinary General Meeting

Ordinary General Meeting shall be organized at the end of universal year with total participation of the organization staffs, Management Committee and all staffs, invited by the Executive Director. The Administrative Manager shall be responsible for setting procedure, agenda, place and date. The function of ordinary general meeting is to:

- Analyze and evaluate activities reports, funding and financial reports, that have been applied, then estimate expectation for next year.
- Evaluate general management by analyzing strong and weak points related to internal and external factors, then identifying suitable strategies.
- Make reflection on efficacy of organizational structure, and suggest a change if necessary.
- Analyze and approve some principles, and objectives of activities with budget for next year.
- Analyze and approve statute including internal rules.
- Analyze and approve amendment of statute and internal rules.

Article 20: Extra-General Meeting

Extra-General Meeting shall be organized for absolute necessity, held between annual general meetings, invited by the Executive Director, initiated by a 2/3 members of the Management Committee. The administrative Manager shall be in charge of setting procedure, agenda, place and date. Invitation with joint agenda shall be launched 15 days before the effective date. Extra-General Meeting will:

- Analyze causes, relative causes, results, consequences of the questions, in balancing with internal/external, environmental and political factors.
- Draw out a conclusion from analysis, and then make common decision opportunely.

Article 21

The decision of the both meetings has the same rightful value, when decided by a voice of 50% + 1 with a quorum of 2/3 of the total members.

Article 22

When the first convocation for the meeting cannot attain the quorum, a second convocation shall be made 7 days later, using the same agenda, regardless of quorum, but requires a decision of 50% + 1 of the total of participants.

CHAPTER 10 AMENDMENT OF STATUTE

Article 23 **Amendment of Statute**

- The statute of the organization may be amended, depending on gaps, evolitional situation, or to respond to the working speed. This amendment can be proposed by general meeting, or by the Management Committee, after discussion in a meeting, expressing clear analysis and goals, supported by a voice of 2/3.
- Files composed of original statute, new rectifying proposal shall be sent to all members of the Board of Directors, representative of staff, so they can study and analyze that 15 days before making convocation for amendment. The condition of decision and quorum remain the same as described in article 21.

CHAPTER 11 PROPERTIES OF OPERATIONS ENFANTS DU CAMBODGE

Article 24

Properties of Operations Enfants du Cambodge are:

- Movables and immovable objects, such as land, car, motorbikes, computers, digital cameras, scanner, copy machine, and other office facilities as enumerated in the inventory controlled by Administrative Manager. No person among members of Operations Enfants du Cambodge has the right to keep organizational properties for their private use.

CHAPTER 12 DISSOLUTION OF THE ORGANIZATION

Article 25:

If there is any event or grave scandal that force us to absolutely dissolve the organization, the Management Committee shall immediately convene to analyze in all angles, moral, social, economical, financial political factors, and then decide effectively when receive a supporting voice of 4/5. A report shall be urgently sent to the Board of Directors accordingly.

Article 26:

Suddenly the Management Committee shall establish separately all assets corresponding to every donor, and then send to the concerned with proposition to transfer things to any NGOs, still active and having similar program, or to some district education for children services. The remaining budget, depending on possibility, should be proposed to buy school materials for school in remote areas.

Article 27:

Operations Enfants du Cambodge will definitely close its door once having completely liquidated its assets.

CHAPTER 13 FINAL NOTICE OF THE ORGANIZATION

Article 28:

This By-Law was rectified on 3 November 2008 by members of the Management Committee of Operations Enfants du Cambodge, thoroughly examined with the Executive Director of the organization, and with the representative of staffs, finally approved and decided by the Board of Directors, which shall go into force from the signatory date.

Article 29:

This By-Law was elaborated in three versions, Khmer, English and French, which have lawfully the same values.

CODE OF ETHICAL PRINCIPLES AND CONDUCT FOR OPERATIONS ENFANTS DU CAMBODGE (OEC)

General Principles

We, the OEC, an NGO operating in Cambodia, confirm our commitment to:

- The Constitution of the Kingdom of Cambodia, especially the article 31, chapter III, concerning rights, respect to, and recognition of international bill of rights,
- The Cambodian Labor Law, law on people with disabilities and other national laws related to civil, social, economic, cultural, security, criminal and environmental laws,
- The Code of Ethical Principles and Minimum Standards for NGOs in Cambodia,
- The Code of Ethics & Conduct for NGOs, elaborated by the World Association of Non-Governmental Organizations (WANGO).

1. Definition

The Operations Enfants du Cambodge is an organization not-for-profit, non governmental, not to be part of, or controlled by, government or an intergovernmental agency and not affiliated with any political party, working to save and protect the rights of children, without any exception, distinction, or discrimination based on the basis of race, color, sex, language, religion, political or other opinions, national or original origin, state of wealth or birth, focusing principally on having the poor children, children with disabilities, orphans and vulnerable children affected by HIV/AIDS, children of landmine survivors and children addicted drug users, enjoyed equal opportunity, as their similar of normal conditions, for basic right to life, to be protected, to development and to participation.

2. Values

We use our integrity in endeavoring to respect, protect and promote the fulfillment of children's rights and obligations of all Cambodians to solve children problems based on national laws, international bill of rights and the real existing conditions. We therefore commit ourselves to the following:

- To be non-partisan and non-discriminatory,
- To promote equality of access, equality of opportunity and equality of outcome of Cambodian children,
- To adhere to the principles of democratic governance:
 - *Participation:* we use Participatory Rural Appraisal involving territorial officials, community's members of all sex and status in analyzing, deciding and acting commonly for the success of the projects. In the office we use participatory management, a practice of creating management committee and selected representative of staff to participate in organizational decision making.
 - *Rule of law:* In operations fields we conduct awareness campaign, seminars and communal talks to realize the respect and protection of the rights of children, women and disabled people concretized by supporting actively to the projects, and legal protection of all victims of all forms of exploitation. In the office, all staff members at any status and level must behave and act absolutely in conformity with the present code of ethical principles and the by-law going into force since 03 November 2008.
 - *Transparency:* In operations fields the beneficiaries know the cause, goals, objectives, activities plan, means for operations and that everything follows the process as planned. In the office all staff know very well the by-law, code of ethical principles, financial and administrative rules, supporting funds, operations cost and balance; all information is freely available and directly accessible to all staff which will be affected by such information. OEC shall be an office of glass, that every one can easily see what will be done and what have been done in rightful or wrong way, that remains always open to public. OEC maintains and makes available financial and activity reports upon request by relevant, interested parties and donors.
 - *Responsiveness:* OEC and its staff respect the two-way-communication with great attention to respond sensitively and actively to partners and stakeholders in a reasonable and timeframe,
 - *Consensus Oriented:* As the real goals to achieve the vision remain dependent of several factors, social, economical, environmental and human ambition, OEC will discuss with all participants and related actors saving and protecting children's rights to consider all related factors, and commonly accept successive and gradual terms of achievement in a reasonable frame time. For the work in office, all strategic plan and determination of activities will be scheduled in conformity with time limit and supporting resources.
 - *Equity and inclusiveness:* In operation fields OEC make great effort to mobilize all community members of both sexes, all status without discrimination based on any tendency, to enter into the mainstream of community or society, then to unite in a finding of a common well being. In office, all staff members are felt that they are all instruments of a common engine that they have equal value and the same usefulness to move the engine, a small screw lost can provoke a stoppage.
 - *Effectiveness and Efficiency:* In operations fields, OEC use human, physical, financial resources and development methods to meet the needs of saving and protecting children's rights. In office economical use of office supplies, abilities to plan, prioritize and team organization to achieve specific objectives on time in the sense of getting good result with modest resources directing to final success..

- *Accountability:* To reinforce individual, professional, economical, social and political discipline of all persons involving in the project that they are all responsible for improving, strengthening and protecting the rights of children, thus responsible for a change through achieving the projects according to frame time. In short we are all accountable to the children we serve, the government and donors in the use of resources. Consequently OEC shall maintain sound financial and accounting systems that ensure the use of resources in accordance with intended purposes.

3. Governance

To be able to function effectively, we need to put in place sound governance structures staffed by experienced, committed and responsible individuals. To this end we:

- Have elaborated a By-Law, approved by the Board of Directors on 03 November 2008, stating clearly our vision, mission and objectives,
- Will apply correctly our policies following the general principles here above stated,
- Shall establish governance structures which must guide the organization in its making decision and activities as follows:
 - Board of Directors (Rights, obligations and procedure stated in the by-law)
 - Management Committee (Rights, obligations and procedure stated in the by-law)
 - Procurement committee (Rights, obligations, procedure & rules described in a note)
 - Committee supervising the organization's asset(Rights, obligations, procedure & rules described in a note)
 - Staff Association (purpose, objectives, membership, rights and obligation stated in a memorandum of association)
 - Annual General Meeting as a tool for self-evaluation (Rights, process and decision described in the by-law)
- Shall give adequate space to our staff and beneficiaries to determine their roles and responsibilities in general development.

4. Accountability

As having stated in our values, we reinforce our accountability by strict respect to and strengthening democracy, human rights, transparency and the rule of law in our work. To this end we will:

- Be accountable to government, donors, and children and public in our actions and decision.
- Account fully for the financial resources received from donors, government, members, and partner organizations and fund from self-generated activities.
- Ensure stakeholders participation in the planning and implementation and evolution of the projects or programs.
- Undergo regular evaluations of the projects and programs

5. Organizational Integrity

As organization, we value the principles of integrity and to this end we affirm our commitment to:

- Be truthful in all our activities and refrain from practices that undermine the moral and ethical integrity of our organization.
- Utilize all the resources and privileges available to our organization in order to meet our mission and strategic objectives.

- Accept funds and donations only from sources whose aims are consistent with our mission, objectives and capacity and which do not undermine our independence and integrity.
- Evolve and implement participatory democracy in management to ensure ownership of the programs, projects, activities and quality of decision making.
- Involve all men, women, young people and children of our target communities to the greatest possible extent, making them responsible for the conception, implementation and evaluation of projects or programs.

6. Management of Human Resources

As organization grouping individuals coming from different and diverse backgrounds, we are all binding together to promote respect to and protection of children. To this end we will:

- Comply fully with our general principles herein stated.
- Employ, promote, train or send for training staff members under clear and transparent procedures.
- Respect and protect staff's constitutional rights of freedom of expression, movement, conscience and association.
- Have a clear and transparent salary, benefits and allowance policies.
- Eliminate all forms of conflict within the organization:
 - Conflict of Authorities: by producing job description for all member (job function, work to be performed, responsibilities involved and working conditions) to maintain order working efficacy(equal employment opportunity; systematic recruitment and selection process; reference and relatives check)
 - Conflict of Interest: by developing clear guidelines, policies and procedures which must be followed by all staff members (prohibition against using official working hours and organization's materials for private interest; no staff member may be member of interview committee for his/her relative, no purchasing in an enterprise controlled by his/her relatives; no person may violate the by-law, the code of ethical principles and his/her job description.)
- Officially entitle the representative of staff association as:
 - A reporter and a liaison person between all staff members and the management committee of the OEC.
 - A maintainer and a protector of Human Rights and Democracy within the OEC in order to reinforce working harmony among all staff members in accomplishing the long and short objectives of the OEC covered by the by-law and the code of ethical principles.
 - A principal factor to promote tolerance, compromise and understanding of the general principles of the OEC, and will resolve all problems through peaceful and democratic ways.
- Accept any complaint from group or individual, well founded with argument, about mismanagement or misconduct performed by anybody, found in OEC, for a rightful and internal resolution, to be carried out by management committee or by a special committee or by the board of directors, depending on the gravity of the problem.
- Use appraisal performance form containing key assignments and objectives planned, to be completed by the supervisor and the staff member, performance rating by the supervisor, staff member's review and final review signed by the staff members and the supervisor, in order to eliminate favoritism, unclear objectives and unclear responsibilities.

7. Gender Equality

Gender equality implies a society in which women and men enjoy the same opportunities, outcomes, rights and obligations in all spheres of life. Respecting this concept, we:

- Shall seek to advance gender balance and equity and endeavor the equal participation of women in all our development initiatives.
- Shall fully integrate gender sensitization into our human resources development and promote non-discriminatory working practice and relationships.
- Will strive to increase the number of women in decision-making positions, promote gender equality in recruitment, hiring, professional development and advancement.

8. Financial management

Our finances must be managed to ensure appropriate use of funds and accountability to the donors, government, and the public in increasing accuracy. To this end we will:

- Comply with accepted business accounting and auditing practices, including voucher and authorization process.
- Ensure that audits are carried out by independent auditors officially recognized.
- Use systemwide accounting and budget control by setting up bookkeeping, journal, general ledger properly per each project.
- Control strictly the balance sheets of transactions (financial request for advance, disbursement and liquidation supported by original proofs), keeping all documentations filed in an easily auditable manner.
- Publicly announce any charges against a member for fraud, theft, misappropriation of funds or any attempt to commit these crimes.
- Eliminate all form of conflicts caused by financial interest, especially fraud prevention against:
 - falsifying receipts
 - rectifying unit cost or amount
 - presenting a receipt of ineffective act
 - changing quality or reducing quantity of object or persons
 - reducing length or duration of mission, different from actual figures in financial request.

An investigation team composed of one member from admin; another from finance section and another from staff association shall be formed to deal with any financial scandal.

- Use restricted moneys for unintended purpose and allocated funds according to donor desires, also spend no more than 25% of total revenue on fund raising and administration.

9. Capability building

Recognizing our operations in a constant environmental change, we need to equip and re-equip ourselves to respond to new challenges by the following ways:

- Train staff members to deeply comprehend the by-law, the code of ethical principles and conduct, including the democratic governance and eliminate all form of discrimination, abuse of power and favoritism, in order to keep staff members abreast of technological changes and advances.
- Train staff members to understand profoundly the universal declaration, covenants, conventions recognized by Cambodian Constitution, mainly children's rights, law on people with disabilities, human rights in administration, education, health, and then human rights and development, different forms of human rights violation, essentially violation of the rights of the child.

- Develop life skills related to working train especially critical/analytical thinking, reflective thinking, strategic analysis, Bloom Taxonomy, Socratic technique, conflict solving, goal setting, leadership and team building to reinforce decentralization in the organization.
- Send staff members to be trained technically and specifically organized by donors or by related agencies to strengthen strategic and technical skills and develop human skills.
- A reasonable training program will be established with regard to operations and time factor.
- Establish network of similar or likeminded organizations so that they can assist each other in reinforcing working skills for common success.

10. Networking

In reality we cannot operate in a vacuum without the support of others, in consequence we commit ourselves to:

- Create network so as to share ideas and objectives to avoid duplicating activities and reduce competition for scarce resources.
- Disseminate information through networks, share experiences and best practices without compromising institutional confidentiality.
- Gain right information from network members and from referred public members for our projects and activities.
- Better coordination when dealing with issues of mutual concern that will lead to greater impact.
- Foster an atmosphere of collaboration and cooperation in our partnerships and target supportive relationships to the best advantage of our organization and target population, in promoting harmony and team spirit within and outside the organization.

11. Observance and monitoring of the code

The Board of Directors, the Management Committee and the leading committee of Staff Association are the guardians of the Code of Ethical Principles and Conduct for OEC. After being trained of the by-law and the code of ethical principles, all staff member must sign on a paper stating their acknowledgment and compliance with these two instruments. New staff will be asked to read the both instruments and sign on a guarantee paper.

Each member of OEC staff as individual has the right to monitor the implementation and has full power to report to the Management Committee, or to the leading committee of staff association which will take further action, all of any violation of these instruments, openly or secretly. Staff can submit in group a necessary complaint.

12. Permanent secretariat for Code observance

A permanent team of two persons, one representative of management committee, and another one representative of leading committee of staff association, equipped with high moral values, shall be selected as secretaries of observance committee of the code.

The secretariat has the duties to receive any lodged complaint, then studying it and documenting, checking with instructions and rules stated in the instruments, making investigation if needed, then finally presenting the case to the Management Committee for further action.

13. Fighting against drug addiction

OEC recognizes that people who repeatedly take large amounts of drugs such as alcohol, marijuana, ecstasy, amphetamines, or narcotics may become dependent on the drugs. The effect

of these drugs can cause confusion, depression, sleep problems, anxiety, damage to the brain in areas that control thought, memory, and learning; paranoia ascribing hostile intentions to other persons; poor motivation, impaired judgment and memory, personality changes, and disrupted collaboration and family relationships; health problems such as hepatitis. Addicts spend so much time and money trying to obtain drugs or under the influence of drugs that they neglect their family, friends, and work. Pregnant women who take drugs can cause harm to their unborn children. All drug users risk injury or death to themselves and others if they drive under the influence of a drug, and that can destroy internal working harmony, create conflict of interest, undermine all fundamental interrelation with international, national and private institutions, thus putting mission of OEC to an end.

Consequently, OEC and their staff declare solemnly to use all our strong vigilance to prevent possibility of sale, possession, and use of these kinds of drugs, or being intermediaries of illicit commerce, in the office, at home, or in other public place and in personal daily life. To this end, OEC staffs are binding together to keep close watch on their children attitude and children or adults of their neighbors to unanimously maintain the no-drug atmosphere, to use any efficacious psychological or legal ways to discourage drug suppliers and drug traffickers. Any staff member conducts oneself contrarily to this concept shall be expelled from his/her position.

14. Fighting to prevent new HIV infection

All OEC staffs shall be capable of explaining their relatives, neighbors and friends the ways of HIV transmission: -Unprotected sexual intercourse (vaginal, anal, oral); -Shared needles or equipment for injecting drugs; -Non-sterilized needles for tattooing, skin piercing or acupuncture; -Pregnancy, delivery and breast feeding (from an HIV-infected mother to her infant); and -Occupational exposure in health care settings, and then the way where HIV cannot be transmitted through: -Casual, everyday contact; -Shaking hands, hugging, kissing; -Coughs, sneezes; -Giving blood; -Swimming pools, toilet seats; -Sharing eating utensils, water fountains; or -Mosquitoes, other insects, or animals. This awareness is used to prevent HIV and to eliminate discrimination against people infected by HIV. Additionally all OEC staffs shall participate in the campaign encouraging and convince people to accept Voluntary Counseling and Testing (VCT) and Voluntary Counseling and Confidential Testing Service (VCCT), as first step for prevention or treatment to reduce new infection. The important thing is to bring people to consider Voluntary Counseling Testing as routine medical check for individual and familial happiness. They have to use friendship and sincerity to strengthen gender equality in common sentence between man and woman, members of sexual intercourse to avoid risk of Sexually Transmitted Infections (STI).

15. Amendment of the code

This code of ethical principles and conduct, prepared by the Management Committee, agreed by the representative of the staff and the Executive Director, and then approved finally by the Board of Directors, can be amended by the same administrative way, after a serious study and proposal by a special committee specifically appointed to review the code, put in cause by absolute majority of the Board of Directors, management committee, or of the staff association (50% + 1).

16. This Code of Ethical Principles and Conduct was elaborated in two versions, in English and in Khmer, both have the same legitimate value and gone into force from the signing date below.

OPERATIONS ENFANTS DU CAMBODGE (OEC) CHILD'S RIGHTS POLICY

Overview

From 1955 till present time, living through two Indochinese wars accompanied by internal armed conflicts, resulting in four-change of political regimes, that have given birth to new successive royal governments coming from democratic election, Cambodia has in fact engaged itself in respecting and protecting child's right since 22 October 1992, ratified by the Supreme National Council (SNC) with signature apposed by Samdech Preah Norodom Sihanouk and all SCN members, and then later reiterated in Cambodian Constitution in its article 31: "The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women's and children's rights. Every Khmer citizen shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status. The exercise of personal rights and freedom by any individual shall not adversely affect the rights and freedom of others. The exercise of such rights and freedom shall be in accordance with the law" Article 68 states that "The State shall provide free primary and secondary education to all citizens in public schools. Citizens shall receive education for at least 9 years. The State shall disseminate and develop the Pali schools and the Buddhist Institute".

In the Rectangular IV of the royal government, promised to be continued in the fourth mandate, the government has stated: "The Royal Government is committed to achieving the goal of "Education for All" by ensuring equity in the attainment of nine years of basic education for all children and ensuring access by the children of the poor households to education, especially by improving the quality and number of public education institutions and providing more scholarships to poor students. The Royal Government will continue to strengthen its partnerships with the private sector and the national and international community to enhance and improve the quality of education services, both in vocational and technical training and in higher education, consistent with international standards and the development needs of the nation".

In summary, Cambodia with the same conception as other countries having in the world, pays great attention to children rights, but from 1955 up to now, caused by economic conditions, unbalanced development between capital or town and the countryside, laws enforcement, natural resources management, poor agricultural technology development and national plan for land management, children rights have not yet generally been completely and satisfactory respected and protected, that requires constant effort to build equality of opportunity and outcome, which will develop freedom from ignorance and strengthen right of personal integrity.

Purpose

Operations Enfants du Cambodge, as its name indicated, with consideration of the above factors, in respecting the national and international declaration concerning child's rights has then the obligation to work cooperatively and closely with official institutions, national and international civil organizations, as well as with the support of all world donors who commit themselves to save and protect the convention on the rights of the child, ratified by the UN General Assembly on 20 November 1989, in order to realize the basic rights of Cambodian children:

- **The right to life** involving the right to survival, shelter, clothes, health, nutrition, name and nationality
- **The right to development** involving the right to good quality of education, access to vocational and life skills education, access to information and material from a diversity of national and international sources to develop their social, spiritual and moral well-being and mental health, additionally health care services, leisure and recreation
- **The right to protection** involving the freedom from sexual, economical exploitation illicit commerce and drug addiction, physical and mental violence, injury or abuse, arbitrary punishment and neglect or negligent treatment.
- **The right to participation**, including liberty to participate in economic, social and cultural activities, to expression, to seek, receive and impart information and ideas of all kind regardless of frontier, and the right to freedom of thought, association, peaceful assembly and religion.

As stated in article 31 of Cambodian constitution, Operations Enfants du Cambodge recognizes the important function to strengthen the basic rights of children in the context of human rights and with great regards to Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; worst forms of child labor convention, including Declaration on the Rights of Disabled Persons.

As priority we focus our activities first to empower poor children, and the ones facing difficulties in remote areas, where the national plan has not yet been accomplished, to promote equality of opportunity by access to good quality of education, health care services, and equality of outcome by providing comparable school facilities to vulnerable and children facing difficulties in remote areas, rid of any discrimination and all forms of violence, but getting full assistance and support of communities to develop thinking power, free participation and future self-determination.

Vision

Cambodian children everywhere, the poor, the vulnerable, the handicapped and the orphans enjoy basic rights with full equality of opportunity and outcome.

Cambodian children in disadvantaged conditions receive economical, social and cultural empowerment for self confidence and future free choice of employment.

Cambodian children of any condition in everywhere live together in the spirit of peace, dignity, tolerance, freedom, equality and solidarity for the well-being of all.

Mission

Conduct awareness campaign to disseminate and realize the above basic rights of children in remote areas of Cambodia. Build and raise capabilities, and good living condition of disadvantaged children and their families, in cooperation with all child rights networks and local officials, to enable them to develop themselves physically, spiritually, socially, morally, and skillfully by provision of school facilities, integration in school mainstream, vocational and life skills training, food supplies and capital for small business, including primary health care, rehabilitation, reproductive health, and by strengthening existing communal structure to implement child-friendly school for sustainability and concretizing freedom of and freedom from of Cambodian children.

Core Values

We believe in implementing the principle of democratic governance, participation, rule of law transparency, responsiveness, consensus oriented, equity and inclusiveness, effectiveness and efficiency and Accountability, also spread among our partners and field cooperators to create common understanding and build working harmony for the good of Cambodian children.

Our commitment to save and protect child's rights

1- Obligations of OEC's staff:

Our vision and mission force all OEC staffs to have a common working behavior and implementation:

- All staff must understand deeply the above stated basic rights of children, by organizing team talk and discussion in their own unit following what having remarked from operational fields to find out new alternative objectives.
- Allow staffs to support external reinforcement training by Handicap, Disability and Human rights agencies with additional enhancement and refreshment, or technical course organized internally by OEC advisor to make operations more effective.
- In their environment and in operation field, OEC staff should seriously observe the gap, regardless or act breaching child's rights, and try to study and find through team talk a suitable or psychological way to resolve the case. They can provoke seminar or general meeting to resolve any difficult problem.
- All OEC staff should keep in mind the stated visions and missions, then consider that all unfulfilled act to save and protect child's rights around them require from them an obligation to study and resolve individually, or by common decision, depending on the circumstance and gravity of the acts observed.
- All OEC staffs are sensitively becoming protectors of child rights. In this quality they must, at any place and with any persons, use profitable occasion, or exploitative fact to clarify the danger and consequence of child's rights violation, such as domestic violence, any forms of child exploitation, and then giving necessary measure for prevention.
- All OEC staff must be vigilant in keeping confidential information for children and their families in all OEC projects, and must demonstrate our responsibilities to respect children in our communication with them, or in all acts involving them, especially toward disabled children.
- Local community members, local authorities, local educational institutions and popular persons with religious of all religions in the lieu are good faithful and active supporters to cooperate with OEC staff in promoting child's rights.
- OEC staff of all projects must have a spirit of mutual aid reinforcing each other leading to achieve common purpose, realizing the above basic right of children, focusing mainly on disadvantaged children in remote areas.

2- Staff recruitment

OEC will not recruit or use an individual who did not know the basic rights of children, or having committed an offense against children, convicted by Cambodian court or security services, and or having offense committed against children in relation with the current job role. Application form will raise these questions for effective prevention. Wrong declaration will result in being dismissed.

Management committee through managers is required to publish this policy to all staffs, in current job, in volunteer status, or newly recruited, so that they can be aware of the policy and comply with it to prevent violation or abuse against children, and to assist the organization in saving and protecting children's rights fruitfully.

3- Program, projects and activities planning

3-1. In all of our projects, we conduct awareness campaign, step by step in the course of project, through open talk, small group discussion, educative games, workshop about the basic rights of children with connection to women rights, human rights and gender equality, role of parents, guardians, teachers, community members and responsibilities of children. We raise the different forms of violation, exploitation and preventive measures against economic and commercial exploitation.

3-2- We make effort to get support to assist children of the poorest families and orphans of HIV/AIDS families living in countryside to have the chance to complete learning in primary and secondary schools, and support some weak students to attend remediate lessons, enabling them to complete lower or upper secondary school, to serve the right to development and liberty of opportunity and outcome, by providing them also with school facilities and with food supplies.

3-3- We create projects to support children with disabilities, by having them rehabilitated vocationally, supported prosthetic or operated, depending on the state and complication of their disability, and then after having physical education, and literally and numerically learning, they would later integrated in school main stream, cooperatively supported by local public schools. To this end, the convention on the rights of persons with disabilities is clearly discussed and comparatively studied, in primary and secondary schools, in connection to human rights, to eliminate discrimination and promote equality of opportunity and equal access to education and development.

3-4- With support of our donors from outside and IOs in the country, we open a hopeful path for children injured by land mines, in providing emergency medication, food supplies, school facilities including bicycle to attend school and for other use. In the other side, we support landmine victim survivors by alleviating their standing of life through empowering means, vocational training, gardening, livestock and other agricultural development, and necessary counseling to prove their importance in social life, encouraging them to liberate their children to attend school regularly, rid of agricultural forced labor.

3-5- Always with support of our donors, in collaboration with local communal authorities, community members, especially with provincial and district education, OEC launches another project to develop education in remote area, where national plan has not yet been fulfilled, to promote equal access to quality of education and concretize equal liberty of outcome and promote liberty of participation, by involving people in construction of village classrooms, and selecting local teachers, technically and financially sponsored by the organization. This can serve as a means of communication to develop thinking power and eliminate the lead to error or confusion.

Strategy to meet our commitments:

- This statement on Child Rights Policy is complementary to the By-law and the Code of Ethical Principles and Conduct that all OEC staff must strictly implement for the success of their missions.
- All OEC staff should work in close cooperation with national and international agencies working in Child's Rights and Human Rights field to exchange information, experiences and methodologies to save and protect child's rights
- All staff and volunteers will have access to a copy of the child's rights policy
- Learning by playing and learning by doing are main methodologies to introduce child's rights into daily life, through community talk and classrooms. Project staff should invent educative and analytical games adapted to the above basic rights; organize pre-test and making criticism on methodology used and supported teaching aid, before performing that in the operation field.
- Apart from awareness and education activities, OEC staffs are facilitators and intermediaries to help victim of violation with contacting competent service in the subject, security service, health service, legal aid and organization working in anti sexual violation or anti trafficking in quality of serving the right to protection.
- All project staffs are capable of making analytical and reflective analysis individually and in team to constantly evaluate their activities, before, during and after operations for future enhancement, adjustment or improvement of strategic planning.

STATUTE OF STAFF ASSOCIATION

OVERVIEW

In the view of improving operational capabilities for the interest of national society, coming out of the strong foundation of the Operations Enfants du Cambodge, full of harmony and protection of staff-well-being, leading to succeed the vision, missions supported by its core values, all staff members of the Operations Enfants du Cambodge decided unanimously creating a Staff Association to save and protect the efficacy of the organization reinforced by the well-being of all staffs.

THE GROUND-BASE OF THE ASSOCIATION

The Staff Association commits itself to respect and comply with the following regulations:

- Article 31 of the Constitution of the Kingdom of Cambodia about recognition of the bills of rights stated in the covenants and conventions of the United Nations, including article 36 related to rights and creation of trade union.
- The Universal Declaration of Human Rights, especially article 20 concerning freedom of peaceful assembly and creation of association.
- Labor law of the Kingdom of Cambodia.
- The by-law of the Operations Enfants du Cambodge.
- Code of Ethical Principles and Conduct of the Operations Enfants du Cambodge which has described the creation of staff association and its functions.

COMPOSITION OF THE LEADING COMITY OF THE ASSOCIATION

The leading comity of the staff association is composed of:

1. President of the association, elected by relative majority
2. Liaison-person, elected by relative majority
3. Secretary, assigned by unanimous decision of the both, president and secretary
4. Accountant, elected by secret votes among the first three persons, president, liaison-person and secretary.

MANDATE OF THE LEADING COMITY OF THE ASSOCIATION

The leading comity of the association has a mandate of three (3) years, counted from the elected date. Every member has the right to resign from its function, subject to presenting logical reason, and approving by majority voice of the comity. Any member appointed by election should be replaced by a new elected.

In case that any member has broken the by-law or code of ethical principles and conduct, the executive committee of the Operations Enfants du Cambodge has the rights to declare not recognizing the subject, and asking to have a replacement.

TASK AND DUTIES OF STAFF LEADING COMITY MEMBERS

- **The President**
 - He is the saver and protector of democracy, human rights, justice and well-being of staff in the Operations Enfants du Cambodge to strengthen harmony for the interest of national society and children, in the scope of the by-law and the code of ethical principles and conduct, having the democratic governance as foundation.
 - He is a rapporteur, reporter and a liaison person between staff members and the executive committee of the organization for operational success following democratic governance.

- He is the representative of staff before the organization and in any association having similar goals.
 - He is an initiator and assembler of ideas to find out the way for developing cultural, social, economic and professional capabilities of the staff. He is the solver of all internal conflict between staff together, and between staff and the organization or executive committee.
 - He is the guardian of gender equality bringing men and women to get equality of opportunity, equality in outcome, dignity and right to participate in common decision making.
- **The liaison person**
 - He makes direct relation with all staff members, individually, in group of both sexes at all levels to exchange ideas, enlighten application process, collect feedback for analysis with the president of association, taking base on existing regulations, logic, and then looking for solution, if there are some irregularities.
 - He is a collector and disseminator of general information, in so making relation with other associations, national and international to develop cultural and professional capabilities for improvement of the organization,
 - He is the watcher of the implementation of by-law and code of ethical principles and conduct, and also the facilitator all any staff meeting.
 - He plays presidential role conformably to assignment in opportune time.
- **The secretary**
 - He has the role to keep all documents of the association, arrange meeting sessions and elaborating minutes, including correspondence under supervision of the liaison person, after unanimously accepted.
 - He is in charge of receiving all suggestion papers or causative report submitted by staff members to be submitted to the leading committee for further action.
- **The accountant**
 - He is responsible for managing financial affairs of the association by keeping money in saving account.

Association criteria

- **Membership**
 - All staffs have the right to adhere to the association.
 - Managing members and members of the executive committee have no right to be candidate for being elected as member of the leading committee member of the association.
 - Staff in position of probation has no right to be member of the association.
 - Members of the association have the right to adhere individually to any political party, but shall not use their belief and influence introducing in the association.
- **Voluntarism**
 - Members of the association are volunteers working cumulatively with their official function in the organization, and not causing loss of time, asset and mission of the organization, but for common interest, that is to achieve the vision, missions of the organization and to promote rights and freedom of children.

- **Meeting of Staff Association**

- General meeting of staff association will be organized in function of causative requirement, proposed by leading committee of the association, or by a group of at least 20 signatories of staff members with solid argument.
- The real general meeting will be held 15 days prior to the end of leading committee mandate in order to elect a new one. The former committee members may present themselves for the new election.

Forcefulness of the Statute

This Statute has been drafted by a temporary group, and then shall be gone into force after the election of Leading Committee, and after having been rectified and commonly approved with signatures.

Conflict of interest Policy

Reference Documents:

- By-law of OEC dated 03 November 2008
- Code of Ethical Principles and Conduct dated 12 January 2009
- Statute of Staff Association entered in consideration on 11 February 2009

Definition

A conflict of interest in NGO is a situation in which someone in leading or decision making position, such as a member of Board, executive director, program manager, project manager or advisor etc. has competing professional or personal interests. Such competing interests can make it difficult to fulfill his or her duties impartially. A conflict of interest exists even if no unethical or improper act results from it. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, profession, or organization. A conflict of interests can also arise when anyone has two duties which conflict. For example, an employee might have a duty to faithfully perform their work well as purchasing manager, and might also have a familial duty to their sibling who happens to be tendering for the sale of widgets to the manager's employer. In this case the employee has a conflict of interests.

In certain relationships, individuals or the general public place their trust and confidence in someone to act in their best interests. When an individual has the responsibility to represent another person, whether as administrator, executor, a clash between professional obligations and personal interests arises if the individual tries to perform that duty while at the same time trying to achieve personal gain.

Types of conflicts of interests

1. Conflict between Board and Executive Management Committee or Executive Director

Causes: This conflict may come from the following causes:

- No full engagement in organization interest
- Difference conception
- Not working harmoniously as a team
- Failure to reach a consensus by neglecting rights and duties in by-law.
- Personality clashes forgetting distrust to the organization.

Resolution: The resolution of the conflict can be done by the following ways:

- Bringing Board, Executive Management Committee to study together the basic documents, the by-law and the code of ethical principles and conduct including the statute of staff association to see the proper role, duties of every institution by outlining the main points for conformable orientation.
- Clarification and confirmation of the board chair's responsibilities and the role of executive management committee.

- Not to aggravate the conflict, but to avoid making people lose face by official meeting, in using golden rule (the principle that people should treat others as they would like to be treated themselves, and that people should not treat others the way they do not want to be treated themselves) through private and open direct discussion to reach common understanding and end the conflict by building consensus.

Prevention of conflict: The following measures can prevent conflict from occurring:

- Inform and communicate with board regularly.
- Appoint a staff person from the organization as the board's liaison.
- Set aside time to talk regularly – bi-weekly or monthly to create solid relationship and informing board members of major problems and issues.
- Work closely together as a team.

2. Conflict between executive management committee and executive director

Causes: The causes of the conflict may come from:

- Slight respect or implementation of the eight rules of democratic governance described in code of ethical principles and conduct.
- Neglecting of institutional rights and duties stated in chapter 6 of the by-law of OEC.
- Not working harmoniously as a team.
- Abuse of power and do not seek criticism.
- Selfish behavior abandoning preliminary meeting before taking action.

Resolution: This conflict can be resolved by the following ways:

- In the first step, the chairman of the executive committee and the executive director sit together face to face, analyzing the cause of the conflict by making reflective thinking in referring to the by-law and the code of ethical principles and conduct, and then drawing out an objective result to reach a common understanding, rid of bias and of selfish.
- If this process cannot help, they must have recourse to special and official meeting of the executive committee in the second step, as stated in sub-article 11-2, paragraph 3, based on all basic documents.
- The third and last step is intervention of the Board of Directors, which should be avoided, because that will lessen prestige and authorities of the executive management committee facing to the staff, and cause distrust in external sphere.

Prevention of conflict: This kind of conflict may not be occurred when everyone respects and implements strictly the following measures:

- Respect and implement correctly the rights and duties stated in the by-law with firm behavioral action conformable to democratic governance described in the code of ethical principle and conduct.
- Work harmoniously as a team with preliminary consultation meeting and then common decision making.
- Empower institutional structures (Staff association, procurement committee, asset committee and permanent secretariat to watch code of ethical principles implementation with complaint reception) to assist the organization in decision making.

- Practice of reflective, critical and analytical thinking to orient work development and strengthen professional discipline.

3. Conflict between staff and staff members, and between staff and executive management committee, and or staff with the organization.

Causes: The causes of the conflict may come from:

- Some staff abuses of power, or violate the by-law, or the code of ethical principles and conduct, and or might appear to conflict with the organization's responsibilities, values and missions.
- Some staff members may engage in any activities which create a conflict of interest, either financial or professional discipline.
- Decisions by the staff involving a conflict of interest may create an appearance of impropriety. This would include, making any decisions; taking any actions; or seeking to influence any decision or action that may appear to create or does create a conflict of interest, whether involving the organization, the organization's missions or personnel actions involving any other staffs of the organization.
- A staff who has a direct or indirect interest (whether through family or business connections) in suppliers of products or services to the organization, or an interest in contractors or potential contractors who would do business with the organization,

Resolution: These conflicts can be resolved by the following practices:

- Abuse of power for one's own interest, interfere into other affairs for one's own interest, create jealousy, lead to organization weakness, all of these relate to the practice of rules, that require reinforcement of the by-law, code of ethical principles and conduct, including strict implementation of job description and development of effective teamwork. `
- Eliminate activities which conflict with organization by bringing staff to respect and protect the core values, vision and mission of the organization. All event of second offense will consequently result in termination of service.
- Stop people making personal decision, or seeking to influence the outcome of a decision for their benefit by inviting them to refer to the core values of the organization, especially the rule of law, consensus oriented, equity and inclusiveness for common decision making through harmonious team working. Inform all that any second offense will result in inviting to quit the organization.
- Move person having family interest, business connection with entrepreneurs or contractors out of assigned operations. Encourage voluntary and faithful declaration about any relationship which might cause conflict, then to have permission of getting out of the assigned mission.

General measure to prevent conflict of interest from appearing:

To prevent staff from exploiting a professional or official capacity in some way for their personal or group benefit, the principal rules existing in the By-law, Code of Ethical Principles and Conduct and the role of Staff Association must be often repeated and clarified supported by some educative and analytic games. Revise time to time the gap in elaboration of by-law or code of ethical principles allowing possible exploitation for personal or group interest. Have the permanent secretariat as guardian of the code of ethical principles, the committee of procurement, asset committee and the staff associations to be vigilant, sensitive to any potential cause of conflict, and to rapidly point the event out to the attention of management committee or executive director for further solution. Explain to all staffs clearly the meaning and the different types of conflict of interest with their consequence affecting the organization, especially some irreparable types which contradict the vision, values and mission of the organization, and might harm the organization.

PERMANENT SECRETARIAT FOR CODE OBSERVANCE AND RECEPTION OF COMPLAINT

Reference: Paragraph 12 of the Code of Ethical Principles and Conduct for OEC

A- Introduction

The Permanent Secretariat for Code Observance and reception of complaints is established in accordance with the above reference to ensure good implementation of professional, moral and individual disciplines in conformity with the fundamental and instructional documents of OEC, mainly the By-law; the Code of Ethical Principles and Conduct; Conflict of Interest Policy and the Child Rights Policy.

B- Composition of the Permanent Secretariat:

The composition of the permanent secretariat's members is

- A representative selected by Management Committee, team leader,
- A representative selected by leading committee of Staff Association, member.

B1. Right and Duties of the Permanent Secretariat

- a) The permanent secretariat works in team and decides in consensus agreement. Job description and works sharing come out from a logical analysis of the both members.
- b) The permanent secretariat will not receive any complaints concerning purely private and individual affairs related to civil or criminal law of the country, outside of OEC scope.
- c) The permanent secretariat is only in charge of receiving all internal complaints related to violation of the fundamental rules of OEC, human rights including gender abuse and democratic governance. They welcome all complaints related to unethical conduct, breach of professional discipline or maladministration, delay and corruption, including misuse of OEC asset, in order to strengthen democratic governance, and to eliminate all internal conflict.
- d) The permanent secretariat has additionally the obligation to receive any complaints revealing gender inequality, behaving through coercion and threat; intimidation; emotional abuse; male privilege and economical abuse in daily service either in office or in operational fields.
- e) The permanent secretariat has no right to make any decision, but only to receive, register, sort, classify and document all complaints against any organizational bodies, sections, or injustice, or infraction of the OEC fundamental rules, as enumerated in the introduction, and then write a presentation paper for the management committee to act conformably to the instruction 6 of paragraph 11-21, chapter 6 of the OEC By-Law, with recommendation or proposal for an appropriated remedial action, to decide rightfully with regard to the "Conflict of Interest Policy".
- f) The permanent secretariat receives also complaints coming from partners or related agencies against anybody, ill performing mission of OEC in the fields in the view of maintaining honor and prestige of the organization.
- g) The permanent secretariat has the rights to conduct investigation, contact defendant for necessary information, to call the complainant for clarification of what being unclear, or

unjustifiable statement, then based on the methodic resolutions in the Conflict of Interest Policy, propose remedial way to the Management Committee.

- h) By its independent character, the Complaint Committee may be asked by the Management Committee, Executive Director or Board of Directors to perform a secret investigation on some bodies, or on strategic implementation of the organization for further development.
- i) Through experience practiced in their function, as implementation of the fundamental documents, with the idea of strengthening organization development, the permanent secretariat have the right to propose amendment of some basic rules to respond to the new requirement.

C. Mandate of the Permanent Secretariat

The standing of the both members of the permanent secretariat is unlimited, due to the important duties which require seriousness, documentation, in studying fundamental rules and organic instructions with deep analysis, interpretation and impartiality, except required by term to take rotation role set first by OEC rules.

D. Presence of a member of the Complaint Committee in any internal confrontation or remediation session.

All confrontation, remediation, reconciliation or other solution organized by the Management Committee, or by Board of Directors, between the complainant and the defendant, should obligatory have a member of the Complaint Committee for witness and defending his/her report, or fact-finding, and to assure neutrality and rightful decision.

PROCUREMENT COMMITTEE

Reference: Paragraph 3 of the Code of Ethical Principles and Conduct

A- Introduction

The procurement committee is established in conformity with the above reference to ensure consistent and correct application of procurement practices and to assure transparency in OEC.

B- Composition of the Procurement Committee

The procurement committee's members are:

- A representative of Management Committee, chairman,
- A representative of finance section, member,
- A representative of Staff Association, member.

During the absence of the chairman, the representative of staff association or the representative of finance section will be assigned to chair the procurement committee. A member among the both will be assigned by the committee to be permanent secretary.

The mandate of the Procurement Committee is two years renewable, evaluated by the Management Committee and approved by the Executive Director.

C- Matter for Procurement Committee Consideration

In fact considering the activities of the different projects, not at a great level, the purchase for OEC is practically done by a unique way, direct purchase. All purchases whose price begins from \$300.00 and more require absolute quotations coming originally from three different suppliers sources.

C-1. Purchase Request (PR):

The concerned project must submit a purchase request mentioning clearly the quantity, type, technical requirement, series and capacity, the stage of the product, physical availability with timeframe, supported by three suppliers' written quotations. If there are no written quotations available, it is recommended that any verbal offers be documented.

The evaluation and selection of suppliers will be carried out by the Procurement Committee. This ensures that all aspects of the purchases are considered and that the process is transparent and impartial. The key considerations for the direct purchasing include: 1) fair competition, 2) economic/reasonable prices possible, 3) selections of the best value for the money, 4) proportionality between the procedures applied and the purchase values, and 5) proper documentation. In short, to select the suppliers, the procurement committee takes into account necessary factors, such as price, quality, experience of suppliers, production capacity, etc.

C-2. Single Quote: Single quote means purchases of supplies from a single supplier at the quoted price. This is the least preferred method and shall only be used on exceptional basis and at OEC discretion. The order may be placed on the basis of single quote in the following cases:

- a) There is a need to purchase supplies in response to primary emergency situation.

- b) Under the direct purchasing procedure and despite some sourcing efforts, there is no or only one interested supplier submit quotation. This might be due to physical availability of required supplies and/or logistical hindrance to deliver supplies to a specific area.
- c) Purchase orders or contracts have a value below \$500.00. In addition it is important to have some written note stated in purchase request or order with the reason why single quotation is applicable for a particular purchase endorsed by procurement committee.

C-3. Purchase order (PO):

Once the purchase request authorized, admin will proceed purchase order accordingly. The approved PR should be attached with PO and passed to Finance section for payment, one copy is filed at the admin section that carry out the purchase, and another copy is retained by the requesting project for reference.

C-4. Purchase Contract (PC):

Sometimes Admin should establish the Purchase Contract which is the document that contains all details of a purchase including the terms and conditions agreed by both parties. A purchase contract serves as a legal agreement between OEC and the supplier. A contract is used by OEC for any purchase by the open tender and when a simple PO cannot include sufficient information or documentation required of the purchase agreement. A contract can be used instead of PO for a purchase with high value or with special requirements and conditions.

The purchase contract should state at least the following details: Parties involved; Contract Date; Quality specification; quantity; price; packing; delivery requirements; inspection (*if required*); terms of payment; penalty clauses; other conditions/clarifications such as rules, warranty, special requirements, etc; signatures by contract parties.

D- Delivery & Receipt:

Once supplies are procured, delivery and receipt are the important stages which lead to the completion of the supply chain. It is crucial for the last work of the Procurement Committee to ensure that the delivery and receipt are handled properly and efficiently, and that OEC and the beneficiaries receive the correct quality and quantity of supplies. From the procurement perspective, the completion of supply delivery in the correct quality, quantity, and timing means that a supplier fulfils its contractual agreements with OEC and is therefore justified to receive payment. The effective procurement, delivery, and receipt also mean an effective use of donors' funds.

E- Conflict between the procurement committee and the requesting project:

E.1- Causes:

- Data information in PR is neither complete nor clear
- The decision of the procurement committee is based on the lowest price
- There is no common review made by the both sides

E.2- Resolution:

- Avoid taking decision based on incomplete information.
- Organize common review session based on real condition of the field and availability of the requested supplies and then try to reach a consensus.
- If this solution cannot end the conflict, re-organize a special review meeting chaired by the chairman of management committee. Its decision is by a simple majority and is final

ASSET COMMITTEE

- Reference:** - Paragraph 2 and 3 of the Code of Ethical Principles and Conduct
- General measure to prevent conflict of interest from appearing

1. Definition

An asset, in a large meaning, can include anything that provides economic value to an organization. An asset might be obvious - such as cash, stocks and accounts receivable or real estate. An asset could be something harder to measure - such as inventory, or office equipment. An asset might also be the good name and reputation of the organization. An asset such as the daily operation activities of the organization and work in progress might contribute to positive result that heightens value as well. The term asset covers a broad range of both tangible and intangible items. In short, anything that is owned by organization, whether visible or not, which has the possibility to provide honor, popularity and prestige is called an asset.

Recognizing the above definition, in considering the principles in reference and the practical way aiming at saving democratic governance, preventing conflict of interest and succeeding the mission of the organization, the term asset here considered covers only tangible asset, that means cash, accounts receivable, estate, farm animals, office equipment and vehicles.

2. Composition of Asset Committee (AC)

The Asset Committee is comprised of:

- One representative selected by management committee, chairman.
- One representative selected by Staff Association, member.
- One representative selected by finance section, or admin, member.

After selection, decision accepted by the management committee, admin has to write an appointment note signed by executive director with communication to Board of directors, all projects, sections and staff association for information and cooperation.

3. Mandate of the Asset Committee

The mandate of the asset committee is three years renewable, evaluated by the management committee. Every member may request for resignation, based on his/her fundamental reason, and then a replacement will be done.

4. Rights and duties of the Asset Committee

The Asset Committee is created principally to assist the organization in managing properly all tangible assets conformable to the above reference, as way leading to succeed OEC's missions and strengthen continuously OEC's core values. To this end, the tasks of the asset committee are:

1. To assist OEC in system administration accounting and Budget Control to ensure that financial system operations management respond correctly to the purpose set by the donors for achieving the projects. AC, in cooperation with financial section will assures

that all bookkeeping, individual and global balance sheet are correctly recorded and stated.

2. To verify that inventory of equipment and furniture is in good form with regard to the condition, reparation, replacement or condemnation and lost etc.
3. To verify that inventory of vehicles is correct with required record including mark, chassis, series, time used and mileage, maintenance and revision or condemnation. Each vehicle must have respectively a logbook for control of mileage, consumption and length of use, that may require revision or replacement.
4. To ensure that purchased asset, land is inventoried with legal paper, historic cost, purchased cost or fair market value at time of acquisition, location, size, and use.
5. To ensure that inventory of farm animals is regularly updated at a determined time, distribution, dead, lost, new birth, balance with guardian(s) and estimation cost at fair market price at the updating time.
6. To determine value of donated asset by using the fair market value at the date of donation, plus all appropriate ancillary cost. If it is not practical to determine the fair market value, use a reasonable estimation cost.
7. Before disposing or removing an asset from the inventory, admin and AC shall first study and decide together the condition of the asset, then present the case to management committee for final decision.

To succeed its mission, the financial manager, the admin manager and all project managers shall closely and openly cooperate with AC to verify the assets following donor source, asset code; conducting search together for missing property that can be followed by loss process; mentioning clearly the primary responsible for the asset or individual's supervisor.

Asset committee shall organize inventory count verification with admin annually to update and adjust the inventory. It has the right to perform other duties necessary to account for and inventory reports.

5. Conflict between the asset committee and the admin or project managers:

a)- Causes:

- Asset located, but unrecorded;
- Asset recorded, but unidentified, lost;
- Asset with historic incomplete;
- Asset unused, in stock, unreported and unrecorded

b)- Resolution:

- Update record regularly;
- Locating asset to an individual responsible, or to a head of section;
- Searching together, admin and asset committee, unidentified asset in following locating flow, then ask the causative to provide explanative report which can be followed later by investigation to be performed by AC and decided by joint meeting between AC, admin and management committee.
- Adjust historic of every asset, as above stated; do immediately correct record when receive a new one;
- Before condemning or removing any asset, the admin and AC shall decide commonly, based on the real condition of the asset, then submitted to management committee for final decision and approved by executive director.

Complaint Resolution Process

Reference:

- By-law of OEC dated 03 November 2008
- Code of Ethical Principles and Conduct dated 12 January 2009
- Conflict of Interest Policy dated 11 February 2009, especially chapter 12
- Child's rights Policy dated 16 February 2009
- Statute of Staff Association entered in consideration on 11 February 2009

Definition

Complainant: A staff member of OEC regardless of position level who makes a comment or complaint.

Grievance: any expression of dissatisfaction with any violation of fundamental or basic rules of OEC, or with any delivered services related to quality or time, or about some communication, which have been announced only for information, but with no specific required action.

Complaint: any grievance where the member is not satisfied with the information given and further action is required by staff. This may include referral to a team leader or hierarchic superior.

Dispute: any complaint where the member is not satisfied with previous information given, and required referral to a Manager or to a hierarchic superior.

Policy

Respecting and implementing democratic governance, OEC recognizes complaint as a feedback for reinforcement of the rule of law, transparency, inclusiveness, responsiveness and accountability in management. All OEC staffs have been supposed to deeply and comprehensively understand all basic rules, and then committed to all fundamental documents of OEC, therefore our comprehensive complaints process will:

- a) Increase the level of satisfaction with member's services.
- b) Recognize the members' right to comment or complain.
- c) Provide a fair, efficient and accessible process for resolving complaint.
- d) Monitor complaint with a view of identifying area for improvement in quality of services or operational behavior.

Complaint Process

A. **Grievance:** All staff members at all level are advised to present verbal or written grievance to his/her proper team leader or to Permanent Secretariat, which, depend on the importance of the information, must discuss the problem in the Executive Management Committee. The outcome of the discussion, adjustment, enhancement, or clarification shall be published openly or verbally explained in a meeting to eliminate all doubt which can cause passivity in operation.

B. **Complaint:** All complaints shall be democratically and hierarchically resolved following the steps below described with strong fairness and faithfulness:

- 1) All problem or personal dissatisfaction happening in their own section or project, individuals shall first, after consultation with staff association, arrange and resolve the problem with their direct supervisor in presence of the president of

staff association. Short minutes of positive outcome shall be kept in the section or project with one copy for the information of Executive Management Committee.

- 2) If the direct supervisors, together with the president of staff association, are unable to resolve the issue, or the complainant is not satisfied with the previous information, the issue must be brought to the next higher level which is the executive management committee which must then return to the Permanent Secretariat to conduct serious investigation for fact finding and trusty report before performing a hearing.
- 3) If the direct supervisor or manager is unwilling to resolve or pursue the issue, the complainant may bring the issue to the next higher level, or to the Executive Management Committee, in sending a copy back to the first supervisor or manager for information. The Executive Management Committee must ask the direct supervisor or manager to write explanation, followed by verbal confirmation, if needed, asking permanent secretariat to conduct investigation before taking further decision. (Refer all files to initial supervisor or manager to reconsider the case based on the investigation results, the executive management committee will give final decision after analyzing the decision reviewed)
- 4) The final decision of any dispute, without appeal, will be the decision of the mixed complaint committee, consisted of Executive Management Committee members, five (5) representative of staff association and the Permanent Secretariat Team. .
- 5) Any staff of OEC member at any level may deal aberrant act, performed by any leading position, directly with any member of Executive Management Committee, or by presenting concept paper to the permanent secretariat which have to take further act for the interest of OEC.
- 6) Any negligence or irresponsiveness to the above inquiry permits President of Staff Association, after serious discussion with its members, to cause Permanent Secretariat to use its power in paragraph “c” of chapter **B1** of its job description to get the paragraph “4” of the present Complaint Resolution Process solving the problem. Any negative outcome will be decided without appeal by the Board.

FINANCIAL POLICY

- 1- Accounting team
- 2- Cash procedures
- 3- Procurement procedures
- 4- Month end procedures
- 5- Fixed Asset procedures
- 6- Payroll procedures

1- ACCOUNTING TEAM

The accounting team consists of:

- 1- Accounting
- 2- Cashier
- 3- Cashier
- 4- Material Provide

Accounting operations are reviewed by management:

Executive Director
Administrative Manager
Project Managers

2- CASH PROCEDURES

2.1- Custody of cash:

Petty Cash, dual currency USD and Khmer riels.

Cash is maintained on the premises. Daily petty cash is maintained and the responsibility of the cashier. Petty cash is kept to a minimum to meet day to day operating expenses. Petty cash is locked in a safe place at the end of each day and only accessible to Management.

Petty cash is balanced at the end of every evening by the cashier; petty cash is then independently counted and reviewed by the accounting Team Leader.

Cash in Safe

Cash that is excess to daily operating requirements is kept in a locked safe (key and number combination) access to the safe is limited to Management. Cash in the safe is also kept to a minimum, normally reflecting a week's requirements. Transfers in and out of the safe are authorized by Management. Balance of the cash in safe is maintained by management and verified upon each transfer.

2.2- Bank Accounts:

O.E.C currently has eleven bank accounts held in Cambodian Commercial Bank, Battambang Branch, #116-117, 20 Usaphea village, Svay Po commune, Battambang province. The account hold:

- | | |
|---------------------|---------------------|
| 1- Adop-A-Minefield | : 002-2-00271-1-840 |
| 2- BICE | : 002-2-00998-3-840 |

and has on bank account held at ACLEDA BANK PIC
address: #899, Group 5 Rumchek 4 village, Rattanak commune, Battambang district,
Battambang province, Cambodia.

Account held:

3- UNICEF	: 0300 206081 4919
4- Schmitz-Hille Foundation (SHF)	: 0300 2075361111
5- KHANA/USAID	: 0300 20707806-16
6- KHANA/GFR7	: 0300 2070781414
7- Save the Children (SC)	: 0300-20-160807-1-1
8- Adopt-A-Minefield (AAM)	: 0300-20-247142-2-2
9- EC/HI	: 0300-20-383826-1-6
10- Red Cross Australia	: 0300 2024714222
11- ILO IPEC	: OEC.CMB/08/50PUSA-AP/008

On each of the above accounts, bank signatories are:

- 1- Tith Davy, Executive Director.
- 2- Program Coordinator (according to each program)

Method of operation for saving account is either Program Coordinator or Executive Director to sign.

Method of operation saving accounts is two of the above tree signatories to sign.

Bank conciliations are performed on a monthly basis by the NGO accountant and independently reviewed by the accounting team leader.

Withdrawal from the bank and cash counting is carried out by two members of the accounting team and verified by management of return to the office.

3- PROCUREMENT PROCEDURES

- Staff request petty cash advance.
- Petty cash advance is approved by program coordinator.
- Petty cash advance is authorized by:
 - Accountant
 - Executive Director
 - Or Administrator when Executive Director is absent
- Staff returns receipt of expenditure within 3 days or one week and one month for the staff who are at the target district of advance being granted.
- Receipts reviewed by cashier for authenticity.
- Payment vouchers are prepared by cashier
- Payment vouchers coded to appropriate budgets by financial manager
- Every expense from fifty dollar (\$ 50) is to have goods receive note.

3.1- Procurement Guideline:

Three written quotations must be provided for significant expenditures exceeding \$ 300.

All issuance of petty cash is signed by the individual who receives it.

All expenditure to be approved by the relevant team leader.

All expenditure to be authorized by management.

4- MONTH END PROCEDURES

According month end procedure, including donor reporting is the responsibility of the accounting team leader.

5- FIXED ASSET PROCEDURES

A fixed asset register (by location and donors) is maintained by Administrator.

Fixed assets are classified as significant equipment, fixtures, fittings, furniture that cost greater than \$ 100 or have a life expectancy greater than 1 year. Fixed assets may either have been purchased by the organization or be donated to the organization at no cost.

Fixed assets are marked/identified upon purchase or receipt by the NGO and marked with the donor.

The fixed assets register is updated as part of the month end procedures when payment vouchers are entered into the accounting system.

6- PAYROLL PROCEDURES:

Staff personnel files are maintained by the administrators.

Monthly payroll is prepared by the donor accountant reviewed by the accounting team leader.

Monthly payroll is reviewed and authorized by management.

Any variations to payroll are authorized by management and signed off

Payroll is paid on the 25th of each month in cash.

Staff must sign upon collection of salary.

Accounting policies reviewed and accepted by accounting, administrator and Executive Director

Accounting policies reviewed and decided by Executive Committee and accepted by Executive Director.

ADMINISTRATION POLICY

To maintain good order in daily work, in the office as well as in operational field, OEC's staffs shall respect the following administrative policies:

1- Internal Regulations

1.1- Working Discipline:

- a- Working days: 5 days a week from Monday to Friday
- b- Office Work: Morning work: from 7:30 to 11:30
Afternoon work: from 13:30 to 17:30
- c- Field Operation: Staffs in mission must first join office before going to the field, and return back to office before going home.
- d- Field Work: Social workers shall establish activities plan and have their own daily schedule.
- e- Capability building: All OEC staffs may start learning English language from 17:00, and may leave office before 17:00 for joining lesson.

1.2- Holiday:

- a- OEC adopts important National/Public Holidays, designated on a yearly basis by the Royal Government of Cambodia, for government officials and employees, plus annual leave to provide employees with a period of rest time and relaxation. Annual Leave entitlements are based on length of continuous service as outlined in the table below:

No	Category of Staff	Entitled Annual Leave
1	Up to 3 years service	15 days
2	4 to 6 years service	16 days
3	7 to 9 years service	17 days
4	Over 9 years service	18 days

This length of time excludes Saturday and Sunday. The concerned may ask for Annual leave in 2 or 3 or in the whole period under the condition of discussing and arranging suitably with their supervisor, and to fill the scheduled time in annual year table, required by admin.

Any unexpected leave or permission for personal affairs with reasonable cause or proof will be deducted from annual leave, which exclude only sick leave or leave caused by sickness of husband, wife, or children

- b- Sick leave: Every staff member is entitled to a total of twelve (12) sick leave days per year. All sick leaves from 2 days and up must be certified by competent medical institution. No more than six (6) uncertified sick leave days can be taken for consideration per sick leave year.
- c- All leaves taken in personal and absolute necessary reason require permission:
 - A morning/afternoon half-day leave: Direct verbal request or by phone to direct supervisor:

- A one-day leave: Written request to direct supervisor.
- A two-day leave: Written request to admin through direct supervisor.
- A three-day leave: Written request to executive director through direct supervisor and admin.
- A Maternity leave of one month as prenatal and two months as postnatal.
- A Fatherhood of one week.
- At the beginning of fiscal year, admin asks all sections and project to establish their own preferable timetable for annual leave in paying attention to not disrupting their proper activities and fruitful results, then later admin makes a synthesis of all in a common timetable to be discussed and analyzed again by the meeting of management committee to avoid harming general working flow and to guard responsible people available for strong management of OEC. Readjustment or re-arrangement may be finalized.
- Once leave schedule is well done, staff member must submit his/her application for leave, at least one week in advance through his/her own direct supervisor for approval by executive director.
- All members of management committee must submit their annual leave through the chairman of management committee for approbation by executive director.
- In term of member of executive committee, the executive director shall submit his/her application for annual leave through the chairman of management committee for approbation by the chairperson of Board of Director.

Note:

The annual leave-day does not comprise Saturday and Sunday. Staff who have to travel to his/her native village, or join his/her relative outside the province, will beneficiate one day for departure and one day for returning back, time added to the initial 5 days. The trip tickets must be presented by attaching to trip report.

2. Use of organization's property:

- a. All staffs have to take care of the organization's property.
- b. All keys of motorbikes must be kept in the administration office.
- c. All motorbikes must be cleaned in every Friday afternoon.
- d. All motorbikes must fill benzene at Tela station, northern office of Battambang district, by making record registration number of motorbike, name and signature of the user.
- e. After accomplishing the mission, the motorbike must be kept in the office.
- f. Reparation of motorbike shall be checked and decided by management committee.
- g. All trickery falsifying benzene supply, funds and other materials will first receive a verbal or written warning. In the event of a second offense, the management committee will organize a meeting and expel the guilty from the position.

3. Contract of using OEC's vehicle:



Kingdom of Cambodia
Nation Religion King
* * * * *

**Operations Enfants du Cambodge
(OEC)**

Contract of using OEC's vehicle

Name & surname:..... Sex:..... Position:.....

Project:work for OEC.

Respect to:

Executive Director of OEC

Subject: Contract of using OEC's motorbike

As mentioned above, I would like to contract to Operations Enfants du Cambodge that Motorbike, Branch with number plate..... that OEC allows me to use for working in the project. of OEC.

I would like to promise to OEC that:

- 1- Responsible for losing.
- 2- Provide back motorbike when getting a new job with any other organization.
- 3- During postpone of work, I provide motorbike back to OEC.
- 4- When stopping working with OEC, I provide motorbike back to OEC.
- 5- Use a motorbike for organization work, and keep it in office, not at home.
- 6- Overnight motorbike is kept in OEC office.

If I don't respect this contract I will be responsible for Cambodia law. For the proof, I would like to put my thumbprint.

Battambang: date:.....
User's thumbprint

Seen and Approved
Executive Director

4. Other needs:

- 3-1. The need of materials or money shall be agreed by the direct supervisor and approved by executive director.
- 3-2. All staffs may not ask for something not inscribed in the project or not agreed by the donors.

5. Conservation of documents:

- Documents and minutes must be conserved properly by categories, under responsibility of every project manager. The financial manager is responsible for all financial documents, the administrative manager is responsible for administrative document, everyone depending on its duties and function.
- All documents must be guarded safely, in order that other people can access to them easily.
- All important documents must have a copy kept by the administrative manager following chronological system.

6. Communication:

- 5-1. All sections must have directory of contacted people.
- 5-2. All correspondence arrived at OEC, must urgently be given to the concerned person.
- 5-3. All distribution of correspondence must have receiving signature in distribution book.
- 5-4. All communication with outside institutions must be always communicated to executive director for information.

7. Office installation:

- Repartition of office installation is the task of management committee.
- Each section must take care of its own arrangement.

8. Banking:

The administrative manager keeps registration code of keeping book.

9. Ethics:

- 8.1- OEC staff must respect and comply with the Statute, the Code of Ethical principles and Conduct, and the Child Rights Policy.
- 8.2- All OEC staff shall respect Cambodian morale and custom by avoiding telling a lie in the intention to alleviate one's own wrongness.
- 8.3- Creation of partisans, breaking in groups "separatism" and playing politics are prohibited.
- 8.4- Fraternity, tolerance, mutual awareness, mutual fulfillment, helping each other, are harmonious relation, and desirable of OEC for durable unit.
- 8.5- Use of drunken product during working time is prohibited.
- 8.6- Practicing gambling is prohibited to avoid unfortunately bad consequence.

10. Staff Recruitment:

The process of recruiting staff shall be done following the organizational principles:

- 10.1- Applicants must answer to all questions listed in the application form. The recruitment committee will not consider any unfulfilled application.
- 10.2- Publication of conditional recruitment:
 - a) Position
 - b) Education level and knowledge of Child's Rights
 - c) Deadline of reception
- 10-3. Screening of applications
 - a) Short-list 5 applicants for further selection
 - b) Setting appointment date for interview
 - c) Interview committee is composed of: Executive director, the concerned project manager, administrative manager and financial manager.

- d) Subjects included in testing: writing, factual practice and knowledgeable questions.

11. Recruitment Procedure:

11.1- Determining position, tasks and responsibilities

- Responding to each program, as stated in proper job description.
- Proposed by head of section or project manager, or projects coordinator.
- Approved by management committee of OEC.

11.2- Recruitment criteria

- Mentioning age, sex, domicile, education level, specialty, experience, that are conformable to the required position, tasks and responsibilities.
- CV, curriculum vitae (affirmed by the concerned or local authority)

11.3- Announcement of recruitment

- In public by publication through diverse institutions, e-mail to related Organizations and through mass-media.
- Fixing date and place to receive applications
- Fixing date announcing candidates short listed.
- Fixing date for interview.

11.4- Selection of Candidates

a). Screenings

A special committee established by the management committee is responsible for:

- Eliminate candidates whose capacity is not responding to published position and responsibilities.
- Form criteria for short-list.
- Select and decide the eligible candidates to be declared short listed.
- Inform the eligible candidates about date and time to come for an interview (names published at the lieu receiving application or call by phone if possible)

b). Interview

- Composition of the committee: at least three persons selected by the management committee.
- Subject for interview: In conformity with the objectives of every Program/project, from three to five subjects.
- Interview questions: two to three questions for each subject, formulated by the committee, just 30 minutes before interview. To reconsider important questions in the application form again.
- Questioners: a member creates questions for one subject.
- Scoring: committee members score according to the marking-scheme set in advance. For numerous candidates, written answers can be used.

c). Final evaluation

- Do addition of the interview scores, and then calculate the average in function of the scoring members.
- Do the total of the interview result.
- Final decision from analysis on the priority order responding to tasks and responsibilities required by announcement.

11.5- Proclamation of the result

- Proclamation of the result will be posted at the lieu where receiving application, or information by phone.
- Setting date and time allowing selected candidate to come signing his/her contract to work with the organization.
- The selected candidate will be briefed on salary, workload, and the agreement to start his/her probation.
- If the briefing is not acceptable by the selected, a next candidate will be asked for the same way of briefing.
- When no agreement can be reached, and no choice meets, a new announcement can be proceeded.

11.6- Probation period

- Selected candidate will sign a probation contract of three months.
- In probation period, the concerned will support an improvement instruction for working process, capability building, and be observed and then evaluated by the organization to admit him/her as regular staff or to stop his/her work.

11-7: Lateral move of staffs (Amended on 21.03.2011) :

- a)- Internally OEC, by common agreement with the Management Committee, can move a competent staff, with his/her consent, from one project to another one of the similar importance or level, or from the main office to sub-branch of equal position.
- b)- In these cases, if the salary of the previous position is inferior to the new position, in an interval between 10\$ to 50\$, the moved person can obtain the new salary accepted by the donor agency, because he/she has been moved by service obligation.
- c)- In the case that his/her project faces any phase out or reaches an end, his/her move to any new position becomes sympathetic and depends then on existing salary.

11-8: All internal staffs have the right to jump up to higher grade or position through competition test with external candidate(s) when a vacancy has been pronounced.

12- Nomination of staff:

- 11.1- Staff in position of project manager or project coordinator receives advices directly from the executive director and from the owner of fund:
 - a. The project assistant receives advices from direct project manager/coordinator, while social workers receive advices from project assistant and project manager. All OEC staff shall respect Cambodian morale and custom by avoiding telling a lie in the intention to alleviate one's own wrongness.
 - b. Creation of partisans, breaking in groups "separatism" and playing politics are prohibited.
 - c. Fraternity, tolerance, mutual awareness, mutual fulfillment and helping each other, are harmonious relation, and desirable of OEC for durable unit.
 - d. Use of drunken product during working time is prohibited.
 - e. Practicing gambling is prohibited to avoid unfortunately bad consequence.

13. Delegation of power:

In her absence inferior to 1 month, the Executive Director shall delegate her power to one staff managing affairs in her behalf. In case an absence is superior to 1 month, the Executive Director shall appoint an Interim Director, after consulting the Management committee with accord supported by the Board of Directors.

14. Human resource development:

- 13-1. In project proposal, it should be necessary to include fund for capability building of staff in accordance with the project need.
- 13-2. Project manager, project coordinator and administrative manager shall have minutes expressing clear cause of sending staff to be trained.

13-3. Staff member going to be trained shall sign an agreement of not leaving OEC within a limit of time, commonly accepted, in function of expense for training fee (inside and outside of the country).

15. Salary scale planned:

a- Staff salary is planned in three categories: High, Middle and Low

N0	Position	From:	to:	Remarks
1	Executive Director	\$ 1000	\$ 1500	
2	Program Coordinator	\$ 300	\$ 500	
3	Human Resource Manager			Empty
4	Financial Manager	\$ 300	\$ 450	
5	Cashier	\$ 200	\$ 350	
6	Admin Manager	\$ 300	\$ 450	
7	Project Manager	\$ 350	\$ 500	
8	Project Assistant	\$ 300	\$ 400	
9	Social worker	\$ 180	\$ 280	
10	Cashier	\$ 200	\$ 300	
11	Driver			Empty
12	Guard	\$ 100	\$ 150	
13	Cleaner	\$ 100	\$ 150	

b- Increase of salary

The increase of salary may be applied based on annual individual performance evaluated and on actual economical situation, determined by management committee of OEC (usually 10%).

New staff, in probation period, gets 80% of scale salary provided by the funding organization; she/he will get full salary (100%) after passing probation period of three months.

c- Thirteenth month Salary for staff members

16- Tasks for guard and cleaner:

Guard and cleaner are full time workers:

- Guard: From 17:30 to 6:00
- Cleaner: From 6:00 to 17:00

17. Encouragement and penalty:

Depending on individual performance appraisal or offense gravity, staff member, based on the fundamental rules of OEC, might have:

a- Encouragement:

- Verbal compliment in public/general meeting
- Written Felicitation by executive director, proposed by management committee, or by the Board of Directors, proposed by executive director.
- Staff member can accept any congratulation by official institution of operational fields.

- Nomination to new high position

b- Penalty:

- Secret verbal warning
- Written blaming
- Put in rest without salary for a limited time not exceeding two months
- Expelled from the position

Elaborated on August 05, 2010
Chairman
of
the Management Committee

Having Examined and Agreed
August 05, 2010
Representative
of
OEC Staffs



Suon Ratha



Som Vatavak

Having Examined and Agreed
August 05, 2010
Executive Director of OEC



TITH-DAVY

Having Examined and Agreed
August 05, 2010
Chairperson of the Board of
Directors

