



Stronger Together

USHURU FOOTBALL CLUB HUMAN RESOURCES MANUAL

General Terms and Conditions of Employment

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Definitions of Terms

Ushuru FC	Ushuru Football Club
B.O.D	Board of Directors
C.E.O	Chief Executive Officers
Players	A football player registered with FKF and Ushuru FC and is playing in the league, competition or match organized by FKF
FKF	Football Kenya Federation
CAF	Confederation African de Football
CECAFA	Confederation of East and Central African Football Association
FIFA	Federation International de Football Association.
Ushuru Employees	These are non-technical employees who does not seat at the technical bench. e.g Treasurer, Communication and PR Manager, HR etc.
Technical Bench	These are employees who seat at the technical bench. They include the Head Coach, Deputy Coach, Goal Keeper Trainer, Physiotherapist, Fitness Trainer and the Kit Manager

1. Introduction

Ushuru Football Club was founded in 2006 with KRA as the main sponsor of the team. It was started as a staff welfare activity where staff used to train after work. With time, the team was moved to marketing and communication as brand, reputation management tool and was domiciled at the CSR unit, public relations.

Success for the club peaked in 2014 when the team was promoted to the premier league and after three years they were relegated to the Nationwide League at the end of the 2016 season. The team was renamed to USHURU FC, to fit in the corporate image and business strategy of the KRA. In 2017, KRA management saw the need to strategize and align their sponsorship with key deliverables/ROI coupled with the aspiration of making Ushuru fc an independent and professionally run team.

1.2 Title

1.2.1 This document shall be referred to as “Ushuru FC HR Manual”.

1.3 Application

1.3.1 The “Ushuru HR Manual” will apply to all USHURU FC employees, players and technical bench officials.

1.3.2 The “Ushuru FC Manual” will be attached to the employee’s contract.

1.3.3 Amendments may be made in the “Special Terms and Conditions of Employment” relating to particular employment positions in specific areas which will also be attached to the employee’s contract.

1.3.4 The application of this document is the responsibility of the Clubs Chief Executive Officer, Clubs Head Coach and Team Manager and the interim club committee.

2. GENERAL STAFF CONDUCT

2 General Staff Conduct

2.1 USHURU Values

3.1.1 Employees of the club are expected to work towards the protection and promotion of the public image of USHURU Football Club, Kenya Revenue Authority and any other sponsor.

3.1.2 Employees of Ushuru Football Club are expected to respect and uphold the value of the club as listed below.

3.1.3 List values of the club

- Team Work.
- Fair Play.
- Integrity.
- Discipline.
- Professionalism.
- Resilience.

3.2 Objectives of this policy

The aim of this policy is to assist the club in establishing and maintaining consistent practices in the workplace. It will also ensure compliance with employment legislation and inform employees of their responsibilities and the Club's expectations.

3.3 Scope of this policy

The policy is designed to deal with concerns raised in relation to the specific issues which affect the day to day operation of the club. It is intended to apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship, complaints or harassment, or disciplinary matters. This policy affects the entire staff and management of Ushuru FC club.

3.4 Laws applicable in this policy

The policy does not operate in isolation. These policies are also guided by the FIFA laws/ FKF regulation, the Kenyan employment act which is the supreme law of the land as far as employment issues are concerned.

3.5 Legal Obligation of Ushuru Fc players, Technical bench, and Staff

3.5.1 All intellectual property rights (including but not limited copyrights and trademarks) in all trademarks, logos, imagery and names will be owned and retained by USHURU FC.

3.5.2 The Player agrees to allow the Club to take pictures, alone or together with others, for still photographs, motion pictures, or television, at such time as the Club may designate.

3.5.3 No matter who take such pictures, they may be used in any manner desired by USHURU FC for publicity or promotional purposes.

3.5.4 The rights in any such pictures by the Club shall belong to USHURU FC.

3.6 Dress Code

3.6.1 All Ushuru FC staff and players are expected to dress in a respectable manner. The employees will dress in the teams' uniform whenever required. All members of the technical bench and players will be required to dress on official team's attire branded with Ushuru FC Logo at all times during trainings & match days or any other official day.

3. PLAYERS RECRUITMENT AND TRANSFERS POLICY

5. Players Recruitment and transfer guide

USHURU FC players will work on a contract basis. Priority will be given to outstanding USHURU FC players developed from the youth programme unless there is special need for recruitment outside the club. Upon receipt of the contract, the player will be expected to read, understand, and sign the contract. Contracts will be issued from the CEO's office and will be signed and returned after 7 days from the date of issue.

The aim of the player recruitment and transfer guide is as follows.

- a) To establish a transparent process of recruitment of players.
- b) To establish a transparent process for the transfer of player to and from the club.
- c) To ensure the transfer of players to and from the club are done as per FIFA/ FKF regulations and Kenyan Regulations.
- d) To ensure players coming to and from the club are treated fairly and according to this policy and procedure.
- e) To enhance equity and diversity in recruitment and transfer of players.

5.1 Region of recruitment

The club will recruit players who are only from the East African community countries i.e. Burundi, Kenya, Rwanda, South Sudan, Tanzania and Uganda.

5.2 Types of player recruitment

a) Trial

The club will advertise for trials through the club's social media platforms and selections will be conducted within 7 days after the closure of the league and or during mid-season. This will be coordinated by the Head of technical bench.

b) Scouting

Scouting of best performing players from other clubs will also be one of the methods that the club will use to identify potential players that will be signed by Ushuru FC. The role for scouting of players shall entirely be done by the head coach and his technical bench.

c) Youth Academy

Players coming through the youth academy programme will be given priority whenever there is a vacant position to be filled by the club. In the long run, at least 30% of the team players must be graduates from the youth academy.

5.3 Number of Recruited Players

- 5.3.1 The club shall at every time have a maximum number of 28 players and a maximum of 7 technical bench officials namely the Head Coach, Deputy Coach, Goal Keeper coach, Physiotherapist, Team Manager, Fitness Trainer and the Kit Manager. This number can only increase upon approval by the Board of Ushuru FC. Recruitment

should reflect the demographic regional balance. All Release letters for outgoing players and new signing players should only be signed by the Clubs C.E.O.

5.4 Length of the contracts

Ushuru FC will offer contracts to players based on their performance level and the age of a player.

- a) Players aged between 18 to 27 years may be given 5 years' contracts by the club. This will be subject to a probation period of 6 months and performance of the player.
- b) Players aged between 30 to 33 years will only be given one-year contracts.
- c) Players aged 34 years and above will be signed based on their performance on the field and their contracts will not exceed 1-year subject to renewal.
- d) The club shall not sign any international player under the age of 18 years.
- e) Signing and transfers of players below 18 will be guided by FIFA regulation on transfer of minors.

5.5 Player Documentation

A player will provide the following documents to the club within 14 days upon successful completion of transfer to the club;

- a) Copy of certificate of good conduct
- b) Copy of Kenya revenue authority PIN
- c) Copy of National identification card/Passport
- d) Copy of National social security number and
- e) Copy of National hospital insurance fund number
- f) Proper documentation for foreign players as required in the Kenyan legal regulation.

5.6 Player contract:

All player contracts between USHURU FC and a player must:

- a) be for a term not less than 6 months and must be within the competition period till mid-season or end season.
- b) subject to regulation of minors, be for a term not more than 5 years
- c) have an expiry date of no later than 30 days after the last match in the final year in which the player's services are to be provided or otherwise specified in competition rules
- d) Duly signed by the C.E.O.

The validity of a player contract will not be upheld subject to the positive result of a medical examination or to the acquisition of a visa or work permit. USHURU FC must

make any necessary background check, study, test, medical examination or other appropriate action before entering into a professional player contract.

A player's contract can be terminated only in one of the following circumstances:

- a) on expiry of the contract.
- b) by mutual written consent between the club and the professional based on three month written notice to either party.
- c) by a club for just cause
- d) by a professional player for sporting just cause.

Ushuru FC will only deal with agents/intermediaries that are certified by FIFA/FKF. However, the club will engage players directly as long as they are not represented by any agent or intermediary. A one month notice will be issued and a release letter signed by the C.E.O will be given to the players within the period specified in the FKF Regulation.

5.7 Transfers and Loans for Players.

USHURU FC can transfer or loan a player. However, transfer or loan of a player is permissible only with the written consent of the player, the player's club and the club to which the player wants to transfer or loan. A club must apply to FKF for the transfer or loan of a player.

5.8 Training Compensation, Transfer Fees and Solidarity

A. Training Compensation

- 5.8.1 Training compensation is an amount that shall be paid to a players training club for developing the player into becoming a professional. Any club that wants to claim training compensation or a transfer fee for a player from an international club must do so through the guidance of FKF.
- 5.8.2 Training Compensation: These compensation is only applicable as follows
 - a) When a player signs his first contract as a professional.
 - b) When a professional player is transferred between clubs of two different National Associations, until the end of the season of his 23rd birthday.
- 5.8.3 When training compensation is payable, the new club is responsible for paying the full amount to FKF within 30 days of registration of the player and FKF will distribute it to any other club with which that player has been registered since he or she was 12 years of age on a pro rata basis based on the period of the players' registration with each club.
- 5.8.4 If a link between the professional and any of the clubs that trained him or her cannot be established, or if those clubs do not make themselves known within 18 months of the player's first registration as a professional, the applicable

proportion of training compensation will be retained by FKF.FKF can only use the training compensation for national youth football development program.

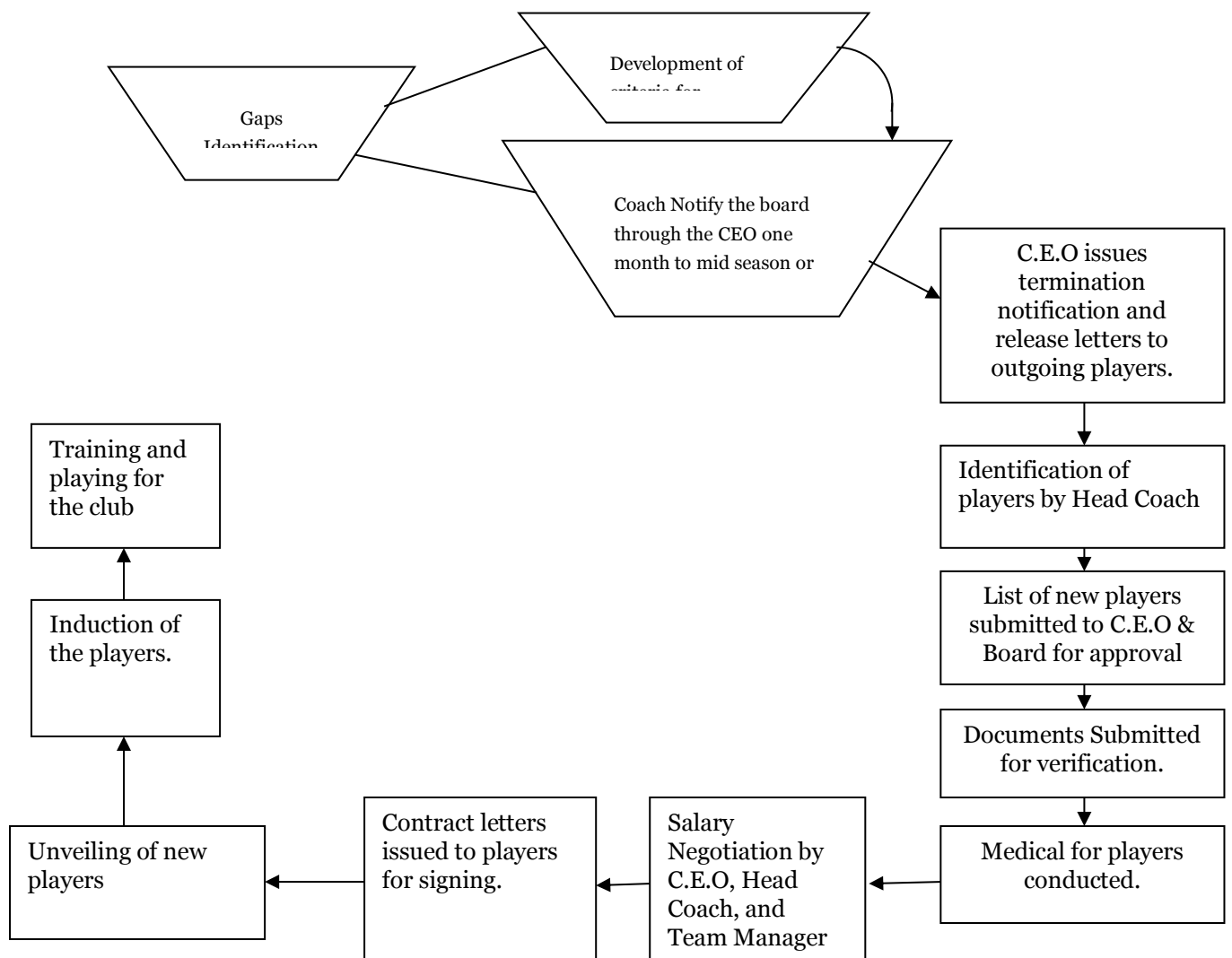
B. Transfer Fees

- 5.8.5 Transfer Fees: USHURU FC will request a transfer fees for a professional player if he/she has a professional player contract with that player. This will not apply if the professional player's contract is validly terminated or is out of contract with the club.
- 5.8.6 USHURU FC and the prospective club may negotiate the amount of a transfer fee, but only up to a **maximum amount of 50% of the total salary owing** to the player for the remaining term of the player's contract.
- 5.8.7 Any transfer fees payable for a player from an international club must be paid direct to Ushuru FC's account within 30 days of the date of registration of that player.
- 5.8.8 Such moneys received as transfer fees shall be distributed as follows:
- a) 10% to FKF to be used in development and elite performance of the programme
 - b) Any % owing to the player under his professional player contract with the club.
 - c) 10% Solidarity contribution
 - d) The balance remains with the club.

C. Solidarity Contribution

- 5.8.9 Solidarity Contribution: If a professional is transferred before the expiry of his or her professional player contract, any club that has contributed to his education and training shall receive a proportion of the compensation paid to his former club, 10% of any transfer fees must be deducted from the total amount and distributed by FKF as a solidarity contribution to the clubs involved in that professional's training and football education over the years. The new club must pay to FKF the solidarity contribution within 30 days of registration of the professional for distribution to the previous club. These contributions will only be used by the club for further development and education of football players
- 5.8.10 Solidarity contribution will be paid to the clubs with which the professional has been registered as follows
- 5% of the compensation shall be paid for each season of the 12th to the 15th birthday.
- 10% of the compensation shall be paid for each season of the 12th to the 23rd birthday
- All payments for the club and the players can only be paid through an account as clearly guided by the finance procedures for the club.

5.9 Process Map for Player recruitment



4. RECRUITMENT OF TECHNICAL BENCH OFFICIALS.

6. Recruitment

6.1 Vacancies

4.1.1 Vacancy will mean a vacant position arising from new roles, resignation, death or termination. Where a vacancy arises, the C.E.O will seek approval from the board to fill in the vacant position. All vacancies must be competitively recruited. For succession planning, priority will be given to Ushuru FC members of good standing. All recruitment will be subject to availability for funding for a particular position.

4.1.2 A Chief Executive officer wishing to create a new staff position must submit a request to the Board chair in writing which should contain the following information:

- a) The rationale for the new position with a summary of tasks that the new person will carry out
- b) The nature of the position (contracted or casual) and length of proposed employment
- c) Job specifications
- d) Job title
- e) Availability of funding.

4.2 Selection of Candidates

4.2.1 Once a position has been approved, the Chief Executive Officer will take the lead in managing the recruitment process, working closely with the relevant supervisor.

Candidates will be assessed on the following criteria:

- a. Educational background (according to specific requirements in vacancy);
 - b. Years of work experience (according to specific requirements in vacancy);
 - c. Skills experience (according to specific requirements in vacancy);
 - d. Key competencies,
 - e. Active involvement with USHURU FC activities for a minimum of at least 6 months. E.g. a fan.
- 4.2.2 In drawing up the job description and conditions of service, USHURU FC will ensure that no applicant receives less favourable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work and that no applicant is placed at a disadvantage unjustifiably by requirements or conditions which have a disproportionately adverse effect on a particular group.
- 4.2.3 Applicants will be required to indicate the names and addresses of three referees, one of whom should be the applicant's current or most recent employer.

4.3 Interview Process

- 4.3.1 The CEO will chair the interview panel. However, the CEO may delegate his/her chairmanship.
- 4.3.2 All interview panels will consist of at least 3 officials, including Chief Executive Officer and the supervisor of the potential employee.
- 4.3.3 Interviews shall be conducted according to the USHURU FC standardised 'Interview Template'.
- 4.3.4 A regret letter will be sent to unsuccessful candidates.
- 4.3.5 All interviewed candidates will be notified of the outcome of the selection process at the earliest opportunity by the Chief Executive Officer or, in his/her, either by phone, email or letter.

4.4 Contract of Employment

- 4.4.1 USHURU FC staff will work on a contract basis. Upon receipt of the contract, the employee will be expected to read, understand, and sign the contract. Contracts will be issued from the CEO's office and will be returned after two weeks from the date of issue.

Upon signing of the contract, employees will be bound to follow the rules and procedures outlined in the contract of employment.

4.5 Probation

- 4.5.1 All newly contracted employees will be required to serve an initial three months' probation.
- 4.5.2 During the probation period the employee will be expected to demonstrate suitability for the position. The employee will accumulate leave during the probation period but will not be eligible to take it until the probation period is over.
- 4.5.3 The employee will receive all his salary and entitled to sick leave during the probation period.
- 4.5.4 During the probation period either party may terminate the contract by giving seven days' written notice or by payment of the equivalent salary for the notice period.
- 4.5.5 The employee's supervisor will conduct an appraisal at least 14 days before the end of probation and submit the report to the CEO (after discussing with the employee). A confirmation letter will be written to the employee if the evaluation is approved.

4.6 Induction

- 4.6.1 USHURU FC is committed to providing a productive and supportive work environment for new staff members. The following areas must be covered in all orientation programmes:
- 4.6.2 The aim of induction is to familiarise the employee with the Club's Mission, Vision, Values, objectives, goals, structures and functions. In particular:

- a) Administrative and financial system;
- b) health and safety;
- c) Equal Opportunities Policy;
- d) vision and values of USHURU FC;
- e) introduction to the staff team;
- f) the staff HR policies;
- g) Introduction to job role.
- h) Code of conduct.

4.6.3 The type and length of induction programme will depend on the position and shall be coordinated by the immediate supervisor.

6. Recruitment of Coaches and Technical Bench Officials.

Ushuru FC shall utilize the following key methods when recruiting its Coaches and other technical bench officials.

6.1.1 Internal Sources

Once a position for the coach is declared vacant, the Ushuru FC Board through its C.E.O may decide to utilize its internal sources within the club to fill that position. These Internal sources will primarily be as listed below. –

- i. Transfers
- ii. Promotions
- iii. Re-employment of ex-employees (Must be of good standing)

6.1.2 Headhunt

This process involves identifying a potential candidate for the Job and hence offering them a job in Ushuru FC with improved general terms and conditions of employment. Ushuru FC will on a need basis utilize this approach to employ its coaches.

6.1.3 Advertisements

The Ushuru FC Board may also decide to use job advertisement in a print or electronic notification with an intention to hire a coach in our club.

6.1.4 Recommendations

Ushuru FC Board may choose to interview few coaches who will have been recommended to them based on their experience and performance with specific

clubs. These recommendations may come from professional sports bodies and sports professionals in the field of football.

6.1.5 Sports Management Agencies.

Ushuru FC Board may choose to use professional sports management agencies with experience and proper understanding of the football field. Such agencies may help engaged to help the club recruit a professional coach who has a track record their performance and enjoy good will in the field of football. These private agencies will demonstrate their experience and knowledge and that they have capacity to deliver this task.

7. TECHNICAL BENCH & PLAYERS REMUNARATION

7. Remuneration

7.1 Salaries

- 7.1.1 USHURU FC will endeavour to establish (and revise as necessary) an appropriate salary structure or grading system.
- 7.1.2 Salaries will be determined by qualifications, experience, special skills, market factors and budget provisions. Entry level for players will be proposed by the technical bench with the guidance of the Chief Executive Officer and approved by the USHURU FC Board. These salaries will be guided by Ushuru FC pay grade.
- 7.1.3 Salaries may be reviewed annually on the basis of cost of living, performance, market factors and the overall funding situation of the Club. Awarding of salary increment annually shall not be automatic but subject to availability of funds.
- 7.1.4 In the case of a casual employee, salary shall be paid at the end of the day of service or at such intervals as may be agreed between the employee and the appointing authority.
- 7.1.5 In the case of an employee on piecework, salary shall be paid at the end of each month in relation to the amount of work accomplished, or on completion of work whichever date is earlier.
- 7.1.6 In the case of an employee on a written monthly contract, salary shall be paid at the end of the month (last working day) but may be paid earlier or a few days after at the discretion of the Chief Executive Officer. This will include win and draw bonuses for home and away matches.
- 7.1.7 All salaries for employees with a written contract will be paid through the bank account. Employees are encouraged to open convenient bank accounts as soon as they take up employment with USHURU FC and to advise the Finance Manager on their bank account details accordingly. Any changes to these details should be communicated in writing to USHURU FC's finance manager as soon as they occur.

7.2 Statutory Deductions

- 7.2.1 All income, including allowances and termination benefits arising from the period of employment, will be subject to income tax in accordance with the laws of Kenya. All taxation shall be effected at source.
- 7.2.2 The following statutory deductions are recovered from salaries and applicable to income accrued or deemed to have accrued in Kenya:
 - a) PAYE: Pay As You Earn
 - b) NSSF: National Social Security Fund
 - c) NHIF: National Hospital Insurance Fund
- 7.2.3 Staff on short-term consultancy employment will be taxed at source in accordance with the current rates of taxation.

8. PERFORMANCE MANAGEMENT

8. Performance Management and staff development

8.1 Performance Management

- 8.1.1 USHURU FC will manage the performance of its staff and players per game, per month, quarterly, half year and annually and continuous cycle requiring inputs from employees, supervisors, and the USHURU FC management team.
- 8.1.2 Using the key competency framework, standardised objectives will be developed for each work level in USHURU FC and supervisors, supported by the C.E.O, will communicate these to all staff at the beginning of the performance year.
- 8.1.3 The Club Management will set any individual or performance related objectives with all staff and record on Personal Development, Training needs analysis and training plan.
- 8.1.4 During discussions with their supervisor, USHURU FC staff will develop individual Personal Development and Training Plans that set out how they will approach their learning and development and any actions for the remainder of the year that will help them to achieve their objectives.
- 8.1.5 All USHURU FC staff and players will be expected to collect feedback, evidencing their performance against objectives, on a continuous basis which will be used during their end of year performance appraisal.
- 8.1.6 At the end of the performance year, all staff and players will complete a self-evaluation of their , before attending a final appraisal meeting with their supervisors to assess performance against objectives and assign each individual a performance rating between 1 and 3.
- 8.1.7 After all final review meetings have been completed; USHURU FC's leadership team will conduct a moderation meeting to ensure that performance ratings are consistent and fair across the club.
- 8.1.8 Final ratings will then be passed back to supervisors for communication to staff. Ratings will be used to assess pay levels within the club as guided by the pay grade structure for the club.
- 8.1.9 Due to the nature of the operation of the club, specified performance targets for the technical bench and players will be set and failure to achieve this may warrant dismissal based on non-performance.

8.2 Talent Development

- 8.2.1 The recognition of talent is key to shaping the future profile of the organisation; it works in parallel with performance management and contributes to longer term succession planning.
- 8.2.2 Talent at USHURU FC will be developed through the provision of skills and training to all staff to help ensure that they are well-equipped and knowledgeable to carry out their role in the Club.

8.2.3 Talent identification in USHURU FC will be based on, the assessment of both performance and potential, and will be reviewed on an annual basis as part of the performance appraisal moderation meeting.

8.3 Promotions

8.3.1 In evaluating an employee's performance for promotion, the club shall give emphasis to the employee's merit and ability while, in addition taking into accounts his work performance ratings, and professional credentials.

8.2.4 In a case where a supervisor recommends an employee for promotion in preference to another more senior employee, the departmental head shall submit confidential reports to the C.E.O on both employees indicating their specific qualifications for the promotion and grounds for recommending the junior employee.

8.2.5 A serving employee who is recommended for promotion to a new position (with new duties and responsibilities) shall be promoted subject to a 3-month probation period.

Such a promotion to a new and more senior position shall be subject to the approval of the management of the team

8.4 Training and Development

8.4.1 USHURU FC encourages in-service players training and development in order to give players the opportunity to develop their professional competence and acquire new skills to enhance performance and improve their contribution to the achievement of the aims and objectives of USHURU FC. Team management led by the Chief Executive Officer will be encouraged to prepare periodic training plan and subsequently to build on such training requirements into their annual plans (workshops, seminars, short courses, etc) and budget. However, it should be noted that:

a) Such training opportunities for players shall be governed by the availability of funds;

8.4.2 Training requests may be initiated by individual players or by the Chief Executive Officer of the club.

8.5 Healthy Relationships

8.5.1 USHURU FC encourages a relationship that is mutually acceptable to both parties. However, a relationship between an adult and a minor is expressly not permissible and is illegal within the Kenyan legal framework. Based on the above statement, the following guidelines should be strictly followed:

a) treat everyone with respect and refrain from all forms of communication, actions or behaviour that may be perceived as offensive;

b) avoid body contact that may be perceived as unwanted;

c) avoid all types of verbal intimacy that may be perceived as sexually charged;

d) avoid expressions, jokes and opinions that relate to the athlete's gender or sexual

orientation in a negative way;

- e) seek to have both sexes represented in the support network;
- f) avoid contact with the athletes in private spaces unless there are several persons present or in agreement with parents or guardians or the sports management;
- g) show respect for the athlete's private life;
- h) avoid dual relationships (e.g. boyfriend and coach) and, if a reciprocal relationship is established, the situation should be raised and clarified openly in the environment;
- i) do not offer any form of reward with the purpose of demanding or anticipating sexual services in return;
- j) take action and give notice if a breach of these rules is experienced.

9. STAFF WELFARE AND BENEFITS

9. Staff Welfare and Benefits

9.1 Working Hours

9.1.1 Due to the nature of the game of soccer, work days and off day for the players and technical bench will be determined by the programme of the head coach.

9.2 Overtime for office employees

9.2.1 As a matter of policy, USHURU FC does not encourage overtime. Employees are expected to treat work requirements as a priority during working hours.

9.2.2 In case of overtime or hours worked during public holidays, Compensatory Time off may be given to the employees. In such a case, the overtime must be approved by the C.E.O.

9.3 Annual Leave for employees and players.

9.3.1 Annual leave is accrued on the basis of 21 days per year.

9.3.2 Since the team operate within a specified football season, leave days for all players and technical bench officials will be taken during mid-season or at the end of the season.

9.3.3 A leave request form should be completed and submitted one month in advance for approval by the supervisor. Leave cannot be carried forward. Any untaken leave shall be forfeited.

9.3.4 Leave will not be paid for in cash unless in exceptional situations such as dismissal or death of an employee, and only upon approval by the USHURU's Chief Executive Officer.

9.3.5 Unauthorized leave or absence from work will be treated as absenteeism and a warning letter will be served.

9.4 Public Holidays

USHURU FC will observe all national or religious holidays that are officially recognized nationally. However, should the team be called up to play an official match on such a day, then it shall not be treated as an overtime.

9.5 Maternity/Paternity Leave

9.5.1 Female employees will be entitled to maternity leave equivalent to three months with full pay.

9.5.2 No female employee shall forfeit her annual leave entitlement under section 28 of the employment act on account of having taken her maternity leave.

9.5.3 Male employees shall be entitled to 14 days paternity leave with full pay. However, for players this will be taken on mutual agreement with the Head Coach.

9.6 Sick Leave

9.6.1 Defined as "absence from duty on account of illness" and must be supported by a medical certificate from a registered medical practitioner within 48 hours. Absence

from duty without approval entails liability to either deduction of leave days, forfeiture of salary and/or other disciplinary action. In one calendar year, an employee will be allowed sick leave of eighteen (18) working days.

- 9.6.2 Should an employee fall ill while on leave and remain ill beyond the expiry date of that leave, he/she shall report the fact in writing to the Chief Executive Officer immediately and at the same time attach the requisite supporting certificate from a registered medical doctor stating details of the illness and its duration.
- 9.6.3 Records of all periods of sick leave granted to an employee will be kept in his personal file for future reference.
- 9.6.4 Where an employee is constantly sick the Chief Executive Officer and/or the employee's line manager may request for a medical report on the employee and/or his dependents to determine the cause of constant sickness in order to find ways of managing the particular case.
- 9.6.5 Serious illness: In case of serious illness a staff will get a one-month full pay and get half pay for the next three months. An employee may later on be retired on medical grounds upon presentation of a certificate of incapacity to perform their duties from a professional and recognised medical doctor.
- 9.6.6 Players Injury: Should a player get an injury during the training session or on a match day, the Clubs physio will determine the nature of the injury and hence advise appropriately.

9.7 Compassionate Leave

- 9.7.1 In the event of death of a spouse, child or parents of an employee, he/she will be entitled to compassionate leave of 7 calendar days. These days will be deducted from the annual leave.
- 9.7.2 In the event of death of any other person related to the employee, he/she may be granted leave at the discretion of the management but this leave must be deducted from the annual leave entitlement of the employee.

9.8 Returning from Leave

- 9.8.1 All employees are duty bound to report for work on time or explain in writing any expected lateness from resumption of duty after expiration of leave.
- 9.8.2 If an employee does not return to duty on expiry of his leave and does not report the reason for the delay in writing the action may be taken as desertion if the absence lasts for more than 7 days. Consequently, the salary will be stopped effective from the date the leave days expired.

9.9 Annual Leave

- 9.8.3 In addition to the 21 annual leave days, employees will be entitled to a maximum of six (6) days during the Christmas to New Year break unless these days coincide with the period of annual leave, in which case the two shall run concurrently.
- 9.8.4 Those staff on duty during this period will be given Compensatory Time Off (CTO).

9.10 Transport and Travel

9.10.1 USHURU FC will provide transport or shall reimburse transport costs incurred by the employee by the most economical means under the following circumstances:

- a) while on duty at their duty stations in accordance with their job description and responsibilities;
- b) on approved missions (e.g. workshops, seminars, conferences, official meetings).

9.10.2 In cases where transport costs are to be reimbursed, the employee must present the original receipts for reimbursement. Such reimbursements have to be approved by the Chief Executive Officer.

9.10.3 Where an employee is authorized to use his own vehicle the rates approved will be based on the Automobile Association of Kenya (AA) schedule prevailing at the time.

9.11 Per Diem

9.11.1 A per diem is the daily rate that covers for out-of-pocket expenses for every night spent outside the duty station but not at the place of residence while on an approved mission.

9.11.2 Employees will not qualify for the payment of per diems for locations within a range of 70km from their designated work station.

9.11.3 Employees exceeding the authorized number of days for duty travel will not be paid the per diem for the time overspent whilst on duty.

9.11.4 Per diem rates will be reviewed by the Clubs Chief Executive Officer and approved by USHURU FC Board on an annual basis unless with proper justification and with approval from the C.E.O.

9.11.5 All per diems should be surrendered within seven (7) days after completion of the mission.

9.12 Health Insurance

9.12.1 USHURU FC will ensure that all its employees are covered with NHIF and WIBA as guided by the Kenyan laws.

9.12.2 Ushuru FC will strive for an insurance cover for staff, players and the immediate family subject to availability of funds.

10. GRIEVANCES AND CONFLICT HANDLING POLICY

10. Grievances and conflict

10.1 Grievance Statement

When an employee feels aggrieved by a superior colleague or with working conditions, he/she should follow the procedures that are outlined below to address his grievances with the understanding that:

- a) there will be no reprisals taken against him for using the procedures;
- b) the grievances will be responded to thoroughly and appropriately.

10.2 Grievance and conflict Procedure

10.2.1 An employee with a grievance should first discuss with his immediate supervisor.

10.2.2 If the employee is not satisfied with the outcome of such discussions, the grievance should be lodged in writing with the employee's immediate supervisor.

10.2.3 The immediate supervisor is required to reply in writing to such grievances within 48 hours.

10.2.4 If the employee is not satisfied with the supervisor's written reply, he/she should direct in writing the grievance the Chief Executive Officer with a copy to the Board Chair attaching copies of the previous correspondence with the immediate supervisor.

10.2.5 The Chief Executive Officer, in consultation with the Board Chair, will review the grievances and reply in writing within seven (7) days from the date of receipt of the grievance.

10.2.6 The employee has the right to direct access to the Chief Executive Officer in order to discuss the problem.

10.2.7 The decision of the Chief Executive Officer, in consultation with the team's management group and the Board, will be final.

10.3 Team Grievances

10.3.1 Discuss with the team captain who intern discusses with the Team Manager.

10.3.2 The team manager will give feedback within 5 days.

10.3.3 If the team manager does not respond within 5 days, the captain will write to the CEO who shall respond in writing within 7 days.

10.3.4 If not solved, the team captain will write to the board chairperson who shall then address this within 14 days.

10.3.5 It should be noted that the decision from the Ushuru FC board shall be final.

10.3.6 If the decision made by the board is not satisfactory, alternative dispute resolution can be explored such as the player welfare association etc.

11. DISCIPLINE PROCEDURE POLICY

11. Discipline

11.1 Purpose and Scope

- 11.1.1 The disciplinary procedure is the code of practice on disciplinary issues under USHURU FC employment. The code sets out guidelines on how to manage and resolve disputes of a disciplinary nature.
- 11.1.2 This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The aim of this code is to ensure consistent and fair treatment for all.
- 11.1.3 No disciplinary action will be taken against an employee until the case has been fully investigated.
- 11.1.4 At every stage in the procedure the employee will be advised of the nature of the complaint against him and will be given the opportunity to state his case.
- 11.1.5 An employee will have the right to appeal against any disciplinary penalty.
- 11.1.6 Upon launching an appeal, the board and the CEO will meet and make a final decision that will be binding.

11.2 Misdemeanors

- 11.2.1 Misdemeanours are those actions, which cause disruption of teamwork and efficiency but are not of a serious nature unless part of a wider pattern of negative unproductive behaviour. Examples of misdemeanours include:
- a) lateness or truancy;
 - b) minor cases of carelessness with USHURU FC's property.
- 11.2.2 A verbal warning will be given for misdemeanours as a first step. Any subsequent misdemeanours act within a period of two (2) months are considered to be incidents of misconduct.

11.3 Misconduct

- 11.3.1 Misconduct is a serious breach of discipline. Examples include:
- a) misrepresentation or omission of facts when obtaining employment with USHURU FC;
 - b) absence from duty station;
 - c) lack of co-operation with other staff;
 - d) failure to follow the club's standard operating procedures (e.g. personnel, finance, logistics and security);
 - e) failure to reach acceptable levels of performance as stipulated in the individual's contract;

- f) failure to carry out legitimate instructions of a senior staff;
- g) insubordination;
- h) deliberate dishonesty;
- i) sexual harassment;
- j) inappropriate behaviour injurious to the good standing of USHURU FC's image and reputation;
- k) drinking or being under the influence of alcohol during working hours.

11.3.2 Sexual harassment is not restricted to the seeking of sexual favours in a working environment but also perceived acts of harassment calculated to intimidate an employee on the basis of his gender. Therefore, no employee or volunteer should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical actions, that created an intimidating and hostile environment. An employee who believes that he/she has been subjected to sexual harassment is strongly urged to report the matter promptly first to the attention of the immediate manager, and the Chief Executive Officer.

11.3.3 Cases of misconduct will result in a first warning Letter. Any subsequent misbehaviour within the period of the next three months will result in a second and final warning letter. Any further misbehaviour will be considered as gross misconduct.

11.4 Gross Misconduct

11.4.1 Gross misconduct is a breach of discipline of such magnitude as to warrant instant dismissal. It looks at a single act of misconduct that is serious enough on its own to justify the employee's immediate dismissal Examples include:

- a) engaging directly in trade or business at the club location that is considered incompatible with employee responsibilities;
- b) any action that brings the club into disrepute;
- c) discharge of confidential information to unauthorized parties;
- d) gross incompetence;
- e) criminal conviction;
- f) divulging false information about USHURU FC;
- g) driving USHURU FC's vehicle or operating machinery when drunk or under the influence of alcohol or drugs;
- h) desertion (e.g. absence from duty without leave or sufficient cause for a period of days);
- i) absence from work or repeated late attendance without reasonable cause;

- j) behaviour that leads to inability to perform duties specified in the job description;
- k) theft, fraud, corruption or bribery of any nature and of any scale;
- l) physical attack on a colleague or client within the work premises or duty station;
- m) any other action stipulated in the employment Act (Cap. 226) of the Laws of Kenya.
- n) Failing to report in writing to the club any information on theft, fraud, corruption, or bribery.
- o) Fielding of a suspended player.
- p) Betting on a match in which you are involved.
- q) Failure for the technical bench and players to wear authorised kit/uniforms during match days and any other KRA official function.
- r) Failure to sign a performance contract.
- s) Failure to achieve set targets as outlined in the performance contract.

11.4.2 Cases of gross misconduct will automatically lead to instant dismissal without recourse to any procedures.

11.4.3 Sanctions for breaches of discipline are primarily through warning letters and dismissal. However, the management may, at its own discretion, reduce the punishment to suspension from duty without pay.

11.4.4 If any employee commits a breach of discipline that warrants suspension, he/she will be sent home pending an investigation whose outcome may result in a warning letter or termination of service or any other necessary action.

11.4.5 Suspension of an employee will not exceed 60 days, this being the required period set for the completion of investigations, hearing and determination of the case.

11.4.6 If the employee is found to be innocent and is reinstated, payment of any unpaid wages will be restricted to the period of suspension. In case of legal dismissal, the employee will only be entitled to full salary paid up to the date that the employee was first suspended.

11.4.7 Any of the examples given above under gross misconduct justify the summary dismissal of an employee for lawful cause.

11.4.8 The employee will be paid all the salary earned up to the time of dismissal and other leave benefits.

11.4.9 Accomplices: Any staff that witnesses or participates in a breach of rules and regulations without reasonable effort to prevent the offence will also be liable to disciplinary action.

12. TERMINATION OF EMPLOYMENT

12. Termination of Employment

12.1 Voluntary Resignation

12.1.1 Either of the parties to the contract may terminate the contract of employment by giving one month's notice in writing to the other, or by payment of the equivalent period's salary. However, FIFA Regulation on player contracting and termination will also apply to all employees employed as players for the club.

12.2 End of Contract

12.2.1 If the termination of the contract is due to the expiry of the contract, USHURU FC will whenever possible give the employee one month's notice to the effect that the employee's contract will not be renewed due to reasons that may performance based. Ushuru FC will also put into considerations FIFA Regulations on termination of players.

12.3 Lack of Funds

12.3.1 In such cases where the sponsor fails to meet its contractual obligations and commitments to USHURU FC, the status of the employee's contract will need to be reviewed and modified as necessary and appropriate. In the event of severe funding constraints, the contract with the employee may have to be terminated.

12.4 Summary Dismissal

12.4.1 This is any necessary action that amounts to gross misconduct so as to justify the summary dismissal of the employee. Where an employee is summarily dismissed for lawful cause, the employee shall, on dismissal be paid all moneys, allowances and benefits due to him up to the date of his dismissal.

12.4.2 No wages shall be payable to an employee in respect of a period during which the employee is detained in custody or is serving a sentence of imprisonment imposed under any law.

12.4.3 USHURU FC may deduct any amount due from the employee as a contribution to any provident fund or superannuation scheme or any other scheme approved by the Commissioner for Labour to which the employee has agreed to contribute;

12.4.4 USHURU FC may deduct a reasonable amount for any damage done to, or loss of, any property lawfully in the possession or custody of the employer occasioned by the wilful default of the employee.

12.4.5 USHURU FC may make a deduction to which is authorised by any written law for the time being in force, collective agreement, wage determination, court order or arbitration award.

12.5 Exit and Clearance

12.5 Handing Over

12.6.1 A handing over is required in order to obtain a Clearance Certificate.

12.6.2 Outgoing employees are required to submit a written hand over report, which should describe all pending work, to their immediate supervisor with copies to other relevant staff.

12.6.2 Before any termination benefits can be released to the employee, the outgoing employee will be required to hand in equipment, assets and any other item belonging to USHURU FC.

12.6.3 The outgoing employee is required to sign a “No Further Claims Declaration” before his final dues are released.

12.7 Clearance Certificate

12.7.1 Outgoing employees will have to complete a Clearance Certificate that will be signed by all the member of the management group of USHURU FC.

12.7.2 The supervisor in charge of an outgoing employee will be responsible for clearing the employee and advising the relevant authorities to release the final dues.

12.7.3 The final dues for an outgoing employee should be net of all liabilities in debts including statutory deductions. This net payment will be released separately from the rest of the payroll and preferably by cheque.

12.8 Certificate of Service

12.8.1 Every employee will be given a Certificate of Service upon leaving employment provided he has served for a continuous period of not less than three (3) months.

12.8.2 A Certificate of Service will be issued to an employee after securing a Clearance Certificate.

12.8.3 The Certificate of Service will contain the following details:

- a) name of the employer and the registered office;
- b) name of the employee;
- c) date when employment commenced;
- d) nature and usual place of employment;
- e) date when employment ceased;
- f) any other particulars that may be deemed relevant.

13. HEALTH AND SAFETY POLICY

13. Health and Safety (HIV and AIDS)

13.1 Objectives

The USHURU FC Policy on HIV/AIDS and the Workplace environment is intended:

- a) to minimise the possibility of HIV infection of USHURU FC staff, their partners and dependents;
- b) to ensure a supportive work environment for staff infected and affected by HIV/AIDS;
- c) to manage and mitigate the impact of HIV/AIDS on the work at USHURU FC;
- d) to eliminate the stigma and discrimination in the workplace on the basis of a person's real or perceived HIV status or vulnerability to HIV infection

13.2 Definitions

13.2.1 "Adult" is defined as a person aged 18 years or older and an "adult dependent" is a person who is either:

- a) a person in a legally recognised relationship, married or de facto, with a staff person;
- b) a person who has cohabited with a staff member for not less than two year and where there is a continuing relationship of emotional and financial interdependency.

13.2.2 "Child" is defined as a person under 18 years of age and a "child dependent" is either:

- a) the biological or legally recognised child of a staff member;
- b) a child who lives in the same house as the staff member.

13.2.3 "HIV-related information" includes information that someone:

- a) may have HIV;
- b) has been asked to have an HIV test or has been counselled about having a HIV test;
- c) Is receiving or has received treatment or counselling which suggests he may have HIV;
- d) may have had experiences which put him at risk of contracting HIV;
- e) has a close association or relationship with someone with HIV/AIDS.

13.2.4 "HIV screening" means any measurement of potential or actual HIV infection, whether direct (HIV testing), indirect (assessment of risk-taking behaviour) or asking questions about tests already taken or about medication.

13.2.5 “Reasonable accommodation” means any modification or adjustment to a job or to the workplace which is reasonably practicable which will enable a person living with HIV or AIDS to have access to, or participate or advance in, employment.

13.3 Responsibility for implementation

At USHURU FC the Chief Executive Officer has overall responsibility for implementation of this policy.

13.4 HIV Screening, Recruitment and Employment

13.4.1 The only medical criterion for recruitment is fitness to work. HIV infection does not, in itself, constitute a lack of fitness to work.

13.4.2 There is no obligation on applicants or staff to inform USHURU FC of their HIV status.

13.4.3 HIV screening will not be required either as a condition of recruitment or for continuation of employment unless required by law (e.g. for duty travel).

13.5 Confidentiality

13.5.1 USHURU FC encourages a supportive work environment in which staff can discuss HIV/AIDS openly, including their own experience living with HIV/AIDS. Where staff disclose that they or their dependents are living with HIV/AIDS, the confidence will be respected with regard to the circumstances in which the information was shared. If there is any doubt, the person living with HIV/AIDS should be consulted before further disclosure takes place.

13.5.2 HIV-related information relating to applicants for employment, staff or dependents will be kept strictly confidential and be kept only on medical files.

13.5.3 Unauthorised disclosure of HIV-related information is a disciplinary offence. It may also lead to legal proceedings against the person who disclosed the information.

13.5.4 With the voluntary and informed consent of the person concerned, HIV-related information may be disclosed strictly as necessary for the purposes of recruitment or assignment of staff living with HIV where the job description or task identifies this qualification.

13.6 Travel, Assignment and Vaccination

13.6.1 When arranging short-term travel to other countries for USHURU FC staff, USHURU FC will notify the relevant individual of any legal restrictions on entry for people with HIV, and any recommended or required vaccines. Individuals living with HIV must make personal choices as to whether or not they wish to attempt to travel to countries with legal restrictions.

13.6.2 Staff living with HIV should seek medical advice on the advisability of vaccination according to their particular health status. If a staff member cannot undertake short term travel for these reasons, reasonable measures will be taken to identify other ways of accomplishing the necessary tasks.

13.6.3 When HIV screening is required, USHURU FC will ensure referral to pre-test and post-test counselling for relevant staff or short listed applicants.

13.6.4 If an existing staff member is unable to take an assignment in a particular country because of that country's HIV related requirements, USHURU FC will take reasonable steps to find an alternative post.

13.7 HIV Prevention Measures

13.7.1 USHURU FC will provide staff with sensitive, accurate and up-to-date information to enable them to protect themselves from HIV and other sexually transmitted or blood borne infections.

13.7.2 In countries where the blood supply is not secure, USHURU FC will provide information to staff on where safe blood can be obtained.

13.7.3 USHURU FC will also provide information on where sterile needles and syringes can be obtained and may also provide disposable syringes and needles to staff on duty travel to areas where there is no guarantee of the proper sterilisation of such materials. A letter explaining why it is being carried will accompany the equipment.

13.7.4 USHURU FC will provide staff and their dependants with condoms where there is no reliable and consistent supply of high-quality condoms from the private sector. Access should be free, simple and discreet.

13.8 Occupational and Other Exposure

13.8.1 In the case of accidents involving the risk of exposure to human blood, universal precautions shall be used so there is no risk of transmission of HIV or other blood borne infections.

13.8.2 USHURU FC shall develop procedures for the immediate referral for counselling, assessment and medical treatment with post-exposure prophylactics where appropriate for staff or dependents exposed to the risk of HIV infection (e.g. through accident or sexual assault), whether in the workplace or elsewhere. Reasonable paid time off will be granted for counselling after occupational or other exposure.

13.9 Information and Training

13.9.1 USHURU FC will provide information and training on the workplace issues raised by the epidemic, on appropriate responses and on the general needs of people living with HIV/AIDS and their careers. Such information and training will be gender sensitive as well as sensitive to race, disability and sexual orientation.

13.9.2 Information will include the availability of local support organisations for people living with HIV/AIDS and other affected communities. As far as practicable, such information and training will be integrated into existing education and human resources policies and programmes as well as occupational safety and anti-discrimination strategies.

13.9.3 Staff training on HIV/AIDS will take place during paid working hours and attendance by all staff, shall be considered as part of their work obligations. All staff will be trained on the implementation of this policy.

13.10 Stigma and Discrimination

13.10.1 USHURU FC will not discriminate on the basis of actual or perceived HIV status, or membership of a group at increased risk of HIV infection, in the conditions of work and opportunities for transfers and promotions. Staff living with HIV/AIDS will be treated no less favourably than staff with other serious illnesses.

13.10.2 USHURU FC will undertake activities to address HIV and related stigma in the workplace, including staff training and the promotion of an open, accepting and supportive work environment for staff who chose to disclose their HIV status.

13.11 Reasonable Accommodation

USHURU FC may reasonably accommodate the special needs of staff living with, or directly affected by, HIV/AIDS on a case-by-case basis, subject to the overall requirements of the club. Reasonable accommodation may include flexible working hours and time off for counselling and medical appointments, transfers to lighter duties and part-time work.

13.12 Termination of Employment

HIV infection is not a cause for termination of employment. Staff with HIV related illness will continue in employment as long as they are medically fit for available and appropriate work. In the case of termination of employment due to extended illness, staff with HIV/AIDS will receive the same benefits and conditions as apply to termination due to other serious illnesses.

13.13 Gender Dimensions

USHURU FC acknowledges that HIV/AIDS impacts on male and female staff differently. This includes the recognition that women normally undertake the major part of caring for those with AIDS-related illnesses, and that pregnant women with HIV have additional special needs.

13.14 Counseling, Grievance and Disciplinary Procedures

13.14.1 USHURU FC will provide information to all staff on where HIV-related advice, counselling and referral can be found outside the work environment. USHURU FC will provide procedures that can be used by staff for work-related grievances, including failure by USHURU FC to implement any aspect of this policy.

Disciplinary proceedings may be commenced against a staff member who violates this policy.

13.15 Policy Review

USHURU FC Management will periodically review this and other relevant policies from time to time.

14. CONFLICT OF INTEREST POLICY

14.0 Conflict of Interest

- 14.0.1 The Clubs Board, elected officials and staff have an obligation to act in the best interests of the Club and in accordance with the UHURU FC constitution. Conflicts of interest may arise when an individual's personal or family interests or loyalties conflict with those of the Club. All USHURU FC Board Members, elected officials and staff must declare their interests and any gifts, hospitality or other benefits received in connection with their role in USHURU FC. A Declaration of Interests Form will be provided for this purpose and will list the types of interests which should be declared.
- 14.0.2 If uncertain on what to declare or on how and when to update a declaration, always err on the side of caution. The USHURU FC Chief Executive Officer, will always be available for confidential advice and guidance. Interests will be recorded in the official USHURU FC Register of Interests to be maintained by the clubs Chief Executive Officer. The Register will be accessible to the management of the team and the Board.
- 14.0.3 If a person is a user of USHURU FC services or the carer of someone who uses USHURU FC services, that person should not be involved in any decisions that directly affect the service they, or the person they care for, receive. They should declare their interest at the earliest opportunity and withdraw from any subsequent discussions. The same provisions apply when facing a conflict of interest for any other reason. However, a person may participate in discussions on matters which may indirectly benefit them when, for example, the benefits are universal for all users or their benefits are minimal.
- 14.0.4 If a person has a conflict of interest, they must not be involved in managing or monitoring a contract in which they have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices and also for the termination of the contract if the relationship is unsatisfactory.
- 14.0.5 If a member of the Board or the Chief Executive officer or the Head Coach or any other staff member is aware of an undeclared conflict of interest by another person, they are obliged to report that conflict to the Chief Executive Officer or the Board Chairman.
- 14.0.6 When the Board, Chief Executive Officer or management has to decide on a question in which a Board member, elected official or staff member has a conflict of interest, all decisions will be made by a simple majority vote. A two third quorum must be present for the discussion and decision. Interested parties will not be counted when deciding whether the meeting is quorate.
- 14.0.7 Board members of the club may not vote on a conflict of interest case in which they are directly involved. They must absent themselves from the discussion. All decisions on a conflict of interest case will be recorded by the secretary and reported in the minutes. The report will record the nature and extent of the conflict, an outline of the discussion and the actions taken to avoid or manage the conflict.

14.1 Confidentiality

In this context, confidentiality refers to ensuring that information is accessible only to those authorized to have access and is protected throughout its lifecycle

- 14.1.1 Employees who by nature of their work handle confidential information or documents should handle the information in a confidential manner so as not to allow access to unauthorized persons. Deliberate or careless exposure of such material will be treated as gross misconduct.
- 14.1.2 Similarly, USHURU FC will not give out information regarding an employee without his / her consent except in the case of references or under a condition of the law.
- 14.1.3 Language: English & Kiswahili shall be the official language in all correspondence and documentation.

16. DRUG-FREE WORKPLACE POLICY

16.0 Drug-Free Workplace Policy

- 16.0.1 It is the policy of USHURU FC to maintain a safe and productive workplace free of drugs. USHURU FC employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is USHURU's intent and obligation to provide a healthy, safe and secure work environment.
- 16.0.2 Any employee who uses controlled substances or dispenses or sells controlled substances on USHURU FC property or while engaging in USHURU FC business will be subject to corrective action which may include termination for a first offense.
- 16.0.3 USHURU FC also prohibits the possession, use, solicitation or sale of illegal drugs or alcohol away from the Institutions premises. Such activities or involvement adversely affects the employee's work performance and the safety of the employee or others and puts USHURU FC's reputation at risk.
- 16.0.4 Although USHURU FC retains the right to terminate employment at will, employees needing help in dealing with drug abuse problems will generally be encouraged to seek professional assistance. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.
- 16.0.5 USHURU FC shall make information available to its employees about drug counselling, rehabilitation and any special employee's assistance programmes. The aim of making such information available to employees who voluntarily seek assistance is to help, rather than discipline, the employee.
- 16.0.6 An employee must, as a condition of employment, abide by the terms of this statement and report in writing to his/her supervisor any conviction under a criminal drugs statute for violations occurring on or off the USHURU FC premises while conducting USHURU FC business. That report must be submitted within five (5) days after the conviction.
- 16.0.7 Within ten (10) days of receiving notice of an employee's conviction for a violation of a drug statute, the supervisor must report such a conviction, including the position title of the convicted employee, to the Chief Executive officer. Within thirty (30) days after such notice, USHURU FC must take disciplinary or remedial action.

17. SEXUAL HARASSMENT POLICY

17. Sexual Harassment Policy

17.1 Purpose

The purpose of this policy is to protect Ushuru FC employees, wherever they are located, from workplace harassment from colleagues, and to provide accessible recourse when such harassment does occur.

17.2 Definition of term

Sexual Harassment can be defined as unwanted, unreasonable or offensive conduct affecting the dignity of women and men at work. Men as well as women can be victims of harassment. For the purposes of these Guidelines on Harassment, this definition covers harassment based on sexual orientation, transgender status, race, religion, disability or HIV/AIDS status. Whether or not someone is being harassed must be seen from the perspective of the individual.

17.3 Responsibility for implementation

While it is the duty of all employees to accept responsibility for the practical application of this policy at all times, USHURU FC acknowledges that specific responsibilities fall upon management and supervisors to be responsive to complainants.

Examples of harassment can include unwelcome physical, verbal or non-verbal conduct, such as subjecting someone to insults or ridicule because of their sex, sexual orientation, transgender status, race, religion, disability or HIV/AIDS status. Harassment can also include other forms of lewd, over-familiar or rude behaviour, or the display or circulation of material which could offend.

17.4 Avoiding sexual harassment and abuse

All USHURU FC members, players and staff must respect the following guidelines:

- (a) treat everyone with respect and refrain from all forms of communication, action or behaviour that may be perceived as offensive;
- (b) avoid body contact that may be perceived as unwanted;
- (c) avoid all types of verbal intimacy that may be perceived as sexually charged;
- (d) avoid expressions, jokes and opinions that relate to the athlete's gender or sexual orientation in a negative way;
- (e) seek to have both sexes represented in the support network;
- (f) avoid contact with the athletes in private spaces unless there are several persons present or in agreement with parents/guardians or the sports management;
- (g) show respect for the athlete's private life;
- (h) avoid dual relationships (e.g. boyfriend and coach). If a reciprocal relationship is established, the situation should be raised and clarified openly in the environment;
- (i) do not offer any form of reward with the purpose of demanding or anticipating sexual services in return;

take action and give notice if a breach of these rules is experienced.

17.5 Guidelines for dealing with harassment

The USHURU FC management/board will appoint a mature and experienced person as the USHURU FC Counsellor who will have the mandate and authority:

- (a) to receive and make confidential investigations on any complaints or reports on possible violations of the USHURU FC policy;
- (b) to submit confidential reports with recommendations for appropriate action to the USHURU FC Chief Executive Officer or the Chairman of the Board on reported violations of the USHURU FC policy.
- (c) to counsel and assist those affected by improper conduct;
- (d) to identify and maintain contacts with other relevant groups and experts;
- (e) to organize periodic discussion groups and workshops to improve understanding and compliance with the USHURU FC policy and procedures on harassment.
- (j) to carry out any other relevant duties or tasks at the request of the USHURU FC Chief Executive Officer or the Chairman of the USHURU FC Board.

18. CHILD PROTECTION POLICY

18. Child Protection Policy

18.1 The main aims of the policy are:

- a) to ensure USHURU FC provides children in our youth program with a protective, safe, healthy and stimulating environment;
- b) to ensure all USHURU FC children have enriching and educational experiences designed to strengthen their confidence and self-esteem and improve their physical and mental health;
- c) to ensure all USHURU FC employees, peer leaders, interns, coaches and instructors respond adequately to child protection issues.

18.2 Definitions

18.2.1 Children are defined here as young people under the age of 18 years of age.

18.2.2 USHURU FC makes no distinction between, caste, religion, gender, ability or disability; all are children and all should be given an equal opportunity whilst remaining equally free from oppression and abuse.

18.2.3 Children are entitled to the following rights provided by the parents and the state as stated in Sections 3-19 of Part II of the Children Act of 2001 of the Laws of Kenya:

- a) Right to life;
- b) Right to parental care;
- c) Right to free and compulsory basic education;
- d) Right to religious education subject to appropriated parental guidance;
- e) Right to health and medical care;
- f) Right to be protected from economic exploitation and any work that is likely to be hazardous or to interfere with the child's education or harmful to the child's health or physical, mental, spiritual, moral or social development;
- g) Right to protection from taking part in hostilities or armed conflicts;
- h) Right to their name and nationality;
- i) Right for a child with a disability to be treated with dignity and accorded appropriate medical care, special care, education and training;
- j) Right to protection against harmful cultural practices, including circumcision, early marriage and other cultural practices that are likely to negatively affect a child;
- k) Right to protection from sexual exploitation and use in prostitution, from inducement or coercion to engage in any sexual activity and from exposure to obscene materials;

- l) Right to protection from drugs, including hallucinogens, narcotics, alcohol, tobacco products and psychotropic drugs;
- m) Right to leisure, play and participation in cultural and artistic activities;
- n) Right to protection from torture, cruel treatment or punishment, including capital punishment, and from unlawful arrest or deprivation of liberty, including life imprisonment;
- o) Right to privacy subject to parental guidance.

18.3 Application of policy

The application of this Child Protection Policy applies to the periods before, after and during an USHURU FC activity, whilst every effort will also be made to affect positively the behaviour of adults and children, towards children, in a wider societal context.

18.3.1 USHURU FC will meet its commitment to safeguard children through the following means:

- a) Awareness: Ensuring that all USHURU FC employees, peer leaders, interns, coaches and instructors and others are aware of the problem of child abuse and the risks to children;
- b) Prevention: Ensuring, through awareness and good practice, that USHURU FC employees, peer leaders, interns, coaches and instructors and others minimize the risks to children;
- c) Reporting: Ensuring that staff and others are clear what steps to take where concerns arise regarding the safety of children;
- d) Responding: Ensuring that action is taken to support and protect children where concerns arise regarding possible abuse.

18.3.2 In order that the above standards of reporting and responding are met, USHURU FC will:

- a) Give immediate and serious attention to any concerns raised on child abuse;
- b) Take positive steps to ensure the protection of children who are subjects of any concern;
- c) Support children, USHURU FC employees, peer leaders, interns, coaches and instructors or other adults who raise concerns or who are the subjects of concern;
- d) Act immediately and effectively in instigating or cooperating with any investigations;
- e) Respect the principle of the best interests of the child in its child protection practices;
- f) Listen to and takes seriously the views and wishes of the children.

18.4 Code of Conduct

The aim of the Code of Conduct is to empower children by involving and discussing with them their rights and also what is acceptable and unacceptable conduct and how they should and can respond when there is a problem.

18.4.1 The following key principles shall be paramount in all USHURU FC work with children:

- a) Children should be free to learn and develop in an appropriate manner without the threat of punitive measures and exclusion for lack of achievement;
- b) Children should be afforded the opportunity to participate in USHURU FC activities regardless of age, race, class, caste, religion, gender, ability or disability;
- c) Children should be free to express themselves and to learn and develop in a manner that they see as suitable for their needs;
- d) Children should be free from verbal, physical, and mental bullying, not just from adults but from their peers before, during and after USHURU FC activities;
- e) Children should be treated as human beings in a stage of development and their protection during this development will be a top priority during all USHURU FC activities;
- f) Children should be afforded the opportunity to express their opinions about issues that are important to them, not just about USHURU FC activities but also about anything they feel is important;
- g) Children should experience the continuous promotion of fair play;
- h) Children should be provided with appropriate information on HIV/AIDS prevention;
- i) Anything a child tells USHURU FC employees, peer leaders, interns, coaches and instructors will be treated as confidential unless that information constitutes a significant risk to the child or other children or community;
- j) All USHURU FC employees, peer leaders, interns, coaches and instructors, whether adult or child, will conform to all rules and guidelines in this and other relevant USHURU FC policies.

18.4.2 It is important for all USHURU FC employees, peer leaders, interns, coaches and instructors and others in contact with children:

- a) To be aware of situations which may present risks and handle them appropriately;
- b) To plan and organise their work and workplace so as to minimize risks;
- c) To be visible in working with children as much as possible;
- d) To ensure a culture of openness exists to encourage any issues or concerns to be raised and discussed;

- e) To ensure that a sense of accountability exists among all USHURU FC employees, peer leaders, interns, coaches and instructors so that poor practices or potentially abusive behaviour does not go unchallenged;
- f) To talk to children about their contact with USHURU FC staff and other leaders and encourage them to raise any concerns;
- g) To empower children by discussing with them their rights and also what is acceptable and unacceptable and what they can do if there is a problem.

18.4.3 In general, it is inappropriate for USHURU FC employees, peer leaders, interns, coaches and instructors to:

- a) Spend excessive time alone with children away from others;
- b) Take children to their homes, especially if no other adults will be present.

18.4.4 USHURU FC employees, peer leaders, interns, coaches and instructors and others *must* never:

- a) Hit or otherwise physically assault or physically abuse children;
- b) Develop physical or sexual relationships with children;
- c) Develop relationships with children which could in any way be deemed exploitative or abusive;
- d) Act in ways that may be abusive or may place a child at risk of abuse.

18.4.5 USHURU FC employees, peer leaders, interns, coaches and instructors *must* avoid actions or behaviour that could be construed as poor practices or potentially abusive. For example, they should never:

- a) Use language, make suggestions or offer advice which is inappropriate, offensive or abusive;
- b) Behave physically in a manner which is inappropriate or sexually provocative;
- c) Have children with whom they are working stay overnight at their home unsupervised;
- d) Sleep in the same room or bed as a child with whom they are working;
- e) Do things for children of a personal nature which they can do for themselves;
- f) Condone or participate in behaviour of children which is illegal, unsafe or abusive;
- g) Act in ways intended to shame, humiliate, belittle or degrade children;
- h) Perpetrate any form of emotional abuse;
- i) Discriminate against or show different treatment or favour toward particular children to the exclusion of other children.

18.5 Procedures and responses

18.5.1 Child Protection commitment: The safety and welfare of children remains a key priority in USHURU FC youth programme activities. USHURU FC is committed to protecting children from any forms of abuse or suspicion of abuse. Any instance of abuse of a child must be reported and responded to.

18.5.2 Dealing with reported cases: The investigation and responding of reported cases will be within the responsibility of the USHURU FC Head of youth programme who will have the mandate and authority:

- a) To receive and make confidential investigations on any complaints on possible violations of this and other relevant USHURU FC policies;
- b) To refer the children to institutions where they can get treatment and help;
- c) To submit confidential reports with recommendations for appropriate action to the Chief Executive Officer or Chairman of the Board of board on reported violation;
- d) To counsel and assist children affected by such cases;
- e) To identify and maintain contacts with other relevant groups and experts on children rights;
- f) To organize periodic discussions and workshop with children and parents to improve proper understanding and compliance with child rights and the USHURU FC child protection policy;
- g) To protect vulnerable children in the USHURU FC youth programme;
- h) To ensure that the rights of vulnerable kids are protected;
- i) To prepare and assess data concerning any abused children in USHURU FC;
- j) To involve other USHURU FC partners in child protection measures;
- k) To organize training workshops on parenting skills;
- l) To promote community awareness on child protection and rights.

18.6 Review of policy

The USHURU FC Policy on Child Protection will be reviewed every two years or earlier if warranted and any lessons learned will be reflected in subsequent version

19. WHISTLE BLOWING POLICY

19. Introduction

Disclosing a concern which, an employee believes to be honest and reasonable and suggests that wrong doing has been committed, is being committed, or is likely to be committed, will be treated with confidentiality and the employee will automatically qualify for whistle blowing protection.

19.1 Purpose of the Whistle Blowing Policy

Provides a framework in which individuals can raise concerns about malpractice in a supportive atmosphere

A person who becomes aware of malpractice in any part of the club has an obligation to report that conduct

19.2 Purpose:

Ushuru FC endeavours to conduct all of its activities to the highest professional and ethical standards and in accordance with applicable FKF laws and regulations. Integrity in our activities and in our management systems is crucial to the achievement of our objectives. The Whistle blowing Policy reflects Ushuru FC's commitment to ensuring that concerns of potential breaches of laws, rules, regulations or any policy, raised in good faith, are handled in an appropriate manner and rectified as necessary.

19.3 Policy

- a) A whistle blower will be treated with confidentiality
- b) A whistle blower may choose to remain anonymous (although this makes any subsequent investigation harder)
- c) Report to a management
- d) Management must be made aware of all allegations and be satisfied that they have been adequately dealt with

Such wrong doings may include (but are not limited to):

- i. failure to comply with legal duty;
- ii. miscarriages of justice, criminal offenses;
- iii. endangering the health and safety of any person;
- iv. Fraud or financial irregularities
- v. Offering and accepting bribes.

19. 4 What to report:

Every employee has an obligation to report any conduct within Ushuru FC that the employee reasonably believes tends to show one or more of the following:

- a) that a criminal offence has been committed/is being committed/is likely to be committed or any other actions are being contemplated which otherwise might constitute criminal behaviour (including bribery and corruption, and behaviour that might constitute fraud with respect to accounting matters or to financial or regulatory reporting); or
- b) that Ushuru FC is in /has been in serious breach of (or is likely to breach) any FKF applicable law or governmental regulation; or
- c) that it involves questionable accounting practices or any other financial impropriety by employees; or
- d) that it is significantly detrimental to Ushuru FC or any of its employees; or
- e) that it endangers the health and safety of employees; or
- f) that it constitutes a serious breach of applicable internal policy; or
- g) that it deliberately conceals any of the above activities.

19.5 Reporting procedures

- a) Report concerns should immediately be reported to a Senior Managers, Chief Executive Officer or Board Chair
- b) Do not confront or let the person know your suspicions as this could jeopardize the investigation
- c) Do not tell anyone else
- d) Do not carry out your own investigation

19.6 Reporting in Good Faith

All employees must be able in good faith to report conduct referred to in 4 above without fear of reprisal or any other detrimental or discriminatory action taken against them, unless it is subsequently found that the employee has knowingly submitted a false report with the intention to accuse another employee. Conversely, if it is subsequently found that the employee has knowingly submitted a false report with the intention to accuse another employee or for other malicious reason, the matter will fall under appropriate disciplinary procedures.

19.7 Investigation procedures

- a) Reported cases will be investigated in an independent, open minded and professional manner
- b) The Management team and the Chief Executive Officer are responsible for appointing an independent team for the investigation
- c) Results of the investigation will be provided to the Board

All matters reported under 4 above must be logged in writing and investigated by the relevant investigation team, which is required to maintain the confidentiality of anyone reporting a concern. The investigation team will provide reasonable feedback

to the person originating the concern.

The investigation team will also work with the management and, as appropriate, other functional teams to ascertain any remedial action that needs to be taken as a result of the investigation.

20. POLICY ON THEFT

20. Purpose

The purpose of this anti-theft policy is assist in the prevention of theft occurring within Ushuru FC, and to prescribe the action to be taken in the event that theft occurs or is alleged to have occurred.

Ushuru FC has zero tolerance for any type of theft and intends to promote consistent ethical

Club behavior by:

- a) Assigning responsibility for reporting theft;
- b) Providing guidelines to conduct investigations of suspected or known cases of theft; and
- c) Promoting awareness of the club's policy on theft by sharing the policy with all the staff and Ushuru FC members.

20.1 Scope

The Policy applies to all employees and members of Ushuru FC. Failure to comply with this policy subjects an employee or member to disciplinary action, which may include immediate termination.

20.2 Definitions

Theft refers to the act of stealing; and the felonious taking and removing of personal property with the intent to deprive the rightful owner of it.

Property refers to a physical or intangible entity that is owned by Ushuru FC.

20.3 Theft of property

Ushuru FC property belongs collectively to the club and its members. Anyone taking Ushuru FC's property is stealing from the Club. Anyone in possession of stolen Ushuru FC property is illegally using property belonging to the club.

Anyone who steals Ushuru FC property will:

- a) return the stolen property or reimburse Ushuru FC for its full value by a date specified by the Ushuru FC management.
- b) be reported to the Ushuru FC advocates and the police for criminal or civil prosecution.

20.4 Theft by staff members

In addition to the provisions 4 above, members or staff who steals Ushuru FC property will be expelled from the club.

Staff who steal Ushuru FC property will either:

- a) be allowed to resign and receive a certificate as specified in the Employment Act if they record a full and accurate statement on the theft and make full restitution to Ushuru FC within a time period specified by the Ushuru FC management,
- b) be summarily dismissed, lose all accrued benefits at Ushuru FC and, if the management so decides, be reported as in 4 (b) above and notices placed in the, newspapers and letters written to other clubs.

20.5 Possession of stolen property

Anyone found in possession of stolen Ushuru FC property will:

- a) return the stolen property to Ushuru FC and record a statement how they obtained it;
- b) be reported to the Ushuru FC advocates and the police for being in possession of stolen property and risk a criminal prosecution for receiving stolen property and/or a civil case for restitution of the property or its equivalent value.

Any Ushuru FC members found in possession of stolen Ushuru FC property will be suspended until it is returned and risks criminal or civil prosecution.

20.6 Reporting theft

All Ushuru FC staff and members are required to report any known or suspected instances of theft to the relevant authority as soon as possible.

Any Ushuru FC staff or member who:

- a) has engaged in any form of theft;
- b) suspects or discovers theft and fails to report his or her suspicions as required by this policy; or
- c) intentionally reports false or misleading information,

will be suspended from Ushuru FC for such period as the management may deem necessary and subjected to disciplinary action, which may include termination.

All reports on the theft or illegal possession of Ushuru FC property will be thoroughly investigated and reported to the management.

20.7 Reporting procedures

The reporting individual shall follow the following guidelines:

- a) Report concerns should immediately be reported to the team manager, and Chief Executive Officer or Board Chair;
- b) Do not confront or let the person know your suspicions as this could jeopardize the investigation;
- c) Observe strict confidentiality. Do not discuss the case, facts, suspicions, or allegations with anyone else; and
- d) Do not carry out your own investigation

20.9 Investigation procedures

- d) Depending on the magnitude of the theft, reported cases will be internally investigated in an independent, open minded and professional manner.
- e) The Management team and the Chief Executive Officer are responsible for appointing an independent team for the investigation.
- f) Results of the investigation will be provided to the Chief Executive Officer.

All matters reported must be investigated by the relevant investigation team, which is required to maintain the confidentiality of anyone reporting a concern. The investigation team will provide reasonable feedback to the person originating the concern.

The investigation will prepare a report which shall document if a theft has been confirmed/ established. If the team substantiates theft, an incident report shall be prepared and shall document, the contents of the investigation, the findings, and any recommended actions.

The investigation team will also work with the management and, as appropriate, other functional teams to ascertain any remedial action that needs to be taken as a result of the investigation.

20.10 Reporting to the Board:

Incidents of suspected theft shall be reported by the Chief Executive Officer to the Board on a quarterly basis. The quarterly report shall include:

- a) The status of the reporting person (e.g., employee, Ushuru FC member, citizen, vendor, etc.); the determination of merit;
- b) Whether a full investigation was conducted and if so, the results of the investigation; and
- c) The disciplinary action, if any, resulting from the investigation; whether the report was referred to an outside entity and if so, the current status or final results of the referral.