

Staff Administration Policy

(hereinafter, the “SAP”)

of

The Baseball Association of Hong Kong, China Limited

Version 2.0 (1 April 2023)

Changes on Version 2 with effect from 1 April 2023

1. CHANGE OF COMPANY NAME

The name of the Association has been changed from “The Hong Kong Baseball Association Limited (HKBA)” to “The Baseball Association of Hong Kong, China Limited (BAHKC)”. The Association has also adopted the Chinese name of “中國香港棒球總會有限公司” in place of “香港棒球總會有限公司” with effect from 7 March 2023.

2. CHANGE OF COMPANY LOGO

The logo of the Association has been changed from  to  with effect from 7 March 2023 to reflect the Change of Company Name.

~ End of the Change ~

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Foreword

Welcome to the team, The Baseball Association of Hong Kong, China Limited ("BAHKC") was founded by a group of parents whose children had played baseball for years.

The BAHKC is Hong Kong's National Sport Association of baseball registered as a ordinary member of the Hong Kong Sports Federation and Olympic Committee, China ("SF&OC"), member of World Baseball Softball Confederation ("WBSC", formerly known as International Baseball Federation "IBAF"), Baseball Federation of Asia ("BFA") and PONY Baseball Association. It's administration and activities are subvented by the Hong Kong SAR Government.

The BAHKC was incorporated as a limited by guarantee non-profit distributing organization in Hong Kong under the Hong Kong Companies Ordinance in March 1993. Its objectives are to provide Hong Kong people with a full range of baseball activities including training programs for baseball athletes, coaches, umpires and scorers; to organize local leagues and international games; to participate in international games censored by WBSC, BFA and PONY; and to raise the baseball standard of Hong Kong.

Vision

Be a leading sport association in the local and international arenas, the BAHKC consistently provides Hong Kong People with quality training and high standard baseball activities.

Mission

The BAHKC is on its running path of up-bringing the baseball standard of Hong Kong people to win medals in the major international sport tournaments.

Objectives

- ❖ To promote baseball activities for the community
- ❖ To cultivate athletes to reach the best elite level for representing Hong Kong in the international competitions to achieve a remarkable result
- ❖ To provide technical training to officials like coaches, umpires, scorers
- ❖ To promote the profile of Hong Kong for its industry in the Asia-Pacific region and further

Striving for Good Corporate Governance"

Aim to keep a good practice between the representatives of National Sports Associations on ways to prevent corruption in conducting the business as organizers and administrators of sports activities. The Hong Kong Baseball Association (BAHKC) set up its own policy and guidelines according to the guidelines from Leisure and Cultural Services Department (LCSD) and Independent Commission Against Corruption (ICAC) for its administrators to follow.

1 PRELIMINARY

1.1 General Information, Interpretation & Authorization

1.1.1 General

A copy of this Policy has to be given to every staff employed by The Baseball Association of Hong Kong, China Limited (“the Association”). It is given to a new staff upon the first day of their reporting for duty. All staffs **MUST** complete sessions organized by the Association. For detail, please refer to **section 14** on TRAINING & UNDERTAKINGS.

All staff is required to comply and act by this policy and to do everything possible to influence those with whom he is working to ensure that they also act to the required standards of integrity & ethical behavior. Staff who does not comply with the principles, standards, and requirements in this policy will be subject to disciplinary actions. The top management fully supports staff, who in good faith, report any potential or actual breaches of this policy.

The Association takes all complaints seriously and will undertake investigations promptly and impartially.

The policy will be reviewed from time to time (**section 17**) and may be supplemented by specific codes, practices, requirements, where appropriate. Staff who has any doubt, or any queries regarding the content of this policy should seek the advice of his immediate supervisor or Human Resources Department (**section 15**).

1.1.2 Interpretation

The following words & abbreviations in this POLICY, unless otherwise specified, shall have the following meanings: -

“Association” means the The Baseball Association of Hong Kong, China Limited, the registered office of which is at Room 1003, 1/F., Olympic House, 1 Stadium Path, Causeway Bay, Hong Kong SAR.

“This/the Policy”, unless otherwise specified, means this Staff Administration Policy.

“Staff or Staff member” means ALL members of staff working at all levels and grades, including directors, senior managers, officers, consultants, contractors, trainees, homeworkers, part-time and fixed-term staff, casual and agency staff and volunteers, etc. of the Association.

“Authorized Person”, unless otherwise specified, means any individual, committee, board, or any agency authorized by the Association.

“DH” means Head of a Division / Department. In the Association, it refers to Senior Sports Manager.

“HR” means Human Resources Department. In the Association, it refers to Recruitment Committee. (Members of Recruitment Committee: Chairman, Secretary-General, and Senior Sports Manager)

“Function” also means any work, activities, functions, etc.

Singular and Plural. Wherever the singular is used in this policy the same shall be construed as meaning the plural if the context requires unless otherwise specifically stated.

Gender. Whenever in this policy words are used in the masculine or neuter gender, they shall be read and construed as in the masculine, feminine or neuter gender, whenever they should so apply.

1.1.3 Authorization & Approval

The following rules of authorization & approval shall apply to this whole Policy. Each rule is preceded with an abbreviation and the abbreviation is mentioned in relevant sections of this Policy shall have the same meaning mentioned below:

“A-ONE” means the Board of Directors.

“A-TWO” means the President, Chairman, Secretary General, Vice-chairmen, Treasurer, Financial Controller.

“AP-ONE” means any **benefit** provided to staff is subject to the sole discretion of the Association to alternate, increase or deduct or forfeit (the “ALTERNATION”). The Association, at its sole discretion, would also consider the level/grade, the package offered, the seniority, the performance of staff, and any other factors. ALTERNATION could be served to staff at any time by a written memo/notice both physically by hand, via ordinary class mail to the staff’s address registered in the association; or electronically via SMS, email, WhatsApp, or any other electronic device/software that the association usually communicates with the staff. Unless otherwise stated, the ALTERNATION will come into effect immediately upon notice/memo is sent out via the former channels or methods.

“AP-TWO” means an **application**, of whatever nature/permission, has been approved prior to the submission of a notice of resignation by staff, and the approval of the whatever nature/permission falls within the notice period, the approval is subject to cancellation.

1.2 Purpose of the Policy

This policy is the main HUMAN RESOURCES POLICY of the Association. It also includes policies & procedures that are currently in force in the Association. Any terms and conditions that are not covered, in part or whole, in this policy shall be subject to the provisions of Employment Legislations in Hong Kong and the Common Law.

The policy serves as important guidelines to full-time staff and part-time staff on the policies & procedures of human resources and corruption prevention requirements of the Association, as well as the rationale and principles of how they should be implemented and enforced. The sections/provisions in this policy are subject to change from time to time at the discretion of the Association.

1.3 Philosophy & Guiding Principles

Fair Treatment Philosophy

The Association recognizes the contributions of its staff and treats each individual staff fairly and consistently in all matters under the following philosophies:

- Staff are supported and best allocated to achieve the desired productivity and efficiency;
- Remuneration (pay & benefits) are offered to staff in a fair, equitable, and competitive manner;
- Rewards (individual & team) are judged by performances & merits. High performers (individual & team) are provided with priorities to take up more responsible positions;
- Staff are always encouraged to well-equip themselves for the current jobs & duties, and the future growth & development of the Association;
- Open and two-way communications among staff members and the management are always encouraged in order to build mutual understanding and trust within the whole Association.

Respect for Staff, People & Organizations

The Association values each & every staff member and is committed to maintaining an environment of courtesy, respect for every People we serve. We encourage an open communication culture throughout the Association. At the same time, we respect the privacy of our staff, the people & organizations we serve, and handle with utmost care all personal data privacy.

Ethics & Integrity

The Association is committed to conducting all its functions with the highest level of ethics and integrity. We undertake to comply with all applicable legal requirements and policies of the Association and exercise our highest level of ethics beyond the narrow sense of legal compliance. We strive to conduct all our functions and to serve the public, honestly and fairly with no conflict of interests or undue influence.

Meeting Our Responsibility

The Association is committed to conducting its function responsibly and professionally. We require all our staff to be fitted for, and to perform his job & duties at the highest level. All Staff members are under an obligation to take due & reasonable care to ensure the Association meets the commitment to all its stakeholders and the public.

2 STAFFING STRUCTURE, MANPOWER PLAN & CONTROL

2.1 The aims of manpower planning are:

- (1) To ensure that the Association maintain the optimum number of staff with the required skills, expertise, and competence;

- (2) To ensure that staffing arrangements throughout the whole Association are cost effective; and,
- (3) To anticipate potential manpower surplus or shortage and allocate necessary or optimum resources to cater to changes.

2.2 Manpower Planning

DHs are required to conduct a thorough review of the operations, structure, and manpower of their department, and to prepare & furnish a manpower plan for the following fiscal year to the HR each year on or before. The manpower plan could be reflected by compiling the KRA Smartsheet of each staff using **“Appendix I - Form One”**.

The HR is responsible for reviewing the recommendations and compiling a manpower plan for the fiscal year on or before **30 September** for the approval by authorized person in **“A-ONE”**. The manpower plan sets out the notional number of posts by level and by Department using **“Appendix I - Form Two”**.

2.3 Changes To Approved Manpower Plan

A manpower plan for a fiscal year, once approved by an authorized person in **“A-ONE”**, no change is permitted unless major developments or functional requirements emerge. Any requisition of unbudgeted headcount needs the approval of an authorized person of the position in **“A-TWO”**.

2.4 Manpower Control

Recruitment should only be carried out in accordance with substantial operational needs and approved manpower plans. Whenever a staff member leaves the Association, the DH should assess the manpower of his department to see if a replacement is necessary. Where a replacement is required, please refer to **section 3.1 Recruitment**. INTERNAL TRANSFER or PROMOTION should be considered before pursuing external recruitment.

3 ENGAGEMENT, DOCUMENTATION, SEPARATION, ETC.

3.1 Recruitment

3.1.1 Staff Requisition

Where replacement or additional staff is required, the DH should complete and forward **“Appendix I - Form Three – RECRUITMENT REQUEST”** to HR to initiate recruitment. The form should clearly specify the job summary and job requirements of the vacant position and be endorsed by the DH.

If the request for additional staff is unbudgeted, approval from an authorized person for the position in “A-TWO” has to be sought. Where the headcount is approved, the DH should first consider internal transfer or promotion before pursuing external recruitment.

3.1.2 Internal Recruitment

The HR will issue a vacancy announcement to invite internal applications from current staff. Current staff may apply to HR. Staff may also introduce referrals to HR to fill the vacant position. Referrals are treated equally with other candidates and would undergo the same selection process.

3.1.3 Re-hiring of a Former Employee / Ex-employee

The Association welcomes ex-employees back as long as they parted on “good terms”. Situations where re-hiring should be considered:

- Voluntary resignation
- Rehire after layoff
- Expired contracts
- Termination based on other factors besides performance or unethical behavior

Although there might be advantages for rehiring ex-employees, like, attitude & morals, skills & experience, costs effective, saving training time, easy assimilation into company culture, etc., DH should also consider the cons of rehiring ex-employees, like, leftover negative sentiment, resentment in the workplace, etc.

Previous employee data would be kept **no more than 7 years** by HR department starting from the last day of the former employee.

3.1.4 External Recruitment

If external recruitment is considered, the DH is encouraged to suggest sources of recruitment. The HR will also adopt the below external sources which are assessed to be appropriate with a balance on the effectiveness and the cost of recruitment.

- Recruitment Advertisement through Mass Media (Newspaper, magazine, etc.)
- Job Opportunities Section of Association’s Web Site [delete if there is not one]
- Recruitment web site
- University/College Recruitment
- Recruitment Consultant (this should be the last option where there are genuine difficulties in finding suitable candidates)

3.1.5 Selection

(a) Shortlist. The following factors/criteria are considered:

- Academic, technical & professional qualifications
- Work experiences, job knowledge & technical know-how
- Management experience in previous managerial positions

There **MUST NOT** be discrimination on the grounds of sex, marital status, pregnancy, family status, disability, race, age, nationality, or religion unless there are genuine occupational qualifications or inherent requirements of that particular employment.

All candidates will be assessed fairly and equally under the same processes irrespective of whether they are referrals or direct applicants.

(b) Final Selection

Information gathered in interviews is assessed, further factors/criteria should be considered in the final selection would include desirable personality/personal attributes, the potential for development, past performance, job expectation & career aspiration, and the suitability of the candidates to the job.

If all criteria are equal, preference will be given to internal candidates.

For junior level position, there is one interview conducted by Senior Sports Manager and Secretary General; For management level position, there is first interview conducted by Senior Sports Manager and Secretary General and second interview conducted by Chairman. Interview results are recorded in **Interview Assessment Form** and filed by HR. See Annex I for the job position in the Association and the job level.

3.2 Offer & Approval

When a suitable candidate after the selection process, HR will discuss with the DH the terms and conditions to be offered to the candidate. In determining the grade, salary package of prospective staff, the following factors will be considered:

- Academic, technical & professional qualifications in line with his working experiences
- Practical job knowledge and technical know-how
- His recent or past earnings
- The prevailing market rate of the vacant position
- The availability of suitable or similar candidates in the market
- Pay of internal staff in similar positions
- Current job grade and salary range of the vacant position if any.

Approval for the offer of employment to the vacancy should involve at least two levels to ensure that a fair selection process has taken place. The 1st level is the DH, and the 2nd level is the immediate supervisor or above of the DH. In the Association, the two levels are:

Selection Panel	1 st level	Senior Sports Manager
	2 nd level	Chairman and Secretary General

An offer of employment MUST be accompanied by **authorizations of reference checks** from the candidate. An offer should be withdrawn if a candidate refuses to execute such authorization. The offer letter is sent by Senior Sports Manager by email and copy Chairman and Secretary General.

3.3 Reference Check

The Association will conduct reference checks with their previous employer as far as practicable, immediately after they have accepted an offer of employment under the written authorization of the new staff.

Unless there is a satisfactory explanation, if a staff member is found to have provided false information, misrepresented, or not disclosed any material facts relevant to his application, it shall be deemed to be sufficient grounds for the Association to terminate the staff's service summarily.

3.4 Probation

The aim/purpose of a probationary period is to allow a specified limited period for the new staff and the Association to meet expectations of each other on employment, job performance & satisfaction.

3.4.1 Probation policy

(a) If it is not mentioned, or unless otherwise stated, in the contract of employment, all staff are required to undergo a probationary period of three months.

Under special circumstances (such as Covid-19) the probationary period may be longer under final decision of **Chairman**. The factors may be considered for such practice: job duties, budget, etc.

(b) If an ex-staff is re-hired by the Association in a capacity in which the job nature is similar to his previous position, the probationary period may be waived at the discretion of the Association. However, if he is re-hired in a position where the job nature is different from his previous position, a probationary period is mandatory to ensure that he is suitable for the position.

3.4.2 Confirmation of Employment

(a) Subject to satisfactory performance, staff will be confirmed after the probationary period as permanent staff of the Association and is eligible for staff benefits as appropriate.

(b) **Approximately two weeks** before the probationary period expires, the HR will send a request for Confirmation of Employment Form and a Performance Review Form including a blank KRA form (Appendix I – Form One - KRA) to DH for assessment of the performance and suitability for employment of the newly recruited staff.

(c) The DH should return the completed forms **one week** before the expiry of the probationary period of the staff.

3.4.3 Extension of Probation

(a) If the DH considers that a new staff is not performing up to satisfactory standards & requirements and a longer period of observation is suggested, the staff should undergo an extended probationary period, for another **three months**. If assistance on staff training, counseling, or disciplinary action is requested, HR will provide necessary assistance to the DH and the new staff. If DH observes improvement, a shorter extension (less than three months) of probation, may be considered and Chairman's approval is needed for such practice.

(b) If a new staff does not receive a **WRITTEN** confirmation of employment after the probation period mentioned in the contract of employment, regardless of reasons, the probation shall be automatically extended until a written confirmation is provided by the Association. The new staff is always recommended to consult with his immediate supervisor for matters concerning his probation.

3.4.4 Termination of Employment during the Period of Probation

During the probationary period, the notice period required to terminate employment by either the Association or the staff is according to s.6 & s.7 of the Employment Ordinance (Cap. 57).

Service Period	Notice Period
First month	One day
Second month to third month	Seven days
After Probation	One month

The above rules are subject to any changes in s.6 & s.7 of the Employment Ordinance (Cap. 57).

3.5 Promotion

It is always the aim of the Association to provide career development & advancement opportunities for staff to utilize their potential benefiting the Association and the public whenever possible. At the same time, we recognize their outstanding performance through promotion.

Promotion Policy

(a) It is in the interest of both the Association and the staff to be encouraged to seek and gain advancement within the Association. At the same time, the Association reserves the right, and at its sole discretion, to appoint a person to any post, whether he is an internal candidate or an external one.

(b) The basic policy of promotion in the Association is equal opportunities, non-discriminatory, and the best person for the job. Promotion is based on merit together with the following factors:

- (1) Ability to be a team worker either leading or working within a team
- (2) Performed job skills and practical knowledge & technical know-how
- (3) Competence & potential
- (4) Performance & quality of work
- (5) Academic, professional, technical qualifications & further developments
- (6) Honesty, integrity & commitment to work
- (7) Working attitude and interpersonal skills
- (8) Personal attributes and tact
- (9) Seniority

Sex, marital status, pregnancy, family status, age, disability, race, nationality, or religion is not considered in the process of selection for promotion.

(c) Whenever there is a vacancy, the DH should consider promoting current staff before seeking external recruits.

(d) To be eligible for promotion, a staff member should be able to demonstrate potential for further development, possess relevant experience, qualifications, and attributes prescribed for the position to be promoted. In general, the staff has to serve the Association for a continuous period of a minimum of **18 months**.

(e) Promotion should follow the **PROMOTION BENCHMARKS** [please design] & a requirement of acting position for a period of 6 months is required before confirmation of the promotion. If the staff is found not suitable for promotion, he will be re-assigned to his original post. **Promotion to an acting position should enjoy the same pay same of the position being acted upon.** Under normal circumstances, a staff member could not be promoted to more than ONE level within a period of ONE year. Any deviation from the normal practice shall be approved by an authorized person of the position in “**A-TWO**”.

3.6 Termination

This policy aims at ensuring that the Association is in line with good employment practice and the statutory requirements are complied with.

3.6.1 Resignation

(a) Notice and Payment in lieu

A contract of employment may be terminated by either party giving notice in writing or payment in lieu as specified in the contract of employment and according to s.6 & s.7 of the Employment Ordinance (Cap. 57).

- (b) Staff who fail to fulfill the required notice period will have their final payment deducted in proportion to the period of short notice according to s.25 of the Employment Ordinance (Cap. 57).
- (c) Staff are not allowed to use outstanding compensation leave or annual leave, which is additional to and better than the statutory requirement, in lieu of termination notice without the approval of their DH. Similarly, maternity leave cannot be served as notice for termination of employment.
- (d) If a staff member has applied for annual leave, which is additional to and better than the statutory requirement, prior to submission of his resignation and the approved leave falls within the notice period, he must obtain re-approval from his DH. If DH does not approve, the resigned staff should not use the pre-approved AL as notice period.

Generally, a three-month probation period is used to monitor a staff member's performance to assess his capabilities and appropriateness for the job. However, the Association may offer a six-month probation period under a long working from home arrangement.

- (e) Withdrawal of Resignation must be made in writing by a staff member and approved by their DH. A copy of the approved withdrawal should be provided to HR within the same day of approval.

3.6.2 Dismissal

While the law, both statutes & common law, recognizes an employer's rights to terminate the employment of a staff member, DH must cautiously exercise such rights to minimize the adverse impact to the staff, on their team, and the Association.

Unless the subject matter is profoundly serious causing a fundamental breach of contract of employment or where termination of employment is inevitable, DH is advised to adopt the disciplinary procedures as specified in **Section 9**.

If a DH wishes to terminate the employment of a staff member, he should consult HR about the approach to be adopted.

The Association has the right to terminate a staff member at any time to its sole discretion without cause.

In general,

(a) Termination by Notice or Payment in lieu shall also follow s.6 & s.7 of Employment Ordinance (Cap. 57).

(b) Summary Dismissal (Without Notice or Payment in lieu) shall also follow s.9 of Employment Ordinance (Cap. 57) and the common law, including but not limited to, if a staff member commits a material breach of the contract of employment, committing serious misconducts, etc.

3.6.3 Suspension of Employment

Suspension of Employment of staff by the association shall follow s.11 of the Employment Ordinance (Cap. 57).

3.6.4 Return of Association's Property

Immediately upon leaving the service with the Association, the staff MUST HANOVER to his DH or designated staff or Administration Department or HR, as so required under a notice either verbally or in writing, all external contacts, accounts, data, trademarks & patents, proprietary information, records, and documents, whether in paper, tape, diskette or electronic form, related to his job.

On his last working day, the staff MUST RETURN all Association's property and record on the Employee Clearance (see Annex II) o his DH, the Administration Department, or the HR as so required. The Association reserves the right to deduct from the resigned staff's final payment an amount equivalent to the value of any property which is not returned or is damaged and any amount due to the Association.

3.6.5 Exit Interview

The HR will normally conduct an exit interview, despite the reasons for leaving, say, resigning or being dismissed, with the staff, to obtain a better understanding of his needs and to solicit his feedback on the Association's policies and practices to improve the overall working environment and conditions.

3.6.6 Reference Letters

Reference letters will be issued by HR to former staff who have completed their probationary periods. Reference letter from Association MUST be issued by the **DH or Secretary General**.

3.6.7 Leaving Hong Kong upon Resignation

It is the statutory requirement of the Inland Revenue Department that a notification of staff leaving Hong Kong upon resignation has to be made if the staff is going to leave Hong Kong for good or for a substantial period of time following their resignation. The HR is responsible for filing an IR56G Form and submit to the Inland Revenue Department. The staff is required to settle his outstanding salaries tax before leaving Hong Kong. Final payment will only be made to the staff upon submission of a LETTER OF RELEASE issued by the Inland Revenue Department.

3.6.8 Retirement

Staff shall retire at the age of **65** unless a separate agreement is made, or a new contract of employment is entered into with the Association. Staff who have not reached the retirement age but have completed 10 years of service and have reached the age of 50 or over can apply for early retirement.

Please refer to the Retirement Benefit Scheme document Benefit Grid for details of your entitlement.

4 **ATTENDANCE EXPECTATIONS**

4.1 Hours of Work

4.1.1 Normal Working Hours

The normal office hours of the Association are Monday to Friday, between 9:00 a.m. and 6:00 p.m. with lunch hour from 1:00 p.m. to 2:00 p.m.

4.1.2 Lunch Hour

DH should decide lunch hour, not exceeding **one hour**, at flexible times, for his fellow staff according to the needs of operation.

4.1.3 Shift Duties

Staffs who are required to work on shift according to the needs of operation. Supervisors who are responsible for setting the schedules should inform the staffs well in advance of any changes in the roster.

4.1.4 Overtime Work

Staffs may be required to work additional hours when operational or contingency needs arise, or during typhoons or rainstorms, to carry out their duties. The policy and procedure governing overtime work and compensation are as follows:

(i) Compensation leave system for employees - employees who work overtime can receive compensatory leave:

(ii) The **trust system** is adopted to report, and the need to work overtime should be notified to the head of the office or the relevant directors in advance. The relevant records must be submitted to the office supervisor for signature and confirmation on the next working day.

(iii) Compensation calculation method

- Daily work/meetings/large-scale events/large-scale events (such as WBSC/BFA workshops or large-scale events)
- For less than 1 hour, no compensatory hours will be granted;
- If it exceeds 1 hour, the time off will be calculated every 30 minutes; if it is less than 1 hour and 30

minutes, it will be calculated as 1 hour.

Examples are shown in the table below:

Overtime working hours	Compensatory leave hours
Less than or equal to 1 hour	0 hour
More than 1 hour to less than 1.5 hours	1 hour
1.5 hours to less than 2 hours	1 hour 30 minutes
2 hours to 2 less than 2.5 hours	2 hours
more than two hours and so on	

Note: Time calculation should start from arrival time of destination of events (instead at the departure time from staff's residential places), and ending time should be counted at dismissal of team at the end of event.

4.1.5 On-call Duties

There may be a need for staffs to be on-call outside their conditioned hours to handle operational or contingency matters. If the matters cannot be dealt with communications in remote working arrangement, like, work from home, the Association has the rights and authority to require the staff to return to the workplace for emergencies. Extra hours worked may be compensated in accordance with the policy and procedure governing overtime compensation in **section 4.1.4**.

4.1.6 Rest Day

Sunday is generally the rest day for staff. For staff on shift work, rest days will be in accordance with a roster arranged by their supervisors. Supervisors should inform staff the roster either verbally or by a written notice before the beginning of each month.

In case of the needs of operation, staff may be required to work on rest days. The extra hours worked may be compensated in accordance with the policy in **section 4.1.4**.

4.1.7 Public Holidays

Staffs are granted paid public holidays by the Government of HKSAR. These public holidays are inclusive of statutory holidays. For staffs on shift work, if the normal shift working hours fall on public holidays, they are still required to report duty. A compensation by time-off on other working days may be given.

4.1.8 Typhoon Arrangements & Rainstorm Warning Arrangements

If the Typhoon Signal No.8 is hoisted before appointed office hours, you are not required to report to work. You are required to report to work within two hours from the time the signal is cancelled if it is lowered before 2:00pm.

If the Black Rainstorm warning is issued before 07:00am appointed office hours, you are not required to report to work. You are required to report to work within two hours from the time the signal is cancelled.

Shall Typhoon Signal No.8 is hoisted during the office hours, all staffs should refer to HR on the appropriate time to leave the office.

Shall Black Rainstorm warning is hoisted during office hours, all should remain in the workplace or a safe place if you are performing outdoor work until the warning is cancelled or the traffic condition is improved.

4.1.9 Work from Home (“WFH”)

All staff agrees to obey all forms of WFH arrangements & the WFH policy to the sole discretion of association at any time.

5 REMUNERATION

5.1 Salary Policy

The Association aims at providing each staff members a fair and equitable remuneration in relation to his responsibility, performance and ability to demonstrate teamwork. The salary policy of the Association is designed to attract, motivate, and retain a high-calibre workforce.

5.2 Principles

The salary policy of the Association is governed by the following principles:

- (a) Competitiveness. The Association aims to pay salaries which are competitive in the market for similar jobs.
- (b) Equity. The same range of salary shall apply to individuals of the same grade.
- (c) Individual Competitiveness. A salary scale matching with the individual staff's qualifications and experience should be implemented.
- (d) Performance. Achieved results, personal effort and teamwork are primary factors to determine the salary progression of individual staffs.
- (e) Cost Effectiveness. The Association aims at achieving principles of costs effectiveness on application of public fund at a reasonable cost and within budget.

5.2.1 Salary on Transfer and Redeployment

Staffs transferring between divisions/departments or to a different business stream on the same grade, and without taking up further and a higher level of responsibility will not receive a salary increase.

5.2.2 Salary on Promotion

A promotional increase will normally be granted on the same level of pay similar to other staffs of the same grade; or a salary progression scheme that will be worked out by their DH and the HR. Promotion to an acting position should enjoy the same pay same of the position being acted upon.

5.2.3 Salary for Temporary Appointments

The salaries of temporary appointments, such as, student interns/trainees, temporary assistants, part-time staffs or secondees, is considered different from the salary structure for permanent staffs. It will be determined by considering the prevailing market rates, the staff & cost-planning of the Association.

5.2.4 Salary Information Confidentiality

Salary information is kept in strictest confidence. Only the individual staff, his DH or authorized officer, including, the staff who process salary & benefit will have access to the staff's salary information. Staff are prohibited from disclosing their salaries & benefits to persons other than the aforesaid mentioned authorized persons. Staff who have access to salary information in the course of their duties must handle the information with extreme care to ensure confidentiality and personal data privacy.

5.2.5 Pay Review

The objective of pay review is to reward individual staff in accordance with his responsibilities, performance, and ability to demonstrate teamwork throughout the year. Staff shall also be paid according to the prevailing market rate through pay reviews.

- (a) Who is eligible? It is not mandatory for the Association to conduct pay review for individual staffs under whatever circumstances. Generally, staffs who have successfully completed the probationary period may be considered a pay review.
- (b) Who is not eligible? Staff who is not recommend to a pay review after evaluation or has submitted his resignation prior to the formal notification of a pay adjustment will not be granted any increase.
- (c) Time for Pay Review other than completion of probation. It will normally be conducted in **March** each year. The HR will issue guidelines to all DHs who are required to make their recommendations in accordance with the guidelines. The Pay Review is subject to the minimum entry requirement and basic salary of subvented posts in the year.
- (d) Recommendations for pay review are subject to final approval of the authorized person designated in “**A-ONE**”, DH MSUT not disclose to his fellow staffs or make any premature commitment to them.

5.2.6 Overtime Compensation and Job-Related Allowances

It is the DH's responsibility to ensure that overtime work is only performed when it is necessary and could not be avoided.

Regular/perpetual overtime is not encouraged and should be considered inappropriate. DHs should identify the causes leading to regular/perpetual overtime and should streamline the situation. Considerations, like, shift or staggered working hours are recommended. Prior approval from DH is

required for overtime work with compensation. Compensation leave is recommended to compensation overtime work.

(a) Compensation Leave - Compensation leave is calculated as per section 4.1.4. If compensation leave is granted, there will be no overtime payment or meal allowance claims.

Compensation leave should be scheduled by DH where situation allows. Compensation leave must be taken **within 30 days** after overtime work has been performed and will be forfeited automatically if it is not taken within such period of time. Any deviation from the practice should be subject to DH's discretion.

(c) Overtime Payment. Overtime payment should only be granted if compensation leave cannot be granted. Staff may apply for overtime payment on the condition that he works for at least one hour beyond his conditioned hours. After the first hour of overtime, the payment is calculated on a half-hourly / hourly basis. Please refer to the table in 4.14(iii) Compensation calculation method.

(d) Meal Allowance. Staff will be paid meal allowance if overtime work required. The meal allowance will be granted as below:

Overtime Work Time	Granted Meal Allowance
Overtime work in normal working day after 8:00 p.m.	One meal, (maximum 60HKD per staff)
Overtime work in weekend, or public holiday	One meal per 4 hours (maximum 60HKD per staff)

(d) Reimbursement of Travelling Expenses - Reimbursement of travelling expenses, subject to submission of original receipts, between the staffs' residence and workplace will be granted to a staff if he is required to work overtime before **7:00 a.m.** or after **10:00 p.m.**, or after Typhoon Signal No. 8 or above is hoisted or Red/Black Rainstorm Signal is announced or perform resident-on-call duties after his conditioned hours. Reimbursement of travelling expenses under the aforesaid situations or any other reasons is subject to approval of their DH.

6 LEAVE POLICY

The Association inclined to offer leave benefits aiming at releasing staff from the pressure of work and/or to provide them time-off under statutory circumstances, such as, sickness, marriage and pregnancy, etc. The Association also grants leave benefits in addition to statutory ones. This section is only applicable to full-time permanent staff. Application for leave is subject to the approval of the DH

or authorized person of the Association and must be supported by relevant documents to the satisfaction of the Association.

The leave policy is subject to change from time to time at the sole discretion of the Association.

6.1 Annual Paid Holidays

6.1.1 Annual Leave (“AL”)

Staff is entitled to statutory AL according to the Employment Ordinance (Cap. 57) in Hong Kong.

The rules on Paid AL, granting AL, AL pay on Termination of Employment Contract, etc. shall follow the Employment Ordinance (Cap. 57) in Hong Kong.

An employee is entitled to apply for taking eligible annual leave with pay after serving **12 months** under a continuous contract.

6.1.2 Extra Paid Holidays (“EPH”) per year.

The Association shall grant staff EPH per year, in addition to the statutory requirement, according to the level/grade of staff subject to the following conditions.

- (a) A leave year in Association is counted 12 months starting from 1 April to 31 March of next year. A new staff is entitled to pro-rata EPH pay commencing on the day on which his employment commenced till the latest **31 March**.
- (b) Subject to sub-section immediate below, every staff who has been in employment under a continuous contract for not less than 12 months shall, in respect of each leave year, be entitled to paid EPH.
- (c) Regardless of whether the staff has taken any forms of leave, including but not limited to, no-pay leave, sick leave, paternity, etc. or absent from work due to any statutory reasons, a staff member will not be entitled to EPH if the staff does not report duty for a minimum of **200 days** per each leave year.
- (d) In general, staff of each level/grade will be entitled to a fixed number of days holidays comprising of both the statutory and the EPH per year according to his level/grade, as below:

Service Period (Years)	EPH for ASE/SE/TE/SSE/ED	EPH for AA/TA
1	12	10
2	12	10
3	12	10
4	13	11
5	14	12

6	15	13
7	16	14
8	17	15
9 或以上	17	15

- (e) Alteration of EPH is subject to rule “**AP-ONE**”.
- (f) The Association has the right, at its sole discretion, to approve, reject any application of leave; to instruct a staff member to take leave; to determine the nature of leave (whether it is statutory or EPH) at a time or on a pre-determined seasonal/annual schedule.
- (g) Holiday Pay of “EPH” should be calculation base on the calendar month of the month that “EPH” is taken.
- (h) Staff is allowed to bring forward **1/3 days** of entitled EPH (round down to **one day**) for each year. They should also pay attention that any unused EPH will be forfeited at **1st April** each year .
- (i) EPH will be deducted without compensation, as a disciplinary measure, if a staff member is violating the rules & regulations of this policy and notice/memo promulgated at any time at the sole discretion of the Association.
- (j) EPH Leave Balance upon Termination of Employment:
 - (1) Subject to sub-section immediate below, untaken EPH pay will be paid to a staff member if he resigns or being dismissed under good faith. The rate of pay will be calculated according to the salary of the last month immediately preceding the last day of service divided by **30** regardless of the number of days in each calendar month.
 - (2) Untaken EPH pay will not be paid to a staff member if he is dismissed under bad faith.
 - (3) When a staff member works less than **12 full months** but more than **3 months** in a leave year and his employment contract is terminated, he is entitled to pro-rata EPH pay.

6.2 Sick Leave

6.2.1 Statutory Sick Leave

Statutory sick leave and sickness allowance are according to the Employment Ordinance. An appropriate medical certificate (a certificate issued by a registered medical practitioner or a Chinese medical practitioner or a hospital doctor) of the inability to work due to illness are required when you are absent from work due to sick leave(s). Any sick leave(s) application [Appendix] without an appropriate medical certificate shall be regarded as absence from duty. **Please note attendance is considered as one of the crucial factors of evaluation in your annual performance appraisal.**

- Sick leave should be supported by an appropriate medical certificate issued by a registered medical practitioner, registered Chinese medicine practitioner or a registered dentist is required.

- An employee can accumulate paid sickness days after having been employed under a continuous contract. Paid sickness days are accumulated at the rate of two paid sickness days for each completed

month of the employee's employment during the first 12 months, and four paid sickness days for each completed month of employment thereafter. Paid sickness days can be accumulated throughout the whole employment period, but shall not exceed 120 days at any one time.

- Sickness allowance calculation: The first two days of sick leave in each month will be fully paid; rest of the sickness days will be calculated as follows-

The daily rate of sickness allowance is a sum equivalent to four-fifths of the average daily wages earned by an employee in the 12-month period preceding the sickness day or the first sickness day (if more than 1 consecutive sickness day). If an employee is employed for less than 12 months, the calculation shall be based on the shorter period. The above rules are subject to any changes s.35 and s.36 in the Employment Ordinance (Cap. 57).

6.2.2 Extra Sickness Allowance (ESA)

ESA is granted to staff, in addition to the statutory requirement, subject to sole discretion of the Association. ESA is subject to rule “**AP-ONE**”.

Any forms of abuse(s) on application of sick leave(s) may result in disciplinary action and/or subsequent summary dismissal.

6.3 Education/Examination Leave

The Associate encourages staff to take part in continue education and development. Below is the Policy of granting Education/Examination Leave.

6.3.1 Eligibility

Education/Examination leave will be granted to staff only if the education program / examination is/are relevant to his job, career development. For the avoidance of doubt, a staff member who has submitted notice of resignation is not eligible to apply for education/examination leave. The eligibility is subject to rule “**AP-TWO**”.

6.3.2 Education Leave

If **training programs** are initiated, fully sponsored by the Association. They will be granted **paid** time-off to attend the programs. (Note: The “time-off” here means they are off duty because of the training.) There is no need to file any leave application.

If **training programs** are only partially or not sponsored by the Association, staff is required to apply for leave, whether it is paid or not is subject to the sole discretion of the association. The application will only be granted, at the discretion of their supervisors, if the program is relevant to their jobs.

If the **academic program** is under regular schedule and the sessions are held within his conditioned hours, staff is required to apply for annual leave to cover their time-off. Applications for

Education Leave must be accompanied by supporting documents including program confirmation notice/timetable, etc.

6.3.3 Examination Leave

If a staff is taking examinations that are held within office hours, he is required to apply for examination leave, whether it is paid or not is subject to the sole discretion of the association. For examinations that are held in the morning or afternoon, **one day's** leave will be granted.

For each paper, maximum attempt to sit in the exam is **twice** for examination leave. If a staff sit in the exam for third attempt (or more) for a paper, he will not be eligible to apply for examination leave.

Applications for Examination Leave must be accompanied by supporting documents including examination notice/timetable, etc.

6.3.4 Complete the program and to sit for the whole examination

Staff is granted time-off for training or examination should undertake to complete the program or to sit for the examination.

If he is absent from the training program or examination, he should report duty and cancel the leave which is granted to him; otherwise, the leave taken will be counted as annual leave or no pay leave. If he is sick and absent, the staff should notify the HR for leave cancellation and submit a sick leave application.

6.4 Maternity Leave & Paternity Leave

The subject leave of this section, unless otherwise mentioned in the contract of employment, shall follow the Employment Ordinance (Cap. 57) in Hong Kong.

6.5 Marriage Leave

Staff who gets married is granted a maximum of **three working days** paid marriage leave subject to the following criteria:

- (a) There is at least **6 months** of service with the Association (Any deviation from this rule is subject to Chairman and Secretary General's discretion); and,
- (b) Return to work with the Association after the marriage; and,
- (c) Marriage leaves, if granted, must be taken within **one month** before or after the registration of marriage; and,
- (d) Application for marriage leave must be supported by a copy of the marriage certificate or marriage notice issued by the authority in Hong Kong or overseas, stating the date of marriage; and,

- (e) A staff member who has submitted notice of resignation is not eligible to apply for marriage leave and rule “AP-TWO” applies.

6.6 Compassionate Leave

A maximum of **3 paid days** of compassionate leave will be granted to staffs in the event of death of any close relative including spouse, child, parents, grandparents, brother, sister, parents-in-law, or grandparents-in-law. Staffs may be requested to supply evidence in support of their applications, such as death certificate.

6.7 Jury Leave

According to the Jury Ordinance, employees are to prioritize jury duty above other work, as serving as a juror is viewed to be a civic duty they must fulfill. Chosen jurors are not allowed to deny a court summons unless they file a request to be exempted. Otherwise, failing to attend a hearing as a juror will be counted as an offense. This means that if they get called to court on a work day, they are legally allowed to take a leave from work in order to act as a juror.

Employers are not allowed to deny employees jury duty leave, nor are they allowed to deduct from their employees' salaries and leave allowances in exchange for said leave. The ordinance requires employers to grant the leave as needed and to not deduct any pay or leaves from their employees, thus granting them what is essentially a paid leave.

The application has to be supported by a copy of the Summons to Juror issued by the Court in Hong Kong.

6.8 Staff Volunteering Leave

The Association encourages staff takes part in community services for the benefits of our society. Staff will be granted, at the sole discretion of the Association, **one-day paid leave** per year if he participates community service/volunteering activities. The application should be supported by supporting documents.

6.9 Advanced Annual Leave (the “AAL”)

Staff is not encouraged to apply for AAL unless he has a valid and important reason. Furthermore, AAL will only be granted if there is sufficient manpower in his Division/Departments in his absence. Approval has to be obtained from his **immediate supervisor**. However, if AAL exceeds **2 consecutive days** (rest days and public holidays inclusive), further approval from their DH MUST be obtained.

AAL is treated as **advance wages** according to s.32(e) of the Employment Ordinance (Cap. 57) in Hong Kong. Wages deduction in lieu of AAL upon termination of employment will be reflected in the final payment.

AAL is calculated on the basis of working days. However, the Association at its sole discretion decide the method of the calculation and the decision is final.

For Annual Leave ("AL") please refer to 6.1.1.

6.10 No Pay Leave (the "NPL")

Taking NPL is not encouraged unless there are valid reasons. It will only be granted if there is sufficient manpower in Division/Departments of the staff during his absence. After receiving the application, Senior Sports Manager should seek approval from Secretary General and Chairman.

NPL taken will result in deduction of salary calculated on the basis of working days of the calendar month when the NPL is taken.

6.11 Causal Leave

Casual are the ones which are provided for urgent or unforeseen matters to the staffs. Staff who take the causal leave should notify his/her immediate supervisor and application must be submitted immediately after the staff return to workplace.

6.12 Vaccination Leave (the "VL")

Being encouraged by the LCSD to get vaccinated through the COVID-19 Vaccination Program, employees eligible for receiving one dose of COVID-19 vaccine will be offered a day of vaccination leave. The application has to be supported by a copy of the vaccination certificate. The date of leave can be the same date of taking the vaccine or the date after.

7 BENEFITS

7.1 Group Dental Insurance Scheme

The Association has arranged for group dental insurance to be provided by an external insurer. All confirmed full-time staffs will be covered by the insurance policy for as long as they are employed by the Association. The Association reserves the right to review the insurance benefits from time to time.

For details of the insurance scheme, please refer to the statement from the insurance service provider.

This benefit is subject to rule "**AP-ONE**".

7.2 Group Medical Insurance Schemes

The Association has arranged for group medical insurance to be provided by an external insurer. All confirmed full-time staffs will be covered by the insurance policy for as long as they are employed by the Association. The Association reserves the right to review the insurance benefits from time to time.

For details of the insurance scheme, please refer to the statement from the insurance service provider.

This benefit is subject to rule "**AP-ONE**".

7.3 Business Travel Insurance Scheme

All staff who are required to travel for business purpose will be covered by travel insurance. For details please contact HR.

This benefit is subject to rule “**AP-ONE**”.

8 PERFORMANCE EXPECTATIONS & EVALUATION

8.1 Staff Performance Development (the “SPD”)

The Association has developed the SPD which aims at:

- (a) High performance focused & costs effective;
- (b) Matching individual objectives with the Association’s objectives & core values;
- (c) Encouraging staffs to consider & communicate their performance objectives/targets;
- (d) Performance improvement;
- (e) Encouraging & assisting staff to continue to increase self-value;
- (f) Finding out & rewarding high performers.

SPD is a combination of Results (Achievement of Objectives) and Behaviors (Competency Development). It is a systematic approach to maximizing both individual and organizational performance.

8.2 Results - Achievement of Objectives

The Association uses a system to link objectives of individual staff with that of each division/department. The objectives of each division/department are linked to the strategic objectives of the Association.

The Association warrants that:

- (a) There is a **Yearly Plan** on objectives of each division/department for DH to follow;
- (b) Each DH would communicate the objectives of his division/department to his staffs effectively;
- (c) Each staff is capable to set his performance objectives to directly support the objectives of his division/department;
- (d) Staff at all levels work towards to achieve the objectives of the association and to its financial success;
- (e) The schedule of SPD is aligned with the strategic planning and budgeting schedule of the Association.

8.3 Behaviors - Competency Development

Behavioral Competencies of each staff is a result of the ability to applied knowledge, skills, under the Core Values of the Association, to the success of the Association.

The Association's Competency is linked to its core values, vision & mission. The Association warrants that each staff is focused on the "Just & Faithful" behaviors.

The Core Values & Competencies of the Association are:

Promote baseball that emphasizes health, wisdom, discipline, strength and beauty; accompany and support athletes, coaches, and referees with excellent skills and good character; promote exchanges with baseball activities around the world; rush out of Hong Kong and go to the world.

8.4 Process of SPD

The Association follows below stages to process SPD:

Stage One – Planning stage: Plan to set the objectives of the Association, division/department and each individual. An organizational level of **Yearly Plan** will be set by persons of "A-ONE". Each Division/Department will set its own activities and objectives in its Division/Department's **Yearly Plan**. DH will assist individual staff to facilitate his setting of his objectives, including business, personal, career development and training plan for the coming year.

Stage Two – Implementation stage: To coach and offer effective feedbacks to staff about his performance continuously. Effective feedbacks include but not limited to:

- (a) Supportive messages which reinforce "good & faithful" behaviors;
- (b) Constructive messages which influence change in "unacceptable" behaviors and encourages better skills/behaviors.

Stage Three – Reviewing stage: Annual assessment of the performance of each staff by appraisal and appraisal interviews. The following must be discussed and recorded.

Stage Four – Rewarding stage. To determine rewards and incentives to each staff. The assessment results from the reviewing stage should influence the following:

- (a) Increase of the base pay; and/or,
- (b) Bonus decisions; and/or,
- (c) Promotions; and or,
- (d) Transfer and secondment; or,
- (e) Termination and replacement.

9 CONDUCT & DISCIPLINE

9.1 Disciplinary Action

Disciplinary action will only be taken under the following circumstances if:

(1) Unsatisfactory in his Job Performance (the “UJP”)

UJP means:

- (a) His performance falls below the normal or acceptable standard or requirements by his immediate supervisor, in this policy and other policies/rules & regulations/notice/memo of the Association;
- (b) He is not co-operative both in his current, and newly assigned reasonable, jobs & duties;
- (c) He fails to comply with requirements of reasonable teamwork assigned to him;
- (d) Fails in performance assessment conducted by the DH of his department; or
- (e) Fails to comply with any other jobs & duties requirements determined under the sole discretion of any authorized person in the Association.

and/or committed below;

(2) Restricted Behavior & Conducts (the “RBC”)

RBC means:

- (a) Misconducts;
- (b) Habitual neglectful in duties, such as, repeated lateness;
- (c) Absenteeism;
- (d) Failure to Comply with the Policies & Procedures of the Association;
- (e) Or any other Breaches of Employer/Employee Relationship.

9.2 Principles on Exercising Disciplinary Action

It is the Association’s principles that disciplinary action against staff should:

- (a) Be undertaken only where good reason and evidence (direct or indirect) exists;
- (b) Be just according to the nature and extend of the offence;
- (c) Be fair and consistent with precedents;
- (d) Take place only when staff is aware of the standards or the rules with which he is required to conform with in case of breaching the Policies & Procedures of the Association;

9.3 Disciplinary Procedure & Types of Disciplinary Actions

Staff are subject to the following disciplinary actions:

9.3.1 Coaching & Counselling

If the performance of a staff member falls within the category of UJP, coaching and counselling by his immediate supervisor should take place as soon as practicable to bring the situation under control, to prevent acquiescence, and to assist the staff to rectify the situations.

9.3.2 Admonishment

Verbal or letter of admonishment will be given to a staff member if there is no improvement made after Coaching & Counselling.

9.3.3 Verbal Warning

If no further improvement is made by staff member after he receives an admonishment, a verbal warning must be given to him. Verbal warning should include the areas for improvement as well as the consequences of failure to make improvement on or before a specified date.

The warning should be recorded in a memo by the staff's immediate supervisor and acknowledged by the relevant DH. A copy of which must be sent to the HR for record to be put in the staff's personal file.

On the other hand, a verbal warning could be given to a staff member in the first instance he commits minor RBC("Misconduct").

9.3.4 Written Warning

If there is no improvement after verbal warning, a written warning, which includes below information, must be given to the staff.

- (1) The nature of the offence with reference to this association's policy, instruction or procedure which prohibits it;
- (2) Past warning or action taken for similar violations if any;
- (3) Expectations and/or improvements; and,
- (4) Further disciplinary action follows if the offence is repeated within a specified period of time.

The warning may be given by the DH, or his designated staff together with a representative from the HR, if so required. The staff must be thoroughly informed about all the content in the written warning. The staff is requested to acknowledge his understanding of the content of the warning letter. A copy of the written warning must be sent to the HR for record to be put in the staff's personal file.

On the other hand, a written warning could be given to a staff member in the first instance committing a more serious RBC or after repeated minor RBC.

9.3.5 Suspension of Employment

The Association shall suspend the employment of a staff for a period not exceeding 14 days according to s.11 of the Employment Ordinance (Cap. 57) in Hong Kong.

9.4 Final Written Warning

A final written warning letter is the **heaviest penalty** next to dismissal. It will be issued to a staff who does not improve himself after a warning letter or repeated warning letters is/are served to the staff, but no improvement is found. The final written warning shall reiterate all the information mentioned in previous warning letter(s) plus a deadline for the staff to rectify the situation.

9.5 Dismissal

A staff member will be dismissed after verbal and written warnings, with or without a final written warning, have been served and no required improvement is found. Dismissal should be made according to either **section 3.6.2(b)** of this policy.

10 USE OF PUBLIC FUND & ACCOUNTABILITY

10.1 Appropriate And Ethical Use of Public Resources (including, Fund)

10.1.1 Purpose

To ensure that all staffs are accountable for the departmental resources that they use, and that resource use is publicly defensible* and clearly provides improved outcomes for the department's customers or the field of Sports in Hong Kong as a whole.

10.1.2 Policy statement

All of the resources, and funds held by Association, belong to the public and must be used for, or support, the delivery of public services. This is true regardless of whether resources are provided through the Association or sourced through user charging, fundraising, or donations.

NSAs are entrusted with public funds to develop and deliver services to the community on behalf of government; and are obliged to ensure appropriate use of official resources, public property and facilities.

10.1.3 General Principles

The Executive Board / Committee require all staff to abide by below principles:

- Integrity and impartiality;
- Promoting the public good;
- Commitment to the system of government; and,
- Accountability and transparency.

10.1.4 Principles to Decisions about the Application of Public Resources

Below Principles are adopted by the Association to decisions about the application of public fund:

Principle 1: Official purposes. Resources must only be used for official purposes except it is permitted for limited personal use.

Clarification of Official purposes: For staff-related expenses under official purposes, shall include remuneration in accordance with relevant awards and agreements, expenses related to recognized reward and recognition programs, expenses in line with the travel expenses (both in Hong Kong and Overseas) policy for approved travel, and approved professional development expenses. Does not include gifts and benefits over and above entitlements, unless other approved by the authorized person of position in “A-TWO” .

Principle 2: Stewardship. Expenditure must represent the best use of public resources to achieve the desired objective.

Principle 3: Compliance. Procurement policies and practices must be followed.

Principle 4: Accountability. Expenditure must be properly authorized and provide an audit trail of that authorization.

Principle 5: Conflict of interest. Staff must not authorize expenditure that provides, or could be perceived to provide, a personal benefit to him/herself, or where there is a conflict of interest.

The exception is where staff approves (within delegation limits) expenditure from which the staff indirectly benefits or benefits as a minor part of a group (e.g., group professional development that the approving staff attends, along with multiple colleagues).

Principle 6: Defensibility. Use of public resources must be publicly defensible*. In particular, when making decisions about appropriate expenses, staff must also consider the public perception of that expense.

***Publicly defensible** means able to be supported, justified and difficult to challenge by the department’s executive, the authority and the wider community whether or not they have any association with the resource being used.

11 PREVENTION OF BRIBERY & CORRUPTION

The Association prohibits bribery and corrupt practices and always adopts A ZERO TOLERANCE OF BRIBERY.

The Association is committed to conducting all business without undue influence. All Staff members are required to comply with below Code of Conduct on Prevention of Bribery & Corruption

to avoid any possibility of compromising, or appearing to compromise, the objectivity of business decisions.

11.1 Core Values

The Association is fully committed to the following principles:

“Integrity & honesty; fairness & impartiality; just & equitable; ethical conduct, and openness”.

11.2 The Prevention of Bribery Ordinance (Cap. 201) (the (“POBO”))

Under s.9(1) of the captioned ordinance, any agent, who is staff member of the Association, solicits or accepts an advantage in connection with his work without the permission of the principal, which is the Association, commits an offence. The term “advantage” includes:

- (a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- (d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- (e) the exercise or forbearance from the exercise of any right or any power or duty; and
- (f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

The person who offers the advantage may also commit an offence under Section 9(2) of the captioned ordinance. Staff are also strictly prohibited from avoiding the anti-bribery provisions through the use of agents, partners, contractors, family members or any others acting on someone’s behalf.

11.3 Code of Conduct on Prevention of Bribery & Corruption

(1) This Code is applicable to all staff members of the Association.

Core Values

- (2) Refer to the above section 10.1
- (3) All staff members should act in the best interest of the public and the Association, place public and the Association’s interest above private interest when carrying out duties and ensure that their conduct would not bring the Association into disrepute.

Prevention of Bribery

- (4) The Association is a public body under the Prevention of Bribery Ordinance (Cap. 201) (“POBO”).
- (5) Under the POBO, all staff members are prohibited from soliciting or accepting, without lawful authority or reasonable excuse, any advantage in Hong Kong or elsewhere as an inducement to or reward for or otherwise on account of his performing or abstaining from performing any act in relation to his employment with the Association
- (6) “Advantage” means almost anything which is of value, except entertainment (see paragraph 14 below), including any gift (both of money and in kind), loan, fee, reward, commission, office, employment, contract, service and favour, etc.

Solicitation and Acceptance of Advantages

- (7) The Association prohibits staff from soliciting or accepting any advantage from any persons or companies having official dealings with the Association (e.g., service applicants/recipients, regulatees, suppliers, contractors) and subordinates, except that they may accept, but not solicit, the following advantages when offered on a voluntary basis:
 - (a) advertising or promotional gifts or souvenirs of a nominal value;
 - (b) discount or other special offers given by any person or Association or organization to them as customers, on terms and conditions equally applicable to other customers in general.Staff are permitted to solicit or accept from a relation (e.g., spouse, parent, child) any advantage. This, however, does not relieve the staff from observing the POBO (see paragraph 5 above) and the requirements on avoidance and declaration of conflict of interest (see paragraphs 17-21 below).
- (8) If a staff member wishes to accept from the above persons/parties any other advantages not listed in paragraph 7, he should seek permission from the authorized person of the position in “**A-TWO**” using **Appendix II - Form A**. In case of doubt, the staff should refer the matter to **Secretary General** for advice and instruction.
- (9) Even if the offeror does not have any official dealings with The Association, a staff member should decline an offer of an advantage if the acceptance could affect his objectivity in conducting the Association’s business, induce him to act against the Association’s interest or place him under an improper obligation, or where he believes the offeror has such an intention, or lead to the perception or allegation of impropriety or conflict of interest.

Advantages Offered to Staff in their Official Capacity

- (10) An advantage presented to a staff member by virtue of his official position or on an occasion attended in the staff member’s official capacity is regarded as an advantage to the Association (e.g., a souvenir presented by the organizer of a ceremonial occasion to a staff member representing the Association to officiate at the ceremony).
- (11) Staff should as far as possible decline such gifts. Where this cannot be done (e.g., owing to protocol reasons or the need to avoid causing offence or embarrassment), he should report the receipt of the gift or souvenir and seek direction on its disposal using **Appendix II (1) - Form A**.

Acceptance of Sponsorship

(12) Sponsorship (which may comprise passage, accommodation, or other fees) is a form of advantage. Staff may be offered sponsorship in their official capacity by persons or other organizations for official purposes such as attending local/overseas conferences, conventions and product trial activities. Such sponsorship should be regarded as sponsorship offered to the Association and referred to the Association for consideration of acceptance, based on operational need, and assignment of the Member/staff to attend the sponsored activity, based on suitability. The general criteria for considering whether or not to accept the sponsorship offer are suggested at **Appendix II (2)**.

(13) Staff may be offered sponsorship, for example, sponsored visit offered by a professional body, industrial/supplier organization or supplier, due to his personal expertise or professional membership, to attend an overseas conference. Though not representing the Association, care should be taken when such a sponsored visit is offered by a party having business dealings with the Association and the staff's duty is directly related to or could potentially or seen to be influenced by the content or result of the visit (e.g. the staff is involved in or can influence the purchasing decision of The Association, while the sponsor is a potential supplier). In accepting such sponsorship, staff should ensure that their conduct and activities would not bring them or the Association into disrepute or lead to any actual or perceived conflict of interest. In particular, they should ensure that their private sponsored visits are separate from their official position and duties and avoid putting themselves in an obligatory position through acceptance of advantages or hospitality normally applicable to official purposes.

Acceptance of Entertainment

(14) Staff should not accept lavish, or unreasonably generous or frequent entertainment (“entertainment” means the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with or provided at the same time as the provision of food or drink), or indeed any entertainment which is likely to give rise to any actual or perceived conflict of interest, put the staff in an obligatory position in the discharge of their duties, compromise their impartiality or judgement, or bring them or the Association into disrepute bearing in mind public perception. When offered entertainment, a staff should consider whether the entertainment offered could be regarded as:

- excessive – taking into account its value, substance, frequency and nature;
- inappropriate – taking into account the relationship between the staff member and the offeror (e.g., whether they have any direct official dealings); or
- undesirable – taking into account the character or reputation of the host or known attendees.

Offering of Advantages

(15) Staff are prohibited from offering advantages, whether directly or indirectly through a third party, to any person or organization, for the purpose of influencing such person or organization in any dealings. Staff are also prohibited from offering advantages, whether directly or indirectly through a third party, to any public official employed by the Government or any other public body, while having dealings of any kind with the Government or public body.

(16) Staff should as far as possible refrain from bestowing gifts/souvenirs to others during the conduct of official activities. Where it is necessary or unavoidable due to operational, protocol or

other reasons, the gifts/souvenirs to be bestowed should not be lavish or extravagant and be kept to a minimum in quantity and the exchange of gifts/souvenirs should be made from organization to organization.

Managing Conflict of Interest

(17) A conflict-of-interest situation arises when the “private interests” of a staff member compete or conflict with the interests of the Association or the staff’s official duties. Private interests include financial and other interests of the staff himself, and those of his connections including family and other relations, personal friends, the clubs and societies to which he belongs, and any person to whom he owes a favour or to whom he may be obligated in any way. Some common examples of conflict of interest are described at **Appendix II (3)**.

Avoidance and Declaration of Conflict of Interest

(18) A fundamental rule is that all staff should, as far as possible, avoid any actual and perceived conflict of interest from arising in the first place. When a situation of conflict of interest cannot be avoided, staff should as soon as possible declare all relevant interests which conflict, may conflict or be seen to conflict with their official duties through the reporting channel to the management using **Appendix II (4) - Form B** (which may be preceded by verbal declaration if urgent). In case of doubt, they should consult their supervisors.

(19) All staff should be vigilant and make their best effort at all times to avoid or declare, as appropriate, any conflict that may arise or has arisen. Failure to take the necessary steps to avoid or declare a conflict-of-interest situation may constitute misconduct.

Managing Declared Conflict of Interest

(20) Upon receipt of a report on conflict-of-interest situation, the supervisors should, as soon as practical, decide on the appropriate course of action to be taken such as to relieve the staff member of his involvement in the task, ask the staff member to divest himself of certain investment, etc., and give clear direction/instruction to the staff concerned. The declaration and the management decision/action should be properly recorded. The supervisors should ensure the staff’s compliance with the instruction to effectively remove/mitigate the conflict of interest.

(21) In deciding on the course of action to be taken or making a recommendation to their senior staffs, the supervisors should consider the seriousness of the conflict, the public interest involved and public perception. Mitigating measures which the supervisors can consider adopting are at **Appendix II (5)**.

Misuse of Official Position

(22) Staff should carry out their duties fairly, faithfully and impartially, and not misuse or permit others to misuse their official position for their personal cause, interest or gain, or to favour, benefit or disfavour others.

Use of the Association's Assets and Resources

(23) Staff in charge of or having access to any assets of the Association, including funds, property, information, and intellectual property, should use them solely for the purpose of conducting the Association's business or authorized purposes. Any misappropriation or unauthorized use of the Association's properties for personal use or personal gain is strictly prohibited.

Misconduct in Public Office

(24) A public official who wilfully and seriously misconducts himself in relation to his public office (e.g., misuse of official position, covering up conflict of interest) may commit the common law offence of "misconduct in public office". Hence, staff should take note that breaches of probity requirements in this Code which involve serious misconduct, even if not involving bribery or other financial crime, might amount to "misconduct in public office".

Reporting Suspected Irregularities and Criminal Offences

(25) A staff member should report breaches of this Code, illegal activities or other misconduct by other members/staff of the Association.

(26) A staff member should report, either directly or through **Secretary General** as appropriate, instances of crime or suspected crime discovered in the course of his work, including attempt to bribe a public servant, to the appropriate authority or law enforcement agency at the first practicable opportunity. A staff member should avoid making any enquiries or taking any action that may hinder or frustrate subsequent investigation by the law enforcement authority concerned. All staff members who receive or have knowledge of such reports should treat the reports in the strictest confidence.

Compliance

(27) It is the responsibility of every staff member of the Association to understand and comply with this Code, whether performing duties of the Association in or outside Hong Kong. DH, Managers, and supervisors should also ensure that the staff members under their supervision understand well and comply with this Code.

(28) Any staff member in breach of the Code will be subject to disciplinary action, including termination of appointment. In case of suspected corruption or other criminal offences, a report will be made to the appropriate law enforcement agencies.

Enquiry

(29) Any enquiries, comments or suggestions in relation to this Code may be referred to Secretary General by email: sg@BAHKCseball.org .

12 CONFIDENTIALITY

Staff should not disclose any classified or proprietary information of the Association without authorization or misuse any the Association's information (e.g., using the information for personal gain or the benefit of others). Staff who have access to or in control of such information should ensure its security and prevent any abuse, unauthorized disclosure or misuse of the information. Staff should continue to observe their duty of confidentiality after they have left The Association.

13 OUTSIDE BUSINESS / EMPLOYMENT / COMMITTEE MEMBERSHIP / SERVICE

Staffs are not permitted to take concurrent employment in the same fields of the Association; or to advise or act for the Association's Participants, representatives or associates. In addition, staffs should seek prior written approval from the authorized person of the position in "**A-TWO**" for engaging in or taking up, whether directly or indirectly, any outside business/employment/committee membership/service (collectively known as "businesses"), with or without reward, during office hours irrespective of whether there is any reward.

Staffs who wish to engage in outside businesses MUST obtain a prior written approval from the authorized person of the position in "**A-TWO**".

14 TRAININGS & UNDERTAKINGS

All Staff members MUST complete a training session on this Policy organized by **DH**.

The training could be a face-to-face or a video conferencing or a pre-recorded audio or video. A Confirmation of Training, including, a checklist of understandings; or self-assessment; or feedback; and Acknowledgments & Undertakings with Quiz to be completed MUST be signed by the staff, co-signing by his immediate supervisor and/or trainer and/or a representative of the HR.

15 ASSISTANCE & EMERGENCY

HR aims at assisting staff to work under the principles, aims, and conditions of this Policy. When you have any questions and needs other than work or operational ones, or in case of URGGENCY & EMERGENCY, call **Senior Sports Manager** at tel.: **25048326**. We will co-ordinate with necessary departments in order to provide appropriate assistance, administrative, and/or URGGENCY & EMERGENCY support.

16 POLICY COMPLIANCE

16.1 Compliance Measurement

Compliance with **The Baseball Association of Hong Kong, China Limited**'s policies is required. Compliance to this policy is verified through various methods, including but not limited to reports from available business tools, internal and external audits, self- assessment, and/or feedback to the policy owner.

16.2 Modification of this Policy

The Association reserves the right to modify or add or reduce/eliminate any or all parts of this Policy, including but not limited to appendixes, attachments, or any other documents, attached herewith: you are responsible for regularly reviewing it to remain up to date. Violations of the sections/provisions in this Policy may result in disciplinary action up to and including termination of employment.

The Association will communicate any significant changes to this Policy Document through email messages, the Association's Staff Connection (ASC) postings, and other communication vehicles.

16.3 Noncompliance

Noncompliance with this policy may result in potentially significant reputational and legal risk to the Association. Compliance with **The Baseball Association of Hong Kong, China Limited**'s policies is required. Deviations or noncompliance with this policy, including attempts to circumvent the stated policy or process by bypassing or knowingly manipulating the process, system, or data may result in disciplinary actions, up to and including termination, as allowed by the laws.

16.4 Exceptions

There are no exceptions to this policy.

17 REVIEW OF THIS POLICY

The **Secretary General** shall be responsible for reviewing this policy **annually** to ensure that it meets legal requirements and reflects best practice.

I, _____ acknowledge that I have read, understand, and will abide by the above policies, procedures, codes, and instructions.

NAME, please print / Signature / Date:

Appendix I – Form One – KEY RESULT AREAS for individual

The Hong Kong Baseball Association Limited
Performance Appraisal Report for the year of 2021-22

HIGHLY CONFIDENTIAL

Staff: [name of staff]

Post: Administrative Assistant

Date of joining the Association : _____

Date of appointment to present position : _____

Please assess the following aspects of performance during the Appraisal Period. The ratings range from Outstanding (4 scores) to Very Poor (0 score). If an aspect has not been tested, please say so. If you wish to add any more aspects of performance, please do so at the end of this item.

	Main Scope of Work in the assessment period		Aspects of Performance	Self Assessment	(Appraising Officer A) Score by direct supervisor	(Appraising Officer B) Score by direct officer-bearer	Average Score
	Programme	%			SSE	SG	
	工作範圍包括所需程序，與相關單位溝通，定期報告，活動報告等：		1. Application of Technical Knowledge and Skill				0.00
			2. Quality of Work				0.00
			3. Output				0.00
			4. Knowledge of Work				0.00
			5. Acceptance of Responsibility				0.00
			6. Organisation of Work				0.00
			7. Common Sense				0.00
			8. Reliability				0.00
			9. Problem Solving and Initiative				0.00
			10. Management of Resources				0.00
			11. Attendance and Punctuality				0.00
			12. Relations with Colleagues				0.00
			13. Relations with Clients, the Public and the Media				0.00
			14.1 Oral Expression in English				0.00
			14.2 Oral Expression in Chinese				0.00
			15.1 Written Work in English				0.00
			15.2 Written Work in Chinese				0.00
			16. Personal Appearance and Tidiness				0.00
			17. Manners				0.00
			Continuous Professional Training, course attended and/or qualification obtained during the reporting period that would benefit to his/her job in the Association				
			18.1 Training course attended: Yes = 2, No = 0		0	0	0.00
			18.2 Qualification obtained in the assessed year: Yes = 2, No = 0		0	0	0.00
			Other aspects				
			19.1 Awareness of Internal Procedure				0.00
			19.2 Dependability and Cooperation				0.00
			19.3 Making Decisions				0.00
			19.4 Composure and Self-control				0.00
			19.5 Input on Improvement				0.00
Total: <u>0.0%</u>		Average score (Total score / 26): <u>0.00</u>		0.00	0.00	0.00	0.00

HKBA Bonus Grades & Rates	Score	LCSD PIP Grades	Score	PIP/Bonus Rate	Performance Grade:
Grade A: 4.0%-5.0%	3.6 - 4.0	優異 Outstanding	3.6 - 4.0	4.0%-5.0%	
Grade B: 3.0%-3.9%	2.6 - 3.5	優良 Very Effective	2.6 - 3.5	3.0%-3.9%	
Grade C: 2.5%-2.9%	2.0 - 2.5	良好 Effective	2.0 - 2.5	N/A	
		一般 Moderate	1.0 - 1.9	N/A	
		欠佳 Poor	0 - 0.9	N/A	

a) All full-time staff;
b) Must completed a consecutive of 3 months and its cut-off date on 31 December;
c) Last Monthly Salary earned x HKBA Bonus Rate.

i) Only eligible to LCSD submitted staff;
ii) Must be a completed full-year appraisal report (i.e. consecutive of 12 months and its cut-off date on 30 June);
iii) Total LCSD submitted salary earned in the past 12 months x LCSD PIP rate, not include HKBA non-salary.

Other comments on his/her performance in the Appraisal Period:

SIGNATURE OF APPRAISEE

SIGNATURE OF APPRAISING OFFICERS:

Name of Appraiser
[name of staff]

Date:

Name & Post of Appraising Officer A
Nicky To
Senior Sports Manager

Name & Post of Appraising Officer B
Stanley Chong
Secretary General

The Hong Kong Baseball Association Limited
Performance Appraisal Report for the year of 2021-22

HIGHLY CONFIDENTIALStaff: [name of staff]POST: Sports Executive

Date of joining the Association :

Date of appointment to present position :

Please assess the following aspects of performance during the Appraisal Period. The five ratings range from Outstanding (4 scores) to Very Poor (0 score). If an aspect has not been tested, please say so. If you wish to add any more aspects of performance, please do so at the end of this item.

	Main Scope of Work in the assessment period		Aspects of Performance	Self Assessment	(Appraising Officer A) Score by direct supervisor	(Appraising Officer B) Score by direct officer-bearer	Average Score
	Programme	%			SG	Chairman	
		工作範圍包括所營運程序，與相關單位溝通，定期報告，活動報告等：	1. Knowledge of Work				0.00
			2. Application of Professional/ Technical Knowledge and Skill				0.00
			3. Organisation of Work				0.00
			4. Management of Resources				0.00
			5. Staff Management				0.00
			6. Relations with Colleagues				0.00
			7. Relations with Athletes				0.00
			8. Relations with Clients, the Public and the Media				0.00
			9. Judgement and Foresight				0.00
			10. Reasoning and Perception				0.00
			11. Problem Solving and Initiative				0.00
			12. Drive, Determination and Decisiveness				0.00
			13. Performance under Pressure				0.00
			14. Acceptance of Responsibility				0.00
			15. Leadership				0.00
			16. Reliability				0.00
			17. Self Development				0.00
			18. Self Demonstration				0.00
			19. Professional Competence				0.00
			20a. Written Work in English				0.00
			20b. Written Work in Chinese				0.00
			21a. Oral Expression in English				0.00
			21b. Oral Expression in Chinese				0.00
			22. Attendance and Punctuality				0.00
			Continuous Professional Training, course attended and/or qualification obtained during the reporting period that would benefit to his/her job in the Association				
			23.1. Training course attended: Yes = 2, No = 0				0.00
			23.2. Qualification obtained in the assessed year: Yes = 2, No = 0		0	0	0.00
			Other aspects				
			24.1. Awareness of Internal Procedure				0.00
			24.2. Dependability and Cooperation				0.00
			24.3. Making Decisions				0.00
			24.4. Composure and Self-control				0.00
			24.5. Input on Improvement				0.00
	Total: <u>0.0%</u>		Average score (Total score/ 31): <u>0.00</u>		0.00	0.00	0.00

HKBA Bonus Grade & Rate	Score	LCSD PIP Grade	Score	PIP/Bonus Rate	Performance Grade
Grade A: 4.0%~5.0%	3.6~4.0	極高 Outstanding	3.6~4.0	4.0%~5.0%	
Grade B: 3.0%~3.9%	2.6~3.5	優良 Very Effective	2.6~3.5	3.0%~3.9%	
Grade C: 2.5%~2.9%	2.0~2.5	良好 Effective	2.0~2.5	N/A	
		一般 Moderate	1.0~1.9	N/A	
		欠佳 Poor	0~0.9	N/A	

a) All full-time staff;
b) Must complete a consecutive of 3 months and its cut-off date on 31 December;
c) Last Monthly Salary earned x HKBA Bonus Rate.

i) Only eligible to LCSD salaried staff;
ii) Must be a completed full-year appraisal report (i.e. consecutive of 12 months and its cut-off date on 30 June);
iii) Total LCSD salaried salary earned in the past 12 months x LCSD rate; not include HKBA top-up salary

Other comments on his/her performance in the Appraisal Period:

SIGNATURE OF APPRAISEE

SIGNATURE OF APPRAISING OFFICERS:

Name of Appraisee
[name of staff]

Date:

Name & Post of Appraising Officer A

Nicky To
Senior Sports Manager

Name & Post of Appraising Officer B

Stanley Cheng
Secretary General

Appendix I - Form Two - NOTIONAL STAFFING ESTABLISHMENT

(估計人手編制)

[The Baseball Association of Hong Kong, China Limited]

HR Planning for the year end 31 March _____ [or other fiscal year].

DDD Department	
[or replace by the name that your organization normally uses]	
<u>(Rank) Posts</u>	<u>No. of Staff</u>
[Below ranks & posts are examples, use your own system]	
(SE5) Department Head	
(SE3) Senior Sports Executive	
(SE2) Sports Executive	
(SE1) Assistant Sports Executive	
(A1) Administrative Assistant	
(A2) Accounting & Compliance Officer	
Total =	

Please attached supporting document, like, KRAs, O-charts, etc. if any.

No change is permitted unless major developments or functional requirements emerge. Any requisition of unbudgeted headcount needs the approval of the Executive Director [or the name of any other entity that your organization usually uses].

Approved by the Executive Board
[or the name of any other entity that your organization usually uses]
Date: _____

Appendix I - Form Three – RECRUITMENT REQUEST**Recruitment Request 招聘申請**

Department 用人部門		
Position/title 招聘職位		
Amount 人數		
Interviewer 面試負責人		
Working Location 工作地點		
Close date 預定聘用日期		
Job Description in Brief 職位簡述		
Role in organization chart 在部門組織結構圖中位置		
Education background 教育背景(專業 年限)		
Experience & Qualification 所需經驗 技能		
Other requirement 其它要求(英語 電腦等)		
Requested by (Dept. Head) 用人部門簽字		Date 日期 :

Approved by the Executive Director
[or the name of any other entity that your organization usually uses]
Date: _____

Appendix II (1) - Form A – REPORT ON GIFTS RECEIVED

Part A – To be completed by Receiving Staff

To : (Approving Authority)

Description of Offeror :

Name & Title of Offeror :

Association :

Relationship :

Occasion on which the Gift was / is to be

Received :

Description & (Assessed) Value of the Gift :

Suggested Method of Disposal :

Retain by the Receiving Staff

Remark

Retain for Display / as a Souvenir in the Office

Share among the Office

Reserve as Lucky Draw Prize at Staff Function

Donate to a Charitable Organization

Return to Offeror

Others (please specify) :

Guidelines on disposal method:

- If the gift/souvenir is of perishable nature (e.g., food, drink), it may be donated to a charitable organization or, when this is not practical, shared among Members/staff of the Association on a suitable occasion.
- If the gift/souvenir is a useful item, it may be donated to a charitable organization.
- If the gift/souvenir is suitable for display (e.g., a painting, vase), it may be displayed at appropriate locations of the Association's premises.
- If the gift/souvenir is of low value, it may be donated as a prize in functions organized by the Association.
- If the gift/souvenir is a personal item of low value, such as a plaque or pen inscribed with the name of the recipient, it may be retained by the recipient.
- If the gift/souvenir is distributed to all participants in public activities, such as a ball pen, file folder or key clasp, etc., it may be retained by the recipient.
- Any gift/souvenir of high value should be returned to the offeror.

(Date)

(Name of Receiving Staff)

(Title/ Department)

Part B – To be completed by Approving Authority

To : (Name of Receiving Staff)

The recommended method of disposal is **approved / not approved*. The gift(s) concerned should be disposed of by way of: _____
_____.

(Name of Approving Authority)

(Date)

(Title/ Department)

** Please delete as appropriate*

Appendix II (2) – Considering Factors for Acceptance of Sponsorship

In considering whether or not to accept the sponsorship offer, the following general criteria are relevant:

- acceptance of the sponsorship will benefit the Association as a whole;
- acceptance of the sponsorship will not bring the Association into any disrepute;
- the sponsorship is not excessive in value or frequency;
- acceptance of the sponsorship will not give rise to any express or implied obligation towards the offeror;
- acceptance of the sponsorship will not give rise to any actual or perceived conflict of interest (e.g., the offeror is a supplier/contractor bidding for the Association's contracts); and,
- the sponsor will not be given or be perceived to derive an unfair advantage over other persons or organizations.

Appendix II (3) – Examples of Conflict of Interest

Some common examples of conflict of interest are described below but they are by no means exhaustive:

- A staff member involved in a procurement process is closely related to or has beneficial interest in a supplier being considered by the Association.
- One of the candidates under consideration in a recruitment or promotion exercise is a family member, a relative or a close personal friend of the staff member responsible for the exercise.
- A staff member of the Association has financial interest in an organization which is a bidder in a tender exercise under consideration by the Association.
- A staff member accepts frequent or lavish entertainment from the Association's customers, suppliers or contractors.
- A staff member responsible for processing applications for services provided by the Association is considering an application from his family member, relative or personal friend.
- A staff member undertaking part-time work with a contractor whom he is responsible for monitoring.
- A staff member soliciting assistance from his subordinate staff in dealing with his own personal matters.
- A staff member, who encounters an investment opportunity in an Association due to his official position, makes personal investment in the Association which is the Association's tenant whom he is responsible for handling.

Appendix II (4) – Form B - Declaration of Conflict of Interest**Part A – Declaration (To be completed by Declaring Staff)**

To : (Approving Authority)
Via: ()@

I would like to report the following actual/potential* conflict of interest situation arising during the discharge of my official duties:

Person(s)/organization(s) with whom/which I have official dealings and/or private interest
My relationship with the person(s)/organization(s) (e.g., relative)
My contact with the person(s)/organization(s) (Please state the frequency of contact and the usual occasions of contact, etc.)
Relationship of the person(s)/organization(s) with the Association (e.g., supplier)
Brief description of my duties which involved the person(s)/organization(s) (e.g., handling of tender exercise)
File reference, if any, of the mentioned duties

(Date)

(Name of Declaring Staff)
(Title / Department)

Part B – Approval (To be completed by Approving Authority)

To : (Declaring Staff)
Via: ()@

Part B(i) – In respect of the declaration in Part A of this form, it has been decided that:

The declaration as described in Part A is noted. You are allowed to continue handling the work as described in Part A, provided that there is no change in the information declared above.

You are restricted in the work as described in Part A (e.g., prohibit from handling the specific part/duty that you have conflict, withdraw from discussion on a specific issue/case).

Details : _____

You may continue to handle the work as described in Part A, but an independent staff would be recruited to participate in, oversee or review part or all of the decision-making process (e.g., task another staff with the required expertise to provide objective assessment on the matter).

Details : _____

You are relieved of your duty as described in Part A, which will be taken up by another staff through redeployment.

Details : _____

You should relinquish the personal/private interest (e.g., cease to be a member of a club/association, divest the investments until the conflict situation described in Part A no longer exists).

Details : _____

Others (please specify) (e.g., you should not contact the person(s)/organization(s) concerned until the conflict situation described in Part A no longer exists):

Details : _____

Part B(ii) – The justification(s) for the measure(s) as described in Part B(i) above is/are: (Factors of consideration including the materiality of the conflict, link between the conflict and the matter in question, and any possible negative public perception over the conflict/incident.)

In all cases, please be reminded that you should not disclose any privileged/internal information of the subject matter to the person(s)/organization(s) concerned and should further report if there are changes in circumstances necessitating reporting.

(Date)

(Name of Approving Authority)
(Title / Department)

Part C – Keeping of Records (To be completed by the Declaring Staff)

To : (Designated Office/Staff Member for keeping the completed declaration form)
Via: (Approving Authority)

I noted the decision in Part B. The completed form is for your retention please.

(Date)

(Name of Declaring Staff)
(Title / Department)

- @ Subject to the guidelines of individual public bodies, a conflict-of-interest declaration/decision may be made via the declaring staff's immediate supervisor/supervisors to/from the approving staff. Otherwise, delete the line.
- * Potential conflict of interest refers to situation that may be developed into an actual conflict in the future.

Appendix II (5) – Mitigating Measures for Managing Declared Conflict of Interest

- (a) Record – Where the risk in a conflict-of-interest situation is indirect, remote or insignificant, and the occurrence of such a situation is infrequent, it may be sufficient to take note of the conflict only.
- (b) Restrict – Where a conflict is not likely to arise frequently and the staff can be effectively separated from the part of activity or process in which the conflict arises, it may be suitable to restrict the staff's involvement in the task in which he has a conflict (e.g. withdrawing from discussion on a specific issue, abstaining from voting on the decisions) and access to the related information.
- (c) Recruit – Where it is impractical to restrict a staff member's involvement, an independent staff member/expert may be recruited to participate in, oversee, or review part or all of the decision-making process if appropriate (e.g., engaging expert in the selection of highly specialized items).
- (d) Redeploy – Where it is inappropriate to allow the staff who has declared a conflict of interest to handle a specific matter, it may be suitable to relieve of the staff's duty which may then be taken up by another staff through redeployment. For serious conflict of interest cases with a high likelihood of relapse, it may be suitable to post out the staff to avoid negative public perception.
- (e) Relinquish – Where a staff member's commitment to the public duty outweighs his attachment to his private interest, and adopting other mitigating measures are not appropriate or possible, he may be asked to relinquish his personal or private interests (e.g., divesting the investments, ceasing to be a member of a club/association).