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ARBITRATION COUNCIL FOUNDATION

Job Description

- I. **JOB TITLE:** Technical Director
- II. **DEPARTMENT:** Executive Management Team, Arbitration Council Foundation
- III. **LOCATION:** The Arbitration Council Foundation office, based in Phnom Penh
- IV. **REPORTING:** The Technical Director reports to the Executive Director, and in his absence, to the Board of Directors, donors, and concerned stakeholders
- V. **WORK HOURS:** The Technical Director will work full time from Monday to Friday during the work hours below:
 - Morning: from 8:00 A.M to 12:00 P.M
 - Afternoon: from 1:30 P.M to 5:30 P.M or 2:00 P.M to 6:00 P.M

Due to the nature of the work, ACF staff members are sometimes required to work outside normal hours because of hearings or meetings. For this reason, the Technical Director is expected to be flexible and may be asked to sometimes work outside of normal hours.

VI. ORGANISATIONAL BACKGROUND:

The Arbitration Council (AC) is internationally and nationally recognized as Cambodia's premier labour dispute resolution body. A national institution for resolving labour disputes and provided for under the Labour Law (1997), it is supported by the Ministry of Labour and Vocational Training, employers and unions. The ACF, a registered not-for-profit foundation, provides technical, legal and management support to the work of the AC. The ACF has staff working in teams as follows: Executive Management, Arbitration Services; Training & Communications; Finance & Administration; and Monitoring & Evaluation.

VII. DUTIES AND RESPONSIBILITIES:

The Technical Director is a full-time employee of the Arbitration Council Foundation (ACF), based in Phnom Penh.

The Technical Director is responsible for all aspects of the day-to-day management of the ACF and for ensuring that it consistently achieves its organizational and financial objectives.

Accountability and reporting relationships

- The Technical Director is accountable to and reports to the Executive Director.
- The Technical Director will be responsible for preparing reports to donors in accordance with funding agreements.

Core responsibilities of the Technical Director

There are three core areas in which the Technical Director is expected to deliver high quality results and for which he or she has responsibility:

- **Core Responsibility 1:** Management of the Arbitration Council Foundation.
- **Core Responsibility 2:** Sustaining the ACF and Supporting the Arbitration Council.
- **Core Responsibility 3:** Providing accurate and timely reporting on the work and functions of the ACF and the Arbitration Council.

1. MANAGEMENT OF THE ARBITRATION COUNCIL FOUNDATION

The Technical Director has responsibility for assisting the Executive Director in ensuring that the ACF is an efficient and well-managed organization which is accountable and transparent, and which has:

- Good governance;
- Good management systems;
- Strong financial management and budgeting; and
- Good human resources management.

1.1. The ACF has Good Governance

Strategic Direction set by ACF Board of Directors. The ACF's Board of Directors is appointed by the Arbitrators who are members of the Arbitration Council. The Board is responsible for setting the ACF's strategic direction, but is not responsible for the day-to-day operation and management of the ACF.

Technical Director is responsible for assisting Executive Director in achieving strategic objectives. The Technical Director has responsibility for ensuring that the ACF achieves the objectives and strategic direction set by the Board of Directors, and as determined by the Statute of the ACF.

Communications with the Board: The Technical Director is required to assist Executive Director to maintain active communications with the ACF Board of Directors and to keep the Board fully informed.

Support the Board. The Technical Director is expected to assist the Executive Director to support the Board of Directors by:

- Implementing Board's decisions;
- Working with the Board on strategic planning and organizational development;
- Developing materials and processes for Board recruitment, orientation and development; and
- Supervising Finance and Administration Department in preparing Board of Directors for meetings by ensuring timely preparation of financial documents, background documents, preparatory papers, agendas and minutes.

1.2. The ACF is efficient and well-managed

Responsibility for good management rests with the Technical Director.

The Technical Director has responsibility for ensuring that the ACF is an efficient, well-managed and professional organization.

Characteristics of a well-managed organization

It is expected that the Technical Director will be responsible to:

- Implement effective systems for record keeping and for protecting and maintaining data;
- Prepare an annual operating plan, including a plan of action for each of the ACF's programme areas developed in conjunction with the Board, arbitrators, and other stakeholders;

- Develop the internal policies of the ACF, and ensure that these are understood and followed by staff. Key policies include a Code of Conduct, and policies on recruitment and conflict of interest;
- Implement systems for ensuring that the ACF completes activities it has agreed to perform under the terms of funding agreements;
- Coordinating the schedule of all ACF activities to ensure coherence and to avoid time conflicts;
- Establish performance measures to assess the quality of work that the ACF does;
- Conduct regular program reviews and evaluations to monitor performance.

1.3. The ACF complies with its legal and ethical responsibilities

As the ACF provides support to the Arbitration Council (an institution created by Prakas under the Labour Law) it is important that the Technical Director ensures that the ACF complies with all Cambodian law and regulations. In particular, the Technical Director must ensure that:

- The ACF is an honest, ethical organization which does not engage in corrupt conduct;
- The ACF is publicly perceived by the community and by all stakeholders to be an honest, accountable and transparent organisation;
- The ACF complies with the Labour Law and regulations;
- Official documents and legal instruments are properly executed;
- Official records, documents and data are securely and properly maintained; and
- Taxes are paid according to Cambodian law.

1.4. The ACF has good financial management

The Technical Director is responsible for financial management

The Technical Director has responsibility to ensure that the ACF is accountable, responsible and transparent in its use of funding and in its financial expenditure. In particular, the Technical Director is expected to assist the Executive Director to:

- Develop & maintain sound financial practices, monitor project expenditures, manage cash flow;
- Develop revenue projections and a fundraising plan to meet them;
- Work with staff, donors and the Board to prepare annual budgets, and to ensure that the organization operates within budget guidelines;
- Complete monthly accounts and quarterly and annual reports in a timely fashion and ensure that an annual external financial audit is conducted; and
- Maintain the overall fiscal soundness of the organization.

1.5. The ACF has good human resources management

Human Resources Management is an important area of responsibility for the Technical Director. It is important that the ACF operates as a 'model employer' in Cambodia because it has a responsibility to support the Labour Law and to further the interests of the Arbitration Council.

Technical Director is responsible for staff management

The Technical Director has responsibility to develop systems and staff practices that will facilitate the ACF acting as a model employer. It is expected that the Technical Director will:

- Recruit & manage staff for the effective operations of the ACF and the Arbitration Council;
- Ensure all staff, consultants & long-term volunteers have contracts and/or job descriptions/TORs; regular performance evaluations are held; sound human resource practices are in place;
- Ensure that appropriate policies and procedures are in place to ensure that the ACF complies with the Labour Law and Regulations; and
- Maintain a work climate that attracts, keeps, and motivates a diverse staff of top quality people.

2. SUSTAINING THE FOUNDATION AND SUPPORTING THE ARBITRATION COUNCIL

An extremely important part of the Technical Director's job is to assist in building the ACF and making sure that the long term viability and the independence of the Arbitration Council is protected.

2.1 Communicate the activities of the ACF and the Arbitration Council

- Publicise the activities of the ACF and the Arbitration Council;
- Represent the programmes and point of view of the ACF to employer and employee groups, agencies, organisations, and the general public;
- Serve as spokesperson for the ACF and articulate the role and strategic direction of the ACF to all stakeholders;
- Speak on behalf of the Arbitration Council and the ACF at local and international gatherings, appropriate conferences, meetings, and other occasions; and
- Develop systems to ensure that arbitrators and other stakeholders are kept informed of the information which is relevant to them.

2.2. Build relationships which enhance the effectiveness of the ACF and the Arbitration Council

- Establish and maintain sound professional working relationships and cooperative arrangements with key stakeholders such as employer groups, employee groups, government, and non-governmental organisations;
- Develop close contacts with other relevant individuals, organisations, groups and networks in order to further the ACF's aims and to support the activities and objectives of the Arbitration Council. These contacts may include journalists, government officials, diplomats, aid officials and academics;
- Develop and maintain relationships with potential and existing funding sources and key individual donors; and
- Meet with visitors to the Arbitration Council and the ACF, including government officials, aid organisations, NGOs and consultants.

2.3. Conduct fundraising to build the ACF and the Arbitration Council

One of the most critical elements of the Technical Director's job is to assist Executive Director to ensure the long-term viability of the ACF and the Arbitration Council by attracting sufficient funds from a variety of appropriate sources approved by the Board of Directors.

The Technical Director is expected to:

- Develop an annual fund-raising strategy which will be presented to the Board for approval;
- Conduct fund-raising for the Arbitration Council from domestic and international sources; and
- Report performance against the fund-raising strategy at quarterly Board meetings.

Submit grant applications and proposals to donors

The Technical Director is expected to be responsible for:

Developing, writing, reviewing and submitting funding proposals to donors.

It is expected that the Technical Director will assist Executive Director to submit proposals for funding which are open to public tender and private proposals which have been invited as a result of the Technical Director's fundraising activities.

2.4. Ensure the operations and improvement of the ACF

In consultation with the Executive Director, Technical Director's responsibility is to ensure the normal operations and improvement of the ACF, including:

- Staff recruitment, supervision, and training;
- Development of the ACF's Internal Rules, basic organisational policies and procedures;
- Performance of work with auditors to ensure sound management and financial systems are implemented; and

- All other necessary tasks.

3. PROVIDING ACCURATE AND TIMELY REPORTING TO BOARD OF DIRECTORS, DONORS, AND CONCERNED STAKEHOLDERS

3.1. Timely reporting to donors.

- Prepare and review reports to donors and ensure that such reports are completed in a timely fashion in accordance with donor funding guidelines.

3.2. Timely reporting to the Board of Directors

- Prepare quarterly financial reports to submit to the Board;
- Submit an annual audited financial report to the Board within 8 weeks of the end of the financial year;
- Report quarterly to the Board against the ACF's operational plan;
- Keep the Board informed of all relevant legal, financial and operational aspects of the ACF and the Arbitration Council.

3.3 Timely reporting to stakeholders

- Assist Executive Director to develop and publish an Annual Report which includes a summary audited financial statement; and
- Assist the Board in the preparation of bi-annual reports to the Stakeholder Advisory Group in relation to the work of the ACF.

VIII. MINIMUM QUALIFICATIONS:

- Eight years of work experience, including senior management experience, in the field of law, economics, industrial relations, alternative dispute resolution, and other related fields;
- Demonstrated experience working with employer and employee groups, government (especially the Ministry of Labour and Vocational Training), donors, and civil society groups;
- Proficient in Khmer and English; and
- Relevant graduate or post-graduate degree in law, management, social science, or relevant fields.

IX. THE QUALITIES OF IDEAL CANDIDATES:

- Honest and ethical individual who works to the highest standards of integrity and propriety;
- Extensive management experience, leadership skills, and the ability to work with experienced managers of the Arbitration Council Foundation;
- Experience in institutional building and management, including financial management and budgeting;
- Excellent negotiation skills and the ability to manage relationships with different stakeholder groups;
- Experience in fundraising, proposal writing and reporting to donors;
- Extensive experience in law and/or alternative dispute resolution, especially in the context of industrial relations or labour dispute resolution.