



The Malaysian Centre for Constitutionalism and Human Rights

Internship Policy

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1. Introduction

The Malaysian Centre for Constitutionalism and Human Rights (MCCHR) was established on 19 March 2011 with the mission to provide an integrated approach towards the protection and promotion of human rights in Malaysia via its UndiMsia!¹ and strategic litigation² programmes.

2. Purpose

2.1 The purpose of the internship programme is to:

- (a) enhance an intern's educational and professional experience through practical work assignments;
- (b) expose them to the work of the MCCHR;
- (c) provide the MCCHR with the assistance of qualified students specialised in various professional fields; and
- (d) contribute to the training of potential human rights activists in Malaysia.

2.2 The purpose of this policy is to set out the guidelines for the organisation and interns in relation to the internship programme.

3. Eligibility requirements

- 3.1 Applicants must be either enrolled in an under-graduate programme in a higher-learning institution or a graduate from a higher-learning institution at the time of application and during the internship.
- 3.2 No particular study or degree is required but a keen interest and rudimentary knowledge of human rights is preferred.

4. Terms of the internship programme

4.1 Duration

The recommended duration of an internship is a minimum of two (2) months to a maximum of six (6) months, unless otherwise agreed.

The MCCHR will accept applications only for the following intake:

- (a) 1st intake - period between January to April of each year (the deadline for application is October of the year before the intake);
- (b) 2nd intake – period between May to August of each year (the deadline for application is February of the same year); and

¹ UndiMsia! is the first-of-its-kind civic education programme, aimed at strengthening the ownership, participation and representation of youth on their right to vote and civic responsibility. Its goal is for youth to develop critical thinking and solve issues affecting them through effective forms of activism.

² The MCCHR aims to bring about broader pro-human rights changes in society and within the law through strategic litigation on selected areas of human rights; freedom of expression and peaceful assembly, right to fair trial, equality and non-discrimination, freedom of religion and protection of human rights defender.

- (c) 3rd intake – period between September to December of each year (the deadline for application is June of the same year).

4.2 Working Days

The MCCHR observes a five (5) day-a-week working schedule from Monday to Friday. Saturdays and Sundays are considered non-working days. However, there are instances where interns are required to work on Saturdays and/or Sundays. If an intern is required to do so, he/she is entitled to compensatory time-off; compensatory time-off shall be agreed upon in advance with the intern's assigned supervisor.

4.3 Working hours

The working hours of the MCCHR shall be from 9.30a.m. to 5.30p.m. All interns are expected to complete eight (8) working hours daily. There will be a one (1) hour lunch-break.

4.4 Holidays and leave

Unless otherwise specified, the MCCHR will observe the same public holidays as those prescribed by the Government.

Interns are entitled to one (1) day leave per each successful completed month of their internship.

4.5 Visa and travel arrangements

All foreign interns shall make all necessary visa, travel, insurance and accommodation arrangements from their home countries before travelling to Malaysia.

4.6 Remuneration, expenses and medical benefits

The MCCHR does not provide interns with any remuneration or medical benefit.

As regards work-related expenses, an intern is entitled to make a claim for any reasonable out-of-pocket expenses incurred while executing his/her task(s) approved by his/her supervisor.

The intern is responsible for his/her own medical, personal accident and travel insurance.

4.7 Third-party claim

The MCCHR is not responsible for any claims by any parties where the loss of damage to their property, death or personal injury was caused by the actions and omission of action by any intern during his/her internship.

4.8 Termination of internship

- (a) Either party may terminate the internship prior to its expiry by giving seven (7) days written notice.
- (b) Either party may terminate the internship without notice due to health reason, for example, if the intern suffers any illness or injury that would deem him/her unfit for work. In this circumstance, the intern must provide the MCCHR with a valid medical certificate.
- (c) The MCCHR reserves the right to terminate the internship at any time if the intern has brought the MCCHR into disrepute, or undertake any activity that the MCCHR deems incompatible with the principles and values of the MCCHR, or found to have engaged in any of the prohibited conduct laid out in **Section 6.3**.

5. Status

- 5.1 Interns are not employees of the MCCHR and therefore cannot represent the MCCHR in any official capacity, unless authorised by his/her supervisor.
- 5.2 The intern's supervisor shall determine the type of meetings and activities they may be invited to participate in, as well as the conditions under which they may attend such meetings or undertake the activity.

6. Responsibility, rights and obligation

6.1 The MCCHR shall ensure:

- (a) interns are provided with proper orientation on the organisational structure, prohibited conduct and programmes of the MCCHR (**see Annex 1** for the orientation check-list);
- (b) interns are given assignment(s) that is related to his or her field of study, meaningful for both the MCCHR and the intern, and at the appropriate level of complexity and variety;
- (c) interns are given a terms of reference describing their tasks (**see Annex 2**);
- (d) interns are placed under the supervision of a staff assigned by the Chief Executive Officer;
- (e) interns are provided with the material, information and services necessary for the effective discharge of the internship. However, all interns are required to use their own laptops during the internship period;
- (f) an informal mid-term evaluation is carried out with the intern to allow both parties to share feedback and address issues before the end of the internship programme;
- (g) a written evaluation of the intern's performance is carried out at the end of the internship period and a debriefing meeting is organised with the intern to provide constructive feedback (**see Annex 3**); and
- (h) complaints by interns on prohibited conduct will be dealt with seriously, promptly and confidentially.

6.2 An intern shall:

- (a) treat the internship as a professional exercise. They shall observe all applicable rules, procedures, code of conduct, instructions and directives of the MCCHR;
- (b) refrain from any conduct that would adversely reflect on the MCCHR and abstain from engaging in activities incompatible with the aims, objectives and interests of the MCCHR;
- (c) respect the confidentiality agreement signed with the MCCHR, and in this regard, shall not divulge any information of a confidential nature they might come across;
- (d) provide the MCCHR with a copy of all materials prepared by them during the internship. The MCCHR shall be entitled to all property rights, including but not limited to patents, copyright and trademarks, with regard to material which bears a direct relation to, or is made in consequence of, the services provided under the internship. At the request of the MCCHR, an intern shall assist in securing such property rights and transferring them to the MCCHR in compliance with the requirements of the law of Malaysia;
- (e) maintain a weekly journal recording important and interesting events experienced by the interns during the internship period (**see Annex 4**);

- (f) prepare a hand-over note to their supervisors at the end of the internship period;
- (g) participate in the mid-term and end-of-internship evaluation by providing constructive feedback to the MCCHR (**see Annex 5**); and
- (h) have the right to complain about any prohibited conduct should it occur (**see Section 6.4**).

6.3 Prohibited conduct

(a) Using the MCCHR for political activities

The MCCHR is a non-partisan organisation; while interns' personal views and convictions, including their political and religious convictions, remain inviolable, interns shall ensure that those views and convictions do not adversely affect their official duties or interest of the MCCHR.

Interns may exercise their right to vote but shall not participate in activities of a political nature on work premises or during working hours. It is also prohibited to use the MCCHR's name, materials and properties for these purposes. Participation in any political activity must be consistent with, and shall not reflect adversely upon, the independence and impartiality of the MCCHR.

(b) Conflict of interest

To avoid putting themselves in a conflict of interest with the objectives and operations pursued by the MCCHR, interns shall respect the following guidelines:

- i. Interns are prohibited from using the MCCHR for illegal or unauthorised purposes;
- ii. Interns shall not be actively be associated with the management of, or hold financial interest in, any profit-making, business or other concern, if it were possible for the intern or the profit-making, business or other concern to benefit from such association or financial interest by reason of his or her position with the MCCHR.

(c) Discrimination, harassment and abuse of authority

Any form of discrimination or harassment, including sexual or gender harassment, as well as physical or verbal abuse at the workplace or in connection with work, and abuse of authority is prohibited.

- i. Discrimination is any unfair treatment or arbitrary distinction based on a person's race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.
- ii. Harassment is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which, create an intimidating, hostile or offensive work environment. Harassment normally implies a series of incidents. Disagreement on work performance or on other work related issues is normally not considered harassment and is not dealt with under the provisions of this policy but in the context of performance management.
- iii. Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between

persons of the opposite or same sex. Both males and females can be either the victims or the offenders.

- iv. Abuse of authority is the improper use of a position of influence, power or authority against another person. This is particularly serious when a person uses his or her influence, power or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment which includes, but is not limited to, the use of intimidation, threats, blackmail or coercion. Discrimination and harassment, including sexual harassment, are particularly serious when accompanied by abuse of authority.
- (d) Interns shall not threaten, intimidate or otherwise engage in conduct intended, directly or indirectly, to interfere with the ability of other volunteers, interns or employees to discharge their official functions.
- (e) Interns shall not intentionally misrepresent their functions, official title or the nature of their duties to any entities or persons.
- (f) Interns shall not intentionally alter, destroy, falsify or misplace or render useless any official document, record or file entrusted to them by virtue of their functions, which document, record or file is intended to be kept as part of the records of the MCCHR.
- (g) Interns shall not offer nor promise any favour, gift, remuneration or any other personal benefit to any third party with a view to causing him or her to perform, fail to perform or delay the performance of any official act. Similarly, interns shall neither seek nor accept any favour, gift, remuneration or any other personal benefit from any third party in exchange for performing, failing to perform or delaying the performance of any official act.

6.4 Corrective measures for prohibited conduct

Interns who believe they are victims of prohibited conduct are encouraged to deal with the problem as early as possible after it has occurred. The aggrieved intern may opt for an informal or a formal process, as explained below. Regardless of the choice made, the aggrieved intern is encouraged to keep a written record of events, noting dates, places, a description of what happened and the names of any witnesses and of anyone who may have information concerning the incident or situation at issue.

All reports and allegations of prohibited conduct shall be handled with sensitivity in order to protect the privacy of the intern concerned and ensure confidentiality to the maximum extent possible.

Supervisors and/or the Chief Executive Officer have the duty to take prompt and concrete action in response to reports and allegations of prohibited conduct. Failure to take action may be considered a breach of duty and result in administrative action and/or the institution of disciplinary proceedings.

(a) Informal resolution

In many cases, the situation can be resolved informally. An informal approach offers the opportunity to resolve a complaint or grievance in a non-threatening and non-contentious manner. Aggrieved individuals are encouraged to notify the offender of their complaint or grievance and ask him or her to stop as, in some instances, the alleged offender may not be aware that his or her behaviour is offensive. However, disparity in power or status or other considerations may make direct confrontation difficult, and aggrieved individuals are not required to confront the offender.

Aggrieved interns may ask for assistance from a third party in seeking informal resolution. Depending on the situation and on their level of comfort with one official rather than another, they may seek the

assistance of the Chief Executive Officer, Co-Founders of MCCHR or any one of the Directors of the MCCHR.

The official from whom assistance has been requested may, with the consent of the aggrieved individual, meet informally with the alleged offender to apprise him or her of the situation and discuss the manner in which it might be resolved to the satisfaction of all concerned.

All involved in the informal resolution process must recognise the need to treat the situation with sensitivity and confidentiality to the greatest extent possible.

Regardless of the outcome, the officials listed above shall provide continuing support to the aggrieved party at every stage of the process, in consultation with the appropriate officials, taking into account the positive or negative consequences of the proposed course of action. An unsuccessful attempt to resolve the matter informally does not preclude it from being pursued formally under the following provisions.

(b) Formal procedures

In circumstances where informal resolution is not desired or appropriate, or has been unsuccessful, the aggrieved intern may submit a written complaint to the Chief Executive Officer, Co-Founders of MCCHR or any one of the Directors of the MCCHR. Formal resolution may also be initiated by the submission of a report of prohibited conduct from a third party who has direct knowledge of the situation to one of the officials listed above (the “responsible official”).

The complaint or report should describe the alleged incident(s) of prohibited conduct in detail and any additional evidence and information relevant to the matter should be submitted. The complaint or report should include:

- The name of the alleged offender;
- Date(s) and location(s) of incident(s);
- Description of incident(s);
- Names of witnesses, if any;
- Names of persons who are aware of incident(s), if any;
- Any other relevant information, including documentary evidence if available; and
- Date of submission and signature of the aggrieved individual or third party making the report.

Upon receipt of a formal complaint or report, the responsible official will promptly review the complaint or report to assess whether it appears to have been made in good faith and whether there are sufficient grounds to warrant a formal fact-finding investigation. If that is the case, the responsible office shall promptly appoint a panel of at least three (3) individuals concerned who have been trained in investigating allegations of prohibited conduct.

At the beginning of the fact-finding investigation, the panel shall inform the alleged offender of the nature of the allegation(s) against him or her. In order to preserve the integrity of the process, information that may undermine the conduct of the fact-finding investigation or result in intimidation or retaliation shall not be disclosed to the alleged offender at that point. This may include the names of witnesses or particular details of incidents.

The fact-finding investigation shall include interviews with the aggrieved individual, the alleged offender and any other individuals who may have relevant information about the conduct alleged.

The officials appointed to conduct the fact-finding investigation shall prepare a detailed report, giving a full account of the facts that they have ascertained in the process and attaching documentary evidence, such as written statements by witnesses or any other documents or records relevant to the alleged prohibited conduct. This report shall be submitted to the responsible official normally no later than three (3) months from the date of submission of the formal complaint or report.

Upon receipt of the fact-finding investigation report, the responsible official shall refer matter to the Board of Directors of Liberal Banter Sdn. Bhd. with regard to any decision to be taken against the alleged offender

and/or the person who made the complaint or report, as the case may be. The Board of Directors shall take one of the following courses of action:

- If the report indicates that no prohibited conduct took place, the Board of Directors will close the case and so inform the alleged offender and the aggrieved individual, giving a summary of the findings and conclusions of the investigation;
- If the report indicates that there was a factual basis for the allegations but that, while not sufficient to justify the institution of disciplinary proceedings, the facts would warrant managerial action, the Board of Directors shall decide on the type of managerial action to be taken, inform the staff member concerned, and make arrangements for the implementation of any follow-up measures that may be necessary. Managerial action may include mandatory training, reprimand, a change of functions or responsibilities, counselling or other appropriate corrective measures. The responsible official shall inform the aggrieved individual of the outcome of the investigation and of the action taken;
- If the report indicates that the allegations were well-founded and that the conduct in question amounts to possible misconduct, the Board of Directors may recommend suspension during disciplinary proceedings, depending on the nature and gravity of the conduct in question;
- Should the report indicate that the allegations of prohibited conduct were unfounded and based on malicious intent, the Board of Directors shall decide whether disciplinary or other appropriate action should be initiated against the person who made the complaint or report.

6.5 The conditions regulating the internship shall be set out in an internship agreement (**see Annex 6**).

7. Application procedure

7.1 A person interested in applying for the MCCHR internship programme shall make their application to sehlih@loyarburok.com by submitting the following documents:

- (a) a motivation letter stating the objectives and goals of the application, and indicating the area of interest of the applicant;
- (b) a curriculum vitae; and
- (c) names and contact details of two (2) referees.

7.2 The selection criteria are based on:

- (a) the applicant's qualifications and area of interest;
- (b) the resources available at the MCCHR to accommodate an intern. This includes office space and staff member to provide supervision;
- (c) the need for the intern during the internship period. This will be determined by the workload of the MCCHR, the subject matter the intern proposes to work on and the priorities of the MCCHR at the time of application; and
- (d) the maximum number of interns per intake is two (2) persons, unless the workload of the MCCHR requires more interns.

ANNEX 1 – INTERN ORIENTATION CHECK-LIST

<input type="checkbox"/>	<p>Review company and programmes:</p> <ul style="list-style-type: none"><input type="checkbox"/> Mission<input type="checkbox"/> Organisational structure<input type="checkbox"/> Core values<input type="checkbox"/> Prohibited conduct<input type="checkbox"/> Programmes and projects
<input type="checkbox"/>	<p>Explain the administrative aspects:</p> <ul style="list-style-type: none"><input type="checkbox"/> Working and lunch hours<input type="checkbox"/> Compensatory time-off<input type="checkbox"/> Submission of monthly time sheet<input type="checkbox"/> Submission of leave application<input type="checkbox"/> Dress code/office attire<input type="checkbox"/> Stationery requisition<input type="checkbox"/> Usage of equipment; fax and photocopy machine, scan, internet router, etc.<input type="checkbox"/> Submission of claims for approved out-of-pocket expenses<input type="checkbox"/> Submission of the Human Resource Information System (HRIS) form<input type="checkbox"/> Work station<input type="checkbox"/> Disposal of garbage<input type="checkbox"/> Conservation of energy<input type="checkbox"/> Keys

<input type="checkbox"/>	<p>Review the internship</p> <ul style="list-style-type: none"> <input type="checkbox"/> Setting expectations and goals for the intern and MCCHR (see Annex 7) <input type="checkbox"/> Terms of Reference, including mandatory assignments (see Annex 2) <input type="checkbox"/> Assignment of supervisor <input type="checkbox"/> Weekly journal (see Annex 4) <input type="checkbox"/> Mid-term and end-of-internship evaluation (see Annex 3 and Annex 5) <input type="checkbox"/> Internship agreement (see Annex 6)
<input type="checkbox"/>	<p>Explain the work process</p> <ul style="list-style-type: none"> <input type="checkbox"/> Job authority and responsibility <input type="checkbox"/> Project document <input type="checkbox"/> Monthly meetings <input type="checkbox"/> Open door policy <input type="checkbox"/> Two-way communication <input type="checkbox"/> Participation in external meetings and functions <input type="checkbox"/> Communication policy, including the use of company's social media channels <input type="checkbox"/> Usage of the resource centre
<input type="checkbox"/>	<p>Orient the intern to the work space</p> <ul style="list-style-type: none"> <input type="checkbox"/> Give a tour <input type="checkbox"/> Introduce the intern to all staff

ANNEX 2 – SAMPLE OF TERMS OF REFERENCE

TERMS OF REFERENCE Internship

Duration: *[insert number of months for the internship period]* months (starting between *[insert the start of the month]* and *[insert the end of the month]* 2014) at the Malaysian Centre for Constitutionalism and Human Rights.

Background

The Malaysian Centre for Constitutionalism and Human Rights (MCCHR) was established in 19 March 2011 with the mission to provide an integrated approach towards the protection and promotion of human rights in Malaysia via its UndiMsia! and strategic litigation programmes.

The MCCHR internship programme seeks to achieve the following objectives:

- (e) enhance an intern's educational and professional experience through practical work assignments;
- (f) expose them to the work of the MCCHR;
- (g) provide the MCCHR with the assistance of qualified students specialised in various professional fields; and
- (h) contribute to the training of potential human rights workers or activists in Malaysia.

Duties and responsibilities

Under the guidance and supervision of the *[insert the position of the assigned supervisor]*, the intern will support the implementation of the *[insert the name of the assigned project]*. Depending on the competencies and interests of the intern, assignments shall include the following:

[Insert the list of tasks and activities to be carried out by the intern during the internship period. See examples below.]

- Attend the court hearing(s) of the selected strategic litigation cases undertaken by the MCCHR, tweet the proceedings by using the appropriate twitter account and write an analytical report/article about the case;
- Monitor press coverage of the selected strategic litigation cases undertaken by the MCCHR, maintain an updated archive of the press report/article and upload the report/article onto the LoyarBurok blog in a timely manner;
- Participate in external meetings authorised by the intern's supervisor, take minutes and provide a summary of the meetings to the supervisor;
- Maintain a weekly journal/diary, highlighting valuable lessons learned;
- Assist in the organisation and implementation of events organised by the MCCHR; and
- Perform other duties as required.

Eligibility requirements

- Education:
 - current enrolment in an undergraduate degree or equivalent at a higher learning institution, or
 - a graduate from a higher learning institution.

- Field of study:
 - there is no specific requirement but those studying law, politics, sustainable development, human rights, gender studies, or any other social science-related courses may have an advantage.
- Language skill:
 - written and spoken proficiency in English; and/or
 - written and spoken proficiency in Bahasa Malaysia.
- General criteria:
 - conscientious in meeting commitments, observing deadlines and achieving results;
 - ability to multi-task and apply practical problem-solving skills as needed;
 - good oral and written communications skills; and
 - proficient knowledge of Microsoft Office Suite.

General terms and conditions

- Cost: Interns are not paid. All costs related to accommodation, and living expenses must be bore by either the interns or their sponsoring institutions;
- Visa: You will be responsible for obtaining and financing the necessary visas;
- Travel: You will arrange and finance your travel to your work station;
- Medical insurance: You will be responsible for costs arising from accidents and/or illness incurred during an internship.
- Confidentiality: You have to be discreet and keep confidential any and all unpublished information obtained during the course of the internship and do not publish any reports or papers based on such information.

ANNEX 3 -END-OF-INTERNSHIP EVALUATION FORM TO BE FILLED BY THE MCCHR

EVALUATION OF INTERN

Name of intern : _____
 Period of internship : _____

4	Outstanding	Consistently demonstrates this ability; exceeds expectations
3	Fully competent	Successfully demonstrates this ability; meets expectations
2	Requires development	Partially demonstrates this ability; partially meets expectations
1	Unsatisfactory	Never demonstrates this ability; does not meet expectations

If any criteria are not applicable to this internship experience, please leave the response blank.

A. Reading and writing skills

1. Reads and comprehends written materials	1	2	3	4
2. Communicates ideas and concepts clearly in writing	1	2	3	4

B. Listening and oral communication skills

1. Listens to others in an active and attentive manner	1	2	3	4
2. Effectively participates in meetings or group settings	1	2	3	4
3. Demonstrate effective oral communication skills	1	2	3	4

C. Inter-personal and teamwork skills

1. Manages and resolves conflict in an effective manner	1	2	3	4
2. Supports and contributes to a team atmosphere	1	2	3	4
3. Demonstrates assertive but appropriate behaviour	1	2	3	4

D. Basic work habits

1. Reports to work and meetings on-time	1	2	3	4
2. Works within decision-making channels	1	2	3	4
3. Exhibits a positive and constructive attitude	1	2	3	4

E. Character attributes

1. Brings sense of values and integrity to the workplace	1	2	3	4
2. Able to keep an open mind when presented with new concepts or ideas	1	2	3	4
3. Respects diversity (religious/cultural/ethnic) of co-workers	1	2	3	4

F. Additional comments:

G. Overall performance:

1. Outstanding	<input type="checkbox"/>
2. Fully competent	<input type="checkbox"/>
3. Requires development	<input type="checkbox"/>
4. Unsatisfactory	<input type="checkbox"/>

This evaluation was reviewed with the intern on _____

Supervisor's name : _____ Signature : _____

Supervisor's position : _____ Date : _____