



**Hengyi Industries Sdn Bhd**  
**恒逸实业（文莱）有限公司**

HYBN-T3-02-0002-2021-3

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## **Manpower Allocation Management**

## **人力资源配置管理规定**

Issued in Apr. 2021

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## Version Information 版本信息

### 1 Version 1 第一版

Version 1 was released on 31st December, 2018.

第一版发布时间为 2018 年 12 月 31 日。

### 2 Version 2 第二版

Version 2 was released on 1 st January, 2020.

第二版发布时间为 2020 年 01 月 01 日。

### 3 Version 3 第三版

3.1 Version 3 was released on 23th April, 2021. Version 3 revised the following contents in Version 2 and updated the corresponding numbers.

第三版发布时间为 2021 年 04 月 23 日，第三版较第二版主要修改如下内容，并更新相应序号。

#### 3.1.1 Revise Contents 修订内容

3.1.1.1 Clause 5.2.2.4 revised to "Male applicants must not be over 50 years old, and female applicants must not be over 45 years old. The age restriction may be loosened for PhD holder applicant and applicant with a senior professional title or with a senior technician qualification."

5.2.2.4 修订为“年龄限制是男士不得超过 50 周岁，女士不得超过 45 岁，对确因工作需要引进的博士、具有高级以上职称或高级技师以上职业资格的人员，年龄可适当放宽。”

3.1.1.2 Clause 5.5.2.1 revised to " In order to improve work efficiency and effectively utilize and develop the potential of employees, the company may adjust positions and ranks according to their performance, work attitude, and ability. Post adjustment may be conducted through post competition or organization's allocation. "

5.5.2.1 修订为“为提高工作效率，有效利用和发挥员工潜质，公司可视员工的业绩表现、工作态度、工作能力等进行岗位、职级的升降调整。岗位调整可采取岗位竞聘或组织调配等方式。”

#### 3.1.2 Create New Contents 新增内容

3.1.2.1 Clause 5.6.3.2 added " The company has the right to terminate the labor contract: If the employee, after the first unpaid leave, within 12months, accumulated more than 1-month natural calendar days unpaid leave. If female employee needs to be extended due to special reasons such as pregnancy and childbirth, it shall not exceed three months with company's approval" content.

5.6.3.2 条款新增“员工自首次事假之后 12 个月内，累计事假自然日历天数超过 1 个月的，公司有权与其解除劳动合同，女员工因怀孕生产等特殊原因需要延长的，经公司批准后最长不得超过 3 个月”内容。

3.1.2.2 Clause 5.6.3.3 added "If an employee who has retired early and who is an inactive employee have reached their legal retirement age, in principle, the contract is terminated. If a special post needs to be renewed due to actual work needs or other reasons, the department shall submit application for company's approval " content.

5.6.3.3 条款新增“公司聘用内退、停岗留薪、提前退休等人员，原则上到其法定退休年龄合同终止，特殊岗位因实际工作需要等原因需要续签的，由部门提出申请，公司审批”内容。

 HENGYI	Hengyi Industries Sdn Bhd 恒逸实业（文莱）有限公司				
	Human Resource Allocation Management 人力资源配置管理规定				
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## 1 Purpose

### 目的

The Regulations are hereby formulated to strengthen the human resource management of the Company, establish a good mechanism of selection and employment, give full play to the enthusiasm and initiative of employees, and standardize the labor contract management.

为加强公司人力资源管理，建立良好的选人用人机制，充分发挥员工的积极性和主动性，规范劳动合同管理，特制定本规定。

## 2 Scope of Application

### 适用范围

The Regulations are applicable to all departments and employees of the Company.

本规定适用于公司各部门及全体员工。

## 3 Terms and Definitions

### 术语和定义

N/A.

无。

## 4 Management Responsibilities

### 管理职责

#### 4.1 Primary Management Department

##### 归口管理部门

The HR Dept. is the Primary Management Department of *Human Resource Allocation Management* and it is responsible for preparation of the human resource demand plan, organization of recruitment, management of new entrants, optimized allocation of human resource, termination of labor contract, and management of personnel archives.

人力资源部是《人力资源配置管理规定》的归口管理部门，负责编制人力资源需求计划，负责组织招聘录用、新入职人员管理、人力资源优化配置、解除或终止劳动合同、人事档案等管理活动。

## 4.2 Collaborative management departments

### 协同管理部门

All functional departments shall be responsible for implementation of the Regulations and relevant work for assisting the HR Dept..

各职能部门负责执行本规定，协助人力资源部做好本部门相关工作。

## 4.3 Executive departments

### 执行部门

All departments shall be responsible for implementation of the Regulations and daily work of human resource management.

各部门负责执行本规定，做好本部门人力资源管理的日常工作。

## 5 Management Content

### 管理内容

### 5.1 Manpower Request and allocation

#### 人力资源需求

5.1.1 The HR Dept. shall ask for the human resource demand of each department at the end of the year according to the needs of production and operation as well as human resource stock structure and employee turnover condition of the Company, organize to prepare the human resource demand plan, and implement the plan after discussion approval by the board of directors.

人力资源部根据生产经营建设需要，每年末向各部门征询用人需求，根据公司人力资源存量结构和人员流动变化情况，组织编制人力资源需求计划，经董事会讨论通过后实施。

5.1.2 The HR Dept. shall organize to recruit new employees irregularly as per the human resource demand plan and actual employee turnover condition of the Company.

人力资源部根据公司人力资源需求计划和实际人员变动情况，不定期组织招收录用新员工。

5.1.3 All departments shall allocate post holders meeting the job requirements such as education background, experience and business skills specified in the *Job Description*. In case of job qualification requirements for the post holders in relevant laws and regulations, the post holders shall have the corresponding qualifications.

各部门应按照《岗位说明书》规定的学历、经历业务技能等任职要求配备岗位人员，其中法律法规对任职人员有职（执）业资格资质要求的，配备人员应需具备相应的资质。

5.1.4 In case of job vacancy in the Company, priority is given to allocating the post holder through internal recruitment (competition). When there is no suitable candidate in the Company, external recruitment may be conducted.

当公司内部出现岗位空缺时，优先考虑通过内部招（竞）聘方式配置岗位人员，内部无合适人选时，再通过外部招聘配置。

5.1.5 Based on the development need of production and operation of the Company, the increase of total number of labors required shall be reported to the board of directors for approval.

根据公司生产经营发展需要，需增加用工总量的，报董事会审批后实施。

## 5.2 Employee recruitment and employment

### 员工招聘录用

#### 5.2.1 Recruitment Target

招聘对象：

5.2.1.1 Based on the need of production and operation, senior and middle-level management personnel, technical and skilled talents to be introduced.

因生产经营需要，需引进的中高级管理、技术和技能人才。

5.2.1.2 Graduating students from relevant majors of full-time colleges and universities and graduates from local vocational-technical schools of Brunei.

全日制对口专业高等院校统招的应届毕业生、文莱当地职业技术学校毕业生。

#### 5.2.2 Basic Requirement of Applicants

应聘人员应具备的基本条件

5.2.2.1 Observe laws and disciplines and be moral. Non-Bruneian applicants shall accept overseas work, pass the physical examination as per the requirement of Entry and Exit Administration Bureau of Brunei and meet the visa processing conditions. Operators shall adapt to the shift work.

遵纪守法，品行端正，非文莱籍应聘人员应当能接受海外工作，按文莱出入境要求体检合格，且符合签证办理条件，操作人员能适应倒班工作。

5.2.2.2 Have good teamwork interpersonal communication abilities.

具备良好的团队协作、人际沟通能力。

5.2.2.3 Graduating students must obtain the corresponding graduation certificate and diploma (bachelor degree or higher).

应届毕业生须取得相应的毕业证书和学位证书（本科及以上）。

5.2.2.4 Male applicants must not be over 50 years old, and female applicants must not be over 45 years old. The age restriction may be loosened for PhD holder applicant and applicant with a senior professional title or with a senior technician qualification.

年龄限制是男士不得超过 50 周岁，女士不得超过 45 岁，对确因工作需要引进的博士、具有高级以上职称或高级技师以上职业资格的人员，年龄可适当放宽。



### 5.2.3 Recruitment Channels

#### 招聘渠道

The Company recruits new employees mainly through campus recruitment, online recruitment, job fairs on talent markets, headhunting companies. The HR Dept. shall be responsible for establishment and maintenance of the recruitment channels.

公司主要通过校园招聘、网络招聘、人才市场招聘会、猎头公司等渠道招聘新员工，人力资源部负责招聘渠道的建立和维护。

### 5.2.4 Recruitment Procedures

#### 招聘程序

#### 5.2.4.1 Preliminary Screening

##### 初步筛选

(1) Release of recruitment information: The HR Dept. shall release relevant recruitment information based on job vacancy, including company profile, posts and number of vacancies, job requirements, job responsibilities and contact information.

发布招聘信息：人力资源部根据岗位空缺情况发布相关招聘信息，包含公司简介、招聘岗位及人数、任职要求、工作职责、联系方式等内容。

(2) Preliminary screening of resumes: Applicants shall fill in the *Application Registration Form* and provide application materials such as academic certificate, diploma, ID card, professional title or skill level certificate, and qualification certificate.

简历初筛：应聘人员如实填写《应聘登记表》，并提供学历学位证书、身份证、职称或技能等级证书、职（执）业资格证书等应聘材料。

(3) The HR Dept. shall review and preliminarily screen the resumes and related certificates of applicants. For social recruitment, the application materials of personnel passing the preliminary screening shall be submitted to the employment department for initial communication.

人力资源部负责对应聘人员的简历及相关证件材料进行甄别、审查和初步筛选，属社会招聘的，将初选合格人员的应聘材料提交给用人部门初步沟通。

#### 5.2.4.2 Written test

##### 笔试

(1) The HR Dept. shall organize tests on professional knowledge and skills of applicants.

人力资源部负责组织对应聘人员进行专业知识和技能等的测试。

(2) The HR Dept. shall test the comprehensive quality, value orientation, personality trait and occupational orientation of applicants.

人力资源部负责对应聘人员进行综合素质、价值取向、个性品质以及职业性向等的测试。

(3) If there are many applicants, applicants who scored best in their test may proceed to the

next stage for interview.

应聘候选人较多时，可依据测试成绩从高到低确定进入面试的候选人。

5.2.4.3 The HR Dept. shall organize the interview team to conduct interview. The interview for main operators and junior staff of the skill operation sequence shall be organized by each department; the interview for deputy team leader and senior staff shall be organized by the HR Dept. and the respective department to participate in the interview; the interview for the professional skill and operation management sequence shall be organized by the HR Dept. and the respective department to participate in the interview; for the interview of engineers and senior staff, the deputy general manager (deputy chief engineer) must participate; and for the interview for deputy department heads and senior staff, CEO must participate. After the interview, the interviewer shall complete the *Interview Assessment Form* and write down interview comments.

面试由人力资源部组织面试小组进行面试。技能操作序列主操及以下人员由各部门自行组织面试，副班长及以上人员由人力资源部组织面试，用人部门参加；专业技术、经营管理序列由人力资源部组织面试，用人部门参加，其中工程师及以上人员须由副总（副总工）参与面试，副部长以上人员须由 CEO 参与面试。面试结束后面试人员填写《面试考核表》，提出面试意见。

5.2.4.4 Approval: The HR Dept. shall summarize relevant materials of the interviewers, confirm personnel to be employed, and report to CEO for approval.

审批：人力资源部汇总面试人员相关材料，确定拟录用人员，报 CEO 审批。

5.2.4.5 Physical examination: The applicants shall go to the corresponding physical examination organization for physical examination as per requirements of the Company and the HR Dept. shall review the physical examination results.

体检：应聘人员按照公司规定的要求到对应体检机构进行体检，人力资源部审核体检结果。

5.2.4.6 Employment: The HR Dept. shall send a formal letter of employment to the applicants through mails. If the new employees are graduating students, an invitation letter will be sent, and an employment agreement will be signed. At the same time, the liquidated damages (RMB 2,000 yuan for junior college students and RMB 3,000 yuan for graduates with bachelor's degree or above) shall be stipulated.

录用：人力资源部邮件发送正式录用函，录用人员为应届生的，发送邀请函，并签订就业协议，同时约定违约金（大专生人民币 2000 元，本科及以上学历毕业生人民币 3000 元）。

5.2.4.7 Background investigation: The HR Dept. shall conduct background investigation for key post holders.

背调：人力资源部对关键岗位人员进行背调。

### 5.3 Employees Induction Management

#### 新入职人员管理

##### 5.3.1 Induction procedure and requirements

###### 入职手续

5.3.1.1 New employees shall bring along with the following materials to the HR Dept. for handling entry procedures.

新入职人员携带以下材料至人力资源部办理入职

(1) Original and copy of ID card;

身份证明原件及复印件;

(2) Four one-inch recent bareheaded photos and electronic photo (picture format, smaller than 120k);

四张一寸近期免冠照片、电子照片 (图片格式, 小于 120k);

(3) Original and copy of graduation certificate/diploma;

毕业证 / 学位证书原件及复印件;

(4) Original and copy of other professional qualification certificates (such as English certificate, vocational qualification certificate, technical title certificate and registered qualification certificate);

其他专业资质证书/证明原件及复印件 (如英语、职业资格、专业技术资格、执业资格证书等);

(5) Physical examination report of assigned hospital (organization with the exit and entry physical examination qualification);

指定医院体检报告 (具备出入境健康体检资质的机构出具);

(6) Certificate of contract termination of the former employer (for non-graduating students);

原单位解除合同证明(非应届生);

(7) Salary certificate or individual tax clearance certificate of the former company (for non-graduating students);

原公司薪资证明或个人完税证明 (非应届生);

(8) Passport (please apply for the passport in advance);

出国护照 (请提前办理);

(9) Other specified documents.

其他指定文件。

5.3.1.2 The HR Dept. shall review materials of the new employees and copy and file these materials. In case of any falsification, it shall be handled based on the severity until the labor contract is terminated.

人力资源部负责对新入职人员资料进行审核, 并复印整理归档。如发现有弄虚作假行为的, 视情节严重予以处理, 直至解除劳动合同等劳动关系。

5.3.1.3 See *Induction Guidance* for detailed procedures.

入职手续具体见《入职指引》。

## 5.3.2 Induction training and procedures

### 入职培训

5.3.2.1 The induction training of new employees (including trainees signing an employment



agreement with the Company) shall be arranged by the HR Dept.; the training time shall be 3-5 workdays; and the training shall be completed within one week from the day when the new employees report for duty.

新员工（含与公司签订就业协议的实习生）入职培训由人力资源部负责安排，培训时间 3-5 个工作日，在新员工报到之日起一周内完成。

5.3.2.2 Contents of the induction training shall include company profile, enterprise culture, management system, job responsibilities and three-level safety training.

入职培训的内容应包括：公司概况、企业文化、管理制度、岗位职责、三级安全培训等。

5.3.2.3 After the induction training, new employees are distributed to the respective department.

入职培训结束后，人员分配至所属部门。

### 5.3.3 Probation period

#### 试用期

5.3.3.1 While the new employees sign the labor contract/labor agreement for the first time, the agreed probation period shall be six months.

新员工首次签订劳动合同/劳务协议时，约定试用期为 6 个月。

5.3.3.2 During the probation period, the respective department shall track the working competence and performance of the new employees and then record and give feedback timely. 员工试用期间，用人部门应跟踪其工作能力、表现并及时记录、反馈。

5.3.3.3 Two weeks before the probation period expires, the HR Dept. shall issue the *Assessment Form of Probation Period for Employees* to the respective department for assessment and propose assessment comments as per the background investigation and report to the Company for approval. If the assessment fails, the labor relation will be severed.

员工试用期满前 2 周，人力资源部发给《员工试用期满考核表》，由所在部门考核，人力资源部结合背调等情况提出考核意见，报公司审批，考核不合格的，将解除劳动/劳务关系。

### 5.4 Employee secondment

#### 员工借调

5.4.1 Employee secondment refers to due to work reasons, the employees of Hengyi Industries are seconded (loaned) to the shareholders, headquarters or other units to perform the designated work, or the employees of shareholders, headquarters or other units are seconded (borrowed) to Hengyi Industries to perform the designated work. 因工作需要暂时将恒逸实业员工借调（借出）到股东、总部或其他单位执行指定工作的行为，或将股东、总部或其他单位人员借调（借入）到恒逸实业公司执行指定工作的行为。

#### 5.4.2 Procedures for Secondment 借调程序

##### 5.4.2.1 Approval 批准

The human resources department must negotiate the terms of the agreement with the lending or borrowing organization (shareholders, headquarters or other units) to prepare a secondment agreement, which should include compensation and benefits, insurance, annual leave, travel, secondment period, termination clause, etc., seconded to staff services. Subject to the terms and conditions set forth in the Agreement. 人力资源部门必须与借出或借入组织（股东、总部或其他单位）协商协议条款，拟订借调协议书，协议内容应包括薪酬福利、保险、年假、出差、借调期限、终止条款等，借调员工服务仅受协议书中规定的条款和条件约束。

#### 5.4.2.2 Agreement review and signature 协议审查和签字

Prior to signing, the agreement must be reviewed by the company's legal counsel and approved by the CEO. The two units will take effect after signing and stamping.

在签署之前，协议必须由公司的法律顾问审查并由首席执行官批准，双方单位签字盖章后方能生效。

#### 5.4.2.3 Daily management of seconded personnel 借调人员的日常管理

(1) The seconded personnel perform the corresponding job functions according to the duties of the seconded company, and are supervised and managed by the respective unit. 借调人员按照借入公司岗位职责履行相应的工作职能，并由借入单位直级上级来监督管理。

(2) The seconded personnel shall abide by the rules and regulations of the seconded company, obey the management, conscientiously complete the tasks, and do a good job of confidentiality, integrity and self-discipline.

借调人员应遵守借入公司的规章制度和规定，服从管理，认真完成工作任务，并做好保密工作、廉洁自律。

(3) The daily assessment of the seconded personnel is carried out by the respective unit. The assessment results are executed according to the relevant assessment system of the seconded company, and the assessment results are promptly fed back to the original unit. 借调人员的日常考核工作由所借入单位进行，考核结果根据借入公司相关考核制度执行，同时考核结果及时反馈至原单位。

(4) After the secondment is over, the respective unit will make a comprehensive assessment of the actual situation of the worksheet during the secondment period, issue an evaluation report, and feedback the evaluation report to the original unit.

借调人员借调期满后，借入单位将其借调期间的工作表现实事求是做出全面评估，出具评估报告，并将评估报告反馈至原单位。

#### 5.4.3 Termination 终止

Under reasonable circumstances, if a seconded person commits a disciplinary infraction or because a person is unable to perform his duties, he or she must be assessed according to the relevant system of the borrowing unit. If the assessment result is unsatisfactory, the seconded employee may be returned or terminated according to the secondment agreement. Hengyi Industries will negotiate with the publishing organization to determine appropriate follow-up actions. These provisions should be determined in the agreement.

在合理的情况下，如借调人员发生违纪行为或因个人原因不能履行岗位职责时，需按照借入单位

的相关制度进行考核，情节严重的可将借调员工退回或终止借调协议。恒逸实业将与发布组织协商，以决定适当的后续行动。这些规定应在协议书中确定。

## 5.5 Optimization of Manpower Allocation

### 优化配置

#### 5.5.1 Internal Recruitment

##### 内部招聘（岗位竞聘）

5.5.1.1 In case of job vacancy in the Company, the respective department shall put forward the recruitment need, the HR Dept. and company leader shall approve the need, and priority is given to allocating the post holder through internal recruitment or post competition.

当公司内部出现岗位空缺，用人部门提出需求时，经人力资源部和公司领导审批，优先考虑通过内部招聘或岗位竞聘方式配置。

5.5.1.2 While the HR Dept. organizes internal recruitment or post competition, it shall set up a recruitment (competition) assessment team and issue a recruitment (competition) method.

人力资源部组织内部招聘或岗位竞聘时，应当成立招（竞）聘考评小组，并发布招（竞）聘办法，组织开展招（竞）聘工作。

5.5.1.3 Information release. The HR Dept. shall draft the notice of internal recruitment or post competition, specify the recruitment (competition) method, object and post as well as main responsibilities, job requirements and occupational contraindications, and issue the information on the intranet of the Company.

发布信息。人力资源部负责起草内部招聘或岗位竞聘通知，明确招（竞）聘办法、对象、岗位以及主要职责、任职要求、职业禁忌等内容，并在公司内网上发布。

5.5.1.4 Signing up. The applicants shall sign up at the HR Dept. within the specified time and the assessment team shall exam the qualification of applicants.

报名。应聘人员在指定时间内到人力资源部报名，考评小组负责对应聘人员进行资格审查。

5.5.1.5 Preliminary screening. As per the signing-up condition, the assessment team shall screen the applicants preliminarily as per the recruitment conditions.

初选。根据报名情况，考评小组根据应聘条件对人员进行初步筛选。

5.5.1.6 Written test. The assessment team shall rank the applicants as per the test score and confirm the personnel participating in the interview as per the number of vacancy.

笔试。由考评小组依据笔试成绩从高到低排名并结合招聘人数确定进入面试环节的人员。

5.5.1.7 Interview. The interview process shall be divided into two parts generally. The first part refers to that the candidate gives a speech and explains his/her competition reason and working assumptions. The second part is onsite response and the assessment team will ask questions at site.

面试。面试过程一般分为两部分，第一部分是候选人发表竞聘演讲，阐述竞聘理由和工作设想；第二部分为现场答辩，由考评小组进行现场提问。

5.5.1.8 Employment. The assessment team shall release the competition condition and confirm the employed personnel through comprehensive consideration. The HR Dept. shall give the approval of post adjustment.

录用。考评小组根据公开竞聘情况,综合考虑后确定录用人员。由人力资源部办理岗位调整审批。

5.5.1.9 If the post adjustment is within the same department, the respective department shall organize post competition and confirm the employed personnel.

竞聘对象为本部门员工的,由所在部门自行组织竞聘,确定录用人员。

## 5.5.2 Post Adjustment Approval Process

### 岗位调整审批

5.5.2.1 In order to improve work efficiency and effectively utilize and develop the potential of employees, the company may adjust positions and ranks according to their performance, work attitude, and ability. Post adjustment may be conducted through post competition or organization's allocation. Post adjustment may be conducted through post competition or organization's allocation.

为提高工作效率,有效利用和发挥员工潜质,公司可视员工的业绩表现、工作态度、工作能力等进行岗位、职级的升降调整。岗位调整可采取岗位竞聘或组织调配等方式。

5.5.2.2 For post adjustment within the department, the *Approval Form of Internal Post Adjustment* shall be filled in before 25<sup>th</sup> of each month, reviewed by the HR Dept., and reported to CEO for approval before 10<sup>th</sup> of the next month.

部门内部岗位调整的,每月 25 号前填写《内部岗位调整审批表》,由人力资源部审核后,于次月 10 号前报 CEO 审批。

5.5.2.3 For trans-department post adjustment, the *Approval Form of Trans-department Post Adjustment* shall be filled in before 25<sup>th</sup> of each month by the HR Dept., countersigned by relevant departments, and reported to CEO for approval before 10<sup>th</sup> of the next month. Thereafter, an adjustment notice is issued.

跨部门岗位调整的,每月 25 号前由人力资源部填写《跨部门岗位调整审批表》,经相关部门会签,于次月 10 号前报 CEO 审批后,下达调动通知。

5.5.2.4 The post adjustment shall be implemented within the month where the approval is completed.

所有调岗自审批完成当月执行。

## 5.5.3 Trans-department Secondment

### 跨部门借人审批

5.5.3.1 The department applying for secondment shall initiate the *Secondment Application Procedure* through OA, indicating the secondment reason and secondment period. After approval by the department applying for secondment, original department, HR Dept. and CEO,



the HR Dept. shall issue the secondment notice to the original department.

由借人单位 OA 发起《借人申请流程》，注明借用事由、借用期限，经借用部门、原部门、人力资源部、CEO 审批完成后，人力资源部向原部门下达借人通知。

5.5.3.2 The department applying for secondment shall check attendance of the personnel on secondment.

借人单位负责对借用人员进行考勤。

5.5.3.3 If the department applying for secondment asks for extension of the secondment period, it shall handle the extension procedure as per 5.4.3.1 two weeks before the secondment period expires.

借人单位如需续借的，应在借用期满前两周按 5.4.3.1 规定及时办理续借手续。

#### 5.5.4 Trans-company Secondment (within Hengyi Group)

跨公司调动（集团内）审批

The secondment process shall be initiated by Hengyi headquarters and it shall be approved by CEO of the borrowing company before reporting to the headquarters for record.

由调入公司 CEO 审批后报恒逸总部，由恒逸总部发起调动流程。

### 5.6 Employment Contract

劳动合同

#### 5.6.1 Employment Contract and Procedures

劳动合同的订立

5.6.1.1 The Company shall conclude a labor contract with the employee based on principles of legality, fairness, equity and free will, consensus and honesty and credibility. The labor contract concluded according to the law is legally binding.

公司与员工订立劳动合同，双方应遵循合法、公平、平等自愿、协商一致、诚实信用的原则。依法订立的劳动合同具有法律约束力。

5.6.1.2 The Company shall establish labor relation with the employee on and from the date of employment and both parties shall conclude a written labor contract within one month. If the employee refuses to conclude the written labor contract with the Company, the Company will terminate the labor relation with the employee through a written notice and handle relevant procedures.

公司自用工之日起即与员工建立劳动关系，双方在一个月内订立书面劳动合同。员工不与公司订立书面劳动合同的，公司将书面通知员工终止劳动关系并办理有关手续。

5.6.1.3 The person in charge of the Company or his/her authorized agent shall represent the Company to conclude a labor contract with the employee. The labor contract shall come into



force upon seal of the Company and signature or seal of both parties.

公司负责人或其授权的委托代理人代表公司与员工订立劳动合同。劳动合同书经公司盖章、双方签字或盖章后生效。

5.6.1.4 There shall be at least two copies of labor contract, one for the Company and the other for the employee.

劳动合同书不少于二份，公司和员工各执一份，由各自妥善保管。

5.6.1.5 The labor contract is divided into fixed-term labor contract, open-term labor contract and labor contract with a period to complete the prescribed work.

劳动合同分为固定期限劳动合同、无固定期限劳动合同和以完成一定工作任务为期限的劳动合同。

5.6.1.6 The term of a fixed-term labor contract shall be negotiated between the Company and the employee. Generally, the Company shall sign a labor contract with a term not less than 5 years with the employee for the first time.

固定期限劳动合同期限由公司与员工双方协商确定。公司首次与员工签订劳动合同期限一般不少于5年。

5.6.1.7 The Company may conclude an open-term labor contract with the employee through negotiation.

公司与员工协商一致，可以订立无固定期限劳动合同。

5.6.1.8 For the employee engaged in staged and temporary work, the Company shall conclude a labor contract with a period to complete the prescribed work. After completing the work, the labor contract will be terminated.

对从事阶段性、临时性工作的员工，公司与其订立以完成一定工作任务为期限的劳动合同，工作任务完成后劳动合同终止。

5.6.1.9 The labor contract shall include the company name, person in charge of the Company, employee reference number, name and address, labor contract term, post, labor remuneration, working time, rest and vacation, probation period, provident fund and social insurance, physical examination, contract dissolution, confidentiality, gift policy, compensation, information, and property return.

劳动合同内容包括：公司名称、负责人；员工编号、姓名和地址；劳动合同期限；工作岗位；劳动报酬；工作时间和休息休假；试用期；公积金及社会保险；体检；合同解除；保密；礼品政策；赔偿；信息；财产返还等其他事项。

5.6.1.10 Based on the actual condition, the Company may sign the following special agreements with the employee as an attachment to the labor contract, which have the same effect as the labor contract:

公司可视情况与员工签订下列专项协议作为劳动合同的附件，与劳动合同具有同等效力：

(1) Study and training agreement: The Company shall provide special training expense to train the employees and it shall sign the *Study and Training Agreement* with the employees under training. The agreement shall include the training period, training content, service period and liabilities for breach of contract. While the labor contract expires but the service period

agreed by both parties is unexpired, unless otherwise specified by both parties, the labor contract shall be renewed until the service period expires.

学习培训服务协议：公司提供专项培训费用对员工进行培训，公司与受训员工签订《学习培训服务协议》。协议内容包括培训期限、培训内容、服务期及违约责任等。劳动合同期满，双方约定的服务期尚未到期的，劳动合同应当续延至服务期满；双方另有约定的，从其约定。

(2) Confidentiality statement: The Company shall sign the *Confidentiality Statement* with the employee, clarifying the rights and obligations of both parties.

保密声明：公司与员工签订《保密声明表》，明确双方的权利和义务。

5.6.1.11 While the Company concludes a labor contract with the employee for the first time, the probation period of six months shall be specified.

公司与员工首次订立劳动合同时，约定 6 个月的试用期。

#### 5.6.2 Change and Renewal of Employees' Contract

劳动合同的履行、变更和续订

5.6.2.1 The Company and the employee shall fully perform their own obligations in accordance with the labor contract.

公司与员工按照劳动合同的约定全面履行各自的义务。

5.6.2.2 If the employee is detained or arrested for suspected crimes, the Company may temporarily suspend the performance of the labor contract during the period when the employee is restricted from personal freedom. In this period, the Company will not bear corresponding obligations specified in the labor contract.

员工涉嫌违法犯罪被拘留或逮捕，在员工被限制人身自由期间，公司可暂时停止劳动合同的履行。暂时停止履行劳动合同期间，公司不承担劳动合同规定的相应义务。

5.6.2.3 The Company and the employee may change the contents of the labor contract through negotiation.

公司与员工协商一致可以变更劳动合同约定的内容。

5.6.2.4 If the Company cannot perform the labor contract due to major changes to the objective conditions as the basis for conclusion of the labor contract, and the content of the labor contract shall be changed, the Company shall send the change notice to the employee and the employee shall give a written response within seven workdays upon receipt of the change notice.

公司因订立劳动合同时所依据的客观情况发生重大变化，致使劳动合同无法履行，要求变更劳动合同内容的，公司应将变更内容书面送达员工本人，员工在收到变更书后 7 个工作日内做出书面答复。

5.6.2.5 The labor contract may be changed by filling in the labor contract or signing a relevant supplementary agreement.

变更劳动合同内容采取填写劳动合同书相关内容或签订相关补充协议的方式。

5.6.2.6 The changed labor contract or signed agreement shall be received and kept as per.

变更后的劳动合同书或签订的相关协议，按本规定 5.6.1.4 的规定履行签收手续并妥善保管。

5.6.2.7 The Company shall conduct daily assessments of employee's performance of the labor contract as per the labor contract and relevant rules and regulations.

公司依据劳动合同和有关规章制度对员工履行劳动合同情况进行日常考核。

5.6.2.8 Upon expiration of the labor contract, the HR Dept. shall issue the *Labor Contract Renewal Opinion Form* in advance, and the employee shall submit the opinion on renewal. Upon approval by the relevant department and HR Dept., the contract shall be renewed or terminated.

劳动合同期满的，人力资源部提前发给《劳动合同续签意见表》，由员工本人提出是否续签意见，经所在部门、人力资源部等审批后，落实续签或终止合同。

### 5.6.3 Termination of Employees' Contract of Employment 劳动合同的解除和终止

5.6.3.1 During the probation period, both parties may terminate the labor contract upon the notice seven days in advance; after the probation period, for the employees of position level 3 and lower, the Company or employee may terminate the labor contract upon the notice 30 days in advance; for the employees of position level 4, 5 and 6, the Company or employee may terminate the labor contract upon the notice three months in advance; and for the employees of position level 7 and higher, the Company or employee may terminate the labor contract upon the notice six months in advance or economic compensation. However, in case of violation against the provision on service period, liquidated damages shall be paid to the Company as specified. The termination of the employment labour contract of Chinese employees shall be implemented in accordance with their employment labour contract.

试用期内的，双方提前 7 日通知可解除/终止劳动合同；试用期结束后，职级 3 级及以下的员工，公司或员工提前 30 日通知可解除/终止劳动合同；职级 4、5、6 级的员工，公司或员工提前 3 个月通知可解除/终止劳动合同；职级 7 级及以上的员工，公司或员工提前 6 个月通知或支付经济补偿可解除/终止劳动合同。但违反服务期约定的应按规定向公司支付违约金。中国员工的劳动合同的解除和终止根据劳动合同条款执行。

5.6.3.2 The Company may dissolve the labor contract immediately if the employee is in any of the following circumstances:

员工有下列情形之一的，公司可以立即解除劳动合同：

(1) Be absent from work for three continuous days for no reason, or be absent from work for six accumulated days in a month or ten accumulated days in a year;

无故连续旷工三日、月累计旷工达六日或年累计达十日者；

(2) Failure to pass the annual assessment for two continuous years;

连续两年年度考核不合格的；

(3) Be accused of committing crimes according to laws;

被依法追究刑事责任的；

(4) Severely breaching the rules and regulations of the Company;

严重违反公司的规章制度的;

(5) Causing damage and loss to the Company due to gross negligence or jobbery;

严重失职, 营私舞弊, 给公司造成重大损害的;

(6) Comply with the provisions of the "Regulations on the Administration of Disciplinary Punishments" regarding termination of labor contracts.

符合《违纪惩处管理规定》中有关解除劳动合同条款的。

(7) In the event that the employee meets the requirement of working for at least thirty (30) consecutive working days within the nine (7) months succeeding the diagnosis of the prolonged illness/injury, the Company has the right to retire the employee on medical grounds if the employee fails to work for at least thirty (30) consecutive working days in the three (3) months succeeding the initial nine (7) months.

员工在其持久性疾病确诊后的 7 个月内, 可以正常连续上满 30 个工作日, 却在随后的 3 个月内仍无法连续上满 30 个工作日时, 基于健康理由, 公司有权与其解除劳动合同。

(8) The company has the right to terminate the labor contract: If the employee, after the first unpaid leave, within 12 months, accumulated more than 1-month natural calendar days unpaid leave. If female employee leave needs to be extended due to special reasons such as pregnancy and childbirth, it shall not exceed three months with company's approval.

员工自首次事假之后 12 个月内, 累计事假自然日历天数超过 1 个月的, 公司有权与其解除劳动合同, 女员工因怀孕生产等特殊原因需要延长的, 经公司批准后最长不得超过 3 个月。

5.6.3.3 The labor contract shall be terminated if the employee is in any of the following circumstances:

员工有下列情形之一的, 劳动合同终止:

(1) Labor contract expires;

劳动合同期满的;

(2) If an employee who has retired early and who is an inactive employee have reached their legal retirement age, in principle, the contract is terminated. If a special post needs to be renewed due to actual work needs or other reasons, the department shall submit application for company's approval.

公司聘用内退、停岗留薪、提前退休等人员, 原则上到其法定退休年龄合同终止, 特殊岗位因实际工作需要等原因需要续签的, 由部门提出申请, 公司审批。

(3) The employee dies or is pronounced dead or missing by the court;

员工死亡, 或者被法院宣告死亡或者宣告失踪的;

(4) The Company is declared bankrupt according to law;

公司被依法宣告破产的;

(5) Business license of the Company is revoked, the Company is ordered to close down or dissolve, or the Company decides to disband itself in advance;

公司被吊销营业执照、责令关闭、撤销或者公司决定提前解散的;

(6) Other situations as stipulated by laws and administrative regulations.



法律、行政法规规定的其他情形。

## 5.7 Resignation procedures

### 离职手续

5.7.1 When the labor relation is dissolved or terminated, the employee shall handle resignation procedures as per relevant provisions. If the employee signing the *Study and Training Agreement*, dissolve the labor relation with the Company before the service period expires or his/her labor relation is dissolved by the Company for his/her own reason, the employee shall pay the liquidated damages to the Company as per the agreement.

解除或终止劳动关系时，员工应按规定办理离职手续。签有《学习培训服务协议》的员工，在服务期限未届满前与公司解除劳动关系、或由于本人原因被公司解除劳动关系的，应按协议约定向公司支付违约金。

5.7.2 If the employee proposes to dissolve the labor relation, the resignation report shall be submitted in advance according to 5.6.3.1, reviewed by the relevant department and HR Dept., and approved by CEO; if the Company proposes to dissolve or terminate the labor relation, the HR Dept. shall issue the *Notice of Dissolution/Termination of Labor Relation* in advance as per 5.6.3.1, and the employee shall handle the hand-over procedure for resignation three days before the termination date.

员工提出解除劳动关系的，按 5.6.3.1 规定提前提交辞职报告，经所在部门、人力资源部审核，CEO 审批后办理离职；公司提出解除或终止劳动关系的，按 5.6.3.1 规定，人力资源部提前发给《解除/终止劳动关系通知单》，员工自终止之日前 3 天办理离职交接。

### 5.7.3 Work Hand-over before resignation

#### 离职交接

(1) Complete the transfer of work ;

工作移交；

(2) Return all work materials, articles from the Company and various certificates;

交还所有工作资料、公司发放给本人的工作用品以及为本人办理的各类证件；

(3) Settle the remuneration, personal loan and travel expense;

结清薪酬、个人借款、差旅费；

(4) Deactivate the Company's email and OA account;

取消公司邮箱和 OA 账户；

(5) Settle the social insurance/provident fund and suspend the payment;

社保/公积金中断、结算；

(6) Transfer the personnel archive and CCP organization relation;

人事档案、党组织关系转移；

(7) If the *Study and Training Agreement* is signed, settle the compensation for investment in education;

签订《学习培训服务协议》的，结算智力投资补偿费；

(8) Settle the annual leave;



假期结算；

(9) Remove out of the dormitory and settle the relevant fee.

退还宿舍、结清费用。

5.7.4 Hand-over before resignation shall be completed within 1-3 workdays in general. The *Hand-over Form for Resignation* shall be submitted to the HR Dept. for filing. The HR Dept. shall issue the *Certificate on Termination (Dissolution) of Labor Relation*.

离职交接一般在 1-3 个工作日内完成，交接完毕将《离职交接单》交由人力资源部归档，人力资源部开具《终止（解除）劳动关系证明书》。

## 5.8 Miscellaneous

其他

5.8.1 The written notice specified herein shall be delivered from the Company to the Employee directly for receipt. If it is hard to deliver or the employee refuses to receive, it shall be delivered by mail or notarization. If the above means fails, it shall be delivered by a public notice.

本规定涉及的书面通知书，由公司直接送达员工本人签收。难以送达或本人拒绝签收的，采取邮寄送达、公证送达等有效送达方式。以上送达方式均不能送达的采用公告送达。

5.8.2 Unless otherwise specified in laws and regulations, the laws and regulations shall be met; in case of any uncovered matters herein or any nonconformity to the laws and regulations, the relevant laws and regulations shall be complied with.

法律、法规另有规定的，遵照执行；本规定未尽事宜或与法律、法规不一致的，按法律、法规有关规定执行。

## 5.9 Management of Employees' archives

人事档案管理

5.9.1 Personnel archives of the employees of the Company shall be taken care of by the Career Centre.

公司员工的人事档案委托人才市场统一保管。

5.9.2 Materials to be included in the personnel archives of employees mainly include academic degree and diploma materials, resume materials, CCP materials, professional and technical job qualification review materials, identification, inspection and assessment materials, recruitment materials, and employment registration certificates.

需归入员工人事档案的材料主要包括：学历学位材料、履历材料、党团材料、专业技术职务资格评审材料、鉴定、考察、考核材料、招录材料、就业报到证等。

5.9.3 Materials to be filed shall be originals in general. For special materials such as certificates which shall be copied to be filed, the copying time must be indicated and an official seal shall be stamped.

归档材料一般应为原件。证书、证件等特殊情况需要复印件存档的，必须注明复制时间，并加盖公章。

5.9.4 Materials of the personnel archives shall be collected, sorted, identified and filed by the relevant post holders of HR Dept. as per the principle of “the one who forms the material is in charge of filing”.

员工人事档案材料按照“谁形成、谁归档”的原则由人力资源部岗位相关人员负责收集、整理、鉴别和归档。

5.9.5 Relevant approval procedures shall be handled as per provisions of the archive management organization for checking or copying materials of the personnel archives.

查阅或复印人事档案材料应按档案管理单位有关规定办理审批手续。

5.9.6 If the employee dissolves or terminates the labor contract, the HR Dept. shall assist to handle the transfer procedure of personnel archive as per relevant requirements of the archive management organization.

员工解除或终止劳动合同，人力资源部按照档案管理单位相关要求协助办理员工档案转移手续。

## 5.10 RETIREMENT

### 退休

5.10.1 Chinese employees are required to apply for retirement or retreat in accordance with relevant state regulations. The retirement age prescribed by Brunei employees is 60 years old. When employees are 55 years old, they can voluntarily apply for retirement. Only after the company approves, can they apply for retirement.

中国籍员工根据国家相关规定，办理退休或内退手续。文莱籍员工规定的退休年龄为 60 岁，当员工满 55 岁，可以自愿提出退休申请，待公司批准后，方可办理退休相关手续。

5.10.2 For the purpose of determining the retirement age, the date of birth or shall be as that shown in an employee's birth certificate and in the absence of such certificate, the date of birth as shown in the Employee's identity card. If only the year of birth is shown in the identity card, the date of birth shall be deemed to be the first (1st) January of that year.

为确定退休年龄，出生日期应为雇员出生证上显示的日期，如无此证明，则为雇员身份证上显示的出生日期为准。如果身份证上只显示出生年份，出生日期应视为当年的第一(1)个月。

5.10.3 If upon reaching retirement age, the services of an employee are still required, the Employee may be offered employment on a year to year basis or for a shorter period. However, this could be subject to approval of the Executive Committee and; provide he/she is medically and physically fit as certified by the Medical Officer from Ministry of Health.

如果员工到了退休年龄，仍需要员工（高技能专业人才和原任公司中高层管理人员）提供服务，在经卫生部医务人员认证，身体健康。经公司同意，按年度签订返聘协议，每年一聘，聘期一般为一年。

5.10.4 When retired employees are re-employed, the terms and conditions of re-employment shall be determined by the Company and shall not be assumed to be the same term as that enjoyed by the employee concerned prior to his retirement.

退休职工重新就业时，重新就业的条件由公司决定，不得假设为与退休前相同的条件。

## 6 Inspection and Supervision

### 检查与监督

The HR Dept. shall inspect and supervise implementation of the Regulations.

人力资源部负责对该规定的执行情况进行监督、检查。

## 7 Associated Procedures and Records

### 关联程序和记录

#### 7.1 Associated procedures

##### 关联程序

##### 7.1.1 *Recruitment Procedures* (HYBN-T2-02-0004-2018-1)

员工招聘程序 HYBN-T2-02-0004-2018-1

##### 7.1.2 *Entry Procedures* (HYBN-T2-02-0005-2018-1)

员工入职程序 HYBN-T2-02-0005-2018-1

##### 7.1.3 *Assessment Procedures during Probation Period* (HYBN-T2-02-0006-2018-1)

试用期考核程序 HYBN-T2-02-0006-2018-1

##### 7.1.4 *Internal Recruitment Procedures* (HYBN-T2-02-0007-2018-1)

内部招聘程序 HYBN-T2-02-0007-2018-1

##### 7.1.5 *Post Adjustment Procedures* (HYBN-T2-02-0008-2018-1)

岗位调整程序 HYBN-T2-02-0008-2018-1

##### 7.1.6 *Renewal Procedures of Labor Contract* (HYBN-T2-02-0009-2018-1)

劳动合同续签程序 HYBN-T2-02-0009-2018-1

##### 7.1.7 *Resignation Procedures* (HYBN-T2-02-0010-2018-1)

员工离职程序 HYBN-T2-02-0010-2018-1

#### 7.2 Associated records

##### 关联记录

##### 7.2.1 *Application Registration Form* (HYBN-T6-02-0003-001-2018)

应聘登记表 HYBN-T6-02-0003-001-2018

##### 7.2.2 *Interview Assessment Form* (HYBN-T6-02-0004-001-2018)

面试考核表 HYBN-T6-02-0004-001-2018

##### 7.2.3 *Assessment Form of Probation Period* (HYBN-T6-02-0005-001-2018)

试用期满考核表 HYBN-T6-02-0005-001-2018

##### 7.2.4 *Approval Form of Internal Post Adjustment* (HYBN-T6-02-0006-001-2018)

内部岗位调整审批表 HYBN-T6-02-0006-001-2018

##### 7.2.5 *Approval Form of Trans-department Post Adjustment* (HYBN-T6-02-0007-001-2018)

跨部门岗位调整审批表 HYBN-T6-02-0007-001-2018

7.2.6 *Labor Contract Renewal Assessment Form* (HYBN-T6-02-0008-001-2018)

劳动合同续签考核表 HYBN-T6-02-0008-001-2018

7.2.7 *Notice of Dissolution/Termination of Labor Relation* (HYBN-T6-02-0009-001-2018)

解除/终止劳动关系通知单 HYBN-T6-02-0009-001-2018

7.2.8 *Hand-over Form for Resignation* (HYBN-T6-02-0010-001-2018)

离职交接单 HYBN-T6-02-0010-001-2018

## 8 Supplementary Rules

### 附则

8.1 The Regulations are under the jurisdiction of HR Dept.

本规定由人力资源部归口管理。

8.2 The Regulations are drafted by HR Dept.

本规定起草部门：人力资源部。

8.3 HR Dept. is responsible for the interpretation of the Regulations.

本规定解释权归人力资源部拥有。

8.4 Revision, preparation and approval of the Regulations are shown in table 1:

本规定版本编制和审批情况见表 1:

**Table 1 Revision, preparation and approval of document**

**表 1 文件版本编制和审批情况**

3	2021-04-23	Yuan Jundi 袁均娣	Zhao Fuzhen 赵辅珍	Chen Liancai 陈连财
Revision 版本	Issued date 颁布日期	Prepared by 编制人	Reviewed by 审核人	Approved by 批准人