

SUMMARY OF THE AMENDED AND NEW PROVISIONS IN THE CODE OF CONDUCT

A. ABSENCE AND TARDINESS

1. TARDY. Any of the following shall be considered one offense: a) four (4) times late beyond the 5 minute grace period within a 15-day pay period; b) excluding tardiness within the 5 minute grace period, a total aggregate late of one (1) hour or more either for one (1) or several instances within the 15-day pay period

In the case of b) above, the following penalties shall apply:

Aggregate tardiness	Penalties that can be imposed
One (1) hour to less than two (2) hours	Penalty imposed for 2 nd offense
Two (2) hours to less than three (3) hours	Penalty imposed for 3 rd offense
Three (3) hours to less than four (4)	Penalty imposed for 4 th offense
Four (4) hours to less than (5) hours	Penalty imposed for 5 th offense
Five (5) hours to less than (6) hours	Penalty imposed for 6 th offense

2. Failure to notify immediate superior of inability to report for work **at least two (2) hours before** the start of duty.

4. Failure **to formally notify through Application for Leave of Absence Form (ALAF), or through means/forms required under the Timekeeping and Attendance Policy**, immediate superior of the cause of his/her inability to work within 24 hours after reporting for work.

B. NEGLIGENCE OF DUTY

1. Failure **to time-in or time-out in official timekeeping devices, as provided in the Timekeeping and Attendance Policy, when** entering and leaving Company premises.

2. Failure to inform or submit the following within 30-calendar days: a) change in civil status, address and of dependents to HRDD –Personnel Section; b) **updated Job Description of newly hired or promoted personnel to HRDD-Compensation Section.**

4. Not following standard operating procedures, guidelines **or verbal or written instructions** in performing one's tasks, **or any rule, regulation, policy, or directive concerning general working conditions in the Company.**

5. Wasting time or loitering on Company time, attending to personal matters such as **but not limited to** collecting debts, loans, selling merchandise within Company premises and/or during work hours, and unnecessary lengthy use of the telephone for personal calls, **or on one's Company-assigned computer for personal or non-official purposes.**

6. While on duty, leaving assigned work or area assignment without permission from immediate superior, **or while within Company premises, failing to report at the exact work area assigned at the prescribed time.**

8. Deliberately slowing down, hindering or limiting work output resulting in **delays or backlogs.**

10. Any act of carelessness in the performance of duty causing disruption of operations, damage to Company property **(including "reputational damage") or injury to persons.**

11. Negligence in the use of assigned Company equipment **or property** resulting to damage.

12. **Having furnished superior or co-worker with false, misleading or grossly inaccurate data or information arising out of the employee's neglect or failure to discharge his duty to make proper research, investigation or verification.**

13. **Failure to attend and/or tardiness in attending official scheduled meetings, trainings, or official events without valid reason.**

14. **Any Gross and/or habitual neglect in the performance of one's duty.**

Gross neglect refers to the absence of that reasonable diligence that an ordinary prudent employee would use in the performance of his duty. Habitual neglect refers to repeated failure to perform one's duty over a period of time, depending upon the circumstances.

C. INAPPROPRIATE CONDUCT OR BEHAVIOR

1. Horseplaying, **or engaging in unruly behaviour of any nature regardless of whether a co-employee, or third party is affected by such behavior.**

2. Failure to liquidate cash advances and expenses on time, **as prescribed by the applicable Finance policy.**

3. Bringing in alcoholic beverage inside Company premises or job site during office hours **or while on duty** without prior authorization. **(N.B. The prohibition does not cover situations when the alcoholic beverage is to be given or was given to the employee as a gift/token of appreciation in time of rejoicing or celebration, on condition that such alcoholic beverage will not be consumed while in the Company premises and/or during office hours, in which case, the succeeding provision shall apply.)**

4. **Consuming liquor/alcoholic beverages, or** being drunk or under the influence of liquor within Company/official premises, property, or job site, regardless of time.

6. Willfully refusing or persistently neglecting to obey a lawful order, directive, **policy, rule, regulation, circular, memoranda or instructions or to perform assigned or prescribed work. (N.B. A second time refusal already qualifies as "persistent neglect".)**

7. **Exhibiting** any indecent conduct or using profane or obscene language **of whatever form or nature** in addressing another person during work hours and/or within Company premises; **or in case the conduct or language is towards a co-**

employee whether committed within or outside work hours and/or within or outside Company premises.
8. Exhibiting unbecoming conduct/gestures, or uttering insulting word/s towards a co-employee, company official, manager, supervisor, guest, or any person authorized to be within the Company premises.
9. Quarrelling/fighting or creating trouble within Company/official premises, property, or job site , <u>not resulting</u> in injury or damage to Company personnel and/or property.
10. Quarrelling/fighting or creating trouble within Company/official premises, property, or job site , <u>resulting</u> in injury or damage to Company personnel and/or property.
11. Threatening, intimidating, coercing or harassing a fellow employee inside or outside Company premises with respect to a work-connected dispute or a personal dispute which potentially or actually extended or affected working relationship of the parties.
12. Exhibition and distribution through whatever means/medium including through social media of pornographic literature or material.
18. Theft, robbery, pilferage or its attempt in any form on Company premises or job site regardless of whoever owns the stolen, robbed or pilfered item/s.
20. Borrowing / soliciting money from Company clients, customers, suppliers, and professional acquaintances for personal use.
21. Engaging in the business of lending money within Company premises or while on duty. An employee who is lending money and charging interest therefrom to at least two (2) co-employees is deemed to be engaged in the business of lending money.
22. Encouraging or coercing other employee/s to violate company rules and regulations.
23. Rumor-mongering or spreading derogatory, insulting, false or malicious statements about the Company (including its businesses, processes, systems, programs, etc.), its officers, employees and clients through whatever means/medium, including through social media.
24. Stealing or attempting, conspiring, serving as accomplice or accessory to the act of stealing Company property or personal property of employee, guests or any person authorized to be within Company premises or work site regardless of the value of the item/s involved.
25. Failure to surrender or account for items declared lost and later found by any employee.
26. Using Company time, facilities, equipment, materials, properties, supplies, and the like in the pursuit of private business, private consultancy work, and/or for personal purposes whether the employee profited therefrom or not.

D. DISHONESTY AND CONFLICT OF INTEREST
1. Any act of lying about performance of one's duty such as but not limited to assignments, whereabouts, outputs, resources and any other work-connected/related issues.
2. Furnishing false, misleading or grossly inaccurate data or information to persons duly authorized to receive the same in the normal course of business, provided that: (i) there is no damage, injury, or loss incurred by the Company; or (ii) there is no material/financial/similar gain, or there is no opportunity to conceal an offense, or evade responsibility thereof arising from the act of furnishing the data or information.
3. Tampering with, damaging or any attempt to tamper or damage timekeeping devices or terminals.
4. Giving false testimony (written or verbal) during an investigation.
5. Entering the PIN code for another employee.
6. Having asked somebody to enter one's PIN code in Timekeeping terminal/device.
7. Any act amounting to falsification or tampering of Company records or documents, which includes but are not limited to: a) Providing/supplying any untrue or false information declared in one's application with the Company or in connection or in relation to one's application for enjoyment of Company benefits. b) Submitting false claims to the Company for reimbursement purposes. c) Forging authorized/required signatures or initials for any purpose.
10. Engaging or involving, directly or indirectly, in whatever capacity and regardless of duration, in any transaction with any person, firm, corporation, or any business enterprise which is a competitor of the Company.
11. Unless with express prior permission from the superior/s, engaging in "moonlighting" while employed with the Company, whether the work rendered outside the Company is directly or indirectly for another competitor or non-competitor company, business entity or person.
15. Any act, omission or concealment amounting to breach of trust or dishonesty against the Company. There is breach of trust when by virtue of the act, omission or concealment: (i) the Company incurs injury, damage, loss whatsoever; or (ii) there is undue material/financial/similar gain that accrues to the employee; or (iii) the employee was able to conceal an offense, or evade responsibility thereof (regardless of the type of offense that may/could have been incurred).
16. Any act amounting to serious misconduct in the performance of one's duty.

There is "Serious Misconduct" when an employee wilfully committed an improper or wrong conduct which is serious, grave or aggravated in character in the performance of his duty.

E. MISUSE OF COMPANY PROPERTY

1. Unauthorized use and operation of Company machines, equipment and facilities.

F. ENDANGERING HEALTH, SAFETY & SECURITY

5. Bringing or allowing unauthorized persons to use Company-maintained sleeping quarters.

13. Commission of a crime or offense against any Company executive or officer, or any immediate member of his family or duly authorized representatives.

15. Reporting for work under medication with prescribed drugs without clearance from the attending Physician (excluding maintenance medicines, vitamins and supplements).

16. Possession or use of illegal drugs, narcotics, inhalants or other unlawful substance or drugs paraphernalia inside Company/official premises, property or jobsite or while operating Company equipment or while employee is engaged in official business, functions or activities within or outside Company premises or at Company-sponsored/official events.

17. Selling or distributing illegal drugs, narcotics or other unlawful substance inside Company premises, property or jobsite or while employee is engaged in official business, functions, or activities within or outside Company premises or at Company sponsored/official events.

18. Buying or accepting illegal drugs, narcotics or other unlawful substance inside Company premises, property or jobsite or while employee is engaged in official business, functions, or activities within or outside Company premises or at Company sponsored/official events.

19. Reporting for duty while under the influence of illegal drugs.

21. Unjustified refusal to submit himself/herself to drug testing after being randomly selected for drug testing.

23. Unjustified refusal or failure to undergo treatment/rehabilitation/counselling and/or unjustified refusal or failure to complete treatment/rehabilitation/counselling.

24. Having again tested positive in a drug test while or after undergoing treatment/rehabilitation/counselling.

25. Failure to undergo medical procedure/s, medication/s, or other processes prescribed by the attending Physician in order to be cleared or declared "fit-to-work" without any restriction related to his official function or duty.

REVISED CODE OF CONDUCT

FOREWORD

This Code of Conduct defines the actions/omissions which are inimical to the interest of the Company and to the general welfare of its employees, as well as other parties with whom the Company might have business relations. It provides the management with specific guidelines in its effort to promote and maintain harmonious relationships. It likewise provides the employees with a clear understanding of the table of offenses and penalties to prevent them from committing and suffering the consequences. It is published and circulated because the Company wants to be more preventive and less punitive in its approach towards employee discipline. The Company wishes to promote among the employees a positive attitude of commitment and cooperation, and not sheer compliance.

For purpose of classification, the offenses are grouped into six (6) major categories. Based on the nature, the offenses are classified into the following:

- A. Absence and Tardiness
- B. Neglect of Duty
- C. Inappropriate Conduct and Behavior
- D. Dishonesty and Conflict of Interest
- E. Misuse of Company Property
- F. Endangering Health, Safety and Security

In the administration of employee disciplinary process the following general rules shall also apply:

(a) In case of any violation which results to injury of person, or damage or loss of property, the erring employee shall be liable to pay any and all costs incurred by the Company in reparation for the injury, damage or loss sustained. If the injury, damage or loss is covered by insurance, the erring employee shall be liable for the cost/s of participation or the portion of the expense not shouldered by the insurance company.

(b) In case of any violation which results to imposition of fine by any government or regulatory agency against the Company, the erring employee shall be liable to pay the said fine.

(c) The foregoing liabilities are in addition to the sanctions imposed pursuant to the schedule of penalties mentioned below, and shall be imposed on the employee only after there has been a finding that employee is indeed liable for the injury, damage or loss.

(d) In case of penalty of suspension, the Company shall also suspend or withhold pertinent attendance-related benefits (HMO, rice benefit, optical benefit and medicine allowance) during the date/s of suspension. For the proper administration of suspension or withholding of benefits, HRDD-Benefits Section shall always be furnished a copy of the Notice of Suspension.

(e) Conciliation and/or mediation shall be included as part of the process of administrative investigation, which applies solely in cases where only a co-employee is the aggrieved party, and where the penalty is less than Dismissal.

(f) The Company takes into account the totality of conduct and violation/s of the employee in determining the propriety of dismissal as penalty for offense/s governed by the Labor Code. In applying the totality of conduct, the employee's previous offenses falling under the same classification or category will be taken into account for so long as the cleansing period for those offenses have not yet lapsed.

(g) Recognizing that an employee who had been previously penalized will not be perpetually tainted with his/her derogatory record, the Company provides cleansing of the served penalty of written reprimand or suspension after the lapse of the prescribed cleansing period. The cleansing period shall be in accordance with the periods specified below, and shall be counted from the date the notice is received (in case of written reprimand) or from the date immediately after the last day of suspension –

Written Reprimand	-	6 months
1-5 days Suspension	-	12 months
6-15 days Suspension	-	18 months
16-less than 30 days suspension	-	24 months
30 days Suspension	-	30 months

The table of offenses and penalties in this Code of Conduct is not exclusive and conclusive. The Company, in its exercise of management prerogative in good faith, reserves the right to impose appropriate disciplinary actions for offenses that are not explicitly contained in this Code.

A. ABSENCE AND TARDINESS	PENALTIES					
	OFFENSES	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense
<p>1. TARDY. Any of the following shall be considered one offense:</p> <p><i>a) four (4) times late beyond the 5 minute grace period within a 15-day pay period;</i></p> <p><i>b) excluding tardiness within the 5 minute grace period, a total aggregate late of one (1) hour or more either for one (1) or several instances within the 15-day pay period</i></p> <p><i>In the case of b) above, the following penalties shall apply:</i></p> <p>Aggregate tardiness</p> <p><i>Penalties that can be imposed</i></p> <p><i>One (1) hour to less than two (2) hours</i> <i>Penalty imposed for 2nd offense</i></p> <p><i>Two (2) hours to less than three (3) hours</i> <i>Penalty imposed for 3rd offense</i></p> <p><i>Three (3) hours to less than four (4) hours</i> <i>Penalty imposed for 4th offense</i></p> <p><i>Four (4) hours to less than (5) hours</i> <i>Penalty imposed for 5th offense</i></p> <p><i>Five (5) hours to less than (6) hours</i> <i>Penalty imposed for 6th offense</i></p>	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
<p>2. Failure to notify immediate superior of inability to report for work <i>at least two (2) hours before</i> the start of duty.</p>	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
<p>3. Failure to submit required medical certificate & clearance upon return from sick leave of three (3) or more days, specifying that the employee is fit to go back to work.</p>	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
<p>4. Failure to formally notify through Application for Leave of Absence Form (ALAF), or through means/forms required under the Timekeeping and Attendance Policy, immediate superior of the cause of his/her inability to work within 24 hours after reporting for work.</p>	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal	
<p>5. Malingering or pretending to be sick in order to be excused from work.</p>	15 days Suspension	30 days Suspension	Dismissal			
<p>6. Absence without prior approval or authorization: Three (3) times absent within a month is already considered one offense.</p>	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal		

B. NEGLECT OF DUTY	PENALTIES						
	OFFENSES	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense	6 th Offense
1. Failure to time-in or time-out in official timekeeping devices, as provided in the Timekeeping and Attendance Policy, when entering and leaving Company premises.	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal
2. Failure to inform or submit the following within 30-calendar days: a) change in civil status, address and of dependents to HRDD –Personnel Section; b) updated Job Description of newly hired or promoted personnel to HRDD-Compensation Section.	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal
3. Not wearing company ID.	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal
4. Not following standard operating procedures, guidelines or verbal or written instructions in performing one's tasks, or any rule, regulation, policy, or directive concerning general working conditions in the Company.	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal	
5. Wasting time or loitering on Company time, attending to personal matters such as but not limited to collecting debts, loans, selling merchandise within Company premises and/or during work hours, and unnecessary lengthy use of the telephone for personal calls, or on one's Company-assigned computer for personal or non-official purposes.	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal	
6. While on duty, leaving assigned work or area assignment without permission from immediate superior, or while within Company premises, failing to report at the exact work area assigned at the prescribed time.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
7. Sleeping while on duty.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
8. Deliberately slowing down, hindering or limiting work output resulting in delays or backlogs.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
9. Any act of negligence in the performance of one's duty.	Written Reprimand or 5 days Suspension (depending on gravity of offense)	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal	
10. Any act of carelessness in the performance of duty causing disruption of operations, damage to Company property (including "reputational damage") or injury to persons.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
11. Negligence in the use of assigned Company equipment or property resulting to damage.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
12. Having furnished superior or co-worker with false, misleading or grossly inaccurate data or information arising out of the employee's neglect or failure to discharge his duty to make proper research, investigation or verification.	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	30 days Suspension	Dismissal	

<p>13. Failure to attend and/or tardiness in attending official scheduled meetings, trainings, or official events without valid reason.</p>	<p>Written Reprimand</p>	<p>5 days Suspension</p>	<p>10 days Suspension</p>	<p>15 days Suspension</p>	<p>30 days Suspension</p>	<p>Dismissal</p>
<p>14. Any Gross and/or habitual neglect in the performance of one's duty.</p> <p><i>Gross neglect refers to the absence of that reasonable diligence that an ordinary prudent employee would use in the performance of his duty. Habitual neglect refers to repeated failure to perform one's duty over a period of time, depending upon the circumstances.</i></p>	<p>30 days Suspension or Dismissal (depending on gravity of offense)</p>					

C. INAPPROPRIATE CONDUCT OR BEHAVIOR	P E N A L T I E S						
	OFFENSES	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense	6 th Offense
1. Horseplaying, <u>or engaging in unruly behaviour of any nature regardless of whether a co-employee, or third party is affected by such behavior.</u>	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal	
2. Failure to liquidate cash advances and expenses on time, <u>as prescribed by the applicable Finance policy.</u>	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
3. Bringing in alcoholic beverage inside Company premises or job site during office hours <u>or while on duty</u> without prior authorization. <i>(N.B. The prohibition does not cover situations when the alcoholic beverage is to be given or was given to the employee as a gift/token of appreciation in time of rejoicing or celebration, on condition that such alcoholic beverage will not be consumed while in the Company premises and/or during office hours, in which case, the succeeding provision shall apply.)</i>	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal			
4. <u>Consuming liquor/alcoholic beverages, or being drunk or under the influence of liquor</u> within Company/official premises, property, or job site, regardless of time.	15 days Suspension	30 days Suspension	Dismissal				
5. Taking part in or abetting any gambling, lottery or any other game of chance during work hours and/or within Company premises.	15 days Suspension	30 days Suspension	Dismissal				
6. Willfully refusing or persistently neglecting to obey a lawful order, directive, policy, rule, regulation , circular, memoranda or instructions or to perform assigned or prescribed work. <i>(N.B. A second time refusal already qualifies as "persistent neglect".)</i>	30 days Suspension	Dismissal					
7. <u>Exhibiting</u> any indecent conduct or using profane or obscene language of whatever form or nature in addressing another person during work hours and/or within Company premises; <u>or in case the conduct or language is towards a co-employee whether committed within or outside work hours and/or within or outside Company premises.</u>	15 days Suspension	30 days Suspension	Dismissal				
8. <u>Exhibiting</u> unbecoming conduct/gestures, or <u>uttering insulting word/s towards a co-employee, company official, manager, supervisor, guest, or any person authorized to be within the Company premises.</u>	30 days Suspension	Dismissal					
9. Quarrelling/fighting or creating trouble within <u>Company/official premises, property, or job site, not resulting in injury or damage to Company personnel and/or property.</u>	15 days Suspension	30 days Suspension	Dismissal				
10. Quarrelling/fighting or creating trouble within <u>Company/official premises, property, or job site, resulting in injury or damage to Company personnel and/or property.</u>	30 days Suspension or Dismissal (depending on gravity of offense)						
11. Threatening, intimidating, coercing or harassing a fellow employee inside or outside Company premises with respect to a work-connected dispute <u>or a personal dispute which potentially or actually extended or affected working relationship of</u>	30 days Suspension or Dismissal						

<i>the parties.</i>									
12. Exhibition and distribution through whatever means/medium including through social media of pornographic literature or material.	(depending on gravity of offense) 30 days Suspension	Dismissal							
13. Unwelcomed or uninvited sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature causing insult or discomfort to the receiver.	30 days Suspension or Dismissal (depending on gravity of offense)								
14. Soliciting sexual favors, whether explicitly or implicitly, in exchange for employment or continued employment in the Company, receiving favorable compensation, promotions or other privileges.	Dismissal								
15. Attempting to inflict or inflicting bodily injury or assaulting another employee anywhere at any time in connection with any work-connected dispute.	Dismissal								
16. Grossly immoral conduct or behavior such as but not limited to engaging in extra marital relations with a co-employee, sexual expression and activities inside the workplace.	Dismissal								
17. Conviction of a criminal offense or of a crime involving moral turpitude by any court of competent jurisdiction.	Dismissal								
18. Theft, robbery, pilferage or its attempt in any form on Company premises or job site regardless of whoever owns the stolen, robbed or pilfered item/s.	Dismissal								
19. Any form of bribery.	Dismissal								
20. Borrowing / soliciting money from Company clients, customers, suppliers, and professional acquaintances for personal use.	30 days Suspension	Dismissal							
21. Engaging in the business of lending money within Company premises or while on duty. An employee who is lending money and charging interest therefrom to at least two (2) co-employees is deemed to be engaged in the business of lending money.	15 days Suspension	30 days Suspension	Dismissal						
22. Encouraging or coercing other employee/s to violate company rules and regulations.	30 days Suspension	Dismissal							
23. Rumor-mongering or spreading derogatory, insulting, false or malicious statements about the Company (including it businesses, processes, systems, programs, etc.), its officers, employees and clients through whatever means/medium, including through social media.	15 days Suspension	30 days Suspension	Dismissal						
24. Stealing or attempting, conspiring, serving as accomplice or accessory to the act of stealing Company property or personal property of employee, guests or any person authorized to be within Company premises or work site regardless of the value of the item/s involved.	Dismissal								
25. Failure to surrender or account for items declared lost and later found by any	Dismissal								

<p><i>employee.</i></p>						
<p><i>26. Using Company time, facilities, equipment, materials, properties, supplies, and the like in the pursuit of private business, private consultancy work, and/or for personal purposes whether the employee profited therefrom or not.</i></p>	<p><i>Dismissal</i></p>					

D. DISHONESTY AND CONFLICT OF INTEREST	PENALTIES						
	OFFENSES	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense	6 th Offense
1. Any act of lying about performance of one's duty such as but not limited to assignments, whereabouts, outputs, resources and any other work-connected/related issues.	30 days Suspension	Dismissal					
2. Furnishing false, misleading or grossly inaccurate data or information to persons duly authorized to receive the same in the normal course of business, provided that: (i) there is no damage, injury, or loss incurred by the Company; or (ii) there is no material/financial/similar gain, or there is no opportunity to conceal an offense, or evade responsibility thereof arising from the act of furnishing the data or information.	30 days Suspension	Dismissal					
3. Tampering with, damaging or any attempt to tamper or damage timekeeping devices or terminals.	30 days Suspension	Dismissal					
4. Giving false testimony (written or verbal) during an investigation.	Dismissal						
5. Entering the PIN code for another employee.	Dismissal						
6. Having asked somebody to enter one's PIN code in Timekeeping terminal/device.	Dismissal						
7. Any act amounting to falsification or tampering of Company records or documents, which includes but are not limited to: a) Providing/supplying any untrue or false information declared in one's application with the Company or in connection or in relation to one's application for enjoyment of Company benefits. b) Submitting false claims to the Company for reimbursement purposes. c) Forging authorized/required signatures or initials for any purpose.	Dismissal						
8. Offering or accepting something of value in exchange for a job, work assignment, work location or favorable condition of employment and/or benefits the employee may have otherwise.	Dismissal						
9. Having any participation or involvement, direct or indirect, in any transaction involving any person, firm, corporation, or any business enterprise with which the Company, directly or indirectly, has commercial relationship, where such participation or involvement is improper or undesirable in the interest of the Company, regardless of whether ultimately some benefit accrued or redounded to the Company's benefit.	Dismissal						
10. Engaging or involving, directly or indirectly, in whatever capacity and regardless of duration, in any transaction with any person, firm, corporation, or any business enterprise which is a competitor of the Company.	Dismissal						
11. Unless with express prior permission from the superior/s, engaging in "moonlighting" while employed with the Company, whether the work rendered	Dismissal						

<i>outside the Company is directly or indirectly for another competitor or non-competitor company, business entity or person.</i>	Dismissal					
12. Revealing, releasing, divulging confidential information such as, but not limited to strategic plans, financial or pricing information, production plans, programming plans, and customer information, among others to individuals other than authorized persons without previous top management authority.	Dismissal					
13. Deliberate submission of false or falsified item of expense, misappropriation, malversation or withholding of the Company funds. Unauthorized collection of fees, charges, "kickback" from suppliers, etc., stating false or fraudulent statements.	Dismissal					
14. Substituting or attempting to substitute Company material or equipment with another inferior quality or lesser value.	Dismissal					
15. Any act, omission or concealment amounting to breach of trust or dishonesty against the Company.	Dismissal					
<i>There is breach of trust when by virtue of the act, omission or concealment: (i) the Company incurs injury, damage, loss whatsoever; or (ii) there is undue material/financial/similar gain that accrues to the employee; or (iii) the employee was able to conceal an offense, or evade responsibility thereof (regardless of the type of offense that may/could have been incurred).</i>						
16. Any act amounting to serious misconduct in the performance of one's duty.	Dismissal					
<i>There is "Serious Misconduct" when an employee wilfully committed an improper or wrong conduct which is serious, grave or aggravated in character in the performance of his duty.</i>						

E. MISUSE OF COMPANY PROPERTY	PENALTIES						
	OFFENSES	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense	6 th Offense
1. <i>Unauthorized use and operation of Company machines, equipment and facilities.</i>	30 days Suspension or Dismissal (depending on gravity of offense)						
2. Deliberate/intentional non-observance of set procedures in operating machines, equipment or facilities resulting in damage.	15 days Suspension	30 days Suspension	Dismissal				
3. Reckless driving of Company vehicles resulting to injury or damage.	30 days Suspension or Dismissal (depending on gravity of offense)						
4. Any act of vandalism.	30 days Suspension	Dismissal					
5. Willful destruction of Company property.	Dismissal						
6. Intentional hiding or loss of vital Company records, causing damage to the Company, its business, or its operations.	Dismissal						

F. ENDANGERING HEALTH, SAFETY & SECURITY	PENALTIES					
	OFFENSES	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense
1. Committing an unsanitary practice such as spitting in improper places, answering the call of nature in places other than comfort rooms, littering or contributing to unsanitary conditions.	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
2. Smoking in restricted areas.	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
3. Failure to immediately report to the clinic for treatment of work-connected injuries in disregard of Company physician's order.	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
4. Allowing and/or failure to report unauthorized persons entering or loitering one's work area.	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal	
5. Bringing or allowing unauthorized persons to use Company-maintained sleeping quarters.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal		
6. Entering or attempting to enter any restricted areas designated by the Company.	15 days Suspension	30 days Suspension	Dismissal			
7. Failure to report to proper authorities of having a contagious disease, which may endanger the health of other employees.	30 days Suspension	Dismissal				
8. Failure to follow the procedures outlined by the Company in cases of accident involving personnel or Company property.	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal		
9. Inciting disorder, violence or the use of force.	30 days Suspension or Dismissal (depending on gravity of offense)					
10. Giving Company identification materials or "pass" to any person not entitled to it, or assisting any person to enter any restricted area without Company's permission.	30 days Suspension	Dismissal				
11. Violating Company safety rules or common safety practices.	30 days Suspension	Dismissal				
12. Unauthorized carrying of a deadly weapon on Company time or within Company property/official work sites.	30 days Suspension	Dismissal				
13. Commission of a crime or offense against any Company executive or officer, or any immediate member of his family or duly authorized representatives.	Dismissal					
14. Acts of sabotage resulting to loss of lives and destruction of property.	Dismissal					
15. Reporting for work under medication with prescribed drugs without clearance from the attending Physician (excluding maintenance medicines, vitamins and supplements).	Written Reprimand	5 days Suspension	10 days Suspension	15 days Suspension	30 days Suspension	Dismissal
16. Possession or use of illegal drugs, narcotics, inhalants or other unlawful substance or drugs paraphernalia inside Company/official	Dismissal					

<p>premises, property or jobsite or while operating Company equipment or while employee is engaged in official business, functions or activities within or outside Company premises or at Company-sponsored/official events.</p>						
<p>17. Selling or distributing illegal drugs, narcotics or other unlawful substance inside Company premises, property or jobsite or while employee is engaged in official business, functions, or activities within or outside Company premises or at Company sponsored/official events.</p>	<p>Dismissal</p>					
<p>18. Buying or accepting illegal drugs, narcotics or other unlawful substance inside Company premises, property or jobsite or while employee is engaged in official business, functions, or activities within or outside Company premises or at Company sponsored/official events.</p>	<p>Dismissal</p>					
<p>19. Reporting for duty while under the influence of illegal drugs.</p>	<p>Dismissal</p>					
<p>20. Conviction of a crime involving illegal drugs.</p>	<p>Dismissal</p>					
<p>21. Unjustified refusal to submit himself/herself to drug testing after being randomly selected for drug testing.</p>	<p>Dismissal</p>					
<p>22. Proven drug dependency.</p>	<p>Dismissal</p>					
<p>23. Unjustified refusal or failure to undergo treatment/rehabilitation/counseling and/or unjustified refusal or failure to complete treatment/rehabilitation/counseling.</p>	<p>Dismissal</p>					
<p>24. Having again tested positive in a drug test while or after undergoing treatment/rehabilitation/counseling.</p>	<p>Dismissal</p>					
<p>25. Failure to undergo medical procedure/s, medication/s, or other processes prescribed by the attending Physician in order to be cleared or declared "fit-to-work" without any restriction related to his official function or duty.</p>	<p>30 days suspension</p>	<p>Dismissal</p>				

TO : ALL EMPLOYEES

FROM : HRDD-ERMD

SUBJECT : AMENDMENTS/REVISIONS TO THE POLICY ON EMPLOYEE DISCIPLINE AND CODE OF CONDUCT

DATE : MAY 31, 2019

Please be informed that effective May 3, 2019, following are the approved amendments/revisions to the Policy on Employee Discipline and the Code of Conduct.

A. On Issuance of “Internal Warnings”

An “Internal Written/Recorded Warning” is considered an administrative penalty equivalent to Written Reprimand. As such, an Internal Warning cannot be summarily issued without strictly complying with the administrative process and without securing management approval as specified in the Policy on Employee Discipline.

An Internal Written/Recorded Warning will be considered cleansed after the lapse of six (6) months counted from the date of the employee’s receipt thereof.

B. On period to endorse administrative cases

After submission of the written explanation or lapse of the period to file the same, the immediate Superior/ Manager /Division Head / Department Head shall endorse the case (including the duly-received NTE, written reply, evidence [records, documents, etc.] at hand, written statement/s of witnesses, etc.) to HRDD-Employee Relations Division (ERMD) – Labor Relations (LR) Section.

1. The endorsement of admin cases to HRDD-ERMD-LR Section shall be done within ten (10) days from: (a) discovery of the commission of the offense; or (b) from the time that a complaint/information alleging that an employee had committed acts or omissions constituting an offense has been filed against the said employee. Extensions for valid reason/s can be requested.

2. If an admin case is endorsed beyond the above stated period, the endorsing Group/ Department/ Division must attach a written explanation for the late endorsement, duly cleared by the Group/ Department/ Division.

3. Inexcusable or unjustified delay in the action on or endorsement of the admin cases may result to the institution of appropriate disciplinary actions/sanctions against the manager/superior who caused the delay – i.e., for “negligence”, etc.

4. In endorsing admin cases, all pertinent and available documents, records, etc. should be completely submitted. Otherwise, the admin case files will initially be returned for completion of documents/records. This is without prejudice to additional documents that may become available after endorsement of the case to HRDD-ERMD-LR.

C. On determining the counts of offenses in imposing the appropriate penalty/ies

The Company takes into account the totality of conduct and violation/s of the employee in determining the propriety of the penalty for offense/s governed by this Code of Conduct and the Labor Code. In applying the totality of conduct, the employee’s previous offenses *including those* falling under the same classification or category will be taken into account for so long as the cleansing period for those offenses have not yet lapsed.

Following the above principle, an employee who commits the same offense while still undergoing cleansing shall be considered a repeat offender. As a result, the newly committed offense will be treated as a further count, and thus, will be meted with the next higher level penalty (e.g., 1 prior uncleansed offense + 1 current offense = 2nd offense; 2 prior uncleansed offenses + 1 current offense = 3rd offense; and so forth.)

D. On clarifying the provisions on certain existing offenses

Section B, par. 5, Revised Code of Conduct will be revised to read:

5. Wasting time or loitering on Company time, attending to personal matters such as but not limited to collecting debts, loans, selling merchandise within Company premises and/or during work hours, unnecessary lengthy use of the telephone for personal calls or one’s Company-assigned computer for personal or non-official purposes **and unauthorized extended meal break or coffee break/short break.**

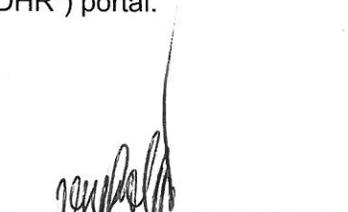
Section C, par. 25, Revised Code of Conduct will be revised to read:

25. Failure of any employee, who found lost property (i.e. property that does not belong to him/her), to immediately surrender it to its rightful owner. If the latter is unknown, failure to immediately surrender and deposit it with the Admin (including security), or HRDD, or with any of its personnel.

The foregoing will serve to update both the Policy on Employee Discipline and the Revised Code of Conduct. Thus, you are advised to keep copies for your files/reference. Soft copy of these Amendments will also be made available in the "One Digital HR" ("ODHR") portal.

For your information and guidance.


FIDEL B. ASUNCION


GERROME Y. APOLONA

Memorandum – HRDD-ERMD-2021-024

To: **All Group/Department/Division Heads
All Admin Managers/Officers/Representatives
All Managers**

Cc: **GMA-7 Union**

From: **HRDD-ERMD**

Subject: **Supplemental Guidelines to the Policy on Employee Discipline (re: Appeals)**

Date: **August 9, 2021**

In the imposition of disciplinary actions, especially in situations when an appeal was filed by the employee meted with penalty (from reprimand to dismissal), there is need to clarify certain rules for the guidance of the Groups/Departments. In order to ensure the proper and timely implementation of disciplinary action, the following guidelines are issued to “supplement” the Policy on Employee Discipline:

1. Upon receipt of the approved Case Report and the draft Notice of Disciplinary Action from HRDD, the immediate manager/superior shall:
 - In case the approved penalty is Written Reprimand – Immediately serve the notice of reprimand to the concerned employee/s.
 - In case the approved penalty is Suspension – Schedule the suspension dates soonest (with due consideration of operational requirements); and serve the notice of suspension to the concerned employee apprising him that he/she will be suspended on the specified dates.
 - In case the approved penalty is Dismissal – Immediately serve the notice of dismissal to the concerned employee/s.

(*Immediate service shall mean “same day” service; or if employee is unavailable due to various reasons – e.g., on leave, on remote duty, or the like – service can be done on the 1st day that employee has returned.)

2. If the concerned employee indicated his/her intention to appeal the decision by writing “I will appeal”, or “For appeal” (or words of similar import) in the served notice of disciplinary action, the immediate manager/superior shall advise the concerned employee that he/she has five (5) days from the receipt of the notice to submit his/her written appeal pursuant to the CBA and the Policy on Employee Discipline. The implementation of the decision will be suspended pending the filing of the appeal within the prescriptive period.

3. If 5 days after serving the notice to an employee who expressly indicated an intention to appeal, HRDD has not given any advice that an appeal was filed, or the employee has not submitted an appeal directly to the immediate manager/superior, the latter shall still check with HRDD if an appeal was indeed submitted. If after checking it was confirmed that no appeal was filed, the immediate manager/superior shall immediately implement the disciplinary action.

4. If HRDD receives an appeal from the employees directly or thru the Union, copy of the appeal will be emailed to the employee’s immediate superior so as to apprise the superior that an appeal was filed. The appeal will have the effect of holding the implementation of the disciplinary action, until the appeal has been finally resolved.

5. The following will be the summary of the process in implementing disciplinary action/s for employees who expressly indicated an intention to appeal and/or actually appealed:

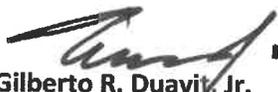
Penalty	No appeal after 5 days	Appeal within 5 Days	Appeal Granted (Unconditionally)	Appeal Granted (Partially but with modification in penalty)	Appeal Denied
Reprimand	Issue notice of reprimand	Defer issuance of notice of reprimand	Issue notice of exoneration	Issue modified penalty (e.g., "reminder" or "warning")	Issue notice of reprimand
Suspension	Implement suspension/s for dates indicated in the notice of suspension	Defer implementation of suspension		Suspension will be for the lowered or reduced days	Implement suspension/s for dates indicated in the notice of suspension
Dismissal	Implement the termination	Defer termination		Implement lowered or reduced penalty (suspension or reprimand)	Implement the termination

Please cascade these supplemental guidelines to your respective employees.

For your guidance and compliance.

 08/09/21
Gerrome Y. Apolona

Approved by:


Gilberto R. Duavit, Jr.
President & COO


Felipe L. Gozon
Chairman & CEO