

Company Name: Optimist BV



Optimist BV is an ICT consulting company that operates multi-lingual telesales, remote tech support call center, and customer support. They also do multimedia content marketing, advertising, and technology development which they're popularly known for – wearable AI eyeglasses mainly for blinds and social media marketing department.

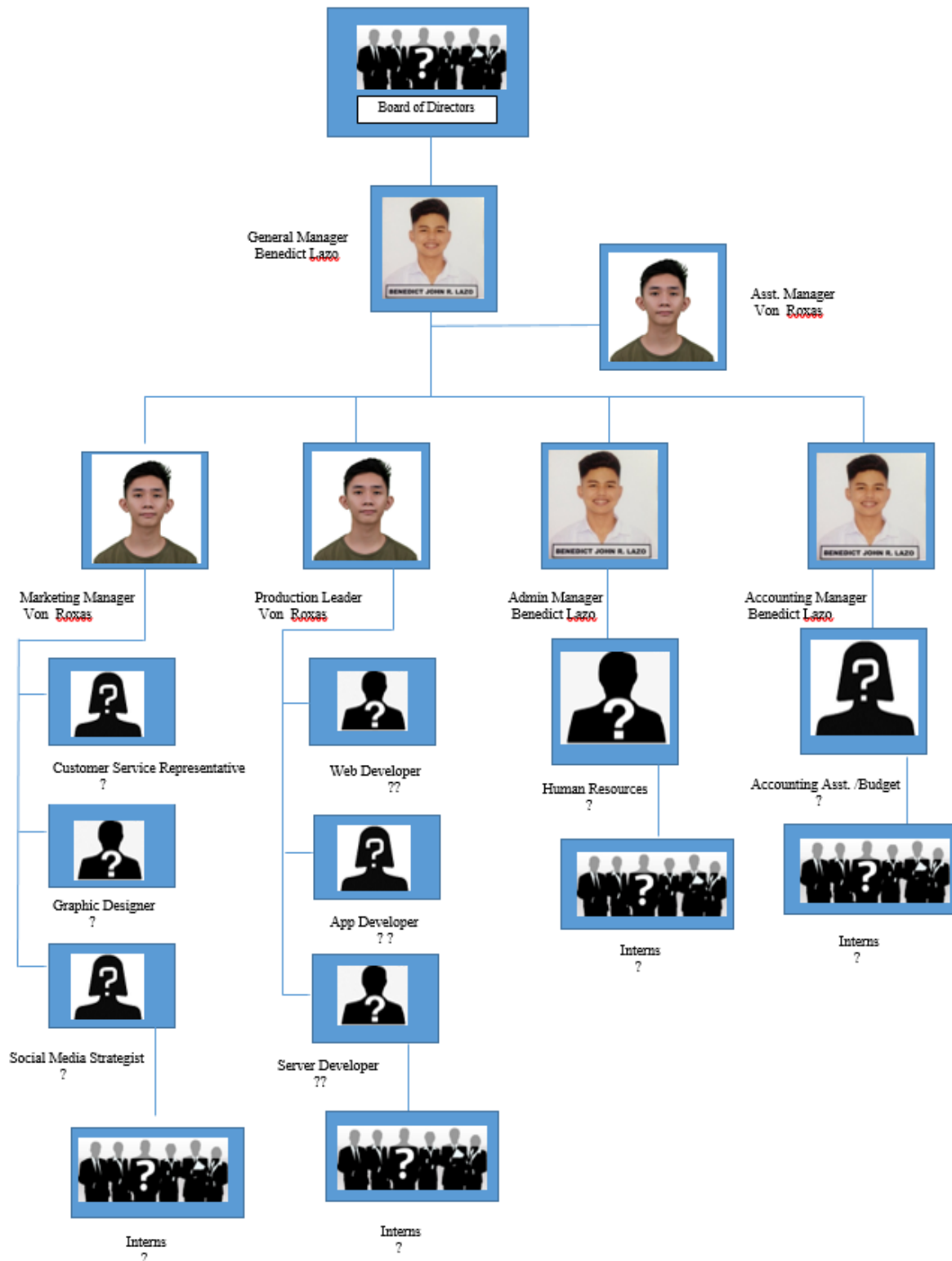
Optimist BV company was founded by Benedict Lazo and Von Roxas in January 2021, When the pandemic has begun, many industries worldwide like businesses, healthcare, finance, etc. have deployed and relied upon digital technology from traditional face-to-face work on many employees has shifted into work from home set up. The outsourcing industry also boomed and many businesses subcontracted their services to promote and assist their business. Hence, Ben and Von ventured into an outsourcing business and technology development to help the lives of the PWD sector mainly visually impaired people. Mission: To provide an efficient and extremely cost-effective service to the customers and enable your corporation to leverage global efficiencies so that businesses can operate like their physically connected to each other and help people make lives easier by leveraging technologies. Vision: Optimist BV will be the number one partner of choice by providing quality services to enable clients' long-term sustainable growth.

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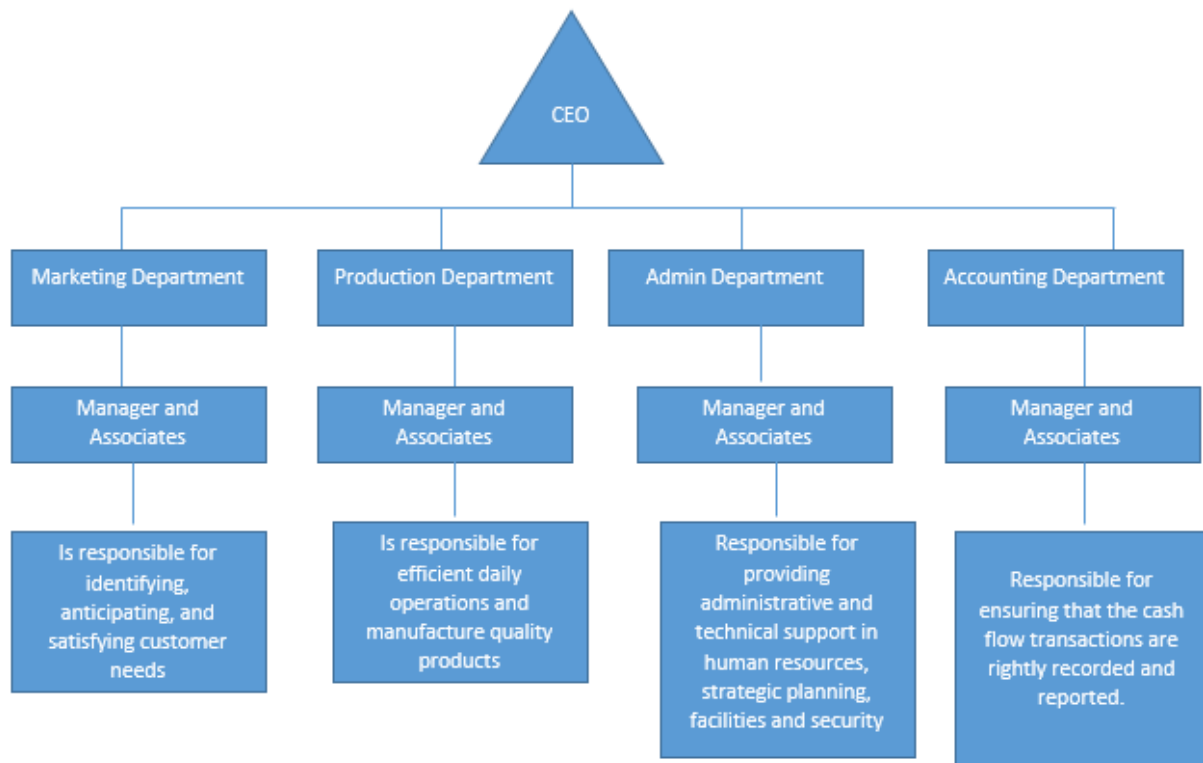
Vision: Optimist BV will be the number one partner of choice by providing quality services to enable clients' long-term sustainable growth.

- 1.1. Draft your company's organization Chart (people) and functional chart (functions of each department).

Organizational Chart



Functional Chart



Employee Handbook

**Understanding Employment at
[OPTIMIST BV]**



Revised on May 24, 2022

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Welcome to OPTIMIST BV

On behalf of your colleagues, we welcome you to OPTIMIST BV and wish you every success here

At OPTIMIST BV, we believe that each employee contributes directly to the growth and success of the company, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the programs and benefits available to eligible employees.

We believed that professional relationships are easier when all employees are aware of the culture and values of the company. This handbook will help you to better understand our vision for the future of our business and the challenges that are ahead.

We hope that your experience here will be challenging, enjoyable, and rewarding.

Again, welcome

1. Our Company

1.1 Business Transaction

The type of business transactions that our company used is cash transactions and credit transactions. We chose this type of transactions so it will be convenient to our customer and as well as for our company

2. Recruitment Process

2.1 Decide to fill the position internally or hire externally.

When hiring, companies have the option of hiring internally or externally. Internal hiring is when an existing employee is hired for a different role within the company. External hiring is when a company hires a fresh employee to fill a vacant position.

2.2 Conduct background checks.

A key motivation for doing background and reference checks is to protect the employer or others from harm or legal liability of various kinds. Other employees may be harmed as a result of sexual harassment or workplace violence. Sexual assault on business premises, for example, could harm the organization's clients.

3. Selection Process

3.1 Screening of resumes.

The practice of analyzing a resume to see if the individual is qualified for the post is known as resume screening. Education, experience, abilities, and any other relevant information on the CV are used to determine whether or not the candidate is qualified. And it's important for our company to hire the best of the best for the job

3.2 Phone screening

The purpose of the phone screening interview is not to make a hiring choice. Its goal is to discover individuals who aren't likely to reach the final cut. It will ensure that you only give face-to-face interviews to the most qualified individuals who have a good probability of being hired.

3.3 Interview

Job interviews allow our organization to learn more about an applicant while also allowing the candidate to become acquainted with the requirements of a specific position. The interview process is critical because it allows both sides to exchange information, ask interview questions, and assess the likelihood of forming a professional working relationship. Both parties get a chance to get a "feel" for each other and see if the chemistry is correct.

4. Hiring Process

4.1 Deciding there's a role to fill

The first step is to decide that you require a new employee. You'll need some new blood, whether it's due to an increasing workload, a change in how your system works, or you're filling an available job.

4.2 Writing a great job description

A good job description has all of the information your candidates need to know as well as all of the requirements you want.

4.3 Reviewing candidate applications

Reviews can be managed manually or via an application tracking system, depending on the role and the quantity of candidates (ATS).

Sifting out those who do not satisfy the basic requirements and ranking your best qualifiers might assist you in segmenting your applicants and narrowing down your options.

4.4 Applicant assessments

Having candidates perform tests or assessments before, during, or after interviews provides further insight into their suitability and readiness for the position.

Assessments can be used by employers to acquire a variety of data, from personal to professional. This information can be used to establish position readiness, cultural fit, and skill level.

4.5 Checking references

Those who skip this step are more likely to get themselves into trouble. You're trusting your candidates' word without checking references.

We all prefer to exaggerate our successes and traits in order to increase our chances of being recognized, but many people go so far as to fabricate facts to improve their chances.

4.6 And finally, hiring

If your offer has gone smoothly, the hiring process can commence. All employment papers necessary by your company and the law will be included with your accepted offer confirmation.

5. Job Type of Employees

- Customer service representative
- Graphic designer
- Social media strategist
- Web developer
- App developer
- Server developer
- Human resource
- Accounting assistant / budget
- Interns

6. Job description, scope and limitations

- Customer service representative - responsible for managing incoming calls and customer service inquiries, generating sales leads that develop into new customers, and identifying and assessing customer needs to achieve satisfaction.
- Graphic designer - includes the entire process of defining requirements, visualizing and creating graphics including illustrations, logos, layouts and photos. the one who's authorized to shape the visual aspects of websites, books, magazines, product packaging, exhibitions and more.
- Social media strategist - create quality content for Optimist BV's social media platforms such as Facebook, Twitter, and Instagram. The one who identify target audiences and schedule posts to maximize social media exposure. As well as keep up to date with the latest social media trends
- Web developer - is in charge of ensuring websites look good and function properly. The one who collaborate with website and graphic designers, monitor website traffic, troubleshoot website problems when they arise, and update websites as necessary.
- Server developer - responsible for server-side web application logic and integration of the work front-end developers do. The one who write the web services and APIs used by front-end developers and mobile application developers.
- Human resource - is concerned with manpower planning, recruitment, selection, placement, transfer, promotion, training and development, layoff and retrenchment, remuneration, incentives, productivity.
- Accounting assistant / budget - performing clerical tasks, including processing and recording transactions, preparing reports and budgets, fielding communications with clients and vendors, fact-checking, filing, and other duties, as needed.
- Interns - assist the company with tasks set out by various teams, such as research, data capturing and working closely with different team members to learn more about the company.

7. Promotion Benefits and process

Employee promotion refers to an employee's advancement through the ranks. Salary, position, duties, prestige, and benefits are all increased. This component of the job is the most motivating for employees the ultimate reward for effort and loyalty to a company.

A promotion, in theory, necessitates greater work and effort in the workplace. These promotion-based decisions are made on many elements depending on organizational policies. These factors could include length of service, experience, seniority, and performance.

As a result, there are four main sorts of staff development promotions.

7.1 Vertical Promotion

An upward mobility of personnel with a change in abilities and experience is referred to as this. It results in a shift in compensation, responsibilities, position, and benefits, among other things. This can happen in the marketing sector when a marketing supervisor is promoted to marketing manager.

Because of its nature, it has the potential to alter the character of the employment. This can be a transition from functional head to CEO, which are two quite distinct roles.

7.2 Cost-Efficient

Internal employee advancement is less expensive than acquiring new employees. According to a study published in The Wall Street Journal, this is true. Onboarding a new recruit costs 20 percent more than internally promoting one, according to research. This is detrimental to a company's cost-cutting efforts.

7.3 Rewards and Recognition

Employee advancement is an important part of a company's incentives and recognition program. This is because, according to a survey, more than a quarter of employees leave an organization due to a lack of recognition and awards.

This lowers staff retention, engagement, and motivation.

These are just a few of the reasons why employee promotion is so critical in the workplace.

8. Termination process

1. What is the right to security of tenure?

The right to security of tenure means that a regular employee shall remain employed unless his or her services are terminated for just or authorized cause and after observance of procedural due process.

2. May an employer dismiss an employee? What are the grounds?

Yes. An employer may dismiss an employee on the following just causes:

- a) serious misconduct;
- b) willful disobedience;
- c) gross and habitual neglect of duty;
- d) fraud or breach of trust;
- e) commission of a crime or offense against the employer, his family or representative;
- f) other similar causes.

3. Are there other grounds for terminating an employment? What are they?

Yes. The other grounds are authorized causes:

- a) installation of labor-saving devices;
- b) redundancy;
- c) retrenchment to prevent losses;
- d) closure and cessation of business; and
- e) disease / illness.

4. Before terminating the services of an employee, what procedure should the employer observe?

An employer shall observe procedural due process before terminating one's employment.

5. What are the components of procedural due process?

A. In a termination for just cause, due process involves the two-notice rule:

a) A notice of intent to dismiss specifying the ground for termination, and giving said employee reasonable opportunity within which to explain his or her side;

b) A hearing or conference where the employee is given opportunity to respond to the charge, present evidence or rebut the evidence presented against him or her;

c) A notice of dismissal indicating that upon due consideration of all the circumstances, grounds have been established to justify termination.

B. In a termination for an authorized cause, due process means a written notice of dismissal to the employee specifying the grounds at least 30 days before the date of termination. A copy of the notice shall also be furnished the Regional Office of the Department of Labor and Employment (DOLE) where the employer is located.

6. What is the sanction if the employer failed to observe procedural due process in cases of legal and authorized termination?

In cases of termination for just causes, the employee is entitled to payment of indemnity or nominal damages in a sum of not more than 30,000 pesos (Agabon vs. NLRC, 442 SCRA 573); in case of termination for authorized causes, 50,000 pesos (Jaka Food Processing vs. Darwin Pacot, 454 SCRA 119).

7. May an employee question the legality of his or her dismissal?

Yes. The legality of a dismissal may be questioned before the Labor Arbiter of a Regional Arbitration Branch of the National Labor Relations Commission (NLRC), through a complaint for illegal dismissal. In establishments with a collective bargaining agreement (CBA), the dismissal may be questioned through the grievance machinery established under the CBA. If the complaint is not resolved at this level, it may be submitted to voluntary arbitration.

8. In cases of illegal dismissal, who has the duty of proving that the dismissal is valid?

The employer.

9. Suppose the employer denies dismissing the employee, who has the duty to prove that the dismissal is without valid cause?

The employee must elaborate, support or substantiate his or her complaint that he or she was dismissed without valid cause (Ledesma, Jr. vs. NLRC, 537 SCRA 358, October 19, 2007).

10. On what grounds may an employee question his or her dismissal?

An employee may question his or her dismissal based on substantive or procedural grounds.

The substantive aspect pertains to the absence of a just or authorized cause supporting the dismissal.

The procedural aspect refers to the failure of the employer to give the employee the opportunity to explain his or her side.

11. What are the rights afforded to an unjustly dismissed employee?

An employee who is dismissed without just cause is entitled to any or all of the following:

- a) reinstatement without loss of seniority rights;
- b) in lieu of reinstatement, an employee may be given separation pay of one month pay for every year of service (Golden Ace Builders, et. al vs. Jose Talde, May 5, 2010, GR No. 187200);
- c) full backwages, inclusive of allowances and other benefits or their monetary equivalent from the time compensation was withheld up to the time of reinstatement;
- d) damages if the dismissal was done in bad faith (Aurora Land Project Corp. vs NLRC, 266 SCRA 48).

12. What is reinstatement?

Reinstatement means restoration of the employee to the position from which he or she has been unjustly removed.

Reinstatement without loss of seniority rights means that the employee, upon reinstatement, should be treated in matter involving seniority and continuity of employment as though he or she had not been dismissed from work.

When a Labor Arbiter rules for an illegal dismissal, reinstatement is immediately executory even pending appeal by the employer (Article 223 of the Labor Code, as amended).

13. In what forms may reinstatement pending appeal be effected?

Reinstatement pending appeal may be actual or by payroll, at the option of the employer.

14. What is meant by full backwages?

Full backwages refer to all compensations, including allowances and other benefits with monetary equivalent that should have been earned by the employee but was not collected by him or her because of unjust dismissal. It includes all the amounts he or she could have earned starting from the date of dismissal up to the time of reinstatement.

15. What is separation pay?

In termination for authorized causes, separation pay is the amount given to an employee terminated due to installation of labor-saving devices, redundancy, retrenchment, closure or cessation of business or incurable disease.

Separation pay may also be granted to an illegally dismissed employee in lieu of reinstatement.

16. How much is the separation pay?

In cases of installation of labor-saving devices or redundancy, the employee is entitled to receive the equivalent of one month pay or one month for every year of service, whichever is higher.

In cases of retrenchment, closure or cessation of business or incurable disease, the employee is entitled to receive the equivalent of one month pay or one-half month pay for every year of service, whichever is higher.

In case of separation pay in lieu of reinstatement, the employee is entitled to receive the equivalent of one month pay for every year of service.

17. Is proof of financial losses necessary to justify retrenchment?

Yes. Proof of actual or imminent financial losses that are substantive in character must be proven by the employer to justify retrenchment (Lopez Sugar Central vs. NLRC, 189 SCRA 179).

18. Are there other conditions before an employee may be dismissed on the ground of redundancy?

Yes. It must be shown that there is:

- a) Good faith in abolishing redundant position; and
- b) Fair and reasonable criteria in selecting employees to be dismissed, such as but not limited to less preferred status (e.g. temporary employee), efficiency and seniority (Asian Alcohol Corp. vs. NLRC, 305 SCRA 416);
- c) A one-month prior notice is given to the employee and DOLE Regional Office as prescribed by law.

19. May the services of an employee be terminated due to disease?

Yes. The employer may terminate employment on ground of disease only upon the issuance of a certification by a competent public health authority that the disease is of such nature or at such stage that it cannot be cured within a period of six months even with proper medical treatment.

20. What is constructive dismissal?

Constructive dismissal refers to an involuntary resignation resorted to when continued employment becomes impossible, unreasonable or unlikely; when there is a demotion in rank or a diminution in pay; or when a clear discrimination, insensibility or disdain by an employer becomes unbearable to an employee or an unwarranted transfer or demotion of a employee, or other unjustified action prejudicial to the employee. The employer has to prove that such managerial actions do not constitute constructive dismissal (Blue Dairy Corp. vs. NLRC, 314 SCRA 401)

21. May an employee be placed on floating status?

Yes, provided it is permitted under circumstances for a period of not more than six (6) months. Beyond this period, floating status becomes constructive dismissal which entitles the employee to separation pay (Phil. Industrial Security Agency Corp. vs. Virgilio Dapiton and NLRC, 320 SCRA 124)

22. When an employee resigned voluntarily, is he or she entitled to separation pay?

No. An employee is not entitled to separation pay when he or she resigns voluntarily, unless it is a company practice or provided in the CBA (Hanford Philippines Inc. vs. Shirley Joseph, 454 SCRA 786, March 31, 2005).

23. Are quitclaims valid?

Yes, provided that these are voluntarily signed and the consideration is reasonable and is not against the law or public policy. (More Maritime Agencies vs. NLRC, 307 SCRA 189)

Quitclaims entered into by union officers and some members do not bind those who did not sign it (Liana's Supermarket vs. NLRC, 257 SCRA 186).

<https://blr.dole.gov.ph/2014/12/11/termination-of-employment/>

9. Retirement Benefits and Process

An eligible retiring employee is entitled to retirement pay equivalent to at least his half-month salary for every year of service, a fraction of at least six months of service being considered as one whole year.

