

CODE OF CONDUCT AND DISCIPLINE

PRELIMINARIES

The Code of Discipline is a compendium which houses our Company's policies, rules and regulations, and code of conduct. Primarily, this Code of Discipline highlights the knowledge and information to all our employees, the conduct and governance at the workplace, behavior expected of them, including the administration of employee discipline at Ideal Tech Staffing. The Ideal Tech Staffing firmly believes that its employees are the pillar assets, as such, that it is apt to provide the meaningful obligation to safeguard their interest and welfare.

The rules and regulations are laid down by the Ideal Tech Staffing in consideration of the pertinent/applicable provisions of the Labor Code of the Philippines, as amended and the Code of Discipline.

The primordial aim of this is to guide all employees in the performance and dispensation of their duties and responsibilities in the Company. The Ideal Tech Staffing likewise believes that getting abreast and being understandingly informed the systems and procedures of the Company will enable its employees to faithfully and confidently comply and promote a work environment that maintains a high level of self-discipline.

LIMITS AND SCOPE

This Code of Discipline shall apply to all employees of Ideal Tech Staffing and its affiliated companies and organizations that the company engages with. Every employee is expected to read and fully understand the contents of this Code of Discipline and practice them in their work life.

EMPLOYMENT

Definition of Terms

“Company” shall refer to Ideal Tech Staffing and its affiliate companies.

“Employee” shall refer to anyone who is currently employed/working with this Company and its affiliates and is paid a salary through the regular payroll.

Qualifications for Employment

An applicant should qualify for the position he/she is applying for based on educational attainment, skills, expertise, relevant working experience and work attitude before he/she is hired.

The Company reserves the right to require an applicant to undergo medical examination, drug testing, job suitability and aptitude tests, including written tests and interviews, and reference check to determine the applicant's fitness and capability for the job.

Types of Employment

Employment in the Company is classified into:

- A. Regular Employment - an employment whereby the employee holds a permanent position in the Company.

It is an employment whereby the employee performs activities that are usually necessary or desirable in the usual business or trade of the employer (Art. 295, Labor Code). Thus, when the employee performs activities considered necessary and desirable to the overall business scheme of the employer, the law regards the employee as regular (*Universal Robina Sugar Milling Corp. vs. Acibo*, GR. No. 186439, Jan. 15, 2014).

No person shall be employed as a regular employee without undergoing a probationary period.

- B. Probationary Employment - an employment whereby an employee is required to first undergo a trial period to qualify for regular employment for at least six (6) months. Article 296, Labor Code).

Upon hiring/engagement of the services of the employee on a probationary status, the same employee shall be informed of the reasonable standards in the performance of the task/job under which he/she will qualify as a regular employee.

It is not the probationary employee's job description but the adequate performance of his/her duties and responsibilities which constitutes the inherent and implied standard for regularization. If the probationary

employee had been fully apprised by the employer of his/her duties and responsibilities, then basic knowledge and common sense dictate that he/she must adequately perform the same, otherwise he/she fails to pass the probationary trial and may therefore be subject to termination (*Abbot Laboratories Phils. vs. Alcaraz, GR. No. 192571, April 22, 2014*).

- C. Project Employment – an arrangement whereby the employment has been fixed for a specific project or undertaking whose completion or termination has been determined at the time of the engagement of the employee.

Two (2) requirements must be satisfied: (1) designation of a specific project or undertaking for which the employee is hired; (2) clear determination of the completion or termination of the project at the time of the employee's engagement. The services of the project employees are legally and automatically terminated upon the end or completion of the project as the employee's services are co-terminus with the project (*Universal Robina Sugar Milling Corp. (URSUMCO) vs. ACIBO, G.R. No. 186439, Jan. 15, 2014*).

Orientation of New Employees

An Orientation Town Hall is provided to new employees to familiarize and enlighten them about Ideal Tech Staffing. This Orientation Town Hall will be conducted by the Legal or HR Department and the topics to be discussed shall include the salient features of this Code of Discipline and other policies and procedures.

The employee's immediate superior/supervisor will also conduct orientation to acclimatize the employee with the Section or Department in which he/she will be assigned.

Updating of Personal Data

Once hired, the employee must notify the Company through Legal and HR Department within ten (10) calendar days of any of the following incidents which may occur during his/her employment:

- ☐ Change in address and telephone and/or mobile phone number
- ☐ Change in civil status
- ☐ Change in educational attainment
- ☐ Other relevant personal circumstances

Company Identification Card (ID)

Company ID

All employees shall be issued Company's Identification Cards, which shall always be displayed at all times while working and inside Company premises.

Upon resignation and/or termination of employment, the Company ID issued to the employee concerned must be returned to the Company.

In case of lost Company ID, the employee shall submit a duly accomplished and notarized affidavit of loss to the HR Department. The employee shall shoulder the cost of replacement to be deducted from his/her payroll account upon signing the authority to deduct form.

Attendance

Employees are required to log-on their time in and out in the biometrics/timekeeping system through finger scanning and other devices or other methods in attendance tracking provided for by the company. In the event the employees failed to log-on that time in and time out for the day shall mean absence from work for that particular day.

If the employee is on official business outside the office/company premises and the duration or location of his/her assignment prevents him/her from actually doing the time-in and time-out, the employee shall be excused. However, the employee shall submit an approved Travel Order form before the actual travel or immediately after the travel. Noncompliance or non-submission shall be considered absent from work.

Punctuality

An employee is considered tardy/late when he/she reports for work late from his/her work schedule. Every pay period, the total number of minutes or hours that an employee is tardy/late will be counted/computed and deducted from his/her salary based on the employee's hourly rate.

If tardiness reaches four (4) hours, it may be considered as half day vacation leave depending on the reason for tardiness and subject for approval of the section or department manager.

For employees whose tardiness can be considered excused due to valid reason (e.g. late arrival of shuttle service, flood and typhoon), the approval of section or department manager and HR manager must be secured to waive the salary deduction.

Absences

For absences due to illness and other unavoidable reasons, the supervisor or section or department manager must be notified through telephone/mobile

phone, written notice or any other possible means of communication available at least one (1) hour before the employee's work schedule stating the reason of absence and the expected number of days that the concerned employee will be absent.

For absences incurred due to illness of two (2) days or more, the employee shall submit a medical certificate and a fit to work order from an accredited doctor.

Notifying the Company of any absence does not necessarily mean that the absence will be excused. The Section or Department Manager may approve or disapprove the application for leave of an employee depending on the reason.

The absent employee must accomplish the leave form immediately upon return to work with an accredited doctor's certificate when applicable. Failure to submit would mean denial to report back to work and possible disapproval of application for leave.

Attendance infraction may be the basis for the forfeiture of the attendance bonus or incentives related thereto.

Undertime

An employee incurs undertime if he/she leaves the office before the official end of his/her designated working hours. His/Her pay is correspondingly deducted based on the actual undertime minutes or hours accumulated during the payroll period.

If undertime reaches four (4) hours, it may be considered as half day vacation leave depending on the reason for undertime and subject for approval of Section or Department Manager.

Before going on undertime, the employee must secure approval from the Section or Department Manager or Administration Manager by filling out the gate pass form.

Rest Day

The Company shall provide each employee a rest period of one (1) day after every six consecutive normal work days or any agreed date, other affiliates due to the nature of their business will have two (2) days rest period or whatever is applicable .

Regular and Special Holiday

Regular and special holidays are those declared by law and supported by official proclamation from the Office of the President of the Republic of the Philippines.

An employee is paid 100% of his daily rate even if he did not report for work, provided that he is present or is on leave with pay on the day immediately preceding the holiday (holiday pay rule).

For daily-paid employees, the “no work, no pay” principle shall apply during special holidays.

The Company provides employees with additional pay for work rendered during regular and special holidays.

Company Holiday

The Company may declare company holidays within the year depending on business demand. The number of company holidays will be at the sole discretion and prerogative of Management.

Management may add, change or remove a previously declared company holiday depending on business requirement.

For daily-paid employees, the “no work, no pay” principle shall apply during company holidays.

In the case of monthly-paid employees, the holiday pay rule shall apply. If worked, treatment and premium pay is the same as that of a special holiday.

Company activities shall be scheduled during company holidays.

LEAVES

The company will provide a total of 15 leave credits with pay to be accrued in the month and subject to the policy on critical working days memorandum. The allocation of such leave will be 8 days for Sick Leave and 7 days for Vacation Leave.

Unapproved/unauthorized leaves will affect any standing bonus or incentives provided for that effect.

Unused leave will be converted to cash, the date and crediting of which may either be at the end of the calendar year or at the anniversary date of the employee's employment. A separate memorandum will be provided.

Vacation Leave (VL)

All regular employees are entitled to paid vacation leaves (VL). Vacation leave is provided to allow employees to spend time for their rest and relaxation to generate better performance and improve morale.

Every employee is urged to take his/her vacation leave in the year it is earned and on dates acceptable to the Company so as not to hamper the Company's operations. Vacation leave shall also be used in case of no operation. Vacation leaves can be taken in units of one (1) day or a minimum of half (1/2) day or equivalent to four (4) hours.

Unused vacation leaves are converted into cash every November of the following year. Payment will be based on the employee's last salary rate at the time the cash conversion is made.

In case of an employee resigning, unused VL already earned at the time of separation, shall be converted to its cash equivalent and shall form part of his final pay.

In case of prolonged sickness, the vacation leave can be used as a sick leave but not vice versa.

Procedures in vacation leave application:

- ☐ An employee who decides to take a leave should accomplish and submit the application for leave form to HR Section, indicating among other things, the number of vacation days to be taken, duly approved by the section or department manager.
- ☐ Employees should secure approval at least one (1) week before they go on vacation leave. This procedure gives the immediate superior sufficient time to make the necessary scheduling and distribution of the employee's job responsibilities.
- ☐ The Company reserves the right to require from the employee other documents to support the application for vacation leave.

In case of an emergency whereby an employee will not be able to file leave of absence in advance due to a sudden, urgent, usually unexpected occurrence requiring his/her presence or immediate action, said leave is still chargeable to the employee's vacation leave account.

Sick Leave (SL)

Employees can use Eight (8) Sick Leaves with pay from the 15 days leaves allocation provided that proper documentation is submitted and it is approved by the supervisor and/or manager. The management has the discretion whether the employee can use the remaining unused leaves of the 15 days for Sick Leave after the 8 days SL have been exhausted to be paid out. Vacation leave must also be approved within the prescribed time.

All regular employees are entitled to paid sick leaves (SL) to be used in case of actual personal illness or injury. Sick leave can be taken in units of one (1) day or a minimum of half (1/2) day or equivalent to four (4) hours.

Unused sick leaves are converted into cash every November of the following year. Payment will be based on the employee's last salary rate at the time the cash conversion is made.

In case of an employee resigning, unused SL earned at the time of separation shall be converted to its cash equivalent and shall form part of his final pay.

Procedures in sick leave application:

- ☐ Immediately upon return to work, the employee must accomplish the leave form and if issued with a fit to work order, submit the form to his section or department manager for signature.
- ☐ Sick leave of two days or more needs a medical certificate and fit to work order from a doctor to support the leave application form.
- ☐ Failure to submit would mean denial to report back to work and possible disapproval of application for sick leave.
- ☐ The Company reserves the right to require from the employee other documents to support the application for sick leave.

The following may constitute disapproval of application for leave:

- ☐ failure to report absence
- ☐ late information of absence
- ☐ failure to file application for vacation leave at least three (3) days before going on leave
- ☐ failure to file application for sick leave immediately upon return to work
- ☐ failure to secure fit to work order from the clinic for one (1) day sick leave
- ☐ failure to submit pertinent documents to support absence (i.e., medical certificate, fit to work order, etc.) for sick leave of two (2) days or more
- ☐ absence despite denial of request
- ☐ unauthorized extension of leave of absence

Maternity Leave

The Company grants maternity leave to its pregnant employees (whether married or unmarried) who have rendered an aggregate service of at least six (6) months for the last twelve months.

The pregnant employee may apply for maternity leave at least two (2) weeks prior to the expected date of delivery (EDD) upon submission of a medical certificate stating that delivery will probably take place within two weeks.

The Company will advance the corresponding maternity leave benefits to pregnant employees based on the applicable law, rules and regulations of

Social Security System. The SSS benefits shall be paid for the first four (4) deliveries or miscarriages.

The following are the requirements to be entitled to the maternity leave benefit:

- ☐ Female employee must be an SSS member employed at the time of delivery or miscarriage
- ☐ Must have given the required notification to SSS through the clinic

The full payment shall be advanced by NBCP within thirty (30) days from the filing of the maternity leave application. The employee has the responsibility to submit to the clinic upon return to work all documents necessary for SSS reimbursement.

The maternity leave benefit is granted by the SSS in lieu of the wages. As such, this is not included in computing the employee's thirteenth (13th) month pay for the calendar year.

Paternity Leave

This benefit is granted to all married male employees regardless of their employment status to allow the husband to lend support to his legitimate wife during her period of recovery and/or in nursing her newborn child.

Paternity leave benefits shall apply to the first four (4) deliveries of the employee's lawful wife with whom he is cohabitating. It shall be for seven (7) days with full pay but shall not be convertible to cash and not cumulative if not availed.

The following are the requirements to be entitled to the paternity leave benefit:

- ☐ His legitimate wife has given birth or suffered a miscarriage
- ☐ He is cohabitating with his legitimate wife at the time she gives birth or suffers a miscarriage
- ☐ Must have applied for paternity leave at least one (1) week before the expected date of delivery of his pregnant legitimate wife

Paternity leave benefits shall be granted to the qualified employee during or after the delivery or miscarriage by his legitimate wife and may be availed on a staggered basis within one (1) month from the date of delivery or miscarriage.

Solo Parents Leave

The Company provides parental leave of seven (7) days per year to a solo parent in accordance with Republic Act 8972, also known as Solo Parent's Welfare Act of 2000, to enable the employee to perform parental duties and responsibilities where physical presence is required.

Any employee who falls under the definition of a solo parent under R.A. 8972 may avail of the benefits provided that the employee informs the Management through the HR Section of his/her status as such upon employment or within ten (10) days from attaining the status of a single parent.

The following are considered Solo Parents:

- ☐ a woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender, provided the mother keeps and raises the child
- ☐ parent left solo or alone with the responsibility of parenthood due to death of spouse
- ☐ parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year
- ☐ parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner
- ☐ parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children
- ☐ parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children
- ☐ parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year
- ☐ unmarried father/mother who has preferred to keep and rear his/her child/children instead of having others care for them or give them up to a welfare institution
- ☐ any other person who solely provides parental care and support to a child or children
- ☐ any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent

The following are the requirements to be entitled to the solo parental leave benefit:

- ☐ has rendered at least one (1) year of service whether continuous or broken
- ☐ has applied for parental leave at least three (3) days before availment
- ☐ presentation of Solo Parent Identification Card duly signed by the DSWD, city/municipal social welfare officer and the city/municipal mayor

Any solo parent employee shall enjoy all the other rights and privileges granted to other employees of the same rank. A solo parent employee shall not be discriminated against with respect to terms and conditions of employment on account of his/her status.

Solo Parental leave benefit shall not be convertible to cash and not cumulative if not availed. Moreover, a change in the status or circumstance of the parent claiming the benefit, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate eligibility for this benefit.

Leave for Victims of Violence against Women and their Children

The Company extends support to all female employees who are victims of violence as defined in Republic Act 9262, otherwise known as Anti-Violence against Women and their Children Act of 2004.

Violence against women and their children refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.

Women-Employees who are victims shall be entitled to take a paid leave of absence up to ten (10) days in addition to other paid leaves. Said benefit shall cover the days that the woman-employee has to attend to medical and legal concerns and can be extended when the need arises, as specified in a protection order issued by the Barangay or the Court.

In the event that the leave benefit is not availed of, it shall not be convertible to cash and shall not be cumulative.

Special Leave privilege for Women Employees (Magna Carta for Women)

Section 18 of Republic Act 9710, otherwise known as the Magna Carta for Women (MCW) grants special leave privilege for women employees. It is implemented by DOLE Department Order No. 112-A.

The Company provides its female employees leave entitlement of two (2) months with full pay based on gross monthly compensation following surgery caused by gynecological disorders. It shall be granted after the employee has undergone surgery and may be used for the period covering the surgery until recuperation. Absence incurred from the pre-surgery period, as well as those in excess of the two months allowed under the special leave benefit, may be charged against the employee's earned leave credits.

The following are the requirements to be entitled to the special leave benefit:

- ☐ has rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months
- ☐ has filed an application for special leave at least three (3) days prior the expected date of surgery
- ☐ in cases requiring emergency surgical procedure, prior application is not necessary however, the employee must notify the company through any means of communication at the soonest possible time and must immediately file her application for special leave after the surgery or recuperating period
- ☐ has undergone surgery due to gynecological disorders as certified by competent physician

Gynecological disorders refer to disorders that would require surgical procedures such as dilatation and curettage and those involving female reproductive organs such as vagina, cervix, uterus, fallopian tubes, ovaries, breast, adnexa and pelvic floor. Gynecological surgeries shall also include hysterectomy, ovariectomy, and mastectomy.

The special leave benefit is not convertible to cash and is not cumulative.

Employee Movement **Transfer / Reassignment / Job** **Rotation/Secondment/Promotion**

The Company reserves the right to exercise management prerogative to transfer, reassign or job rotate an employee, taking into account his position, work experience and other skills and the demands of the operations.

Transfer – is a movement from one position to another within the same organization which is of equivalent rank, level or salary without break in service/employment

Reassignment – is the movement of an employee from one unit to another unit within the same organization which does not involve a reduction in rank, status or salary

Job Rotation – is the movement of an employee in the various areas of business operations, usually does not involve a reduction in rank, status or salary.

Management has the prerogative to move an employee around in the various areas of its business operations in order to ascertain where he/she will function with maximum benefit to the Company and where he/she will be most useful.

Promotion

It is the advancement of an employee from one position to another with an increase in duties and responsibilities with the corresponding increase in salary.

The main purpose of promotion is to utilize the employee's skills and knowledge at the appropriate level in the organizational hierarchy resulting in organizational effectiveness and employee satisfaction.

Secondment

A secondment is where an employee is temporarily assigned to work in a different office or department of a different company for a defined period of time for a specific purpose which may involve increase in compensation.

During the period of secondment, the employee still remains to be an employee of Company of origin though the day-to-day supervision will be carried out by the Company where he/she is assigned.

Termination of Employment Relation

Termination of employment is the cessation of employer-employee relationship which may be initiated by the employer and in compliance with the due process of law or by the employee.

By the Employer

Based on Article 297 of the Labor Code, an employer may terminate an employment for any of the following just causes:

- ☐ Serious Misconduct
- ☐ Willful Disobedience of a Lawful Order or Willful Insubordination
- ☐ Gross and Habitual Neglect of Duties
- ☐ Fraud or Willful Breach of Trust
- ☐ Loss of Trust and Confidence
- ☐ Commission of a crime or offense against the Person of the Employer, Immediate member of his family or duly authorized representative
- ☐ Analogous causes

There are also authorized causes that result to termination of employment as follows:

- ☐ Installation of labor-saving devices
- ☐ Redundancy
- ☐ Retrenchment to prevent losses
- ☐ Closure or cessation of business operation
- ☐ Disease

In cases of installation of labor-saving devices, redundancy and retrenchment, the “Last-In, First-Out Rule” shall apply except when an employee volunteers to be separated from employment.

In the case of disease as a valid ground for termination, a certification must be issued by a competent public health authority that the disease cannot be cured within a period of six (6) months even with proper medical treatment and therefore the employee concerned is no longer fit to work.

The just causes of termination of employment generally do not entail payment of separation pay while the authorized causes do.

The Supreme Court has granted separation pay to a legally dismissed employee as an act of “social justice” or on equitable grounds. In both instances, it is required that the dismissal (1) was not for serious misconduct; and (2) did not reflect on the moral character of the employee. (*Manila Water Company vs. Del Rosario*, G.R. No. 188747, January 29, 2014)

Separation pay shall be allowed as a measure of social justice only in instances where the employee is validly dismissed for causes other than (a) serious misconduct; (b) willful disobedience; (c) gross and habitual neglect of duty; (d) fraud or willful breach of trust; (e) commission of crime against the employer or his family or those reflecting on his moral character. (*Manila Water Company vs Del Rosario*, G.R. No. 188747, January 29, 2014/*Justice Perez citing the case of Toyota Motor Phils. Corp Workers Association (TMPCWA) vs NLRC*, 562 Phil. 759[2007])

By the Employee

Resignation is termination of employment initiated by the employee.

An employee who voluntarily resigns must notify in writing his/her manager in writing at least thirty (30) days prior to the effective date of his/her resignation. The company may hold the employee liable for damages for failure to do so. However, the management reserves the right to require the employee concerned holding key positions, six (6) months notice in writing prior to resignation.

Proper turn-over of job assignment must be done and the resigning employee is required to return to the company all materials issued to him/her such as uniforms, ID, keys, files/office supplies, tools, etc. An exit interview will also be conducted by the HR Section as part of the clearance procedure and release of accountability to the company. Failure to complete the clearance requirements shall be the basis to hold the release of the employee’s final pay.

Once resignation is accepted, the employment relationship is considered terminated and the employee has no right to the job. A resignation tendered by an employee may still be withdrawn before its acceptance by the Management. Once accepted, withdrawal of the resignation can be made only with the consent of Management.

Standards of Conduct

As employees of the Company, everyone is expected to comply with all government laws and observe good morals and right conduct at all times bearing in mind that any action on the employee's part is reflective of the Company and fellow employees. Employees should refrain from actions which corrupt public morals or damage the good reputation of the Company.

All employees are strongly encouraged to make a distinction between official business and personal interest. For instance, Company materials, equipment, tools, etc. are not to be utilized for personal use.

Employees are also expected to manage their personal finances in a responsible manner. Excessive borrowings beyond the capacity to pay as well as gambling are strongly discouraged. Employees are expected to follow instructions from their superiors.

In respect for individual beliefs, employees are discouraged to engage in political or religious activities within the company premises.

Leaflets and other printed materials should not be distributed or posted inside company premises without prior approval from the administration department.

Drug-Free Workplace Policy

The Company maintains a workplace free from the presence and effects of illegal drugs pursuant to RA 9165 or the Comprehensive Dangerous Drugs Act of 2002, and its Implementing Rules and Regulations, DOLE Department Order No. 53-03, series of 2003 (Guidelines for the Implementation of a Drug-Free Workplace Policies and Programs for the Private Sector). A policy on drug-free workplaces is established for this purpose.

The Company explicitly prohibits:

- ☐ the use, possession, solicitation for, or sale of dangerous drugs inside company premises or while performing an assignment
- ☐ being impaired or under the influence of dangerous drugs away from the company, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the company's reputation

- ☐ possession, use, solicitation for, or sale of dangerous drugs away from the company premises, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the company's reputation
- ☐ the presence of any detectable amount of dangerous drugs in the employee's system while at work, while inside the premises of the company, or while on company business trip

(Dangerous drugs include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the annex of R.A. 9165.)

Mandatory drug test is required by the Company for pre-employment to ensure that only those qualified shall be recruited and hired to prevent the detrimental effects (e.g. lower productivity, poor decision making, increased accidents, more compensation claims, and reduced team effort) which drug use and abuse may cause in the workplace.

The Company, at its own expense, shall conduct random drug testing under any of the following circumstances:

- ☐ Random Testing: Employees shall be randomly called for drug testing at any interval determined by the Company.
- ☐ For-Cause Testing: The Company may ask an employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs, including, but not limited to, the following circumstances: evidence of drugs on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
- ☐ Post-Accident Testing: Any employee involved in a "near-miss" incident or "work accident" under circumstances that suggest possible use or influence of drugs may be asked to submit to a drug test. As defined herein, "near-miss" means an incident arising from or in the course of work which could have led to injuries or fatalities of the workers or considerable damage to the employer had it not been curtailed. "Work accident" refers to unplanned or unexpected occurrence that may or may not result in personal injury, property damage, work stoppage or interference or any combination thereof of which arises out of and in the course of employment.

All drug tests shall employ, among others, two (2) testing methods: the screening test which will determine the positive result as well as the type of the

drug used and the confirmatory test which will confirm a positive screening test. Where the confirmatory test turns positive, the Company's assessment team shall evaluate the results and determine the level of care and administrative interventions that can be extended to the concerned employee.

The Company shall inform the employee who was subjected to a drug test of the test results whether positive or negative.

The Company adopts the following programs on treatment, rehabilitation and referral of employees found positive of drug use:

- An employee who, for the first time, is found positive of drug use, shall be referred for treatment and/or rehabilitation in a DOH accredited center. For this purpose, the company shall provide a list of at least three (3) accredited facilities which an employee who was tested positive for drugs may choose from.
- Following rehabilitation, the Company's assessment team, in consultation with the head of the rehabilitation center, shall evaluate the status of the drug dependent employee and recommend to the employer the resumption of the employee's job if he poses no serious danger to his co-employees and/or the workplace.
- All costs for the treatment and rehabilitation of the drug dependent employee shall be charged to his account. The period during which the employee is under treatment or rehabilitation shall be considered as authorized leaves.
- Repeated drug use even after ample opportunity for treatment and rehabilitation shall be dealt with the corresponding penalties under R.A. 9165 and is a ground for dismissal.
- The Company undertakes to increase the awareness and education of its employees on the adverse effects of dangerous drugs through continuous advocacy, education and training programs/activities.

The Company shall maintain the confidentiality of all information relating to drug tests or to the identification of drug users in the workplace. Exceptions may be made only where required by law in case of overriding public health and safety concerns or where such exceptions have been authorized in writing by the person concerned and **when responding to a subpoena duces tecum and subpoena ad testificandum issued by a Court with jurisdiction over a legal proceeding.**

Anti-Sexual Harassment Policy

The Company values and upholds the dignity of all its employees, recognizes and guarantees the full respect of their human rights as well as the dignity of all applicants for employment, or those undergoing on-the-job training. Towards this end, all forms of sexual harassment in our workplace are hereby declared unlawful. This policy guidelines is set to contain the definition of and procedures for the prompt and effective handling of cases on sexual

harassment within the legal framework of Republic Act No. 7877, otherwise known as the The Anti-Sexual Harassment Law of 1995.

Sexual harassment refers to behavior that is not welcome, that is personally offensive, weakens morale and, therefore, interferes with work effectiveness. Such behavior may be in the form of unwanted physical, verbal or visual sexual advances, requests for sexual favors, and other sexually oriented conduct which is offensive or objectionable to the recipient, including, but not limited to derogatory or suggestive comments, gestures and offensive posters, cartoons, pictures, or drawings.

The Company will not tolerate any behavior that may constitute sexual harassment and any employee found to have committed sexual harassment shall be subjected to disciplinary sanction, including dismissal, after compliance with due process.

The Company has adopted the definition of sexual harassment set forth in Section 3 of R.A. 7877, to wit: Sexual Harassment in workplace is committed by an employer, employee, manager, supervisor, agent of the employer, or any other person who, having authority, influence or moral ascendancy over another in a work environment, demands, requires or otherwise requires any sexual favor from another, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

Definition of Terms

Complaint – is a sworn statement filed by the victim-employee against the alleged sexual harasser with an offense constituting act(s) of sexual harassment committed in the workplace as defined in the first paragraph of page 29 hereof.

Induce – to persuade, influence, instigate

Intimidate – to discourage from acting by threat or frighten or terrify or scare by violence or to compel an employee to do or abstain from doing any act which he/she has a legal right to do or abstain from doing.

In a work-related or employment environment, sexual harassment is committed when:

- ☐ the sexual favor is made as a condition in the hiring or in the employment, re-employment, or continued employment of said individual,
- ☐ or in granting said individual favorable compensation, terms of conditions, promotions, or privileges,
- ☐ or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee.
- ☐ the above acts would impair the employees' rights or privileges under existing labor law

- ☐ the above acts would result in an intimidating, hostile, or offensive environment for the employee

Sexual harassment may be committed in any work or training environment. It may include, but are not limited to the following:

- ☐ in or outside the office building or training site
- ☐ at office or training-related social functions
- ☐ in the course of work assignments outside the office/Company premises
- ☐ at work-related conferences, studies or training sessions
- ☐ during work-related travel

Sexual harassment may be committed in any of the following forms:

- ☐ overt sexual advances
- ☐ unwelcome or improper gestures of affection
- ☐ request or demand for sexual favors including but not limited to going out on dates, outings, or the like for the same purpose
- ☐ any other act or conduct of a sexual nature or for purposes of sexual gratification which is generally annoying, disgusting or offensive to the victim
 - Sexual/sexist jokes, comments or innuendos
 - Requests for dates after being turn down
 - Subtle or overt pressure for sexual activity
 - Uncalled for physical contact
 - Invasive questions about one's private life
 - Assault (physical or sexual)
 - Indecent exposure
 - Malicious (grabbing, kissing and fondling)
 - Unwanted touching of private parts of the body, like, genitalia, buttocks and breasts
 - Obscene phone calls and nuisance letter
 - Verbal abuse or threats with sexual overtones
 - Unwelcome phone calls with sexual overtones causing embarrassment, discomfort, offense, or insult to victim-receiver

The Company is responsible for preventing sexual harassment in the workplace, for taking immediate corrective action to stop sexual harassment in the workplace, and for promptly investigating any allegation and/or complaint of work-related sexual harassment.

A Committee on Decorum and Investigation (CODI) shall be constituted, with the following membership/representation:

Chairperson : The General Manager or his duly authorized representative

Members : One (1) representative from the Rank-and-File

One (1) representative from the Supervisors group

One (1) representative from the Managers group

Functions of CODI

1. Receive any and all sworn written complaint on sexual harassment.
2. Conduct administrative investigation on all sexual harassment complaints in accordance with the prescribed rules/procedure.
3. Submit a written report of its findings and recommendation to the Office of the Director/General Manager, for appropriate action/approval.
4. Lead in the conduct of info dissemination/discussion about sexual harassment, within the Company, to increase understanding, promote awareness towards prevention of incidents of sexual harassment in the workplace.

PROCEDURE

1. The employee-victim shall submit his/her signed sworn statement/complaint within five (5) days from the date the incident happened to the CODI.
2. Upon receipt of the same signed sworn statement/complaint, the duly constituted CODI shall summon/notify the alleged sexual harasser, requiring the latter to submit a written answer/counter-affidavit to the attached sworn statement/complaint, within five (5) days from receipt of the summon/notice.
3. Thereafter, the CODI shall notify in writing both parties (employee-victim and the alleged sexual harasser, the dates, venue of the administrative hearing/investigation. Included in the same notification, both parties shall be informed that they are entitled to have a counsel of their choice to be present during the hearing/investigation to protect their rights and interests.
4. The CODI shall have fifteen (15) days from the of the admin hearing/investigation, to submit its written report/findings and recommendations to the Office of the General Manager, for appropriate action/approval.
5. Ten (10) days from receipt of the written report/findings and recommendations, the Office of the General Manager shall render a decision.
6. Five (5) days from receipt of the decision of the Office of the General Manager, the respondent employee shall have the option to file a Motion For Reconsideration (MR) with the Office of the General Manager.
7. In the event that the MR filed by the employee-respondent is denied, then five (5) days from receipt of such denial of the MR, the same

decision of the Office of the General Manager shall become final and executory.

8. Thereafter, the Office of the HR Manager shall be responsible for the implementation/enforcement of the subject decision.
9. A written withdrawal of the complaint made after its filing or at any stage of the proceedings, for any reason whatsoever, shall not preclude/prevent the CODI from continuing with the admin investigation of the case should there be valid and strong reason for the continuance of the same.

Any employee, who experience or witness any act of sexual harassment in the workplace, shall report the same immediately to the CODI. They may also report acts of sexual harassment to any other member of top management. .To the extent possible, the identity of the **alleged sexual harasser and employee-victim** shall remain confidential. When the investigation is completed, all parties will be informed of the outcome of the investigation.

The Company will permit no employment-based retaliation against anyone who **files** a complaint of sexual harassment or who **acts** as witness in the investigation of a complaint of sexual harassment.

Performance Management

Coaching Log - This applies related to the inadvertent errors or mistakes pertaining to the scope of their work for example a mistake in the performance of how a task is done. This also applies to all first offenses at the discretion of the supervisor or manager. This will progress to an NTE if it becomes the second time or reasonably habitual.

Performance Improvement Plan (PIP) - This applies to employees' scorecards and Key Performance Indicator (KPI) not being hit within the review time or period. This puts the employee under monitoring for a specified period of time. PIP will be attached into NTE/NDA for the performance monitoring which will result in a disciplinary action up to termination.

Incident Report (IR) - This records the incidents not related to the work scope or work performance involving an employee. It records all of or any circumstances and events that occurred within the premise that needs to be recorded.

Types of Disciplinary Action / Sanctions

1. Verbal Warning

It is a corrective action/admonition to the erring employee for the infraction of the Company Rules & Regulations or the Company's Code of Discipline shall be taken immediately by the immediate superior. Normally, a one-on-one meeting between the superior and the concerned employee to discuss the problem or issue at work and the ways of improvement. In case of minor infractions, counseling shall be mandatory, the minutes thereof duly recorded and signed by both parties, prior to the institution of administrative action. The concerned employee shall also be reminded of possible consequences should the problem persist.

2. Written Warning

A written reprimand/warning is imposed upon an erring employee for repeated infraction of an offense subject of the verbal warning. Such a written reprimand/warning shall include a statement that a subsequent infraction of the same offense, a heavier administrative sanction shall be imposed.

3. Suspension

It is a corrective action imposed upon erring employee for infraction of an offense which carries with it an administrative sanction of suspension from work without pay. It is a temporary disassociation from work/employment of an employee for a specified period of time without salary and benefits.

4. Preventive Suspension

It is imposed upon erring employee at the inception of the administrative hearing/proceedings conducted by the Administrative Investigating Committee, under the following circumstances:

- a) If the employee's continued employment poses a serious and imminent threat to life or property of the employer or of his co-workers, or
- b) Where the employee's continued employment/presence will adversely affect the administrative investigation being undertaken

The Preventive Suspension shall not last longer than 30 days, otherwise, the employer shall (1) reinstate the worker/employee to former or substantially equivalent position; or (2) pay the wages and other benefits to the worker/employee that he/she is not bound to reimburse in case he/she is finally dismissed. *(Sections 8 & 9, Rule XXIII, Book V, Rules to Implement The Labor Code, as amended by Article 1, DOLE Department Order No. 9, s. 1997).*

5. Dismissal

It is the termination/separation from employment for just/valid causes and/or authorized causes as provided for in Articles 297 and 298, 299 of the Labor Code, as amended. It is a termination/separation from

employment because the acts or omissions that the employee has committed is inconsistent with the acceptable standards of behavior and results in a very serious potential or actual loss or damage to the Company.

A dismissed employee forfeits all his benefits and privileges without prejudice to whatever legal action that the Company may take against him/her.

Administrative Investigation

The following rules shall be observed in the administrative investigation of any erring employee of Ideal Tech Staffing and its affiliates:

RULES OF PROCEDURE OF ADMINISTRATIVE INVESTIGATING COMMITTEE

Section 1. **Coverage.** These rules of procedure of the Administrative Investigating Committee shall apply to all **employees** of Ideal Tech Staffing and its affiliates companies

- a) All employees who are the subject of an administrative complaint shall be referred to as Respondent.
- b) The investigation and disposition of administrative complaints filed against employees of the company shall be summary in nature and without adhering to technical rules of procedure and evidence.
- c) These rules of procedure shall uniformly apply to all administrative complaints filed against all employees of Ideal Tech Staffing and its affiliates.

Section 2. **Forms and Contents of an Administrative Complaint.** No administrative complaint against an employee of the company shall be given due course unless the same is made in writing.

- a) The administrative complaint shall state all the allegations against the respondent and shall narrate the facts constituting the acts/infractions committed. The Affidavit(s) of the complainant's witness/es, if any and other documentary evidence shall be attached to the complaint and shall form integral part of the complaint.
- b) In the event that the complaint lacks any of the above-mentioned requirements, the complainant shall be notified during the proceedings to comply with the requirements within five (5) days from receipt of the notice. Failure to comply within the required period

shall result to the exclusion of the lacking evidence during deliberation.

Section 3. **Where Complaint shall be Filed.** An administrative complaint against any employee of the company shall be filed with the Human Resource Department. In cases where the complaint is filed with any other office/department, the same complaint shall be referred to the HR Department for appropriate action within three (3) days from receipt thereof.

Section 4. **Issuance of Notice To Explain (NTE) or Memo To Explain.** After a complaint is determined to be sufficient in form and substance, a Notice To Explain shall be issued to the respondent by the concerned Immediate Superior/Supervisor of the respondent employee, in coordination with the HR Department.

- a) The Notice To Explain shall inform the respondent employee in writing, of how and when the infraction/offense committed and the corresponding/prescribed penalty for such infraction/offense.
- b) The same Notice To Explain shall require the respondent to submit in writing his/her reply/counter-affidavit, together with the affidavit/s of his/her witness/es, if any, and other documentary evidence, within five (5) calendar days from receipt of such notice.
- c) A copy of the complaint, if any, and other supporting evidence/s, shall be attached to the Notice To Explain.
- d) Failure on the part of the respondent employee to submit his/her reply or counter-affidavit within the prescribed period of five (5) calendar days, shall be construed as a waiver of his/her right to be heard and present evidence/s in support of his/her defense, and the Office of the HR Manager shall submit its recommendation on the basis of available records/documents, for approval of the HR Manager.
- e) If the employee voluntarily admits culpability/responsibility in committing the offense, he/she will be required to put in his/her own handwriting his/her admission and another employee, as witness must attest to the voluntariness and veracity of the admission. Thereafter, the investigation may be considered closed.

Section 7. **Conduct of Formal Administrative Investigation.** Within a period of five (5) days from its receipt the reply from the Show Cause Memo, the HR Manager or its authorized representative shall proceed with the formal investigation of the complaint. The Management, however, is not precluded to avail the services of lie detector test when deemed necessary during the administrative investigation.

Section 8. **Report, and Recommendation of HR Manager or authorized representative.** Within the period prescribed for the conduct of the HR Manager's investigation in consultations with the immediate supervisor, the HR

Manager shall proceed to deliberate on the merits of the case and submit its report and recommendations to the Office of the President or its authorized representative, for approval. The report shall include: the facts of the case; issues involved; evaluation/findings and recommendations.

In the determination of the penalties to be imposed, the Admin Committee shall take into consideration the presence of mitigating and/or aggravating circumstances attendant to the infraction/commission of the offense.

Section 9. **Decision of the President or authorized representative.** Upon submission of the report and recommendation of the HR Manager, the President shall review and decide to approve or disapprove the same within twenty (20) days from receipt thereof.

Section 10. The parties shall be notified in writing of the decision of the General Manager or President, ten (10) days from such decision.

Procedures: Motion for Reconsideration

The respondent employee, after receiving the copy of the decision containing the imposition of disciplinary sanction, say, suspension from work without pay and/or dismissal from service/employment, has the option to file a Motion For Reconsideration (MR) with the Office of the General Manager or President.

Fifteen (15) days from receipt of the MR filed by the aggrieved employee, any decision issued by Office of the General Manager is final and executory, unless a timely appeal is filed with the Office of the President, within ten (10) days from receipt of the decision of the Office of the General Manager.

The aggrieved employee has the option to appeal the decision on his/her case, ten (10) days from receipt of the copy of the decision from the Office of the General Manager, by filing an Appeal Memorandum with the Office of the General Manager. Late filing of such Appeal Memorandum shall not be accepted/considered, much less entertained.

The following procedures shall apply in cases of appeal:

1. Ten (10) days from receipt of the copy of the decision, the aggrieved party shall submit a Memorandum of Appeal in three (3) copies to the Office of the General Manager, copy furnished the Disciplining Authority.
2. Upon receipt of the said Memorandum of Appeal, the Office of the General Manager shall forward/endorse the same to the Office of the President.
3. From receipt of the Memorandum of Appeal, the Office of the President shall have thirty (30) days to decide the case.
4. Copy of the decision of the Office of the President shall be furnished to the respondent-employee, Disciplining Authority, Office of the General Manager, HR Manager.

Classification of Offenses/Infractions and Corresponding Disciplinary Sanctions

Offenses are grouped into different categories such as Minor (A), Less Grave (B) and Grave/Serious (C).

1. Minor Offenses (A)

A minor offense is an infraction of rules and procedures, or a display of substandard performance, which by itself is not generally grave enough to warrant immediate suspension from work or termination from employment, except when done repeatedly.

Disciplinary Sanction:

- | | | |
|-------------------------|---|--|
| 1 st offense | - | Verbal warning |
| 2 nd offense | - | Written reprimand |
| 3 rd offense | - | 1-15 days suspension from work without pay |
| 4 th offense | - | Dismissal from employment |

2. Less Grave Offenses (B)

A less grave offense is usually an infraction of more serious rules or procedures or an illegal activity that by itself warrants suspension from work.

Disciplinary Sanction:

- | | | |
|-------------------------|---|--|
| 1 st offense | - | Written reprimand |
| 2 nd offense | - | 1-15 days suspension from work without pay |
| 3 rd offense | - | Dismissal from employment |

3. Grave/Serious Offenses (C)

A grave/serious offense is an infraction of any rule that by itself warrants termination from employment.

Disciplinary Sanction:

- | | | |
|-------------------------|---|---------------------------|
| 1 st offense | - | Dismissal from employment |
|-------------------------|---|---------------------------|

Circumstances Attendant to the Commission of the Offense/Infraction

The above-mentioned disciplinary sanctions shall be applied by the Company consistently, uniformly, positively, and constructively. Opportunity for the erring employee to correct himself/herself is provided by the progressive nature of the disciplinary steps. Progressive disciplinary actions, however, may not apply to grave offenses for which the employee may be administratively sanctioned with dismissal from employment after compliance with due process.

The rule of progression shall always be observed on the imposition of corrective actions.

- ☐ All offenses committed shall be treated on a cumulative basis.
- ☐ Succeeding offenses shall be meted with the next higher corrective action.
- ☐ Two or more offenses emanating from a single act shall be dealt with more with severe corrective action.
- ☐ **Cleansing/Write-off of offenses will be as follows:**
 - Minor Offense (A) – shall be considered written-off after one (1) year from the time the administrative sanction/penalty is served
 - Less Grave Offense (B) – shall be considered written-off after two (2) years from the time the administrative sanction/penalty is served.

1. Mitigating Circumstances

In determining the disciplinary sanction, there are mitigating circumstances that tend to lessen the seriousness/gravity of the offense and may merit the imposition of a lower penalty.

Mitigating Circumstances are conditions that would warrant the reduction of the imposable penalty for the offense committed that shall include:

- ☐ Employee has not committed a similar offense from the time he was hired by the Company
- ☐ Employee's past good performance in the Company
- ☐ Employee has not caused substantial damage or loss to Company due to such infraction/violation
- ☐ Employee did not benefit from the offense committed
- ☐ Employee's voluntary admission of culpability/responsibility of the infraction/violation
- ☐ Employee did not have the intent to defraud the Company
- ☐ Employee's degree of participation in the violation/infraction of the offense
- ☐ Employee followed wrong order of a superior in good faith or under threats, undue influence, intimidation or coercion
- ☐ Employee was provoked to commit the offense

2. Aggravating Circumstances

On the other hand, there are aggravating circumstances that tend to increase the seriousness/gravity of the offense and may merit the application of the maximum disciplinary sanction for the offense committed.

Aggravating Circumstances are conditions that off-set the presence of mitigating circumstances that shall include:

- ☐ Employee has a previous record or similar offenses during his stay in the Company
- ☐ Employee has been administratively sanctioned for multiple or habitual misconduct
- ☐ Employee has caused the Company a substantial amount of damage or loss due to such infraction/violation
- ☐ Employee was motivated by a reward or promise of reward in the commission of the offense
- ☐ Employee has benefited from the offense
- ☐ Employee occupies a position of trust and confidence such as those routinely charged with care and custody of Company's money and/or property
- ☐ Employee has a poor performance record
- ☐ Employee was under the influence of drugs or alcohol when he/she committed the offense
- ☐ Employee has taken advantage of emergency situations
- ☐ Employee has premeditated the commission of the offense
- ☐ Employee has imposed his/her position upon a subordinate to commit the offense
- ☐ Employee has committed the offense against a superior

EFFECTS ON PROMOTION

Minor Offense - Ineligible for promotion for a period of 3 months to 6 months from finality of decision

Less Grave Offense - Ineligible for promotion for a period of 6 months to 12 months from finality of decision

Grave/Serious Offense – Ineligible for promotion for a period of 12 months to 24 months from finality of decision.

If the decision is rendered and the employee-respondent is found not administratively accountable/responsible for the charge/complaint, then he/she is eligible for promotion subject to other required qualifications.

If the decision rendered and the employee-respondent is found administratively liable/accountable, then he/she remains ineligible for promotion during the effectivity period corresponding to the offense committed.

GUIDELINES AND CLASSIFICATION FOR OFFENSES AND SANCTION

INFRACTIONS/VIOLATIONS DEGREE OF SANCTION

1. UNDESIRABLE PERSONAL CONDUCT AND BEHAVIOR – it is an unwanted act, manner, conduct of oneself or behavior of an employee that would restrain the smooth, efficient operations of the company.

1.1	ENGAGING IN AN AUTHORIZE UNDERTAKING, VENDING OR SOLICITATION.	
1.1.1	Inside the company premises products or services not in conflict with the company's or its affiliated company's lines of businesses.	B
1.1.2	Inside the company premises of products or services in conflict with the company's or those of its affiliated company's lines of businesses.	C
1.1.3	Outside of company premises of products or services not in conflict with the company's or those of its affiliated company's lines of business.	B
1.1.4	Outside of company premises of products or services in conflict with the company's or with those of its affiliated company's lines of businesses.	C
1.1.5	Failure to declare or report to the company any business undertakings which may restrain the smooth, efficient operations of the company and/or cause damage to the company	B
1.1.6	Bringing of non-office personnel and/or unauthorized person during official trip and/or business transaction.	B/C
1.2	Using profane or indecorous language/acts in addressing company officer, co – employees (and their family members) and company visitors (i.e. customers, clients, etc)	B/C
1.3	Threatening, either actual, personal, verbal or written, provoking and instigating a fight with fellow employee or members of his/her family inside or outside the company premises.	B/C
1.4	Connivance and/or assisting/abetting in the commitment of an offense under established rules and regulations for the company.	C
1.5	Posting or distributing notices, posters, and brochures and any other printed materials of any description or engaging in group meetings, speeches within company premises without prior written permission or without company's approval.	A/B
1.6	Using company time, materials and equipment including the use of personal USB or personal external hard drive, company email address and other resources for personal use or unauthorized undertaking.	B
1.7	Creating or contributing to unsanitary condition such as, but not limited to, urinating or defecating in places other than in the areas designated by the company, spitting on the floor, littering and unsanitary use of toilets.	B
1.8	Rumor mongering resulting to anxiety, embarrassment, and / or demoralization, causing disharmony among employees.	B
1.9	Immoral conduct and behavior that may damage the reputation of the company whether it occurs inside or outside the company's premises, whether the employee is directly or indirectly involved.	B/C
1.10	Committing acts of vandalism such as defacing or destroying company assets, posting, altering or removing any matter on the Bulletin Boards unless specifically authorized and acts of vandalism such as writing on walls, ceiling, etc. inside the company premises.	B/C
1.11	Fighting, inflicting harm or bodily injury on co-employee within the company premises.	B

Indulging in illicit acts contrary to public morals and standards, particularly having an illicit relation with fellow employee (i.e. married employee within the company premises)	B
Sexual harassment such as but not limited to making indecent proposals, malicious acts, verbal assault making obscene remarks to opposite sex.	B/C
INSUBORDINATION	
Deliberately neglecting or refusing to obey legitimate orders.	B
Showing discourteous/disrespectful acts or deeds towards company officials and/or immediate supervisors.	B
Refusal to render overtime work despite reasonable and advanced notice except for a just and sufficient cause.	B
Deliberately disregard or disobedience of any currently implemented memoranda, orders, safety rules, plants/office regulations.	B
Countermanding an order or instruction of superior and/or giving unsolicited advice/instruction without proper authority.	A/B
Hindering/disturbing or interfering with the work of another employee.	A
Deliberately restraints, interruption or stoppage of work or output.	
For participating, sympathizing.	B
For initiating, instigating or leading.	C
Unlawful/unauthorized trespassing over the privacy, rights and responsibilities of fellow employees or unauthorized use or possession of fellow employee's company tools, equipment and or personal effects inside company premises.	B
Drinking or taking any alcoholic beverages, addictive drugs and other intoxicating materials during hours of work and/or coming or reporting to work under the influence of drugs or liquor.	B
Possession of prohibited drugs within company premises or vehicle and/or selling prohibited drugs whether inside or outside the company premises.	C
Engaging in horseplay or malicious mischief, running, scuffling or throwing things which may resort to destruction of person or property.	C
Gambling/betting, playing cards, computer games, chess whether for money or not within the company premises.	C
Convicted of a crime involving moral turpitude even not related to work.	C
Issuing affidavits/statement/s which might be prejudicial to the company's Interest image and reputation.	C
Any acts or omission to the detriments of the Company's name, reputation, and its products/brands	C
Theft –Pilferage, theft of company property or of another employee's property or effects of others irrespective of value, acting directly or indirectly.	C
Dishonesty – Fraud, Falsification, Forgery, False Statement, Misrepresentation.	
Directly or indirectly obtaining or attempting to obtain company materials fraudulently.	C
Concealment of substandard workmanship.	C
Concealment of any violation of company policy and procedures.	C
Misrepresentation or giving false information/testimony during an official investigation conducted and/or authorized by the company.	C

1.26.5	Intentionally or deliberately withholding information.	C
1.26.6	Willful defrauding the company by falsifying official documents/records/ invoice/receipts, etc. with intent to deceive.	C
1.26.7	Giving statements that are prejudicial to the company, its corporate officers or its products.	C
1.26.8	Intentionally supplying false information to anyone whether employee or not.	C
1.26.9	Falsifying/adulteration of company products, materials or its equivalent.	C
1.26.10	Tampering with or satisfying personal records when applying for employment or during employment.	C
1.26.11	Accepting any loan, money, gift in any forms or favor from suppliers, customers, competitors direct or indirect agents, - voluntary or involuntary without prior clearance from the management.	B
1.26.12	Not telling the true reasons or misrepresenting facts when applying for leave with or without pay.	B
1.26.13	Leaving the office or workplace during working hours without logging it in biometric device or any authorized systems whether intentional or unintentional.	C
1.27	ABUSE OF AUTHORITY	
1.27.1	An act of using one's position/authority in the company or using company's name for personal gain and / or misrepresentation of the company on official business transaction.	C
1.27.2	An act of using position to ask for money, gifts, solicitation, loans and others from subordinates, customers, suppliers and others without approval from the management.	C
1.27.3	An act of using position to receive a bribe or any personal benefit.	C
1.27.4	Unauthorized issuing of certificates to employees (e.g. Certificate of Employment, etc.) and other documents prejudicial to the company.	C
1.28	INEFFICIENCY, INCOMPETENCE	
1.28.1	Failure to meet standard of quality and quantity of work.	B
1.28.2	Failure to observe Standard Operating Procedures even if it does not result to damage.	B
1.28.3	Failure to observe Standard Operating Procedures resulting to damage/s, loss of materials or loss of opportunity, etc.	C
1.28.4	Failure to carry out duties efficiently, accurately, or complete it within reasonable time and/or being reckless in carrying out assigned duties.	B
1.28.5	Improper use of company property.	B
1.29	ATTENDANCE	
1.29.1	Failure to report to work promptly upon expiration of leave of absence or after scheduled official travel.	B
1.29.2	Cumulative absences of four (4) days in a month or twelve (12) days in a year without prior permission (AWOL).	C

1.29. 3	Incurring four (4) times late within a 30-day period or accumulating a total of 60 minutes within a 30-day period whichever comes first.	A/B
1.30	LOAFING	
1.30. 1	Unauthorized undertime, cutting working hours and leaving working/office premises without prior request and approval from immediate superior.	B
1.30. 2	Accumulation of unauthorized/unexcused undertime for more than 2 times in a month or more than 10 times in a year.	B
1.30. 3	Wasting of company time and prolonging rest/break periods for more than what is authorized.	A
1.30. 4	Reading periodicals or engaging in personal activities or doing things irrelevant to work on hand during office/working hours, including use of mobile phones, and other gadgets for personal use	B
1.30. 5	Sleeping while on duty.	B
1.31	MALINGERING	
1.31. 1	Having been found not at home by any representative of the company after being sent home due to sickness or injury, or under a claim of sick leave except on reasonable grounds.	A
1.31. 2	Refusing to work after having been certified by the company accredited physician as already fit to work.	B
1.31. 3	Not reporting to work under a claim of sickness although not actually sick and/or failure to submit a medical certificate under a claim of sickness.	B
1.32	NEGLIGENCE, LOSS OF DAMAGE TO, ATTEMPTING TO DAMAGE OR DESTROY, UNAUTHORIZED USE OF COMPANY PROPERTY, RECORDS AND INFORMATION, OTHER PERSONS COMPANY PREMISES.	
1.32. 1	Willful and intentional alteration, abuse/waste of company properties, facilities, records, stationery and equipment.	C
1.32. 2	Unauthorized possession and reproduction of company's document/materials and deliver more than what is authorized in the invoice, delivery order, with or without properties.	C
1.32. 3	Unauthorized use of company trust/revolving fund.	C
1.32. 4	Failure to liquidate cash advances within 2 days of expense spent or within 2 days from return to location where funds must be liquidated.	C
1.32. 5	Failure to report loss, spoilage, or damage of company property/products as soon as practicable or failing to report any incident or injury involving co-employee.	B
1.32. 6	Caused damage to materials, items, properties, and interest of the company	B
1.32. 7	Attempting to destroy company property	B
1.32. 8	Releasing or taking out from any place, warehouse, or storage without authority, or intention to appropriate or materially benefit from the act.	C
1.32. 9	Failure of the superior/head to report violations of company rules by employees supervised.	B

1.32.10	Failure to report any violations of House Rule particularly Section 1.30	B
1.32.11	Laxity in supervision or deliberate disregard of a problem resulting in production loss, injury to a person or damage to property.	B
1.33	LOSS OF TRUST, CONFIDENCE, AND UNSUITABILITY	
1.33.1	Commission or omission of an act that provides reasonable ground or basis so that the employee is not or no longer reliable, trustworthy, or that his integrity or sense of responsibility is not acceptable.	C
1.33.2	Failure to punch time card.	B
1.33.3	Failure to wear the prescribed uniform.	A
1.33.4	Violation of office rules promulgated from time to time.	A
1.33.5	Logging in or recording or punching someone else's time card.	C
1.33.6	Failure to report any act by any employee or officer involving conflict of interest between their personal interest and the interest of the company.	B
1.33.7	Commission of two (2) grave offenses or four (4) minor offenses listed in this Code of Discipline within a 12 month period.	C
1.33.8	Unsatisfactory performance rating for at least (2) ratings in a year.	C

2. SECURITY REGULATION

2.1	Leaving CONFIDENTIAL and/or private files or documents open and exposed.	B
2.2	Sharing in the use of passwords to access information and/or manipulation of information or data during access.	C
2.3	Unauthorized entry to restricted areas is not related to the employee's job description.	C
2.4	Bringing of, giving away, or divulging company information, documents, manuals or any other company property voluntarily and willfully to outsiders or to those not authorized to have access to those confidential information.	B
2.5	Engaging in any form or act of sabotage or espionage against the management.	C
2.6	Use of company badge/identification card other than his own in representing the company in other outside private and/or government agencies.	C
2.7	Not returning company keys, vehicle and or equipments after using or after the day's work unless authorized by top management.	C
2.8	Assisting the entry of authorized persons within the company premises after the prescribed office hours.	C
2.9	Unauthorized downloading of any company programs, information, manuals, and/or any softwares but not limited to games, movies, music, and other apps	C

3.0	Violations to the provisions of Data Privacy Law and the HIPAA of the United States and other relative data privacy policies and programs. Decisions on internal hearing on the matter will prevail. Court order is suppletory only.	C
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3. GENERAL SAFETY

3.1	Carrying of firearms or any deadly weapon/s inside company premises.	C
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3.2	Burning of wastes or creating hazard risks inside the company premises without the approval of the management and/or Safety Committee.	C
3.3	Unauthorized use of fire safety equipment in non-emergency situations.	B
3.4	Smoking inside non-smoking areas.	C
3.5	Occupational Safety	
3.5.1	Failure to report unsafe conditions and practices.	B
3.5.2	Detaching labels of chemical containers which could lead to mistaken use or removing and/or obstructing/damaging safety signs, tags and safety equipment.	C
3.5.3	Failure to shut faucets, electrical equipment after use.	B
3.6	Failure of the company driver to report within 8 hours a vehicular accident and/or property loss and damage involving company vehicle.	B
3.7	Willful refusal to wear personal safety, protective equipment where it is required.	C
3.8	Authorizing untrained or unqualified and/or unauthorized persons to operate vehicles, machines or equipment where skill (in operating) is required.	C
3.9	Engaging in an obvious unsafe act resulting in injury to person or damage to company property.	C

The above work rules are not intended to be exclusive. In addition, it shall include other norms of conduct which the law requires to be observed. From time to time, the Company shall promulgate other work rules as it may deem appropriate. Any action by the employee which is not covered by the above work rules but is found to be against the interest of proper discipline, conduct or safety, or against the interest of the Company shall be dealt with accordingly as the fact and circumstance surrounding each case shall warrant

EMPLOYEE'S ACKNOWLEDGEMENT

I acknowledge the receipt, and have read and understood the contents of the Company Code of Discipline. My signature attests that I will faithfully perform my duties and responsibilities and I am willing to abide by the rules, regulations and code of discipline set by the **IDEAL TECH STAFFING**

Signature over Printed Name

Date

Witness' Signature over Printed Name

Date

