

Code of Discipline

HUMAN RESOURCES DEPARTMENT

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TERMINOLOGIES, PURPOSE, COVERAGE AND RESPONSIBILITIES

PURPOSE

The Company recognizes its continuing responsibility to develop and administer the necessary regulations and disciplinary measures in a fair and consistent manner and likewise recognizes the obligation of all employees to conform with and abide by its established rules and regulations. The Company believes that a healthy state of discipline is essential in the achievement of the organization's goals as well as employees' professional development and well-being, which also encourages optimum employee productivity that is essential to achieving organizational success.

It is the commitment of this organization to develop and maintain an organizational climate where people are satisfied dedicated, committed, productive, harmonious, and bound by common objectives. Thus, to promote an environment that fosters a high degree of self-discipline and in order to enable employees to function as an efficient and effective organization.

The purpose of these sets of rules and regulations is to provide awareness to all employees regarding the proper and acceptable conduct in the Organization and to establish the fact that discipline is used as a preventive, corrective, and learning experience and not merely as a punitive action that will govern the day-to-day operation of the Company.

COVERAGE

The Code of Discipline shall be applicable to all employees regardless of employment status or job level. It is expected that employees shall strictly observe and adhere to the revised code of discipline.

However, despite application of this to all employees, regardless of employment status, certain additional rules and guidelines may be prescribed by the management to certain positions that requires higher level of responsibility.

RESPONSIBILITY

Upon employment all employees shall each be provided a copy of this Code and shall be duly oriented with its contents. It is deemed that all employees understand the contents of this code once the same has been furnished to them with proper orientation.

As much as the employees are responsible for maintaining discipline by adhering to the Code of Discipline, it is still the responsibility of the Management to ensure the fair and impartial implementation of the Code of Discipline in relation to employee's conduct and discipline and scope of their duties.

In exercising their respective designated jobs, all employees are expected to imbibe and adhere to high standards of discipline, conduct and morale, and inculcate the Core Values of the Company, Loyalty, Integrity, Teamwork, Excellence and Sense of Ownership, bearing in mind that prompt and adequate service to clients is the main lifeblood of the Company.

TERMINOLOGIES

Defined are the common terminologies used in this Code of Discipline:

1. **Company** refers to Mitsukoshi Motors Philippines, Inc. or MMPI and its affiliate shall remain the same until company life cessation through SEC.
2. **Employee** means any contractual, probationary, regular, and project-hire employees.
3. **Code** is equivalent to the Company's Code of Discipline.
4. **Management** is any unit tasked by the Executive Office to conduct and administer the Code of Discipline.
5. **People Managers** are MMPI executives/managers/supervisors/auditors/employees with other employees reporting to them.
6. **Direct Reports** are MMPI employees reporting to a People Manager.

REVISION AND ENHANCEMENTS:

This is a revision and amendment of our existing Code of Discipline. The amendments and revisions have been carefully deliberated and reviewed by the management, taking into account several circumstances that would intentionally create a better employment atmosphere without disregarding or discriminating the recognized rights of the employees.

More importantly, in the creation and amendment of the previous code of discipline, the management makes sure that nothing here in this revision is contrary to the existing laws.

With the ratification of this new COD and after proper dissemination and orientation to employee and its content, the previous Code of Discipline is considered superseded and abandoned.

Addressing Unique Requirements According to Its Nature of Business:

The Company operates with significant dependency on the work environments in detached and remote locations. For this reason, this Code of Discipline clearly extends its coverage to all distribution locations nationwide. In addition, the conduct of employees towards its business partners, suppliers, co-employees and owner representatives shall be scoped in this code.

Tighter Integration with Practices that are Legally Compliant:

The Labor Code and recent decisions on well-known labor cases must be comprehended as part of the guidance that influences what is allowed and not allowed in this Code of Discipline. This means we are removing any inconsistencies between such legal rationale and our own internal HR policies on employee discipline.

Expanding Coverage of What Is Typically Considered "Company Premises" for Clarity:

In order to remove the need for debate when offenses are committed outside the usual company office, misbehaviors and other disciplinary infractions are going to be called out when they are committed in what can feasibly be considered an extension of the company's work environment. This includes retail and distribution sites, venues or locations of company-sponsored or client-organized events/activities, company/client vehicles and temporary quarters.

APPLICATION AND ADMINISTRATION

GENERAL PRINCIPLES

The Code of Discipline or CoD shall apply to all employees of the Company at all times within the Company premises and during Company authorized events and functions as well as Client-sponsored ones.

The Management has the right to take action against any act, conduct or behavior, prejudicial to the interest of the Company. Such could warrant a penalty depending on the gravity of the offense and upon careful consideration of the following:

- a. Employee's past record of offenses;
- b. Extent or amount of the damage or injury caused by the act or commission of the employee, and;
- c. Degree of adverse effect of the offense on Company operations, maintenance of discipline and external relationship or reputation.

As mandated by the Labor Code of the Philippines and as practiced by this Company in ensuring due process in handling all disciplinary offenses stipulated in this Code, the Discipline Management Process as defined in the Labor Code, laws and regulations will be used as the implementing guidelines that will ensure equal treatment through due process and uniformity of penalties, as stipulated in the Code of Discipline, before the execution of disciplinary actions.

- It is the responsibility of all employees to ensure that these behavioral guidelines, disciplinary rules and regulations are followed. All employees are to be vigilant at all times and shall report to HRD, their Manager or Supervisor all employees who violate this Code;
- All People Manager shall be responsible for the maintenance of discipline within his area of responsibility and the observance by his direct reports of the Code of Discipline. He shall be strictly be accountable for the acts of his direct reports;
- Discipline shall be imposed consistently. The same penalties must be applied on any offender for offenses committed under similar circumstances. Further, the imposition of disciplinary action is impersonal. Disciplinary actions are directed at the behavior not on the individual;
- When a single act or omission constitutes two or more infractions of offenses, the higher penalty applicable shall be imposed.

APPLICATION AND ADMINISTRATION

I. PROCESS APPLICATION: NON TERMINABLE OFFENSE

1. Incident Report (IR) and Notice To Explain (NTE)

- a. The person who witnessed the offense and/or the complaining party must file an **Incident Report (IR) within Five (5) Calendar Days** upon witnessing or discovery of the offense;
- b. *Notice to Explain (NTE)* will be issued to the concerned employee within **Five (5) days from receipt of Incident report** Only People Managers, not involved in the case shall issue the NTE. If the People Manager is involved in the case, the next-level manager/HR Manager/Executive Officer/CEO shall issue the NTE. Upon receipt of NTE, the concerned employee must provide a written explanation physically or on-line/over email within **Five (5) calendar days**. Non-submission of the written explanation within the specified timeline would be considered as waiver of the concerned employee's right to explain or be heard, hence, the investigation and decision shall proceed based on the available information and/or evidences presented.
- c. In the event the *concerned* employee refuses to receive the NTE, *any employee may witness such refusal and indicate refusal to receive the NTE* on his behalf and in his presence *concerned* employee will be furnished a received copy for his corresponding action. A registered mail of the said NTE will also be issued. Hence, in order to ensure actual receipt by the concerned employee by registered mail, the residential address provided by the employee as appearing in his/her 201 file shall be considered as his/her official address. Thus in the event of a change of address by employee, such fact must be brought to the knowledge of the management in order to update his/her 201 file. In the event that any change of address is not made known to the management, delivery of NTE by way of registered mail to the address or record shall be deemed sufficient service of NTE to the concerned employee.
- d. Upon receipt of the furnished copy, the *concerned* employee is given **Five (5) calendar days** to submit a written explanation. Non-submission of the written explanation within the specified timeline would mean waiving of the *concerned* employee's right to explain *or be heard*, hence, the investigation and decision shall proceed based on the available information or evidences.
- e. In case the direct People Manager is not involved in the case, the direct People Manager and the HRD Manager are jointly tasked to evaluate the submitted reply/explanation and recommend which course of action or sanction to impose based on the facts presented and the results of the investigation conducted. However, in case the direct People Manager is involved, People Manager's peer supervisor/immediate manager/regional manager, and the HRD manager are jointly tasked to evaluate the submitted reply/explanation and recommend which course of action or sanction to impose based on the facts presented and the results of the investigation conducted.

2. Notice of Decision (NoD)

On non-terminable cases and based on due process, HR will apply the CoD. The People Manager and HR Manager will confer with HR's recommendation prevailing. HRD will prepare the NoD, which will be issued to the employee thru the direct People Manager. The NoD will then be released to the cited employee within **Five (5) calendar days** upon conclusion of the conference or receipt of explanation, whichever comes first. Upon acknowledgement of the NoD, all documents shall be placed in the employee's 201 File.

APPLICATION AND ADMINISTRATION

II. PROCESS APPLICATION: TERMINABLE OFFENSE

1. Incident Report (IR) and Notice to Explain (NTE)

- a. The person who witnessed the offense and/or the complaining party must file Incident Report (IR) within 24 hours upon witnessing or discovery of the offense;
- b. *Notice to Explain* (NTE) will be issued to the concerned employee within **Five (5) days from receipt of Incident report**. Employee Relations Committee (ERC) *shall* issue the NTE. If the People Manager is involved in the case, the next-level manager/HR Manager/Executive Officer/CEO should issue the NTE. Upon receipt of NTE, the concerned employee must provide a *written* explanation physically or on-line/over email within five (5) calendar days. Non-submission of the written explanation within the specified timeline would mean waiving of the *concerned* employee's right to explain or be heard, hence, the investigation and decision shall proceed based on the available information and/or evidences presented.
- c. *Preventive Suspension may be imposed and serve its purpose (as defined) to further provide investigation and clarifications on the facts presented.*
 - c.1 Preventive Suspension refers to the temporary suspension of an erring employee pending the resolution of his case. This is a management's prerogative that can be imposed due to an alleged violation of the Code of Discipline whenever it appears that the continued presence of the employee within the workplace may jeopardize the case proceedings or may be detrimental to company operations, company property, or safety of other employees. In no case shall the period of suspension exceed thirty (30) days.

As accepted by the Labor Code of the Philippines, and as practiced by the Company, Preventive Suspension will be implemented as deemed necessary.

In cases where the preventive suspension is extended, the employee shall be paid his wages and other benefits due him in accordance with the Labor Code during the extension of his suspension. However, if the employee voluntarily admits his guilt, appropriate penalty shall be meted accordingly.
- d. In the event the *concerned* employee refuses to receive the NTE, *any employee may witness such refusal and indicate refusal to receive the NTE* on his behalf and in his presence *concerned* employee will be furnished a received copy for his corresponding action. A registered mail of the said NTE will also be issued. Hence, in order to ensure actual receipt by the concerned employee by registered mail, the residential address provided by the employee as appearing in his/her 201 file shall be considered as his/her official address. Thus in the event of a change of address by employee, such fact must be brought to the knowledge of the management in order to update his/her 201 file. In the event that any change of address is not made known to the management, delivery of NTE by way of registered mail to the address or record shall be deemed sufficient service of NTE to the concerned employee.

- e. Upon receipt of the furnished copy, the *concerned* employee is given **Five (5) calendar days** to submit a written explanation. Non-submission of the written explanation within the specified timeline would mean waiving of the *concerned* employee's right to explain *or be heard*, hence, the investigation and decision shall proceed based on the available information or evidences.
- f. In case the direct People Manager is not involved in the case, the direct People Manager and the HRD Manager are jointly tasked to evaluate the case and recommend which course of action or sanction to impose based on the facts presented and the results of the investigation conducted. However, in case the direct People Manager is involved, People Manager's peer supervisor/immediate manager/regional manager, and the HRD manager are jointly tasked to evaluate the case and recommend which course of action or sanction to impose based on the facts presented and the results of the investigation conducted.
- g. On terminable offenses, an Employee Relations Committee (ERC) is periodically formed and tasked to attend the administrative hearing. It is composed of:
 - I. In case the direct People Manager is not involved in the case:
 - 1. the direct People Manager;
 - 2. HRD Manager
 - II. In case the direct people manager is involved in the case:
 - 1. A peer People Manager;
 - 2. HRD Manager
 - III. In case HRD staff are involved in the case:
 - 1. Peer People Manager;
 - 2. HRD Manager
 - IV. In case HRD manager is involved in the case:
 - 1. Peer People Managers;
 - 2. Executive Officer/CEO.

2. Notice of Decision (NoD)

HR will prepare the NoD, which will be issued to the employee thru the direct People Manager. The NoD will then be released to the cited employees within **Five (5) calendar days** upon conclusion of the conference or receipt of explanation, whichever comes first. Should the offense committed be not listed, the Company shall then determine after due investigation the appropriate and just penalty for such infraction. The decision then becomes a precedent for similar cases. The employee shall pay back the purchase cost or make proper restoration of all damages caused by him on company's property. Upon acknowledgement of the NoD, all documents shall be placed in the employee's 201 File.

CLASSIFICATION OF OFFENSES AND DISCIPLINARY ACTION

The classification of offenses categorizes the prescribed rules of discipline, taking into consideration the nature, gravity, recidivism and the absence or presence of mitigating and/or aggravating circumstances.

CLASSIFICATION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
CLASS 1 Minor	Verbal Warning	Written Warning	Final Written Warning	Suspension (7 Calendar Days)	Permanent Written Warning / Termination
CLASS 2 Intermediate	Written Warning	Final Written Warning	Suspension (7 Calendar Days)	Permanent Written Warning / Termination	
CLASS 3 Serious	Suspension (15 Calendar Days)	Permanent Written Warning / Termination			
CLASS 4 Grave	Permanent Written Warning / Termination				

**LAXITY, FAILURE, NEGLIGENCE IN THE ENFORCEMENT
OF RULES AND REGULATIONS**

Any laxity or failure of the Company or any of its officers in the strict enforcement of this Code of Discipline shall never be interpreted as a waiver, much less a waiver of the penalty for violation/s, nor a waiver of its enforcement.

DEFINITION OF DISCIPLINARY ACTION

Verbal Warning (VW)

This is a corrective action to remind the employee of his commission of a minor misdemeanor, misconduct or misbehavior. The corrective measure shall be expressed both verbally and in writing to the concerned employee through the Coaching Log.

Written Warning (WW)

This is the penalty issued to employees for their misdemeanor/misconduct after the verbal is conducted. This is the warning to the employee that commission of another offense of the same nature will be tantamount to the next higher penalty, Final Written Warning

For this reason, the employee is also reminded of the acceptable standards of behavior in relation to an act or omission deviating there from, assists him in correcting the act or omission to make it conform to the acceptable standards of behavior, and monitors his future conduct to obviate his commission of the same act.

Final Written Warning (FWW)

The Final Written Warning is the penalty issued after the verbal and written warning but before the imposition of the highest disciplinary penalty that can be imposed by the Management to an erring employee for committing another offense of the same nature.

Suspension (S)

Employee will be suspended from work without pay based on the number of days stipulated in the above earlier Tablet of Disciplinary Action.

Permanent Written Warning (PWW)

A PWW is issued when the termination of employment is deemed too harsh in view of mitigating circumstances and other information that may diminish the gravity of an otherwise serious offense, especially when the absence of a conclusive or compelling evidence/information prevents a conclusive judgment from being made on a serious infraction. PWW is automatically renewed annually, hence the employee on record is effectively given a written warning every start of the calendar year.

Termination (T)

This means the termination of the services or dismissal of an erring employee at the discretion of the company. Termination, in effect, involves not only the loss of a job for the employee but also forfeiture of privileges and fringe benefits and a bar to the employee's re-employment by the company at any given time in the future. The company may also seek legal remedies including court action/other legal proceedings against the employee when the interest of the company so requires. In addition to the appropriate penalty involving damage to property, and/or loss to company, the terminated employee shall be required to pay for the repair or replacement of the damaged property and/or to reimburse losses by the company, if any. If the offense involves damage to the reputation of Company, a public acknowledgement or apology may be required from the terminated employee prior to termination, or that Company may on its own volition elect to have the facts or the case published in a newspaper of general circulation and/or in its Social Media pages.

Waiver of Privacy by the Terminated Employee

Any employee terminated for cause is waiving any claim to privacy, such that Company may disclose such information to a qualified third party based on its assessment, including but not limited to the date of termination, inclusive dates of employment and the terminated employee's most recently held position.

CONFIDENTIAL

RULE 1- INTEGRITY AND HONESTY

SECTION	NATURE OF OFFENSE	CLASS
1	Robbery, theft, and swindling. Securing or obtaining supplies and/or materials in a fraudulent manner, either alone or in connivance with other employee/s.	4
2	Breach of confidentiality and trust reposed upon by the employer or violation of the confidentiality agreement, which includes but not limited to giving confidential or proprietary company information and other classified documents or information to competitors or other organizations or to unauthorized employees, which may run counter to the interest of the Company.	4
3	Fraud	
	3.1 Submission of fraudulent reports to conceal anomalies and deliberate omission of pertinent information, which tend to mislead the company supervisors, managers or executives.	4
	3.2 Being an instrument of any possible or given fraudulent scheme.	4
	3.3 Misrepresenting, forging or falsifying personal or Company information, documents, records, reports and papers.	4
	3.4 Providing any false or inaccurate statement and/or information to clients, customers or key vendors/suppliers and direct managers.	4
	3.5 Deliberate submission of any false and malicious information or omitted any pertinent information that consequently misled the Company to wrongfully evaluate your application that led to your employment.	4
	3.6 Using of customer and/or employee's private or personal information for personal gain.	4
	3.7 Malversation of company funds or assets or any form of theft, actual or attempted, of company property or those of our employees or clients.	4
	3.8 Delayed remittance of collections such as but not limited to down payment, proceeds (motorcycle cash sales or spare parts, receivables.	4
	3.9 Unremitted collections	4
	3.10 Undeclared deposited/repossessed unit	4
	3.11 Illegal use and assumption of units cause by gross negligence on implementation of Credit and Collection Standards.	4
	3.12 Failure to surrender repossessed unit	4
	3.13 Delayed surrender of repossessed unit	4
	3.14 Non-issuance of Collection/Official Receipt or issuance of Temporary Receipt	4
	3.15 Tampering/Padding of Collection/Official Receipts and other company documents	4

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COD-2016**RULE 1- INTEGRITY AND HONESTY**

SECTION	NATURE OF OFFENSE	CLASS
	3.16 Cannibalization of motorcycle unit whether brand new or repossessed, including unit under MC Plan.	4
	3.17 Fictitious reimbursement or submission of fictitious supporting documents for company expenses/disbursement.	4
	3.18 Post dating Collection/Official Receipt	4
	3.19 Borrowing Money, Vehicle, Property or asking any favor from the customer	4
4	Negligent or intentional dissemination, whether recorded or not, of any false narration of facts in any memorandum/report prejudicial to the interest of the Company or to its clients/customers.	4
5	5.1 Failure to report fraudulent activities and cooperate on Audit/HR administrative proceedings.	4
	5.1.1 Terminable and Grave Offense	4
	5.1.2 Non Terminable Offense	2
	5.2 Giving false information/testimonies in a Company authorized investigation/proceeding, and/or attempting to mislead such effort.	4
6	Unauthorized reproduction, circulation and/or distribution of Company records/documents.	4
7	Deliberately assisting unauthorized parties to delay, hinder, sabotage, or otherwise prejudice company interest in terms of fulfilling business requirements, schedules or commitments.	4
8	Misuse, misappropriation, and/or unauthorized diversion or application of company funds and/or funds entrusted by the client.	4

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COD-2016**RULE 1- INTEGRITY AND HONESTY**

SECTION	NATURE OF OFFENSE	CLASS
9	Conflict of Interest	
	9.1 Non disclosure current loan obligations to the company whether prior and/or during employment.	4
	9.2 Acquiring or transferring any motorcycle unit to immediate family or relatives without due consent of the management	4
	9.3 To establish/maintain connection, whether for profit or not, with other business in conflict with the interest of the Company, including but not limited to moonlighting, performing retail management or related tasks with clients. (not duly registered or authorized by Company)	4
	9.4 Participation on any networking scheme.	3
	9.5 Selling or buying any type of goods, services or commodities, lending money with interest, peddling or conducting personal business (like direct selling: Avon, Boardwalk, Natasha, etc.) within working hours and/or within company premises, retail sites or within venues of sanctioned company undertakings.	2
10	Bribery or offering anything of value; accepting, directly or indirectly, any sum of money, goods, services, unauthorized commission, offer, promise in consideration of any act, contract, or anything of value in exchange for a job, work assignment, work location or favorable conditions of employment; the same may involve a supplier, a vendor, a business partner or any other entity attached to the Company is indirectly or directly doing business with.	4
11	Failure of a superior who has knowledge of any violation of this code and other company work rules to report such violation, and/or act on the same.	3
12	Estafa and other forms of swindling against superior, co-employee, customer and their representative.	4
13	Extortion of any form against employees, customers and their representatives.	4
14	Alteration/falsification of any company records, forms, communications.	4
15	Committing other acts of dishonesty, deceit or anomaly not embraced by other provisions which cause loss or damage to the Company.	4

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COD-2016**RULE 2 - SOCIAL NORMS AND MORALS**

SECTION	NATURE OF OFFENSE	CLASS
1	Violation of proper decorum while inside the company premises or during company sponsored activities, such as use of expletives, invectives or profanities.	1
2	Improper conduct or acts of discourtesy or disrespect to fellow employees, company officers, client or owner representatives, agents, suppliers, guests and customers; using vile, provocative, abusive, profane or obscene language, whether addressing another person or not, in any manner (verbal or any other mode of communication while on the job or within the Company or retail premises or during official Company functions.	3
3	Reporting for work under the influence of alcohol or in possession of alcoholic beverages, either in a Company-owned office, retail site or venue for a company-sponsored/client-sponsored event.	3
4	Grossly Indecent, immoral and scandalous act within the Company and retail premises	4
	4.1 Any act that constitute indecent or scandalous manner that blatantly disregard moral and/or professional conduct. Making signs or gestures that are obscene, sexually suggestive or lewd.	4
	4.2 Viewing, downloading, showing, exhibiting, sharing and uploading indecent, pornographic or violent materials/files, whether in physical or digital form whether or not the same is owned by the employee or not, for as long as the same is found to be in his or possession.	4
	4.3 Showing, exhibiting, sharing, uploading, and downloading pornographic materials, contents whether physical or digital in form including position of such in sites of business activity whether or not the same is owned by the employee or not for as long as the same is found to be in his or her possession	4
	4.4 Distribution or showing of pornographic materials	4
	4.5 Exhibitionism	4
5	Horseplay, scuffling, running, throwing things or any act or demonstration causing confusion or distracting the attention of fellow workers, whether or not the same may lead to a safety infraction.	2
6	Any act that constitute threats, intimidation or coercion against any employee or in any manner unduly interfering with fellow employee's performance or any visitor whose business with the company may be hampered; this extends to client employees, owner representatives, suppliers or consultants.	4

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COD-2016**RULE 2 - SOCIAL NORMS AND MORALS**

SECTION	NATURE OF OFFENSE	CLASS
7	Participation in destructive activism against the company, unauthorized strike and other forms of unauthorized work stoppage, or provoking a similar type of action, whether seriously or humorously uttered/suggested.	4
8	Sabotage and Gross and/or Habitual Negligence	
	8.1 Sabotage includes but not limited to deliberate and/or gross negligence in the performance of his duties causing the destruction or damage to Company image and/or to company property or fellow employees, customers, suppliers or visitors in any manner. Also includes deleting files/software/s, unplugging of sensitive devices and/or willfully uploading/distributing virus, worm or any other harmful computer software/program.	4
	8.2 Gross and/or Habitual Negligence is the failure to meet performance expectations over a defined period resulting in any of these: destruction/damage of company/client property, loss of files/data, loss of revenue.	4
9	Reporting for work under the influence of or in possession of prohibited or controlled substance, either in a Company-owned office, retail site or venue of any company-sponsored/client-sponsored activity.	4
10	Defamation (libel or slander) or public demonstration of a crime, vice, defect or act tending to cause dishonor or discredit an employee or a Company official.	4
11	Being a conduit, and/or directing or inducing another employee, to commit sexual activities, whether for commercial or social intentions.	4
12	12.1 Committing sexual harassment and engaging in any sexual activity inside the Company premises and during Company authorized events.	4
	12.2 Use of Company premises, service vehicles, and equipments for illegal or immoral activities including physical demonstration of affection or sexually suggestive action and acts of sexual harassment within or outside the official working hours.	4
13	Gambling, betting, or participating in any form of game of chance within Company premises or facilities and other Company authorized events, including such bets on sports events or games	4
14	Carrying of firearms, bombs and other explosives, flammable or any harmful materials or weapons that pose a threat to the safety and well-being of the Company and its members within Company premises or facilities and during Company authorized activities.	4
15	Selling of any prohibited or regulated substances inside the Company premises and during Company authorized activities to any active employee, client or supplier/vendor representative.	4

RULE 2 - SOCIAL NORMS AND MORALS

SECTION	NATURE OF OFFENSE	CLASS
16	Commission and Conviction of Crime	
	16.1 Commission of a crime or offense by the employee whether as a principal or accessory against the person of his employer or any immediate member of his family or his duly authorized representative within Company premises or facilities, retail site and in any venue of authorized company activities.	4
	16.2 Conviction of a crime involving moral turpitude.	4
17	Any deliberate attempt to inflict or cause bodily harm or in fact inflicted or caused bodily harm to another within the Company premises, retail site or in any other venue during Company authorized activities or function. Verbal, written or electronic threats to inflict bodily harm where the personal safety of the affected employee is compromised.	4
18	Bringing into the Company premises, retail site and during company authorized event other persons not connected with the Company for the purpose of inflicting bodily harm on another person.	4
19	Taking or attempting to take the life of another employee either willfully or by negligence within the Company premises, office or retail site or during company authorized activities.	4
20	Instigating a fight within company premises.	
	20.1 Verbal or written threats against superior or fellow employees.	3
	20.2 Quarreling / using / uttering indecent, disrespectful, abusive language against co-workers.	4
21	Fighting, inflicting bodily harm within and outside the company or retail premises while in the performance of official duties and functions resulting in death and physical injuries.	4

RULE 3 – RESPECT FOR AUTHORITY, COMPANY BUSINESS AND INTERESTS

SECTION	NATURE OF OFFENSE	CLASS
1	Abuse of authority and Usurpation of authority	
	1.1 Abuse of authority towards subordinate/direct reports and other employees by fraternization, unjust and unlawful actions and/or commission of other forms of harassment in the workplace; intimidation or coercion to commit unjust acts; intimidation or coercion to perform/participate in activism against the Company; initiating and promoting consciously or unconsciously unauthorized strike and other forms of unauthorized work stoppage.	4
	1.2 Use of authority to overrule existing policies and/or exercising authority beyond delegated or specified level of authority.	4
	1.3 Usurpation of authority or intrusion into another department's processes and procedures without the written approval of the affected processes and procedures without the written approval of the affected department manager. This includes directly or indirectly exercising authority to other department or the affected department's employees through initiation, promotion of self, or responding to processes/issues that does not involve usurping employee's own department's job description/roles.	2
	1.4 Failure of direct manager to evaluate direct reports and submit recommendations on time. Causing default change of employment status or regularization.	2
	1.5 Failure to report incident that affects retail operations or department operations which may lead on further damages to the company.	2
2	Soliciting or collecting funds of any kind for charities or other purposes without written authorization during work hours which interferes with the work of another employee/s inside company premises, retail sites or during company/client activities.	3
3	Use or possession of another employee's equipment, tools or instruments without the employee's consent or without the proper documentation that may be required within a retail site.	2

CODE OF DISCIPLINEEffective Date:
FEBRUARY 1, 2016Revision Code: 02
COD-2016**RULE 3 – RESPECT FOR AUTHORITY, COMPANY BUSINESS AND INTERESTS**

SECTION	NATURE OF OFFENSE	CLASS
4	Unjustified refusal to accept work responsibility, work shift/schedule and work location prejudicial to the interest of the department/Company whether the company operations is affected or not.	2
5	5.1 Accessing or attempting to access another user's email account without permission from the employee or the employee's people manager, unless under the instruction of HRD in aid of an ongoing employee case investigation.	3
	5.2 Giving consent to another employee to use his own Intranet or Company portal access/account for any transactional purpose.	3
	5.3 Unauthorized access/use of another employee's Company account for any transactional purpose regardless of whether the same had the owner's consent or not.	3
	5.4 Sharing of Payroll Information to other employee and/or unauthorized disclosure of employee's payroll.	2
	5.5 Publishing email addresses, telephone numbers and other personal information regardless of medium, without the proper consent from designated or authorized approver/s.	4
6	Insubordination, willful disobedience and grave misconduct due to unjustified refusal to execute just and lawful instructions given by the immediate supervisor and/or authorized supervisor, within the scope of such supervisor's authority, especially but not exclusively that which may hamper departmental or retail operations, safety routines and processes and/or cause grave company losses.	4
7	Tampering or unauthorized removal from its designated location of company and/or building's equipment and devices, such as fire alarms, fire extinguisher, smoke detectors or any security or safety equipment or safety notices, warnings or directions.	4
8	Unauthorized access or interference in the company's computer system/server or information and communication systems.	4

CODE OF DISCIPLINEEffective Date:
FEBRUARY 1, 2016Revision Code: 02
COD-2016**RULE 3 – RESPECT FOR AUTHORITY, COMPANY BUSINESS AND INTERESTS**

SECTION	NATURE OF OFFENSE	CLASS
9	Disrupting or interfering with the Company's email system including distribution of non-business-related pictures, chain letters, email bombs, unapproved mass emails or any activity that create or spread viruses or SPAMs. Unauthorized transaction/business with customers or suppliers and/or client/s representatives. Refusal to provide immediate access to personally designated account/internet access as required by the management shall be covered by this policy.	4
10	Unauthorized transaction/business with customers or suppliers and/or client/s representatives.	4
11	Politicking: any employee who uses the influence of his position in hiring or disciplining employees for the advantage of any political party or person engaged in politics, or for the advantage of his own political activities.	4
12	Offering or accepting anything of value in exchange for purchase order, requisitioned jobs, work assignment, work location or favorable job conditions or any other similar considerations.	4

CODE OF DISCIPLINEEffective Date:
FEBRUARY 1, 2016Revision Code: 02
COD-2016**RULE 4 – WORK STANDARDS**

SECTION	NATURE OF OFFENSE	CLASS
1	Failure to observe Standard Operating Procedure as determined by the respective retail managers, department managers or other authorized company representatives.	4
2	Gross negligence in the care and maintenance of Company records and property resulting to injury and/or causing identifiable damages/losses to the company.	4
4	Willful holding back, slowing down, hindering or limiting work output or inducing or encouraging other employees to do the same.	4
5	Use of company tools like landline, mobile and chat engines for personal use which affect one's productivity and overall performance.	2
6	Failure to exercise adequate asset control measures within one's area of responsibility, including asset/s entrusted or consigned by clients, owner/s and/or their representatives	3
7	Unjustified failure to execute just and lawful instructions due to carelessness/negligence or failure to get necessary instructions.	2
8	Playing of loud music, playing of computer games, and other unnecessary activities within office premises, retail sites or in company/client events or activities unless the same is explicitly permitted by authorized approver/s.	2
9	Bringing children, relatives, and other third party to any work place without prior approval from the Department Head or Retail Manager. In retail sites, it is not allowed to bring in of visitors below 18 years of age, even with consent from Retail managers	1
10	Unnecessary noise and laughter that disrupts other employees in the performance of their jobs or when the same is deemed beyond what is permissible within office premises or retail sites	1

RULE 4 – WORK STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
11	Loitering/Loafing/Malingering during working hours	
	11.1 Feigning illness or deliberately providing false reasons to avoid doing assigned work or to avail of sick leave or emergency leave benefits	2
	11.2 Being in an area where the employee has no legitimate business; this may include retail areas where the employee is not properly authorized to be present.	2
	11.3 Temporarily leaving work station without permission or justifiable reason; whether or not the same may jeopardize retail progress or Safety.	2
	11.4 Failure to be at work station and ready to begin work at starting time; whether or not the same may jeopardize retail progress or safety.	2
	11.5 Wasting company time for personal or third party's interest by attending to functions/transactions during office hours other than the official work assignment.	2
	11.6 Being in his authorized area but not doing anything useful in the accomplishment of his work as witnessed by at least two employees from Company and/or based on a validated report by a stakeholder.	2
	11.7 Malingering or wasting company time due to unjustified refusal to perform one's work assignment during work hours or during extended work hours for which prior notice was provided.	2
	11.8 Sleeping while on duty, especially in office areas or retail site areas where the same is not proper and/or not authorized.	2
	11.9 Overstaying in the company premises for more than an hour(1 hour) before/after the assigned work schedule except for safety, security and health considerations, , or when departure from the workplace was explicitly discouraged by HRD in view of natural calamities, civil disobedience and contingent military action.	2
	11.10 Unauthorized meetings on company time or within company or company premises.	2

RULE 4 – WORK STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
12	Customers' Concerns	
	12.1 Failure to deliver customer service, any delay, discourtesy, dishonesty to customers in form of verbal or written.	3
	12.2 Any act of rudeness or discourtesy in handling telephone calls and emails.	3
	12.3 Mishandling of customer. Culpable, unjustified and unavoidable errors (whether deliberate or through negligence) in handling any customer transaction, service or need resulting in customer dissatisfaction.	3
	12.4 Intention to or neglect of the needs of any customer or refusal to assist a customer, performing non-related task.	3
	12.5 Chatting or conversation resulting in inconvenience to customers, or causing unnecessary delays in responding to customer's needs.	3
	12.6 Failure without unjustifiable cause to provide prompt, efficient and courteous service to customers	3

CODE OF DISCIPLINEEffective Date:
FEBRUARY 1, 2016Revision Code: 02
COD-2016**RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS**

SECTION	NATURE OF OFFENSE	CLASS
1	Late submission of documents/reports to pertinent departments or retail outlet based on specific deadline required by the latter in a month. Incomplete requirement (s) is considered not submitted.	
	1.1 One (1)	1
	1.2 Two to three (2-3)	2
	1.3 Four to five (4-5)	3
	1.4 Six (6) or more	4
2	Loosing Collection/Official Receipt, Sales Invoice, Delivery Receipt and Cash Invoice/Sales Invoice-Spare Parts; monetary amount per missing series will be charged accordingly over and above the disciplinary action.	
	2.1 One (1) to Two (2)	2
	2.2 Three(3) to Four (4)	3
	2.3 Five(5) or more	4
3	Loosing other Accountable Forms, such as but not limited to Pull-Out Order, Receiving Report, Job Order. and Acknowledgement Receipts of Cheques.	
	3.1 One to two (1-2)	1
	3.2 Three to four (3-4)	2
	3.3 Five to Five (5) or more	3
	3.4 Six(6) or more	4
4	Failure to surrender used booklet of Collection/Official Receipt, Sales Invoice, Delivery Receipt, Cash Invoice/Sales Invoice-spare Parts and other Accountable Forms such as but not limited to Pull-Out Order, Receiving Report, Job Order and Acknowledgement Receipts of Cheques within the day.	4

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
5	Company Property	
	5.1 Failure to return company property assigned to employee's custody when requested by supervisor or authorized company officials within a reasonable period not exceeding seven (7) days.	4
	5.2 Failure to conform to the prescribed period where liquidation of cash advances may be undertaken, especially but not limited to travel or external meeting expenses.	2
	5.3 Unauthorized use of Company property for personal or third party's interest/benefit.	4
	5.4 Unauthorized use of Company property or facilities, equipment or materials resulting to damages to the company or client	4
	5.5 Negligence in the care and maintenance of Company records and property.	2
	5.6 Improper use or handling of company property or facilities, equipment or materials that hamper departmental or retail operations or resulting to damages/losses to the company.	2
	5.7 Substitution of supplies or equipment of the company with another inferior quality or lesser quality.	4
	5.8 Failure to record or update company related information on the business database without valid reason.	4
6	Vandalism	
	6.1 Posting, removing, altering, mutilating or deforming any notices, signs or writings, memoranda on bulletin boards or company property without proper written authorization of Management representatives or retail site managers.	2
	6.2. Intentional or deliberate destruction, defacement or tampering of Company or employee property; or any acts of vandalism or graffiti within Company premises either individually or collectively.	4

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
7	IT POLICIES	
	7.1 Accessing Social Media websites during work hours unless the same is in direct relation to official work or task being performed, thus covered by written consent or approval from authorized personnel.	2
	7.2 Incorrect data entry and wrong attachment on time-sensitive email especially when the same involves an on-going transaction with a client	2
	7.3 Unauthorized installation of computer programs and/or executable files in the workstation, company laptop or company mobile phones	2
	7.4 Breach of Laptop Issuance and Use Guideline	3
	7.5 Deliberate use of internet for purposes other than authorized business transactions.	3
	7.6 Non-compliance to the e-mail policy on size allocation and permissible content such as distribution of non-business-related photos, chain letters, email bombs, unapproved mass emails or any activity that create or spread viruses or SPAMs.	4
	7.7 Using social media to gain sentiments or unauthorized disclosure of any confidential information that may affect employee, company or even customer's credibility.	4
	7.8 Deliberately using the Company's email for private business, commercial or political activities; fund raising or advertisement not associated with the Company or engaging in activities that violate Company policies.	4
	7.9 Deliberate clearing or cutting of phone calls and/or internet connection which includes but not limited to, the disruption of a conversation or communication between Company and/or its client, vendor, supplier	4
	7.10 Unauthorized representation of the Company in Social Media or using social networking sites or sending emails/SMS text to communicate with customers for personal gain.	4
	7.11 Bringing and/or using electronic devices within areas of retail operations or where the same is explicitly prohibited in view of possible implication to safety, whether or not the same was used	4

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
8	Safety and Security:	
	8.1 Failure to report immediately, a personal injury or any accident within company premises, retail site or official company / client activities except when reporting faculties are temporarily immobilized or impaired or when emergency priorities had to take precedence	2
	8.2 Smoking in prohibited areas properly identified as such.	1
	8.3 Refusal to submit one's self and/or belongings for inspection when necessary and interfering with security personnel that may hamper security procedures in office premises or retail sites.	2
	8.4 Unauthorized entry to specific work area/restricted areas	2
	8.5 Failure to report defective equipment which may actually damage or might have resulted in further damage or injury to the Company / client and its members especially when the same is used for technical, architectural or engineering validation, calibration, measurement, Assessment	2
	8.6 Advocating trouble between management, customers, and/or employees	3
	8.7 Unauthorized and/or forcible entry into the office or Company premises, retail site or restricted company events/activities	4
	8.9 Acts of subversion including the distribution of subversive materials within Company premises; engaging in espionage, and other acts inimical to the security and interest of the Company	4
	8.10 Bringing bags in the office or retail site without submitting the same to necessary security check or scrutiny, even when the same contains tools, equipment or instruments needed for a business	4
	8.11 Interfering with or refusing to cooperate with plant/ office management supervision regarding safety and/or security	3

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
9	Health and Sanitation	
	9.1 Poor housekeeping, improper disposal of wastes that affects working Environment	1
	9.2 Eating food or drinking from uncovered beverage bottles in undesignated areas, office workstations or retail sites.	1
	9.3 Willful disregard of Company directives relating to safety, cleanliness, orderliness, sanitation and security of office supplies, equipment and other company property.	3
	9.4 Failure to undergo and/or complete physical examination and other medical tests mandated by the company.	2
	9.5 Failure to report any communicable disease afflicting oneself or any employee, especially when the same is classified as highly contagious and/or life-threatening	3
10	COMPANY ID AND UNIFORM:	
	10.1 Not wearing of Company ID while inside the Company premises or retail branches.	1
	10.2 Deliberate alteration or mutilation of Company ID, lanyard, uniform and/or official company event clothing, costume, attire, banner or Emblem.	2
	10.3 Giving company ID or any identification materials or passwords to any person not entitled to it, or assisting non-employee to gain access to the company premises, and restricted areas without proper Authorization.	4
	10.4 Failure to wear the prescribed uniform, dress code or to dress/groom appropriately for the occasion as required by the Company or by the management for specific events/activities.	1
11	EMPLOYMENT INFORMATION:	
	11.1 Concealment or omission of personal information - Failure to inform the Company of changes in personal particulars that must be updated in the database, specifically when the same has impact to pay, benefits, legal entitlements including insurance coverage and claims, or is otherwise found to be an effort to conceal identity at any given time during employment with the Company; failure to provide such update within thirty (30) days from occurrence of the material change based on the employee's personal circumstances	2
	11.2 Submission of falsified or tampered Pre-Employment Documents	4

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
12	Tardiness	
	12.1 Failure to report for work at the start of the prescribed work schedule. Tardiness monitoring is on a monthly basis. -Monetary deduction for tardiness is computed based on the cumulative minutes/hours within the payroll cut-off. -Five (5) infractions in a month or accumulated minutes exceeding Sixty (60) minutes are considered as habitual tardiness.	2
	12.2 One(1) to Four(4) Days within a month	1
	12.3 Five (5) to Ten (10) Days within a month	2
	12.4 Ten (10) to Fifteen (15) Days within a month	3
	12.5 More than Fifteen (15) days within a month	4
	12.6 Failure to inform or advise the immediate supervisor/manager that he/she might arrive late due to emergency or unforeseen event within the first Two(2) working hours. SMS advice is acceptable.	2
13	Unauthorized Absence In a Month– Any absence, half day or whole day, other than scheduled leave whether paid or unpaid, or such absence that is deemed to be unauthorized by the immediate supervisor. Accepted advice period follows the first hour policy. Including extension of approved leave of absence without prior advice/approval.	
	13.1 One (1) day	1
	13.2 Two to three (2-3) days	2
	13.3 Four to five (4-5) days	3
	13.4 Six (6) or more	4
14	Failure to sign time record (log sheet) at the end of the day/pay period without valid reason. -Failure to log in or log out shall mean no pay for half day.	
	14.1 One(1) to Four(4) Days	1
	14.2 Five (5) to Ten (10) Days	2
	14.3 Ten (10) to Fifteen (15) Days	3
	14.4 More than Fifteen (15) days	4

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	NATURE OF OFFENSE	CLASS
15	Absence on Retail Critical Days Week - a special provision in the unscheduled absence stipulated for the days that are tagged as “Black Out Days” which are:	2
	15.1 The day after the payroll pay-out date.	
	15.2 Any declared Philippine or local holiday, whether special or regular holiday.	
	15.3 Other days deemed to be special as approved by the management or declared critical by the retail manager in the interest of keeping committed business schedules.	
16	Non-adherence to scheduled WoRD (Work on Rest Day) – Unjustified failure to report for a scheduled WoRD despite prior notice of the immediate supervisor.	2
17	Non-adherence to Training Schedule - Failure of an employee to conform to the training schedule and the non-completion of the specific training without valid reason.	2
18	Habitual Absences: Pattern or series of absences incurred within a month due to different illnesses. More than 3 absences in a month due to different illnesses which affects departmental and/or retail operations.	2
19	No Call, No Show (NCNS). Any absence from work without prior advice or notice to the immediate supervisor for one (1) day and/or (within the first Two (2) Working Hours), without approved leave (paid or unpaid).	3
20	Absence Without Official Leave (AWOL) – At least two (2) consecutive working days of unauthorized absences without prior notice/call/advice or, absences without approved leaves (paid or unpaid).	4
21	Abandonment of Post	
	Abandonment of Post - Voluntary work stoppage before the end of the working schedule within the prescribed work hours by abandoning one's post with no intent of returning and without prior approval from the immediate supervisor /department head.	4
22	Extended Break Time/Over Break – Inexcusable extension of the prescribed break period;	1
23	Unauthorized Break Time – Temporary abandonment of post within the scheduled work time due to unjustified failure to observe the prescribed break period;	1
24	Unauthorized Under Time – Leaving the work place earlier than the official time schedule without the permission or approval from the immediate supervisor and direct manager	2

RULE 5 – SPECIFIC COMPANY REGULATIONS AND STANDARDS

SECTION	SECTION	SECTION
25	Failure to render overtime without valid reasons after signifying willingness and being authorized to do so.	3
26	Tailgating and/or intentional misuse of another employee's biometric to log in or log out, with or without the connivance of the other employee. One or more employee benefited from the tailgating or misuse.	4
27	Unjustified or improper filing of timekeeping data or information in a manual that overrides or offsets official digital record	3
28	Substituting another employee to take over one's shift without the knowledge or approval of supervisor	2
29	Unauthorized changing of work shift, day off or holiday work.	2
30	Failure to approve without acceptable reason a legitimate request for work schedule change whether or not the same may impact an employee's pay or financial entitlement.	1
31	Tampering of attendance sheet or logging IN or OUT for someone else or asking someone to log IN or OUT in his behalf.	4
32	Company Activities – Unjustified refusal to participate in a scheduled Company program or activities, and/or unexplained absence from such activity.	2
33	Deliberately delaying or failing to answer phone calls or emails as validated by another employee, client representative or vendor	1

Any other act that violates any of the offenses, may it be individual or collaborative, deliberate or unintentional, and not mentioned in the above shall still call for an investigation and could lead to sanction up to termination depending on the gravity of the offense. This Code is not meant to be all inclusive. Similar or analogous infractions will be treated on a case to case basis, applying the same principle of being reasonable, fair and just at all times and the doctrine of industrial due process.

PRESCRIPTIVE PERIOD

The prescriptive period is implemented not only to observe progressive discipline but also to provide employees who have violated Company policies, the opportunity to redeem themselves. As a rule, the prescription period depends on the committed offense:

1. Class 1 & 2: Prescription of six (6)-moving calendar months
2. Class 3 & 4: Prescription of twelve (12)-moving calendar months
3. Exception: Offenses with no prescriptive periods:
 - a. Offenses that are determined by the Company to be detrimental to life or health and physical well-being of any employee, employee's family members, clients, customers, visitors or anyone who is, in one way or the other, connected with the company;
 - b. Offenses that are determined by the Company to be detrimental to employee's property, whether inside the office premises or not; and company property in all establishments where the company has declared the said properties and assets;
 - c. Offenses that may be meted with Permanent Writing Warning or PWW.

CONFLICT CLARIFICATION

In case any portion of this Code of Discipline is found to be inconsistent or in conflict with any Department Order from DOLE, the CoD in its entirety is not invalidated.

Likewise, in cases wherein the offenses committed constitutes criminal act/s under existing penal laws, the company reserves the right to institute the appropriate criminal and/or civil actions for the protection of its interest. In other cases where the offense committed results to loss or damage to company property or funds, or those belonging to other parties but which the company is held answerable, the offender shall further be obliged to restore the loss or damage by either repayment or replacement of the article/item/equipment lost or damaged.

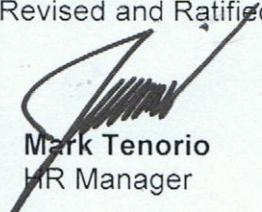
Any act of omission or non-enforcement of any of the provisions of the company rules and regulations and its table of offenses or other subsequent regulations thereof, shall not be a bar to the imposition of the corresponding disciplinary action, or to be construed as constituting a precedent as an implied waiver on the part of the company.

REVISION

As this document is not all inclusive, the Management may instruct that the same be revised or amended with due notice and proper notification.

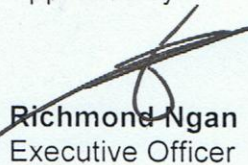
Any provision in this policy that maybe found or becomes contrary to the existing or future MMPI policy shall correspondingly and separately treated without rendering the whole policy inoperative.

Revised and Ratified by Management Committee:



Mark Tenorio
HR Manager

Approved by:



Richmond Ngan
Executive Officer



Eric Ngan
Chairman

ACKNOWLEDGEMENT RECIEPT

This is to certify that I, _____ of
(Name of Personnel) (Position)

_____ Branch,
(Company) (Branch)

have read and understood the content of the Company Code of Discipline and I hereby voluntarily and faithfully abide with the policies and procedures of the company.

I have duly furnished with a copy of the revised Code Of Discipline with receiving control number _____.

I further acknowledge confidentiality of any information in this material and any unauthorized reproduction shall be subjected to disciplinary action.

Conform:

(Signature over Printed Name)

(Date)