

HR Policies

Employee Code Of Discipline

EMPLOYEE CODE OF DISCIPLINE

I. DESCRIPTION

The disciplinary actions provided in this manual are merely frame of reference. Although they are not absolute rules to be applied, they are not to be imposed arbitrarily.

The HRAd, Hearing Panel and the management must exercise their judgment with prudence in imposing said disciplinary actions. It shall likewise be their duty to counsel the erring employee to help bring about reformed performance and deportment on the job.

In cases however of grave offenses, the erring employee may be given a last chance or be discharged upon observance of due process and fair play. Further, the company may institute the necessary and appropriate civil and/ or criminal case(s) against the erring employee provided warranted by the circumstances.

II. COVERAGE

This manual shall be applicable to all employees and personnel who take part and/ or have the authority to conduct employee discipline proceedings, decisions and/ or resolutions relative to each and every irregularity committed.

It shall be applied impartially to all employees of the company. All employees are expected to understand and abide its provisions to prevent commission of irregularities and achieve harmony, productivity and efficiency. Ignorance to the provisions of this manual shall not excuse any employee from non-compliance.

III. POLICY, GUIDELINES & PROCEDURES

1. The Immediate Superior concerned shall submit an Incident Report or Initiatory Memo to HRAd upon knowledge of the irregularity committed by his/ her respective subordinate. HRAd however shall directly act on irregularities which could be based already on its records.
2. HRAd shall conduct an initial validation if said reported or being complained incident truly occurred.

If positive, it shall reduce the received Incident Report or Initiatory Memo as well as its knowledge of the irregularity based on its record or complaint received into a NOTICE TO EXPLAIN/ REPLY.

HRAD thru said notice shall notify the alleged erring employee to submit a written explanation within five (5) days from receipt thereof.

3. The INVESTIGATION-EVALUATION COMMITTEE shall conduct investigation

HR Policies

and/ or evaluation and submit its findings and recommendation to the HEARING PANEL based on the standing provisions per Company Manual/ Code of Discipline.

Investigation shall be conducted within a timeframe to include investigative leads, gathered related data and established facts based on evidences such as photos, admissions, written testimony of witnesses, etc.

The Investigation Committee shall be composed of the Immediate Superior of the erring employee, HRAd Officer/ Manager and at least two (2) chosen Department Heads/ employees depending on the nature of the irregularity. For money matters for example, the Accounting Head and the VP for Customer Relations & QA shall be involved in the investigation.

4. The HEARING PANEL shall conduct a proceeding wherein the alleged erring employee's explanations/ defenses on the matter at issues shall be heard especially in cases of grave offenses, if necessary and/ or if no admission has been secured by the INVESTIGATION-EVALUATION COMMITTEE.

Subsequently, the HEARING PANEL shall submit its decision to the Office of the President/ Vice-Presidents for conformity and/ or finality.

To reiterate, all charges/ offenses for termination shall be heard by the Hearing Panel irrespective of the circumstances which shall be presided in close coordination with a lawyer.

The HEARING PANEL shall consider the following in rendering its decision:

- The provisions and/ or spirit of the Company Manual/ Code of Discipline and the Labor Code
- Excusing, justifying, mitigating and/ or aggravating circumstance(s) if there is/ are any.

The Hearing Panel shall be composed of the Department Heads (except the Immediate Superior of the erring employee) which shall convene when a quorum is met.

5. With clearance from the President or VP's, HRAd shall serve the decision/ resolution, monitor its imposition and ascertain the following:

- The notice of decision/ resolution has been served and signed by the subject employee.
- All concerned have been copy furnished i.e. one (1) original copy to the offender and the other original copy to the subject's 201 file.

6. An APPEAL in writing may be made by the offender submitted to HRAd to in turn forward to the Office of the President within five (5) working days from receipt of the Notice of Decision/ Resolution. The formal appeal must include the reasons and

HR Policies

bases for disputing the evidences and the decisions. Otherwise, the decision shall be deemed final and executory.

IV. IMPORTANT GUIDELINES

1. Upon knowledge of an irregularity, an objective initial validation shall be conducted first by HRAd if the incident indeed occurred before issuing a Notice to Explain/ Reply.
2. During the pendency of the administrative proceedings or while the decision/ resolution at issue remains under appeal and/ or until final decision/ resolution has been duly rendered, no personnel may be placed under floating status and/ or be subjected to disciplinary action.
3. Preventive suspension may however be imposed if necessitated as provided by the Labor Code.
4. In cases of a single incident but eliciting multiple charges/ offenses, the highest disciplinary action shall be the principal measure to be imposed to the erring employee.
5. An employee who commits simultaneous, subsequent and/ or preponderant non-minor offenses may be dismissed from the company.
6. Immediate Superior's alleged omission, harboring of his subordinates irregularities and the like shall be reported by the Department Head concerned while that of the Department Head's shall be directly treated by the management.
7. The resolution of the case shall include pecuniary liability (restitution and indemnity to affected person/ entity/ NSI) in addition to the principal penalty/ sanction taking into account the provisions of the Labor Code and existing jurisprudence.
8. Irregularities which are not explicit in the Code shall be treated per analogous charges/ offenses and/ or category they fall.

V. DISCIPLINARY ACTIONS (PREVENTIVE/ CORRECTIVE SANCTION-PENALTY)

GRADATION OF OFFENSE

DISCIPLINARY ACTION

1	Verbal warning & reprimand
2	Written warning & reprimand
3	Suspension for 1 - 2 days
4	Suspension for 3 - 4 days
5	Suspension for 5 - 6 days
6	Termination/ Dismissal

VI. CATEGORIES OF OFFENSES, GRADATION & APPLICABLE DISCIPLINARY ACTIONS

GRAVITY 1ST NON GRAVE	2ND	3RD	4TH	5TH	6TH
Category 1 A = Minor	2	3	4	5	6

HR Policies

Category 2 B = Major	3	4	5	6	N/A
Category 3 C = Serious GRAVE GRAVE	5/6	6	N/A	N/A	N/A

NON-GRAVE

A = MINOR 6 Strikes/ Measures (to be reset Annually)

GRADATION OF OFFENSE

1st
2nd
3rd
4th
5th
6th

DISCIPLINARY ACTION

Verbal warning & reprimand
Written warning & reprimand
Suspension for 1 - 2 days
Suspension for 3 - 4 days
Suspension for 5 - 6 days
Termination/ Dismissal

B = MAJOR: 5 Strikes/ Measures

GRADATION OF OFFENSE

1st
2nd
3rd
4th
5th

DISCIPLINARY ACTION

Written warning & reprimand
Suspension for 1 - 2 days
Suspension for 3 - 4 days
Suspension for 5 - 6 days
Termination/ Dismissal

C = SERIOUS: 4 Strikes/ Measures

GRADATION OF OFFENSE

1st
2nd
3rd
4th

DISCIPLINARY ACTION

Suspension for 1 - 2 days
Suspension for 3 - 4 days
Suspension for 5 - 6 days
Termination/ Dismissal

GRAVE: 1 or 2 Strikes/ Measures

GRADATION OF OFFENSE

1st

Termination/ Dismissal

DISCIPLINARY ACTION

Suspension for 5 - 6 days/

HR Policies

2nd

Termination/ Dismissal

VII. SPECIFIC IRREGULARITIES/ CHARGES/ OFFENSES

Non-grave irregularities are categorized into Category A for Minor, Category B for Major and Category C for Serious.

However, the category of the specific offenses may vary depending on the presence of mitigating or aggravating circumstance such that a minor irregularity may be treated as a major offense if an aggravating circumstance is found by the Investigation Committee and Hearing Panel. Likewise, a major irregularity may be construed as a minor offense if a mitigating circumstance is found in the process. The same principle shall apply to serious irregularities.

To stress, selected irregularities which are treated as a minor offense only may be reset annually per top management's approval.

NON-GRAVE

CATEGORY A:

1. Violations on attendance such as:
2. Wrong filing of OT, OB, leave of absence and premium.
3. Used of profanity, foul words, tone and gestures to address colleagues, co-employees and clients.
4. Engaging in any activity that may conflict with their ability to perform their task like watching movies, TV shows, downloading of files not related to work, and the like.
5. Refusal to take calls from the client or co-employees related to work.
6. Not answering phone calls and/ or text messages which are work related for all On Call employees.
7. Failure to reply to customers or clients.
8. Lack of focus or attention to clients.
 - One (1) day AWOL in a fiscal month with or without notification.
 - 5-7 times/ days of tardiness in a fiscal month.
9. Pretending to be busy.
10. Unauthorized sharing of user accounts to others.
11. Violation of common safety practices.
12. Any forms of misuse of company phone, equipment and/ or facilities.
13. Unauthorized use of company vehicles, machinery and other equipment.
14. Tampering, removal, destruction and/ or misuse fire-fighting equipment.
15. Use of company letterhead/ logo for unauthorized transactions.
16. Unauthorized selling and/ or advertising in company premises and work hours.
17. Delayed submission of reports.
18. Smoking in prohibited areas.
19. Refusal or evasion of security rules such as searches.
20. Failure or refusal to report an accident or any property damage within a reasonable time.

HR Policies

21. Ignorance to basic cleanliness such as:
 - Littering, throwing cigarette butts and ashes and other similar acts.
 - Stepping on the toilet bowl or leaving the toilet bowl dirty or unflushed.
 - Bringing wet and dripping dishes in the work place.
 - Leaving personal clean or dirty dishes on the sink.
 - Crowding the dish dryer by using it as a personal storage for dishes or utensils.
 - Leaving rotten food or storing food for long periods in the refrigerator.
 - Spitting on the floor.
22. Failure to comply with the scheduled annual physical examination despite explicit instruction.
23. Failure to follow the dress code/ attire of the company.
24. Failure to comply with the I.D. policy while inside the company premise.
25. Failure to liquidate cash requests on time.
26. Late remittance of collection, receiving client's payment without receipt, unable to remit collection on time.
27. Failure to turn over lost and found item.

CATEGORY B:

1. Violations on attendance such as:
 - 2-3 days of AWOL in a fiscal month with or without notification and consecutive or not.
 - 8-10 times/ days of tardiness in a fiscal month.
2. All forms of dishonesty regarding time IN and/ or OUT.
3. Any forms of abuse of break hours.
4. Not reporting for work without notification to the Immediate Superior.
5. Quitting/Leaving work before scheduled off-duty or during working hours without superior approval or failure to complete 8 hours of work less the snacks and lunch break only.
6. Unprofessional approach to co-employee and/ or clients such as:
 - Inappropriate behavior on account of age, physical disability, marital status, race, religion or gender
 - Threatening a co-employee, client, visitor and/ or guest.
 - Providing incorrect information to colleagues irrespective of reasons that may result to disruption of work.
7. Not reporting issues or problems related to work to their Immediate Superior.

HR Policies

8. False testimony against co-employee and superior.
9. Using work hours and company's property for personal use such as:
 1. Using company's tools and equipment for developing non-NSI related projects.
 2. Downloading things not related to work that can affect business operations.
 3. Doing a sideline job / other projects during office/working hours without the consent of the management.
 4. Sleeping while on duty.
10. Making own itinerary / changing of work schedule without prior notice and/ or approval of the Immediate Superior.
11. Playing games during working hours before 7:00pm and/ or outside the designated room only.
12. Accept gifts and/ or money from clients to develop a feature or requests that are not in the client and company's agreement.
13. Giving inappropriate quotations for personal gain.
14. Leaving the clients uninformed of the statuses of their issues/concerns, or implementing procedures without informing the client.
15. Attempting to open, move, disconnect or tamper any IT equipment or hardware in the work areas.
16. Causing destruction or damage to company property through gross negligence.
17. Padding sales quotation and/ or actual sales with extra charges not covered by company's pricing policy.
18. Vandalism and/ or destroying company property.
19. Intentionally not giving accurate and/ or consistent answer to clients.
20. Omission or neglect of duty such as:
 - Failure to provide quality and efficient customer service to client.
 - Inefficiency and/ or failure to meet minimum acceptable standards of the job after appropriate coaching by the Immediate Superior.
 - Failure to submit or non-submission of reports.
 - Failure to comply with the scheduled delivery time and/ or place.
 - Wrong delivery of items.
 - Failure to immediately admit mistakes/ errors.
 - Not following the documented processes and procedures.
 - Willfully refusing to render overtime despite a reasonable advance notice.
21. Deviation from procedures for field personnel.
22. Deliberate and/ or malicious disruption of departmental or company operations.
23. Courting client's personnel that can affect the work of both.
24. Not surrendering the company receipt.
25. Company drivers/collectors incurring driving/traffic violations due to own neglect.

CATEGORY C:

HR Policies

1. Violations on attendance such as:
 - 4 days of AWOL in a fiscal month with or without notification and consecutive or not.
 - 5 days of AWOL in a fiscal month with or without notification but not consecutive.
 - 11-20 times/ days of tardiness in a fiscal month.
2. Inappropriate/Indecent/Scandalous behavior in the workplace, including, but not limited to, horseplay, threatening, intimidating, coercing, bullying, any act of fighting, or interfering with fellow employees.
3. Inflicting bodily harm or injury to a co-employee, client, visitor and/ or guest.
4. Disrespect to the client in person or over the phone.
5. Disrespect to employees with higher designation.
6. Any forms of sabotage of work.
7. Filing an overtime without rendering a job.
8. Stealing money or any property from colleagues.
9. Harboring of co-employees' irregularities for whatever reason.
10. Conducting the ff. vices at any time inside the premise:
 - Drinking of alcoholic beverages
 - Smoking
 - Gambling in any form
11. Non-sales personnel selling of company's software or software developed with same features without authorization or approval of the superior.
12. Stealing of company's client.
13. Developing company system for the use of other company or team.
14. Intentional damage or misuse of company property such as:
 - Hacking the server system.
 - Ruining the tools or project source codes that are used by the company.
 - Destroying company equipment, products and/or machineries.
15. Unauthorized release of confidential information such as:
 - Disclosing the company's software features, financial information, trade secrets to other people that are not part of the company.
 - Leaking of classified information/ tools used by the team.
 - Leaking or using client data to a 3rd party.
16. Reporting to work under the influence of alcohol or prohibited drugs.
17. Unauthorized possession of firearms, long knives, explosives and other deadly weapons within the company premises.
18. Possession of Illegal drugs.
19. Giving false statement or testimony during any investigation conducted by the company.
20. Advancing one's personal gain over the company's where conflict of interest is involved like favoring certain suppliers in company purchases and the like.
21. Taking, misappropriating or converting company funds or money for personal gain or benefit such as:
 - Unremitted collection.
 - Falsifying, altering and/ or tampering of company records.
 - Misdeclaration of petty cash entries or claims.
 - Overcharging of gasoline, communication, transportation expense and board and lodging.

HR Policies

- Using the company allowance/ fund for personal use and/ or not connected to work.
 - Submission of fictitious, padded or tampered documents in support of claims for reimbursement or liquidation.
22. Negligence in safekeeping his/ her pay slip and/ or divulging any information regarding compensation.
 23. Failure to repeatedly achieve sales quota indicated in the internal policy of the sales department.
 24. Amorous relationship with the client and/ or his/ her representative.
 25. Forging the signature of the superiors in any company forms and of clients in delivery receipts, service forms and the like.
 26. Other causes analogous to the above.

GRAVE

1. Violations on attendance such as:
 - 5 days of AWOL in a month with or without notification and consecutive.
 - 6 days of AWOL and above in a month with or without notification and consecutive or not.
 - 21 days of consecutive tardiness and above in a fiscal month.
2. Serious misconduct.
3. Willful disobedience by the employee of the lawful orders of his/ her employer or representative.
4. Gross or habitual neglect of duty.
5. Fraud or willful breach by the employee of the trust reposed in him/ her by his/ her employer or duly authorized representative.
6. Commission of a crime or offense by the employee against the person of his/ her employer or any immediate member of his/ her family or his/ her duly authorized representative.
7. Conviction of a crime.
8. Use of prohibited drug.
9. Assault.
10. Concubinage / adultery.
11. Bribery.
12. Sexual favor made as a condition in giving assistance to the employee in need.
13. Unauthorized disclosure of confidential information to the detriment of the company.
14. Unauthorized disclosure of salary rate.
15. Concealment of contagious disease.
16. Falsification of employment records, tampering of receipts, agreements, contracts, and alterations of any company documents.
17. Misappropriation of fund.
18. Espionage.
19. Violation of Republic Act 7877 (Sexual Harassment).
20. Other causes analogous to the above.

HR Policies

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Author: erika

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