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## 1. INTRODUCTION

The NATCCO MBAI is committed to the responsible and creative use of all company resources, especially the human resource – at all levels. Each one plays a vital role in the attainment of our objectives. Hence this Employee Code of Conduct is designed to equip us with a thorough knowledge of our corporate culture and rules and regulations. It is our hope and belief that this handbook would guide us on how we should act and behave in the workplace.

## 2. POLICY STATEMENT

It is the declared policy of NATCCO MBAI to provide a just environment for all employees, taking into consideration the related laws and competitiveness of the NATCCO MBAI.



## 3. APPLICABILITY


This policy applies to all employees of NATCCO MBAI, regardless of employment status.

## 4. PROCEDURES

### 4.1 General Policies

- 4.1.1 Any and all acts violating and/or constituting a violation of the comprehensive policies detailed in the foregoing section will be considered as violation and shall be liable to disciplinary action, this will be in concurrence with the appropriate provision of this code.
- 4.1.2 Ignorance of the policies declared in this Code as well as notices or memoranda that may be promulgated in the future shall not justify an employee from non-observance nor from the disciplinary action to be imposed thereon.
- 4.1.3 All disciplinary actions shall be imposed following the process enumerated in this code.
- 4.1.4 All actions to resolve or settle grievances shall be in accordance with the relevant provisions of this code.
- 4.1.5 Administration of disciplinary action on erring employees shall not hinder the NATCCO MBAI from filing criminal and/or civil charges in accordance with the applicable laws of the Philippines.
- 4.1.6 In cases where the infractions or offenses committed violate outside the provision of this Code, these shall be dealt with separately.

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#### 4.2 Definition of Terms

- 4.2.1 Employees – all staff of NATCCO MBAI regardless of employment status
- 4.2.2 Unit Head – employees leading the NATCCO MBAI Units
- 4.2.3 Human Resource Unit – unit in charged of all employee related concerns
- 4.2.4 Type of Offense:
  - Type A – minor offenses
  - Type B – moderate offenses
  - Type C – serious offenses
  - Type D – critical offenses
  - Type E – major offenses

#### 4.3 Guidelines for Implementation



The task of ensuring that this Code will be understood and religiously complied with is collectively entrusted to both the Human Resource Unit and the unit where the employee is assigned.


##### 4.3.1 Human Resource Unit will be responsible for the following:

- 4.3.1.1 Making sure that suitable measures are established and continuously taken:
  - a. to educate all employees on the policies of this code;
  - b. to ensure that the policies of this Code are updated and consistent with the requirements of all operating units;
  - c. to assist in the progress of the implementation of corrective actions, to assist erring employees and to continuously forewarn department and unit heads on the negative standing, if any, of employees under them; and
- 4.3.1.2 Preparing all documents and reports as may be needed to efficiently implement provisions of this Code.

##### 4.3.2 All Unit Heads unit shall be responsible for:

- 4.3.2.1 Implementing the policies made known in this Code, including the enforcement of disciplinary actions to erring employees;
- 4.3.2.2 Facilitating in the resolution or settlement of any grievance that may come to light relating to this Code; and
- 4.3.2.3 Preparing and submitting the required reports and documentations on cases investigated and/or disciplinary actions meted out for proper recording and control.



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#### 4.4 Mechanics of Implementation

In order to effectively implement the provisions of this code, offenses that incur disciplinary action are classified under five types of heading: TYPE A, TYPE B, TYPE C, TYPE D and TYPE E. This classification is made in accordance with the disciplinary action that the offense merits. This corresponding disciplinary actions for each of the above are the following:

TYPE OF OFFENSE	LEVEL OF OFFENSE	DISCIPLINARY ACTION
A	1 <sup>st</sup>	Written Warning
	2 <sup>nd</sup>	Stern Written Reprimand with Warning for Suspension
	3 <sup>rd</sup>	2 Working Day Suspension
	4 <sup>th</sup>	4 Working Day Suspension
	5 <sup>th</sup>	6 Working Day Suspension
	6 <sup>th</sup>	15 Working Day Suspension with Warning for Dismissal
	7 <sup>th</sup>	Dismissal
B	1 <sup>st</sup>	Stern Written Reprimand with Warning for Suspension
	2 <sup>nd</sup>	4 Working Day Suspension
	3 <sup>rd</sup>	6 Working Day Suspension
	4 <sup>th</sup>	15 Working Day Suspension
	5 <sup>th</sup>	Dismissal
C	1 <sup>st</sup>	6 Working Day Suspension
	2 <sup>nd</sup>	15 Working Day Suspension

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	3 <sup>rd</sup>	Dismissal
D	1 <sup>st</sup>	30 Working Day Suspension
	2 <sup>nd</sup>	Dismissal
E	1 <sup>st</sup>	Dismissal (Included in type E offenses are those covered by law as just cases for termination of employment)

The aforesaid penalties, after being served in whatever level of offenses, shall be stricken out from company records based on the following periods:

TYPE A Offenses	One (1) year after serving of penalty
TYPE B Offenses	Two (2) years after serving of penalty
TYPE C Offenses	Three (3) years after serving of penalty
TYPE D Offenses	Four (4) years after serving of penalty



## 4.5 Table of Offenses


### 4.5.1 Offenses Against Person

The rules are intended to encourage everybody towards friendship, respect and humility, as well as the practice of cheerfulness. All of these are geared towards establishing smooth interpersonal relationships in the workplace, in our families and in the community.

Therefore, behaviors that do not conform to these virtues are as follows:

SECTION		TYPE OF OFFENSES
1	Commission of a crime or offense by the employee against the person or his employer.	E
2	Inflicting physical injury on any employee or having inflicted physical injury while within the office premises.	D
3	Any act constituting threat, intimidation or coercion against any employee, or in any manner unduly interfering with or obstructing the company operations or other employees from	D

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	performing their work while within NATCCO MBAI or premises	
4	Fighting or actually engaging another in a fight while within the NATCCO MBAI's premises.	D
5	Inciting or provoking a fight under the circumstances described in Section 4 above, but where a fight does not actually occur.	C
6	Persistently telling smutty jokes that are found offensive by others within office premises.	C
7	Any immoral act by the employee either by himself or with another person; including but not limited to sexual harassment committed within the NATCCO MBAI's.	E

#### 4.5.2 Offenses Against Property



Our Dominion Over Material Goods requires us to always practice honesty in its highest sense. This also asks us to practice justice by respecting the rightful property of our fellow workers and that of the companies we work with.


The following do not conform with the above-mentioned virtues:

SECTION		TYPE
1	Theft, robbery or appropriation for personal gain, benefit or profit of any property of the company or of a fellow employee or a client or customer of the company, regardless of the amount involved.	TYPE E
2	Swindling or malversation (estafa) of funds or property of the company or of a fellow employee or of a client or of a customer of the company.	TYPE E
3	Obtaining supplies or materials on fraudulent manner.	TYPE E

**NOTE:** *This implicates any other person conniving or in collusion with the employee doing it.*

4	Unauthorized substitution of company supplies or equipment with another or of poorer quality, or of lesser value.	TYPE D
5	Alteration or removal, without authorization of any property of the NATCCO MBAI, or of other employees resulting in irreparable damage thereto. (TYPE E) If damage is repairable, the penalty is mitigated to TYPE D	TYPE D
6	Using company time and/or supplies and/ or equipment to do unauthorized work within or outside the premises,	TYPE D

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	for personal gain which includes using company time and facilities in personal dealings, selling and non-work-related activities.	
7	Neglecting or refusing, after due demand or notice, or as provided by existing policies without justifiable reasons, to remit, pay, reimburse or liquidate any money, collection or cash advance, or return and/or deliver goods, or other properties, entrusted to him by the company, or received by him from customer or client or business associate or affiliate or their representative for his administration or under any other obligation to make delivery of, or return the same.	TYPE B
8	Malicious or willful destruction or misuse of company property or that of any employee, any client or customer of the company. If the destruction, damage or misuse is committed through recklessness or imprudence. The same shall be classified as such.	TYPE D


#### 4.5.3 Offenses Against Company Interest

This section seeks a behavior that manifest love for truth. This includes the practice of such virtues as honesty, concern and loyalty towards our company which should go beyond self-interest. This hopes to instill a true spirit of service with high sense of responsibility.



The following do not conform with the foregoing:


1	Falsification of documents detailing personal records or data or misrepresentation of any information concerning personal circumstances and qualification	TYPE E
2	Falsification or unauthorized alteration of personal or company records and/ or using said falsified records for personal gain or benefit	TYPE E
3	Any attempt to falsify or pad expense reports, receipts, invoices or any other document, upon which reimbursement is based	TYPE E
4	Favoring suppliers, customer or any other person in consideration of kickbacks, personal rebates or any valuable consideration.	TYPE E

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5	Offering or accepting anything of value in exchange for a job, work assignment, work location, or favorable condition of employment.	TYPE E
6	Directly or indirectly requesting or receiving any gift, present, share, percentage or any form of benefit or favor, for himself or for any other person in connection with any business, contract, application or transaction between the company and any other party, wherein the employee in his official capacity has to intervene.	TYPE E
7	Directly or indirectly having financial or pecuniary interest in any business, contract or transaction in connection with which he intervenes or takes part in his official capacity.	TYPE E
8	Unauthorized actions clearly in excess of one's authority such as but not limited to, acts of disbursing, releasing or authorizing disbursement of company funds without written authority by one's superior or similar acts that go beyond or outside his authority or responsibility, where the interest of the company is prejudiced.	TYPE D
9	Giving a company ID or identification material to any person not entitled to it, or assisting non-employees to enter the company premises and restricted areas without company's permission.	TYPE E
10	Failure to wear Company ID and uniform or wearing altered, deformed or mutilated uniform.	TYPE A
11	Giving away or unauthorized disclosure of company trade secrets and/or trade practices or trade processes or any valuable information acquired by his office or by him on account of his position, to unauthorized persons, or making available such information in advance of its authorized release date and where in the process, the interest of the company is prejudiced.	TYPE E
12	Loitering, wasting time, leaving place of work during hours without permission from his/her supervisor, or department head or any designated person or leaving the company compound without permission at any time before the end of the employee's work shift.	TYPE B
13	Malingering or feigning illness to avoid doing assigned work or reporting for work. (This includes absence due to Sick Leave but employee is neither at home or in a medical institution.)	TYPE B

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14	Sleeping on company time while on duty.	TYPE B
15	Failure to follow written or oral instruction made by NATCCO MBAI, as well as memorandum and circulars, or failure to perform assigned work due to simple negligence.	TYPE B
16	Persuading, inducing or influencing another employee to perform an act constituting a violation of this Code or other existing rules and regulations or policies of an office in connection with the duty or function of the latter allowing himself to be persuaded, induced, or influenced to commit such violation or offense. Penalty for the violation committed shall likewise be imposed on the person who employed persuasion, inducement or influence.	TYPE C

#### 4.5.4 Offenses Against Safety, Health, Security and Public Order



Again, because we want to practice the responsible use of resources given to us as stewards, our behavior should show proper concern and care for our welfare, that of others, for properties we own or those placed under our care and the general public whom we directly or indirectly influence.

The following do not conform with the foregoing:


1	Unauthorized possession and carrying of firearms, explosives or other deadly weapon while on company premises	TYPE E
2	Forced or unauthorized entry into an office or premises of the company during off-hours without committing acts punishable under sections 1,4,5 and 8 of Article II hereof	TYPE C

NOTE: *Type E penalty, shall however, be imposed if the entry thereof has been done in order to cover up or attempt to cover up any violation of the rules or commission of felonies.*

3	Entering restricted areas without permission.	TYPE C
4	Creating or contributing to unsafe and unsanitary conditions inside company premises	TYPE A
5	Violation or failure to follow a general safety rule and/or practice	TYPE A
6	Littering inside the company premises and immediate surrounding area.	TYPE A

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7	Unauthorized and/or unjustified use of fire protection equipment.	TYPE C
8	Operating and/or tampering switches, controls, installations, machines or equipment	TYPE C
9	Failure to report immediately a personal injury occurring on company time or property.	TYPE A
10	Willful disregard of office directive relating to sanitary condition, cleanliness and orderliness of the office, security of office supplies and equipment or performing any act contributing to unsanitary condition or practice on company premises or jobs sites.	TYPE A
11	Reporting for work while having a serious contagious disease which may endanger the health of other employees, knowing about it, yet failing to report or willfully withholding information thereof to company authorities. (TYPE D) If Contagious disease is not of a serious nature, Type C penalty will be meted out.	TYPE D
12	Failure to undergo Annual Physical Examination as scheduled by the company and failure to obey Doctor's order or advice as directed or ordered by the company.	TYPE B
13	cuffling, "horsing around, or throwing things or otherwise wasting time during hours	TYPE B


#### 4.5.5 Offenses Against Decency, Good Custom, Honor and Morality

We would like Respect for Human Dignity to pervade in our work areas. Alongside this virtue is the observance of modesty, chastity and decency.



The following do not conform to the foregoing:


1	Reporting for work while under the influence of liquor and/or intoxicating drinks (TYPE C) and/ or prohibited drugs. (TYPE E)	TYPE C/E
2	Drinking or bringing in any liquor, intoxicating drinks into company premises (TYPE C). Use of or bringing in prohibited drugs on company premises or on company sponsored activities. (TYPE E)	TYPE C/E
3	Making false, vicious or malicious statement concerning any employee.	TYPE C

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4	Any act constituting offense against honor (libel, defamation, slander) committed while in company premises or in relation to work.	TYPE D
5	Conduct of grossly scandalous or indecent nature or using profane or indecent language in addressing another person on company time or on company premises.	TYPE C
6	Any and all acts constituting sexual harassment and/ or any motives committed against co-employees regardless of position, rank or gender.	TYPE E
The following are acts of sexual harassment:		
	1. Persistently telling smutty jokes to a co-employee who has indicated that he/she finds them offensive;	TYPE C
	2. Taunting a co-employee with constant talk of sex or sexual innuendoes;	TYPE C
	3. Displaying offensive pictures or publications in the work place;	TYPE C
	4. Asking co-employee intimate questions on his/ her sexual activities;	TYPE C
	5. Making offensive hand or body gestures at a co-employee;	TYPE C
	6. Making obscene phone calls to a co-employee during and outside work hours;	TYPE C
	7. Pinching, unnecessary brushing up against a co-employee's body;	TYPE C
	8. Requesting for dates or favors in exchange for a job, favorable working conditions or assignments, etc.	TYPE D
	9. Touching a co-employee in sensitive parts of his/ her body to threats of a sexual nature and actual sexual assault;	TYPE E
	10. Directing or inducing another to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed shall also be liable under these rules. Penalty shall likewise be imposed on the person who employed inducement or has cooperated.	TYPE C
7	Attempt to commit or committing any crime against chastity while in company premises or committing any act constituting immorality of such scandalous proportions as to offend the moral sensibilities of the community.	TYPE E

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8	Taking part in any gambling, unauthorized lottery, loaning of money with excessive interest rates, or any other game of chance during company time or while within the company premises.	TYPE C
9	Conviction of any crime punishable under the Revised Penal Code of the Philippines and other existing laws of the country.	TYPE E
10	Displaying of indecent acts or conduct unbecoming of a NATCCO MBAI employee.	TYPE A



#### 4.5.6 Offenses Against Administration


As being subject to authority, we need to understand that each one of us is a part of something bigger—the **NATCCO MBAI**—of which we have the responsibility to support and the obligation to conform in order to reach its stated goals and vision.

This will require the practice of Order, Self-discipline, Industriousness and Loyalty, among other virtues necessary to uphold NATCCO MBAI's rights and mandates.



The following do not conform to the foregoing:


1	Habitual Tardiness. This is defined as ten or more instances of tardiness or combined tardiness resulting in a total loss of 120 minutes or more within one month. <b>NOTE:</b> For this purpose, tardiness of up to five (5) minutes will not be counted.	TYPE A
2	Over-break. Taking coffee or snack breaks of more than 15 minutes at a time, for five or more instances or a total loss of thirty minutes in one calendar month.	TYPE A
3	Absences without official leave (AWOL). Each day of absence without official leave is a separate offense. <b>NOTE:</b> For an employee not to be considered AWOL, the following procedures must be strictly followed: A. An employee who wishes to be absent on a certain date or dates must file an application for leave of absence for approval of his immediate superior at least two (2) days before his intended leave.	TYPE A

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	<p><i>B.</i> If because of extraordinary circumstances, like sudden serious illness of the employee or an immediate member of his family, preventing him or her to secure prior leave of absence, the employee or his representative must telephone, send a text message within the first 4 hours of his/her shift to his/her superior.</p>	
4	<p>Failure to return to work on working day immediately following the expiration of leave of absence, unless such leave is extended with proper approval.  <b>NOTE:</b> <i>To be treated as an absence without official leave Section 3 above.</i></p>	TYPE A
5	<p>Failure to report for overtime work after having been duly advised and scheduled to work according to overtime policy, or doing overtime work, in lesser time than sought to be charged, without justifiable reason.</p>	TYPE A
6	<p>Unauthorized defacing of any company property or willful defacing, tampering, smudging, printing, or "dirtying" of wall or façade of any company property or any form of vandalism committed on company premises.</p>	TYPE C
7	<p>Willfully holding back, slowing down, hindering or limiting work output, or otherwise "feather bedding", or giving instructions to fellow employees to hold back, slow down, hinder or limit output.</p>	TYPE E
8	<p>Causing loss of NATCCO MBAI time or money because of unauthorized use, operation or possession of machines, tools, vehicles or equipment while performing work other than those assigned to him/her (TYPE D). Where the unauthorized use resulted in irreparable damage to the property, (TYPE E) shall be imposed.</p>	TYPE D/E
9	<p>Causing loss of time and money to the NATCCO MBAI because of negligence in the performance of official duties, neglect of duty, or persistently doing unsatisfactory work. This includes violation of standard operating procedure.</p>	TYPE C
10	<p>Making false, vicious or malicious statement concerning the company or its products.</p>	TYPE C
11	<p>Selling, soliciting, collecting contributions for any purposes whatsoever or conducting private business during office hours on company premises without proper authorization.</p>	TYPE C
12	<p>Holding any position or employment with or without compensation in any other business firm which is</p>	TYPE E

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	engaged in similar line of business with the NATCCO MBAI.	
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#### 4.5.7 Offenses Against Authority (Insubordination)

1	Refusing to accept job assignments without justifiable reason.	TYPE D
2	Willful disobedience of the lawful orders of the NATCCO MBAI and any of its officers.	TYPE E
3	Any act constituting disrespect and disregard of authority of NATCCO MBAI superiors and officers.	TYPE D
4	Any act which constitutes resistance, threat, intimidation or assault against a person of authority in the NATCCO MBAI NATCCO MBAI.	TYPE D
5	Any other act constituting insubordination not included in the preceding sections.	TYPE D

#### 4.5.8 Others

SECTION 1 Disciplinary actions for offenses or infractions made by an employee not yet covered or prescribed in the above rules shall be at the Management's discretion.

SECTION 2 Other provisions outside of this Code may be formulated by NATCCO MBAI to address their particular condition of operation as may be observed in the future.



### 4.6 Procedure in Handling Administrative Cases


4.6.1 All complaints must be reported in writing by:

- a. aggrieved party;
- b. co-worker;

to the immediate superior of the employee complained of, stating the alleged violations complained of, and attaching documents and other evidences to prove his/her complaints.

4.6.2 In case the employee complained of is the immediate superior of the complainant, the complaint must be submitted to the President. Finally, if the complaint is about the President, the complaint must be submitted to the Board of Trustees.

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- 4.6.3 The immediate superior or the President will review, study and validate the complaint (Incident Report) submitted to him/her within forty-eight (48) hours.


**NOTE:** In checking the validity of the complaint submitted, the 5 W's (Who, What Where, When, Why) and 1 H (How) fact finding method is a proven effective guide.

- 4.6.4 Immediate superior must issue a Notice to Explain (NTE) to the reported employee stating clearly the charges, purpose, reason and basis of such.
- 4.6.5 The employee must receive and submit his response to his immediate superior within five (5) working days, from receipt of NTE.

**NOTE:** An employee who fails to submit a written report as mandated in the NTE without any valid reason will lead to the waiving of his right to explain and be heard. This therefore would eventually mean IMPLIED ADMISSION on his part of the commission of acts constituting the charge brought against him.

- 4.6.6 After establishing the validity of the submitted complaint under administrative offense classification E, the immediate superior must determine whether or not the case merits preventive suspension. If so, the immediate superior must issue the same. Preventive suspension must not exceed 30 working days. However, should NATCCO MBAI decide to extend beyond 30 working days because more time is needed for investigation, extension can be made but with pay.
- 4.6.7 Upon receipt of the employee's explanation, the immediate superior studies it and makes his written recommendation to the President, attaching documents and proofs of allegations, either to exonerate or impose Disciplinary Action (DA) on the reported employee. The basis of his recommendation must always be in consonance with the Code and the Philippine Labor Laws.
- 4.6.8 If upon receipt of the answer and supporting documents of the respondent, the investigating officer cannot make an objective decision and/or recommendation, he/she may call the parties for a formal hearing.
- 4.6.9 NATCCO MBAI has the right to appoint/designate the hearing officer.
- 4.6.10 Where the immediate superior recommends the imposition of the DA and such recommendation is approved by the President, the written decision will be issued to the reported employee.
- 4.6.11 Where the immediate superior recommends to excuse the imposition of the DA and the same is approved by the President, the employee will be furnished a copy of the written decision.
- 4.6.12 The employee, after receiving the copy of the decision approving the imposition of disciplinary action imposed upon him/her, must review his/her stand about the matter.

<b>Prepared/Reviewed by:</b> <b>For the POLREV Committee:</b>  <b>ANGEL P. GARCIA, JR.</b> Committee Chairperson Date: 12/01/2023	<b>Approved by:</b> <b>For the Board of Directors:</b>  <b>ROMEO M. MAGDAONG</b> BOD Chairperson Date: 12/07/2023
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Should he/she feel aggrieved about the decision, he/she may appeal and elevate the matter to the Board of Trustees. The BOT may opt to consult qualified individuals in reviewing the case. The decision of the BOT will be final and executory.

- 4.6.13 In case an employee subjected to a preventive suspension is exonerated, he/she shall be compensated his/her corresponding salary for the period of suspension.

## 5 SEPARABILITY CLAUSE



If any provision or part of this policy is declared invalid, the remaining parts or provisions not affected must remain in full force and effect.

## 6 AMENDMENTS

This Policy may be amended or modified only by a written instrument, executed by the Committee Chairperson/President and approved by the Board of Trustees.

## 7 DATE OF EFFECTIVITY

This policy must take effect on the date of the approval of the Board of Trustees.

<p>Prepared/Reviewed by: For the POLREV Committee:</p>  <p><b>ANGEL P. GARCIA, JR.</b> Committee Chairperson Date: 12/01/2023</p>	<p>Approved by: For the Board of Directors:</p>  <p><b>ROMEO M. MAGDAONG</b> BOD Chairperson Date: 12/07/2023</p>
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