



JOHN HAY MANAGEMENT CORPORATION  
a member of The BCDA Group


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***John Hay Management Corporation  
Board Resolution No. 2013-0226-032***

Resolve, as it is hereby **resolved**, that the **John Hay Management Corporation ("JHMC") Board of Directors** hereby **approves the JHMC Code of Discipline and JHMC Code of Office Decorum** (copies of which are hereto attached as Annex "A" and Annex "B", respectively); and

Resolved, finally, that this Resolution shall take effect immediately on February 26, 2013 and shall supersede all prior JHMC resolutions, instructions, memoranda, circulars, or instruments inconsistent herewith.

This board resolution is subject to the final approval of the Minutes of the 26 February 2013 JHMC Board meeting.

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	SUBJECT: <b>OFFICE DECORUM</b>	DATE OF APPROVAL: February 26, 2013

## 1.0 OBJECTIVE

To enhance individual respect towards work, company authority and property, and co-employees.


## 2.0 POLICY STATEMENT

In addition to and/ or in adherence with the provisions of Republic Act (R.A.) No. 6713, employees are expected to observe the proper conduct and attitudes in the performance of their personal and official affairs. They shall maintain mutual respect, honesty, and courtesy in all their dealings with their fellow employees and officers of the Company and with the public at large.

## 3.0 IMPLEMENTING GUIDELINES

- 3.1 Proper conduct and courtesy towards the John Hay Special Economic Zone (JHSEZ) lessees/ locators, co-employees, visitors, and guests must be observed at all times.
- 3.2. Employees shall observe proper respect for and courtesy towards their superiors and co-workers and shall promote harmony and good order in the work area.
- 3.3 Threats, hostile acts, and use of word or gestures which are obscene, insulting, or grossly disrespectful are punishable under the Code of Discipline.
- 3.4 Employees are expected to project a clean and wholesome appearance at all times.
- 3.5 Employees are expected to respect the right and property of others at all times.
- 3.6 Employees are expected to observe measures to ensure the proper use and safety of all Company properties/ premises, personnel, and clients.
  - 3.6.1 Prudence must be exercised in the use of all Company supplies and equipment.
  - 3.6.2 Eating and drinking are not allowed while using computers and other electronic equipment.
  - 3.6.3 Smoking is not allowed in non-smoking areas of the Company.
  - 3.6.4 Any discoveries made on equipment defects, damaged property, or anything within the JHMC premises posing danger



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to other life and property must be immediately notified to concerned personnel.

### 3.7 Phone Calls

Telephones and mobile phones for official use are maintained for company business and should not be used for personal calls except in cases of emergency. Employees should also refrain from engaging in lengthy personal calls except in cases of emergency.

### 3.8 Acceptance of Gifts

3.8.1 It is prohibited for all employees, regardless of rank or position, to receive for personal use a fee, gift, or other things of value from guests, suppliers, contractors, or subordinates.

3.8.2 Employees are likewise prohibited from extorting or soliciting directly or indirectly any gift or fee, gratuity, favor, commissions, entertainment, loan or anything of value in connection with any operation being regulated or any transaction which may be affected by the functions of their office.

### 3.9 Uniform/ Dress Code

3.9.1 Employees shall wear the prescribed uniform as may be scheduled by the Company through a written order.

3.9.2 In the absence of a prescribed uniform for office staff, the employees concerned must be dressed appropriately.

### 3.10 Company Identification Cards

All officers/ employees of JHMC are required to wear their respective Company Identification Cards at all times while inside the Company premises.

### 3.11 Loitering of Family Members/ Friends


No family member/s or friends of an employee shall be tolerated to loiter in the Company offices within working hours except in case of emergency.

### 3.12 Productive Use of Time

Employees are expected to perform their tasks during office hours. Conduct of personal business like doing personal errands, selling,

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meeting with personal clients, and similar activities during office hours are prohibited.

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## **ANNEX B**

### **SCHEDULE OF OFFENSES AND PENALTIES**

#### **I. BASIC GROUPING OF ALL OFFENSES**

- Group 1 - Acts or Omissions Affecting Company Interest  
- 14 Offenses
- Group 2 - Acts or Omissions Concerning Company Funds or Properties  
- 14 Offenses
- Group 3 - Acts or Omissions Concerning Harmony and Good Order,  
Safety and Decency at Work  
- 31 Offenses
- Group 4 - Acts or Omissions Concerning Relationship with  
Supervisor(s), Attendance to and Performance of Assigned  
Duties  
- 20 Offenses

#### **MATRIX OF DISCIPLINARY ACTIONS**

OCCURRENCE	CLASS				
	A	B	C	D	E
First Offense	Verbal Reprimand	Written Reprimand	5 Days Suspension	15 Days Suspension	Dismissal
Second Offense	Written Reprimand	5 Days Suspension	15 Days Suspension	30 Days Suspension	
Third Offense	5 Days Suspension	15 Days Suspension	30 Days Suspension	Dismissal	
Fourth Offense	15 Days Suspension	30 Days Suspension	Dismissal		
Fifth Offense	30 Days Suspension	Dismissal			
Sixth Offense	Dismissal				

Note: Refer to next page for the definition of A to E.

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## II. SCHEDULE OF PENALTIES

- |    |               |                                 |
|----|---------------|---------------------------------|
| A. | 1st Offense - | Verbal <b><i>Reprimand</i></b>  |
|    | 2nd Offense - | Written <b><i>Reprimand</i></b> |
|    | 3rd Offense - | Five (5) Days Suspension        |
|    | 4th Offense - | Fifteen (15) Days Suspension    |
|    | 5th Offense - | Thirty (30) Days Suspension     |
|    | 6th Offense - | Discharge                       |
|    |               |                                 |
| B. | 1st Offense - | Written <b><i>Reprimand</i></b> |
|    | 2nd Offense - | Five (5) Days Suspension        |
|    | 3rd Offense - | Fifteen (15) Days Suspension    |
|    | 4th Offense - | Thirty (30) Days Suspension     |
|    | 5th Offense - | Discharge                       |
|    |               |                                 |
| C. | 1st Offense - | Five (5) Days Suspension        |
|    | 2nd Offense - | Fifteen (15) Days Suspension    |
|    | 3rd Offense - | Thirty (30) Days Suspension     |
|    | 4th Offense - | Discharge                       |
|    |               |                                 |
| D. | 1st Offense - | Fifteen (15) Days Suspension    |
|    | 2nd Offense - | Thirty (30) Days Suspension     |
|    | 3rd Offense - | Discharge                       |
|    |               |                                 |
| E. | 1st Offense - | Discharge                       |

## III. SPECIAL PROVISION CONCERNING THE PRECEDING PENALTIES

1. Management reserves the right to impose a higher or lower penalty than what is specified in the preceding page for a particular offense if the damage caused and the aggravating and/ or mitigating circumstances attending its commission is warranted.
2. Imposition of any of the preceding penalties is without prejudice to the institution of appropriate criminal and/ or civil action by the parties concerned.





#### IV. DEFINITION OF TERMS

For purposes of consistency, the following terms are defined as they are used extensively in Part V.

Aggravating Circumstance	Accompanying or accessory condition, event, or fact that increases the culpability or liability of the employee who was charged with an offense (see also Mitigating Circumstance).
Company premises	Consists of any of the following: <ul style="list-style-type: none"><li>• JHMC office buildings;</li><li>• Bellhouse, Bell Amphitheater, and any other areas within the Historical Core under JHMC Custody;</li><li>• Customs Clearance Area; and</li><li>• other areas as may be declared as JHMC office areas.</li></ul>
Company property	All buildings, facilities, equipment, vehicles, fixtures, land, or leased spaces under the custody of BCDA - JHMC
Disgraceful and immoral conduct	An act which violates the basic norm of decency, morality and decorum abhorred and condemned by the society. It is that conduct which is willful, flagrant or shameless, and which shows a moral indifference to the opinions of the good and respectable members of the community (CSC Resolution No. 992643)
Dishonesty	Intentionally making a false statement in any material fact, or practicing or attempting to practice any deception or fraud in securing his (or her) examination, registration, appointment or promotion. (GR No. 148445)
Disruptive activity	Any behavior that interferes with, disrupts, or prevents any normal operations and functions of the company (see also Sabotage)
Extortion	An act or practice of taking or obtaining anything from a person by illegal use of fear, whether by force, threats or any undue exercise of power (GR No. 157399)
Loitering	Idly waiting around the company premises without authorization.
Mitigating Circumstance	Accompanying or accessory condition, event, or fact that may be considered by the company as reducing the degree of culpability or liability of the employee who was charged with an offense (see also Aggravating Circumstance).
Offense/ Infraction	Violation of any laws, rules or regulations as prescribed in the Code of Discipline
Oppression	A demeanor committed by a public officer, who under color of his office, wrongfully inflicts upon any person any bodily harm, imprisonment or other injury. (Estrada v. Badoy, A.M. No. SB-02-10-J)
Preventive Suspension	The temporary removal of an employee charged for violation of company policy from his/ her present status or position. This is in order to prevent the person from causing further harm or damage to the company or company personnel or from obstructing the investigative process.



Restitution	The act of cleansing an offense by way of restoring or paying something that was lost, damaged, or destroyed; or shouldering company expenses incurred that were deemed wasted after committing an offense.
Restricted areas	Any specific areas within the Company premises that by virtue of policies, memoranda, and other issued orders, are declared as restricted and shall require approval from an authorized Company officer prior to access or use.
Sabotage	Causing destruction or major damage to company property in an effort to deliberately stop, hinder, or delay operations.

**FORMS AND TEMPLATES TO BE USED DURING THE DISCIPLINARY PROCESS:**

- Notice to Explain
- Notice of Pre-Conference or Actual Hearing
- Acknowledgment Form for Verbal Reprimand
- Written Reprimand
- Notice of Suspension
- Notice of Termination

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## V. OFFENSES SUBJECT TO DISCIPLINARY ACTION

### 1. ACTS OR OMISSIONS AFFECTING COMPANY INTEREST

Section	Offense	Penalty
1.1	Falsifying, altering or forging official document(s), including official attendance reports such as daily time records (DTRs) or timecards, in such a way as to mislead the user(s) thereof or making use of record(s) or document(s) known by the user(s) to be false.	E
1.2	Willful breach by employee of the trust reposed in him or her by the Company.	E
1.3	Soliciting commissions, contracting loans for personal gain, or accepting money or anything of value by entering into unauthorized arrangement(s) with supplier(s), client(s), or other person(s) or entity(ies) with which the Company has a business or other official relationship.	E
1.4	Offering or accepting anything of value in exchange for a job, or for a favorable condition of employment.	E
1.5	Recommending any person to any position in a private enterprise which has regular or pending official transaction with his/ her office, unless such recommendation or referral is mandated by law, international agreements, commitment and obligation or as part of the function of his/ her office.	D
1.6	Damaging or jeopardizing Company interest(s) through acts or omissions which affect Company client(s), guest(s), visitor(s), consultant(s), or entity(ies) with which the Company has a business or other official relationship, by doing acts such as, but not limited to, stealing from said client(s), guest(s), etc. while on duty or within Company premises.	E
1.7	Uttering words, doing acts, or making gestures to Company client(s), guest(s), visitor(s), consultant(s), or entity(ies) with which the Company has a business or other official relationship, which are manifestly insulting, obscene, or grossly disrespectful/ discourteous.	C
1.8	Using the Company's name to make fraudulent or unauthorized business transactions/ representations. [covers entities with whom JHMC has no business relations with]	E
1.9	Engaging in any activity which is directly competitive or when such shall conflict with the Company's mandates, business or any part of its operation.	D
1.10	Unauthorized disclosure or misuse of information, Company records, trade secrets, financial statements, and other Company documents to other entities or persons.	
	1.10.1 Restricted or classified information or documents	E
	1.10.2 Public documents without prior clearance	B
1.11	Unauthorized posting or distribution, either physically or through electronic means, of reading materials, notices, announcements, or similar materials on Company premises or on Company website(s).	B
1.12	Inciting or participating in concerted work stoppage, slow-down, mass leave, sit-down, riot, or other similar disruptive activities.	E
1.13	Deliberately slowing down, holding back, hindering, or limiting operational productivity, or intimidating, coercing, or inducing other employees to do the same.	D



Section	Offense	Penalty
1.14	Committing other culpable acts or omissions not embraced by other provisions which cause damage to the interest(s) of the Company.	C

## 2. ACTS OR OMISSIONS CONCERNING COMPANY FUNDS OR PROPERTIES

Section	Offense	Penalty
2.1	Stealing, misappropriating, or embezzling Company funds or property or its attempt in any form or manner.	E
2.2	Concealing or deliberately misplacing Company property without justifiable purpose for doing so.	C
2.3	Concealing damage or loss of Company property.	C
2.4	Unauthorized possession, borrowing, or use of Company property; unauthorized substitution of Company materials, supplies, tools, or equipments with another.	C
2.5	Committing an act of sabotage.	E
2.6	Deliberately causing loss or damage to Company property.	E
2.7	Defacing any part of Company property or committing acts of vandalism on Company property such as but not limited to detaching property tags, unauthorized painting or graffiti, tearing and mutilating of official posters/ posted announcements/ memoranda, breaking windows, etc.	C
2.8	Culpable carelessness, negligence, failure to follow specific instruction(s), or improperly using or allowing unauthorized persons to use company supplies, materials, facilities, tools, or equipment, resulting in loss or damage.	C
2.9	Operating, using, interfering with, or impeding the proper use of machines, tools, equipment, vehicles, facilities, or premises to which the employee has not been assigned or is not allowed to use.	C
2.10	Possession or use of keys, picklocks, security access devices, access codes, and/ or similar devices which can disarm locks or disable security mechanisms.	
	2.10.1 Unauthorized use resulting to loss or damage to Company property.	D
	2.10.2 Unauthorized possession or unauthorized use not falling under 2.10.1.	C
2.11	Loss through negligence of keys or security access devices to the following: <ul style="list-style-type: none"> <li>• Company premises;</li> <li>• Company vehicle or equipment; and</li> <li>• storage areas that contain restricted or classified documents, Company property, Company financial instruments, or accountable forms.</li> </ul>	D
2.12	Gross neglect by failing to provide due notification or known and needed information to person(s) concerned on circumstances surrounding or affecting Company property, resulting in loss or damage to such .	D
2.13	Excessive use or wastage of Company resources.	A
2.14	Committing other acts of dishonesty, deceit, or anomaly not embraced by other provisions which cause loss or damage to Company property.	C

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### 3. ACTS OR OMISSIONS CONCERNING HARMONY AND GOOD ORDER, SAFETY AND DECENCY AT WORK

Section	Offense	Penalty
3.1	Threatening, intimidating, coercing, provoking to a fight, or fighting with another employee within Company premises or while on duty, or outside the Company premises but for duty-connected reasons. 3.1.1 If there is actual physical harm. 3.1.2 Otherwise.	E D
3.2	Encouraging, assisting, or deliberately providing occasions or opportunities to non-employee third parties to threaten and/or physically attack a co-employee for reasons which are directly work-connected. 3.2.1 If there is actual harm with a minimum penalty of six (6) months imprisonment under the law. 3.2.2 Otherwise.	E D
3.3	Participating in loud and heated verbal arguments or engaging in disruptive activities during official working hours and/ or within Company premises which disturb the work of others.	A
3.4	Uttering words, doing acts, or making gestures to co-employee(s) or subordinate(s) which are manifestly insulting or grossly disrespectful.	C
3.5	Any employee charged and convicted by final judgment with a crime involving Moral Turpitude under the courts of law.	E
3.6	Extorting or any form of oppressive exaction of money or anything of value from co-employee(s) or from Company client(s), creditor(s), supplier(s), consultant(s), or guest(s).	E
3.7	Stealing, or deliberately concealing or misplacing without justifiable purpose, another employee's property within Company premises.	E
3.8	Personally engaging in the following activities within Company premises or during official working hours: <ul style="list-style-type: none"> <li>• money-lending business at unconscionable rates;</li> <li>• selling tickets of whatever kind;</li> <li>• buying or selling goods;</li> <li>• making or collecting payments for such goods; and</li> <li>• solicitations</li> </ul>	B
3.9	Gambling, placing or collecting bets, or participating in any game of chance within company premises.	B
3.10	Bringing in weapons, explosives, hazardous materials, or unauthorized possession of such items within company premises or at the job site.	E
3.11	Selling or pushing prohibited drugs or their substitutes; using prohibited drugs or their substitutes after having undergone rehabilitation as specified in the Drug-Free Workplace Policy.	E
3.12	Drinking intoxicating drinks within Company premises; reporting for duty intoxicated.	D
3.13	Smoking in prohibited or restricted area(s).	B
3.14	Unauthorized entry into restricted areas or unauthorized use of such places; also, assisting another person to commit this act.	C

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<b>Section</b>	<b>Offense</b>	<b>Penalty</b>
3.15	Holding within Company premises a meeting, conference, or similar gathering which is not permitted by a Company officer or his/ her duly authorized representative.	<b>C</b>
3.16	Creating or contributing to the creation of unclean or unsanitary conditions inside Company premises.	<b>B</b>
3.17	Failure to comply with safety and security requirements that may prejudice the Company and its guests.	<b>D</b>
3.18	Failure to comply with any periodically scheduled physical/ medical examination required by the Company.	<b>B</b>
3.19	Failure to report lost and found article(s) within 48 hours from discovery of the said lost and found article(s)	<b>A</b>
3.20	Failure or refusal to wear official Company ID, uniform, shoes, and/or grooming prescribed for purposes of safety, security, or presentability; or wearing clothes/ garments which are explicitly prohibited.	<b>B</b>
	3.20.1 Refusal, or wearing prohibited clothes/ garments	<b>A</b>
	3.20.2 Failure	
3.21	Failure or refusal to follow prescribed procedures to safeguard the health and safety of one's co-employees in case of sickness	
	3.21.1 Refusal	<b>C</b>
	3.21.2 Failure	<b>B</b>
3.22	Deliberately hiding a known serious and contagious disease or major illness, which may endanger the health of other employees.	<b>C</b>
3.23	Failure or refusal to follow prescribed procedures in cases of accidents involving Company vehicle, equipment, or other Company property.	
	3.23.1 Refusal	<b>C</b>
	3.23.2 Failure	<b>B</b>
3.24	Engaging, during working hours, in horseplay, scuffling, shoving, or other similar playful activities which could be injurious to persons or property.	<b>A</b>
3.25	Rumor-mongering, deliberately spreading malicious/ false rumors against the company, employee(s), consultant(s), or clients, concerning personal affairs, or deliberate distortion of facts in such a way as to enhance one's status or reputation or discredit co-employee(s), officer(s), guest(s), consultant(s), or client(s).	<b>C</b>
3.26	Conviction by final judgment of a crime or misdemeanor not embraced by other provisions within Company premises	
	3.26.1 If the offense materially or substantially affects the Company interest(s).	<b>E</b>
	3.26.2 Otherwise	<b>D</b>
3.27	Having direct or indirect financial and material interest in any transaction requiring approval of his/ her office.	<b>D</b>
3.28	Borrowing money by superior officers from subordinates.	<b>B</b>
3.29	Willful failure to pay just debts (claims adjudicated by court of law or claims which are admitted by the debtor), or willful failure to pay taxes due to the government.	<b>B</b>
3.30	Engaging in disgraceful and immoral conduct.	<b>D</b>

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<b>Section</b>	<b>Offense</b>	<b>Penalty</b>
3.31	Committing different offenses which are penalized with three (3) suspensions during a 12-month period. The 12-month period shall commence on the discovery of the first offense and shall end with the discovery of the last offense.	E

**4. ACTS OR OMISSIONS CONCERNING RELATIONSHIPS WITH SUPERVISOR(S), ATTENDANCE TO AND PERFORMANCE OF ASSIGNED DUTIES.**

<b>Section</b>	<b>Offense</b>	<b>Penalty</b>
4.1	Threatening, intimidating, coercing, provoking to a fight, assaulting, or attacking a supervisor including his/ her relatives for reasons directly connected with the supervisor's discharge of his official duties.	
4.1.1	If there is actual assault or attack.	E
4.1.2	Otherwise.	D
4.2	Uttering words, doing acts, or making gestures to a superior which are manifestly insulting, or grossly disrespectful. [Refer to 3.4]	C
4.3	On the part of the supervisor, deliberately or negligently condoning, tolerating, or participating in an offense committed by a subordinate.	
4.3.1	Deliberate	D
4.3.2	Negligent	C
4.4	Gross and habitual neglect of assigned duty.	E
4.5	Refusing or failing to do assigned task or to obey official orders, instructions, or to follow established procedures without justifiable cause.	
4.5.1	Refusing	B
4.5.2	Failing	A
4.6	Refusing or failing to acknowledge or sign Company or Management Memoranda and official communications without justifiable cause.	
4.6.1	Refusing	B
4.6.2	Failing	A
4.7	Leaving work assignment during official working hours without logging out and/ or without prior permission from the Department Head or immediate supervisor.	C
4.8	Pretending to be sick; giving false excuse(s) during a sick leave or absence.	C
4.9	Sleeping while on duty beyond break periods.	B
4.10	Doing unauthorized or unofficial work during official working hours.	B
4.11	Wasting time in any other way during official working hours, whether at or away from assigned work place (loafing, loitering, over stretching break periods, idle chatting, engaging in lengthy personal phone calls, playing computer games, etc.).	A
4.12	Absence from work without notice and/ or without authorization.	
4.12.1	Absence of five (5) consecutive working days without any official explanation being received by the Company shall be considered abandonment of duty. (As specified in the Leave Benefits and Attendance Policy)	E
4.12.2	For three consecutive to four consecutive days	C
4.12.3	For one day to two consecutive days	B
4.13	Frequent tardiness (5 minutes from reporting time or as defined by the Policy on Attendance) of at least three (3) times within a monthly period.	C

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<b>Section</b>	<b>Offense</b>	<b>Penalty</b>
4.14	Getting out of the office more than 5 minutes before the allowed log-out time for the purpose of waiting or queuing near the station where the timekeeping device is located.	<b>A</b>
4.15	Failure to participate in flag-raising ceremonies while present in the Company premises.	<b>A</b>
4.16	Refusal for unjustifiable reason to be transferred to another department or workplace.	<b>D</b>
4.17	Failure or refusal of a subordinate to inform, turn over, or endorse to his/ her superior(s) any written communications received and/ or sent to the former's custody concerning work-related matters within 48 hours without justifiable reason.	
	4.17.1 Refusing	<b>C</b>
	4.17.2 Failing	<b>B</b>
4.18	Failure to file Statement of Assets, Liabilities, and Net Worth (SALN), or late submission of SALN after the allowed deadline.	<b>C</b>
4.19	Failure to render service within the allowed time-frame as specified under the JHMC Citizen's Charter or intentionally delaying such for no valid reason.	<b>B</b>
4.20	Committing other acts of insubordination, non-attendance, or neglect of duty not embraced by other provisions.	<b>B</b>

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