

1.0 Policy Statement/Principles

It is the policy of the John Hay Management Corporation (JHMC) to promote transparency, responsibility and accountability in administering and managing Camp John Hay with utmost degree of integrity, loyalty, professionalism and efficiency to achieve its mandate as a government-owned-and controlled corporation and serve the best interest of the country.

JHMC shall conduct its affairs and operations in full compliance with applicable laws, rules, and regulations considering that public office is a public trust¹. The Board of Directors, Officers and Employees shall lead by example in their conduct and exemplify the behavior and professional demeanor consistent with such laws and regulations. Integrity means the consistent alignment of, and adherence to, shared ethical values, principles, and norms for upholding and prioritizing public interest over private interests. They shall ensure and strengthen integrity in the GOCC sector.²

2.0 Objective

The JHMC Revised Policy on Whistleblowing and Integrity Program (hereafter referred to as the “WHIP” for brevity) aims to provide an enabling mechanism that allows any concerned individual to report and provide information, anonymously if he/she wishes, and even testify on matters involving the actions or omissions of the JHMC Board of Directors, Officers and Employees, that are considered illegal, unethical, violates good governance principles, against public policy and morals, promote unsound and unhealthy business practices and grossly disadvantageous to the JHMC and/or the Government.

3.0 Scope:

The WHIP provides the guidelines and procedures for JHMC’s actions on reports and/or information received on alleged illegal or unethical conduct committed by JHMC Board of Directors, Officers and Employees which violate good governance principles.

¹ Section 1, Article Xi, Philippine Constitution

² GCG Memorandum Circular 2025-01 dated 13 January 2025

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The WHIP likewise provides for the “Organizational Measures” adopted by JHMC as part of its Integrity Program to ensure public accountability and integrity in government service.

4.0 REPORTING CHANNELS. Whistleblower/s is/are encouraged to use the online platform as the primary reporting channel under this Policy:

4.1 Primary Reporting Channel. The Governance Commission for Government Owned or Controlled Corporations (GCG) shall maintain an online whistleblowing portal at <https://whistleblowing.gcg.gov.ph> linked with JHMC’s website (www.jhmc.com.ph) through a display prominently on the top portion of the home page of the JHMC website.

4.2 Alternative Reporting Channels. Whistleblowing report/s (WBR/s) may also be submitted through the following means:

- a. Email : whistleblowing@gcg.gov.ph
- b. Hand-delivery (personal) of the printed, typewritten, or handwritten letter or other recorded communication : to the following GCG Officers:
 - a) Chairperson;
 - b) Commissioners;
 - c) Executive Director;
 - d) General Counsel; or
 - e) Integrity Division Chief
- c. Meeting (face-to-face or online) : with the following GCG Officers:
 - a) General Counsel;
 - b) Integrity Division Chief; or
 - c) Other persons authorized by the Chairperson, the Commission Proper, the Executive Director, the General Counsel or Integrity Division Chief.
- d. GCG e-mail : integrity@gcg.gov.ph
- e. GCG Courier/Mail : Office of the GCG
- f. JHMC E-mail : mgmt@jhmc.com.ph

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- g. JHMC Courier/Mail : The President and CEO
John Hay Management Corporation, John Hay Special Economic Zone, Camp John Hay, Loakan Road, Baguio City 2600
- h. Telephone : 074- 422- 4360

4.3 The **WHIP** does not preclude a whistleblower from submitting a report to another government office instead, including, but not limited to, the following:

- a. 8888 Citizen's Complaint Center through <https://8888.gov.ph>; and
- b. Contact Center ng Bayan through <https://contactcenterngbayan.gov.ph>.

5.0 REPORTABLE CONDITIONS. Whistleblowers may report to the GCG or to JHMC through any of the reporting channels enumerated in Section 4 the following acts or omissions:

5.1 Acts or omissions that are illegal, unethical, those that violate good governance, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to JHMC and/or the government such as but not limited to:

- a. Abuse of authority;
- b. Bribery;
- c. Conflict of interest;
- d. Destruction/ manipulation of records;
- e. Fixing;
- f. Inefficiency;
- g. Making false statements;
- h. Malversation;
- i. Misappropriation of assets;
- j. Misconduct;
- k. Money laundering;
- l. Negligence of duty;
- m. Nepotism;
- n. Plunder;
- o. Receiving a commission or bribe;

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- p. Solicitation of gifts;
- q. Taking advantage of corporate opportunities;
- r. Undue delay in rendition of service;
- s. Undue Influence;
- t. Violation of Procurement Laws;
- u. Illegal dismissal;
- v. Retaliatory acts against whistleblowers; and,
- w. Other analogous acts or omissions which are not covered by the JHMC's Code of Discipline (COD).

5.2 Acts or omissions that otherwise involve violations of the following laws, rules or regulations:

- a. R.A. No. 6713 or the "Code of Conduct and Ethical Standards for Public Officials and Employees";
- b. R.A. No. 3019, *as amended*, or the "Anti-Graft and Corrupt Practices Act";
- c. R.A. No. 7080, *as amended*, or the "The Anti-Plunder Law";
- d. Book II, Title VII on Crimes Committed by Public Officers of Act No. 391, *as amended*, or the Revised Penal Code;
- e. Executive Order (E.O.) No. 292, s. 1987, *as amended*, or the "Administrative Code of 1987";
- f. RA. No. 10149 or the "GOCC Governance Act of 2011";
- g. GCG M.C. No. 2012-05 or the "Fit and Proper Rule";
- h. GCG M.C. No. 2012-06 or the "Ownership and Operations Manual Governing the GOCC Sector";
- i. GCG M.C. No. 2012-07 or the "Code of Corporate Governance for GOCCS";
- j. Other circulars, orders, authorizations, directives, and issuances of the GGG;
- k. Legislative charter, articles of incorporation, and by-laws of GOCCs;
- l. RA No. 11232 or the "Revised Corporation Code of the Philippines", as far as it applies to GOCCs in suppletory manner pursuant to Section 30 of RA No. 10149;
- m. RA No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018";
- n. RA No. 12009 or the "New Government Procurement Act";
- o. RA No. 11966 or the "Public-Private Partnership (PPP) Code of the Philippines";

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- p. Presidential Decree No. 442, *as amended*, or the “Labor Code of the Philippines” and its implementing rules and regulations; and,
- q. Other laws, rules, and regulation applicable to government agencies as well as public officials and employees.

6.0 NON-REPORTABLE CONDITIONS. WBR/s which involves any of the following are considered non-reportable under this Policy:

- a. Matters subject of the whistleblower's official investigation;
- b. Reported violations covered by the JHMC Code of Discipline and Office Decorum;
- c. Groundless reports,
- d. Patently false and misleading reports; and,
- e. Retracted whistleblowing reports.

7.0 CONFIDENTIALITY. JHMC shall ensure confidentiality of the information arising from WBRs, regardless of the reporting channel, except when the whistleblower does not invoke anonymity and/or confidentiality under this Policy. The reports including the identity of the whistleblower and the person(s) complained of must be treated in utmost confidentiality. The identity of the whistleblower shall be kept confidential unless (i) compelled by law or the Courts to be revealed, or (ii) the whistleblower authorized the release of his/her identity.

8.0 PROTECTION AGAINST RETALIATION. Retaliatory acts against whistleblowers who submit whistleblowing reports in good faith shall not be tolerated by the Governance Commission, which shall extend all possible assistance to the whistleblower under the law and given the circumstances. Such retaliatory acts that are prohibited include, but are not limited to:

- a. Any and all forms of discrimination or harassment;
- b. Unjust and unauthorized dismissal or demotion;
- c. Unjust and unauthorized reduction in salary or benefits;
- d. Unjust and unauthorized termination or non-renewal of contract;
- e. Evident bias in performance evaluation;
- f. Any act or threat that adversely affects a right or interest of the whistleblower.

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9.0 FALSE/MISLEADING/FABRICATED ALLEGATIONS. – Reporting false, misleading, and/or fabricated allegations, shall be a sufficient ground for the forfeiture of the benefits of the whistleblower for the year, including his/her immunity from criminal, civil and administrative suits. If the whistleblower persists (reporting at least twice) in making false, misleading and/or fabricated reports, legal action may be taken against him by the JHMC.

10.0 WHISTLEBLOWING COMMITTEE (WBC)

10.1 The Whistleblowing Committee (WBC) is hereby established which shall serve as an independent internal grievance mechanism that will act as the main body in the evaluation. Investigation, and resolution of cases arising from Whistleblowing Reports (WBRs).

10.2 The WBC shall be composed of the following:

Chairperson	Head of the Legal Department (LD) or another Department Head in case the Head of LD is the one being complained of
Members	One (1) representative from the Division Manager Level or its equivalent
	One (1) representative from the Officer Level
	One (1) representative from the Rank-and-File Level
Secretariat	Legal Research and Investigation Specialist (LRIS)

10.3 The WBC shall perform the following duties, including but not limited to:

- a. Determination of the veracity of a WBR in accordance with the **WHIP**, through the conduct of an investigation on the matter subject of the WBR.
- b. The WBC may dismiss the WBR for lack of merit, otherwise it shall submit a formal recommendation to the President and CEO (PCEO) for the discipline of the respondent official/employee and/or recommend the institution of appropriate proceedings in the Office of the Ombudsman, National Prosecution Service, Office of the Deputy Executive Secretary for Legal Affairs, Commission on Audit, Department of Labor and Employment, Anti-Red Tape Authority, Integrated Bar of the Philippines, and/or a court of competent jurisdiction;

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- c. Conduct preliminary investigation to determine whether a report/complaint falls within the scope of this Policy, particularly Item 6 hereof or the reportable conditions under Paragraph 4 of GCG MC No. 2025-01; and,
- d. Formulate and adopt its internal rules on the disposition of WBRs.

11.0 PROCEDURE IN RESOLVING WHISTLEBLOWING REPORTS (WBRs)

11.1 Filing of WBRs

- a. All WBRs submitted through the alternative reporting channels pertaining to JHMC shall be resolved in accordance with the **WHIP**.
- b. WBRs filed or submitted through the primary reporting channel online platform of the GCG and its alternative reporting channels shall follow the handling procedure pursuant to GCG MC No. 2025-01 dated 13 January 2025. Attached as **Annex "A"** of the WHIP is a copy of said circular.

11.2 Receiving of Whistleblowing Reports

- a. Within one (1) working day from receipt of the WBR, the Records Management Specialist (RMS) shall endorse the WBR to the Administrative Services Department–Human Resources Division (ASD–HRD).
- b. Within two (2) working days from its receipt of the WBR from the RMS, ASD–HRD shall verify the names and position of the officials or employees complained and endorse the WBR to the Office of the President and Chief Executive Officer (OPCEO) for issuance of a Special Order (SO) to members the WBC that will investigate the WBR.

11.3 Investigation by the WBC

- a. Within three (3) working days from receipt of the SO, the WBC Chairperson shall issue a Notice to Explain (NTE) to the concerned officer or employee.
- b. Within five (5) working days from receipt of the NTE, the concerned officer or employee/respondent shall submit his/her Reply to the

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NTE. Failure to submit the Reply to the NTE within the prescribed period, shall consider a waiver of the right to be heard.

- c. Within ten (10) working days from receipt of the Reply to NTE or lapse of the period within which to reply, the WBC shall convene to conduct the investigation and resolve the complaint.
- d. Within three (3) working days from the termination of the investigation, the WBC shall submit its Formal Recommendation for the approval of the PCEO.
- e. In cases where the matter is already the subject of an ongoing investigation pursuant to JHMC's Code of Discipline and Policy on Decorum, the WBC may opt to consolidate the WBR by informing the concerned officer or employee accordingly within three (3) working days upon learning of such investigation.
- f. During the investigation, the WBC shall summon the whistleblower, concerned officer or employee/respondent, and relevant third parties, as may be necessary. The concerned officer or employee/respondent may be assisted by his/her counsel or adviser. The WBC may also request any party, person, agency, or entity to submit any relevant document or material or attend a meeting in JHMC, or outside JHMC, if necessary.
- g. The WBC reserves the right to disregard reports that are vague, ambiguous, patently without merit or are simply made with malicious intent to tarnish the name and reputation of the person/s complained of.

12.0 ACTIONS ON WBRs and/or RECOMMENDATIONS RECEIVED FROM OR ENDORSED BY THE GCG

- 12.1 In cases where the WBR is against the Chairman, Appointive Directors and Officers, the WBC shall endorse its evaluation report to the Board through the Risk Management Committee (RMC) which may pursue any of the following actions:
 - a. Dismiss the WBR for lack of merit;
 - b. Submit the formal recommendation to the Board of Directors (BOD) for the discipline of concerned Officer;
 - c. Submit the formal recommendation to the BOD for the suspension of the concerned Appointive Director;

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- d. Submit its recommendations on proposed sanctions against the concerned Director to the GCG and/or the Office of the President of the Republic of the Philippines;
- e. Enjoin JHMC Management to comply with applicable laws or jurisprudence and/or to undertake corrective measures to address the matters raised in the complaint; or
- f. Consider the WBR closed and terminated if the response of the person/s complained of is found to be adequate.

If a member of the RMC is the one who is the subject of said WB report, the member shall be substituted by another director through random selection.

- 12.2 In cases where the WBR is against employees (JG 12 and below), the WBC shall submit its evaluation report to the PCEO or VPCOO, as the case maybe, who shall review the recommendation, and thereby approving or disapproving the same.

13.0 ACTIONS ON WBRs RECEIVED THROUGH THE ALTERNATIVE REPORTING CHANNELS OF JHMC

- a. In cases of WBRs against the Chairman, Appointive Directors and Officers, the WBRs shall be acted upon in accordance with **Section 12 of the WHIP**.
- b. In cases of WBRs against employees with JG 12 and below, the WBRs shall be acted upon in accordance with **Section 11 of the WHIP**.

14.0 ORGANIZATIONAL MEASURES

14.1 JHMC shall have the following duties:

- a. Designate a Compliance Officer, who must be a Filipino Citizen and preferably a lawyer, and submit evidence of such appointment or designation, together with the contact Information of the Compliance Officer, to Integrity@gcg.gov.ph and feedback@gcg.gov.ph.
- b. Register with the 8888 Citizens' Complaint Center by accomplishing the prescribed form and submitting it to 8888admin@op.gov.ph, with copy furnished the Governance Commission via integrity@gcg.gov.ph and feedback@gcg.gov.ph;

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- c. Create a Committee on Decorum and Investigation (CODI) in accordance with RA Nos. 7877 and 11313, and submit evidence of such creation to integrity@gcg.gov.ph and feedback@gcg.gov.ph;
- d. Create a Committee on Anti-Red Tape (CART) in accordance with the issuances of the Anti-Red Tape Authority, and submit evidence of such creation to <https://bit.ly/CARTSubmission>, with copy furnished the Governance Commission feedback@gcg.gov.ph;
- e. Designate a senior official and an alternate focal person for alternative dispute resolution (ADR) in accordance with Executive Order No. 97, series of 2012, and submit evidence of such designation to info@oadr.doj.gov.ph, with copy furnished the Governance Commission via integrity@gcg.gov.ph and feedback@gcg.gov.ph;

The Legal Department (LD) shall ensure the designation of a Senior Official and Alternative Focal Person for Alternative Dispute Resolution (ADR).

- f. Employ licensed or certified procurement specialists in accordance with Section 46 of RA No. 12009.

The ASD-HRD shall ensure the employment of Licensed or Certified Procurement Specialists.

- g. Compliance with paragraphs (a) to (e) above and Section 5(c) of this MC shall be a Good Governance Condition for the grant of Performance-Based Bonus and Performance-Based Incentives starting 2025.

14.2 The Compliance Officer shall have the following duties and functions:

- a. Submit any document or material requested, or attend a meeting set, in accordance with GCG MC No. 2025-01;
- b. Carry out remediation or other appropriate action with respect to a report referred in accordance with GCG MC No. 2025-01;
- c. Facilitate and ensure the cooperation of JHMC in the site visits, interviews, surveys, and other fact-finding and validation activities conducted in accordance with GCG MC No. 2025-01;

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- d. Ensure the cooperation of JHMC in investigation conducted by law enforcement agencies in accordance with GCG MC No. 2025-01;
- e. Carry out the duties and functions of the Compliance Officer under GCG MC No. 2012-05, 2012-06, and 201-07; and,
- f. Ensure the compliance of JHMC with GCG MC No. 2025-01.

15.0 OTHER MISCELLANEOUS PROVISIONS

a. WHISTLEBLOWER'S RIGHTS, PRIVILEGES, AND OBLIGATIONS

- 15.1 Immunity from civil, administrative, criminal liability when reporting the reportable conditions, in good faith;
- 15.2 Confidentiality of the whistleblower's identity, the subject matter of report; and the identity of the JHMC Officer/s or Employee/s to whom such a report was made; and
- 15.3 The whistleblower may be compelled to testify if the testimony is necessary or indispensable to the successful prosecution of any charge arising from the whistleblowing report

b. INCENTIVES FOR WHISTLEBLOWER A whistleblower shall be entitled to a commendation, and/or any other form of incentives as maybe deemed appropriate by JHMC.

c. RESPONSIBILITIES OF THE RMS

- I. The RMS shall maintain confidentiality and/or anonymity, when invoked, of the whistleblower's identity and the subject of the whistleblowing report;
- II. The RMS shall undertake measures to ensure the well-being of the whistleblower;
- III. The RMS shall transmit all whistleblowing report/s received and shall endorse the same to the ASD-HRD through the PCEO, within one (1) day from receipt thereof.

d. VIOLATIONS OF CONFIDENTIALITY AND/OR ANONYMITY-PENALTY - Any JHMC official or employee, tasked to receive WBR/s, shall maintain the confidentiality of the WBR/s and/or anonymity of the whistleblower at all times. Penalties pertaining to the violation of the same shall be subject to

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the guidelines, which will be incorporated in the JHMC Code of Discipline and Office Decorum

- e. **OBLIGATION TO TESTIFY**—Any JHMC official or employee who may have personal knowledge on matters pertaining to the reportable conditions shall have the obligation to testify in any proceedings, if called upon.
- f. **PROTECTION OF WITNESSES** – Any JHMC official or employee who testifies in any proceedings arising from any of the reportable conditions shall be accorded the same protection against retaliatory actions as provided in Item 10 of this Policy.
- g. **FAILURE TO ACT OR REPORT** – Any official or employee of JHMC under the obligation to receive or process the WBR/s covered by this Policy; and who fails to act thereon or cause an investigation thereof, shall be liable for disciplinary action.

16.0 **REPEALING CLAUSE.** – All other JHMC policies, memoranda, orders, or parts of the foregoing, which are inconsistent with the **WHIP** are hereby repealed or modified accordingly.

17.0 **EFFECTIVITY CLAUSE.** – The **WHIP** shall take effect upon approval of the JHMC Board of Directors and its registration to the Documents and Records Control Committee (DRCC).

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