

- **THE COMPANY HAS PROVIDED A FACILITY IN ITS WEBSITE WHEREIN A WHISTLE BLOWER OR ANYBODY CAN REPORT ILLEGAL AND UNETHICAL ACTS AND BEHAVIOR CONCERNING EMPLOYEES, OFFICERS AND MEMBERS OF THE BOARD. ALL REPORTS WILL BE HANDLED WITH STRICT CONFIDENTIALITY. THUS ANYBODY WHO REPORTS SUCH ILLEGAL AND UNETHICAL ACTS AND BEHAVIOR IS PROTECTED FROM RETALIATION.**
- **ANY EMPLOYEE CAN FILE A COMPLAINT AGAINST ANYBODY IN THE COMPANY WHOM HE DEEMS HAS COMMITTED AN INFRACTION AGAINST HIMSELF OR THE COMPANY IN GENERAL.**
  - An employee may file a complaint with his immediate superior while a non-employee may file a complaint with the Head, Admin and Property Management Division (APMD) or Head of the Department concerned, copy furnished the Head, APMD. The same shall be referred to the appropriate Personnel Officer concerned or to the Admin Board.
  - The complaint shall be written in clear, simple and concise language and in a manner as to apprise the respondent of the nature of the charge against him and to enable him to intelligently prepare his defense or answer. Said complaint shall be under oath to merit appropriate action otherwise the same shall not be given due course.
  - A complaint may also be initiated at the instance of the APMD/Personnel Officer based on verbal report that a violation of Company regulations has been committed. Said complaint need not be under oath.
  - The withdrawal of the complaint does not necessarily discharge the respondent from administrative liability but where there is obvious truth or merit to the charges or complaint, the same shall be given due course.
  - Immediately upon receipt of a complaint which is sufficient in form and substance, the Administrative Board, Special Administrative Board or Safety Committee shall issue a notice to explain containing the nature and details of the charge to the person complained of and requiring him to explain in writing within at least 48 hours from receipt thereof why no disciplinary action shall be taken against him, copy furnished his department head. The notice shall also advise him to indicate in his explanation/answer whether or not he elects a formal investigation of the charge(s).
  - The person complained of shall submit his explanation/answer to the Administrative Board, Special Administration Board or Safety Committee. Failure to answer will be considered a waiver of opportunity to be heard.
  - Within five (5) days from receipt of the complaint and answer, the Local Board, Administrative Board, Special Administration Board or Safety Committee shall conduct a preliminary investigation. The Personnel Officer may form an Investigation Committee comprising of five (5) members for the purpose of conducting the same. The Personnel Officer may also refer the complaint to an Investigator. A preliminary investigation involves the *ex parte* examination of records, documents and written statements submitted by the complainant, respondent and the witnesses.
  - The Administrative Board, Special Administration Board or Safety Committee shall determine whether or not a *prima facie* case is established during the preliminary investigation. If it appears that the case is not meritorious, the complaint shall be dismissed outright. Otherwise, the Administrative Board, Special Administration Board or Safety Committee will summon the complainant, witnesses and the respondent to a formal investigation. The respondent shall be given notice specifying the offense, indicating the dates of the formal investigation and informing him of his rights to be assisted by a counsel of his choice.
  - After conducting the preliminary investigation, the Personnel Officer will determine which board has the jurisdiction over the case for its proper disposition.
  - A formal investigation shall nevertheless be conducted even if the respondent does not request the same where from the allegations as well as the records and supporting documents of the contending parties, the merits of the case cannot be decided judiciously without conducting such investigation.
  - An order of preventive suspension, if necessary, may be issued by the Administrative Board, Special Administration Board or Safety Committee pending an investigation.

- The preliminary investigation and formal investigation shall be terminated within 30 calendar days from its commencement but may be extended for a period not exceeding fifteen (15) calendar days when warranted by the circumstances of the case.
- The Administrative Board, Special Administration Board or Safety Committee shall render its decision within five (5) calendar days after the conclusion of the investigation. A notice of the disciplinary action shall be prepared stating the offense, findings, corresponding penalty and its effectivity date. The said notice together with the copy of the decision shall be forwarded to the Department Head.
- The notice of the disciplinary action to the employee concerned must be duly signed and served by the Department Head. In case the employee refuses to accept or sign the notice of disciplinary action, the person serving shall make a notation to such effect. If for some reason the employee could not be found at his given address, notice shall be sent by registered mail to his given or last known address.
- The employee adversely affected may file a motion for reconsideration with the Administrative Board, Special Administration Board or Safety Committee within ten (10) calendar days from receipt of the notice of the disciplinary action. Only one motion for reconsideration shall be entertained.
- In case the motion for reconsideration filed is denied, the aggrieved party may appeal the decision to the Administrative Board, Special Administration Board or Safety Committee within five (5) calendar days from receipt of the Order denying the motion for reconsideration.
- The Motion for reconsideration/appeal shall be decided by the Administrative Board, Special Administration Board or Safety Committee within five (5) calendar days from receipt of the same.
- The filing of motion for reconsideration or appeal within the reglementary period of ten (10) calendar days shall stay the execution of the decision sought to be reconsidered.
- A decision rendered by the Administrative Board, Special Administration Board or Safety Committee shall be final and executory after the lapse of the reglementary period without the employee having filed a motion for reconsideration or appeal.
- Where the penalty is dismissal, the Personnel Department shall directly submit to the Department of Labor and Employment (DOLE) the relevant report.