



BERJAYA PHILIPPINES INC.

**CODE OF CONDUCT
And
BENEFITS MANUAL**

Version 1st January 2019



CODE OF CONDUCT and BENEFITS MANUAL

I. POLICY STATEMENT

BERJAYA PHILIPPINES INC. is a company that strives to maintain peace, unity and orderliness in the workplace. The Company establishes the Code of Conduct to uphold professionalism and the highest standards of integrity, honesty, discipline and propriety exemplified through each employee's behavior. This Code provides employees a guide to work effectively and efficiently in order to meet prescribed standards of performance and attain company objectives.

The Benefits Manual, on the other hand, is designed to provide accurate information and to guide the employees on the policies and procedures when availing benefits.

II. SCOPE

All employees are covered by the Code of Conduct except for some benefit policies which is only for the regular employees.

There are other offenses against proper norms and conduct which may not be specifically enumerated herein but is analogous or of the same nature and may occur in the future. In such cases, the Employer shall exercise its inherent right to determine the fair and reasonable corrective action for any offense/s not indicated herein.

This Code shall be periodically reviewed for purposes of updating and ensuring that relevant Employer rules are in place. The Company reserves the right to amend, alter, modify or change a part or in whole of this manual as warranted. Any changes will be communicated through publications, written or email correspondence to employees.

III. DEFINITION OF TERMS

This manual shall use the following terms in accordance with the definitions below:

- a. **Employer or Company** – refers to BERJAYA PHILIPPINES INC. or any of the subsidiary companies applicable to the employment of the employee.
- b. **Code** – refers to the Code of Employee Conduct.
- c. **Employee(s)** – refers to people employed by the Company regardless of status and position.



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- d. **Regular employee(s)** – are those who were employed and given confirmation letters for their regularization after having passed performance appraisal during the probationary period and as per the Philippine Labor laws.
- e. **Table of Offenses** – refers to the listing of offenses categorized according to its nature and seriousness.
- f. **Incident Report** – refers to the documentation or written account executed by the person who has knowledge of any unusual problem, incident or situations that is a deviation from the established policies and procedures, or practices.
- g. **Infraction** – refers to any breach, violation or non-compliance to the Company’s established policies and procedures, or practices. It could be a commission of a wrongdoing or non-commission/non-action (failure to do what is right).
- h. **Notice of Infraction** – or show cause letter is the written documentation given to the erring employee who has been alleged having committed an infraction. The *Notice* shall include the offense(s) alleged to have been committed alongside with attachments to support the allegation. The notice requires the employee to reply in writing within a specified period of time upon receipt thereof.
- i. **Written Explanation** – is the reply of the employee who has been served with the *Notice of Infraction*.
- j. **Corrective Action** – refers to a final action/decision by the Company given to an employee who has fallen short of expected performance standards or has violated a policy or procedure, rule or regulation. The corrective action shall be relayed to the employee in verbal or written form depending on the gravity of the offense committed.
- k. **Verbal Reminder** – is the first step of preventing the heavier penalties of written reminder, suspension or termination. It is a documented discussion between the immediate superior and the employee. In this meeting, the immediate superior communicates information and understanding to the employee that can help him/her do corrective action after an incident. The results of the discussion are written in the *Performance Notes Form* and filed in the employee’s 201 file.



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- l. **Performance Notes Form** – a template used by the immediate superior to record coaching or verbal reminder to an employee who was observed to have not met performance and behavioral standards.

- m. **Written Reminder** – is the first written documented reprimand issued to an employee who has not displayed improvement after several coaching or a formal verbal reminder.

- n. **Suspension** – is a state where an employee is temporarily barred from rendering work or entry to Company premises due to a serious violation of certain policies and procedures. The employee is not paid for the days of suspension.

- o. **Dismissal** – is a decision of the Company to involuntarily separate an employee from the service due to serious or grave reason(s) including repetitive and/or serious violation of policies and procedures, consistent poor work performance or having committed just causes for termination defined by the Labor Code of the Philippines enumerated as follows:
 - 1. **Serious misconduct.** - Serious misconduct is an improper conduct willful in character and of such grave nature that transgressed some established and definite rule of action in relation to the employee’s work.

 - 2. **Willful disobedience to lawful orders.** The employees are bound to follow reasonable and lawful orders of the employer which are in connection with their work. Failure to do so may be a ground for dismissal or other disciplinary action.

 - 3. **Gross and habitual neglect of duties.** Gross negligence has been defined as the want or absence of or failure to exercise slight care or diligence, or the entire absence of care. It evinces a thoughtless disregard of consequences without exerting any effort to avoid them.

 - 4. **Fraud or willful breach of trust / Loss of confidence.** Fraud is any act, omission, or concealment which involves a breach of legal duty, trust, or confidence justly reposed and is injurious to another.

 - 5. **Commission of a crime or offense.** Commission of a crime or offense by the employee against his employer or any immediate member of his family or his duly authorized representative, is a just cause for termination of employment.

 - 6. **Analogous causes.** Other causes analogous to the above grounds may also be a just cause for termination of employment.



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Examples of Analogous Causes

1. **Abandonment.** Abandonment of job is a form of neglect of duty. There is abandonment when the employee leaves his job or position with a clear and deliberate intent to discontinue his employment without any intention of returning back.
 2. **Gross inefficiency.** Gross inefficiency is analogous to and closely related to gross neglect for both involve acts or omissions on the part of the employee resulting in damage to the employer or to his business.
 3. **Disloyalty/conflict of interest.** Disloyalty exists when one asserts an interest, or performs acts adverse to one's employer, such as secretly engaging in a business which renders him a competitor and rival of his employer. It constitutes a breach of an implied condition of the contract of employment.
 4. **Dishonesty.** Acts of dishonesty deemed to be patently inimical to the employer is analogous to breach of trust and is a valid cause for termination of employment.
- p. **Company premises** – refers to all areas of the office, warehouse(s), assembly/work areas, including company vehicles, which may be owned, rented, operated or used by the Company.

IV. GUIDELINES IN THE IMPLEMENTATION OF THE CODE

1. Role of the Immediate Superior.

The implementation of policies and procedures is a line function. It is the immediate superior's duty to implement standard corrective measures as necessary to effect discipline in his/her respective area. He/she must see to it that the rules and regulations of the Company are faithfully and strictly observed. The immediate superior must ensure that incident report is made and submitted for investigation purposes.

2. Discipline must be immediate.

Immediate superiors must regard discipline as a matter of urgency and priority. Thus, all disciplinary cases must be resolved within thirty (30) days. Failure to act within a reasonable period diminishes the desired corrective effect of the sanction.

3. Discipline must be handled discreetly and professionally.



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Matters such as coaching and disciplining employees should be held in private. All records and documents pertaining to a case are classified confidential and must be strictly treated as such. Under no circumstances should the immediate superior allude to the erring employee's private life or anything that will degrade or insult the employee.

V. TABLE OF CORRECTIVE ACTION

DEGREE OF OFFENSE	1 ST INSTANCE	2 ND INSTANCE	3 RD INSTANCE	4 TH INSTANCE	5 TH INSTANCE	6 TH INSTANCE
LIGHT	Verbal Reminder	Written Reminder	Suspension 1-5 days	Suspension 6-15 days	Suspension 16-30 days	DISMISSAL
SERIOUS	Written Reminder	Suspension 6-15 days	Suspension 16-30 days	DISMISSAL		
VERY SERIOUS	Suspension 6-15 days	Suspension 16-30 days	DISMISSAL			
GRAVE	DISMISSAL					

VI. RECOMMENDING AND APPROVING AUTHORITIES

CORRECTIVE ACTION	IMMEDIATE SUPERVISOR	DEPT MANAGER	DIVISION MANAGER	HR	PRESIDENT/CEO
VERBAL REMINDER	APPROVE				
WRITTEN REMINDER	APPROVE				
1-5 DAYS SUSPENSION	RECOMMEND/ ISSUE	ENDORSE	CONCUR/ APPROVE	CONCUR/ WRITE	
6-15 DAYS SUSPENSION			ENDORSE	CONCUR/ WRITE	
DISMISSAL		RECOMMEND			APPROVE



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VII. TABLE OF OFFENSES

This section shall enumerate various offenses for reference of Management in issuing appropriate corrective actions.

A. ATTENDANCE-RELATED OFFENSES	
LIST OF OFFENSES	TYPE OF OFFENSE
1. Excessive Tardiness – An accumulated tardiness of SIXTY (60) minutes within one (1) month period shall constitute excessive tardiness. This shall be corrected with a verbal reprimand for the first instance, written reminder on the second, suspension on the third and so on and so forth.	LIGHT
2. Failure To submit payroll related documents on time like Leave Application form, Overtime Authorization form, etc.	LIGHT
3. Unauthorized exchange of rest day or work schedule.	LIGHT
4. Failure to register official time of arrival or departure without justifiable reason or due to negligence.	LIGHT
5. Not being in or leaving work assignment/area during working hours without prior permission from immediate superior/manager except break periods.	LIGHT
6. Absence without official leave (AWOL) – Any event of unauthorized absence(s) like a. No prior notification within the first 2 hours of absence, or Late Notification. b. No Application for Leave form or late filing of form. c. Leave was disapproved but still pushed through with absence. d. Extended leave of one (1) day without notification. e. Non-submission of required documents like medical certificate, hospital records, etc.	LIGHT
7. Recording time for an absent employee.	GRAVE
8. Abandonment of Work – Three (3) consecutive days of unauthorized/unexcused absence.	GRAVE
B. OFFENSES AGAINST PERFORMANCE/PRODUCTIVITY	
LIST OF OFFENSES	TYPE OF OFFENSE
1. Failure to submit required reports on time.	LIGHT
2. Abuse of authorized break periods or taking unscheduled meals or coffee breaks without prior authorization.	LIGHT
3. Sleeping on duty or official work schedule.	SERIOUS
4. Refusing to render holiday or overtime work whenever required by lawful valid circumstances.	SERIOUS
5. Concealing, covering, removing or destroying defective work.	VERY SERIOUS
6. Conducting private business on Company time and resources without prior authority.	SERIOUS
7. Abandonment of assigned place or work.	VERY SERIOUS
8. Insubordination – Defined as, but not limited to any of the following a. Use of foul, disrespectful, insulting or obscene language in any form in addressing anyone of a higher position.	SERIOUS



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B. OFFENSES AGAINST PERFORMANCE/PRODUCTIVITY	
b. Refusal to acknowledge receipt of corrective action after having been found guilty under the rules.	SERIOUS
c. Insult or willful disrespect by the employee on the honor or person of his superior or company executive.	GRAVE
d. Failure, neglect or refusal to carry out verbal or written job instructions.	VERY SERIOUS
e. Inefficiency, gross and habitual neglect of assigned tasks or duties.	GRAVE
f. Deliberately slowing down, holding back, hindering or limiting of production or intimidating, coercing or inducing employees to do so.	GRAVE
g. Willful disobedience.	GRAVE

C. OFFENSES AGAINST COMPANY INTEREST	
LIST OF OFFENSES	TYPE OF OFFENSE
1. Failure or neglect to issue Official Receipt for payment made by client, business partner or employee.	VERY SERIOUS
2. Willful non-issuance of Official Receipt for payment made by client, business partner or employee.	GRAVE
3. Unauthorized tampering, misrepresentation or falsification of any personnel records, attendance records, or drawing salary, allowance, incentives, reimbursements by virtue of falsified time records with intent to defraud the Company.	GRAVE
4. Forgery – by making false claims by forging or imitating handwriting or signature of any company official, employee or third-party.	GRAVE
5. Misappropriating, malversation, withholding or delaying Company funds including failure to return or turnover to the Company any item, goods, checks and cash money.	GRAVE
6. Pilferage – Acquiring, getting or using company properties without authority.	GRAVE
7. Any form of dishonesty or deceit.	GRAVE
8. Failure to declare any situation, influence of position, or relationships which might conflict with the business interests of the Company.	VERY SERIOUS
9. Being engaged with another occupation with another company during the continuance of his or her employment, without the prior written consent of the Company.	VERY SERIOUS
10. Being engaged as an agent, or distributor of a client without the prior written consent of the Company.	VERY SERIOUS
11. Being engaged in any business activity by being employed in any other company or participates in the formation of a similar business which is directly or indirectly in competition with the products or services being developed, manufactured, provided or sold by the Employer or any of its affiliates, or which is directly detrimental to the business of the Employer.	GRAVE
12. The Employee will not, at any time, whether during or after the termination or cessation of his employment, reveal to any person, association or company any trade secrets or confidential information concerning the organization, business or finances of the	GRAVE



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C. OFFENSES AGAINST COMPANY INTEREST

<p>Employer or any of its affiliates so far as they have come or may come to his knowledge, except as required by law (provided the Employee notifies the Employer of any such legally required disclosure prior to any such disclosure and with ample time for the Employer, in its discretion, to object to such disclosure) and as may be required in the ordinary course of performing his duties as an employee of the Employer or except as may be in the public domain through no fault of the Employee, and the Employee shall keep secret all matters entrusted to him and shall not use or attempt to use any such information in any manner which may injure or cause loss or may be calculated to injure or cause loss, whether directly or indirectly, to the Employer or any of its affiliates.</p>	
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D. OFFENSES AGAINST PROPER CONDUCT AND DECORUM

LIST OF OFFENSES	TYPE OF OFFENSE
1. Not in proper office or work attire.	LIGHT
2. Smoking in restricted areas.	LIGHT
3. Engaging in horseplay or disorderly conduct or behaving loudly, making practical jokes and pranks in the workplace that causes disorder or disruption of work.	LIGHT
4. Failure to report any changes on personnel records during the course of employment as required but not limited to changes in address, civil status, and additional dependents.	LIGHT
5. Failure to wear Company uniform, and ID at all times or while on duty.	LIGHT
6. Bringing, showing, exhibiting or watching pornographic materials, pictures or literature within company premises.	SERIOUS
7. Engaging in immoral, illicit, scandalous relationships or having committed indecent conduct/acts against accepted morals, especially when it affects or may affect company image and business operations.	VERY SERIOUS
8. Unauthorized acquisition, giving or selling of Company scrap materials.	VERY SERIOUS
9. Promoting or taking part in illegal gambling or betting within the Company premises.	VERY SERIOUS
10. Any improper conduct or acts of discourtesy or rudeness directed to clients, visitors, company officers and employees.	VERY SERIOUS
11. Any form of abuse or position for personal gain or advantage over other employees.	VERY SERIOUS
12. Any act constituting threats, intimidation, coercion or harassment, to include the use of inappropriate remarks, slurs or jokes, profanity, abusive, slanderous and threatening language, malicious and obscene language, or offensive words, at anytime, within the Company premises or outside. Or when these acts are done against a co-employee, superior, business partner, or client or when the Company name gets involved or identified, for whatever reason that can be damaging to a person or the Company.	VERY SERIOUS
13. Provoking, or participating in a fight or quarrel within Company premises, with co-employee, superior, business partner, client including incidents that transpired during company events and activities.	VERY SERIOUS
14. Uttering, writing or circulating malicious information, rumors, negative statement or	



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D. OFFENSES AGAINST PROPER CONDUCT AND DECORUM	
information, sowing intrigue, so as to cast dishonor, discredit or contempt to any employee, officers or the Company. This will include posts, messages, opinions in social media that tend to besmirch the reputation of any employee, officers or the Company.	VERY SERIOUS
15. Committing any acts tending to damage Company reputation and goodwill.	VERY SERIOUS
16. Any act that violates the provisions of the Anti-Sexual Harassment Act of 1995.	GRAVE
17. Extortion or any form of oppressive extraction of money or anything of value from a co-employee.	GRAVE
18. Accepting or offering anything of value in exchange for promotion or employment and others connected with employment.	GRAVE
19. Engaging in bribery by giving or accepting, offering, promising, requesting to give or accept anything of value in exchange for or as inducement to receive or perform an act that is illegal or abuse of one's position. It can be in the form of a payment, gift, entertainment, travel expenses or personal favors.	GRAVE
20. Drunkenness, intoxication or under the influence of illegal substance while on duty.	GRAVE
21. Commission or a crime or offense including serious threats by the employee against his employer or co-employees or any immediate member of his family or his authorized representative.	GRAVE

E. OFFENSES AGAINST SAFETY, HEALTH AND SANITATION	
LIST OF OFFENSES	TYPE OF OFFENSE
1. Leaving own work area that is not in order, dirty or leaving own dishes or failure to practice good housekeeping.	LIGHT
2. Violation of safety, health and sanitation rules or improper use of sanitation facilities. This includes littering, spitting, abuse of toilet facilities.	LIGHT
3. Failure or refusal to submit oneself to annual physical examination or other employment medical requirement.	LIGHT
4. Committing any unsafe acts that may endanger the safety of other employees and the office premises.	VERY SERIOUS
5. Deliberately hiding a known serious and/or contagious disease or a major illness which may endanger the lives or health of co-employees.	VERY SERIOUS
6. Driving Company vehicles without a valid driver's license.	VERY SERIOUS
7. Reckless driving of Company vehicles resulting to an accident that claimed lives and damage to property.	GRAVE
8. Willful disregard of safety and accident preventive measures instituted by the Company.	GRAVE

F. OFFENSES AGAINST PROPERTY AND SECURITY	
LIST OF OFFENSES	TYPE OF OFFENSE
1. Unauthorized use of another employee's computer or work equipment, password, access code, log-in or access ID, and the like.	SERIOUS
2. Unauthorized use of Company vehicles, property, and equipment for personal gain or	SERIOUS



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F. OFFENSES AGAINST PROPERTY AND SECURITY	
purpose.	
3. Failure to report within twenty four (24) hours a personal injury, damage to company property, any violation of Company rules and regulations, with the intent of protecting oneself or a co-employee, or officer by consenting to the act or covering up the offense.	SERIOUS
4. Unauthorized posting, removal or alteration of any printed materials officially posted on Company bulletin boards including distribution of unauthorized written or printed materials within Company premises.	SERIOUS
5. Opening, permitting or assisting unauthorized person to enter company premises, and restricted areas.	SERIOUS
6. Unauthorized duplication of keys of company vehicles, cabinets, lockers and rooms.	VERY SERIOUS
7. Failure to report theft or loss of Company property and concealing or refusing to report violations of rules and regulations on property and security.	VERY SERIOUS
8. Bringing in or unauthorized possession of firearms, explosives, deadly weapons, and pyrotechnic firecrackers.	VERY SERIOUS to GRAVE