

EMPLOYEE CODE OF DISCIPLINE



ATENEO DE MANILA
UNIVERSITY

MESSAGE

As a Filipino, Catholic and Jesuit university dedicated to the holistic formation of young men and women, Ateneo de Manila University views its employees as partners in this mission of formation. All employees, regardless of position and rank, are potential role models for our students. If we aspire to inculcate good values and conduct among our young charges, then it is only fitting that the people who educate, care for and serve them should manifest those values in their actions and behavior.

In an ideal world, the imperatives of love and goodness would be enough to ensure that our actions and decisions always take into account the welfare and well being of others. But we do not live in an ideal world. Laws, rules and codes of conduct are necessary to articulate standards of good character and conduct, and to prevent unethical and unprofessional behavior along with their negative consequences and effects on persons and the community.

Hence the need for the Ateneo de Manila University Code of Discipline (COD) which details the sanctions which are imposed on employees for various offenses and the procedures to be followed in the handling of disciplinary cases, among others. More than just a list of offences and sanctions, however, the COD is meant to protect members of the community from those who may harm them and from those who may cause damage to the university itself. By specifying procedures and sanctions, the COD is also an expression of our commitment to fairness and justice for offending members.

It is always our prayer and hope that all of us personally take to heart our shared mission of formation, which includes the formation of our students, colleagues, companions, and even ourselves, so that recourse to the COD will be infrequent.

Very truly yours,



Jose Ramon T Villarin SJ

President

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Enforcement of Rules & Regulations Flowchart

I. RATIONALE/GUIDING PHILOSOPHY

1. The University aims to promote an orderly and harmonious environment for its employees and other members of the community by ensuring that employees exhibit satisfactory performance and appropriate behavior.
2. All University employees are expected to act with integrity and good judgment where all decisions and actions must conform to all applicable laws, regulations, and University policies.
3. The University places as few restraints and restrictions on employees' conduct as possible. However, for the protection of its students and parents, employees, other members of the University Community, as well as for its property and interests, the University establishes reasonable norms of conduct which employees are mandated to observe.
4. The University gives its employees a chance to correct their behavior and/or improve performance. However, erring employees must face the consequences of their actions.
5. Disciplinary actions are instituted to correct employees' unsatisfactory performance and/or improper behavior in order to improve work operations, relations, and morale of employees; administer the commensurate penalty; and deter the commission of another infraction.
6. The Code of Discipline has been instituted to uphold the University's value of respect for human dignity, to ensure that the disciplinary action process conforms to legal requirements, and to observe consistency and parity of practice across all schools and administrative units.
7. The University observes progressive discipline in which increasingly severe measures are used for repeated infractions for an employee to improve unsatisfactory performance and/or correct behavior after having been given a reasonable opportunity to do so. The following are typical disciplinary measures applied by the University:
 - a. Verbal Warning and/or Written Warning
 - b. Written Reprimand
 - c. Suspension (without pay)
 - d. Termination of Employment

II. GENERAL GUIDELINES

1. ROLE OF THE SUPERVISOR

- 1.1. A supervisor is a University employee who is in a line management position. He/she is tasked to oversee, monitor, and evaluate the performance of another employee or a group of employees. He/she also recommends hiring, rewarding, promoting, disciplining, and other allied activities regarding employees in his/her department/office.
- 1.2. Discipline is a line management responsibility. For this reason, the supervisor shall ensure order and discipline in the workplace by:
 - a. Exhibiting professionalism and leadership, thus, serving as a role model to subordinates;
 - b. Communicating the Code of Discipline, while putting emphasis on good performance and positive behavior;
 - c. Implementing appropriate interventions that may help erring employees improve their performance and/or correct behavior.
- 1.3. It is the duty of the supervisor to initiate the disciplinary action process whenever necessary. This includes validation/investigation of complaints against any employee under his/her supervision.
- 1.4. A supervisor initiates the disciplinary action process when an employee habitually fails to perform his/her duties, behaves in a manner which interferes with the work of others, or violates provisions of law, regulation, and University policy.

2. DUE PROCESS

- 2.1. Due process is observed in every disciplinary action case. While it is the prerogative of the University to impose the appropriate penalty for a specific infraction, this prerogative should neither be abused by the University nor be done arbitrarily. The University is expected to observe the following due process:
 - 2.1.1. Issuing to the employee a Notice to Explain or a Notice of Charge;

2.1.2. Giving the employee the opportunity to be heard in the form of his/her Reply to the Notice to Explain/of Charge, and a hearing (if necessary); and

2.1.3. Issuing to the employee the Disciplinary Action memorandum.

2.2. This process is extended to all employees who have allegedly committed an infraction and have been cited for it.

3. CLEANSING PERIOD

3.1. Cleansing period pertains to the time when an employee who has been subjected to disciplinary action is expected to improve his/her performance and/or correct improper behavior, and to refrain from committing any other infraction. If an employee commits another infraction within the cleansing period he/she shall be given the next higher sanction for the succeeding infraction.

3.2. In determining the sanction to be applied for any succeeding infractions, all disciplinary actions need to pass the requisite cleansing period indicated below, i.e. from the date the sanction was completely served until the last day of the indicated cleansing period before an infraction/sanction shall be considered cleansed. Note that passage of the cleansing period DOES NOT expunge the infraction from the record of the employee.

Sanction	Cleansing Period (months)
Written Reprimand	Six (6)
Suspension (1-7 days)	Nine (9)
Suspension (8-15 days)	Twelve (12)
Suspension (16-30 days)	Eighteen (18)

3.3. This means that a disciplinary action of Written Reprimand that was meted out more than six (6) months prior will no longer be considered in determining the appropriate sanction for the succeeding infraction. The same rule shall apply to other disciplinary actions that have their respective applicable cleansing periods.

For example: A penalty of 5-day suspension completely served more than nine (9) months prior will no longer be considered in determining the appropriate penalty should the employee commit an offense that has a corresponding sanction of 8-15 days of suspension. Consequently, the meted sanction should only be between 8 and 15 days of suspension instead of the next higher sanction (16-30 days of suspension).

Likewise, a penalty of 5-day suspension, completely served less than nine (9) months prior, will be considered in determining the appropriate penalty should the employee commit an offense that has a corresponding sanction of 8-15 days of suspension. Consequently, the meted sanction should be the next higher sanction (16-30 days of suspension), instead of the usual sanction for such offense (8-15 days).

- 3.4. However, the totality of one's infraction/s shall be considered for habitual offenders (i.e. repeat offenders), especially when termination from employment is the sanction to be applied. An employee is considered a repeat offender if he/she has been sanctioned more than once regardless of the infraction and the completion of the cleansing period.

4. INFRACTIONS

- 4.1. The list of infractions is not meant to be exhaustive. Other infractions, which fall under any of the just causes for termination of employment as provided under Article 282 of the Labor Code of the Philippines (Termination by Employer) and other applicable special laws, or those just causes for termination of employment sanctioned by jurisprudence, are deemed likewise subject to disciplinary action. Furthermore, other related University instructions, circulars, or memoranda are deemed as forming part of this Code.
- 4.2. In case the act or omission falls under two or more of the listed infractions, the University reserves the right and option to charge the employee with the infraction which carries the heavier sanction.

- 4.3. Penalties imposed by law for the infractions or violations of ordinances, decrees or other laws or regulations shall not bar the imposition of internal University administrative sanctions, when applicable. Likewise, any University sanction shall not bar resort to legal remedies, where warranted or sought.

5. TEMPORARY TRANSFER

- 5.1. The University Administration reserves the right to temporarily transfer an employee who has allegedly committed an infraction, or who is allegedly involved in possible fraud or malversation of funds, to an office/department where his/her presence is deemed not to be a threat to the welfare of the employees of that office/department, its operations, the property of the University, and/or the integrity of the body of evidence, while he/she is under investigation.
- 5.2. In relation to this, a Temporary Control Transfer memorandum shall be issued by the Office of Human Resource Management and Organization Development (OHRMOD).

6. PREVENTIVE SUSPENSION

- 6.1. The University Administration reserves the right to place under preventive suspension (without pay) not to exceed thirty (30) calendar days an employee who has allegedly committed an infraction, when his/her presence in the office/department is deemed detrimental to its operations, the welfare of his/her co-employees, the property of the University, and/or the integrity of the body of evidence.
- 6.2. In the event that an ensuing internal administrative/disciplinary case remains unresolved after thirty (30) calendar days from the date of the imposition of the preventive suspension, the employee shall be reinstated on payroll. However, the University Administration reserves the right not to physically reinstate the employee (that is, require that he/she report for work), depending on the exigencies of the service.

7. UNIVERSITY PREROGATIVE

- 7.1. The University Administration, in the exercise of its sole and exclusive prerogative, may deviate from the schedule of sanctions and impose a lighter or more severe sanction on violations, depending on its appreciation of mitigating or aggravating circumstances which might include, but are not limited to, the following:
 - 7.1.1. The stage of execution (attempted, frustrated or consummated);
 - 7.1.2. Degree of participation (principal, accomplice or accessory);
 - 7.1.3. The amount or value of the property stolen/damaged;
 - 7.1.4. The status, rank, age and gender of the offender or offended party;
 - 7.1.5. The abuse of authority or confidence, ascendancy, relationship, in committing the infraction;
 - 7.1.6. The use of firearms or other deadly weapons;
 - 7.1.7. Commission of the infraction under the influence of alcohol or illegal/controlled substances/drugs;
 - 7.1.8. The time, place, and occasion of the infraction;
 - 7.1.9. Voluntary confession/admission of wrongdoing, or immediate return/restitution of property lost, stolen, or destroyed;
 - 7.1.10. Intent/motive of the offender; or
 - 7.1.11. Other analogous circumstances, including those listed in the Revised Penal Code.

8. FINANCIAL RESTITUTION

- 8.1. The University Administration reserves the right to make automatic salary deductions and/or forfeit accrued benefits to effect restitution in favor of the University for damages, or the

value of the property lost, stolen, or destroyed, without need for obtaining the formal, prior consent of the erring employee.

8.2. The demand for the restoration of monetary losses or repair of damage to property should always be clearly stated in the memorandum imposing the disciplinary action.

8.3. The demand for financial restitution is not a penalty.

9. FORFEITURE OF BENEFITS

9.1. Termination of employment for just cause would result in the forfeiture of separation/retirement benefits due under the Ateneo Retirement Plan, inclusive of the CEAP Retirement Plan.

9.2. The unpaid salary, current year's pro-rated 13th month pay, outstanding earned leave credits, tax refund, and/or voluntary contributions to CEAP will not be forfeited. However, these may be used to liquidate liabilities of the employee to the University, and other acknowledged obligations secured/coursed through the University.

10. NON-RETALIATION

10.1. The University encourages any member of the University community to report his/her observations of actions or omissions that are in conflict with this Code of Conduct and all other University policies, rules and regulations. In doing so, the University commits to providing a safe environment that is free from fear and bullying by prohibiting any retaliation against anyone who, in good faith, discloses alleged infractions.

11. EMPLOYEE 201 FILE

11.1. Supervisors must furnish the OHRMOD with original copies of relevant documents pertaining to disciplinary actions which shall form part of employee records (201 files). The relevant documents include verbal and written warnings issued to the employee, all of which had been duly acknowledged/received by the employee concerned.

11.2. The Office/Department concerned and the Unit HR shall keep their own photocopies of documents pertaining to disciplinary action.

III. DISCIPLINARY ACTION

1. PROGRESSION OF DISCIPLINARY ACTION

1.1. In the University’s Code of Discipline, infractions are classified according to their gravity; likewise, sanctions increase correspondingly with the gravity of infraction. The table below shows the type/extent of sanction corresponding to each class of infraction:

Infraction	Sanction
Minor	Written Reprimand
Moderate	Suspension
Major	Termination

However, the application of disciplinary actions may increase in severity for successive infractions and/or aggravating circumstances.

1.2. The totality of an employee’s record is considered in meting out the appropriate sanction for each infraction committed.

2. PRELIMINARY TO DISCIPLINARY ACTION for MINOR INFRACTIONS

2.1. A Verbal Warning is the first step in the preliminary process for minor infractions. It involves a verbal discussion between the Immediate Supervisor and the employee. This discussion should be documented and signed by both the employee concerned and the Immediate Supervisor.

2.2. A Written Warning is the second step after a Verbal Warning. It shall be issued for violations where a Verbal Warning had already been previously given.

2.3. In both preliminary steps, documentation shall include the following and must be signed by both the employee concerned and the Immediate Supervisor:

2.3.1. The employee is informed of his/her unacceptable performance and/or improper behavior, and the necessary corrective action;

- 2.3.2. The employee is required to improve performance and/or correct behavior;
- 2.3.3. The employee is given a reasonable and specific time frame within which he/she shall improve his/her performance and/or correct his/her behavior;
- 2.3.4. The employee is advised that his/her performance and/or behavior is considered serious enough to commence the use of the disciplinary action process.

3. TYPES OF DISCIPLINARY ACTION

3.1. WRITTEN REPRIMAND is a formal memorandum given to an employee detailing his/her infraction/s with a warning that further violation/s will merit the imposition of a more severe disciplinary action.

- 3.1.1. An employee is given a Written Reprimand when he/she commits an infraction for which verbal and written warnings had already been previously issued.
- 3.1.2. The Disciplinary Action (DA) memorandum shall include:
 - 3.1.2.1. a reference to the previous verbal and written warnings;
 - 3.1.2.2. the current infraction committed (refer to the Table of Infractions);
 - 3.1.2.3. the corrective action to be taken;
 - 3.1.2.4. a reasonable period of time to improve performance and/or correct behavior;
 - 3.1.2.5. a warning that further violations will warrant imposition of more severe disciplinary action, which may lead to termination of one's employment;

3.1.2.6. the effect of the Written Reprimand on his/her performance appraisal, promotion, and if applicable, eligibility for the University Awards for Excellence (UAE).

3.2. SUSPENSION is the temporary prohibition of an employee from reporting for work as a sanction for an infraction committed. While serving suspension, the employee is also prohibited from entering the University campus or attending any official University function without prior authorization from his/her Office/Unit Head and the OHRMOD Director.

3.2.1. A Suspension is meted out to an employee who commits an infraction for which a Written Reprimand had been previously issued; or he/she commits an infraction classified as moderate or major (refer to the Table of Infractions).

3.2.2. The duration of the suspension is dependent on the gravity of the infraction/s committed. The employee is not entitled to receive any salary and benefits (released through payroll) during the suspension period.

3.2.3. All disciplinary actions to suspend an employee must be reviewed by the OHRMOD and approved by the unit Vice President.

3.2.4. The Disciplinary Action (DA) memorandum shall include:

3.2.4.1. a reference to the previous verbal and written warnings, Written Reprimand, if applicable;

3.2.4.2. the identification of the current infraction/s committed (refer to the Table of Infractions);

3.2.4.3. a summary of the due process followed;

3.2.4.4. description/s of the facts of the case, observations, and findings;

3.2.4.5. citation/s of applicable provision(s) from the University manuals, policies & procedures, rules & regulations, instructions, circulars, memoranda, the Labor Code of the Philippines, and/or other pertinent laws which were violated;

- 3.2.4.6. the duration of the suspension and the specific dates/period covered (start and end dates);
- 3.2.4.7. a warning that further violations will warrant imposition of more severe disciplinary action, including and up to termination of one's employment;
- 3.2.4.8. the effect of the Suspension on employee's performance appraisal, promotion, and if applicable, University Awards for Excellence (UAE).

3.3. TERMINATION OF EMPLOYMENT is the release of an employee from his/her employment with the University for a just cause.

- 3.3.1. Termination of employment is meted out when an employee commits the same infraction for which he/she had been previously suspended; or he/she commits another infraction despite having been meted out a suspension; or he/she commits an infraction classified as a major infraction (refer to the Table of Infractions).
- 3.3.2. All disciplinary actions to terminate one's employment shall be reviewed by the OHRMOD, endorsed by the unit Vice President, and approved by the University President.
- 3.3.3. The Disciplinary Action (DA) memorandum shall include:
 - 3.3.3.1. a reference to the previous verbal and written warnings, Written Reprimand, and/or suspension, if any;
 - 3.3.3.2. the identification of the current infraction/s committed (refer to the Table of Infractions);
 - 3.3.3.3. a summary of the due process followed;
 - 3.3.3.4. a description of the facts of the case, including observations and findings;

- 3.3.3.5. citation/s of applicable provision(s) from the University manuals, policies & procedures, rules & regulations, instructions, circulars, memoranda, the Labor Code of the Philippines, and/or other pertinent laws which were violated;
- 3.3.3.6. the date when the termination of the employee's employment takes effect or if the employment is terminated immediately upon receipt of the disciplinary action memorandum, as the case may be.

IV. PROCEDURES

The following procedures shall be observed in the implementation of the discipline process:

1. WRITTEN REPRIMAND: When a Written Reprimand is the maximum sanction applicable based on the Table of Infractions, the following procedures shall be observed in processing a complaint regarding the alleged commission of such infractions:

- 1.1. The Immediate Supervisor issues a Notice to Explain (NTE) to the employee, asking him/her to explain why he/she should not be sanctioned for an alleged commission of an infraction. The NTE shall be noted by the Office/Department Head.
- 1.2. The employee is given five (5) calendar days to submit his/her written and signed reply addressed to his/her Immediate Supervisor.
- 1.3. Depending on the employee's response to the Notice to Explain, whether it is a non-admission or an admission of guilt, the following shall then be followed:
 - 1.3.1. **Non-Admission:** A written response may be submitted by the employee in which he/she does not admit to committing the infraction.
 - 1.3.1.1. If the Immediate Supervisor finds the employee's written explanation sufficient/acceptable, then all proceedings shall cease, and the Immediate Supervisor shall issue the corresponding memorandum to clear the employee of the allegations against him/her.
 - 1.3.1.2. If the Immediate Supervisor does not find the employee's written explanation sufficient/acceptable, then the Immediate Supervisor shall forward the case to the Approving Authority (refer to the Approval and Service of Disciplinary Action Table for the authorized Approving Authority) to determine the need to constitute a Local Disciplinary Action Committee (Local DAC) to hear the case and make necessary recommendations.

1.3.1.2.1. If the Approving Authority finds enough bases in the facts of the case and the written explanation to make a decision, then he/she issues the Written Reprimand immediately.

1.3.1.2.2. If the Approving Authority finds insufficient bases in the facts of the case and the written explanation to make a decision, he/she may form a Local DAC to hear the case and make the necessary recommendations.

1.3.2. **Admission.** If the employee admits to the Immediate Supervisor, in writing, the commission of the alleged infraction, then the Immediate Supervisor makes a recommendation to the Approving Authority for the taking of the appropriate disciplinary action.

1.3.2.1. If the Approving Authority finds the facts of the case and the written admission enough bases to make a decision, then he/she issues the Written Reprimand immediately.

1.3.2.2. If the Approving Authority finds the facts of the case and the written admission insufficient bases to make a decision, then he/she may form a Local DAC to hear the case and make necessary recommendations.

2. SUSPENSION or TERMINATION OF EMPLOYMENT: When a Suspension or Termination of Employment is the maximum sanction applicable based on the Table of Infractions, the following procedures shall be observed in processing a complaint regarding the alleged commission of such infractions:

2.1. The Immediate Supervisor or Office/Department Head conducts a preliminary investigation of the alleged infraction. If it is determined that there is apparent basis for finding that the infraction was indeed committed, he/she recommends the filing of charges against the employee/s, to be approved by the unit Vice President. The recommendation must contain pertinent documents (e.g., incident report, written statements, other evidence) supporting the recommendation/s.

- 2.2. The unit Vice President creates a University Disciplinary Action Committee (UDAC) to investigate the matter. The Vice President, in consultation with OHRMOD, shall select and appoint members of the UDAC.
- 2.3. The OHRMOD Director issues a Notice of Charge (NOC) to the employee, asking him/her for a written explanation as to why he/she should not be sanctioned for his/her alleged commission of an infraction.
- 2.4. The employee is given five (5) calendar days within which to submit his/her written reply to the NOC.
- 2.5. The UDAC meets to discuss the violation, review the employee's written reply and other available evidence and documentation, receives the employee's side and explanation in a hearing, and if necessary, receives accounts of witnesses or other employees who may have knowledge of the subject matter of the case.
- 2.6. The UDAC prepares a report of its observations, findings, and recommendations, which shall be submitted to the unit Vice President. The latter shall have the final decision, in consultation with the Office/Department/Unit Head, as to the final disposition of the case, including the appropriate disciplinary action to be meted out to the employee if warranted.
 - 2.6.1. **SUSPENSION.** If the decision of the unit Vice President is to suspend the employee, then the Office/Cluster Head or Department/School Head and the OHRMOD Director will sign and issue a disciplinary action memorandum informing the employee of his/her suspension.
 - 2.6.2. **TERMINATION OF EMPLOYMENT.** If the recommendation of the unit Vice President to the President is the termination of employment of the concerned employee, and the recommendation is approved by the President, then the unit Vice President and the OHRMOD Director will issue a memorandum informing the employee of the termination of his/her employment.

3. GUIDELINES FOR SPECIFIC CASES

3.1. For cases involving fraud/negligence, such as but not limited to infractions 1.10, 1.11, 1.12, 1.13, and 1.14 as listed in the Table of Infractions, which may result to financial loss, the procedures for suspension or termination of employment (Part IV: Procedures, Section 2) shall be followed, but with the involvement of the Vice President for Finance and Treasurer (VPFT). The latter shall have his/her representative in the UDAC and be notified of the status of the case from the time of issuance of NOC to the resolution of the case.

If the amount involved is more than ONE MILLION PESOS (PhP 1,000,000.00), the VPFT and the unit Vice President of the cluster to which the employee belongs shall jointly create the UDAC. Both VPs shall decide as to the appropriate resolution of the case based on the recommendation of the UDAC, except for termination of employment which shall be decided by the President.

3.2. For cases involving sexual harassment, the procedures for suspension or termination of employment (Part IV: Procedures, Section 2) shall be followed. The Committee on Decorum and Investigation (CODI) shall take the place of the UDAC referred to in the said section.

4. DOCUMENTATION. All memoranda issued to the employee in relation to this procedure shall be duly received and signed by the latter, and filed in his/her employee record (i.e. 201 file).

V. APPROVAL AND SERVICE OF DISCIPLINARY ACTION

The tables below indicate the appropriate authorities and their corresponding roles in the approval and implementation of disciplinary action.

1. Preliminary to Disciplinary Action

	Originator/ Authority responsible for implementation
1. Verbal Warning	Immediate Supervisor
2. Written Warning	Immediate Supervisor

2. Disciplinary Action

	Recommending Body	Approving Authority	Authority responsible for implementation
1. Written Reprimand			
Staff Professionals	Local DAC or Immediate Supervisor	Immediate Supervisor or Office Head Department Head	Immediate Supervisor
Administrative Officers	Immediate Supervisor	Vice President or President, as applicable	Director- OHRMOD/Vice President/ President

	Recommending Body	Approving Authority	Authority responsible for implementation
2. Suspension			
Staff Professionals	University Disciplinary Action Committee (UDAC)	Vice President in consultation with Headmaster/ Principal/ Dean/ Office Head	Immediate Supervisor, School Head/Office Head and Director-OHRMOD
Administrative Officers	UDAC	Vice President or President, as applicable	Director-OHRMOD and Vice President/ President
3. Termination of Employment			
Staff Professionals	UDAC Endorsed by the Vice President	President	Immediate Supervisor, School Head/Office Head and Director-OHRMOD
Administrative Officers	UDAC Endorsed by the Vice President	President	Director-OHRMOD and Vice President/ President

VI. ADVERSE EFFECTS OF THE IMPOSITION OF DISCIPLINARY ACTION

1. The University gives each of its employees a chance to improve performance and/or correct his/her behavior. However, the erring employee must face the consequences of his/her action.
2. Disciplinary action imposed has adverse effects on performance review ratings, promotion, and University Awards for Excellence (UAE).
3. An employee is disqualified from being promoted or receiving a University Awards for Excellence (UAE) for a period as specified in the table below:

Disciplinary Action	Adverse Effect on Performance Review <i>(for the fiscal year under review)</i>	Adverse Effect on University Awards for Excellence (UAE)	Adverse Effect on Promotion
Written Reprimand	No rating higher than "average"	Not qualified for UAE for the current fiscal year	No promotion for twelve (12) months from date of receipt of Written Reprimand
Suspension of one (1) to seven (7) days	No rating higher than "below average"	Not qualified for UAE for the current fiscal year	No promotion for sixteen (16) months from date the suspension is completely served
Suspension of eight (8) to fifteen (15) days	No rating higher than "below average"	Not qualified for UAE for the current fiscal year	No promotion for twenty (20) months from date the suspension is completely served
Suspension of sixteen (16) to thirty (30) days	No rating higher than "below average"	Not qualified for UAE for the current fiscal year	No promotion for thirty (30) months from date the suspension is completely served

VII. INFRACTIONS AND IMPOSABLE DISCIPLINARY ACTIONS

Since all employees act as ambassadors of the University in their daily work, they are expected to observe high standards of conduct. All employees are expected to behave in a manner which reflects positively on themselves and the University. They shall fulfill their duties and responsibilities diligently with due regard to the values promoted by Ateneo de Manila and in accordance with its policies, procedures, and rules and regulations.

The following Table of Infractions is not meant to be exhaustive. It is not meant to cover all possible scenarios. The University reserves its right to impose disciplinary sanctions for other actions which may be in violation of the provisions of the Labor Code of the Philippines and other relevant laws and regulations, University-issued circulars, memoranda, directives, and the like.

The sanctions indicated for each group of infractions in this Code should be the usual disciplinary actions imposed; however, depending on attendant mitigating and aggravating circumstances, the University reserves its right to exercise its discretion in issuing a lower or higher sanction.

LEGEND:

WR – written reprimand

SUSP – suspension

TOE – termination of employment

1. INTEGRITY. Integrity flows from honesty and fairness of all employees in the performance of their duties and in their interactions with the University community and other stakeholders. They are expected to conduct themselves accordingly without using their position for their personal gain or advantage.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1st	2nd	3rd	4th	5th
1.1 Punching in/out the time card of another employee or using the Identification Card (ID) of another employee for time in/out purposes	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
1.2 Having one's time card punched in/out by another employee or having one's ID swiped in/out by another employee	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
1.3 Unauthorized alteration or falsification of entries in one's or another employee's time card or time records	Major	SUSP 16-30 days or TOE	TOE			
1.4 Malingering (fabricating or exaggerating the symptoms of mental or physical disorders)/feigning illness (pretending to be sick)	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1st	2nd	3rd	4th	5th
1.5 Unauthorized use of resources of the University for personal use/gain or for tasks other than assigned work (e.g., office supplies, equipment, person hours, etc.)	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
1.6 Unauthorized use of the name and/or visual identity device (i.e. logo, seal, letterhead) of the University for personal transactions	Major	SUSP 16-30 days or TOE	TOE			
1.7 Giving false testimony or withholding of information in any investigation or inquiry conducted in relation with or concerning any matter affecting the University's interest; suppression of evidence relative to any subject matter under investigation or withholding of information to cover up any irregularity or infraction	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1st	2nd	3rd	4th	5th
1.8 Making false statements or furnishing fraudulent information in the application form or in any document submitted for purposes of employment; withholding of information intended to cover up any irregularity or infraction committed previously in the application for employment	Major	SUSP 16-30 days or TOE	TOE			
1.9 Falsifying, altering, tampering of University records, documents or misrepresentation of any transaction inside or outside the University	Major	SUSP 16-30 days or TOE	TOE			
1.10 Willfully receiving on behalf of the University, materials and equipment knowing that the same are of less or inferior value than what was specified in the purchase order or what was paid for by the University	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1st	2nd	3rd	4th	5th
1.11 Receiving fees, commissions, kickbacks, goods, or services from suppliers and/or clients for having considered or patronized their products or services	Major	SUSP 16-30 days or TOE	TOE			
1.12 Deliberate submission of a false expense statement, padding of receipts, overcharging in reimbursement of expenses and tampering of official receipts	Major	SUSP 16-30 days or TOE	TOE			
1.13 Misappropriation or malversation of University funds; non-remittance or withholding of funds belonging to or entrusted to the University	Major	SUSP 16-30 days or TOE	TOE			
1.14 Theft involving funds, equipment, supplies or the property of the University, co-employee, or other stakeholders, whether the same is	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1st	2nd	3rd	4th	5th
only attempted or frustrated and regardless whether the person involved is the main perpetrator or just an accomplice or accessory						
1.15 Failure to report immediately any loss, damage, or pilferage from which the University has suffered after having access to information of such	Minor Preliminary Warnings 1 st instance: Verbal 2nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 6-30 days	TOE
1.16 Unauthorized solicitation and/or acceptance of money, goods, and/or services from any external person/ organization transacting business with the University	Major	SUSP 16-30 Days or TOE	TOE			
1.17 Conflict of Interest as defined in the University's Code of Conduct and Ethics	Major	SUSP 16-30 Days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1st	2nd	3rd	4th	5th
1.18 Providing information classified as confidential to unauthorized persons, such as, but not limited to, personnel and student records, salary data records, student and peer faculty performance evaluation records, office communications, examination papers, and/or psychological test reports	Major	SUSP 16-30 Days or TOE	TOE			

2. PUBLIC MORALS. Public morals refer to moral and ethical standards enforced by society on its members. Employees are expected to observe high moral and ethical standards as their actions done in public reflect on the University and may affect other members of the University community.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
2.1 Gambling or betting, in any form, within the premises of the University	Major	SUSP 16-30 days or TOE	TOE			
2.2 Possessing, showing, exhibiting, or viewing pornographic materials, pictures, films or literature or intentionally accessing pornographic websites using University resources, or doing so within the University premises	Major	SUSP 16-30 days or TOE	TOE			
2.3 Engaging in indecent (whether verbal or non-verbal), lewd or immoral conduct within the premises of the University or during University activities	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
2.4 Performing acts of lasciviousness against any member or guest of the University Community	Major	SUSP 16-30 days or TOE	TOE			
2.5 Committing any act against public morals punishable by the Revised Penal Code, such as engaging in any scandalous or immoral practices such as maintaining illicit (forbidden by law, rules, or custom) relationships, pimping (providing female/male companions), and similar acts that violate common decency or morality	Major	SUSP 16-30 days or TOE	TOE			
2.6 Committing any act that is offensive to social convention, including unwelcome verbal, visual or physical conduct of a sexual nature	Major	SUSP 16-30 days or TOE	TOE			

3. PRODUCTIVITY. Each employee has a valuable contribution to make in ensuring the continued viability of the University. This may be achieved by making good use of one's time and the resources available while at work. This includes, but is not limited to, coming to work on time and avoiding unexcused absences.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
3.1 Habitual tardiness- Tardiness is considered habitual when the same has been committed nine (9) times in three (3) consecutive months. However, a grace period of ten (10) minutes is provided for each working day before an employee will be marked as tardy.	Minor Preliminary Warnings 1 st month: Verbal 2 nd month: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.2 Excessive tardiness- Tardiness is considered excessive when the same has been committed four (4) or more times in a given month.	Minor Preliminary Warnings 1 st month: Verbal 2 nd month: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.3 Unauthorized undertime- undertime is understood as not completing one's official work hours, such as:	Minor Preliminary Warnings 1 st instance: Verbal	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
<ul style="list-style-type: none"> • Failure to report at one's workstation after timing-in; • Leaving the place of work without permission 	2 nd instance: Written					
3.4 Abuse of (i.e., combine or extend) rest periods/break periods (15 minutes in the morning and 15 minutes in the afternoon), and lunch breaks (a one-hour period usually in the middle of one's work schedule)	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.5 Failure to notify Immediate Supervisor of the reason: for sick leave at least thirty minutes (30) before the start of one's official work schedule; and for emergency leave at least within the day; or failure to file vacation leave three days before the date of the leave <i>(Supervisor must acknowledge receipt of</i>	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
<i>the notification, otherwise it will be considered as a leave of absence without pay.)</i>						
3.6 Extending the original period of a previously authorized vacation leave without prior authorization or going on leave despite failure to secure valid authorization for the leave	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.7 Sleeping or loitering during one's official work schedule	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.8 Patronizing ambulant vendors, solicitors or collectors of contributions for any purpose whatsoever during one's official work schedule	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
3.9 Unauthorized vending, soliciting or collecting contributions for any purpose whatsoever during one's official work schedule	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
3.10 Attending to personal business during working hours or engaging in non-work-related activities during official work hours (for example: the unreasonable use of social media for personal concerns, attending to personal calls, browsing the internet for non-work related content, attending to personal e-mails)	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
3.11 Engaging in horseplay, riotous behavior or conduct which causes a disturbance	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
3.12 Habitual Absenteeism - unexcused absences of three (3) days in any given month (non-consecutive)	Minor Preliminary Warnings 1 st unexcused instance: Verbal 2 nd unexcused instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.13 Absence from Work without Official Leave (AWOL) or permission of three (3) consecutive days or more	Minor Preliminary Warnings 1 st day: Verbal 2 nd day: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.14 Unsatisfactory work performance for no valid reason, in any particular day or assignment	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
3.15 Gross or habitual negligence in assigned task/duties	Major	SUSP 16-30 days or TOE	TOE			
3.16 Unexplained failure to perform regular duties or special assignments within the time such duties or assignments should have been normally accomplished	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
3.17 Engaging in sabotage or intentionally restricting output, or damaging or rendering University equipment/ property non-operational leading to slowing down of work	Major	SUSP 16-30 days or TOE	TOE			
3.18 Requiring subordinates to perform tasks not related to the subordinate's official function	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
<p>3.19 Refusal to render overtime in cases provided for by law (Labor Code of the Philippines, Art. 89):</p> <p>a. when the country is at war or when any other national or local emergency has been declared by the National Assembly or the Chief Executive;</p> <p>b. when overtime is necessary to prevent loss of life or property, or in case of imminent danger to public safety due to actual or impending emergency in the locality caused by serious accident, fire, flood, typhoons, earthquakes, epidemic or other disasters or calamities;</p> <p>c. when there is urgent work to be performed on machines, installations, or equipment/facilities in order to avoid serious loss or damage to the University or some</p>	<p>Minor</p> <p>Preliminary Warnings</p> <p>1st instance: Verbal</p> <p>2nd instance: Written</p>	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
<p>other causes of a similar nature;</p> <p>d. when the work is necessary to prevent loss or damage to perishable goods;</p> <p>e. when the completion or continuation of work started before the 8th hour is necessary to prevent serious obstruction or prejudice to the business or operations of the University;</p> <p>f. when overtime work is necessary to avail of favorable weather or environmental conditions where the performance or quality of work is dependent thereon.</p> <p>In instances not falling within any of the cases enumerated in this section, no employee may be made to work beyond eight (8) hours a day against his/her will.</p>						

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
3.20 Insubordination or refusal to carry out a reasonable work order, including but not limited to, refusal to accept work, change shift, or work location assigned by a supervisor or the University	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

4. RESPECT FOR PERSONS. Relationships with members of the University community and other stakeholders must be governed by mutual respect. Employees' conduct should promote a safe and healthy environment for all members of the community that is free from intimidation and harassment.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
4.1 Intimidating, bullying, or threatening guests or members of the University Community within or outside the premises of the University	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
4.2 Provoking or instigating a fight or attempting to inflict injury on guests or another member of the University Community within or outside the premises of the University	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
4.3 Fighting or inflicting injury on guests or another member of the University Community within or outside the premises of the University	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
4.4 Compelling, forcing, or requiring any member of the University community to perform illegal acts	Major	SUSP 16-30 days or TOE	TOE			
4.5 Sexual harassment as defined by law	Major	SUSP 16-30 days or TOE	TOE			
4.6 Retaliation against a person who reports/reported an alleged infraction or who testifies, assists or participates in any administrative proceeding- Retaliation includes but is not limited to, threats, intimidation, reprisals, and/or any adverse action related to employment, education or a business decision.	Major	SUSP 16-30 days or TOE	TOE			

5. RESPECT FOR PROPERTY. Employees are expected to respect each other’s personal property as well as that of the University. Due diligence and care must be exercised in handling and using property and resources belonging to the University, as well as those that belong to other members of the University community.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
5.1 Misuse of or damage to University records, property, resources, products and/or services						
5.1.1 Willful or Deliberate	Major	SUSP 16-30 days or TOE	TOE			
5.1.2 Due to Negligence	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
5.2 Intentional misuse or damage to co-employee’s property within the University premises or during any official function outside the University premises	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
5.3 Tampering with the lockers or drawers of any member of the University community	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
5.4 Vandalism	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

6. HEALTH, SAFETY, AND SECURITY. Reasonable health, security, and safety precautions must be observed to ensure the well-being of the University community. All employees are expected to report promptly to one's Immediate Supervisor any hazard, accident, injury, or incident that would compromise the well-being of any member of the University community.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
6.1 Endangering oneself and/or member/s of the University Community through gross negligence, carelessness, inefficiency, or willful disregard of the recommendation/order of a competent authority	Major	SUSP 16-30 days or TOE	TOE			
6.2 Disregarding or violating security and safety rules, including those for fire, and theft	Major	SUSP 16-30 days or TOE	TOE			
6.3 Refusal to submit to and abide by campus security regulations	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
6.4 Refusal/failure to undergo the Annual Physical Examination (APE) as scheduled by the University	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
6.5 Refusal/failure to heed the physician's recommendation in regard to the result of the APE and/or any medical finding	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE		
6.6 Submit someone else's medical records (e.g., chest x-ray) or other medical samples (e.g., blood, urine) as your own	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
6.7 Engage in unsanitary acts or habits within the University premises or at a University function	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
6.8 Failing to seek medical treatment to address an illness, which because of its infectious nature, endangers the health of others	Major	SUSP 16-30 days or TOE	TOE			
6.9 Smoking/lighting a cigarette in "DANGER" areas "DANGER" areas are places where combustible or flammable substances/ materials are stored or where such signs are located.	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
6.10 Unauthorized possession and/or use of a device (e.g. lock pick, master key) which can open padlocks, lockers, drawers, classrooms, offices, storage areas and/or vehicles within the University	Major	SUSP 16-30 days or TOE	TOE			
6.11 Unauthorized entry and/or letting unauthorized persons into highly restricted areas as defined by the units- Restricted areas include, but are not limited to, the following: Registrar's Office, Cashier's Office, University Archives, Server Room,	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
Boardroom, Warehouse, Mail Room, PABX Room, Generator Room, and rooms where student examinations/ tests and employees' records are kept.						
6.12 Unauthorized possession and/or display of firearms, explosives or flammable materials, and bladed and sharp tools which are not work-related within the University premises	Major	SUSP 16-30 days or TOE	TOE			
6.13 Refusal to leave the place of work or premises of the University for security, safety, and/or health reasons when required to do	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
so by a supervisor, University officer, or authorized representative of the University						
6.14 Malicious dissemination of false information that may cause panic, e.g., threats of bombs, explosives, or any similar devices	Major	SUSP 16-30 Days or TOE	TOE			

7. GOOD CONDUCT. In the performance of one’s work, due regard must be given to the members of the University community and society. All employees are expected to display courtesy and good behavior, ensuring a good working environment in deference not only to co-employees but to the public that we serve as well.

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
7.1 Smoking in campus (R.A. 9211)	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
7.2 Failure to register/record time-in and time-out, and/or when rendering overtime	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
7.3 Failure to file Leave Application Form • prior to vacation leave, and if applicable, paternity leave/ maternity	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
leave/ bereavement leave • immediately upon return from sick leave/ emergency leave						
7.4 Failure to submit or return acknowledged Time/Bundy Card and/or Daily Attendance Record to the attendance custodian/ timekeeper within the period prescribed by the Unit	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
7.5 Posting of any unauthorized material or unauthorized removal of any official poster, announcement, memorandum, circular or other University document	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
7.6 Discourteous acts or words in dealing with any guest or any member of the University community	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
7.7 Reporting for work under the influence of alcohol	Major	SUSP 16-30 days or TOE	TOE			
7.8 Unauthorized drinking of alcoholic beverages within the University premises and during University functions	Major	SUSP 16-30 days or TOE	TOE			
7.9 Violation of RA 9165 ("Dangerous Drugs Act of 2002"): <ul style="list-style-type: none"> • Reporting for work under the influence of prohibited drugs or substances • Possession, use, or selling 	Major	SUSP 16-30 days or TOE	TOE			

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
of prohibited drugs or substances/ paraphernalia within University premises or at any University function						
7.10 Not wearing the proper uniform or failing to adhere to the unit- prescribed dress code during official work schedule	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE
7.11 Holding or conducting a meeting that is non-work related, or participating in any nonwork-related activity inside the premises of the University, without prior permission from the Unit Head	Minor Preliminary Warnings 1 st instance: Verbal 2 nd instance: Written	WR	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days	TOE

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
7.12 Initiating and/or spreading gossip/rumors/ information or uploading videos/images/ audio recording through the internet, text messages, or other media that may embarrass or discredit the University and/or any member of the University community; ranting, attacking, fighting on media that may dishonor or shame the University and/or any member of the University community	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	
7.13 Willful disobedience of (or refusal to follow) Policies & Procedures, and/or Rules and Regulations	Moderate	SUSP 1-7 days	SUSP 8-15 days	SUSP 16-30 days or TOE	TOE	

INFRACTION	GRAVITY OF INFRACTION	NUMBER OF REPEAT INFRACTION				
		1 st	2 nd	3 rd	4 th	5 th
7.14 Conviction in a court of law for a criminal infraction	Major	SUSP 16-30 days or TOE	TOE			

VIII. APPEALS PROCESS

1. An employee who has been meted out a sanction of a Written Reprimand or Suspension may appeal the decision to the next higher authority (usually the unit Vice President) within five (5) working days from receipt of the disciplinary action memorandum. Sufficient and meritorious justification must be provided for the appeal to prosper (e.g., new evidence that did not surface during the investigation which may mitigate the sanction meted out to the employee, a sound and valid reason why the employee thinks he/she was unjustly sanctioned, and/or other analogous circumstances/situations).
2. An employee who has been meted out the sanction of Termination of his/her Employment may appeal the decision to the President within five (5) calendar days from receipt of the disciplinary action memorandum. Sufficient and meritorious justification must be provided for the appeal to prosper. (e.g., new evidence that did not surface during the investigation which may mitigate the meted penalty, a sound and valid reason why the employee thinks he/she was unjustly sanctioned, and/or other analogous circumstances/situations).

NOTE: Pending the decision on the appeal, the sanction shall nevertheless be immediately effected or executed.

- 2.1 If a served suspension is reduced or overturned, reimbursement for lost pay shall be accorded and a clean record, if warranted, shall be reflected in the employee's personal (201 file) record.
- 2.2 If termination of employment is overturned, the reinstatement of the affected employee shall be implemented as of the date stated in the decision on the appeal. Payment of back wages covering the period from the date an employment was terminated up to when the employee is reinstated shall also be accorded, depending on the provisions of the decision on the appeal.

IX. MISCELLANEOUS

1. STANDARD REVIEW AND UPDATING PROCESS

- 1.1 The Human Resource Council (HR Council) shall review this Code of Discipline (COD) every three (3) years after its approval and dissemination, or more frequently as it may deem necessary.
- 1.2 The HR Council shall update the COD as may be necessary, taking into consideration any new laws that may have been passed which may affect the material content of this Code, or if sanctions for infractions deserve to be reclassified higher or lower on the sanction scale. The HR Council may issue a memorandum regarding the new policy or law, and then include such updates in the review of the COD.
- 1.3 Any changes in the COD must be approved by the President, or his designated representative/s, prior to implementation.
- 1.4 The implementation of changes made in the COD, for sanctions not yet served, shall not have a retroactive effect unless the change lightens the corresponding sanction for an already specified violation or other similar changes in favor of the employee. Changes will become effective fifteen [15] calendar days after its announcement/circulation.

2. EXCLUSIVE PREROGATIVE

The University Administration, in the exercise of its sole and exclusive prerogative, may add, amend, revise and/or delete this Code.

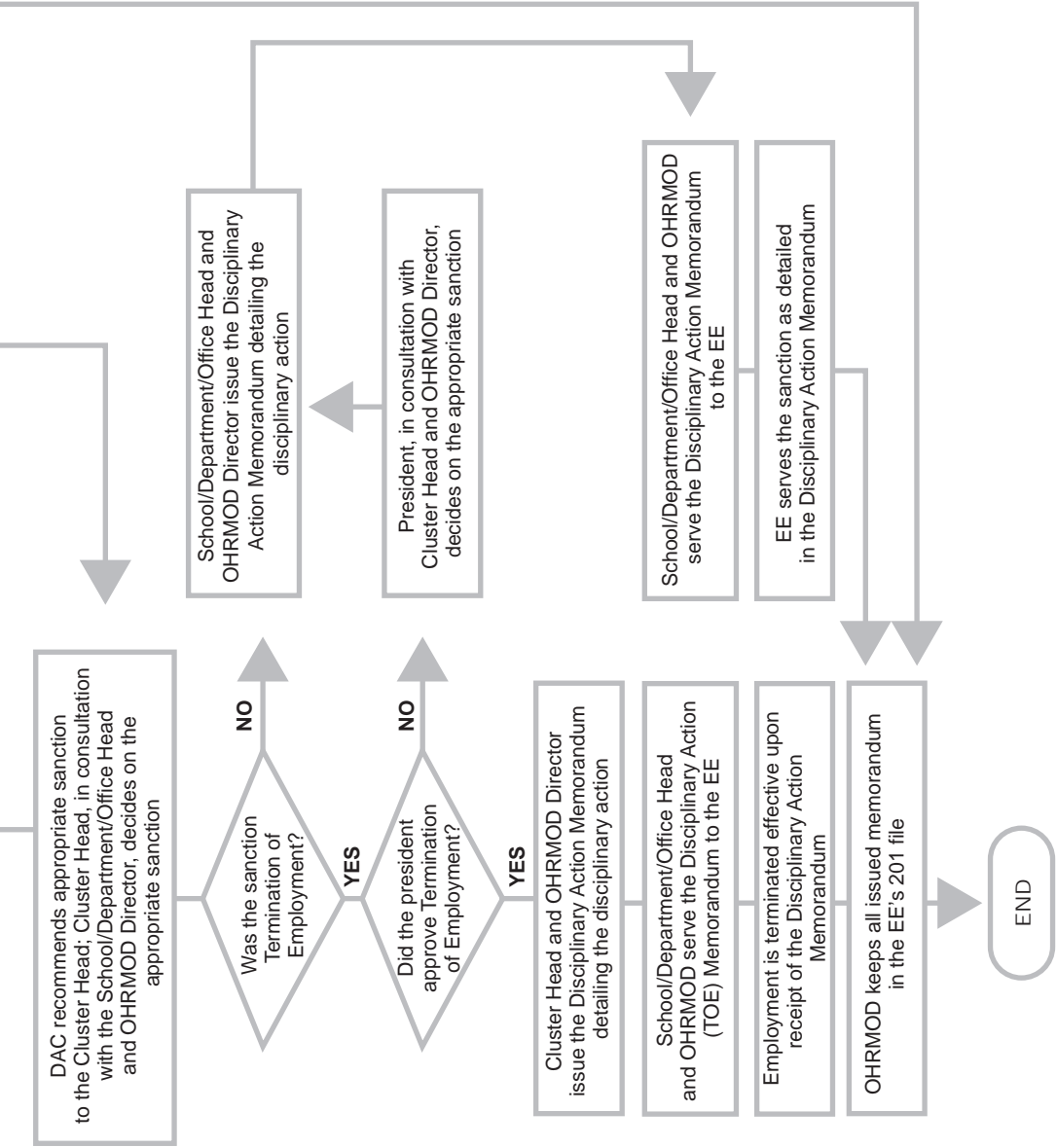
3. SUPERSEDING CLAUSE

This supersedes all policies, circulars and memoranda inconsistent with those contained in this document.

4. SEPARABILITY CLAUSE

In the event any portion of this Code is repealed by provision of law, it shall not affect the remaining provisions not inconsistent with the law.

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AMDG



ACKNOWLEDGEMENTS

Paul Y. Sim – Personnel Director 1999-2003

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