COMPANY HANDBOOK:
COMPANY POLICIES AND CODE OF CONDUCT AND DISCIPLINE

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PRELIMINARY STATEMENT

This handbook is intended to keep the employee informed of the company's culture, values, benefits and work practices within the ApexTech IT Solutions Inc. company. The company reserves the right to alter any of the provisions and conditions in this handbook without previous notification if any change in the company's policy is deemed necessary.

This handbook is the property of the company. It cannot be reproduced, distributed or its contents divulged without the written approval of the owners of the company.

This handbook is not an employment contract and should not be construed as a contract.

WELCOME MESSAGE

Greetings of good health!

Congratulations! You have been chosen from numerous applicants because the company believes that you have what it takes to be part of our dynamic family. This handbook would be your first step in getting to know ApexTech IT Solutions, Inc.

We are thrilled to have you as a part of our team and want to ensure that you have all the information you need to thrive in our organization. This handbook serves as a comprehensive guide, outlining our policies, procedures, and expectations. It is designed to provide you with a clear understanding of our company's values, culture, and the standards we uphold.

At ApexTech IT Solutions Inc., we believe in fostering a positive and inclusive work environment where every employee feels respected, valued, and supported. We are committed to providing equal employment opportunities, promoting diversity, and maintaining a workplace free from discrimination and harassment.

Please note that this handbook is not a contract of employment and does not guarantee ongoing employment. The policies and procedures outlined here may be updated or revised from time to time. We will notify you of any significant changes, and it is your responsibility to stay informed of the latest updates.

We value open communication and encourage you to reach out to your supervisor, the Human Resources department, or any other designated contact person if you have questions or concerns. We are here to support you and ensure your experience at ApexTech IT Solutions, Inc. is rewarding and fulfilling.

Once again, welcome to our team. We are excited to have you on board and look forward to working together to achieve great things.

All the best!

ApexTech IT Solutions, Inc.
Management

1. INTRODUCTION

1.1 PURPOSE OF THE MANUAL

The purpose of this Employee Manual is to provide ApexTech IT Solutions Inc. employees with a comprehensive guide that outlines the policies, procedures, and expectations of the company. It serves as a valuable resource to help employees understand their rights and responsibilities, as well as navigate their roles within the organization.

1.2 ABOUT THE COMPANY

ApexTech IT Solutions, Inc. is a leading provider of innovative IT solutions, specializing in technology for creating, managing, and monetizing video content across OTT, ConnectedTV, SmartTV, and mobile platforms. We support live streaming, video on demand, and comprehensive video management services. Our commitment to innovation, excellence, and client success drives us to deliver exceptional service and foster strong, collaborative partnerships.

1.3 MISSION, VISION, CORE VALUES

Vision

To be the leading provider of innovative IT solutions that empower video creators to transform their content into compelling and accessible experiences across all digital platforms.

Mission

- Deliver cutting-edge technology solutions that empower video creators to seamlessly create, manage, and monetize their content across OTT, ConnectedTV, SmartTV, and mobile platforms.
- Provide exceptional service and robust support to ensure our clients achieve their digital content goals.
- Continuously innovate to meet the evolving needs of our clients and help them stay ahead in the competitive video content landscape.
- Foster strong, collaborative partnerships with our clients, prioritizing their success and satisfaction in every project we undertake.

Core Values

- **Innovation:** We continuously explore and integrate the latest technologies to provide innovative solutions that meet the evolving needs of our clients and their audiences.
- **Excellence:** We are committed to delivering the highest quality IT solutions and services, ensuring our clients achieve outstanding results.
- **Client-Centricity:** We prioritize our clients' success by understanding their unique needs and providing tailored solutions that drive their business forward.
- **Integrity:** We conduct our business with transparency, honesty, and ethical practices, building trust with our clients and partners.
- **Collaboration:** We believe in the power of teamwork and collaboration, both within our company and with our clients, to achieve the best outcomes.

2. EMPLOYMENT

2.1 Equal Employment Opportunity

At ApexTech IT Solutions Inc., we are committed to providing equal employment opportunities for all individuals, regardless of their race, color, religion, sex, national origin, age, disability, or any other legally protected status. We firmly believe that diversity and inclusion are essential to the success of our organization and foster an environment where every employee is treated with fairness, respect, and dignity.

Our commitment to equal employment opportunity extends to all aspects of employment, including recruitment, hiring, promotions, transfers, training, benefits, and terminations. We strictly prohibit any form of discrimination or harassment based on protected characteristics and have implemented policies and procedures to prevent and address such issues.

2.2 Anti-Discrimination and Harassment Purpose:

At ApexTech IT Solutions Inc. we are committed to maintaining a work environment that is free from discrimination and harassment. We believe in treating all employees with dignity, respect, and fairness. This policy is designed to ensure that all employees understand their rights and responsibilities regarding discrimination and harassment and to provide a framework for addressing and resolving any complaints that may arise.

Scope:

This policy applies to all employees. It covers all aspects of employment, including recruitment, hiring, training, promotions, transfers, compensation, benefits, and termination.

Prohibited Conduct

a. Discrimination

At ApexTech IT Solutions Inc., we strictly prohibit discrimination based on race, color, religion, sex, national origin, age, disability, genetic information, or any other protected characteristic as defined by applicable laws. Discrimination includes but is not limited to:

- Treating employees differently in terms of terms and conditions of employment based on their protected characteristics.
- Making employment decisions, such as hiring, promotions, or terminations, based on protected characteristics.
- Creating a hostile work environment by engaging in derogatory or offensive conduct based on protected characteristics.

b. Harassment

We have a zero-tolerance policy for any form of harassment, including but not limited to:

- Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, or any other verbal, non-verbal, or physical conduct of a sexual nature.
- Verbal or Written Harassment: Offensive comments, slurs, jokes, or derogatory statements based on protected characteristics.
- Physical Harassment: Unwanted physical contact, gestures, or any form of physical intimidation.
- Visual Harassment: Displaying or sharing inappropriate images, photographs or objects.

Reporting and Complaint Procedure:

Employees who believe they have experienced or witnessed discrimination or harassment are encouraged to report the incident promptly. The following steps should be followed:

1. Reporting: Inform your supervisor, manager, Human Resources representative, or any other designated contact person about the incident. If you are uncomfortable reporting to your immediate supervisor, you may report to someone higher in the chain of command or directly to Human Resources.

2. Investigation: The company will conduct a thorough and impartial investigation into the reported incident. All information will be handled confidentially to the extent possible, while still conducting an effective investigation.

3. Resolution: If the investigation substantiates the complaint, appropriate disciplinary action will be taken against the perpetrator, up to and including termination. We will take all reasonable measures to ensure that the victim is protected from retaliation.

Retaliation:

We strictly prohibit any form of retaliation against individuals who make good-faith reports of discrimination or harassment or cooperate in an investigation. Retaliation against a reporting individual will result in disciplinary action, up to and including termination.

2.3 Employment Categories

For ApexTech IT Solutions, Inc. environment, the following are common employment categories:

Types of Employment

Employment in the Company is classified into:

A. **Regular Employment** - an employment whereby the employee holds a permanent position in the Company.

It is an employment whereby the employee performs activities that are usually necessary or desirable in the usual business or trade of the employer (Art. 295, Labor Code). Thus, when the employee performs activities considered necessary and desirable to the overall business scheme of the employer, the law regards the employee as regular *(Universal Robina Sugar Milling Corp. vs. Acibo, GR. No. 186439, Jan. 15, 2014).*

No person shall be employed as a regular employee without undergoing a probationary period.

B. **Probationary Employment** - an employment whereby an employee is required to first undergo a trial period to qualify for regular employment for at least six (6) months. Article 296, Labor Code).

Upon hiring/engagement of the services of the employee on a probationary status, the same employee shall be informed of the reasonable standards in the performance of the task/job under which he/she will qualify as a regular employee.

It is not the probationary employee's job description but the adequate performance of his/her duties and responsibilities which constitutes the inherent and implied standard for regularization. If the probationary employee had been fully apprised by the employer of his/her duties and responsibilities, then basic knowledge and common-sense dictate that he/she must adequately perform the same, otherwise he/she fails to pass the probationary trial and may therefore be subject to termination *(Abbot Laboratories Phils. vs. Alcaraz, GR. No. 192571, April 22, 2014).*

C. **Project Employment** – an arrangement whereby the employment has been fixed for a specific project or undertaking whose completion or termination has been determined at the time of the engagement of the employee.

Two (2) requirements must be satisfied: (1) designation of a specific project or undertaking for which the employee is hired; (2) clear determination of the completion or termination of the project at the time of the employee's engagement. The services of the project employees are legally and automatically terminated upon the end or completion of the project as the employee's services are co-terminus with the project *(Universal Robina Sugar Milling Corp. (URSUMCO) vs. ACIBO, G.R. No. 186439, Jan. 15, 2014).*

Orientation of New Employees

An HR Orientation is provided to new employees to familiarize and enlighten them about ApexTech IT Solutions Inc. This orientation will be conducted by the Legal or HR Department and the topics to be discussed shall include the salient features of this Code of Discipline and other policies and procedures.

The employee's immediate superior/supervisor will also conduct orientation to acclimatize the employee with the Section or Department in which he/she will be assigned.

Updating of Personal Data

Once hired, the employee must notify the Company through HR Department within ten (10) calendar days of any of the following incidents which may occur during his/her employment:

a. Change in address and telephone and/or mobile phone number
b. Change in civil status
c. Change in educational attainment
d. Other relevant personal circumstances

All information and documents provided during the application, hiring and documentation process are assumed to be truthful and accurate. These were the bases of hiring an employee and in return employees are expected to have declared true facts and information about themselves. It is also important that employees keep the company updated through the Human Resource Department should there be any changes in their names, address, telephone numbers, marital status, name of dependents/beneficiaries and the name and phone numbers of persons to contact in case of an emergency.

Any misrepresentation, forgery, or falsification of documents provided during the application, hiring or documentation process may result in the termination of an employee.

Personnel files are company property and are strictly confidential. As a general rule, only the Management and HR are allowed and have a legitimate reason to review information in a file

Company Identification Card (ID) Company ID

All employees shall be issued Company's Identification Cards, which shall always be displayed at all times while working and inside Company premises.

Upon resignation and/or termination of employment, the Company ID issued to the employee concerned must be returned to the Company.

In case of lost Company ID, the employee shall submit a duly accomplished and notarized affidavit of loss to the HR Department. The employee shall shoulder the cost of replacement to be deducted from his/her payroll account upon signing the authority to deduct form.

Dress Code

Employees play an integral part in the company's reputation and culture, that is why it is essential to present a professional appearance. While the company respects the individual taste of each employee, it is advisable to come into the office dressed accordingly and with decency. Clothing styles may range from casual to formal.

Casual Business Attire:

- Acceptable attire includes jeans (without rips or tears), slacks, khakis, polo shirts, blouses, skirts, dresses, and hoodies.
- For those opting for jeans, it's highly encouraged to also wear a belt.
- Hoodies are permitted as part of casual business attire, provided they do not feature kid-like cartoons, anime, or similar designs.

Prohibited Attire:

- Pajamas, sagging pants, and any attire with inappropriate or offensive imagery are strictly prohibited.
- Short shorts, flip-flops or slippers, open-toe sandals for men, tank tops, and other skimpy types of wardrobes.

Nevertheless, this is not intended to be all inclusive. An employee can always communicate concerns to the Immediate Head or HR for clarification.

2.3.1 Performance Evaluations and Appraisals

Performance Appraisal shall apply to all probationary employees identified for regularization by their leaders.

a. 3rd month assessment
b. 5th month assessment

Performance Evaluation Procedure:

1. Human Resources would prepare a copy of the PE (Performance Evaluation) form. The attendance of the employee and discipline record are included on the PE's coverage. The attendance report would be based on the report done by an HR personnel handling timekeeping and employee relations.

2. Performance Evaluation form will be given to the employee's immediate superior for his/her evaluation and discussion. PE form will be given to the employee's immediate superior for his/her evaluation and their discussion.

3. HR will review the PE results and consult the appraiser regarding the performance of the appraisee.

2.4 Confidentiality and Non-disclosure

Confidentiality and non-disclosure are critical aspects of ApexTech IT Solutions Inc. Employees are expected to adhere to the policy.

Confidentiality and non-disclosure are critical aspects of HR's responsibilities. As an HR, you are entrusted with sensitive and confidential information about employees, the organization, and its operations. It is your duty to uphold the highest standards of confidentiality and protect this information. Here are some key points regarding confidentiality and non-disclosure for HR:

1. Employee Information: HR have access to personal and private information about employees, such as their salaries, performance reviews, disciplinary records, medical information, and other sensitive data. It is essential to handle this information with utmost care and only share it on a need-to-know basis within the organization.

2. Legal Obligations: HR must comply with relevant privacy laws and regulations, such as the General Data Protection Regulation (GDPR) or the Health Insurance Portability and Accountability Act (HIPAA), depending on the jurisdiction and the nature of the information being handled. Understanding and adhering to these laws is crucial to protect employee privacy rights.

3. Non-Disclosure Agreements (NDAs): HR may be required to sign non-disclosure agreements with the organization. These agreements legally bind you to maintain confidentiality and not disclose any confidential information obtained during the course of your employment, both during and after your tenure.

4. Handling Employee Complaints and Grievances: HR often deals with employee complaints and grievances. It is essential to respect the confidentiality of the individuals involved and ensure that the information shared is limited to those directly involved in the resolution process. Communicate confidentiality expectations clearly to employees when they raise concerns.

5. Communication and Training: HR should educate employees and managers about the importance of confidentiality and non-disclosure. This can include conducting training sessions on data protection, privacy practices, and the consequences of breaching confidentiality obligations.

6. Secure Data Management: HR should ensure that employee records, both in physical and electronic formats, are stored securely. Implement appropriate measures, such as password protection, restricted access, and secure file storage, to safeguard confidential information.

7. Exit Processes: When employees leave the organization, HR should conduct exit interviews and ensure that departing employees understand their ongoing obligations to maintain confidentiality, even after leaving the company.

8. Ethical Conduct: Upholding ethical standards is crucial for HR. Avoid discussing confidential information outside of work or with individuals who do not have a legitimate need to know. Be cautious about discussing sensitive matters in public spaces or using unsecured communication channels.

Breaching confidentiality and non-disclosure obligations can have severe consequences, including legal liabilities, reputational damage to the organization, and loss of trust among employees. It is essential to take confidentiality seriously and handle sensitive information responsibly to maintain the integrity of the HR function and protect employee privacy.

3. WORK SCHEDULE AND ATTENDANCE

All ApexTech IT Solutions, Inc. employees are expected to report to work on time for their scheduled shifts. Excessive tardiness and unexcused absences may result in penalties or disciplinary action and may end the employment.

3.1 Work Hours

Official working schedule:

- 40 hours a week
- 5 days a week
- 8 hours a day plus 1 hour lunch break

Employees may have the opportunity to request schedule changes based on religious observances, personal needs or circumstances. Moreover, employees must first secure approval from the management.

3.2 Overtime and Compensation

All rank-and-file employees and non-commissioned personnel are entitled to overtime and it should be approved by the management.

However, all employees must first secure pre-approval of overtime requests to their respective department heads. Once approved, conversation screenshots of approval must be attached in filing overtime requests via "The Abba Employee Kiosk" app or website for proper documentation and payroll crediting.

3.3 Attendance and Punctuality

In ApexTech IT Solutions, Inc., attendance and punctuality are of utmost importance due to the nature of the industry, which often involves handling time-sensitive tasks and providing services to clients based on specified schedules.

3.3.1 Breaktime

Employees are entitled to **two (2) fifteen-minute breaks and a one (1) hour break for lunch**. However, to ensure that services or operations in some departments are available, we may observe a staggered or compressed breaktime schedule depending on the department.

- *Snack Break* – may be taken within the first half of day's work schedule; allowed duration is 15 minutes
- *Lunch Break* – can be taken by batch depending on the office and the different employees' functions; allowed duration is 1 hour
- *Snack Break* - may be taken within the second half of day's work schedule; duration is 15 minutes

The official breaktime schedule is monitored by:

- How often a delay or a problem occurred in the daily operations due to an employee violating the schedule.
- How often the immediate head actually noted a violation.
- Complaint(s) or report(s) from other employees of any observed violation (must be in writing and submitted to the Immediate Head or Human Resource Department).
- Failure to time in or out (lunch break) is also considered a violation of the official breaktime schedule
- Employees should log out before the lunch break and log in after returning to work from the lunch break.

3.3.2 Schedule Adherence for Support Team

- Login on Aircall when your shift starts.
- Go on AVAILABLE status immediately after logging in at the start of your shift. You can work on your assigned tickets while waiting for a call.
- DO NOT go on BACK OFFICE status without permission from the shift leader or a manager. This can be tagged as a call avoidance if there's no valid reason.
- BACK OFFICE status will be assigned or granted by a shift lead or a manager and a teammate should use it at their own discretion.
- BACK OFFICE status can be withdrawn anytime depending on the service level.
- A 15-minute BACKOFFICE status will be granted before your shift ends to ensure you can end on time. This will be used for work-related tasks and not for anything else. This can be withdrawn anytime based on the service level or as needed.
- Use ON BREAK status.
    - Do not go over the time allotted for your ON-BREAK and ON-LUNCH schedules.
    - Lastly, LOGOUT of Aircall when your shift ends.

Aircall Statuses:

- On Break - 30 minutes total (two 15-minute breaks) including pee breaks
- On Lunch - 1 hour total
- Back Office - 15 minutes before the end of the shift
- Do Not Disturb - Should not be used
- Available - On the phones

No. Offenses per Month	1st Sanction	2nd Sanction	3rd Sanction	4th Sanction
1-2 times	Verbal Warning	Written Warning	Final Written Warning	Termination
3-4 times	Written Warning	Final Written Warning	Termination	
5-6 times	Termination			

3.3.3 Sanctionable Behaviors Related to Call Quality

A. Behavior Alert

a. No Documentation

No appropriate documentation was left on an account to assist customer and teammates with potential future related issues.

b. Excessive Hold / Dead-air

The teammate has a single hold time or dead-air that exceeds 5 minutes.

B. Red Flag

a. Wrong Resolution with Severe Impact

The teammate did not provide a resolution, education, or advice that would severely impact a customer.

Severe impact is defined as an action that could potentially lead to a loss of the customer's business, a substantial risk, or unnecessarily expose us to legal liability.

C. Zero Tolerance

a. Abusive Behavior

The teammate should maintain professionalism during the interaction. Abusive behavior is

defined as a teammate using profanity, sarcasm, insults, shouting, and/or inappropriately addressing a customer.

b. Inappropriate Disconnect / Call Avoidance
The teammate did not intentionally disconnect on a caller unless it falls into one of our exceptions.
The teammate did not use hold or mute excessively until the customer hung up.

c. Mishandling of cases resulting in direct revenue loss or loss of a customer's business.
The teammate mishandles a support case by failing to follow established workflows, including failure to notify proper teammates regarding customer requests, or otherwise outright ignoring a customer's requests, which then directly results in the customer receiving one or more credit(s), refund(s), or results in complete cancellation and loss of the customer's business.

Offense Type	No. of Offenses per month	1st Sanction	2nd Sanction	3rd Sanction	4th Sanction
Behavior Alert	1-2 times	Verbal Warning	Written Warning	Final Written Warning	Termination
	3-4 times	Written Warning	Final Written Warning	Termination	
	5 or more	Termination			
Red Flag	1-2 times	Verbal Warning	Written Warning	Final Written Warning	Termination
	3-4 times	Written Warning	Final Written Warning	Termination	
	5 or more	Termination			
Zero Tolerance	1-2 times				

3.3.4 Timekeeping

Everyone is expected to be accurate in recording time worked – the time actually spent on the job performing assigned tasks. Tampering or falsifying entries may result in disciplinary action. The company relies on the time logs in computing employees' pay and benefits and it is everybody's responsibility to ensure that entries are accurate and truthful.

This policy outlines the guidelines and expectations for employees regarding online timekeeping to ensure accurate and consistent tracking of working hours. The company utilizes an online timekeeping system to streamline the recording of hours worked, enhance efficiency, and maintain transparency:

- Employees must log in at the beginning of their workday, log in and out for lunch breaks, and log out at the end of their workday.
- Only those approved by the management to do work-from-home for a specific workday will be given access to the mobile app timekeeper.
- Employees lacking either log in at the start of workday or log out at the end of workday will be considered half day absent, if no time entry request was filed and approved before the end of cut-off.
- Employees lacking either log in at the start of workday or log out at the end of workday will be considered the whole day absent, if no time log request was filed and approved on/before the end of cut-off.
- Employees are strictly prohibited from requesting other employees to log in and/ out on their behalf.

- Accuracy is crucial. Employees are responsible for ensuring that the hours recorded in the system reflect their actual working hours. Any discrepancies should be reported to the HR department promptly.
- Employees must utilize the provided timekeeping kiosk to record their daily work.

3.3.5 Critical Working Days

There are days in the calendar year that are critical for the company to continue operations, especially when we are working towards a deadline. Some of these days are critical due to the requirement of the service. To avoid the possibility of business losses, it is imperative that employees are present during this time. Therefore, this policy is designed to define the days considered as critical working days.

The following days are considered as Critical Working Days:

- The day before, during, and after the special and regular holidays.
- The day before, during and after payday.
- The day before and after a requested vacation leave.
- The day on a previously denied vacation leave.
- The day before and after rest days.

3.3.6 Voluntary Resignation

The Management has always encouraged employees to discuss with their immediate heads or to HR their concerns about their work. This is to allow both parties to understand and find a solution to their concerns and efficiently work together. However, if a solution is not possible and the employee decides to resign from the company, at least the immediate head is aware and can also prepare, find a replacement and plan for a proper turnover.

The management respects the decision of any employee to resign from the company and hope that the employee appreciates the opportunity and learning he has gained from being a part of the organization.

- An employee who would like to resign should serve **at least a 30-day period** before the effectivity of the resignation excluding application of leave credits.
- Resignation letter is prepared in one (1) copy:

  a. The resignation letter will be first given to the Immediate Head who will note the copy for HR if he or she is allowing the employee to resign on the stated effective date. This copy shall be forwarded to HR for notation.

  b. Once HR receives the said copy, the employee will be informed of the procedures relative to his/her resignation.
- Employee's clearance and accountability form will be released by HR at least (3) days before the effectivity of the resignation. Said form shall be **routed accordingly after the effectivity date of resignation** to all personnel concerned and then to be processed for payment. The employee will be advised of his financial and administrative accountabilities, if any, that he needs to clear or liquidate.
- Employee is required to return the following to HR: company ID card & sling, office key card, office supplies, office equipment and other company properties that were issued to him. These shall be accounted for in the clearance and accountability form. Unaccounted items shall be charged to the employee's account through clearance.
- A documented or written turnover report of all files, regular and/or special reports, records, projects, and other work requirements shall be completed and submitted as required by the immediate head. Files stored in the computer assigned to the employee shall be endorsed to the immediate head for checking on the employee's last day.
- In case you decide to leave earlier than the prescribed period, the company reserves the right to assess you for liquidated damages in an amount equivalent to your **daily salary rate**

multiplied by the number of days short of 30 days notice, which shall be collected from you as a condition for the release of your final pay.

- Employee's last pay will be **released within thirty (30) days** from receipt of the completely signed clearance and accountability form.

3.4 LEAVE OF ABSENCE

Notice of Absence

For urgent leaves, information should be relayed to the immediate Supervisor **three (3) hours before the shift starts**. This can be communicated through phone call, text message or a written letter. Superiors must inform the employees that the message is confirmed and whether it is approved or disapproved. If no advice has been made or the leave was disapproved, the Superior has the option to request HR to issue an Absence without Official Leave (AWOL) memo. Likewise, announced leaves are subject to the approval of superiors. Disapproved leaves will be charged as AWOL as well.

Absence Without Official Leave (AWOL)

Prolonged Absence without Official Leaves (P-AWOL) merit graver sanctions:

a. If the employee failed to report to work for 2 consecutive days without any proper notification, the immediate supervisor must inform HRD immediately.
b. HRD will prepare the "Return To Work Order (RTWO)" and will send the memo to the declared present address of the employee.
c. Employees will be given 48 hours or 2 days to report to work upon receipt of the RTWO.
d. If the employee reported to work within the prescribed time frame, he/she will be given a Request for Clarification (RFC). Then the due process on Attendance policy will follow.
e. In the event that the employee refused to report for work after the receipt of RTWO, HRD will prepare the Notice of Termination (NOT) and will send the memo to the employee's declared present address.

AWOL/P-AWOL due to a pending administrative case:

If an employee is on AWOL/P-AWOL status due to a pending/possible administrative case, the following process must apply:

- If the employee failed to report to work for 2 consecutive days without any proper notification, the immediate supervisor must inform HRD immediately.
- A combined RTWO and RFC will be sent to the employee. He/she will be given 3 days to personally submit his/her written explanation.
- An interview will be administered by HR to check the cause of the employee's actions and explain further his side of the story.
- HRD will inform the management of the result and will schedule an administrative hearing.
- Due process based on the employee's infraction will be applied.

Service Incentive Leave (SIL)

- All employees who have rendered at least one (1) year of employment are entitled to five (5) days of paid Service Incentive Leave (SIL) annually.
- Unused SIL at the end of the calendar year shall be converted to cash, based on the employee's latest daily rate.

- Eligible employees are entitled to five (5) days of paid SIL per year, which may be used for vacation, sickness, or other personal reasons. Employees must have their leave requests approved in advance, except in cases of emergency or sickness.
- SIL request due to sickness for two (2) or more successive days may be granted only upon proper notification and presentation of doctor's certificate.
- In special cases like medical operations, employees should file a leave at least one (1) week in advance so that the immediate head can adjust any schedule, commitment or accountability on the days that the employee will not be reporting for work.
- For check-up or laboratory examination, filing of SIL should be made at least two (3) days prior to the said leave.
- SIL are pro-rated in computation for the first year and last year of service.
- SIL is non-cumulative and shall not carry over to the next year.
- Application for SIL used for vacation should be **filed in advance** before the leave schedule so that the immediate head can adjust any schedule, commitment or accountability on the days that the employee will not be reporting for work:
  a. For SIL of 1 day, employee should file at least 1 day/ 24 hours prior.
  b. For SIL of 2 days, employee should file at least 3 days prior.
  c. For SIL of 3 days and above, employee should file at least 1 week prior.
- Lates and undertime cannot be charged to SIL.
- Employees can file a minimum of half-day SIL.

Approved Leave Without Pay (A-LWOP)

- Approved leaves when the employee has no leave credits yet or has used up their leave credits are classified as Approved Leave Without Pay (A-LWOP).
- **Disapproved Leave without Pay is classified as AWOL.**
- Employees are allowed to incur only up to three (3) LWOP in a month. Exceeding this will be considered as an offense and shall likewise be sanctioned according to our Table of Disciplinary Action.
- Filing of LWOP should be filed in advance before the scheduled date of leave:
  a. For 1 day leave, employee should file at least 1 day/ 24 hours prior.
  b. For 2 days leave, employee should file at least 3 days prior.
  c. For 3 days and above leave, employee should file at least 1 week prior.

Maternity Leave

The Company grants maternity leave to its pregnant employees (whether married or unmarried) who have rendered an aggregate service of at least six (6) months for the last twelve months.

The pregnant employee may apply for maternity leave at least two (2) weeks prior to the expected date of delivery (EDD) upon submission of a medical certificate stating that delivery will probably take place within two weeks.

The Company will advance the corresponding maternity leave benefits to pregnant employees based on the applicable law, rules and regulations of the Social Security System. The SSS benefits shall be paid for the first four (4) deliveries or miscarriages.

The following are the requirements to be entitled to the maternity leave benefit:

a. Female employee must be an SSS member employed at the time of delivery or miscarriage.
b. Must have given the required notification to SSS through HR.

The full payment shall be advanced by ApexTech IT Solutions, Inc. and released one (1) week before the start of maternity leave. The employee has the responsibility to submit to HR upon return to work all documents necessary for SSS reimbursement.

Moreover, given the fact that the company will give the full advance payment of the maternity benefit, in the event that employee will not come back to work or fail to submit the necessary documents for SSS reimbursement, ApexTech will get a percentage of the

employees' monthly salary before the maternity leave as a collateral. This will be deducted immediately for every payroll right after the employee gave proof of her pregnancy.

For Example:

- Employee informed she is 3 months pregnant.
  Thus, 6 months remaining until Expected Date of Delivery.
- SSS Maternity Leave benefit amount - Php30,000.00 *(this will vary)*
  30,000/ 6 months = 5,000/month
  5,000 / 2 payrolls = ***2,500 deduction per payroll***

Once the employee has returned to work and submitted the documents and the company has received the full amount for reimbursement from SSS, the company will then release and credit back to the employee her total collateral amount for maternity credited through payroll.

The maternity leave benefit is granted by the SSS in lieu of the wages. As such, this is not included in computing the employee's thirteenth (13th) month pay for the calendar year.

Paternity Leave

This benefit is granted to all married male employees regardless of their employment status to allow the husband to lend support to his legitimate wife during her period of recovery and/or in nursing her newborn child.

Paternity leave benefits shall apply to the **first four (4) deliveries of the employee's lawful wife** with whom he is cohabitating. It shall be for seven (7) days with full pay but shall not be convertible to cash and not cumulative if not availed.

The following are the requirements to be entitled to the paternity leave benefit:

- His legitimate wife has given birth or suffered a miscarriage
- He is cohabitating with his legitimate wife at the time she gives birth or suffers a miscarriage
- Must have applied for paternity leave at least one (1) week before the expected date of delivery of his pregnant legitimate wife.

Paternity leave benefits shall be granted to the qualified employee during or after the delivery or miscarriage by his legitimate wife and may be availed on a staggered basis within one (1) month from the date of delivery or miscarriage.

Solo Parents Leave

The Company provides parental leave of **seven (7) days per year** to a solo parent in accordance with Republic Act 8972, also known as Solo Parent's Welfare Act of 2000, to enable the employee to perform parental duties and responsibilities where physical presence is required.

Any employee who falls under the definition of a solo parent under R.A. 8972 may avail of the benefits provided that the employee informs the Management through the HR Section of his/her status as such upon employment or within ten (10) days from attaining the status of a single parent.

The following are considered Solo Parents:

- a woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender, provided the mother keeps and raises the child
- parent left solo or alone with the responsibility of parenthood due to death of spouse
- parent left solo or alone with the responsibility of parenthood while the spouse is detained or is - serving sentence for a criminal conviction for at least one (1) year

- parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner
- parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children
- parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children
- parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year
- unmarried father/mother who has preferred to keep and rear his/her child/children instead of having others care for them or give them up to a welfare institution
- any other person who solely provides parental care and support to a child or children
- any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent

The following are the requirements to be entitled to the solo parental leave benefit:

- has rendered at least one (1) year of service whether continuous or broken
- has applied for parental leave at least three (3) days before availment
- presentation of Solo Parent Identification Card duly signed by the DSWD, city/municipal social welfare officer and the city/municipal mayor

Any solo parent employee shall enjoy all the other rights and privileges granted to other employees of the same rank. A solo parent employee shall not be discriminated against with respect to terms and conditions of employment on account of his/her status.

Solo Parental leave benefit shall not be convertible to cash and not cumulative if not availed. Moreover, a change in the status or circumstance of the parent claiming the benefit, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate eligibility for this benefit.

Leave for Victims of Violence against Women and their Children (VAWC)

The Company extends support to all female employees who are victims of violence as defined in Republic Act 9262, otherwise known as Anti-Violence against Women and their Children Act of 2004.

Violence against women and their children refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.

Women-Employees who are victims shall be entitled to take a **paid leave of absence up to ten (10) days** in addition to other paid leaves. Said benefit shall cover the days that the woman-employee has to attend to medical and legal concerns and can be extended when the need arises, as specified in a protection order issued by the Barangay or the Court.

In the event that the leave benefit is not availed of, it shall not be convertible to cash and shall not be cumulative.

Special Leave privilege for Women Employees (Magna Carta for Women)

Section 18 of Republic Act 9710, otherwise known as the Magna Carta for Women (MCW) grants special leave privilege for women employees. It is implemented by DOLE Department Order No. 112-A.

The Company provides its female employees leave entitlement of two (2) months with full pay based on gross monthly compensation following surgery caused by gynecological

disorders. It shall be granted after the employee has undergone surgery and may be used for the period covering the surgery until recuperation. Absence incurred from the pre-surgery period, as well as those in excess of the two months allowed under the special leave benefit, may be charged against the employee's earned leave credits.

The following are the requirements to be entitled to the special leave benefit:

- has rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months
- has filed an application for special leave at least one (1) week prior the expected date of surgery
- in cases requiring emergency surgical procedure, prior application is not necessary. However, the employee must notify the company through any means of communication at the soonest possible time and must immediately file her application for special leave after the surgery or recuperating period
- has undergone surgery due to gynecological disorders as certified by competent physician

Gynecological disorders refer to disorders that would require surgical procedures such as dilatation and curettage and those involving female reproductive organs such as vagina, cervix, uterus, fallopian tubes, ovaries, breast, adnexa and pelvic floor. Gynecological surgeries shall also include hysterectomy, ovariectomy, and mastectomy.

The special leave benefit is not convertible to cash and is not cumulative.

HOLIDAYS

There are two classifications of holidays that are declared by the Philippine government, Legal (Regular) and the Special holidays.

1. All employees, whether they receive daily or monthly compensation, shall be granted full pay on all legal holidays even if they are not required to report for work. In cases, where the employee is required to report for work, he/she shall be compensated an additional 100% of his/her daily rate. If the holiday falls on the scheduled rest day of the employee, work performed on said day merits at least an additional 30% of the employee's regular holiday rate of 200% or a total of 260%.

2. On Special holidays, employees are on a no work-no-pay basis. In the event that the employee, whether daily or monthly, is required to report for work, he/she shall be compensated an additional 30% of his/her daily rate.

3. There are special cases wherein we move localized Special holidays to a different date (commonly December). This is being done to maximize productivity across all areas that we have offices. The HRD shall announce such cases as they arise.

Employee Movement Transfer / Reassignment / Job Rotation/ Secondment/ Promotion

The Company reserves the right to exercise management prerogative to transfer, reassign or job rotate an employee, taking into account his position, work experience and other skills and the demands of the operations.

- Transfer – is a movement from one position to another within the same organization which is of equivalent rank, level or salary without break in service/employment
- Reassignment – is the movement of an employee from one unit to another unit within the same organization which does not involve a reduction in rank, status or salary
- Job Rotation – is the movement of an employee in the various areas of business operations, usually does not involve a reduction in rank, status or salary.

Management has the prerogative to move an employee around in the various areas of its business operations in order to ascertain where he/she will function with maximum benefit to the Company and where he/she will be most useful.

- Promotion - the advancement of an employee from one position to another with an increase in duties and responsibilities with the corresponding increase in salary.

  The main purpose of promotion is to utilize the employee's skills and knowledge at the appropriate level in the organizational hierarchy resulting in organizational effectiveness and employee satisfaction.

- Secondment - an employee is temporarily assigned to work in a different office or department of a different company for a defined period of time for a specific purpose which may involve increase in compensation.

  During the period of secondment, the employee still remains to be an employee of Company of origin though the day-to-day supervision will be carried out by the Company where he/she is assigned.

ATTENDANCE POLICY

The absenteeism point system is a vital component of our organization's attendance policy. We believe that attendance is crucial in maintaining a productive and efficient work environment. As such, we have implemented a point system to help enforce attendance rules and to provide employees with fair and consistent guidelines to follow.

The absenteeism point system is divided into four categories: undertime, half-day absence, unexpected absence, and no-call no-show. For each of these categories, a specific number of points will be assigned based on the severity of the absence.

Any employee who leaves work early and does **undertime, tardiness and overbreak will be given 0.25 points each**. This is intended to encourage employees to complete the day's 8-hour shift and to minimize disruptions in the daily schedule. Similarly, any employee who takes a **half-day absence will be given 0.50 points**.

For **unexpected absences, one (1) point will be assigned**. Unexpected absences are those that are unplanned and not covered by any other policies, such as sick leave or vacation leave. While we recognize that such absences may be necessary occasionally, we also want to ensure that employees are not abusing this policy.

Finally, the most severe category are **absence on critical working day absence, and no-call no-show absence. These will be given two (2) points each**. We consider this the most serious of all the categories since it disrupts the workflow and can cause problems for other employees.

The maximum limit for the attendance point system is ten (10) points. Once an employee reaches this limit, it is grounds for termination of employment. Nonetheless, the point/s will only be cleared out after 6-months from the exact date it was committed. This policy ensures that employees are held responsible for maintaining good attendance records.

We believe that the absenteeism point system is an essential tool in our attendance policy. We hope that employees understand the importance of attendance in our organization and that they will strive to maintain an excellent attendance record. For any questions or concerns about the attendance policy, please do not hesitate to reach out to your HR.

4. COMPENSATION AND BENEFITS

4.1 Timekeeping

The payroll system considers multiple sets of Time in and Time out on Biometric Timekeeper. If there are multiple Time In before a Time Out, the system considers the first Time in only and ignores those in between. If there is multiple Time out after a Time in, the system considers the last Time out only.

All timekeeping requests must be filed via the Abba Employee Kiosk according to the specified cut-off dates. The cut-off for our pay cycle is on the 15th and the 29th/30th/31st of each month.

Employees should utilize their Abba Employee Kiosk accounts to file requests as soon as possible. The Kiosk also provides access to daily logs for reference. In case of missed or incorrect logs, employees can file the necessary requests through the Kiosk.

Failure to file all necessary requests (such as OT, Time Logs, etc.) via the Abba Employee Kiosk on or before the cut-off date will result in these entries not being credited until the next pay period.

4.2 Pay Schedule

Payday schedule is every 2nd and 16th of every month. However, if payday falls on a weekend, it will be moved to the next working day. In cases where the lead time necessary for computation of our payroll is truncated due to holidays or unforeseen circumstances, the HR Department shall inform all employees by posting the adjusted cut-off schedules. Failure to submit all the necessary requirements before the cut-off date will put your salary and other incentives on hold until the next pay period.

4.3 Statutory Deductions

The following deductions will be made on the salary of the probationary and regularized employees:

- Social Security System premium (SSS)
- Philhealth
- Pag-IBIG
- Withholding Tax
- Miscellaneous deductions as agreed upon with the employee

4.4 Employee Benefits

Social Security System (SSS)

An agency established to provide meaningful protection to members and their families against contingencies resulting in temporary loss of income or financial burden and contribute to the socio-economic development of the country through a viable social insurance program. HR shall fill out R1A for new hired employees every month and shall be submitted to the SSS office.

a. Salary Loan – a cash loan granted to an employed, currently paying self-employed or voluntary member. It is intended to meet the member's short-term credit needs.
b. Sickness Benefit – is a daily cash allowance paid for the number of days a member is unable to work due to sickness or injury.
c. Maternity Benefit – is a daily cash allowance granted to a female member who was unable to work due to childbirth or miscarriage.

Philhealth (PHIC)

The enactment of RA 7875, known as the National Health Insurance Act of 1995, established the Philippines Health Insurance Corporation (Philhealth), replacing the old Medicare, to administer and manage a sustainable program that will not only ensure better benefits at an affordable cost but also extend quality and relevant health care services to a broader membership base that will lead to universal change.

a. Sickness Benefit
- Inpatient Hospital Care
- Outpatient Care

Home Development Mutual Fund (Pag-ibig)

a. Pag-IBIG Multi Purpose Loan
b. Pag-IBIG Calamity Loan Program
c. Consolidated Pag-IBIG Housing Loan Program

13th Month Pay

All regular and non-regular employees shall be given prorated 13th month pay. A prorated amount is given for employees who have not completed the year. This does not include On the Job Trainees (OJT).

13th month pay is computed from December 1 of the previous year until November of the current year and is released before 24th of December. It is computed by adding all the basic pay for that time period divided by 12.

The basic pay includes all remunerations/earnings paid by his employer for services rendered. It does not include cost-of-living allowances and other benefits which are not considered or integrated as part of the regular or basic salary such as cash equivalent of unused leave credits, overtime, premium, night shift differential and holiday pay. Likewise, absences and tardiness are deducted from the basic pay.

Health Maintenance Organization Membership (HMO)

ApexTech IT Solutions Inc.'s partner company for the HMO is Maxicare. This benefit is available upon regularization. Please see HMO Manual for benefits. Ask it from the HR personnel.

Annual Physical Exam (APE)

1. Annual Physical Examination for all regular employees is done in Q4 of the calendar year.
2. All regular employees are mandated to accomplish the APE.
3. All regular employees who are regularized by Q4 of the same year are obliged to take their APE on the given schedule of the same year. And all employees who are regularized by September same year until July of the following year will take their APE August of the following year. In case an employee fails to comply with the scheduled APE, HR will set a deadline in completing/ accomplishing this requirement. However, if an employee still did not process his APE on a given deadline, the company will issue a suspension to him/her and is only allowed to go back to work when APE is already completed.

Perfect Attendance

Attendance and punctuality are critical parts in the smooth operation of our company. As such, we have a reward scheme for those who have given their time and effort to report for work on time daily. The company will issue a memorandum related to the Perfect Attendance incentive schemes, which may be subject to change as the management deems needed.

5. CODE OF CONDUCT AND DISCIPLINE

PRELIMINARIES

The Code of Discipline is a compendium which houses our Company's policies, rules and regulations, and code of conduct. Primarily, this Code of Discipline highlights the knowledge and information to all our employees, the conduct and governance at the workplace, behavior expected of them, including the administration of employee discipline at ApexTech IT Solutions Inc. The ApexTech IT Solutions Inc. firmly believes that its employees are the pillar assets, as such, that it is apt to provide the meaningful obligation to safeguard their interest and welfare.

The rules and regulations are laid down by the ApexTech IT Solutions Inc. in consideration of the pertinent/ applicable provisions of the Labor Code of the Philippines, as amended and the Code of Discipline.

The primordial aim of this is to guide all employees in the performance and dispensation of their duties and responsibilities in the Company. The ApexTech IT Solutions Inc. likewise believes that getting abreast and being understandingly informed the systems and procedures of the Company will enable its employees to faithfully and confidently comply and promote a work environment that maintains a high level of self-discipline.

LIMITS AND SCOPE

This Code of Discipline shall apply to all employees of ApexTech IT Solutions Inc. and its affiliated companies and organizations that the company engages with. Every employee is expected to read and fully understand the contents of this Code of Discipline and practice them in their work life.

5.1 Professionalism

Professionalism in the workplace refers to the way in which an employee carries themselves, the attitude they convey, and the way they communicate with their co-workers and clients. In other words, it is the conduct, attitude, and behavior of a worker. From your first day on the job to the day you retire, and sometimes even afterward, you need to be aware of the quality of your workplace professionalism. Here are some do's and don'ts that will help you showcase the right behavior at your place of employment.

How to Demonstrate Professional Behavior in the Workplace:

1. Be on Time.

Arrive on time to work and make it to meetings when they are scheduled. This shows that your job is important to you. If you struggle with punctuality and want to be sure you can be on time, try to show up a little early. This works in time for unforeseen delays.

2. Keep a Good Attitude.

A good, positive attitude is important in the workplace. If you're having a bad day, leave it at the door. Your feelings are valid, but they are not the responsibility of your boss or your co-workers. Worse, you should never take your bad day out on your clients. Positivity is contagious, so stay positive at work to keep those around you positive, too.

3. Dress the Part.

If your workplace has a dress code, follow it. Make your appearance neat and clean, going above and beyond the minimum expected of you. If you do not have a dress code, look at what others are wearing, and present yourself as a neat and tidy example of that kind of attire.

4. Be Trustworthy.

If you are given a task to do, get it done. Hold yourself accountable and be receptive to feedback and constructive criticism. If you take an action, be responsible for the action

and its potential consequences. Be the kind of worker your team can rely on to do the job and do it well.

5. Seek to Improve.

You will always have room to grow in your business. Make sure you are taking opportunities to grow. You will grow through experience and through self-development. If the opportunity arises to get more education in your field, take advantage of it. Keep your skills up-to-date and your knowledge valid as you grow in your work.

6. Show Strong Ethics.

Finally, always have a high level of ethics in your work. Stay within the accepted moral code and follow the code of conduct for your organization. Never perform any questionable acts within the business. Be the kind of person people can trust to do the right thing, no questions asked.

5. 2 Conflict of Interest

Conflict of Interest is a situation in which an entity or individual becomes unreliable because of a clash between personal (self-serving interest) and professional duties or responsibilities.

Such a conflict occurs when a company or person has a vested interest—such as money, status, knowledge, relationships, or reputation—which puts into question whether their actions, judgment, or decision-making can be unbiased.

Some examples of a conflict of interest could be:

- Starting a business that competes with your full-time employer
- Advising a client to invest in a company owned by your spouse
- Hiring an unqualified relative or friend

When such a situation arises, the party with the conflict of interest is usually asked to remove themselves, and it is often legally required of them.

5.3 Use of Company Resources

Company property may not be sold, loaned, given away, or disposed of, without proper authorization. All company assets must be used for proper purposes during employment with ApexTech IT Solutions, Inc. Improper use includes unauthorized personal use of the Company's assets, including computer equipment and software, data, tools and equipment. Upon leaving employment with the Company, all Company property must be returned. The company provides information systems, including, among other things, telephone, voicemail, email, computers databases, internal networks, on-line services and Internet access, for employees' use at the Company. ApexTech IT Solutions Inc. reserves the right to monitor, search, access and review all information in its systems, including information that employees may consider personal.

Upon hire, each new employee will be provided with the necessary tools, equipment, account, database that employees will be able to use. If an employee has any doubts about a particular use or issue pertaining to electronic communications, he/she should check with Company management before proceeding.

The Company reserves the right to modify and/or interpret this policy at any time. Employees who abuse the privilege of access to the company's information and communication systems are subject to disciplinary action which could include removal from access to specific system(s) or, should the violation warrant, immediate termination of employment.

Data Privacy Law and Proper Channel of Communication:

1. Always use or course through all communications via the available tool, communication platform of ApexTech IT Solutions Inc.
2. Please observe proper email etiquette when sending an email or any form of communication to the client/s.
3. For internal-related-concerns, such as but not limited to salary and rates, internal disciplinary actions, internal processes, policies and guidelines, coachings, internal announcements, confidential company information, among others, shall be strictly cascaded to the direct superior only for internal discussion. Under no circumstances these internal company-related concerns and issues be communicated directly to the client/s or to a third party not included in the said communication or document or worse, an outside person not an employee or former employee of ApexTech IT Solutions Inc. Whenever such communication is necessary for client's KPI and scorecard satisfaction or closing a sale, a prior authorization from the direct superior must be sought first.
4. Company's events and activities, such as but not limited to internal meetings, town-halls, orientations, huddles, events, celebrations, and any other and all internal events and activities conducted inside the premises and office of ApexTech IT Solutions Inc., except those celebratory events and activities conducted outside the premises and office of ApexTech IT Solutions Inc. and/or those that are sanctioned or approved to be disseminated, posted on social media, among others by ApexTech IT Solutions Inc.
5. You are highly encouraged to limit your communications to product-related exchange of communications and/or personal building of rapport with the client/s and or related to the sales process, as much as possible. When confidential internal information is asked by the client/s, kindly direct the client to the direct superior for answers in a respectful tone, or otherwise stay vague in your answers.
6. When in doubt whether the said communication is confidential or internal which are prohibited and discouraged to be communicated to clients under the rules, please consult your direct superior, operations manager or the Admin/HR.
7. Refrain from airing dirty laundry. Be a proper ambassador for ApexTech IT Solutions Inc. Compose your email, call scripts and messages in accordance to the "good father of the family" rule.
8. You are strictly enjoined to adhere to the strict confidentiality and non-disclosure policy of ApexTech IT Solutions Inc. and comply with the Data Privacy Law of the Philippines. Processing, using or sharing, among others, the client's data and/or leads information outside the premises of the office without the consent of the company is strictly against the law of the Philippines and shall be strictly dealt with accordingly. Unless, you have consent from the management to do so, it should be under no circumstances that you communicate with the clients and its assigns outside of the premise of the office and or using your own mail addresses, personal phone numbers and other personal social media and/or personal communication platforms. Information you gathered from the clients, while you are actively employed by ApexTech IT Solutions Inc. becomes proprietary data of ApexTech IT Solutions Inc. by virtue of the employee-employer relationship.
9. Stealing of leads and or sharing the leads of client's information to a 3rd party shall be dealt with under the Data Privacy Law which has corresponding criminal implications. All leads and client's information brought by the employee to the company becomes an *ipso facto* proprietary information of the company. Processing, using, and/or sharing it has a corresponding criminal and civil liability.
10. Employees are expected to maintain professionalism in all communications related to the company, including public platforms such as social media. Both current and former employees, whether resigned or terminated, must refrain from posting, sharing, or engaging in any negative comments, disparaging remarks, or unprofessional feedback about the company, its clients, or any affiliated partners.
11. This includes, but is not limited to, personal social media accounts, blogs, forums, and other public or semi-public online platforms.A proper Coaching Log, Notice-to-Explain (NTE), Notice-of-Decision (NOD), as the case may be, shall be applicable as prescribed by the Company Policies & Code of Conduct.

5.4 Social Media and Online Conduct

All employees MUST never publish material that is obscene, racist, sexist, pornographic, sexually exploitative, or in any other way discriminatory, threatening or harassing, personally offensive, defamatory, or illegal.

Social media misconduct varies in severity and can come in many different forms, for example using social media to undermine the employer, divulge confidential employer information, or harass co-workers.

SOCIAL NETWORKING DO'S AND DON'TS

- Exercise good judgment and common sense.
- Pause before posting.
- Not allow social networking to interrupt productivity.
- Be mindful of their privacy settings.
- Refrain from anonymity.
- Be polite and responsible.
- Be accountable and correct mistakes.
- Use disclaimers or speak in the first person to make it clear the opinions expressed are not those of their employer.
- Bring work-related complaints directly to HR, not through postings on social media sites or the Internet.
- Remember the audience and that what is being said might create a perception about the employer.

5.5 Ethical Guidelines and Standards of Conduct

Ethics at work are the ideas and norms that govern the conduct of employees, employers and organizations. It is important that you are aware of them so that you can respect them when you are in a workplace or working with an organization. As employees of the Company, everyone is expected to comply with all government laws and observe good morals and right conduct at all times bearing in mind that any action on the employee's part is reflective of the Company and fellow employees. Employees should refrain from actions which corrupt public morals or damage the good reputation of the Company.

All employees are strongly encouraged to make a distinction between official business and personal interest. For instance, Company materials, equipment, tools, etc. are not to be utilized for personal use.

Employees are also expected to manage their personal finances in a responsible manner. Borrowing as well as gambling is not allowed. In the event that the employee allowed co-employee/s to lend money, the company is not liable or whatsoever. Employees are expected to follow this policy.

In respect for individual beliefs, employees are discouraged to engage in political or religious activities within the company premises.

Leaflets and other printed materials should not be distributed or posted inside company premises without prior approval from the administration department.

Drug-Free Workplace Policy

The Company maintains a workplace free from the presence and effects of illegal drugs pursuant to RA 9165 or the Comprehensive Dangerous Drugs Act of 2002, and its Implementing Rules and Regulations, DOLE Department Order No. 53-03, series of 2003 (Guidelines for the Implementation of a Drug-Free Workplace Policies and Programs for the Private Sector). A policy on drug-free workplaces is established for this purpose.

The Company explicitly prohibits:

- the use, possession, solicitation for, or sale of dangerous drugs inside company premises or while performing an assignment
- being impaired or under the influence of dangerous drugs away from the company, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the company's reputation

- possession, use, solicitation for, or sale of dangerous drugs away from the company premises, if such activity or involvement adversely
- affects the employee's work performance, the safety of the employee or of others, or puts at risk the company's reputation
- the presence of any detectable amount of dangerous drugs in the employee's system while at work, while inside the premises of the company, or while on company business trip

(Dangerous drugs include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the annex of R.A. 9165.)

Mandatory drug test may be required by the Company for pre-employment to ensure that only those qualified shall be recruited and hired to prevent the detrimental effects (e.g. lower productivity, poor decision making, increased accidents, more compensation claims, and reduced team effort) which drug use and abuse may cause in the workplace.

The Company, at its own expense, shall conduct random drug testing under any of the following circumstances:

- Random Testing: Employees shall be randomly called for drug testing at any interval determined by the Company.
- For-Cause Testing: The Company may ask an employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs, including, but not limited to, the following circumstances: evidence of drugs on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
- Post-Accident Testing: Any employee involved in a “near-miss” incident or “work accident” under circumstances that suggest possible use or influence of drugs may be asked to submit to a drug test. As defined herein, “near-miss” means an incident arising from or in the course of work which could have led to injuries or fatalities of the workers or considerable damage to the employer had it not been curtailed. “Work accident” refers to unplanned or unexpected occurrence that may or may not result in personal injury, property damage, work stoppage or interference or any combination thereof of which arises out of and in the course of employment.

All drug tests shall employ, among others, two (2) testing methods: the screening test which will determine the positive result as well as the type of the drug used and the confirmatory test which will confirm a positive screening test. Where the confirmatory test turns positive, the Company’s assessment team shall evaluate the results and determine the level of care and administrative interventions that can be extended to the concerned employee.

The Company shall inform the employee who was subjected to a drug test of the test results whether positive or negative.

The Company adopts the following programs on treatment, rehabilitation and referral of employees found positive of drug use:

- An employee who, for the first time, is found positive of drug use, shall be referred for treatment and/or rehabilitation in a DOH accredited center. For this purpose, the company shall provide a list of at least three (3) accredited facilities which an employee who was tested positive for drugs may choose from.
- Following rehabilitation, the Company’s assessment team, in consultation with the head of the rehabilitation center, shall evaluate the status of the drug dependent employee

and recommend to the employer the resumption of the employee's job if he poses no serious danger to his co-employees and/or the workplace.

- All costs for the treatment and rehabilitation of the drug dependent employee shall be charged to his account. The period during which the employee is under treatment or rehabilitation shall be considered as authorized leaves.

- Repeated drug use even after ample opportunity for treatment and rehabilitation shall be dealt with the corresponding penalties under R.A. 9165 and is a ground for dismissal.
- The Company undertakes to increase the awareness and education of its employees on the adverse effects of dangerous drugs through continuous advocacy, education and training programs/activities.

The Company shall maintain the confidentiality of all information relating to drug tests or to the identification of drug users in the workplace. Exceptions may be made only where required by law in case of overriding public health and safety concerns or where such exceptions have been authorized in writing by the person concerned and when responding to a subpoena *duces tecum* and *subpoena ad testificandum* issued by a Court with jurisdiction over a legal proceeding.

Anti-Sexual Harassment Policy

The Company values and upholds the dignity of all its employees, recognizes and guarantees the full respect of their human rights as well as the dignity of all applicants for employment, or those undergoing on-the-job training. Towards this end, all forms of sexual harassment in our workplace are hereby declared unlawful. This policy guidelines is set to contain the definition of and procedures for the prompt and effective handling of cases on sexual harassment within the legal framework of Republic Act No. 7877, otherwise known as the The Anti-Sexual Harassment Law of 1995.

Sexual harassment refers to behavior that is not welcome, that is personally offensive, weakens morale and, therefore, interferes with work effectiveness. Such behavior may be in the form of unwanted physical, verbal or visual sexual advances, requests for sexual favors, and other sexually oriented conduct which is offensive or objectionable to the recipient, including, but not limited to derogatory or suggestive comments, gestures and offensive posters, cartoons, pictures, or drawings.

The Company will not tolerate any behavior that may constitute sexual harassment and any employee found to have committed sexual harassment shall be subjected to disciplinary sanction, including dismissal, after compliance with due process.

The Company has adopted the definition of sexual harassment set forth in Section 3 of R.A. 7877, to wit: Sexual Harassment in workplace is committed by an employer, employee, manager, supervisor, agent of the employer, or any other person who, having authority, influence or moral ascendancy over another in a work environment, demands, requires or otherwise requires any sexual favor from another, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

Definition of Terms

Complaint – is a sworn statement filed by the victim-employee against the alleged sexual harasser with an offense constituting act(s) of sexual harassment committed in the workplace as defined in the first paragraph of page 29 hereof.

Induce – to persuade, influence, instigate

Intimidate – to discourage from acting by threat or frighten or terrify or scare by violence or to compel an employee to do or abstain from doing any act which he/she has a legal right to do or abstain from doing.

In a work-related or employment environment, sexual harassment is committed when:

- the sexual favor is made as a condition in the hiring or in the employment, re-employment, or continued employment of said individual, or in granting said individual favorable compensation, terms of conditions, promotions, or privileges, or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee.
- the above acts would impair the employees' rights or privileges under existing labor law
- the above acts would result in an intimidating, hostile, or offensive environment for the employee

Sexual harassment may be committed in any work or training environment. It may include, but are not limited to the following:

- in or outside the office building or training site
- at office or training-related social functions
- in the course of work assignments outside the office/Company premises
- at work-related conferences, studies or training sessions
- during work-related travel

Sexual harassment may be committed in any of the following forms:

- overt sexual advances
- unwelcome or improper gestures of affection
- request or demand for sexual favors including but not limited to going out on dates, outings, or the like for the same purpose
- any other act or conduct of a sexual nature or for purposes of sexual gratification which is generally annoying, disgusting or offensive to the victim
    - Sexual/sexist jokes, comments or innuendos
    - Requests for dates after being turn down
    - Subtle or overt pressure for sexual activity
    - Uncalled for physical contact
    - Invasive questions about one's private life
    - Assault (physical or sexual)
    - Indecent exposure
    - Malicious (grabbing, kissing and fondling)
    - Unwanted touching of private parts of the body, like, genitalia, buttocks and breasts
    - Obscene phone calls and nuisance letter
    - Verbal abuse or threats with sexual overtones
    - Unwelcome phone calls with sexual overtones causing embarrassment, discomfort, offense, or insult to victim-receiver

The Company is responsible for preventing sexual harassment in the workplace, for taking immediate corrective action to stop sexual harassment in the workplace, and for promptly investigating any allegation and/or complaint of work-related sexual harassment.

A Committee on Decorum and Investigation (CODI) shall be constituted, with the following membership/representation:

Chairperson	: The General Manager of his duly authorized representative
Members	: One (1) representative from the Rank-and-File
	One (1) representative from the Supervisors group
	One (1) representative from the Managers group

Functions of CODI

1. Receive any and all sworn written complaint on sexual harassment.
2. Conduct administrative investigation on all sexual harassment complaints in accordance with the prescribed rules/procedure.
3. Submit a written report of its findings and recommendation to the Office of the Director/General Manager, for appropriate action/approval.
4. Lead in the conduct of info dissemination/discussion about sexual harassment, within the Company, to increase understanding, promote awareness towards prevention of incidents of sexual harassment in the workplace.

PROCEDURE

1. The employee-victim shall submit his/her signed sworn statement/complaint within five (5) days from the date the incident happened to the CODI.
2. Upon receipt of the same signed sworn statement/complaint, the duly constituted CODI shall summon/notify the alleged sexual harasser, requiring the latter to submit a written answer/counter-affidavit to the attached sworn statement/complaint, within five (5) days from receipt of the summon/notice.
3. Thereafter, the CODI shall notify in writing both parties (employee-victim and the alleged sexual harasser, the dates, venue of the administrative hearing/investigation. Included in the same notification, both parties shall be informed that they are entitled to have a counsel of their choice to be present during the hearing/ investigation to protect their rights and interests.
4. The CODI shall have fifteen (15) days from the termination of the admin hearing/investigation, to submit its written report/findings and recommendations to the Office of the General Manager, for appropriate action/ approval.
5. Ten (10) days from receipt of the written report/findings and recommendations, the Office of the General Manager shall render a decision.
6. Five (5) days from receipt of the decision of the Office of the General Manager, the respondent employee shall have the option to file a Motion For Reconsideration (MR) with the Office of the General Manager.
7. In the event that the MR filed by the employee-respondent is denied, then five (5) days from receipt of such denial of the MR, the same decision of the Office of the General Manager shall become final and executory.
8. Thereafter, the Office of the HR shall be responsible for the implementation/enforcement of the subject decision.
9. A written withdrawal of the complaint made after its filing or at any stage of the proceedings, for any reason whatsoever, shall not preclude/prevent the CODI from continuing with the admin investigation of the case should there be valid and strong reason for the continuance of the same.

Any employee, who experience or witness any act of sexual harassment in the workplace, shall report the same immediately to the CODI. They may also report acts of sexual harassment to any other member of top management. To the extent possible, the identity of the alleged sexual harasser and employee-victim shall remain confidential. When the investigation is completed, all parties will be informed of the outcome of the investigation.

The Company will permit no employment-based retaliation against anyone who files a complaint of sexual harassment or who acts as witness in the investigation of a complaint of sexual harassment.

Principles of Work Ethics

Honesty:

Being honest means telling the truth, being open and taking responsibility for your words and actions at work. When working on a joint project, you also make sure individuals get recognized for their good work. If you wrong someone or make a mistake, acknowledge it and try to make things right.

Integrity:

A person with integrity does the right thing at all times even when they are not being supervised or observed. They do what's right for the good of the company and the benefit of the team.

Trustworthiness:

Being trustworthy in a working environment means that your manager, colleagues and clients can depend on you and your word. Trustworthiness is being discreet with the company's information, performing duties without supervision and being punctual for meetings.

Loyalty:

As an employee, you have a responsibility to promote the right image about your company, your colleagues and your customers both within the organization and to external clients. While remaining loyal to your current organization, conflict of interest is best avoided by respecting the proprietary information of your former employer.

Respect:

Your conduct should demonstrate respect for yourself and your colleagues, including their privacy, rights, interest and opinions regardless of their race, gender or origin.

Commitment:

Being committed means you are ready to learn, grow and perform your duties so as to drive the company forward and attain set goals. Commitment also implies that you have decided to work for the company for the entire period of the contract.

Fairness:

Those in positions of authority are to be fair and just when dealing with employees and suppliers, without showing any favoritism. It also means deserving employees get rewarded and no one pays for the mistakes of another person.

Accountability:

Every company adopts this principle to enable its employees and clients to take responsibility for their decisions and actions.

Reputation:

You have a duty to protect the positive image or impression of the company, what you say and do is a reflection on behalf of the company.

5. WORKPLACE POLICIES

6.1 Employee Discipline in the Workplace

I. Discipline Explained

A. Discipline is essential to the attainment of the company's objectives. The company therefore expects all its employees to observe discipline in the daily performance of their jobs and interaction with other employees.

B. Penalties – Disciplinary measures that may be taken against erring employees are:

1. Verbal Reprimand
2. Written Reprimand
3. Suspension and,
4. Dismissal

C. In general, penalties will be imposed progressively; thus, written warning should precede suspension, and suspension should precede dismissal. This rule, however, depends greatly upon the nature of the offense. Offenses such as dishonesty, willful destruction of company property, or acts of violence against a fellow employee may merit immediate dismissal.

D. Aside from the nature of the infraction, other factors are considered in determining the penalty to be imposed, such as:

1. The employee's performance record and length of service.
2. Whether the infraction was committed alone or in conspiracy with others.
3. The frequency of violation, and
4. The amount of money or value of property involved.

E. In general, if the employee repeats similar infractions, the resulting disciplinary action will be more severe.
F. An employee whose infraction manifests dishonesty, incompetence, or neglect of duty may be dismissed
G. If an employee's actions wholly or partly cause losses or damage to the company or property, the employee may be required to pay the entire cost of the loss or damage. Likewise, should the violation result in a significant loss of information, property or money to the company, the penalty for the offense, even when done the first time, is dismissal and the management has the right to take legal action against the member involved.
H. The company may place an employee under preventive suspension if his/her continued employment poses a serious and imminent threat to company property or to the life or property of its employees. The period of preventive suspension shall not last longer than 30 days during which time the suspended employee should not be paid his wage and other benefits. The suspended employee shall thereafter be reinstated in his/her former or in substantially equivalent position or the company may extend the period of suspension provided that during the period of extension, the employee is paid his/her wages and other benefits. The employee shall not be bound to reimburse the amount paid to him during the extension if the company decided to dismiss the employee for cause.
I. An employee who commits an offense that is punishable with dismissal shall furnish a written notice stating the grounds for his/her dismissal. The employee shall be afforded ample opportunity to be heard and to defend himself/herself, with the assistance of a Counsel.
J. Decisions resulting in suspension, demotion, dismissal, or requiring the employee to pay for damage to company property should be handled by the immediate supervisor/manager, HR, Management officer of the concerned.
K. The employee can appeal the decision of the immediate supervisor/manager, HR and management officer to the President, whose decision is final.
L. Any deviation from the procedure outlined above needs authorization from the Management.
M. Company premises pertain to all landholdings and all other properties owned or DISHONESTY Obtaining thru fraudulent means funds, materials, goods, or services from the company wherever committed, charging of Authors card without authors knowledge.
   Obtaining or storing leads accessible outside the company network (sending thru personal email, saving it to personal google drive, dropbox, and the likes) Giving false or misleading information in applying for employment, or seeking to qualify for any preference or benefit, or during investigation. 1st Offense: Dismissal. It also includes external venues commissioned by the company for external activities such as team buildings, workshops and events (outings, parties, dealer events, etc.).
N. Penalty Imposition and Prescription Period – All penalties are to be imposed immediately after offenses are committed. All offenses are accumulated except those pertaining to attendance which is reset every calendar year.

Misappropriating for personal use or withholding company funds or property or services of the company employees. Stealing or attempting to steal from the company or stealing from other employees in company premises or stations at any time. Deliberate failure to report loss of company property under his/her accountability or supervision. Accepting indirectly or indirectly anything of value in exchange for a job, business transactions, or favor in connection with work. Drawing salary, allowance of monetary payment using falsified vouchers, receipts or the like. Knowingly issuing a check against insufficient

funds and cashing it with the cashier or any employee of the company. Refusal to submit or failure to abode with auditing or security checks during investigations. Any form or act of dishonesty or conduct, behavior or practices which are immoral, that is a violation of the principles of decency and good conduct. Forgery of any nature including signatures, documents, etc.

Types of Disciplinary Action / Sanctions

1. Verbal Warning

   It is a corrective action/admonition to the erring employee for the infraction of the Company Rules & Regulations or the Company's Code of Discipline shall be taken immediately by the immediate superior. Normally, a one-on-one meeting between the superior and the concerned employee to discuss the problem or issue at work and the ways of improvement. In case of minor infractions, counseling shall be mandatory, the minutes thereof duly recorded and signed by both parties, prior to the institution of administrative action.

   The concerned employee shall also be reminded of possible consequences should the problem persist.

2. Written Warning

   A written reprimand/warning is imposed upon an erring employee for repeated infraction of an offense subject of the verbal warning. Such a written reprimand/warning shall include a statement that a subsequent infraction of the same offense, a heavier administrative sanction shall be imposed.

3. Suspension

   It is a corrective action imposed upon erring employee for infraction of an offense which carries with it an administrative sanction of suspension from work without pay. It is a temporary disassociation from work/employment of an employee for a specified period of time without salary and benefits.

4. Preventive Suspension

   It is imposed upon erring employee at the inception of the administrative hearing/ proceedings conducted by the Administrative Investigating Committee, under the following circumstances:

   a. If the employee's continued employment poses a serious and imminent threat to life or property of the employer or of his co-workers, or
   b. Where the employee's continued employment/presence will adversely affect the administrative investigation being undertaken

   The Preventive Suspension shall not last longer than 30 days, otherwise, the employer shall (1) reinstate the worker/employee to former or substantially equivalent position; or (2) pay the wages and other benefits to the worker/employee that he/she is not bound to reimburse in case he/she is finally dismissed. *(Sections 8 & 9, Rule XXIII, Book V, Rules to Implement The Labor Code, as amended by Article 1, DOLE Department Order No. 9, s. 1997).*

5. Dismissal
   It is the termination/ separation from employment for just/valid causes and/or authorized causes as provided for in Articles 297 and 298, 299 of the Labor Code, as amended. It is a termination/ separation from employment because the acts or omissions that the employee has committed is inconsistent with the acceptable standards of behavior and results in a very serious potential or actual loss or damage to the Company.

   A dismissed employee forfeits all his benefits and privileges without prejudice to whatever legal action that the Company may take against him/her.

Administrative Investigation

The following rules shall be observed in the administrative investigation of any erring employee of ApexTech IT Solutions Inc. and its affiliates.

RULES OF PROCEDURE OF ADMINISTRATIVE INVESTIGATING COMMITTEE

Section 1. **Coverage**. These rules of procedure of the Administrative Investigating Committee shall apply to all employees of ApexTech IT Solutions Inc.

a. All employees who are the subject of an administrative complaint shall be referred to as Respondent.
b. The investigation and disposition of administrative complaints filed against employees of the company shall be summary in nature and without adhering to technical rules of procedure and evidence.
c. These rules of procedure shall uniformly apply to all administrative complaints filed against all employees of ApexTech IT Solutions Inc. and its affiliates.

Section 2. **Forms and Contents of an Administrative Complaint**. No administrative complaint against an employee of the company shall be given due course unless the same is made in writing.

a. The administrative complaint shall state all the allegations against the respondent and shall narrate the facts constituting the acts/infractions committed. The Affidavit(s) of the complainant's witness/es, if any and other documentary evidence shall be attached to the complaint and shall form an integral part of the complaint.
b. In the event that the complaint lacks any of the above-mentioned requirements, the complainant shall be notified during the proceedings to comply with the requirements within five (5) days from receipt of the notice. Failure to comply within the required period shall result to the exclusion of the lacking evidence during deliberation.

Section 3. **Where Complaint shall be Filed**. An administrative complaint against any employee of the company shall be filed with the Human Resource Department. In cases where the complaint is filed with any other office/department, the same complaint shall be referred to the HR Department for appropriate action within three (3) days from receipt thereof.

Section 4. **Issuance of Notice To Explain (NTE) or Memo To Explain**. After a complaint is determined to be sufficient in form and substance, a Notice To Explain shall be issued to the respondent by the concerned Immediate Superior/Supervisor of the respondent employee, in coordination with the HR Department.

a. The Notice To Explain shall inform the respondent employee in writing, of how and when the infraction/offense committed and the corresponding/prescribed penalty for such infraction/offense.
b. The same Notice To Explain shall require the respondent to submit in writing his/her reply/counter-affidavit, together with the affidavit/s of his/her witness/es, if any, and other documentary evidence, within five (5) calendar days from receipt of such notice.
c. A copy of the complaint, if any, and other supporting evidence/s, shall be attached to the Notice To Explain.
d. Failure on the part of the respondent employee to submit his/her reply or counter-affidavit within the prescribed period of five (5) calendar days, shall be construed as a waiver of his/her right to be heard and present evidence/s in support of his/her defense, and the Office of the HR shall submit its recommendation on the basis of available records/documents, for approval of the HR.
e. If the employee voluntarily admits culpability/responsibility in committing the offense, he/she will be required to put in his/her own handwriting his/her admission and another employee, as witness must attest to the voluntariness and veracity of the admission. Thereafter, the investigation may be considered closed.

Section 5. **Conduct of Formal Administrative Investigation.** Within a period of five (5) days from its receipt the reply from the Show Cause Memo, the HR Manager or its authorized representative shall proceed with the formal investigation of the complaint. The Management, however, is not precluded to avail the services of lie detector test when deemed necessary during the administrative investigation.

Section 6. **Report, and Recommendation of HR or authorized representative.** Within the period prescribed for the conduct of the HR's investigation in consultations with the immediate supervisor, the HR shall proceed to deliberate on the merits of the case and submit its report and recommendations of the management or its authorized representative, for approval. The report shall include: the facts of the case; issues involved; evaluation/findings and recommendations.

In the determination of the penalties to be imposed, the Admin Committee shall take into consideration the presence of mitigating and/or aggravating circumstances attendant to the infraction/ commission of the offense.

Section 7. **Decision of the Management or authorized representative.** Upon submission of the report and recommendation of the HR, the Managment shall review and decide to approve or disapprove the same within twenty (20) days from receipt thereof.

Section 8. The parties shall be notified in writing of the decision of the Management, ten (10) days from such decision.

Procedures: Motion for Reconsideration

The respondent employee, after receiving the copy of the decision containing the imposition of disciplinary sanction, say, suspension from work without pay and/or dismissal from service/employment, has the option to file a Motion For Reconsideration (MR) with the Management.

Fifteen (15) days from receipt of the MR filed by the aggrieved employee, any decision issued by Management is final and executory, unless a timely appeal is filed with the Management, within ten (10) days from receipt of the decision of the Management

The aggrieved employee has the option to appeal the decision on his/her case, ten (10) days from receipt of the copy of the decision from the Management by filing an Appeal Memorandum with the Management. Late filing of such Appeal Memorandum shall not be accepted/ considered, much less entertained.

The following procedures shall apply in cases of appeal:

1. Ten (10) days from receipt of the copy of the decision, the aggrieved party shall submit a Memorandum of Appeal in three (3) copies to the Management, copy furnished to the HR Department.
2. Upon receipt of the said Memorandum of Appeal, the Management shall forward/ endorse the same to the Management.
3. From receipt of the Memorandum of Appeal, the Management shall have thirty (30) days to decide the case.
4. Copy of the decision of the Management shall be furnished to the respondent-employee,HR Department.

Classification of Offenses/ Infractions and Corresponding Disciplinary Actions

Offenses are grouped into different categories such as Minor (A), Less Grave (B) and Grave/Serious (C).

1. **Minor Offenses (A)**

A minor offense is an infraction of rules and procedures, or a display of substandard performance, which by itself is not generally grave enough to warrant immediate suspension from work or termination from employment, except when done repeatedly.

Disciplinary Sanction:

1st offense	-	Verbal warning
2nd offense	-	Written reprimand
3rd offense	-	1-3 days suspension from work without pay
4th offense	-	Dismissal from employment

2. Less Grave Offenses (B)

A less grave offense is usually an infraction of more serious rules or procedures or an illegal activity that by itself warrants suspension from work.

Disciplinary Sanction:

1st offense	-	Written reprimand
2nd offense	-	1-3 days suspension from work without pay
3rd offense	-	Dismissal from employment

3. Grave/Serious Offenses (C)

A grave/serious offense is an infraction of any rule that by itself warrants termination from employment.

Disciplinary Sanction:

1st offense	-	Dismissal from employment

Circumstances Attendant to the Commission of the Offense/ Infraction

In supplement to the above-mentioned rules and sanctions such as the mentioned tardiness sanctions, absences, critical work-days and the like, the above-mentioned disciplinary sanctions shall be applied by the Company consistently, uniformly, positively, and constructively. Opportunity for the erring employee to correct himself/herself is provided by the progressive nature of the disciplinary steps. Progressive disciplinary actions, however, may not apply to grave offenses for which the employee may be administratively sanctioned with dismissal from employment after compliance with due process.

The rule of progression shall always be observed on the imposition of corrective actions.

- All offenses committed shall be treated on a cumulative basis. Succeeding offenses shall be meted with the next higher corrective action.
- Two or more offenses emanating from a single act shall be dealt with more with severe corrective action.
- **Cleansing/Write-off of offenses will be as follows:**
  a. Minor Offense (A) – shall be considered written-off after one (1) year from the time the administrative sanction/penalty is served
  b. Less Grave Offense (B) – shall be considered written-off after two (2) years from the time the administrative sanction/penalty is served.

1. Mitigating Circumstances

In determining the disciplinary sanction, there are mitigating circumstances that tend to lessen the seriousness/ gravity of the offense and may merit the imposition of a lower penalty.

Mitigating Circumstances are conditions that would warrant the reduction of the imposable penalty for the offense committed that shall include:

- Employee has not committed a similar offense from the time he was hired by the Company

- Employee's past good performance in the Company
- Employee has not caused substantial damage or loss to Company due to such infraction/violation
- Employee did not benefit from the offense committed
- Employee's voluntary admission of culpability/responsibility of the infraction/violation
- Employee did not have the intent to defraud the Company
- Employee's degree of participation in the violation/infraction of the offense
- Employee followed wrong order of a superior in good faith or under threats, undue influence, intimidation or coercion
- Employee was provoked to commit the offense

2. Aggravating Circumstances

On the other hand, there are aggravating circumstances that tend to increase the seriousness/ gravity of the offense and may merit the application of the maximum disciplinary sanction for the offense committed.

Aggravating Circumstances are conditions that off-set the presence of mitigating circumstances that shall include:

- Employee has a previous record or similar offenses during his stay in the Company
- Employee has been administratively sanctioned for multiple or habitual misconduct
- Employee has caused the Company a substantial amount of damage or loss due to such infraction/violation
- Employee was motivated by a reward or promise of reward in the commission of the offense
- Employee has benefited from the offense
- Employee occupies a position or trust and confidence such as those routinely charged with care and custody of Company's money and/or property
- Employee has a poor performance record
- Employee was under the influence of drugs or alcohol when he/she committed the offense
- Employee has taken advantage of emergency situations
- Employee has premeditated the commission of the offense
- Employee has imposed his/her position upon a subordinate to commit the offense
- Employee has committed the offense against a superior

	EFFECTS ON PROMOTION
Minor Offense	- Ineligible for promotion for a period of 3 months to 6 months from finality of decision
Less Grave Offense	- Ineligible for promotion for a period of 6 months to 12 months from finality of decision
Grave/Serious Offense	– Ineligible for promotion for a period of 12 months to 24 months from finality of decision.
If the decision is rendered and the employee-respondent is found not administratively accountable/responsible for the charge/complaint, then he/she is eligible for promotion subject to other required qualifications.	
If the decision rendered and the employee-respondent is found administratively liable/accountable, then he/she remains ineligible for promotion during the effectivity period corresponding to the offense committed.	

GUIDELINES AND CLASSIFICATION FOR OFFENSES AND SANCTION

INFRACTIONS/VIOLATIONS DEGREE OF SANCTION

1. **UNDESIRABLE PERSONAL CONDUCT AND BEHAVIOR** – it is an unwanted act, manner, conduct of oneself or behavior of an employee that would restrain the smooth, efficient operations of the company.

1.1	**Engaging in an unauthorized undertaking, vending or solicitation.**	
1.1.1	Inside the company premises products or services not in conflict with the company's or its affiliated company's lines of businesses.	B
1.1.2	Inside the company premises of products or services in conflict with the company's or those of its affiliated company's lines of businesses.	C
1.1.3	Outside of company premises of products or services not in conflict with the company's or those of its affiliated company's lines of business.	B
1.1.4	Outside of company premises of products or services in conflict with the company's or with those of its affiliated company's lines of businesses.	C
1.1.5	Failure to declare or report to the company any business undertakings which may restrain the smooth, efficient operations of the company and/or cause damage to the company	B
1.1.6	Bringing of non-office personnel and/or unauthorized person during official trip and/or business transaction.	B/C

1.2	Using profane or indecorous language/acts in addressing company officer, co – employees (and their family members) and company visitors (i.e. customers, clients, etc)	B/C
1.3	Threatening, either actual, personal, verbal or written, provoking and instigating a fight with fellow employee or members of his/her family inside or outside the company premises.	B/C
1.4	Connivance and/or assisting/ abetting in the commitment of an offense under established rules and regulations for the company.	C
1.5	Posting or distributing notices, posters, and brochures and any other printed materials of any description or engaging in group meetings, speeches within company premises without prior written permission or without company's approval.	A/B
1.6	Using company time, materials and equipment including the use of personal USB or personal external hard drive, company email address and other resources for personal use or unauthorized undertaking.	B
1.7	Creating or contributing to unsanitary condition such us, but not limited to, urinating or defecating in places other than in the areas designated by the company, spitting on the floor, littering and unsanitary use of toilets.	B
1.8	Rumor mongering resulting to anxiety,embarrassment, and/or demoralization, causing disharmony among employees.	B
1.9	Immoral conduct and behavior that may damage the reputation of the company whether it occurs inside or outside the company's premises, whether the employee is directly or indirectly involved.	B/C
1.10	Committing acts of vandalism such as defacing or destroying company assets, posting, altering or removing any matter on the Bulletin Boards unless specifically authorized and acts of vandalism such as writing on walls, ceiling, etc. inside the company premises.	B/C
1.11	Fighting, inflicting harm or bodily injury on co-employee within the company premises.	B

1.12	Indulging in illicit acts contrary to public morals and standards, particularly having an illicit relation with fellow employee (i.e. married employee within the company premises)	B
1.13	Sexual harassment such as but not limited to making indecent proposals, malicious acts, verbal assault, making obscene remarks to the opposite sex.	B/C
1.14	**Insubordination**	
1.14.1	Deliberately neglecting or refusing to obey legitimate orders.	B
1.14.2	Showing discourteous/disrespectful acts or deeds towards company officials and/or immediate supervisors.	B
1.14.3	Refusal to render overtime work despite reasonable and advanced notice except for a just and sufficient cause.	B
1.14.4	Deliberately disregard or disobedience of any currently implemented memoranda, orders, safety rules, plants/office regulations.	B
1.14.5	Countermanding an order or instruction of superior and/or giving unsolicited advice/ instruction without proper authority.	A/B

1.15	Hindering/ disturbing or interfering with the work of another employee.	A

1.16	**Deliberately restraints, interruption or stoppage of work or output.**	
1.16.1	For participating, sympathizing.	B
1.16.2	For initiating, instigating or leading.	C
1.17	Unlawful/unauthorized trespassing over the privacy, rights and responsibilities of fellow employees or unauthorized use or possession of fellow employee's company tools, equipment and or personal effects inside company premises.	B
1.18	Drinking or taking any alcoholic beverages, addictive drugs and other intoxicating materials during hours of work and/or coming or reporting to work under the influence of drugs or liquor.	B
1.19	Possession of prohibited drugs within company premises or vehicle and/or selling prohibited drugs whether inside or outside the company premises.	C
1.20	Engaging in horseplay or malicious mischief, running, scuffing or throwing things which may resort to destruction of person or property.	C
1.21	Gambling/betting, playing cards, computer games, chess whether for money or not within the company premises.	C
1.22	Convicted of a crime involving moral turpitude even not related to work.	C
1.23	Issuing affidavits/statement/s which might be prejudicial to the company's Interest image and reputation.	C
1.24	Any acts or omission to the detriments of the Company's name, reputation, and its products/ brands	C
1.25	Theft –Pilferage, theft of company property or of another employee's property or effects of others irrespective of value, acting directly or indirectly.	C
1.26	**Dishonesty – Fraud, Falsification, Forgery, False Statement, Misrepresentation.**	
1.26.1	Directly or indirectly obtaining or attempting to obtain company materials fraudulently.	C
1.26.2	Concealment of substandard workmanship.	C
1.26.3	Concealment of any violation of company policy and procedures.	C
1.26.4	Misrepresentation or giving false information/testimony during an official investigation conducted and/or authorized by the company.	C

1.26.5	Intentionally or deliberately withholding information.	C
1.26.6	Willful defrauding the company by falsifying official documents/records/ invoice/ receipts, etc. with intent to deceive.	C
1.26.7	Giving statements that are prejudicial to the company, its corporate officers or its products.	C
1.26.8	Intentionally supplying false information to anyone whether employee or not.	C
1.26.9	Falsifying/adulteration of company products, materials or its equivalent.	C
1.26.10	Tampering with or satisfying personal records when applying for employment or during employment.	C
1.26.11	Accepting any loan, money, gift in any forms or favor from suppliers, customers, competitors, direct or indirect agents, - voluntary or involuntary without prior clearance from the management.	B
1.26.12	Not telling the true reasons or misrepresenting facts when applying for leave with or without pay.	B
1.26.13	Leaving the office or workplace during working hours without logging it in biometric device or any authorized systems whether intentional or unintentional.	C

1.27	**ABUSE OF AUTHORITY**

1.27.1	An act of using one's position/authority in the company or using company's name for personal gain and / or misrepresentation of the company on official business transactions.	C
1.27.2	An act of using position to ask for money, gifts, solicitation, loans and others from subordinates, customers, suppliers and others without approval from the management.	C
1.27.3	An act of using position to receive a bribe or any personal benefit.	C
1.27.4	Unauthorized issuing of certificates to employees (e.g. Certificate of Employment, etc.) and other documents prejudicial to the company.	C
1.28	**INEFFICIENCY, INCOMPETENCE**	
1.28. 1	Failure to meet standard of quality and quantity of work.	B
1.28.2	Failure to observe Standard Operating Procedures even if it does not result to damage.	B
1.28.3	Failure to observe Standard Operating Procedures resulting to damage/s, loss of materials or loss of opportunity, etc.	C
1.28.4	Failure to carry out duties efficiently, accurately, or complete it within reasonable time and/or being reckless in carrying out assigned duties.	B
1.28.5	Improper use of company property.	B
1.29	**ATTENDANCE**	
1.29.1	Failure to report to work promptly upon expiration of leave of absence or after scheduled official travel.	B
1.29.2	Cumulative absences of four (4) days in a month or twelve (12) days in a year without prior permission (AWOL).	C

1.29.3	Incurring eight (8) times late per month or accumulating a total of 120 minutes within per month, whichever comes first.	A/B
1.30	**LOAFING**	
1.30.1	Unauthorized undertime, cutting working hours and leaving working/office premises without prior request and approval from immediate superior.	B
1.30.2	Accumulation of unauthorized/unexcused undertime for more than 2 times in a month or more than 10 times in a year.	B
1.30.3	Wasting of company time and prolonging rest/break periods for more than what is authorized.	A
1.30.4	Reading periodicals or engaging in personal activities or doing things irrelevant to work on hand during office/working hours, including use of mobile phones, and other gadgets for personal use	B
1.30.5	Sleeping while on duty.	B
1.31	**MALINGERING**	
1.31.1	Having been found not at home by any representative of the company after being sent home due to sickness or injury, or under a claim of sick leave except on reasonable grounds.	A
1.31.2	Refusing to work after having been certified by a doctor as already fit to work.	B
1.31.3	Not reporting to work under a claim of sickness although not actually sick and/or failure to submit a medical certificate under a claim of sickness.	B

1.32	**NEGLIGENCE, LOSS OF DAMAGE TO, ATTEMPTING TO DAMAGE OR DESTROY, UNAUTHORIZED USE OF COMPANY PROPERTY, RECORDS AND INFORMATION, OTHER PERSONS COMPANY PREMISES.**	
1.32.1	Willful and intentional alteration, abuse/waste of company properties, facilities, records, stationery and equipment.	C
1.32.	Unauthorized possession and reproduction of company's document/materials and deliver more than what is authorized in the invoice, delivery order, with or without properties.	C

1.32.3	Unauthorized use of company trust/ revolving fund.	C
1.32.4	Failure to liquidate cash advances within 2 days of expense spent or within 2 days from return to location where funds must be liquidated.	C
1.32.5	Failure to report loss, spoilage, or damage of company property/products as soon as practicable or failing to report any incident or injury involving co-employee.	B
1.32.6	Caused damage to materials, items, properties, and interest of the company	B
1.32.7	Attempting to destroy company property	B
1.32.8	Releasing or taking out from any place, warehouse, or storage without authority, or intention to appropriate or materially benefit from the act.	C

1.32.9	Failure of the superior/head to report violations of company rules by employees supervised.	B
1.32.10	Failure to report any violations of House Rule particularly Section 1.30	B
1.32.11	Laxity in supervision or deliberate disregard of a problem resulting in production loss, injury to a person or damage to property.	B
1.33	**LOSS OF TRUST, CONFIDENCE, AND UNSUITABILITY**	
1.33.1	Commission or omission of an act that provides reasonable ground or basis so that the employee is not or no longer reliable, trustworthy, or that his integrity or sense of responsibility is not acceptable.	C
1.33.2	Failure to punch own time log.	B
1.33.3	Failure to wear the prescribed uniform.	A
1.33.4	Violation of office rules promulgated from time to time.	A
1.33.5	Logging in or recording or punching someone else's time log.	C
1.33.6	Failure to report any act by any employee or officer involving conflict of interest between their personal interest and the interest of the company.	B
1.33.7	Commission of two (2) grave offenses or four (4) minor offenses listed in this Code of Discipline within a 12-month period.	C
1.33.8	Unsatisfactory performance rating for at least (2) ratings in a year.	C
1.33.9	Sharing, using, processing of leads and contacting authors/clients or its assigns and heirs using unauthorized emails and mode of communication and or without the scope of the authority to contact, and or bad-mouthing the company and/or airing dirty laundry to the clients, authors and its heirs and assigns.	C

2. SECURITY REGULATION

2.1	Leaving CONFIDENTIAL and/or private files or documents open and exposed.	B
2.2	Sharing in the use of passwords to access information and/or manipulation of information or data during access.	C
2.3	Unauthorized entry to restricted areas is not related to the employee's job description.	C
2.4	Bringing of, giving away, or divulging company information, documents, manuals or any other company property voluntarily and willfully to outsiders or to those not authorized to have access to those confidential information.	B
2.5	Engaging in any form or act of sabotage or espionage against the management.	C
2.6	Use of company badge/ identification card other than his own in representing the company in other outside private and/or government agencies.	C

2.7	Not returning company keys, vehicle and or equipment after using or after the day's work unless authorized by top management.	C
2.8	Assisting the entry of authorized persons within the company premises after the prescribed office hours.	C
2.9	Unauthorized downloading of any company programs, information, manuals, and/or any software but not limited to games, movies, music, and other apps	C

3. GENERAL SAFETY

3.1	Carrying of firearms or any deadly weapon/s inside company premises.	C
3.2	Burning of wastes or creating hazard risks inside the company premises without the approval of the management and/or Safety Committee.	C
3.3	Unauthorized use of fire safety equipment in non-emergency situations.	B
3.4	Smoking inside non-smoking areas.	C
3.5	**Occupational Safety**	
3.5.1	Failure to report unsafe conditions and practices.	B
3.5.2	Detaching labels of chemical containers which could lead to mistaken use or removing and/or obstructing/damaging safety signs, tags and safety equipment.	C
3.5.3	Failure to shut faucets, electrical equipment after use.	B
3.6	Failure of the company driver to report within 8 hours a vehicular accident and/or property loss and damage involving company vehicle.	B
3.7	Willful refusal to wear personal safety, protective equipment where it is required.	C
3.8	Authorizing untrained or unqualified and/or unauthorized persons to operate vehicles, machines or equipment where skill (in operating) is required.	C
3.9	Engaging in an obvious unsafe act resulting in injury to person or damage to company property.	C

7. PERFORMANCE EXPECTATIONS

7.1 Job Performance

Introduction:

The Job Performance document is designed to provide employees with comprehensive information on what is expected of them in their respective work roles. As an employee, you are expected to actively work towards meeting and exceeding the performance goals set for you and your team.

- Consistent excellence in job performance is key to individual success, team productivity, and organizational success.
- Using the company's computers to make unauthorized entry into any other computer or network. Forged routing of information for malicious purposes.
- Port scanning or any attempt to circumvent the company's network security. Circumventing user authentication or security of any host, network or account.
- Attempting to circumvent ICT auditing and security protocols. Unauthorized bringing out ICT equipment.
- Publishing or giving network related information to external parties with the intent to access company network information and services.
- Intentionally disabling company security and anti-virus software.

1st Offense : 15 Days Suspension
2nd Offense : Dismissal

Expectations:

Each employee must complete their individual job duties to the best of their abilities and comply with policies and procedures outlined by management. It's essential to communicate openly and honestly with colleagues and OICs/Supervisors and ask for assistance if required. In order to ensure that you meet performance expectations, we recommend setting goals for yourself, regularly monitoring your progress, seeking feedback from managers and peers, and continually improving your skills and knowledge. It is also important for you to adhere to standard workplace practices such as punctuality, professionalism, effective communication, and a positive attitude in your work.

For positions that may have specific performance-related goals, you will be provided with job descriptions detailing expectations and requirements. Employees are expected to work towards meeting these goals and be accountable for their performance. The management also reserves the right to conduct performance evaluations, with the aim of ensuring that employees are meeting expectations, working to their fullest potential, and contributing to the overall success of the organization.

Unauthorized copying or transmission of data or materials to an external non-business-related storage or account for any reason.	1st Offense: 15 Days Suspension 2nd Offense: Dismissal

Performance Review Process:

Regular performance reviews, where individual feedback is given, are necessary for employees to maintain the required standards of job performance. All employees are required to participate in these reviews and a commitment to implementing any suggested improvement strategies is anticipated.

7.2 Training and Development Introduction

Our organization is committed to supporting the development of our employees through various opportunities for training, skill-building, and personal growth. By taking an active role in your own professional development, you demonstrate a commitment to your success, personal growth, and the organization's wider success.

Our organization believes that our training program will equip all participants with the skills and knowledge necessary to succeed in their roles. Listed below is all the information you need to know regarding the training program for newbies, its requirements, and their responsibilities as a trainee:

Complete Attendance

Attendance is a crucial component of our training program. We expect all trainees to attend all the training sessions without fail as absences may cause missing valuable information and disrupt the overall learning experience for fellow participants. Consistent attendance is essential for ensuring that the participants receive all the information and training needed to perform their roles effectively. It is also a sign of their commitment to their role, the company, and their future as employees.

House Rules

During the training, we expect all participants to follow all house rules and policies, including but not limited to; attendance, punctuality, dress code, conduct, and safety protocols. It is crucial that all participants follow these rules to ensure the safety and comfort of all trainees, the trainer, and the management. Compliance will help the participants in mastering their roles and display professionalism throughout the training program.

All Other Essentials During the Training

Apart from the above-mentioned requirements, we also require all participants to be attentive, committed, and enthusiastic throughout the training. This will help all trainees

make the most of the training program and gain the necessary skills and knowledge to perform their job effectively. It is also paramount to take notes, ask questions, participate in discussions, and provide constructive feedback for continuous improvement.

Conclusion

Our training program is designed to equip participants with the skills and knowledge necessary to perform their roles successfully in the company. The overall goal of the training and development process is to encourage and empower employees to improve their skills, knowledge, and abilities so that they can become better contributors to the organization. The company values employees' dedication to their own growth and development, while also providing opportunities for that growth to be utilized within the organization.

7.3 Zero Tolerance Policies

1. Customer Case Mishandling
   • Deliberate Misrepresentation:
   Providing false or misleading information to customers will result in immediate disciplinary action, up to and including termination.
   • Failure to Follow Protocols:
   Not adhering to established procedures for handling customer cases, especially those related to security and confidentiality, will lead to severe consequences.
   • Unprofessional Behavior:
   Rudeness, disrespect, or any form of unprofessional behavior towards customers will not be tolerated and can result in termination.
   • Negligent Case Resolution:
   Failure to resolve customer issues competently and within the expected timeframe due to negligence will result in immediate corrective actions, potentially leading to termination.

2. Negligence in Job Duties
   • Negligence: Consistently failing to perform job duties to the required standard due to carelessness or inattention will result in disciplinary action, up to and including termination.
   • Ignoring Compliance Requirements: Failure to comply with company policies, industry regulations, or legal requirements in the performance of job duties will lead to immediate consequences.
   • Repeated Mistakes: Consistent errors in work, despite training and corrective measures, will be grounds for termination.
   • Insubordination: Refusal to follow reasonable and lawful instructions from supervisors or management will not be tolerated and can result in termination.

3. Deliberate Customer Misrepresentation:
   • Any deliberate attempt to mislead or provide false information to customers will result in immediate termination."

4. Failure to Follow Case Handling Protocols:
   • Failure to adhere to established customer case handling protocols will result in disciplinary action, up to and including termination."

5. Unprofessional Customer Interaction:
   • Unprofessional behavior towards customers, including rudeness or disrespect, will not be tolerated and will result in immediate disciplinary action."

6. Negligence in Job Duties:
   • Negligence in performing job duties, resulting in consistent errors or failure to meet performance standards, will lead to disciplinary action, up to and including termination."

7. Ignoring Compliance Requirements:
   • Failure to comply with company policies, industry regulations, or legal requirements will result in immediate disciplinary action, up to and including termination."

8. Data Security and Confidentiality
   • Unauthorized Access: Immediate termination for accessing or attempting to access systems, code, company data, lead information, customer contact details, or other company or client information

without proper authorization.
• Data Breach: Any form of data breach, including sharing confidential information, including customer contact information, leads, code, or other data, with unauthorized parties, will result in immediate termination.
• Device Security: Using unauthorized devices to access company systems or data will lead to disciplinary action, up to and including termination.

9. Harassment and Discrimination
   • Workplace Harassment: Zero tolerance for any form of harassment, including sexual harassment, bullying, or any behavior that creates a hostile work environment.
   • Discrimination: Any discriminatory behavior based on race, gender, religion, age, sexual orientation, or any other protected characteristic will result in immediate termination.

10. Attendance and Punctuality
    • Chronic Absenteeism: Repeated unexcused absences or tardiness will be grounds for termination.
    • No-Show: Failing to show up for work without notifying the supervisor can result in immediate termination.

11. Substance Abuse
    • Drug and Alcohol Use: Possession, use, or being under the influence of illegal drugs or alcohol while on company premises or during work hours will result in immediate termination.
    • Drug Testing: Failing a drug test may lead to immediate termination.

12. Theft and Fraud
    • Theft: Stealing company property, client property, or the property of other employees will result in immediate termination.
    • Fraud: Engaging in any form of fraud, including falsifying records, timesheets, or expense reports, will lead to immediate termination.

13. Professional Conduct
    • Violence: Any form of physical violence or threats of violence will not be tolerated and will result in immediate termination.
    • Gross Misconduct: Any behavior that severely impacts the reputation or operation of the company, such as gross insubordination or public misconduct, will result in immediate termination.

14. Compliance and Legal
    • Legal Compliance: Any illegal activities or failure to comply with local laws and regulations will result in immediate termination.
    • Policy Violations: Repeated violations of company policies and procedures, after warnings and corrective actions, will lead to termination.

15. Information Technology Usage
    • Unauthorized Software: Installing or using unauthorized software, code, or applications on company systems will result in disciplinary action, up to and including termination.
    • Network Security: Any actions that compromise network security, such as sharing passwords or using unsecured networks, will result in immediate termination.

7.4 Quota-based Position Policies

Termination and or Disciplinary Action Due to Failure to Meet Quotas

Purpose:
This policy outlines the consequences for employees who consistently fail to meet performance quotas as established by the company. The goal is to ensure that all employees understand the expectations and the seriousness of maintaining performance standards necessary for the company's success.

Scope:
This policy applies to all employees whose roles include performance quotas as part of their job responsibilities.

Policy:

1. Performance Quotas

• Each employee is assigned specific performance quotas, which are clearly communicated and documented in their job description and performance agreements.2. Monitoring and Evaluation
• Performance against quotas will be monitored regularly, and employees will receive periodic evaluations to discuss their progress and any areas of concern.3. Failure to Meet Quotas
• If an employee fails to meet their assigned quotas for two consecutive evaluation periods, they will be subject to the following disciplinary actions:
- First Occurrence: The employee will receive a formal written warning outlining the areas of deficiency and a clear performance improvement plan with specific goals and timelines.
- Second Occurrence: If the employee fails to meet the quotas again, they will receive a final written warning and may be placed on an intensified performance improvement plan.
- Third Occurrence: Continued failure to meet the assigned quotas will result in termination of employment.

7.5 Disciplinary Actions

Introduction:

This Disciplinary Action document explicitly sets out our policy regarding resolving disciplinary problems in the workplace. This provides guidance for how management addresses employee behavior that threatens the safety, welfare, or productivity of the organization. Employees are expected to adhere to organizational policies, ethics, and general workplace expectations. Employees are also encouraged to communicate any concerns or questions about such policies and expectations directly with their Immediate Heads.

Procedure:

Disciplinary actions may take different forms, ranging from verbal warnings to termination of employment – discipline problems may be addressed internally through verbal or written warnings, and when significant issues arise that do not fall within verbal or written warning categories, work suspension or termination of employment may be imposed by the Human Resources or the Top Management. The aim of this process is not to punish employees unnecessarily, but to encourage modification of negative behavior and to motivate employees to make positive changes that improve their productivity, as well as ensure compliance with company policies.

Causes:

Examples of behavior that warrant disciplinary action may include but are not limited to workplace harassment, theft, fraud, harassment, abuse of company property, insubordination, other safety violations, gross incompetence, and negative or discriminatory behavior. In enforcing disciplinary measures every instance will be handled equitably, taking into account the employee's history within the organization, previous disciplinary records, and other relevant considerations within the matter.

Policies:

All disciplinary measures will be executed in a swift, impartial, objective, and non-discriminatory method. No discrimination will be allowed due to age, gender, race, color, religion, disability, or sexual orientation.
Repercussions:

Our commitment to treating employees fairly obliges us to administer disciplinary action in proportion to the misconduct. Our policies aim to be fair, honest, and sufficient to address disciplinary problems hence safeguarding our workplace and encouraging mutual respect and professional behavior.

7.4 Termination of Employment

Introduction:

The termination of employment is a critical process that requires strict adherence to legal and ethical guidelines. This document outlines the protocols and procedures that must be followed if an employee's employment with our company has ended. Employees may leave the organization voluntarily or management may initiate termination due to poor performance, redundancy, violation of company policies, or other reasons consistent with the company's policies and the governing employment law.

Termination of Employment Relation

Termination of employment is the cessation of employer-employee relationship which may be initiated by the employer and in compliance with the due process of law or by the employee.

By the Employer

Based on Article 297 of the Labor Code, an employer may terminate an employment for any of the following just causes:

- Serious Misconduct
- Willful Disobedience of a Lawful Order or Willful Insubordination
- Gross and Habitual Neglect of Duties
- Fraud or Willful Breach of Trust
- Loss of Trust and Confidence
- Commission of a crime or offense against the Person of the Employer, Immediate member of his family or duly authorized representative
- Analogous causes

There are also authorized causes that result to termination of employment as follows:

- Installation of labor-saving devices
- Redundancy
- Retrenchment to prevent losses
- Closure or cessation of business operation
- Disease

In cases of installation of labor-saving devices, redundancy and retrenchment, the "Last-In, First-Out Rule" shall apply except when an employee volunteers to be separated from employment.

In the case of disease as a valid ground for termination, a certification must be issued by a competent public health authority that the disease cannot be cured within a period of six (6) months even with proper medical treatment and therefore the employee concerned is no longer fit to work.

The just causes of termination of employment generally do not entail payment of separation pay while the authorized causes do.

The Supreme Court has granted separation pay to a legally dismissed employee as an act of "social justice" or on equitable grounds. In both instances, it is required that the dismissal (1) was not for serious misconduct; and (2) did not reflect on the moral character of the employee. *(Manila Water Company vs. Del Rosario, G.R. No. 188747, January 29, 2014)*

Separation pay shall be allowed as a measure of social justice only in instances where the employee is validly dismissed for causes other than (a) serious misconduct; (b) willful disobedience; (c) gross and habitual neglect of duty; (d) fraud or willful breach of trust; (e) commission of crime against the employer or his family or those reflecting on his moral character. *(Manila Water Company vs Del Rosario, G.R. No. 188747, January 29, 2014/Justice*

Perez citing the case of Toyota Motor Phils. Corp Workers Association (TMPCWA) vs NLRC, 562 Phil. 759[2007])

By the Employee

Resignation is termination of employment initiated by the employee.

An employee who voluntarily resigns must notify his/her manager in writing at least thirty (30) days prior to the effective date of his/her resignation. The company may hold the employee liable for damages for failure to do so. However, the management reserves the right to require the employee concerned holding key positions, six (6) months notice in writing prior to resignation.

Proper turn-over of job assignment must be done and the resigning employee is required to return to the company all materials issued to him/her such as uniforms, ID, keys, files/office supplies, tools, etc. An exit interview will also be conducted by the HR Section as part of the clearance procedure and release of accountability to the company. Failure to complete the clearance requirements shall be the basis to hold the release of the employee's final pay.

Once resignation is accepted, the employment relationship is considered terminated, and the employee has no right to the job. A resignation tendered by an employee may still be withdrawn before its acceptance by the Management. Once accepted, withdrawal of the resignation can be made only with the consent of Management.

Benefits:

Employees whose employment is ending should be made aware of their rights regarding benefits following termination. We abide by all compensation laws and related regulations to ensure the continuity of the employees' benefit plan.

Last Pay and prorated 13th month pay will be released 3 months after the date of termination.

Process:

To ensure an organized and legal separation process, an Exit Interview process is in place. This process is geared toward identifying factors that led to the employee's exit (voluntary or involuntary), collecting company assets that were in the employee's possession (e.g. IDs, locker keys), documenting necessary withdrawal of access to company systems, and sealing of confidential and proprietary information, as well as arranging for aftercare support, such as career guidance resources, final payment, pension plans, and other benefits.

Conclusion:

Termination of employment can be an unfortunate situation. As an organization, we recognize the essential role employees play in our success and aim to make the process as fair and transparent as possible while adhering to legal and ethical guidelines.

8. ACKNOWLEDGEMENT & AGREEMENT

1. Receipt of the Manual

HANDBOOK ACKNOWLEDGMENT AND DISCLAIMER

I,_____, have received, read, understood, and agree to comply with the Employee Handbook for ApexTech IT Solutions Inc. , dated _____, and understand all the information presented. I have been given an opportunity to ask any questions I may have and have received satisfactory answers to all of my questions.

I understand that the company has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time, with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the HR Department of the company.

I also understand that any delay or failure by the company to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the company or affect the right of the company to enforce such rule, regulation, or procedure in the future.

I understand that this Employee Handbook in no way establishes or implies an employee contract. I understand that I am an employee "at will" which means that I am free to terminate my employment with ApexTech IT Solutions Inc. at any time, for any reason. Similarly, ApexTech IT Solutions Inc. may terminate me for any reason, or for no reason at any time.

I have read the policy on discrimination/harassment and understand that I have a duty to report to ApexTech IT Solutions Inc. all acts of discrimination/harassment that I either witness or am involved with.

This handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA).

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by ApexTech IT Solutions Inc.

If I have any questions about the content or interpretation of this handbook, I will contact Human Resources.

I agree to comply with, and enforce, ALL the rules, policies, and procedures set forth in the Employee Handbook.

_____ _____

Signature over Printed Name *Date*

_____ _____

Witness' Signature over Printed Name *Date*