

MANILA DOCTORS HOSPITAL
Revised Code of Employees' Conduct & Discipline
(Consolidated Inputs From Labor and Management)

Codified & Edited by:	Approved by:	Issued by:
CSVILLANUEVA Head, HRD	PILAR NENUCA P. ALMIRA Hospital Director	HUMAN RESOURCE DIVISION
		Effectivity Date February 2009

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Appendices:		
	Procedures in Handling Disciplinary Cases	aa.

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Flowchart of Employee Disciplinary

Action Processes bb.

Graphical Illustration of Graduated

Penalties cc.

THE RATIONALE OF DISCIPLINE

Discipline is a condition that exists in an organization where its employees act according to acceptable standard of behavior, conform and obey rules and regulations promulgated and adopted by the organization.

To attain such an ideal condition, Manila Doctors Hospital has set forth its own rules and regulations contained in this Revised Code of Employee's Conduct and Discipline with inputs and suggestions from its employee populace.

The Code enumerates specific areas of prohibited acts or omissions that interfere with, or adversely affects, in any way, the orderly and efficient functioning and operations of the Hospital. It provides the corresponding penalty for any violation or infraction thereof, and for which purpose, the system of progressive discipline has been adopted, thus penalties range from simple verbal warning to dismissal.

The extent of disciplinary action prescribed or imposable penalty depends on all of the facts and circumstances attendant to the violation or infraction committed. Due consideration is also given to the nature or gravity of misconduct, the employees past and recorded disciplinary actions, as well as such circumstances that could mitigate or aggravate the violation or infraction committed.

In imposing disciplinary action, there is no requirement that a lighter penalty should first be imposed as a prerequisite to the imposition of the maximum penalty of dismissal. This is so where the violation or infraction committed instantaneously prescribes the extreme penalty of dismissal. But in all cases and at all times, due process must be observed as a condition *sine non qua* to meting out disciplinary action.

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Lastly, it should always be remembered that the goal of discipline (except in the case of dismissal), is to correct a misconduct or unacceptable behavior rather than to punish. So help us God!

Manila Doctors Hospital
January 2009

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ARTICLE I - General Provisions

Section 1 - **Imposition of Penalties.** Disciplinary actions ranging from suspension to the maximum penalty of dismissal shall only be imposed after observance of due process in accordance with law and consistent with the provision of this Code. Where applicable, the system of progressive discipline shall be applied under this Code.

Section 2 - **Standard of Penalties.** Penalties shall be imposed consistently, fairly and uniformly against those who have been found to have committed violation or infraction of the provision of this Code and of existing laws.

Section 3 - **Single Penalty for Single or Multiple Violations or Infractions.** The corresponding penalty for a single violation or infraction shall be imposed against an erring employee. In case of a violation arising from one cause or incident gives rise to two or more violations or infractions, the penalty to be imposed shall be cumulative or consolidated into a single penalty.

Section 4 - **Preventive Suspension.** Where the presence in the premises of the employee subject of a possible disciplinary action poses serious and eminent threat or danger to the life of other employees or property of the Hospital, said employee shall be placed under preventive suspension pending the investigation of his case.

Section 5 - **Prescriptive Period.** Prescription means records of infraction shall be removed from the 201 file of the employee provided the employee is not a habitual delinquent, i.e., one with records of three or more infractions in a given year. Minor infractions (verbal or written warning) prescribe in six (6)

months. Suspension of not more than fourteen (14) days prescribes in one (1) year. All other penalties higher than fourteen (14) days prescribe in three (3) years.

Section 6 - **Amendments and/or Revision.** The Hospital reserves the right to amend and/or revise this Code, such amendment or revision to take effect after due publication and information given to the employees.

ARTICLE II - Categories of Violation or Infraction

Section 1 - Categories

- I. Violation or infraction against the interest of the Hospital
- II. Violation or infraction against attendance and punctuality
- III. Violation or infraction against conduct and discipline
- IV. Violation or infraction against Hospital property
- V. Violation or infraction arising from, or related to, performance of work
- VI. Violation or infraction related to safety, sanitation, and security regulations
- VII. Violation or Infraction against Decency, Morality and Honor

Section 2 - Violation or infraction committed for each one of the above category may be classified as falling under **Type A, B,**

C, D and E depending on the nature, gravity or severity of the violation or infraction committed, for which a corresponding penalty ranging from verbal warning to dismissal is provided.

ARTICLE III – Type of Violation or Infraction and Penalty

Section 1 - **Type A** 1st Violation or infraction - Dismissal

Section 2 - **Type B** 1st Violation or infraction - 14-day suspension without pay
2nd Violation or infraction - 30-day suspension without pay
3rd Violation or infraction - Dismissal

Section 3 - **Type C** 1st Violation or infraction - 7-day suspension without pay
2nd Violation or infraction - 14-day suspension without pay
3rd Violation or infraction - 30-day suspension without pay
4th Violation or infraction - Dismissal

Section 4 - **Type D** 1st Violation or infraction - Written warning
2nd Violation or infraction - 7-day suspension without pay
3rd Violation or infraction - 14-day suspension without pay
4th Violation or infraction - 30-days suspension without pay
5th Violation or infraction - Dismissal

Section 5 - **Type E** 1st Violation or infraction - Verbal warning

2 nd Violation or infraction	Written warning
3 rd Violation or infraction	3-day suspension without pay
4 th Violation or infraction	7-day suspension without pay
5 th Violation or infraction	14-day suspension without pay
6 th Violation or infraction	30-day suspension without pay
7 th Violation or infraction	Dismissal

Section 6 - The imposable penalty as provided in the above Article may increase or decrease depending on the **Aggravating** or **Mitigating** circumstances attendant to the violation or infraction committed by the employee.

ARTICLE IV – Type A Violations or Infractions against Hospital Interest

Section 1 - Conflict of Interest: Failure to declare or divulge participation in transactions or activities which may be in conflict with the interest of the Hospital.

There is conflict of interest when an employee engages, participates, or involves himself directly or indirectly in any transaction, activity or undertaking that puts him in a situation where his personal interest, or the interest of the other party he chooses to represent or serve, conflicts with the interest of the Hospital, thus impairing the objective and faithful exercise of his responsibilities as an employee.

Section 2 - Participating in any unauthorized meeting or assembly conducted within the Hospital premises at any time during working hours.

Section 3 - Circulating materials that advocates or instigate Hospital employees to create chaos, havoc or destruction in the Hospital.

Section 4 - Unauthorized use of the Hospital name.

Section 5 - Falsely representing to be an officer, agent or high official of the Hospital, or performing and usurping acts pertaining to authority of the Hospital.

Section 6 - Divulging restricted or confidential information or transaction of the Hospital.

Section 7 - Engaging in illegal concerted actions or activities such as work stoppage, slowdown, mass leave, riot or other similar disruptive activities.

Section 8 - Any act of sabotage

Section 9 - Unauthorized use of access code of another person in computer and other IT facilities.

Section 10 - Unauthorized use of email, paging system, telephone line, computer hardware, program, other equipment and facilities.

Section 11 - Maliciously deleting, modifying or copying emails of other employees, or that of the Hospital.

Section 12 - Using one's position or the name of the Hospital, to borrow money, goods, or favor from other people.

Section 13 - Falsification of Hospital records and documents

Section 14 - Intentional revealing or divulging of confidential or restricted information or matters about the Hospital.

Section 15 - Unauthorized copying or reproducing Hospital records and files that contain Classified, restricted and confidential information

ARTICLE V – Type A, C, D & E Violation or Infraction against Attendance & Punctuality

Section 1 – Type A

1. Maliciously altering or tampering of own time card or that of another employee with intent to gain
2. Knowingly or willfully punching the time card of another employee, with intent to gain for himself or the other employee
3. Knowingly or willfully causing or allowing another employee to punch his own card, with intent to gain.

Section 2 – Type C

1. Absence without leave and without justifiable reason for two (2) or more consecutive days.
2. Feigning illness or physical disability to avoid work.
3. Sleeping during duty or working hours.

Section 3 – *Type D*

1. Absence without leave and without justifiable reason for one (1) day.
2. Tardiness of five (5) times or more in one-month period
3. Failure to punch time card before or after office hours, three (3) times or more in one-month period without justifiable reason .

Section 4 – *Type E*

1. Unauthorized extension of leave; unauthorized change in work schedule or reporting for work in another shift without prior written permission.
2. Habitual exceeding of break period.
3. Refusal or failure to render overtime without valid reason

ARTICLE VI - Type A, B, & C Violation or Infraction against Conduct, Order & Discipline

Section 1 – *Type A*

1. Dishonesty, fraud or deception with intent to gain or benefit from the commission of the act.
2. Commission of crime involving moral turpitude.
3. Altering, tampering or falsification of Hospital records and documents.

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4. Accepting bribes and other favor or consideration in exchange for doing a job.
5. Favoring suppliers or any other person in consideration of bribes or kickbacks.
6. Soliciting or offering to solicit the recommendation or endorsement of third party for promotion or upgrade in position.
7. Giving or supplying false statement or information in Hospital records.
8. Giving false testimony during an official investigation.

Section 2 – *Type B*

1. Inflicting or threatening to inflict harm or damage on the person of Hospital officials, co-employees, clients or customers.
2. Intimidation, coercion, harassment or exploitation committed against Hospital officials, co-employees, clients or customers.
3. Making slanderous or libelous statement, malicious and disrespectful remarks against Hospital officials, co-employees, clients or customers.
4. Immoral and scandalous conducts that put the Hospital in bad light, committed within or outside the Hospital.
5. Entering and/or reporting for work under the influence of liquor or drug.

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Section 3 – Type C

1. Engaging or instigating fights.
2. Maltreatment of subordinate.
3. Disrespect for superior or authority.
4. Discourtesy towards any client or customer in any form or manner.

ARTICLE VII - Type A, B, C & E Violation or Infraction against Hospital Property

Section 1 – Type A

1. Stealing or attempting to steal Hospital property.
2. Misuse or misappropriation of Hospital fund or property.
3. Deliberately causing or inflicting damage to Hospital property.
4. Deliberate substitution of Hospital property with lesser value or poor quality.
5. Requisitioning of tool and other materials through fraudulent representation.

Section 2 - Type B

1. Unauthorized use of Hospital property and/or premises.

2. Substituting drugs or medicines of the Hospital with another items.
3. Negligence or reckless imprudence that caused damage to hospital property.
4. Neglecting or refusing to remit, pay, reimburse any money, collection or cash advance.
5. Neglecting or refusing to return or deliver materials, equipment or other items entrusted to the employee by the Hospital.

Section 3 - Type C

1. Vandalism, graffiti or similar acts that deface or damage the Hospital.
2. Altering, removing, without being authorized, notices or announcements. posted by the Hospital in its premises or elsewhere.
3. Posting of notices or clippings on the bulletin board or in any other areas in the Hospital premises without written consent of Hospital authority.

Section 4. - Type E

1. Loss or damage to issued Hospital ID of employee.

**ARTICLE VIII - Type A, B & C Violation or Infraction
related to Work Performance**

Section 1 – Type A

1. Unsatisfactory performance in the last two (2) immediately preceding semestral performance evaluation.
2. Concealing defective work or mistakes to avoid accountability, blame or sanction resulting in the disruption of operation and big losses to the Hospital.
3. Failure to observe the degree of diligence demanded by the situation taking into account the time, place and other relevant factors thereby exposing the Hospital to possible suit or exposing the Hospital to grave and unnecessary risk.

Section 2 - Type B

1. Unjustifiable and repeated failure to meet performance standard or set objectives.
2. Insubordination or unjustified refusal to carry out lawful order of superior, whether verbal or written without justifiable reason; refusal to accept work or shift assignment.
3. Losing or misplacing important Hospital records that adversely affects operations, work efficiency of others, causing prejudice and losses to the Hospital.

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4. Doing part-time job in other companies or other places without the approval of the Hospital.

5. Habitual neglect to observe the required degree of diligence demanded by the situation resulting to violation of standard operating procedures (SOP)

6. Interference in the work of others resulting to losses or disruption of operation

7. Willfully slowing down work or holding back work or output, work stoppage; walk-out, boycott; mass leave.

Section 3 – Type C

1. Deliberate deviation from standard operating procedures.

2. Quitting work or leaving Hospital premises or work station during duty hours without permission from immediate superior.

3. Doing personal business during office hours, e.g., trading business, money lending, vending and other similar activities.

Section 4- Type D

1. Loafing or loitering; hanging around not doing one's work during working hours.

2. Habitual exceeding of break time; spending prolonged time at CR for personal grooming.

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**ARTICLE IX - Type A, C, D & E Violation or Infraction
against Safety, Health, Sanitation and
Security Regulations**

Section 1 – Type A

1. Violation of safety regulations that tends to put in eminent danger the life of people and property of the Hospital.
2. Concealment of contagious disease that could prejudice the health of other people or employees of the Hospital.
3. Assisting or allowing unauthorized person to enter the Hospital by lending one's ID or uniform or providing the Hospital keys.
4. Bringing in or carrying in the Hospital premises, bombs, firearms, explosives, or other deadly/bladed weapons.
5. Unauthorized entry into the restricted area/s in the Hospital, or forcible entry in any place or area in the Hospital.
6. Conniving, assisting or aiding an outsider to gain unauthorized entry in the Hospital premises.
7. Bringing in, using, pushing or in possession of, illegal or prohibited drug, or being under the influence of it.
8. Planting evidence against another to impute the commission of an offense against the latter

Section 2 - Type C

1. Smoking in prohibited area.
2. Violation of safety or housekeeping rules and procedures, thus creating or contributing to unsanitary or unsafe condition in the Hospital.
3. Selling or possession of liquor inside Hospital premises unless duly permitted during Hospital activities or celebrations.
4. Refusal to submit to the required inspection conducted by Hospital security/authority in the Hospital premises.

Section 4 – Type D

1. Gambling or taking part in lottery or any game of chance inside the Hospital Premises.
2. Failure or refusal to undergo annual or required physical/medical examinations.

Section 5 - Type E

1. Eating, bringing or keeping food items in restricted or prohibited areas.
2. Unauthorized stay, lingering or loitering in the Hospital premises after work hours.
3. Reporting for work without wearing the prescribed uniform, or working without ID.

**ARTICLE X- Type A, B and C Violation or Infraction
against Decency, Morality and Honor**

Section 1 – Type A

1. Indulging in any immoral, scandalous and illicit affairs with any person in the Hospital.
2. Any act of lasciviousness committed against a co-employee, patient, customer, supplier or any other person in the Hospital.
3. Sexual harassment as defined in Republic Act 7877
4. Touching the private parts of a co-employee, patient, customer, supplier or any other person in the Hospital.
5. Any form of sexual assault.
6. Any form of immoral, lascivious, lewd acts, deeds, words or body language committed against any person in the Hospital.

Section 2 – Type B

1. Acts or deeds intended to dishonor or discredit other person; intriguing, maligning, gossiping, or uttering derogatory remarks against somebody or anybody.
2. Making offensive hand or body gesture with sexual insinuations..

3. Making obscene phone calls, texts or email messages to any person in the Hospital.

Section 3 – Type C

1. Persistently telling smutty or "green" jokes to co-employees and other people in the Hospital.
2. Any attempt to intrude or encroach in one's private life or activities.

**PROCEDURES IN HANDLING EMPLOYEE
DISCIPLINARY CASES**

1. **INCIDENT REPORT.** Where a situation of violation or infraction occurs, the immediate supervising authority shall immediately conduct an initial investigation and prepare the incident report within twenty four (24) hours from the time the alleged violation or infraction was committed by the employee/s. The incident report shall include the following information:

- 1.1. Date and Time of Incident
- 1.2. Exact Place
- 1.3. Employee/s involved in the Incident
- 1.4. Narration of the Incident and/or Report of Initial Investigation

The incident report containing the facts and circumstances of the incident and the results of the initial investigation shall be prepared in duplicate: one copy for the HRD and one copy for the Unit.

2. **NOTICE TO EXPLAIN.** The immediate supervising authority shall likewise prepare the notice to explain (NTE) for the employee and serve it within twenty four (24) hours from the time the alleged violation or infraction was committed. The NTE form shall be prepared in triplicate: one copy for the employee, one copy for the HRD and one copy for the Unit.
3. **WRITTEN EXPLANATION.** The employee shall be given at least seventy-two (72) hours from the date of receipt of the NTE form to provide his/her written explanation. Failure of the employee/s to submit his/her written explanation

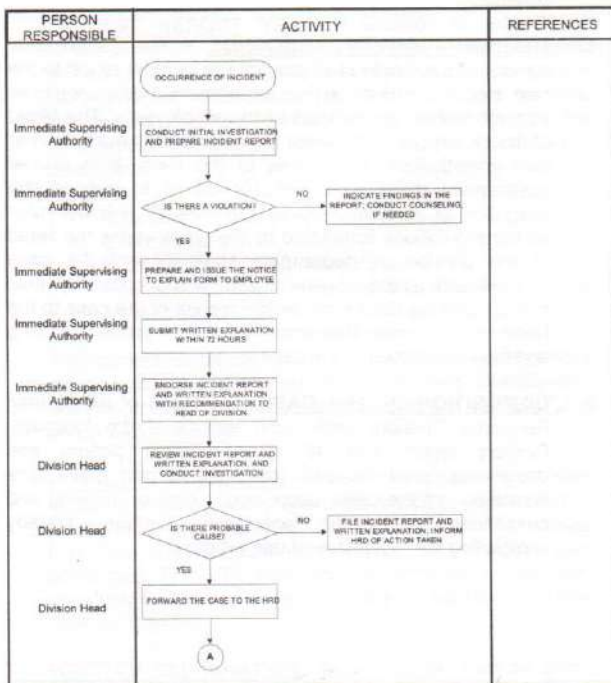
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within the prescribed period of time shall be considered waiver on his/her part to provide evidence in his/her own defense.

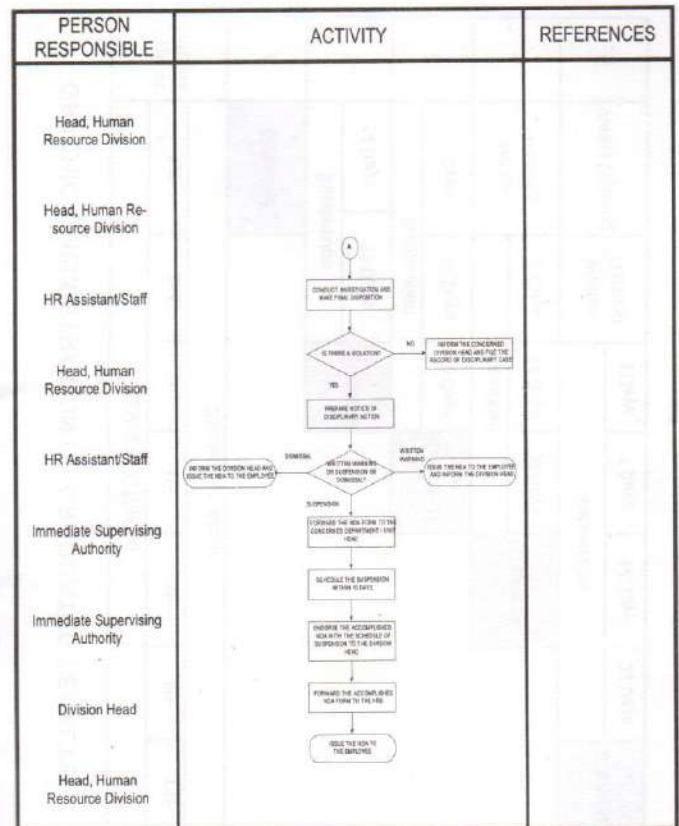
4. **TRANSMITTAL OF RECORDS.** The immediate supervising authority shall forward the incident report to the next higher authority in his department/division together with the written explanation of the employee/s. The Head of the division or department concerned shall make his/her own investigation and review of the case. If in his/her assessment there is a probable cause to support the allegation of infraction/violation of Hospital policies, rules and/or regulations committed by the employee/s, the Head of the division or department shall forward the case together with all the relevant records and documents within five (5) working days from his/her receipt of the case to the Head of the Human Resource Division for proper handling and final disposition of the case.
5. **DISPOSITION OF THE CASE.** The Head of the Human Resource Division, shall upon receipt of the foregoing incident report and all other relevant papers and documents, start his own investigation and make final disposition of the case, upon proper advice, meeting and consultation, with the appropriate parties, thereby completing the last phase of due process.

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FLOWCHART OF EMPLOYEE DISCIPLINARY ACTION PROCESS



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GRAPHICAL ILLUSTRATION OF GRADUATED PENALTY

Type of Offense	Level of Offense						
	1st	2nd	3rd	4th	5th	6th	7th
	Disciplinary Action						
A	Dismissal						
B	Suspension		Dismissal				
	14 Days	30 Days					
C	Suspension			Dismissal			
	7 Days	14 Days	30 Days				
D	Written Warning	Suspension			Dismissal		
		7 Days	14 Days	30 Days			
E	Verbal Warning	Written Warning	Suspension				Dismissal
			3 Days	7 Days	14 Days	30 Days	