OVP CODE OF DISCIPLINE

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I
Policy

It shall be the policy of the Office of the Vice President (OVP) to reform erring employees in order to promote discipline, integrity, efficiency, courtesy, responsibility, and responsiveness in the discharge of duties and responsibilities.

II
Scope

This shall apply to all regular, casual, and contractual personnel of the OVP.

III
Policy Guidelines

1. Utmost impartiality shall be exercised in meting out the appropriate penalty for an erring employee.

2. The immediate supervisor shall be primarily responsible for inculcating discipline among his subordinates.

3. Any infractions committed by any employee shall be formally reported to the Chief, Human Resource Management Division (HRMD) by the Division Chief of the erring employee within three (3) working days from the commission of the offense. Said Division Chief shall recommend the appropriate penalty.

4. A Committee on Discipline for Grave Offenses shall be constituted as follows:

Chairman Chief of Staff

Vice-Chairman Director of Administration and finance

Members Chief, Legal Staff, Chief, Human
Resource Management Division
Rank and File Representative

The Committee shall thoroughly investigate, hear, evaluate, and recommend to the Vice President the appropriate penalty for a grave offense committed by an erring employee.

5. This Code of Discipline shall be in accordance with existing and pertinent Civil Service and other government laws, rules and regulations.

6. Appeals or motions for reconsideration on the penalties meted out by any authorized official or the Committee on Discipline for Grave Offenses may be elevated to the next higher authority within five (5) working days upon receipt of the decision. The lapse of the prescriptive period shall be construed as a waiver of the right to appeal. The Committee or the Vice-President, as the case may be, shall render its or his decision within ten (10) working days from date of filing of the appeal or motion for reconsideration. The decision of the Vice-President shall be final and executory.

IV
Procedure

The following are the standard procedures to be followed:

1. The Division Chief shall discuss with the erring employee the offense committed. If the explanation given by the employee concerned is unsatisfactory to the division Chief, the latter shall submit a formal report to the HRMD, copy furnished the Director concerned. If the immediate supervisor concerned is remiss in the duty of disciplining his subordinate employee, the HRMD may assume this specific role.

2. In case of a light offense, the HRMD conducts the necessary investigation and evaluation and applies the appropriated disciplinary measure. The HRMD recommends to the Chief of Staff, through the Director for Administration and Finance, the appropriate penalty for less grave offenses. Grave offenses shall be within the jurisdiction of the Committee on Discipline for Grave Offenses, which shall be assisted by the HRMD.

V
Actionable Offenses Based on P.D. 807 and R.A. 6713

A. Light Offenses

1. * Neglect of duty,

2. *Discourtesy in the course of official duties;

3. *Improper and unauthorized solicitation and contributions from subordinate employees;

4. *Violation of reasonable office rules and regulations;

5. *Gambling within office premises;

6. *Refusal to render overtime service;

7. *Disgraceful, immoral, or dishonest conduct prior to entering the service;

8. *Borrowing money by superior officers from subordinates or lending by subordinates to superior officers;

9. *Lending money at usurious rates of interest;

10. * Willful failure to pay just debts or willful failure to pay taxes due to the government;

11. *Pursuit of private business, vocation, or profession without the permission required by Civil Service rules and regulations.

12. *Lobbying for personal interest or gain in legislative halls and offices without authority;

13. * Promoting the sale of tickets on behalf of private enterprises that are not intended for charitable or public welfare purposes and even in the latter cases if there is no prior authority;

14. *Failure to act promptly on letters and requests within fifteen (15) days from receipt, except as otherwise provided in the rules implementing the Code of Conduct and Ethical Standards for Public Officials and Employees;

15. **Failure to process documents and complete action on documents and papers within a reasonable time from preparation thereof, except as otherwise provided in the rules implementing the Code of Conduct and Ethical Standards for Public Officials and Employees; and

16. **Failure to attend to anyone who wants to avail himself of the services of the office, or act promptly and

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expeditiously on public transactions;

B. Less Grave Offenses

1. * Simple neglect of duty;

2. * Simple misconduct;

3. * Cross discourtesy in the course of official duties;

4. * Gross violation of existing Civil Service Law and rules of serious nature;

5. * Insubordination;

6. * Habitual drunkenness;

7. * Recommending any person to any position in a private enterprise which has a regular or pending official transaction with his office unless such recommendation or referral is mandated by (1) law, or (2) international agreements, commitment, and obligation, or (3) as part of the function of his office;

8. ** Unfair discrimination in rendering public service due to party affiliation or preference;

9. ** Failure to file sworn statements of assets, liabilities and net worth, and disclosure of business interest and financial connections including those of their spouses and unmarried children under eighteen (18) years of age living in their households;

10. ** Failure to resign from his position in a private business enterprise within thirty (30) days from assumption of public office when conflict of interest arises, or failure to divest himself of his shareholdings or interest In a private business enterprise within sixty (60) days from such assumption of public office when conflict of interest arises: Provided. however, that for those who are already in the service and conflict of interest arises the official or employee must either resign or divest himself of said interest within the periods herein above provided, reckoned from the date when the conflict of interest had arisen.

C. Grave Offenses

1. * Dishonesty;

2. * Gross neglect of duty;

3. * Grave misconduct;

4. * Being notoriously undesirable;

5. * Conviction of a crime involving moral turpitude;

6. * Falsification of official document;

7. * Engaging directly or indirectly in partisan political activities by one holding non-political office;

8. * Receiving for personal use a fee, gift other valuable thing in the course of official duties or in connection therewith when such fee, gift, or other valuable thing is given by any person in the hope or expectation of receiving a favor or better treatment than that accorded to other persons, or committing acts punishable under the anti-graft law;

9. * Contracting loans of money or other property from persons with whom the office of the employee has business relations;

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10. * Soliciting or accepting directly or indirectly any gift, gratuity, favor, entertainment, loan, or anything monetary value which in the course of his official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of his office. The propriety or impropriety of the foregoing shall be determined by its value, kinship, or relationship between giver and receiver and the motivation. A thing of monetary value is one which is evidently manifestly excessive by its very nature;

11. * Disloyalty to the Republic of the Philippines and to the Filipino people;

12. * Oppression;

13. * Disgraceful and immoral conduct;

14. * Inefficiency and incompetence in the performance of official duties;

15. * Frequent unauthorized absences or tardiness in reporting for duty, loafing, or frequent unauthorized absences from duty during regular office hours (construed as 5 times or more absences or tardiness within the month, without approved leave application or consent of immediate supervisor);

16. * Refusal to perform official duty;

17. * Gross insubordination;

18. * Conduct grossly prejudicial to the best interest of the service;

19. * Directly or indirectly having financial and material interest in any transaction requiring the approval of his office. Financial and material interest is defined as pecuniary or proprietory interest by which a person will gain or lose something;

20. ** Engaging in the private practice of his profession unless authorized by the Constitution, law, or regulation, provided that such practice will not conflict with his office functions;

21. ** Disclosing or misusing confidential or classified information officially known to him by reason of his office and not made available to the public, to further his private interest or give undue advantage to anyone, or to prejudice the public interest; and

22. ** Obtaining or using any statement filed under the Code of Conduct and Ethical Standards for Public Officials and Employees for any purpose contrary to morals or public policy or any commercial purpose other than by news and communications media for dissemination to the general public.

V
Administrative Penalties

A. Light Offenses

First Offenses

-

Written Reprimand

Second Offense

-

Suspension for one to thirty days

Third Offense

-

Dismissal (includes cancellation of eligibility, forfeiture of leave credits and retirement benefits and disqualification for re-employment in the government service)

B. Less Grave Offenses

First Offense

-

Suspension for one month and one day to six months

Second Offense

-

Dismissal

C. Grave Offenses

First Offense

-

Dismissal for infractions 1 to 12 enumerated under Actionable Offenses classified as Grave Offenses (Section V-C)

First Offense

-

Suspension for six months and one day to one year for infractions 13 to 24 enumerated under Actionable Offense classified as Grave Offenses (Section V-C)

Second Offense

-

Dismissal for infractions13 to 24 of Section V-C

VII
Effectivity

All previous OVP issuances inconsistent herewith are hereby superseded or modified accordingly.

This Standard Operating Procedure (SOP) takes effect on 01 January 1990.

Adopted: 18 Dec. 1989

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(SGD.) ANTONIO M. DE GUZMAN
Chief of Staff

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[*] offenses under P.D. 807.

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