



Philippine International Trading Corporation

## CODE OF CONDUCT FOR PITC OFFICERS AND EMPLOYEES

### ARTICLE 1 GENERAL PROVISIONS

**Section 1. Purpose.** In keeping with the highest standards of ethics and accountability, the Philippine International Trading Corporation (PITC) established a Code of Conduct to serve as an ethical directive for every PITC employee specifically in conducting business in the name of PITC.

**Section 2. Scope.** The provisions stated herein apply to all officials and employees of PITC. This includes the provincial offices and satellite offices under PITC.

**Section 3. Fidelity to Duty.**

- a. It is the responsibility of the Head of the Agency and employees to comply with the Code and to report violations or suspected violations.
- b. Employees and officials have an obligation to conduct business within the guidelines that prohibit actual potential conflicts of interest.

### ARTICLE 2 DEFINITION OF TERMS

*“Baseline Allegations”* refers to allegations made with reckless disregard for their truth or falsity. Individuals making such allegations may be subject to disciplinary action by PITC, and/or legal claims by individuals accused of such conduct.

*“Compensation”* includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

*“Complaint”* refers to any verbal or written report addressing breaches or violation of personnel practices, either between co-workers or between employer and employees. The report involves (i) questionable accounting, auditing, financial reporting, or internal controls; (ii) suspected fraud, theft or improper use of PITC’s assets; (iii) a violation of PITC’s conflict-of-interest policy that results in a financial harm to PITC; or (iv) a claim of retaliation against any employee making a good faith report regarding any of the preceding matters.

*“Conflict-of-interest”* occurs when an official or an employee is in a position to influence a decision that may result in personal gain or gain for a relative as a result of PITC’s business dealings.

*“Interested Person”* refers to any director, principal officer, or member of a committee with governing board-delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

*“Person with financial interest”* refers to a person who has, directly or indirectly, through business, investment, or family will gain or lose something.

“*Fraudulent or Dishonest Conduct*” refers to a deliberate act or failure to act with intention of obtaining an unauthorized benefit. Examples of such conduct include: (1) Forgery or alteration of document; (2) Unauthorized alteration or manipulation of files; (3) Fraudulent financial reporting; (4) Pursuit of a benefit or advantage in violation of PITC’s Conflict-of-Interest Policy; (5) Misappropriation or misuse of PITCs resources, such as funds, supplies, or other asset; (6) Authorizing or receiving compensation for goods not received or services not performed; and (7) Authorizing or receiving compensation for hours not worked.

“*Immediate family*” covers the following: husband, wife, son, son-in-law, daughter, daughter-in-law, father, father-in-law, mother, mother-in-law, brother, brother-in-law, sister, sister-in-law, grandparent, and grandchild.

“*Relative*” includes spouses, parents, children, brothers, sisters, brothers and sisters-in-law, fathers- and mothers-in law, step-parents, step-brothers, step-sisters and step-children. This definition extends to individual who are not legally related but who reside with another employee and any person whose relationship with the official or employee is similar to that of persons who are related by blood or marriage.

“*Whistleblower*” refers to any employee or member of the Board of the Directors or consultant who informs a supervisor or Head of the Agency about an activity relating to PITC which that person believes to be fraudulent or dishonest.

### **ARTICLE 3** **ETHICS AND ACCOUNTABILITY**

**Section 1. Values Statement.** The PITC Code of Conduct (“**Code**”) requires the PITC President, the officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Corporation, each must practice **honesty** and **integrity** in fulfilling their responsibilities and comply with all applicable laws and regulations. Each member of PITC is expected to act in the service of promoting the Core Values of the Corporation: *Professionalism, Integrity, Teamwork, Creativity, and Service Oriented*.

#### **Section 2. No Gift Policy**

- a. PITC, its officers and employees, shall **NOT SOLICIT OR ACCEPT**, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or use, anything of monetary value (“Gift”) from any person where such Gift: a) would be illegal or in violation of law; b) is part of an attempt or agreement to do anything in return; c) has a value beyond what is normal and customary in the business of the Corporation; d) could create the appearance of a conflict of interest. The prohibition shall include, but not limited to:
  - a.1 Honoraria given as speaker or resource person in seminars or where PITC officer or employee is participating by reason of his/her office with PITC.
  - a.2 Sponsorship in any form of any of the internal programs, activities, and affairs of PITC, such as Christmas parties, anniversary commemorations, etc.
  - a.3 Advertisements in the publications of PITC.

- a.4 Discounts, rebates, waivers and other forms of monetary incentives or benefits given to PITC, its officers and employees, in availing of the services and/or facilities of persons or entities under the jurisdiction of PITC.
  - a.5 Acceptance of invitations to social lunches and dinners with persons or entities under the jurisdiction of PITC.
- b. Exceptions.** Exempted from this “No Gift Policy” are the following:
- b.1 The acceptance and retention of certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy.<sup>1</sup>
  - b.2 The acceptance of seminar bags and contents, and partaking of moderately priced meals and beverages that officers and employees obtain at events, such as conferences and seminars, and which are offered equally to all members of the public attending the event.
  - b.3 Acceptance of books, pamphlets, publications, and data and other information or reading materials that are directly useful to PITC in the performance of its mandates, objectives and which books and other materials are given by individuals or organizations that have no pending business with PITC as to create an actual or potential conflict of interest.
  - b.4 The acceptance by PITC officers and employees of a scholarship or fellowship grant, travel grants or expense for travel taking place within or outside of the Philippines (such as allowances, transportation, food and lodging) or more than nominal value, if such acceptance is appropriate and consistent with the interests of the Government, and permitted by the Head of the Corporation.<sup>2</sup>
  - b.5 The acceptance or availment by PITC of grants from local or foreign institutions in the pursuit of the mandates, projects and activities, such as those coming from ADB, World Bank, USAID, etc., provided that the availment thereof shall be strictly in compliance with applicable procurement laws, rules and regulations.
- c. Requirement to Inform** – PITC officers and employees are required to professionally inform any individual or organization with any actual or potential business with PITC of this “No Gift Policy”, the reasons PITC has adopted this policy, and request that such individuals or organization respect such policy. Notices informing walk-in clients and visitors of the Policy shall likewise be posted in conspicuous areas within PITC premises.
- d. Return and Acknowledgement of Gift** – If PITC, any of its officers or employees, receives a gift covered by this policy, such gift, if feasible, shall immediately and politely be declined. In the event that it is not feasible, or it is inappropriate or impractical to return the gift, e.g. it is a perishable item, the gift shall be donated to an appropriate charitable or social welfare institution. An acknowledgement letter shall be sent to the donor informing him / her of the “No Gift Policy” or that the gift has been returned or donated to a charitable or social welfare institution.
- e. Written Exemption.** Any exception to this “No Gift Policy” may be made only with the written permission of the PITC President and CEO.

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<sup>1</sup> Adopted from Section 6(i) of the Code of Conduct and Ethical Standards for Public Officials and Employees

<sup>2</sup> Adopted from Section 7(ii) and (iii), Code of Conduct and Ethical Standards for Public Officials and Employees.

### **Section 3. Conflict-of-Interest**

#### **a. General Guidelines**

1. No presumption of conflict is created by the mere existence of a relationship with outside firms. However, if an official or an employee has any influence on any material business transactions, it is imperative that he or she discloses to the PITC President as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.
2. Personal gain may result not only in cases where an official, an employee, or a relative has a significant ownership in a firm with which PITC does business, but also when an official, an employee, or a relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving PITC.
3. Conflicts of interest may arise in the relations of the PITC President, officers and management employees with any of the following third parties:
  - i. Persons and firms supplying goods and services to PITC;
  - ii. Persons and firms from whom PITC leases property and equipment;
  - iii. Persons and firms with whom PITC is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property;
  - iv. Competing or affinity organizations/entities;
  - v. Donors and others supporting PITC;
  - vi. Recipients of grants from PITC;
  - vii. Agencies, organizations, and associations that affect the operations of PITC;
  - viii. Family members, friends, and other employees.

#### **b. Disclosure Policy and Procedure**

1. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and may be given the opportunity to disclose all material facts to the PITC President and members of the PITC Executive Committee considering the proposed transaction or arrangement.
2. Disclosure should be made according to PITC standards. Transactions with related parties may be undertaken only if all the following are observed:
  - i. A material transaction is fully disclosed in the audited financial statements of the Corporation;
  - ii. The related party is excluded from the discussion and approval of such transaction;
  - iii. A competitive bid or comparable valuation exists; and
  - iv. The Corporation's board has acted upon and demonstrated that the transaction is in the best interest of the Corporation.
3. Staff disclosures should be made to the PITC President (or if he or she is the one with the conflict, then to the designated committee), who shall determine whether a conflict exists and is material, and if the matters are material, bring them to the attention of designated committee.
4. Disclosure involving PITC officials should be made to the designated committee. The board shall determine whether a conflict exists and is material, and in the presence of an existing material conflict, whether contemplated transaction may be authorized as just, fair, and reasonable to PITC. The decision of the board on these matters will rest in their sole discretion, and their concern must be the welfare of PITC and the advancement of its purpose.
5. To ensure compliance with the provisions of this Rule on Conflict of Interest, PITC personnel who have the authority to enter into or approve contracts for PITC shall file a financial disclosure statement with the designated authority at the beginning and upon termination of employment in such position and annually while so employed.

The disclosure shall follow the guidelines established by the designated authority, and shall include all sources of personal and business income, including investments in personal or real property as well as all income received by their spouses or dependent children.

**c. Procedures for Addressing the Conflict of Interest**

1. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he or she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The chair of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the governing board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If more advantageous transaction or arrangement is not reasonably possible under the circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

**d. Violations of the Conflict-of-Interest Policy**

1. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

- e. Resolution:** When a conflict exists, resolution of the matter may include (a) approving or disapproving any transaction or situation at issue; (b) requiring the employee to remove himself or herself from positions in which the conflict of interest exists until there is no longer a conflict; or (c) requiring the director to discontinue, reduce, or modify his or her participation in the board, committees, or task forces where the conflict exists.

**A conflict of interest exists when:**

- (i) the personnel's objective ability or independence of judgment in performing official duties is impaired or may reasonably appear to be impaired;
- (ii) the personnel, personnel's immediate family, the personnel's common-law relations or the personnel's business or other financial interest would derive financial gain because of the personnel's official act, including but not limited to: receiving improper personal benefits as a result of his/her position; loans to or guarantees of obligations of, personnel/s and officers and their immediate family by the institution may create conflict of interest.

**f. Exceptions:**

1. No conflict of interest exists if any benefit accrues to the personnel as a member of a profession, business or group to the same extent as any other member of such profession, business group who does not hold a position in PITC.
2. PITC personnel are not prohibited from:
  - (a) accepting invitations to, or attending social functions, conferences or symposia, in relation to the personnel's official duties;
  - (b) accepting a public award presented in recognition of public services;
  - (c) receiving a commercially reasonable loan made as part of the ordinary transaction of the lender's business;
  - (d) accepting donations to PITC for the benefit of a group of personnel (e.g. all the personnel of an office or unit of PITC).

(a) and (b) shall be with the prior approval of the PITC President or his/her representative.
3. Outside employment may be allowed by the head of office except when it is prohibited by the Charter, provided it complies with all of the following requirements;
  - (a) The outside employment is not with a person or entity that conducts business with PITC;
  - (b) The outside employment shall be performed outside of regular working hours and is not incompatible with the performance of the personnel's duties and responsibilities and does not require the use of PITC equipment, supplies and other resources;
  - (c) The outside employment does not require or induce the personnel to disclose confidential information acquired while performing official duties;
  - (d) The outside employment shall not be with any government agency, unless specifically authorized by PITC; and
  - (e) Unless otherwise provided by law, no officer or employee shall engage directly or indirectly in any private business or profession without written permission from the head of agency. Provided that this prohibition will be absolute in the case of those officers and employees whose duties and responsibilities require that their entire time be at the disposal of the government; provided further, that if an employee is granted permission to engage in outside activities, the time devoted outside of office hours should be fixed by the head of the agency so that it will not impair in any way the efficiency of the officer or employee nor pose a conflict or tend to conflict with the official functions (Sec. 18, CSC MC 15, s. 1999).

Where a conflict of interest exists, may reasonably appear to exist, or whether the outside employment reflects adversely on the integrity of PITC, the personnel shall not accept the outside employment. For purpose of this rule, practice of profession (ex. Lawyers, CPAs) shall be included in the term outside employment.

**Section 4. Confidentiality**

- a. Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

- b. PITC will treat all communications under this policy in a confidential manner, except to the extent necessary (1) to conduct a complete and fair investigation, or (2) for review of PITC operations by PITC's audit committee, PITC's independent public accountants and PITC's legal counsel.

## **Section 5. Improper and Actionable Practices for Proper Investigation**

- a. The following is a non-exhaustive list of the kinds of improprieties that should be reported:
  - 1. Supplying false misleading information on PITC's financial or other public documents.
  - 2. Providing false information to or withholding material information from PITC's auditor.
  - 3. Destroying, altering, mutilating, concealing, covering up, falsifying, or making a false entry in any records that may be connected to an official proceeding, in violation national laws and policies.
  - 4. Altering, destroying, or concealing a document, or attempting to do so, with the intent to impair the document's availability for use in an official proceeding or otherwise obstructing, influencing, or impeding any official proceeding, in violation of national laws and policies.
  - 5. Embezzling, self-dealing, private inurnment (i.e., PITC earnings inuring to the benefit of a director, officer, or senior management) and private benefit (i.e., PITC assets being used by anyone in the organization for personal gain or benefit)
  - 6. Paying for services or goods that are not rendered or delivered.
  - 7. Using remarks or actions of a sexual nature that are not welcome and are likely to be viewed as a personally offensive, including sexual flirtations; unwelcome physical or verbal advances; sexual propositions; verbal abuse of a sexual nature; the display of sexually suggestive objects, cartoons, or pictures; and physical contact of a sexual or particularly personal nature.
  - 8. Using epithets, slurs, negative stereotyping, and threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, or disability.
  - 9. Circulating, or posting written or graphic material in the workplace that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, nationality, age, or disability.
  - 10. Discriminating against an employee or potential employee due to a person's race, color, religion, sex, sexual orientation, national origin, age, physical or mental impairment or veteran status.
  - 11. Violating PITC's Statement of Values and Codes of Ethics, Conflict-of-Interest Policy, Harassment Policy, or Equal Employment Opportunity Policy.
  - 12. Using their official position to secure unwarranted benefits, privileges or exemptions for themselves or for others.
  - 13. Accepting any fee or remuneration other than what they receive or are entitled to receive in their official capacity.
  - 14. Engaging in fixing or dealing directly or indirectly with fixers. For purposes of this Code, **a fixer** is a person who, for a fee, performs any act in behalf of a PITC client which act intends to facilitate any business transaction pending with PITC.

The following, however, are not considered fixers:

- (a) a lawyer who practices law before PITC, or his authorized liaison officers;

- (b) a person authorized to act in behalf of a corporation or other judicial entity

Provided that, these persons are fully authorized in writing to perform, act in, manage, conduct the affairs and execute any documents for and in behalf of the person/corporation/partnership/entity that they represent.

- 15. Facilitating or concealing any of the above or similar actions.
- 16. Disclosure to any unauthorized person any confidential information acquired by them while employed in PITC, whether such information came from authorized or unauthorized sources.

**Confidential information** means information not yet made a matter of public record relating to pending matters/cases, as well as information not yet made public concerning the work of any personnel relating to pending matters/cases, including notes (handwritten or encoded), drafts, research papers, internal discussions, internal memoranda, records of internal deliberations, and similar papers.

The notes, drafts, research papers, internal discussions, internal memoranda, records of internal deliberations and similar papers that a personnel uses in preparing a decision, resolution or order shall remain confidential.

It includes confidential information entrusted to them by the company or its customers, suppliers, joint venture partners or others with whom the Company is considering a business or other transaction except when disclosure is authorized by an executive officer or required or mandated by laws or regulations. Confidential information includes all non-public information that might be useful or helpful to competitors or harmful to the company or its customers and suppliers, if disclosed. It also includes information that suppliers and customers have entrusted to the company. The obligation to preserve confidential information continues even after employment ends.

b. Investigation

- 1. All relevant matters, including suspected but unproved matters, will be reviewed, and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings will be communicated to the reporting person and his or her supervisor. Investigations may warrant investigation by independent persons such as auditors and/or attorneys.
- 2. A written report of the outcome of each investigation is prepared and delivered to the PITC President.

**ARTICLE 4**  
**HEAD OF AGENCY**

**Section 1.** The PITC President, as the Head of Agency, holds overall accountability to the functions, operations and services rendered by PITC to its clients and to the public in general.

**Section 2. Handling Complaints**

- a. The Grievance Committee will respond to both parties in a timely manner, preferably within 10 days of receiving the complaint.
- b. The Grievance Committee shall arrange a meeting with the employee to allow the employee to present a personal and complete description of the situation.

Thereafter, the Grievance Committee will take the matter under consideration, including any necessary investigation or evaluation of the facts related to the situation and render a written decision, response, or explanation as expeditiously as possible but preferably within 15 working days. Such a decision or response will be final and conclusive.

- c. There will be no retaliation of any kind against an employee for making a complaint under this procedure. However, an employee may be disciplined or terminated for filing a false or frivolous complaint.

**Section 3. Decision-making:** The final decision of PITC is solely under the discretion of the PITC President. However, s/he is expected to conduct consultation with the committee and concerned parties involved.

## **ARTICLE 5 CUSTOMER RELATIONS**

### **Section 1. Complaints Handling Policy:**

- a. General Provision: Clients and outsiders are encouraged to report witnessed malpractices of PITC employees. Likewise, they are free to file any complaints pertinent to the enhancement of the performance of the Corporation.
- b. Filing a Complaint/Report:
  1. Clients and outsiders who wish to report/file a complaint must use the FORM A1 (See "Annex 1") provided by the PITC. The form is made available in every office of the Corporation and the office of the Human Resources Division. The form can also be downloaded from the website [www.pitc.gov.ph](http://www.pitc.gov.ph).
  2. No item should be left unanswered in the form.
  3. Supporting documents/evidence should be enclosed upon submission of the report.
  4. Handwritten forms are expected to be legible.
  5. For purposes of protecting whistleblowers, reports should be addressed to the Human Resource Division – Grievance Committee.

## **ARTICLE 6 PERSONNEL**

### **Section 1. Nepotism**

- a. General Guidelines
  1. Employees may not hold a job over which a member of their immediate family exercises supervisory authority, unless expressly approved by the PITC President.
  2. The staff of PITC may not influence the award of contracts to vendors with whom they have a familial or personal relationship.
  3. All questions concerning the hiring of any individual who may be related to another PITC employee should be referred to the Human Resources Division.

b. Employment of Relatives

1. Spouses: PITC reserves the right to: (a) refuse to place one spouse under the direct supervision of the other spouse where such has the potential for creating an adverse effect on supervision, safety, security, or morale; and (b) refuse to place both spouses in the same department, division, program, or facility where such has the potential for creating an adverse effect on supervision, safety, security, morale, or involves potential conflicts of interest.

2. Other Relatives

i. Relatives of any employee or any person exercising hiring, promotion, and termination authority may not be hired into the Corporation without approval of the PITC President (or, in the case of a relative of the PITC President, the Chairman of the Board).

ii. Relatives by blood or marriage of any employee, regardless of status, will not be hired in the same department, division, program, or facility where such has the potential for creating an adverse effect on supervision, safety, security, morale, or involves potential conflicts of interest without the written prior approval of the PITC President (or, in the case of a relative of the PITC President, the Chairman of the Board).

c. Marriage/Cohabitation of Employees: If two employees marry or become related or cohabit and a conflict arises, only one of the employees will be permitted to stay with PITC unless a reporting relationship for each spouse can be designed to ensure that no conflict or appearance of impropriety exists. The decision as to which relative will remain with PITC must be made by the concerned two (2) employees within three (3) calendar days or by the PITC President on the basis of service value.

**Section 2. Whistleblowing Policy**

**a. Reporting Malpractice and Corruption**

1. Employees who wish to report witnessed malpractice or corruption must use the FORM A-1 (See **Annex "1"**) provided by PITC. The form is made available in every office of PITC and the Human Resource Division. The form can also be downloaded from the website ([www.pitc.gov.ph](http://www.pitc.gov.ph))

2. No item should be left unanswered in the form.

3. Supporting documents/evidence should be enclosed upon submission of the report.

4. Handwritten forms are expected to be legible.

5. For purposes of protecting whistleblowers, reports should be addressed to the Human Resources Division – Grievance Committee.

**b. Complaints Against the Agency**

1. If an employee has a problem or complaint regarding any aspect of employment with PITC, the matter should first be discussed with his or her immediate supervisor.

2. If the issue is not resolved through discussion, the employee should submit a formal written letter to the Head of Office. Every attempt will be made to resolve the issue by the employee at this level.

3. After thirty (30) days, if the matter is still unresolved, it may be subject to review by the Grievance Committee. The Grievance Committee's decision will be final, and will not be subject to further review or appeal within the PITC.

**c. Complaints involving another Employee**

1. Employees are encouraged to take complaints involving a co-worker directly to that person for discussion and resolution. If the two employees are unable to resolve their differences, they may at any time request a mediation meeting with their supervisor where both employees are present.
2. If the complaint is unresolved at that level, a second mediation meeting can be arranged with the Head of the Human Resources Division. The decision of the Head of the Human Resources Division, in consultation with the Vice President/Head of Office where the employees are assigned, shall be considered final.

**d. Criteria in Evaluating the Report:** Each report received will be evaluated based on the criteria set by the PITC Grievance Committee.

1. The criteria set is divided into: (1) Significance of the subject matter; (2) Accuracy of the information contained in the report filed; (3) Authorities approached and involved; (4) Treatment, behavior and reputation of the reporter; (5) Specific law/policy violated and the expected organizational action against the alleged offender/s; (6) Treatment, behavior and reputation of the employee under question and; (7) Objective and perceived outcome of the reporter.
2. Each criterion is evaluated from a scale of 1 to 3, with one being the lowest and 3, the highest. The grade system is as follow; 1 – Relevant/excellent; 2- moderately relevant/moderate; 3- irrelevant/poor.

**e. Basic Guidelines for a Speedy Resolution to a Complaint:**

1. Employees are expected to consult promptly with their supervisor regarding any action, occurrence, or attitude either expressed or implied that is perceived as unfair or inequitable. Employees who believe it is not feasible to discuss the problem with their supervisor, for any reason, may consult directly with the Group Vice President. A written record of the consultation will be made.
2. Employees are generally required to discuss and seek resolution of personnel issues with their supervisor or, if the problem involves the supervisor, the Group Vice President. In limited circumstances, an employee may contact the Chair of the Grievance Committee. These circumstances include only issues involving employment discrimination, illegal conduct, or threatening or abusive conduct, and the Chair of the Grievance Committee may be contacted only if the matter 1) has not been reasonably resolved by the Group Vice President within a reasonable time or 2) if the matter involves misconduct by the Group Vice President. Any contact to the Chair of the Grievance Committee should be in writing and must detail the matter so that a prompt and complete investigation may be conducted.
3. Employee should contact their supervisor, or the Group Vice President, if appropriate, as soon as possible, preferably within 24-48 hours of any incident giving rise to a complaint. Any contact with the Chair of the Grievance Committee should be initiated as soon as possible, preferably within 24-48 hours of either the occurrence of the event from which the complaint arises or the chief executive's failure to reasonably resolve the issue within a reasonable time. If contact with the board chair is made, a decision will be rendered as promptly as possible under the circumstances.

**f. Exceptions to Procedural Steps:**

The Corporation recognizes that there are certain circumstances in which it may be inappropriate for employees to pursue the resolution of a problem in the prescribed sequence. Consequently, the following exceptions are instances where an employee may bypass steps to seek resolution of a situation by the next higher authority. Employees who are uncertain as to the proper authority or the method are to discuss the matter confidentially with the Chair of the Grievance Committee:

1. If the complaint or problem involves a known or suspected violation of the law;
2. If the complaint or problem is clearly not within the authority of the employee's supervisor to resolve;
3. If the employee and supervisor mutually agree to bypass the supervisor's step; or
4. If the nature of the complaint, problem, or dispute involves the employee's supervisor, and the employee reasonably believes the supervisor is not impartial.

**ARTICLE 7**  
**COMMITTEES**

**Section 1. Grievance Committee**

a. Responsibilities

1. Each member of the grievance committee will evaluate the reports/complaints filed.
2. The grade provided by each member should be supported by evidence to prevent allegations and prejudice.
3. Each member is expected to submit the accomplished FORM B1 (See **Annex "2"**) two days after receipt of the report.
4. The final result of the evaluation of the report will be based on the decision of the Grievance Committee. The decision should be consistent and supported by the individual evaluations of each member.

b. Action Following the Decision of the Grievance Committee

1. The investigation may need to be carried out under the terms of strict confidentiality. The designated investigating officer should keep the whistleblower informed about the investigation and its outcome.
2. The designated investigating officer will brief the Grievance Committee and the Vice President of the Corporate Governance Group as to the outcome of the investigation.
3. If the result of the investigation is that there is a case to be answered by any individual, the Disciplinary Rules and Procedure will be used. Where there is no case to answer, but the employee is held a genuine concern and was not acting maliciously, the designated officer should ensure that the employee suffers no reprisals. Only where false allegations are made maliciously, will it be considered appropriate to act against the whistleblower under the terms of the Disciplinary Rules and Procedure of PITC.
4. The designated officer will thereafter arrange a meeting with the whistleblower to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided within the time limit initially agreed.

## **Section 2. Administrative Review Committee**

**a. Responsibility:** The purpose of the administrative review committee is to solve problems as quickly, fairly, and informally as possible, and it should not be interpreted by any person as anything more than a method of solving problems before they reach damaging proportions.

**b. Scope:**

1. This review committee applies only to regular non-supervisory/non-management employees, as management and supervisory personnel have a more direct means of resolving matters related to their employment.
2. Employees who seek resolution of employment situations by using these established procedures will not be subjected to discrimination or retaliation, or be penalized in any way, for their use of these procedures.
3. Eligible employees who have complaints, problems, concerns, or disputes with another employee, the nature of which causes a direct adverse effect upon the aggrieved employee, the nature of which causes a direct adverse effect upon the aggrieved employee, may initiate an informal or formal administrative review according to established procedures. Such matters must relate to specific working conditions, safety, unfair treatment, disciplinary actions, compensation, job classification, reassignments, or any form of alleged discrimination.

**c. Administrative Review Procedures**

1. **Informal:** An employee having a problem, complaint, or dispute as defined is to make every effort to resolve the matter through informal discussion with the immediate supervisor within five (5) working days of the occurrence or cause of such matter. The supervisor(s) will take the matter under consideration and attempt to provide a satisfactory resolution or explanation within five (5) working days unless the circumstances require additional time.
2. **Formal:** If the employee's matter is unresolved, or not resolved to the employee's satisfaction, through informal procedures, the aggrieved employee may file a written administrative review request with the PITC President within five (5) working days following the supervisor's informal response. Upon receiving the employee's written request, the PITC President shall arrange a meeting with the employee to allow the employee to present a personal and complete description of the situation. Thereafter, the PITC President will take the matter under consideration, including any necessary investigation or evaluation of the facts related to the situation and render a written decision, response, or explanation as expeditiously as possible but preferably within fifteen (15) working days. Such a decision or response will be final and conclusive.

## **ARTICLE 8 OFFENSES AND THEIR CORRESPONDING PENALTIES**

Any violation of the provisions and policies stipulated shall be a ground for administrative and disciplinary actions pursuant to Anti-Graft and Corrupt Practices Act (RA 3019), Code of Conduct and Ethical Standards for Public Officials and Employees (R.A. 6713), Article XI Accountability of Public Officers, Sections 1 and 2 of the 1987 Constitution; and existing policies and rules and regulations of PITC, without prejudice to filing of appropriate criminal charges if warranted.

**ARTICLE 9**  
**EFFECTIVITY**

The PITC Code of Conduct shall take effect fifteen (15) days following the issuance and circulation of an office memorandum informing all PITC employees of the adoption of this Code.

**ARTICLE 10**  
**REPEALING CLAUSE**

This repeals all other orders or parts thereof which are inconsistent with the provision of this Code.

**UNDERTAKING**

The undersigned hereby declares that s/he read and concurs with the Code of Conduct of the Philippine International Trading Corporation. S/he understood the contents of this document and pledge to abide by the values, rules and procedures stipulated therein.

\_\_\_\_\_  
Signature over Printed Name

\_\_\_\_\_  
Position

Date: \_\_\_\_\_

**Annex 1. FORM A1**  
(For filing reports on witnessed malpractices and corruption)

**FORM A-1**

**Report of Employee Malpractices/Anomaly**

**Name:**

**Designation:**

**Contact Information:**

- a. Address
- b. Telephone Numbers

**THIS ALLEGED MALPRACTICE RELATES TO:**

**Name:**

**Designation:**

**Suspicion:**

**(please provide details)**

**Possible useful contacts for verification:**

**Please attach any available evidence for the disclosed information.**

**Signed:**

**Date:**

**Annex 2. FORM B1**

(For evaluating reports filed against malpractices and corruption)

**FORM B1**

**Criteria for Evaluating Reports**

The report filed by *Mr. Employee* against a *Mr. Co-employee/Mr. Supervisor* must satisfy the following criteria:

<b>Criteria</b>	<b>1</b>	<b>2</b>	<b>3</b>
1. Significance of the subject matter			
2. Accuracy of the information contained in the report filed.			
3. Authorities approached and involved.			
4. Treatment, behavior and reputation of the reporter.			
5. Specific law/policy violated and the expected corporate action against alleged offender/s.			
6. Treatment, behavior and reputation of the employee under question.			
7. Objective and and perceived outcome of the reporter.			

**Where:** 1-Relevant/excellent; 2- moderately relevant/moderate; 3-irrelevant/poor

**Remarks:**

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