



THE PITC WHISTLEBLOWING POLICY

1.0 BACKGROUND AND PURPOSE

- This policy is in conformity with the following laws that were enacted to guide the conduct of public officials and employees: Republic Act (RA) No. 3019 (Anti-Graft and Corrupt Practices Act), Presidential Decree (PD) No. 46, s. 1972 (Making it Punishable for Public Officials and Employees to Receive, and for Private Persons to Give Gifts on Any Occasion, including Christmas), RA No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees), Executive Order (EO) No. 292, s. 1987, "Administrative Code of 1987", RA NO. 9184 (the Government Procurement Reform Act), and RA No. 10149, the "GOCC Governance Act of 2011, and other similar laws, including any amendments thereto, and their implementing rules and regulations.
- To enable any concerned individual to report and provide information involving the actions or omissions of PITC Directors, Officers and Employees that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to PITC and/or the Government.
- To establish guidelines on whistleblowing including the reporting and investigation of allegations of illegal activity.
- To encourage responsible reporting of illegal activity as defined hereunder.

- To strengthen PITC's pledge to fight graft and corruption and to uphold and promote ethical behavior and sound business practices among and between the members of the Board, officers and employees and third parties.

2.0 COVERAGE

- 2.1 This Policy shall be applicable to the illegal activities committed against PITC by the members of the Board of Directors, Employees and Third Party
- 2.2 This Policy shall not apply to issues involving employee's terms and conditions of work or other aspects of established working conditions, unless related to retaliation, as defined herein.

3.0 DEFINITION OF TERMS

The terms used in this Policy shall be construed to mean as follows:

- a. Board of Directors - refers to members of the PITC Board of Directors.
- b. Employee - refers to all permanent and casual employees of PITC.

- c. Reportable Conditions – refers to such acts or omissions that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to PITC and/or the Government, such as, but not limited to:
- i. Abuse of Authority
 - ii. Bribery
 - iii. Conflict of Interest
 - iv. Destruction / Manipulation of Records
 - v. Fixing
 - vi. Inefficiency
 - vii. Making False Statements
 - viii. Malversation
 - ix. Misappropriation of Assets
 - x. Misconduct
 - xi. Money Laundering
 - xii. Negligence of Duty
 - xiii. Nepotism
 - xiv. Plunder
 - xv. Receiving a Commission
 - xvi. Solicitation of Gifts
 - xvii. Taking Advantage of Corporate Opportunities
 - xviii. Undue Delay in Rendition of Service
 - xix. Undue Influence
 - xx. Violation of Procurement Laws
 - xxi. Such other acts or omissions that otherwise involve violations of the following laws, rules and regulations:
 - (a) R.A. No. 6713, Code of Conduct and Ethical Standards for Public Officials and Employees
- b. R.A. No. 3019, Anti-Graft and Corrupt Practices Act
- c. R.A. No. 7080, as amended, the Plunder Law
- d. R.A. No. 10149, the GOCC Governance Act of 2011 and other GCG Circulars and Orders
- e. Book II Title VII. Crimes Committed by Public Officers, The Revised Penal Code
- f. Executive Order No. 292, s. 1987, Administrative Code of 1987
- g. Manual of Corporate Governance
- h. PITC Code of Conduct
- i. P.D. No. 1071, as amended



- d. Retaliation - refers to any detrimental act, whether direct or indirect, recommended, threatened or taken against a whistleblower or a witness which may come in the form of, but is not restricted to threats of physical harm, harassment or discrimination in the workplace, demotion, reduction in salary or withholding of benefits, termination of contract, inappropriate performance rating or evident bias in performance evaluation, re-assignment affecting prospects of promotion, punitive work assignments and termination of employment.
- e. Third Party - refers to consultants, contractors, suppliers, service providers, vendors or other such persons who have business, contractual or other similar dealings or transactions with the Corporation, or any other person as may be determined by the WPC.
- f. Whistleblower - refers to any Employee or Member of the Board who has personal knowledge or access to any data, information, fact or event constituting an illegal activity and makes a voluntary disclosure thereof to the Corporate Governance Group; provided, that such person must not have any direct participation in such illegal activity, or in cases where such person participated in any illegal activity, such person is not the most guilty.
- g. Witness - refers to any Employee of Member of the Board who is not the subject of an inquiry but who provides admissible information or evidence voluntarily or at the request of the investigating body regarding a matter under investigation.

4.0 POLICIES

- 4.1 The Corporation shall encourage responsible reporting of acts or omissions that constitute Illegal Activity.
- 4.2 The Corporation shall exert all efforts to protect Whistleblowers and Witnesses who report acts or omissions that constitutes Illegal Activity.
- 4.3 Confidentiality. Except when the Whistleblower does not invoke anonymity and/or confidentiality when invoking this Policy, the Corporation shall ensure confidentiality of all information arising from whistleblowing reports submitted pursuant to this Policy. It shall treat all reports, including the identity of the Whistleblower, the Witnesses and the persons complained of, in a confidential and sensitive manner. The identity of the Whistleblower will be kept confidential, unless compelled by law or the Courts to be revealed, or unless the Whistleblower authorized the release of his/her identity.
- 4.4 Protection of a Whistleblower Against Retaliation. Retaliatory acts against whistleblowers who submit whistleblowing reports in good faith shall not be tolerated by the Corporation which shall extend all possible assistance to the whistleblower under the law and given the circumstances.



4.5 Untrue Allegations. If a Whistleblower makes allegations that are determined to be fabricated or malicious falsehoods, and/or he/she persists in making them, legal action be taken against him/her by the Corporation.

5.0 ACTION ON WHISTLEBLOWING REPORTS

5.1 In cases of whistleblowing reports against the Corporation, Directors, officers and employees, the Corporate Governance Group (CGG) may pursue any of the following actions:

- (i) Dismiss the whistleblowing report for want of palpable merit;
- (ii) Submit a formal recommendation to the Governing Board for the discipline of the respondent Officer;
- (iii) Submit a formal recommendation to the Governing Board for the suspension of the respondent Appointive Director;
- (iv) Submit a formal recommendation to the Office of the President for the respondent Appointive Director;
- (v) Indorse to the proper Government Agency, such as the Office of the Ombudsman, the pursuit if the criminal and/or administrative processes against the respondents;
- (vi) Consider the whistleblowing report closed and terminated if the response of the respondent is found to be adequate.

5.2 In cases of whistleblowing reports against the Head of the Corporate Governance Group, the same should be filed with the President of the Corporation. The report may be dismissed for want of merit or a recommendation on proposed sanctions against the respondents be submitted to the Governing Board.

6.0 MISCELLANEOUS PROVISIONS

6.1 The Corporate Governance Group is directed to implement the provisions of this Policy. All other departments shall render support and assistance to the Corporate Governance Group in the implementation hereof.

6.2 If any part hereof is declared invalid or unconstitutional by virtue of the enactment of related laws and regulations by the government or any regulatory agency or constitutional body, the other parts not affected thereby shall remain in full force and effect.

7.0 AMENDMENT

This Policy may be amended by the Board of Directors upon the majority vote of its members present in the meeting.

8.0 EFFECTIVITY CLAUSE

This Policy shall take effect immediately upon approval by the Board of Directors.