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	Document Title:	POLICY ON DISCIPLINE, SUSPENSION, DEMOTION, AND TERMINATION OF PERSONNEL IN MOLECULAR LABORATORY

PURPOSE:


1. For Molecular Laboratory personnel to observe reasonable standards of conduct in the performance of his work, and in his/her relationship with fellow personnel and in his dealings with the public.
2. To ensure that appropriate, and fair judgments and resolutions are arrived at concerning infractions or violations based on the Code of Discipline.
3. To maintain a high level of self-discipline among the Molecular Laboratory personnel.

LEVEL:


Molecular Laboratory Supervisor, all personnel of the Molecular Laboratory, including Probationary and Fixed Term employees, Laboratory Director, Ancillary Services Division Officer, Molecular Laboratory Pathologist, HR Staff – Labor Relations, ER/LR Supervisor, and ER/LR Manager

POLICY:


1. COVID-19 testing laboratories and/or responsible personnel thereof, found to be violating any provision of the rules and regulations in securing a license to operate a COVID-19 Testing Laboratory in the Philippines, related issuances, and other applicable policy guidelines, shall be penalized under the existing laws, which may include suspension or revocation of DOH-LTO (*DOH Administrative Order No. 2020-0014 Guidelines in Securing a License to Operate a COVID-19 Testing Laboratory in the Philippines*)

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2. The protection of Valuable Biological Materials (VBM) includes appropriate storage conditions, documentation of their storage, use, transfer to more appropriate laboratories, or proof of complete destruction (*WHO Biorisk Management: Laboratory Biosecurity Guidance*). Violations particularly on the misuse or misappropriation of VBM shall result to the employee's dismissal and shall be subjected to further investigation (*Under Art. IV, Section 8, Dishonesty/Falsification, Code of Discipline Handbook*). Depending on the gravity of the case, the Management Committee may opt to other options such as demotion, alteration on the cost of damages, transfer of assignment, or other forms of disciplinary action.
3. The Molecular Laboratory Supervisor shall ensure that all relevant facts for each incident are properly documented, and due process is observed at all times, as prescribed by law.
4. The Molecular Laboratory Supervisor shall treat each incident with discretion, objectiveness, and fairness.
5. The Molecular Laboratory Supervisor shall act on all cases promptly and carefully. Also, they shall use a more moderate form of disciplinary action, such as counseling or coaching for minor offenses, and shall document the said activity.
6. Any violation committed shall first be considered as an "allegation" until proven to qualify as an offense.
7. All corrective/disciplinary measures shall be implemented pursuant to the provisions of the Labor Code of the Philippines, other pertinent laws and the relevant policies and regulations of the RMCI.

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8. The employee who is the subject of an investigation may be placed under preventive suspension if his continued employment poses a serious and imminent threat to life or property of the RMCI or of his co-employees, as determined by and depending on the discretion of the Molecular Laboratory Supervisor/Laboratory Manager.
9. It is understood that an employee who shall be suspended will not be paid of his wages during the period of his suspension. All other benefits shall also be suspended, except hospitalization benefits.
10. Termination of one's employment may either be for a just or authorized cause as provided under Article 282 and 283 of the Labor Code. Employees separated due to just causes e.g. fraud or serious misconduct, are not entitled to separation pay.
11. All sanctions with penalty of termination shall be cleared by the Corporate Human Resources Officer before the issuance of Notice of Decision. All records, and/or documentation regarding such investigation are made part of the employee's 201 file.
12. The sanction herein imposed shall not prevent the company from pursuing criminal and/or civil charges against the erring employee in accordance with laws.
13. The roles and responsibilities of the different persons/parties involved shall be defined, as follows:
 - 13.1. Molecular Laboratory Supervisor** – He/She initiates the discipline process by conducting the initial investigation, documenting and compiling all findings, statements of witnesses and other evidences. He/She recommends the prescribed corrective action for minor to less serious offenses, and seeks further evaluation from the Laboratory

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Manager or Ancillary Services Division Officer for the more serious/grave offenses.

13.2. ER/LR Manager – He/She evaluates the reports submitted by the Molecular Laboratory Supervisor. He/She gives advice, in concurrence with the Molecular Laboratory Supervisor, whether to call for an administrative hearing or otherwise decides on the appropriate corrective action, given the findings and evidences.

13.3. ER/LR Supervisor – He/She is the advocate of the policy. The HRD ensures that the Molecular Laboratory Supervisor/Laboratory Manager adheres to the due process requirement as mandated by the Labor Code of the Philippines and further ensures proper documentation of all discussions, recommendations and decisions made.

13.4. Disciplinary Board – It is the body that invites the erring employee to afford him/her the chance to be heard. This could be in the form of probing by questioning. The hearing shall only be conducted upon the discretion of the Corporate HR Officer (in concurrence with the Molecular Laboratory Supervisor) after evaluating the evidences and reports. Cases which may require hearing are those serious to grave offenses which could possibly lead to the termination of employment. The Board recommends the appropriate sanction of the offense committed by the erring employee.

13.5. Corporate Human Resources Officer – (CHRO) He/She reviews and approves the penalty impositions for infractions that merit termination in consultation with the company's Legal Counsel and/or President and Chief Executive Officer.


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14. The following approval metrics in the decision and imposition of sanctions and/or penalty of the offense shall be followed:


DISCIPLINARY ACTION	PERSON RESPONSIBLE
Warning/Written Reprimand	Molecular Laboratory Supervisor
Suspension	Disciplinary Board Notice - ER/LR Supervisor Decision - Molecular Laboratory Supervisor/ER/LR Supervisor
Termination Rank and File Supervisor Dept. Head Division Head	Disciplinary Board Notice – c/o ER/LR Supervisor Decision: Molecular Laboratory Supervisor/CHRO Laboratory Manager/CHRO Ancillary Service Division Officer/CHRO President & CEO

15. The following turn-around time shall be followed:


Steps in Handling Administrative Investigation	Activity	Duration	Person In Charge
1.Receiving of Incident Report with anecdotal For IR's without anecdotal refer back to submitting party	Receives IR from employee or Immediate Head		HR Employees'/ Labor Relation Supervisor / HR Labor Relation Staff

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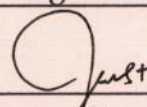


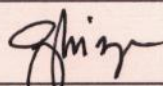
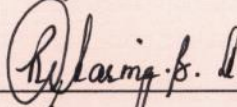
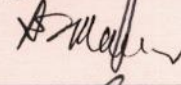
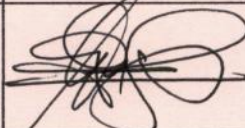
2. Evaluation of the IR submitted	Reviews of the IR submitted. If details are not sufficient contact the complainant for further verification.	2 days	HR Employees'/ Labor Relation Supervisor / HR - Labor Relation Staff
3. Issuance of Show-cause/Notice to Explain	Reviews the Code of Discipline Handbook, prepares and facilitates the issuance of the Notice to Explain.	1 day	HR Employees'/ Labor Relation Supervisor / HR Labor Relation Staff
4. Reply to the Notice to Explain	Response of Erring employee	5 calendar days	Erring Employee
5. Administrative Hearing	Coordinates schedules with the Immediate Head the availability of the Erring Employee same with the Hearing Committee	5 days	HR Employees'/ Labor Relation Supervisor / HR Labor Relation Staff
6. Transcription	Transcription of the Administrative Hearing	5 days	HR Employees'/ Labor Relation Supervisor / HR Labor Relation Staff


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7. Case Evaluation after the Hearing/ Recommendation	Determining the factors, mitigating & aggravating circumstance regarding the case		HR Employees' / Labor Relation Supervisor / HR Labor Relation Staff
8. Referral to legal		1 day	Sanction given to the Erring Employee
9. Decision	Sanction given to the Erring Employee	1 day	Molecular Laboratory Supervisor
TOTAL		20 days	

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APPROVAL:

	Name/Title	Signature	Date
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	RONEL JAY Y. FERRER Acting ER/LR Supervisor		7/21/20
Reviewed by:	DENNIS C. ESCALONA, MN, FPCHA Quality Assurance Supervisor		7/22/2020
Recommending Approval by:	NANCY B. HIZON Corporate Human Resource Officer		7/22/2020
	ROSARIO D. ABARING Ancillary Services Division Officer		07. 23. 2020
	HENRY F. ALAVAREN, MD, FPSMID Total Quality Division Officer		7/28/2020
Approved:	GENESIS GOLDI D. GOLINGAN President and CEO		12/23/2020


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PROCEDURE:

1. The Molecular Laboratory Supervisor requires a written Incident Report from the erring employee.
2. The Molecular Laboratory Supervisor makes the initial investigation and fact-finding and forwards the Anecdotal Report to the HR.
3. If the violation is not punishable by suspension, the Molecular Laboratory Supervisor issues the verbal and written warning to the erring employee. However, if the violation merits a suspension to termination, the Molecular Laboratory Supervisor elevates the case and submits an anecdotal report to the HR – ER/LR Section.
4. The ER/LR Supervisor checks the related offense committed with the Company Rules and Regulations so that proper sanctions can be made.
5. The ER/LR Supervisor, through a memorandum, directs the employee concerned to explain within five (5) days the reason/s why no disciplinary action should be imposed upon him/her.
6. The NOTICE TO EXPLAIN states in clear and unambiguous terms the particular company rule which is allegedly violated together with a brief description of the acts allegedly committed. If no reply is received after five (5) days, a second and Final Notice is served. If the erring employee fails to reply to the second and Final Notice, the case shall be decided by the HR based solely on the evidence at hand and a NOTICE OF DECISION is issued to the employee, copy furnished to the Molecular Laboratory Supervisor and the Labor Union.

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7. In the event that the employee submits a written REPLY explicitly denying the allegation or when the alleged infraction merits the penalty of TERMINATION, an administrative hearing is immediately conducted.
8. On the other hand, should the employee submit a written explanation and he/she admits the alleged infraction but pleads leniency or mercy, the case is immediately submitted for resolution. There shall be no more need for an administrative hearing. Except, when the penalty for the alleged infraction is DISMISSAL, in which case an administrative hearing should be conducted.
9. The NOTICE to an administrative hearing is served to the employee personally or via registered mail, if he/she is not reporting to work.
10. The HR – ER/LR Section conducts the administrative hearing.
11. Postponement is allowed, if prior to the scheduled date of hearing, the employee or his/her counsel/union representative requests for such postponement.
12. The erring employee is allowed only two (2) postponements.
13. During the administrative hearing, the parties are informed that the proceedings will be recorded. The transcript of said proceedings is signed by all parties present. For purposes of transparency, the parties are allowed to get a copy of the said transcript, upon request.
14. The evidences presented by the management are marked alphabetically. Those of the employee are marked in numeric order.

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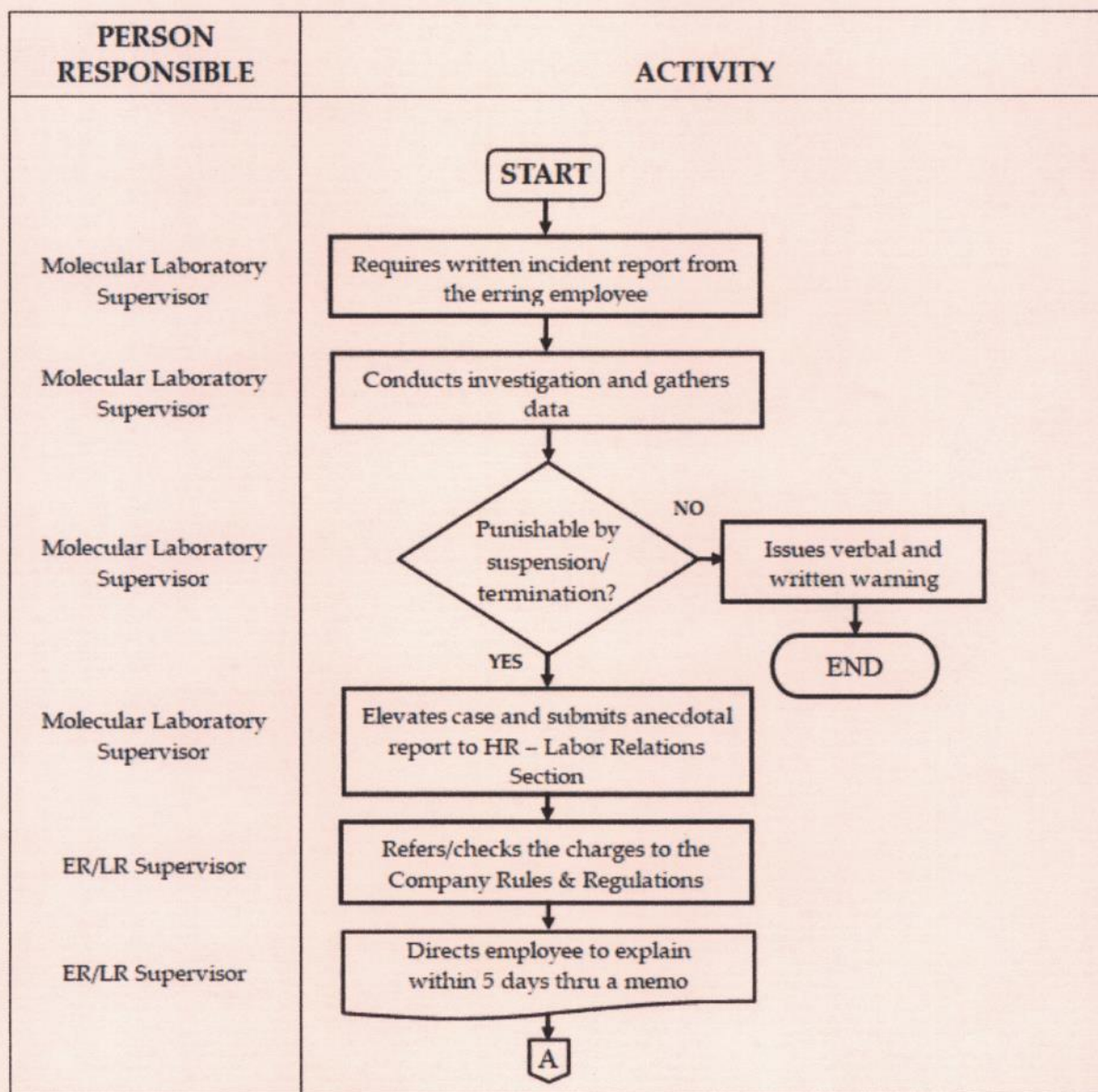
15. The ER/LR Supervisor evaluates the facts and considers any mitigating and/or aggravating circumstances present. He/She also checks the provisions of pertinent company rules and regulations and refers to the employee's 201 file for any previous infractions and/or sanctions.
16. The ER/LR Supervisor issues the NOTICE OF DECISION personally to the employee, duly acknowledged by the latter.
17. In case the employee refuse to sign or acknowledge the Notice of Decision, the ER/LR Supervisor shall mark the NOTICE "refuse to sign" and must be attested by the Molecular Laboratory Supervisor, co-worker or Union Representative.
18. The Notice of Decision with markings "refuse to sign" must be sent to the employee's registered address, via registered mail with return card. The ER/LR Supervisor shall file all documents in the employee's 201 file.
19. The ER/LR Supervisor submits a monthly report of terminated employees to the Department of Labor and Employment.




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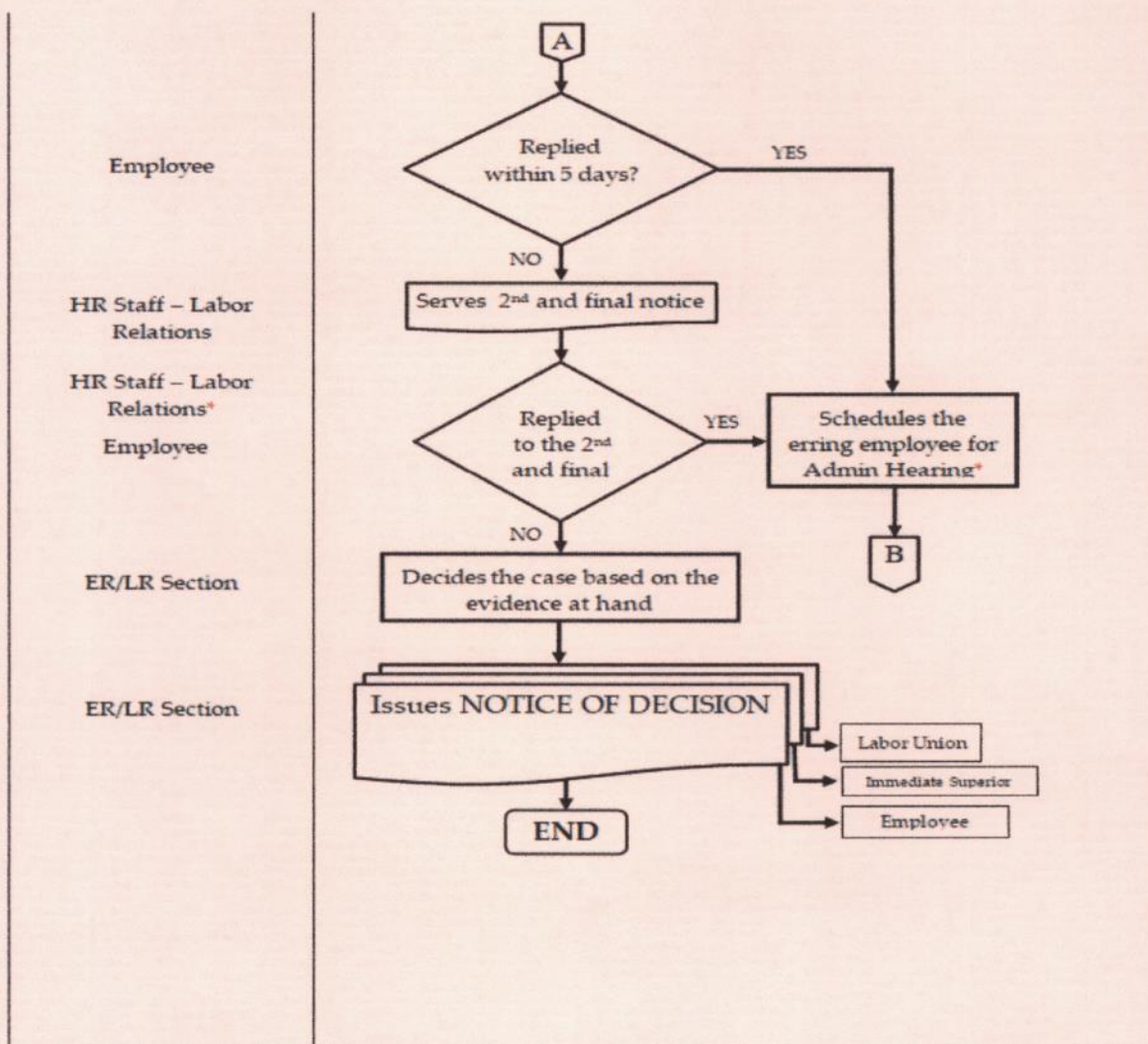
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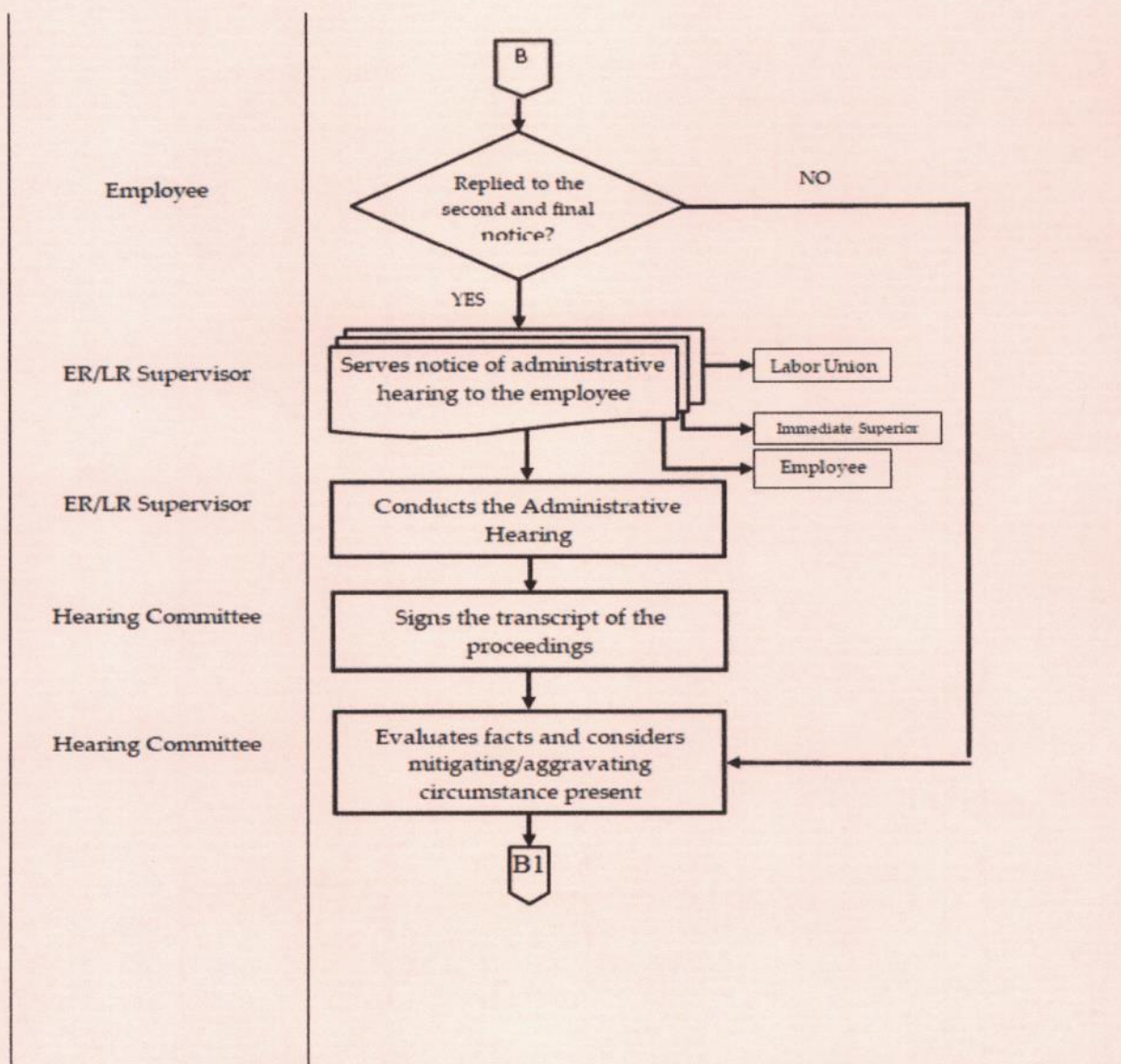



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Disciplinary Board:

1. Signs the transcript of the proceedings.
2. Evaluates facts and considers mitigating/aggravating circumstance present

DOCUMENTATION:

For Grievance Handling:

1. Written Complaints
2. Notice of Grievance Meeting
3. Minutes of the Meeting
4. Notice of Agreement

For Handling Disciplinary Action:

1. Employee's 201 File
2. Notice of Decision

DISSEMINATION:

Through updates during a Weekly Management Meeting and posting on the Communicator Bulletin Board

REFERENCE:

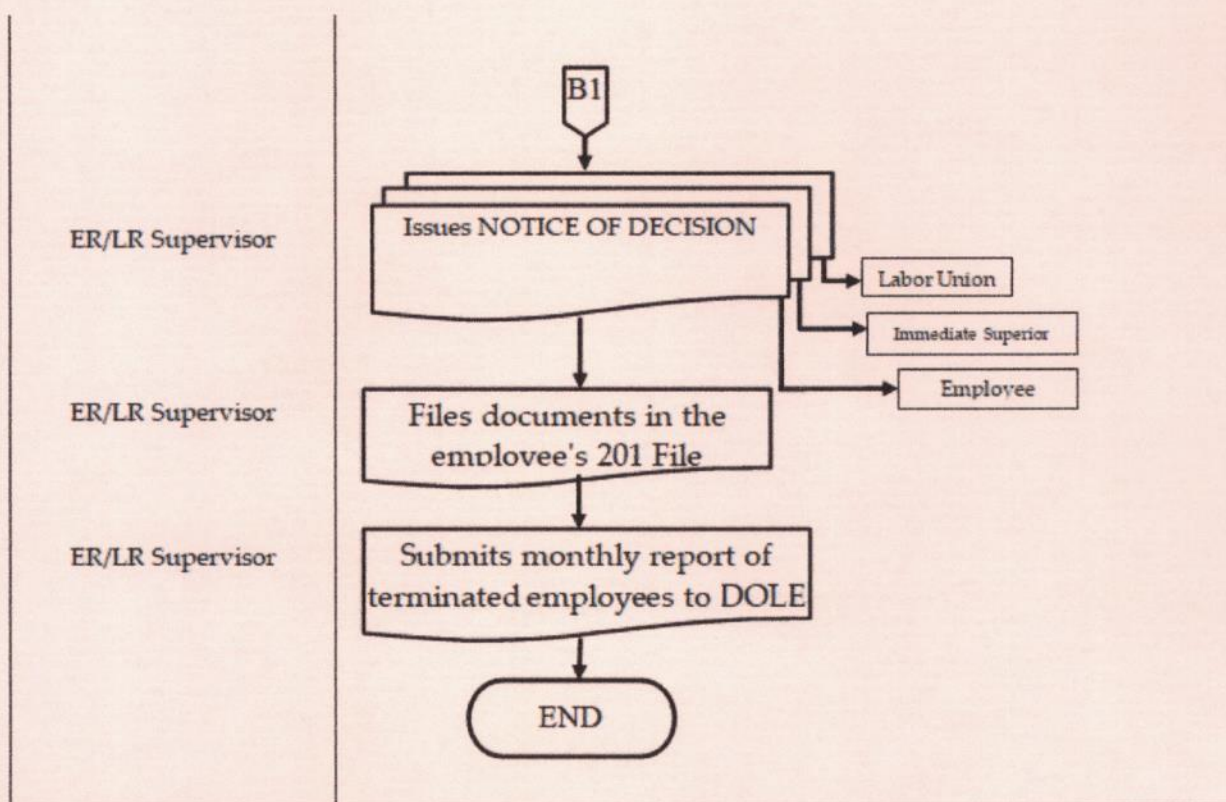
1. RMC Code of Discipline
2. HR (ER/LR) – QP – 03 Handling Disciplinary Action




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WORK INSTRUCTION:

HR – Labor Relations Head:

1. Receives Incident Reports/Complaints
2. Determines if the case should be pursued for possible disciplinary action.
3. Issues Notice to Explain to the erring employee.
4. Informs the concerned party if the case is not for possible disciplinary action
5. Issues the Notice of Administrative Hearing.
6. Issues the Second and Final Notice to Explain.
7. Conducts the Administrative Hearing/s.
8. Issues second and final Notice of Administrative Hearing, if the erring employee did not attend the hearing.
9. Issues the Notice of Decisions.
10. Gives a copy of the Decision to concerned parties
11. Keeps the copy of the Investigation Report and other pertinent documents in the 201 file.

Erring Employee:

1. Submits the Explanation Letter within five (5) calendar days upon the receipt of the Notice to Explain.
2. Attends the scheduled Administrative Hearing/s.

Immediate Head:

1. Makes anecdotal report and submits it to HR Office.
2. Gives the verbal warning or makes written reprimand for the employee.