

**PPSTA****Philippine Public School Teachers Association**

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Visit our Facebook Page: <http://www.facebook.com/pages/Philippine-Public-School-Teachers-Association/202301193115011#>

"Bayani ka, gurong Pilipino. Ang PPSTA, kumakalinga sa iyo!"

BOT (RM) RESOLUTION NO. 2016-019**Series of 2016****[Resolution Approving the PPSTA Whistleblowing Policy]****KNOW ALL MEN BY THESE PRESENTS:**

WHEREAS, the Philippine Public School Teachers Association (PPSTA) requires its employees, officers, managers and members of the Board of Trustees (BOT) to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. All employees and representatives of the Association must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

WHEREAS, the proposed "Whistleblowing Policy" is intended to encourage and enable employees and others to raise serious concerns internally so that the Association can address correct inappropriate conduct and actions.

WHEREAS, management and the Legal Committee recommend approval of the Board of Trustees of the proposed "Whistleblowing Policy" under the policies, guidelines and procedures stipulated in a Policy Memorandum to be issued for this purpose;

NOW THEREFORE, be it **RESOLVED** that the Board **APPROVES** the "**PPSTA Whistleblowing Policy**" under the policies, guidelines and procedures as stated in Policy Memorandum attached as *Annex "A"* of this Resolution.

The foregoing resolution has not been amended, revoked, or repealed and is in full force and effect as of the date hereof.

Quezon City, August 18, 2016.

Certified Correct:

ATTY. RANDY F. PABLO
Corporate Secretary

Attested by:

KAHAR H. MACASAYON
President

Approved by:

ATTY. MOISES A. BALON
Conservator

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ANNEX "A"

"Bayani ka, gurong Pilipino. Ang PPSTA, kumakalinga sa iyo!"

MEMORANDUM

TO : ALL CONCERNED

FROM : THE OFFICE OF THE CONSERVATOR

SUBJECT : PPSTA WHISTLEBLOWING POLICY

DATE : 18 AUGUST 2016

I. POLICY

The Philippine Public School Teachers Association (PPSTA) requires its employees, officers, managers and members of the Board of Trustees (BOT) to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. All employees and representatives of the Association must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

This "Whistleblowing Policy" is intended to encourage and enable employees and others to raise serious concerns internally so that the Association can address correct inappropriate conduct and actions.

II. DEFINITION OF TERMS

a. **Whistleblowing-** refers to situation where an employee decides to report serious concerns about any suspected misconduct, malpractice or irregularity which he/she has become aware of or genuinely suspects that any employee has been or may become involved in. The "Whistleblower" is the employee rendering the subject report.

b. **Good faith-** is evident when the report is made without malice or consideration of personal benefit and the employee has a reasonable basis to believe that the report is true. Good faith is lacking when the disclosure is known to be malicious or false.

c. **Misconduct/Improper Activity-** is a work related conduct that is in substantial disregard of an employer's interests. Such conduct may be willful or intentional, but it may also be unintentional conduct that results from extreme carelessness, indifference, or lack of effort. Simple performance deficiencies will generally not be considered misconduct. Employers will generally be expected to provide employees notice and an opportunity to improve their conduct, except in extreme cases. The misconduct must be work related. Off- duty conduct is generally not the basis for a finding of misconduct.

III. OBJECTIVE

1. To assist individuals who believe they have discovered malpractice or impropriety in the office.
2. To encourage employees to raise serious concerns internally, in a responsible manner, rather than overlooking a problem blowing the whistle outside of company premises.
3. To reinforces the value that the office places on staff to be honest and respected members of the Association.
4. To enable Management to be informed at an early stage about acts of misconduct.

IV. REPORTING RESPONSIBILITY

It is the responsibility of all employees, officers, managers and members of the Board of the Board of Trustees to report concerns about violations of the Employees' Code of Discipline or suspected violations of law or regulations that govern the operations of the Association.

PPSTA has a range of policies and procedures that deals with standards of behavior at work which under the Employees' Code of Discipline, however, employees are encouraged to use these policy on the matters included but not limited to:

- a. Malpractice, impropriety or fraud relating to internal controls, accounting, auditing and financial matters;
- b. Violations of the rules and regulations of the Employees of Code of Discipline;
- c. Improper conduct or unethical behavior;
- d. Breach of legal or regulatory requirements;
- e. Criminal offense has been committed, is being committed or is likely to be committed;
- f. Endangerment of the health or safety of an individual;
- g. Suspected fraud;
- h. The environment has been, or is likely to be, damaged; and
- i. Information on any of the above has been, is being, or is likely to be concealed

V. PROTECTION AND CONFIDENTIALITY

It is the Association's policy to make every effort treating all disclosures in a confidential and sensitive manner after an employee reports concerns about any of the above matters. The identity of the individual employee making genuine and appropriate allegation under this Policy are assured of fair treatment. In addition, employees are also assured of protection against unfair dismissal, victimization, retaliation or unwarranted disciplinary action, even if the concerns raised turn out to be unsubstantiated.

Management reserves the right to take appropriate actions against anyone who initiates or threatens to initiate retaliation against those who have raised concerns under this Policy. In particular, employees who initiate or threaten retaliation will be subject to disciplinary action, which may include dismissal or termination of employment.

Management shall support all employees and encourage them to raise concerns without fear of reprisal. The Association shall not tolerate any harassment or victimization of a whistleblower, and will treat this as a serious disciplinary offense, which will be dealt with under the Employees' Code of Discipline.

To protect the integrity of the Association, Board of Trustees, management and staff, a whistleblower who makes a report that is not done in good faith shall be subject to disciplinary sanction in accordance with the Employees' Code of Discipline.

Crimes against person or property, such as assault, rape, theft, robbery and the like, shall be immediately reported to the police or law enforcement agency.

The identity of the Whistleblower shall remain confidential to those persons directly involved in implementing this Policy. Reports of violations or suspected violations shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

VI. PROCEDURE

1. Channel of Reporting

Any employee who has a legitimate malpractice concern can raise the matter directly to his direct superior/manager. If the whistleblower is uncomfortable or otherwise reluctant to report to his superior/manager, he can report to the event to the next higher level of management, to the Board of Trustees (BOT) or to the General Manager/Conservator. All reports shall be forwarded to the General Manager/Conservator who shall review the complaint and decide how the investigation should proceed. Depending on the circumstances, the General Manager/Conservator may consider nominating of an appropriate Investigation Committee or set up a Special Committee to investigate the matter independently.

2. Reporting Format and Supporting Documentation

Disclosures can be made in writing or by using the standard form, **Whistleblower Report Form (Annex "A-1")**. While the Association does not expect the employee to have absolute proof or evidence of the misconduct, malpractice or irregularity reported, the report should show reasons for the concerns and full disclosure of any relevant details and supporting documentation.

The disclosure should be sent to the superior/manager, BOT or Conservator in a sealed envelope clearly marked "Strictly Private and Confidential – to be Opened by Addressee Only" to ensure confidentiality. Employees are required to put their name to any disclosures they make. Anonymous complaints shall not be considered.

The Company will hold it a serious disciplinary offense for any person who seeks to prevent a communication of malpractice reaching to the designated person, or to impede any investigation which he/she or anyone on his/her behalf may make.

3. Investigation Procedure

The format and length of an investigation will vary depending upon the nature and particular circumstances of each complaint made. The matters raised may:

- j. be investigated internally;
- ii. be referred to the External Auditor; and/or
- iii. form the subject of an independent inquiry.

The Chairman of the Investigation/Special Committee or the person designated to investigate the complaint will write to the complainant whenever reasonably practicable of the concern being received:

- i. acknowledging that the concern has been received;
- ii. advising whether or not the matter is to be investigated further and if so what the nature of the investigation will be;
- iii. giving an estimate of how long the investigation will take to provide a final response telling the complainant whether any initial inquiries have been made, and whether further investigation will take place, and if not, why not.

4. Investigation Report

The Investigation/Special Committee shall conduct the investigation and render the report within the given period for approval and/or appropriate action of the GM/Conservator.

VII. FALSE REPORTS

If an employee makes a false report maliciously, with a concealed motive, or for personal gain, the Association reserves the right to take appropriate actions against the employee to recover any loss or damage as a result of the false report. In particular, the employee may face disciplinary action, including dismissal, where appropriate.

VIII. ANONYMOUS REPORTS

As PPSTA takes reporting of misconducts, malpractices, and irregularities seriously and wants to conduct warranted investigations of both potential and actual violations, it is preferred that these reports are not made anonymously. However, it is recognized that for any number of reasons, employees may not feel comfortable reporting potential violations directly his superior/manager, BOT or GM/Conservator. In these cases, anonymous reports may be submitted to the Head, Administration who shall evaluate and render the corresponding report to the GM/Conservator.

IX. RECORD RETENTION

Records shall be kept for all reported misconducts, malpractices, and irregularities by the Head, Administration. In the event a reported irregularity leads to an investigation, the party responsible for leading and conducting the investigation shall ensure that all relevant information relating to the case is retained, including details of corrective action taken for a period not exceeding five (5) years.

X. IMPLEMENTATION OF POLICY

The PPSTA Compliance Officer has the overall responsibility for implementation, monitoring and periodic review of this Policy.

XI. EFFECTIVITY

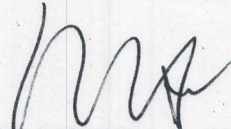
This Policy shall take effect immediately upon signing hereof.

XII. RESCISSION

This Memorandum supersedes all existing policies, rules and regulations established or issued by or on behalf of the Association which are in conflict herewith.

Subsequent guidelines shall be issued from time to time to establish or clarify existing rules, policies and processes.

For your information and guidance.



ATTY. MOISES A. BALON
Conservator

cc: **THE BOARD OF TRUSTEES
MANAGEMENT COMMITTEE**

ANNEX "A-1"

WHISTLEBLOWER REPORT FORM

Please provide the following details for any suspected serious misconduct or any breach or suspected breach of law or regulation that may adversely impact the company. Please note that you may be called upon to assist in the investigation, if required.

Note: Please follow the guidelines as laid out in the Whistleblowing Policy.

REPORTER'S INFORMATION

NAME

DESIGNATION

DEPARTMENT/SECTION

CONTACT NUMBER

E-MAIL ADDRESS

SUSPECT'S INFORMATION

NAME

DESIGNATION

DEPARTMENT/SECTION

CONTACT NUMBER

E-MAIL ADDRESS

WITNESSES' INFORMATION (if any)

NAME

DESIGNATION

DEPARTMENT/SECTION

CONTACT NUMBER

E-MAIL ADDRESS

NAME

DESIGNATION

DEPARTMENT/SECTION

CONTACT NUMBER

E-MAIL ADDRESS

COMPLAINT:

Briefly describe the misconduct / improper activity and how you know about it. Specify what, who, when, where and how. If there is more than one allegation, number each allegation and use as many pages as necessary.

1. What misconduct/improper activity occurred?

2. Who committed the misconduct / improper activity?

3. When did it happen and when did you notice it?

4. Where did it happen?

5. Is there any evidence that you could provide us?

6. Are there any other parties involved other than the suspect stated above?

7. Do you have any other details or information which would assist us in the investigation?

8. Any other comments?

Date: _____

Signature: _____