



OFFICE ORDER NO. 22 - 475 Series of 2022

CODE OF CONDUCT OF ECC OFFICIALS AND EMPLOYEES

Pursuant to the provisions of Section 12 of Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees," the following shall be implemented in the Employees' Compensation Commission (ECC).

I. DECLARATION OF POLICIES

It is the policy of the State to promote high standard of ethics in public service. This code of conduct is a set of standard social norms, regulations and responsibilities of each employee in the organization.

Every public official and employee shall observe the following Norms of Conduct as standards of personal conduct in the discharge and execution of official duties:

- (a) **Commitment to public interest.** - Public officials and employees shall always uphold the public interest over and above personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.
- (b) **Professionalism.** - Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and

dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.

- (c) **Justness and sincerity.** - Public officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favors on account of their office to their relatives whether by consanguinity or affinity except with respect to appointments of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are coterminous with theirs.
- (d) **Political neutrality.** - Public officials and employees shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.
- (e) **Responsiveness to the public.** - Public officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law or when required by the public interest, public officials and employees shall provide information of their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socio-economic conditions prevailing in the country, especially in the depressed rural and urban areas.

- (f) **Nationalism and patriotism.** - Public officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of locally produced goods, resources and technology and encourage appreciation and pride of country and people. They shall endeavor to maintain and defend Philippine sovereignty against foreign intrusion.
- (g) **Commitment to democracy.** - Public officials and employees shall commit themselves to the democratic way of life and values, maintain the principle of public accountability, and manifest by deeds the supremacy of civilian authority over the military. They shall at all times uphold the Constitution and put loyalty to country above loyalty to persons or party.
- (h) **Simple living.** - Public officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

II. OBJECTIVES

1. To set and maintain professional standards and behavior of officials and employees in ECC;
2. To serve as a reminder to officials and employees of what is expected from them and to highlight that their actions should always be aligned with the ethics of the public servants;
3. To provide applicable sanctions for any violation of this Code of Conduct.

III. COVERAGE

This code of conduct shall cover all permanent, co-terminuous, temporary, substitute, casual, contractual and fixed term officials and employees of the ECC in the Central and its Regional Offices.

IV. DEFINITION OF TERMS

1. **Reprimand** – is a formal rebuke usually given by a person in authority, or an official or official body given to a employee as a result of violation of office rules.
2. **Written Warning** - a written statement usually issued by the Human Resource Office notifying the employee of violation of office rules.
3. **Stern Warning** – A more serious written warning issued to an employee for committing a grave offense.
4. **Preventive Suspension** - is designed merely as a measure of precaution so that the official or employee charged may be removed from the scene of his/her alleged misfeasance/malfeasance/nonfeasance while the same is being investigated. It is not penalty.
5. **Dismissal** - is the termination of employment as a result of the decision after the investigation and the formal charged has been issued.

V. CORE VALUES

The ECC is committed to uphold public service values of Patriotism, Integrity, Excellence and Spirituality by promoting, as a way of life of its personnel, the following core values:

- A God-loving, dedicated and steadfast professionals and public servants;
- Standing for transparency, efficiency and effectiveness in its office operation;
- To deal with its clients and other publics with utmost courtesy, patience and compassion;
- To deliver excellent services promptly and fairly to all;
- And most importantly, being honest, industrious and committed to its work and to the Filipino worker.

VI. OFFICE POLICIES, RULES OF CONDUCT AND SANCTIONS

A. Office Hour

1. Deliberate or intentional falsification in the keeping of time records will render the guilty officer or employee administratively liable without prejudice to criminal persecution as the circumstances warrant.

1st Offense - Dismissal

2. Unauthorized Absences (Habitual Absenteeism) and Loafing from Duty During Regular Office Hours
 - a. An officer or employee in the civil service shall be considered habitually absent if he incurs unauthorized absences exceeding the allowable 2.5 days monthly leave credit under the Leave Law for at least three (3) months in a semester or at least three (3) consecutive months during the year.

In case of claim of ill-health, the head of office are encouraged to verify the validity of such claim, if not satisfied with the reason given, should disapprove the application for sick leave. On the other hand, in cases where an employee absents himself from work before approval of the application, said application should be disapproved.

In the discretion of the Head of office, any government physician may be authorized to do a spot check on employees who are supposed to be on sick leave.

Frequent Unauthorized Absences (Habitual Absenteeism), is considered grave offense.

- 1st Offense - Suspension of six (6) months and one (1) day to one (1) year
- 2nd Offense - Dismissal

B. Tardiness

When an official or employee incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year. Frequent unauthorized tardiness (Habitual Tardiness) is a light offense punishable by:

- 1st Offense - Reprimand
- 2nd Offense - Suspension of one (1) to thirty (30) days
- 3rd Offense - Dismissal from the service

C. Undertime

Working time that is less than the full time or the required minimum. This is usually incurred by an officer or employee who leaves or quits from work earlier than the usual eight-hour work schedule in a given working day. Any officer or employee who incurs undertime, regardless of the number of minutes/hours, ten (10) times a month for at least two months in a semester shall be liable for Simple Misconduct and/or Conduct Prejudicial to the Best Interest of the Service, as the case may be. It is considered light offense and is punishable by:

- 1st Offense - Reprimand
- 2nd Offense - Suspension of one (1) to thirty (30) days
- 3rd Offense - Dismissal from the service

D. Office Attire

When an employee reports for work not wearing the prescribed office uniform for the day.

- 1st Offense - Reprimand
- 2nd offense - Suspension for one (1) to thirty (30) days
- 3rd Offense - Dismissal

E. Work Misbehavior

A. The following are **light offenses**:

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

2. 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;
3. Failure to attend to anyone who wants to avail himself/herself of the services of the office, or act promptly and expeditiously on public transactions;
4. Engaging in private practice of his/her profession unless authorized by the Constitution, law or regulation, provided that such practice will not conflict with his/her official functions (subject to CSC Rules); and
5. Pursuit of private business, vocation or profession without the permission required by Civil Service rules and regulations.

1 st Offense	-	Reprimand
2 nd Offense	-	Suspension of one (1) to thirty (30) days
3 rd Offense	-	Dismissal from the service

B. The following are less grave offenses:

1. Simple Neglect of Duty;
2. Simple Misconduct;
3. Discourtesy in the course of official duties;
4. Violation of existing Civil Service Law and rules of serious nature;

ju

of serious nature;

5. Insubordination;
6. Habitual Drunkenness;
7. Unfair discrimination in rendering public service due to party affiliation or Preference;
8. 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;
9. Failure to resign from his/her position in the private business enterprise within thirty (30) days from assumption of public office when conflict of interest arises, and/or failure to divest himself/herself of his/her shareholdings or interest in private business enterprise within sixty (60) days from 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/herself of said interest within the periods hereinabove provided, reckoned from the date when the conflict of interest had arisen; and
10. Engaging directly or indirectly in partisan political activities by one holding non-political office.

1st Offense - Suspension of one (1) month

2nd Offense - and one (1) day suspension
to six (6) months;
Dismissal from the service

C. The following are grave offenses:

1. Serious 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. Physical or mental incapacity or disability due to immoral or vicious habits;

1st Offense - Dismissal from the service

F. No Smoking

Smoking shall be prohibited in areas in or on the government premises, buildings and grounds, except for open spaces designated as "smoking area." Any violation of this prohibition shall be grounds for disciplinary action and punishable by:

- 1st Offense - Stern Written warning
2nd Offense - 30 days suspension
3rd Offense - Dismissal

G. Sexual Harassment

A. Definition of Terms

1. **Sexual Harassment in the Workplace** includes the following:

1.1 An act or series of act involving any unwelcome sexual advances, request or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any forms of information and communication systems, that has or could have detrimental effect on the conditions of an individuals' employment or education, job performance or opportunities.

1.2 A conduct of sexual nature affecting the dignity of a person, which is unwelcome, unreasonable and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems.

1.3 A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient.

"Sexual harassment in the workplace may also be committed by a government employee or official in a work-related, training or education related environment of the person complained of, against any person regardless of the motive for

committing such action or remarks, between peers, and by a subordinate to a superior officer.

2. **Sexual harassment in Streets and Public Spaces** is committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.

Sexual harassment in streets and public spaces includes catcalling, wolf-whistling, unwanted invitations, misogynistic, transphobic and sexist slurs, persistent uninvited comments or gestures on a person's appearances, relentless request for personal details, statement of sexual comments and suggestions, public masturbation or flashing of private parts, groping, or any advances, whether verbal or physical, that is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces as alleys, roads, sidewalks and parks. Acts constitutive of sexual harassment in streets and public spaces are those performed in buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

3. **Online Sexual Harassment** refers to:

Gender-based online sexual harassment may be committed through an online conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear for personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats,

uploading or sharing of one's photos without consent, video and audio recordings, cyberstalking and online identity theft.

Gender-based online sexual harassment includes acts that use information and communication technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains, photos, voice, or video with sexual content, any unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about the victims to harm their reputation, or filling false abuse reports to online platforms to silence victims.

B. Sanctions

1. Sexual Harassment in the Workplace

a. Grave Offenses

- Unwanted touching of private parts of the body (inner thighs, genitalia, buttocks and breast);
- Sexual assault;
- Malicious touching;
- Requesting for sexual favor in exchange for employment, promotion, local or foreign travels, favorable working conditions or assignments, a passing grade, the granting of honors or

scholarship, or the grant of benefits or payment of a stipend or allowance; and

- Other analogous cases.

1st Offense - Dismissal

b. Less Grave Offenses:

- Unwanted touching or brushing against a victim's body;
- Pinching not falling under grave offenses;
- Derogatory or degrading remarks or innuendoes directed toward the members of one sex, or one's sexual orientation or used to describe a person;
- Verbal abuse with sexual overtones; and
- Other analogous cases.

1st Offense - Suspension of one (1) month and one day to six (6) months

2nd Offense - Dismissal from the service

c. Light Offenses:

- Surreptitiously looking at a person's private part or worn undergarments;
- Making sexist statements and uttering smutty jokes or sending these through text, electronic mail including but not limited to social media platform, causing embarrassment or offense and carried out after the offender has been revised that they are offensive or embarrassing or, even without such advice, when they are by their nature clearly embarrassing, offensive or vulgar;

- Malicious leering or ogling;
- Display of sexually offensive pictures, materials or graffiti;
- Unwelcome inquiries or comments about a person's sex life;
- Unwelcome sexual flirtation, advances, propositions;
- Making offensive hand or body gestures at an employee;
- Persistent unwanted attention with sexual overtones;
- Unwelcome phone calls with sexual overtones causing discomfort, embarrassment, offense or insult to the receiver;
- Engages in acts that include catcalling or wolf-whistling; and
- other analogous cases.

- 1st Offense - Reprimand
- 2nd Offense - Suspension of one (1) to thirty (30) days
- 3rd Offense - Dismissal from the service

2. Sexual Harassment in Streets and Public Places

- a. **Grave Offense of Sexual Harassment in Streets and Public Spaces** is committed by a public official or employee who engages in acts that include public masturbation or flashing of private parts, groping, or any advances, whether verbal or physical, that is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces as alleys, roads, sidewalks and parks. Such acts are punishable by:

- 1st Offense - Dismissal from the service**

b. **Less Grave Offense of Sexual Harassment in Streets and Public Spaces** is committed when a public official or employee engages in acts that include unwanted invitations, misogynistic, transphobic and sexist slurs, persistent uninvited comments or gestures on a person's appearances, relentless request for personal details or making statements comments and suggestions with sexual innuendos such acts are punishable by:

- 1st Offense - Suspension of one (1) month and one (1) day suspension to six (6) months
- 2nd Offense - Dismissal from the service

c. **Light Offense of Sexual Harassment in Streets and Public Spaces** is committed when a public official or employee engages in acts that include catcalling or wolf-whistling. Such acts are punishable by:

- 1st Offense - Reprimand
- 2nd Offense - Suspension for one (1) month to thirty (30) days
- 3rd Offense - Dismissal from the service

3. Online Sexual Harassment

a. **Light Online Sexual Harassment** is committed by a government official or employee who engages in acts that include unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy

through cyberstalking and incessant messaging with sexual overtones. Such acts are punishable by:

- 1st Offense - Reprimand
- 2nd Offense - Suspension of one (1) to thirty (30) days
- 3rd Offense - Dismissal from the service

b. **Less Grave Online Sexual Harassment** is committed by a government official or employee who engages in acts that include the use information and communication technology in terrorizing and intimidating victims through physical, psychological, and emotional threats with sexual overtones. Such acts are punishable by:

- 1st Offense - Suspension of one (1) month and one (1) day to six (6) months
- 2nd Offense - Dismissal from the service

c. **Grave Online Sexual Harassment** includes uploading and sharing without the consent of the victim, any form of medial that contains photos, voice, or video with sexual content, any unauthorized recording ad sharing online of any of the victim's photos, videos, or any information of sexual content, impersonating identities of victims online or posting lies of sexual nature about the victims to harm their reputation, or filing false abuse reports to online platforms to silence victims of sexual harassment. Such acts are punishable by:

- 1st Offense - Dismissal from the service

H. Drug-Free Workplace

1. Public officials or employees who found to have used dangerous drugs shall be charge Grave Misconduct:

1st Offense - Dismissal

2. Public officials or employees who refused, without any valid reason, to submit himself/herself for drug testing, shall be charged with the administrative office of Gross Insubordination:

1st Offense - Suspension of six (6) months and one (1) day to one (1) year

2nd Offense - Dismissal from the service

3. Any public official or employee found to have tampered the result of a drug test or interfered in the conduct of the drug test or in the release of drug test results shall be charged with the administrative offense of Grave Misconduct.

1st Offense - Dismissal from the service

4. Officials or employees caught using or peddling drugs shall be charged with the administrative offense of Grave Misconduct, without prejudice to the filing of appropriate criminal charge/s under R.A. No. 9165 and other pertinent laws.

1st Offense - Dismissal from the service

I. No Gift Policy

The following grave offenses shall be punishable by dismissal from the service:

1. Receiving for personal use of a fee, gift or 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 laws;
2. Contracting loans of money or other property from persons with whom the office of the employee has business relations;
3. Soliciting or accepting directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his/her official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of his/her 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 or manifestly excessive by its very nature.

1st Offense - Dismissal

J. Data Privacy

The following grave offenses shall be punishable:

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

2. 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; and
3. All provisions under the data privacy act.

- | | |
|---------------------------|--|
| 1 st Offense - | Suspension of six (6) months and one (1) day to one (1) year |
| 2 nd Offense - | Dismissal from the service |

K. Habitual Violations

Habitual violations of any of the offenses contained herein, but excluding this provision, shall constitute an offense punishable as follows:

- | | | |
|-------------------------------|---|--------------------|
| Warned in writing three times | - | 5 days Suspension |
| Warned sternly | - | 10 days Suspension |
| Suspended twice | - | 15 days Suspension |
| Suspended three (3) times | - | Dismissal |

VII. RESPONSIBILITY

The HR Administrative Division is responsible for the monitoring and implementation of this policy.

VIII. AMENDMENTS

This Code of Conduct shall be reviewed and updated periodically or as may be deemed fit by the HR – Administrative Division and Grievance Machinery Committee.

Please be guided accordingly.



ENGR. JOSE MARIA S. BATINO, CESO IV
OIC - Executive Director *jm*

16 September 2022
City of Makati