

**Board Resolution No. 2019 - 10**

**“APPROVING THE WHISTLEBLOWING POLICY AND PROCEDURES OF THE PHILIPPINE POSTAL CORPORATION (PHLPOST).”**


**RESOLVED**, as it hereby resolves to approve the Whistleblowing Policy and Procedures of the Philippine Postal Corporation (PHLPost), copy of which is hereto attached and made integral part hereof as Annex “A”.

**RESOLVED FINALLY**, that Management is hereby authorized to issue appropriate order/s or circular/s to facilitate dissemination of the said policy and procedures for the guidance of all concerned and to facilitate the uploading of the same in the official website of the Corporation.

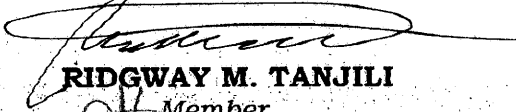
Adopted during the 1<sup>st</sup> Special Meeting of the Board of Directors of the Philippine Postal Corporation held on 24 January 2019 at the City of Manila, Philippines.

Approved by:


  
**NORMAN N. FULGENCIO**  
Chairman

  
**JOEL L. OTARRA**  
Vice Chairman & Postmaster General

  
**CRISTINA E. CARINGAL**  
Member

  
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**LIBERTY C. AVILA**  
Member

  
**PELAGIO S. PAGUICAN**  
Member

Attested by:

  
**ATTY. LINDEZA R. ROGERO-GAVINO**  
Corporate Secretary

**CERTIFIED TRUE COPY**  
  
**GUZMAN B. MELGAREJA JR.**  
ACTING ASSISTANT CORPORATE SECRETARY

## **WHISTLEBLOWING POLICY AND PROCEDURES**

### **SECTION 1 RATIONALE**

It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest.<sup>1</sup>In Line with this, PPC is committed in promoting transparency through open communications, organizational culture and values that emphasize integrity and honesty within the system.

Whistleblowing is an act where an internal member of an organization reveals misconduct from within to other members of the company or to the public.

Crucial concern is protecting the whistleblower from retaliatory acts while we strengthen accountability and reduce corruption in both public and private sectors. It is of great importance to protect the whistleblower from retaliatory acts while we protect the public interest and curb official abuses of entrusted power.

By this means and pursuant to the relevant provisions of the Governance Commission for Government Owned or Controlled Corporations (GCG) Memorandum Circular (MC) No. 2016-02 or the Revised Whistleblowing Policy for the GOCC Sector, this Circular is hereby promulgated to prescribe the policy and procedure for the implementation of the Whistleblowing Policy for PPC.

### **SECTION 2 OBJECTIVES**

This circular aims to:

- 2.1.Promote whistleblowing as an instrument for detecting corrupt activities and a deterrent for committing infractions or omissions that are grossly disadvantageous to the System and the Government of which will tarnish the image and integrity of public service;
- 2.2. Prevent and stop breaches of regulations that if left unaddressed in their early stages of occurrence, may lead to serious problems that may have an adverse impact on the System;
- 2.3 Provide PPC employees and officials avenues for reporting anomalies or irregularities and receiving feedback on any actions taken thereon;

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<sup>1</sup>Section 2, R.A. No. 6713, "Code of Conduct and Ethical Standards for Public Officials and Employees"

2.4 Provide measures for protection and reassurance of PPC employees and officials who provide the information on complaints, or cause the information to be provided, or assist in the investigation, that they will be protected from reprisals or victimization for whistleblowing in good faith; and

2.5 Provide policy guidelines and procedures on whistleblowing that will be implemented across the organization.

### SECTION 3 DEFINITION OF TERMS

The following terms shall be defined as:

3.1. **Conflict of interest** - A conflict between the duty of a public officer and his or her private interest including that of his or her living family member up to the fourth civil degree of consanguinity or affinity, where the personal interest if the public officer could improperly influence the performance of the public officer's official duties and responsibilities.

3.2. **Corrupt activities** - Engaging in, attempting to engage in conspiring to engage in, coercing, or intimidating another person to engage in a dishonest or unethical act involving a Public officer entrusted with a position of authority to acquire private or personal gain.

3.3. **Fixing** - Dishonest activity to make certain that a competition, e.g. bidding, is won by a particular favored Person, e.g., bidder.

3.4. **PPC Integrity Monitoring Committee (PPC-IMC)** - shall refer to the Committee tasked with handling the implementation of this Policy

3.5. **Reportable Conditions** - matters that may be brought to the attention of the PPC-IMC through this Policy as enumerated in Section D.

3.6. **Retaliatory Action** - Action that may adversely affect the rights and interest of a whistleblower usually taken by his or her employer, immediate supervisor, director or head of the corporation. This includes dismissal from the service, suspension, transfer or demotion, among others.

3.7. **Undue Delay in Rendition of Service** - A situation where a client has to wait way too long or excessively before a request is given due action or a task is done by a public officer.

3.8. **Undue influence** - A situation where a person uses power or authority in an unfair way to influence a legal decision or to gain an unfair advantage, e.g., award of a contract, without adequate attention to the consequences.

3.9. **Whistleblower** - concerned individual who, in good faith, reports and provides information, anonymously, if he/she wishes, and even testifies, on matters involving the actions or omissions of persons covered by this Policy (as provided in Section 5 hereof) which are illegal, unethical, violate good governance principles, against public policy and morals, promote unsound and unhealthy business practices.

3.10. **Whistleblowing Report** - refers to a Complaint filed by a Whistleblower about a Reportable Condition.

## SECTION 4 COVERAGE

The PPC Whistleblowing Policy shall be applicable to all the members of the PPC Board of Directors (BOD), all Officers and employees, whether permanent, temporary or co-terminus including those employed under Contracts of Service and under consultancy agreements.

## SECTION 5 POLICY

### 5.1. Reportable conditions

Whistleblowers may report such acts or omissions that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, violate PPC's policies, procedures, rules and regulations, or are grossly disadvantageous to PPC and/or the Government, such as, but not limited to:

- 5.1.1. Abuse of authority;
- 5.1.2. Bribery;
- 5.1.3. Conflict of interest;
- 5.1.4. Destruction/manipulation of records;
- 5.1.5. Fixing;
- 5.1.6. Inefficiency;
- 5.1.7. Making false statements;
- 5.1.8. Malversation;
- 5.1.9. Misappropriation of assets;
- 5.1.10. Misconduct;
- 5.1.11. Money laundering;
- 5.1.12. Negligence of duty;
- 5.1.13. Nepotism;
- 5.1.14. Plunder;
- 5.1.15. Receiving a commission;
- 5.1.16. Solicitation of gifts;
- 5.1.17. Taking advantage of corporate opportunities;
- 5.1.18. Undue delay in the rendition of service;
- 5.1.19. Undue influence; and
- 5.1.20. Violation of procurement laws

Whistleblowers may also report such other acts or omissions that otherwise involve violations of the following laws, rules and regulations:

- 5.1.21. Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees);
- 5.1.22. Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act);
- 5.1.23. Republic Act No. 7080 (The Plunder Law);
- 5.1.24. Book II, Title VII of the Revised Penal Code (Crimes Committed by Public Officers);
- 5.1.25. Executive Order No. 292, s.1987 (The Administrative Code of 1987);
- 5.1.26. Republic Act No. 10149 (The GOCC Governance Act of 2011);
- 5.1.27. GCG Memorandum Circular No. 2012-05 (Fit and Proper Rule);
- 5.1.28. GCG Memorandum Circular No. 2012-06 (Ownership and Operations Manual Governing the GOCC Sector);
- 5.1.29. GCG Memorandum Circular No. 2012-07 (Code of Corporate Governance for GOCCs);

- 5.1.30. Presidential Decree No. 1267 (NHMFC Charter);
- 5.1.31. GCG Memorandum Circular No. 2016-02 (Revised Whistleblowing Policy for the GOCC Sector); and
- 5.1.32. All other laws which penalize or sanction any act or omission of a public officer or employee;

The resolution of issues and complaints related to performance appraisal, behavioral problems of staff or supervisor, policies on promotion, and sexual harassment shall be directly reported and/or elevated to the appropriated PPC Committee or office and shall not be covered by this circular.

## 5.2 Reporting Responsibility

It shall be the responsibility of all PPC officials and employees to comply with PPC policies, aforementioned laws and regulations, and report any violation or suspected violation thereof.

GCG has established a website ([www.whistleblowing.gcg.gov.ph](http://www.whistleblowing.gcg.gov.ph)) as the primary reporting channel for whistleblowers. This reporting channel is an online-based platform by which whistleblowers may securely submit reports electronically while at the same time ensuring their anonymity and the confidentiality of their reports.

PPC also offers alternative reporting channels where whistleblowers may submit whistleblowing reports thru;

1. Face-to-face meetings: with any PPC Executive or Officer
2. E-mail : [whistleblowing@ppc.gov.ph](mailto:whistleblowing@ppc.gov.ph)
3. Postal mail : GF, Central Office Building, Liwasang Bonifacio, 1000 Manila
4. Telephone : 527-\_\_\_\_\_
5. Fax : 527-\_\_\_\_\_

## SECTION 6 REPORTING AND MONITORING PROCESS

- 6.1. The employee or official shall file a report or complaint with the OPMG, if the report or complaint is *against any PPC employee*. Such report or complaint shall then be endorsed to the Inspectorate Department.

The OPMG shall limit the number of persons who will handle the reports or complaints received under this policy in order to ensure and preserve confidentiality of the identity of the Whistleblower.

A report or a complaint *against an employee of the Inspectorate Department, Internal Audit Department or Legal Department* shall be filed with the OPMG.

A report or complaint against an employee holding a position of *division chief or higher not appointed by the President* shall be filed with the "Integrity Committee"(IC) which shall hereinafter be created by the Board of Directors (BOD) and be composed of the following:

- a) LD Manager-as Chairman
- b) IS Manager-member
- c) IAD Manager-member
- d) PERSONNEL Manager-member

If the complaint is against any employee or staff of the above mentioned, such committee member shall inhibit himself/herself in the conduct of the investigation and resolution.

As an alternative, the whistleblower can also report acts thru electronic mail, postal mail, telephone or fax.

6.2. For *formal* report or complaint, requisites of a valid complaint<sup>2</sup> as stated in the Revised Disciplinary rules and Procedures of the Philippine Postal Corporation shall be followed, together with the following:

- a) Supporting or direct evidence; and
- b) Credible witnesses if any

6.2.a. For *anonymous* reports, it will be acknowledged whether or not supported by documentary or direct evidence as would provide verifiable leads, in which case the person complained of may be required to comment on the report or complaint, which shall be submitted to the OPMG.

However the report or complaint shall only be acted upon taking into consideration the following:

- a) Seriousness of the issue raised;
- b) Credibility of the concern; and
- c) Likelihood of confirming the allegation from credible sources.

6.3. The OPMG shall conduct an initial evaluation of the report/complaint, except for reports against an employee holding a position of division chief or higher which shall be solely handled by the "Integrity Committee".

An initial report shall be submitted to the BOD within ten (10) working days from receipt of the report or complaint, and at least every month thereafter, for monitoring purposes. The monthly report shall include retaliatory acts taken against the whistleblower, if any, and the actions taken by PPC or the whistleblower against such acts.

6.4. The Inspectorate Department (ID) shall conduct the corresponding fact-finding investigation of all complaints or reports except for complaints or reports against an employee of the Inspectorate Department and Legal Department (LD), which is consistent with the procedures and timeline of LD on administrative investigation and pursuant to the Revised Rules on Administrative Cases In the Civil Service (RRACCS).

The ID, LD and IAD shall limit the number of persons who will handle cases under this policy in order to ensure and preserve confidentiality of the identity of the Whistleblower.

6.5. The Complainant (*Whistleblower*), if his identity is known, shall be updated on the status and outcome of the investigation on a regular basis.

6.6. A report on all complaints or allegations, including the findings, merits of the case, recommendations and final decisions shall be documented and filed accordingly for future reference. This shall be done by the office responsible depending on the person subject of the complaint. (*Refer to the table of procedure*)

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<sup>2</sup> Rule 4, Section 18 Revised Disciplinary Rules and procedures (as amended) of the Philippine Postal Corporation

6.7. All files related to complaints or reports arising from whistleblowing shall be properly logged for monitoring purposes and secured in a controlled location to ensure the safety and confidentiality of the Whistleblower and the documents. This shall be done by the office responsible depending on the person subject of the complaint. *(Refer to the table of procedure)*

6.8. The OPMG may seek assistance from any unit or office within the corporation or from other government agencies in the course of the investigation.

6.9. The OPMG shall monitor the status of complaints and reports on any accounted retaliatory act.

## SECTION 7 PROCEDURES

The following shall be the detailed general procedure to be followed for filed complaints or reports:

### A. Written Complaints against PPC employee

ACTIVITY	OFFICE RESPONSIBLE
<b>I. Reporting and Receiving of Complaint</b>	
1. Receive written complaint or report with attached proof of evidence to support complaint and credible witnesses, if any;	OPMG
2. Determine subject of complaint or report	OPMG
3. Acknowledge receipt of complaint or report and indicate necessary details specified in this circular.	OPMG
<b>II. Conduct of Investigation</b>	
1. The Responsible Office shall conduct an initial evaluation of the report/complaint.	OPMG
2. The Responsible Office shall endorse it to the Inspectorate Department (ID) for the corresponding fact-finding investigation of all complaints or reports except for complaints or reports against an employee of the Inspectorate Department or Legal Department.	OPMG to ID <i>Note: If the subject of the complaint refers to financial or monetary issue, it shall be endorsed to the Internal Audit Department (IAD)</i>
3. After the fact finding investigation, a report shall be submitted to the OPMG recommending either to conduct further investigation or termination of the investigation.	ID or IAD to OPMG
4. The OPMG shall forward the fact finding report to LD for evaluation.	OPMG to LD
5. The resolution/ decision by the LD shall be transmitted to the OPMG for approval and implementation.	LD to OPMG

### B. Written Complaints against an employee of ID or LD

ACTIVITY	RESPONSIBLE OFFICE
<b>I. Reporting and Receiving of Complaint</b>	
1. Receive written complaint or report with	OPMG

attached proof of evidence to support complaint and credible witnesses, if any;	
2. Determine subject of complaint or report	<b>OPMG</b>
3. Acknowledge receipt of complaint or report and indicate necessary details specified in this circular.	<b>OPMG</b>
<b>II. Conduct of Investigation</b>	
1. The Office responsible shall conduct an initial evaluation of the report/complaint.	<b>OPMG</b>
2. The Office responsible shall endorse it to a member or members of the Integrity Committee for the corresponding fact-finding investigation of all complaints or reports except for complaints or reports against an employee of the Inspectorate Department.	<b>OPMG to IC</b>
3. After the fact finding investigation, a report shall be submitted to the OPMG recommending either to conduct further investigation or termination of the investigation.	<b>IC to OPMG</b>
4. The OPMG shall then render its final resolution/ decision.	<b>OPMG</b>

**C. Written Complaints against an employee holding a position of division chief or higher not appointed by the President**

<b>ACTIVITY</b>	<b>RESPONSIBLE OFFICE</b>
<b>I. Reporting and Receiving of Complaint</b>	
1. Receive written complaint or report with attached proof of evidence to support complaint and credible witnesses, if any;	<b>IC</b>
2. Determine subject of complaint or report	<b>IC</b>
3. Acknowledge receipt of complaint or report and indicate necessary details specified in this circular.	<b>IC</b>
<b>II. Conduct of Investigation</b>	
1. The Responsible Office shall conduct an initial evaluation of the report/complaint.	<b>IC</b>
2. The IC shall forward the initial evaluation report to the GCG pursuant to GCG MC 2016-02.	<b>GCG</b>

*Note: For complaints against officers appointed by the President the IC shall advise the Whistleblower to forward his complaint to either CSC/OMBUDSMAN/Office of the President (OP)*

**D. Complaints received through the Whistleblower Hotline and/or Online Facility**

<b>ACTIVITY</b>	<b>OFFICE RESPONSIBLE</b>
<b>I. Reporting and/ or Receiving of Complaint/ Allegation</b>	
1. Call the Whistleblower Hotline or Log-on to the Online Facility to report a Complaint.	<b>Complainant (Whistleblower)</b>
2. Get the necessary details of the complaint and	



<p>Complainant (<i>Whistleblower</i>), if willing, and document the same. Log Complaint.</p> <p>a. If complaint is against any PPC employee</p> <p>b. If complaint is against an employee of ID or LD</p> <p>c. If Complaint is against an employee holding a position of division chief or higher</p>	<p>a. OPMG</p> <p>b. OPMG</p> <p>c. IC</p>
<p>3. Advise Complainant (<i>Whistleblower</i>) to submit a written complaint or report within ten (10) working days from the date the call on the Whistleblower Hotline was made. (the Complainant (<i>Whistleblower</i>) has the option whether to reveal his identity or not)</p>	<p><b>OPMG/IC</b>  <i>Note: For complaints against an employee holding a position of division chief or higher, IC shall forward written complaint and available supporting documents to GCG.</i></p>
<p>4. Prepare acknowledgement report and send to Complainant (<i>Whistleblower</i>). (Note: This activity can only be undertaken if the identity of the Complainant (<i>Whistleblower</i>) is known to the receiver of the complaint.</p>	
<p>II. <b>Conduct of Investigation</b> – The procedures on the investigation of Written Complaints shall be followed.</p>	
<p style="text-align: center;">End of Process</p>	

As to the filing of cases on reports and complaints under this policy, on the criminal aspect it shall be the duty of the ID manager in accordance with its manual, for the administrative aspect of the case it shall be the duty of the LD manager.

## SECTION 8 ADDITIONAL CLAUSE

### 8.1. Protection to Whistleblower

- 8.1.1. All reports or complaints shall be treated with utmost confidentiality in order to protect the identity of the whistleblower as well as the subject of the investigation. However, a statement from the Complainant (*Whistleblower*) may be required as part of the investigation process.
- 8.1.2. No person to whom a disclosure has been made or referred to shall divulge any information that may identify or tend to identify a whistleblower or reveal the subject matter of such disclosure, unless consent has been secured from the Complainant (*Whistleblower*) and such disclosure is indispensable and essential in the investigation.
- 8.1.3. Any person who shall disclose or divulge any information related to a complaint without the consent of the Complainant (*Whistleblower*) shall be subject to appropriate administrative disciplinary action.
- 8.1.4. Any PPC employee or official reporting an irregularity or anomaly or filing a complaint concerning a violation or suspected violation of PPC policies and aforementioned laws and regulations shall enjoy the presumption of good faith; Provided, that said employee or official has reasonable grounds and evidentiary

basis to believe that violation of PPC laws, policies, and rules or commission of an irregularity or anomaly has been committed.

8.1.5. The employee or official who files a report or complaint in good faith shall be protected by this policy even if the said report or complaint is, after investigation, proven to be unfounded. However, administrative disciplinary action shall be taken against any PPC employee or official who maliciously files a false report or complaint, without prejudice to other liabilities under existing laws.

8.1.6. PPC shall ensure that the employee or official who reported the violation shall not suffer harassment, retaliation or adverse employment consequence in any form.

Any person who shall commit any retaliatory act against the whistleblower shall be reported to the OPMG/BOD, and shall be subject to administrative disciplinary action which shall be independent of any action that an aggrieved person may take before the Ombudsman or the regular courts, as the case may be.

8.1.7. The whistleblower or the witness, who believe that he or she is being subjected to retaliatory acts must notify the OPMG and seek relief from the perceived retaliation.

8.1.8. The PPC, through the OPMG, strives to ensure that whistleblowers and witnesses of Whistleblowing are protected from any retaliatory acts.

8.1.9. Upon the consent of the whistleblower, the Corporation may coordinate with the Department of Justice in order for him to avail or enjoy the benefits granted to witnesses protected under R.A. 6981 otherwise known as "Witness Protection, Security and Benefit Act".

## 8.2 Retaliatory Acts

The following shall be considered as retaliatory acts:

8.2.1. Discrimination or harassment in the workplace;

8.2.2. Demotion;

8.2.3. Reduction in salary and benefits;

8.2.4. Termination of Contract;

8.2.5. Evident bias in performance evaluation; or

8.2.6. Any other act or threat that adversely affects the rights and interests of the whistleblower.

## SECTION 9 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 may be taken against him/her by PPC.

**SECTION 10 EFFECTIVITY**


This Circular shall take effect immediately upon publication in a newspaper of general circulation.

Prepared by:

  
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Auditor IV, Internal Audit Department

  
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Attorney IV, Legal Department

Conforme:

  
**ATTY. MA. MARGARITA C. RODRIGUEZ - BASCO**  
Acting Manager of Inspectorate Department

By Authority of the Board pursuant to Resolution No. 2019-10 adopted on 24 January 2019.

  
**JOEL L. OTARRA**  
Postmaster General and CEO