

NPC CODE OF CONDUCT AND DISCIPLINE

Since the implementation of Republic Act. No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001, Management has felt the need to adopt the NPC Code of Conduct and Discipline to officials and employees of the Corporation. The Code reinforces the existing Corporate and Civil Service Rules and Regulations governing the behaviour of NPC personnel in the performance of their duties and responsibilities. It abides by the constitutional provision that "public office is a public trust and public officials and employees shall, at all times, 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."

Employees will therefore be guided on the norms of conduct as embodied in the Code that are required for the actions they will take and its consequences and appropriate penalties for violations thereof. As the NPC Code of Conduct and Discipline is dynamic in nature, it shall be suppletory to the 2017 Revised Rules on Administrative Cases in the Civil Service (RACCS) concerning disciplinary and non-disciplinary proceedings in administrative cases in the Civil Service.

The following are the highlights of amendments under the 2017 RACCS:

1. Includes offenses found in other laws and rules such as Sexual Harassment and Violation of RA 9485 or the Anti-Red Tape Act (ARTA).
2. Clarifies the three modes of conducting preliminary investigation such as: a) requiring the submission of counter affidavit or comment and/or other documents from the person complained within five (5) days from receipt of the complaint which is sufficient in form and substance; b) ex-parte evaluation of the records; or c) clarificatory meeting with the parties to discuss the merits of the case.
3. Devotes a rule on the payment of backwages.
4. Emphasizes that mitigating circumstances shall not apply to dismissal from the service which is an indivisible penalty.
5. Incorporates the rule that the accessory penalty of Forfeiture of Retirement excludes both terminal leave benefits and personal shares/contributions to the GSIS or other equivalent retirement benefits system.
6. Duration of preventive suspension now provides that if the respondent is placed under preventive suspension in another case, the duration of the second preventive suspension shall simultaneously run with the first preventive

suspension without prejudice to the service of the remaining period of the second preventive suspension.

7. Provides payment of fine in lieu of suspension of those who are already retired or otherwise separated from government service where the penalty of suspension could not be served anymore which may be sourced from accumulated leave credits or whatever benefits are due.
8. Includes as penalty for indirect contempt the suspension of one (1) month up to maximum period of six (6) months aside from a fine of One Thousand Pesos per day for those who will defy CSC decisions, rulings or orders which may include heads of agencies, whether elective, presidential or non-presidential appointees.
9. Introduces psychological and developmental interventions as pre-requisites for Dropping from the Rolls.
10. Clarifies when an appointee is considered a de facto official or employee in case of disapproved/invalidated appointment and its effects.
11. Includes a provision that Judicial Affidavit Rule may be adopted in place of direct testimonies of witnesses without prejudice to clarificatory questions that may be asked.
12. Introduces the Presumptive Notice Rule.
13. Change of jurisdiction of Correction of Personal Information (COPI) from the CSC Central Office (CO) to Regional Offices (ROs).
14. Removal of the affidavit of two (2) disinterested witnesses for correction of personal information in the records of the Commission but not in the case of late registration of birth certificates.