

# EMPLOYEE HANDBOOK

# CODE OF CONDUCT

ACCEPTED BY:

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Name :  
Position :  
Dept. / Div. :  
Date :

## TABLE OF CONTENTS

	Page
<b>Foreword to Employees</b>	<b>2</b>
<b>Definitions</b>	<b>3</b>
<b>1. Professional Conduct</b>	<b>4 - 5</b>
<b>2. Attendance/ Punctuality</b>	
<b>3. Appearance</b>	
<b>4. Alcohol and Drug Abuse</b>	
<b>5. Code of Ethics</b>	<b>5 - 9</b>
<b>A - Commitment</b>	
<b>B - Confidentiality</b>	
<b>C - Insubordination and Inefficiency</b>	
<b>D - Press Releases and Public Statements</b>	
<b>E - Public Appearance as a Guest Speaker/Panel Member</b>	
<b>F - Publications</b>	
<b>G - Conflict of Interest</b>	
<b>H - Gifts or Favours</b>	
<b>I - Entertainment</b>	
<b>J - Personal Solicitation</b>	
<b>K - Graft and Invitation to Graft</b>	
<b>L - Marriage and Transfer</b>	
<b>M - Relatives</b>	
<b>6. Sexual Harassment</b>	<b>9 - 11</b>
<b>7. Disciplinary Action</b>	<b>11 - 13</b>
<b>i - Misconduct</b>	
<b>ii - Inquiries</b>	
<b>iii - Action by the Company</b>	
<b>iv - Summary Dismissal</b>	
<b>v - Right of Appeal</b>	
<b>vi - Grievance Procedure</b>	
<b>vii - Termination of Service</b>	
<b>Appendix 1</b>	<b>14 - 17</b>

## **FOREWORD TO EMPLOYEES**

This Code of Conduct (the “Code”) contains policies and guidelines relating to the standards and ethics that all employees are expected to adhere to in the course of their work. It is designed to maintain discipline and order in the work place among employees of all levels. It also sets out the circumstances in which such employees would be deemed to have breached the Code and the actions that can be taken against them if they do so.

The specific procedures on the application of the policies referred to in the Code will be spelt out in the Company’s policies and procedures manual.

The Company reserves the right to amend, delete or augment any provision in this Code as and when it deems necessary.

## **DEFINITIONS**

The following definitions shall apply unless otherwise expressly stated in the Code:

<b>Company</b>	Pharmaniaga Group of Companies
<b>Confidential Information</b>	Any information pertaining to the Company, its business or any other matter which:  (a) the Company reasonably believes that release of the information will be injurious to it or advantageous to its trade rivals. (b) the Company reasonably believes that the information is not already made public; and (c) the above two (2) criteria are to be judged in the light of usage and practice in the industry in question.
<b>Employee</b>	A person under the employment of the Company including permanent, contract and temporary employment. Where an employee is employed under a contract, the terms and conditions of his contract shall apply where they differ from the policies in this Code.
<b>HRD</b>	Human Resource Department of the Company in which the relevant employee is under employ.
<b>Prohibited Substances</b>	Alcoholic beverages, controlled substances and dangerous drugs except for those made available to an employee under a doctor’s prescription.
<b>Relatives</b>	Parents, brothers, sisters, grandparents, parents-in-law of the relevant employee.
<b>Spouse</b>	An employee’s legal wife or husband.

All reference of the masculine gender shall include the feminine gender unless otherwise expressly stated. All words importing the singular number shall include the plural number and vice versa.

## **1. PROFESSIONAL CONDUCT**

All employees shall observe and adhere to the highest standard of professional conduct. They should, in all respects and at all times, conduct themselves with integrity, propriety and decorum and must not under any circumstances, commit any act or omission that would bring damage to the Company, its property, reputation or general interests.

Employees are expected to have respect and tolerance for cultures and religions other than those of their own whether locally or overseas and shall conduct themselves in accordance with accepted standards of behaviour.

The Company does not tolerate any form of abusive or coercive behaviour whether verbal or otherwise, physical violence or sexual harassment among its employees.

## **2. ATTENDANCE/PUNCTUALITY**

All employees are required to observe the stipulated working hours of the Company. If an employee is unable to commence work on time on any particular day, he must inform his immediate supervisor by telephone at the earliest available opportunity and in any event no later than 12 p.m. on that day.

Late attendance by an employee will be recorded in the respective employee's attendance record maintained by the HRD. If an employee is late for work on more than three (3) occasions in a month an appropriate caution letter will be issued to the employee by the HRD. If the employee persists in late attendance and without good reason, he shall be subject to disciplinary action at the discretion of the HRD. For the purpose of this section, "good reason" shall be construed as a reason which is not, in the opinion of the HRD, frivolous, trivial, flippant or inconsequential.

An employee who is unable to attend work because of illness shall submit his original medical certificate to the HRD on the day he returns to work. Unless an employee is on medical leave, he will be required to apply for a full day's leave if he intends to be absent from work for more than (3) hours on that particular day.

An employee must not, without good reason, be continuously absent from work for more than two (2) consecutive working days without having obtained prior approval for leave from his relevant superior. If the employee was not able to obtain such prior approval, he must inform his superior or the HRD of the reason for such absence at the earliest opportunity during such absence.

## **3. APPEARANCE**

All employees must be suitably attired and groomed at all times at the work place, appropriate for their respective positions of employ. They are expected to maintain a dignified appearance and be neat, presentable, clean and tidy.

Casual attire including t-shirts, sports shoes, slippers and sandals are not allowed in the work place during working hours.

Uniformed staff are expected to wear their respective uniforms at all times in the work place during working hours. All other employees are expected to wear their respective uniforms on the "designated uniform day".

#### **4. ALCOHOL AND DRUG ABUSE**

Prohibited substances may not be brought, kept, consumed, sold, purchased or dealt with in any way on the Company's premises. Employees shall not report for work or carry out their duties in the course of their employment under the influence of alcohol or drugs of all or any of the above substances. If an employee is taking medication which renders him unable to carry out his duties in a manner that will jeopardise the safety of himself and/or the other employees, he must inform his relevant supervisor or the HR Manager accordingly.

If an employee knows or suspects that an employee is using, taking, consuming or dealing with any prohibited substances, he must inform his immediate supervisor or the HR Manager immediately. The Company also encourages employees to bring their personal drinking or drug problem to the attention of their supervisor (who shall inform the HR Manager accordingly without delay), or the HR Manager directly. The Company, may at its sole discretion and without prejudice to its rights of dismissal, render assistance to an employee who voluntarily submits himself for treatment for such a problem including rehabilitation at an appropriate centre for treatment.

The Company may from time to time, at its sole discretion require employees to be randomly tested for the use of illegal drugs and substances. Refusal by the employee to undergo such a test may warrant appropriate disciplinary action to be taken by the Company as it deems fit.

The HRD shall be responsible for determining the details of such misconduct or problem and the appropriate action to be taken against the said employee, which may include, without limitation, reprimand, suspension or dismissal. The HRD may, if it considers appropriate in the circumstances, submit a report of such misconduct to the management together with its recommendation of the appropriate disciplinary action to be taken against the said employee.

#### **5. CODE OF ETHICS**

##### **A Commitment**

- (i) All employees shall, in the course of their employment with the Company and in carrying out their duties and responsibilities in respect thereof, diligently and to the best of their ability perform such responsibilities and responsibilities as may from time to time be assigned or designated to them.
- (ii) All employees are expected at all times to promote and advance the interests of the Company and shall not do anything to bring disrepute to the Company.
- (iii) All employees shall obey, comply with and observe rules, regulations, procedures, practices, orders, directives and policies of the Company, whether expressed or implied in law or by custom and practice.

##### **'B Confidentiality**

- (i) No employee is permitted whether during or after termination of their employment with the Company, to discuss or divulge confidential information relating or pertaining to the Company directly or indirectly to any person or Company unless:
  - (a) such information has previously been made public knowledge; or

- (b) upon express direction or with express approval of the Company; or
  - (c) required, compelled or obliged to do so by law.
- (ii) Employees should not discuss whether among themselves or with others, within the workplace or outside the Company's premises, confidential information regarding the Company, its business partners, its customers or clients, its employees or any other confidential information except in the course of carrying out the Company's business.
  - (iii) It is the Company's policy that any information pertaining to the Company in any way whatsoever and which is not generally available to the public shall be treated with the utmost confidence. Such information must not be shared or used by any employee whether directly or indirectly to influence an investment decision in connection with the purchase or sale of securities.
  - (iv) The first obligation of any employee who receives a subpoena or other request seeking the disclosure of confidential information pertaining to the Company is to contact his immediate supervisor or HR Manager for guidance.

### **C Insubordination and Inefficiency**

An employee shall not commit any act of wilful refusal, insubordination or disobedience of any lawful and reasonable instruction of his supervisor/manager including refusal to perform work assigned, being inefficient and deliberately slowing down of work causing the quality and/or the quantity of work to be adversely affected.

### **D Press Releases and Public Statements**

An employee should inform his immediate supervisor if a member of the media approaches him for any information, statement or opinion concerning the Company. The immediate supervisor shall provide guidance to the employee on the appropriate response to the media's request.

An employee shall not make any public statement on the policies or decisions of the Company whether orally or in writing or in any form whatsoever nor shall he circulate or cause to be circulated any such statement.

### **E Public Appearance as a Guest Speaker or Panel Member**

Any employee who has been invited to appear as a guest speaker in a public forum must, if he intends to make such appearance, submit the details and/or the topic(s) of his proposed speech to his immediate supervisor. The immediate supervisor shall in turn submit the same to the management for their consideration. An employee may only make such appearance if prior approval has been obtained.

### **F Publications**

Employees are not permitted to publish or distribute in any written or printed form, articles, books, periodicals, leaflets, brochures etc containing information relating to the Company without prior written approval of the Company.

### **G Conflict Of Interest**

An employee cannot during his employment with the Company, engage directly or indirectly in any other business or occupation whether as principal, agent, servant or broker while still in the employ of the Company. He is also not permitted to engage in any activity, which can be detrimental, directly or indirectly, to the interest of the Company.

An employee may acquire or hold shares in any quoted public Company. However, he must seek prior approval from the Company if he intends to acquire substantial shareholding(s) in any such company (as defined in the Companies Act, 1965) or hold directorship(s) in the same Company.

An employee is not allowed to participate in or influence the purchase of goods and services from any company or person in which or through which that employee has or will obtain a direct or indirect interest or benefit.

Upon receipt of the Code, all employees must declare all such interests as described in the Declaration Form for Conflict of Interests and particular attention must be paid to the notes thereto, which explain the types of interests that must be declared.

Any proposal made by any employee for an unsolicited offer to purchase any or all of the equity interests of any of the Companies in the Group will be viewed as an event which may give rise to a conflict of interest if such employee continues employment with the Group. Accordingly, such employee shall tender his resignation immediately.

## **H Gifts or Favours**

It is the policy of the Company that no employee or any member of his immediate family will accept any form of gifts or favours from contractors, suppliers, clients/customers, or any other party having business dealings with the Company.

However, in such circumstances where it is customary to do so, employees shall be permitted to accept such gifts of nominal value or favours provided that such gifts or favours are not extended and/or accepted for the purpose or with the intention of:

- (a) influencing any present or future act or decision by that employee.
- (b) inducing such employee to perform or omit any act in violation of his proper duties and responsibilities.
- (c) inducing such employee to use or direct any other person to use his influence with a government, or any of its representatives, divisions or agencies to affect or influence any act or decision of any such government, representative, division or agency and in any or all of the above cases, for the purposes of expediting, benefiting, prejudicing or affecting in any way whatsoever whether directly or indirectly the business dealings or relationship of the gift giver with the Company.

For the purpose of this section, 'Nominal Value' of a gift shall be defined as the sum of the gift(s) having the aggregate monetary value of not more than Ringgit Two Hundred and Fifty only (RM250). Employees shall report to their respective Head of Department all gifts or favours received which exceed the nominal value.

All employees shall, if in doubt as to the nature or purpose of the gift or favour consult the HR Manager who shall decide, either in consultation with or through his own accord, the course of action in respect of such gift or favour. Gifts which cannot

be accepted by the employee shall be:

- (i) returned to the donor; or
- (ii) if such return is not possible or impracticable, retained by the Company for distribution to recognised charitable organisations, the Company's Sports and Recreational Club or for general distribution to the Company's employees.

#### **I Entertainment**

Employees shall not accept any gratuitous entertainment from any of the Company's clients, customers, suppliers, contractors or any party with whom the Company has business dealings with unless such entertainment is or is able to be reciprocated by the employee:

- (i) in his personal capacity; or
- (ii) by obtaining reimbursement from the Company as part of the Company's business entertainment expense.

In accepting all such entertainment, the guidelines set out in paragraph (H) in respect of acceptance of gifts or favours shall apply.

#### **J Personal Solicitation**

The Company discourages any solicitation by staff members during working hours as such solicitations normally disrupt business activity and work routines.

Employees are not permitted to sell, distribute or act as agent for the sale or distribution of any type of food or merchandise in the office premises whether during or outside office hours.

#### **K Graft and Invitation to Graft**

An employee shall not in any manner or form offer on behalf of the Company or receive an offer of graft or a bribe for his own benefit, or the benefit of his relatives or spouse.

#### **L Marriage and Transfer**

In the event of a marriage between employees of the Company within the same department, one partner to the marriage may be relocated to another department.

#### **M Relatives**

The Company discourages the hiring of the family members of an existing employee. The onus is on such employee to declare whether he has any relatives or spouse working in the Company or any Company within the Group.

### **6. SEXUAL HARASSMENT**

It is the policy of the Company to promote a safe and healthy working environment that fosters mutual respect where individual employees irrespective of status or position are

treated with dignity and free from sexual harassment.

Employees are strictly prohibited from engaging in any form of harassment, humiliation and intimidation of a sexual nature.

### **Definition of Sexual Harassment**

For the purpose of this Code, sexual harassment is defined as:

Any unwanted conduct of a sexual nature having the effect of verbal, non-verbal, visual, psychological or physical harassment:

- (i) that might , on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on his employment;
- (ii) that might, on reasonable grounds, be perceived by the recipient as an offence or humiliation , or a threat to his well being , but has no direct link to his employment.

Sexual harassment can occur between individuals of different sexes or of the same sex.

Based on the above definition, sexual harassment may be divided into two categories, namely sexual coercion and sexual annoyance.

Sexual coercion is sexual harassment that results in some direct consequence to the victim's employment. An example of sexual harassment of this coercive kind is where a superior, who has power over salary and promotion, attempts to coerce a subordinate to grant sexual favours. If the subordinate accedes to the superior's sexual solicitation, job benefits will follow. Conversely, if the subordinate refuses, job benefits are denied.

Sexual annoyance, the second type of sexual harassment is sexually-related conduct that is offensive, hostile or intimidating to the recipient, but nonetheless has no direct link to any job benefit. However, the annoying conduct creates a bothersome working environment which the recipient has to tolerate in order to continue working. Sexual harassment by an employee against a co-employee falls into this category. Similarly, harassment by a Company's client against an employee falls into this category.

Sexual harassment in the workplace includes any employment-related sexual harassment occurring outside the workplace as a result of employment responsibilities or employment relationships. Situations under which such employment-related sexual harassment may take place include, but are not limited to the following:

- (i) at work-related social functions;
- (ii) in the course of work assignments outside the workplace;
- (iii) at work-related conferences or training sessions;
- (iv) during work-related travel;
- (v) over the phone; and
- (v) through electronic media

It is essential to emphasise that sexual harassment refers to sexual conduct which is unwanted and unwelcome to the recipient. It is also a sexual conduct which is imposed on and unsolicited or unreciprocated by the recipient.

### **Forms of Sexual Harassment**

Sexual harassment encompasses various conducts of a sexual nature which can manifest themselves in five possible forms, namely:

- (i) verbal harassment: e.g. offensive or suggestive remarks, comments, jokes, kidding, teasing, sounds, inquiries or discussions about sexual activities or other verbal abuse;
- (ii) non-verbal/gestural harassment e.g. leering or ogling with suggestive overtones, licking lips, holding or eating food provocatively, hand signal or sign language denoting sexual activity, persistent flirting;
- (iii) visual harassment e.g. showing pornographic materials, writing sexually suggestive letters or other written materials, sexual exposure;
- (iv) psychological harassment e.g. repeated unwanted social invitations, proposals for dates or physical intimacy;
- (v) physical harassment e.g. inappropriate touching, patting, pinching, stroking, grabbing, hugging, kissing, fondling, brushing up against the body, coerced sexual intercourse or sexual assault.

### **Disciplinary Action**

Since sexual harassment is a form of misconduct, all employees including supervisors and managers will be subject to disciplinary action up to and including dismissal for engaging in sexual harassment. Employees who make false and malicious complaints of sexual harassment as opposed to complaints that are made in good faith will also be subject to disciplinary action.

An independent and thorough investigation in a manner that is as confidential as possible under the circumstances will be carried out on all complaints received alleging sexual harassment.

### **Complaint Procedure**

Due to the sensitive and personal nature of sexual harassment complaints, employees who believe themselves to be aggrieved under this policy should, within seven (7) days from the date of the purported incident direct his/her grievance to the HRD.

It is necessary that such complaints be made direct to the HRD, so as to ensure maximum confidentiality and to minimise embarrassment to the complainant especially at the time of reporting and in the course of investigation into the complaint.

## **7. DISCIPLINARY ACTION**

Any employee who commits misconduct or a breach of rules established by the Company, shall be subject to disciplinary action.

### **(i) Misconduct**

Misconduct in employment can be broadly dealt with under three (3) headings namely:

- (a) Misconduct relating to duty such as carelessness, fraud, misappropriation, insubordination etc;
- (b) Misconduct relating to discipline such as fighting, assault, quarrel, gambling, damage to Company property, drug abuse etc; and
- (c) Misconduct relating to morality such as committing an indecent act, sexual advancement, pornography, keeping or distributing indecent or pornographic literature at the workplace, etc.

Appendix 1 provides a list of some common acts of misconduct.

**(ii) Inquiries**

A panel appointed at the discretion of the Company shall conduct all inquiries. The inquiry panel shall not include a member(s) whose presence may affect the impartiality of the panel in its conduct of the proceedings and its recommendations.

The proceedings of an inquiry shall be duly recorded by the panel for submission to the HR Manager or to the appropriate higher authority for decision.

The Company may suspend an employee on half pay for a period of not exceeding two (2) weeks pending an inquiry.

**(iii) Action by the Company**

All disciplinary actions taken by the Company shall comply with the Company's established procedures and current legislation. Where there is any conflict between the two, current legislation shall prevail.

Heads of Departments may issue written warnings on the advice of the HRD. All written warnings shall be recorded in the employee personal file. In the event where three (3) warning letters for a similar offence have been issued within a period of twelve (12) months, the employee shall be subject to an inquiry to determine further disciplinary action.

Depending on the gravity of the offence committed and after due inquiry, the employee may be subject to any of the following punishments:

- (a) Dismissal without notice
- (b) Downgrading
- (c) Suspension without pay up to a maximum of two (2) weeks. Stoppage/Withholding of increment
- (d) Withholding of bonus
- (f) Withholding of promotion
- (e) Reduction of salary

(h) Written Warning

**(iv) Summary Dismissal**

The Company reserves the right to dismiss an employee after due inquiry for misconduct including but not limited to dishonesty, insubordination, gross neglect of duty, bankruptcy and criminal conviction, within reasonable time after the misconduct in question without notice, salary or other forms of compensation. This right is in addition to and does not prejudice its other rights under law.

**(v) Right of Appeal**

An employee who has been imposed a disciplinary action shall have the right to appeal in writing within thirty (30) days of the announcement of the decision to the following authority:

<u>Category</u>	<u>Authority</u>
Executives and Non-Executives	Chairman of the Board of Directors

**(vi) Grievance Procedure**

Employees should, whenever possible try to resolve disputes and minor problems amicably and informally between themselves or together with their immediate supervisors.

If such informal means do not bring a resolution, an employee may bring to the HR Manager's attention any grievance or complaint within fourteen (14) days from the date of occurrence of the event causing or giving rise to such grievance or complaint. The filing of a formal grievance in writing should be done only if such grievances or complaints cannot be resolved through these informal discussions. A member of the HRD shall be assigned by the HR Manager to attend to such grievances or complaints and to discuss and offer suggestions for resolution. Due consideration shall be given to all grievances and complaints and the HRD shall make all efforts to resolve them promptly and fairly.

The HR Manager may at its discretion and depending on the seriousness of the grievances and complaints, bring the matter to the attention of the Managing Director for his consideration.

**(vii) Termination of service**

(a) Notice of termination of service shall be made in writing and in accordance with the Employee Terms and Conditions of Service.

(b) In lieu of such notice, the employee or the Company shall pay a sum equivalent to the salary for the notice period required.

(c) An employee shall surrender all Company documents, files, vehicles, keys and other Company property in his possession upon his termination of service in the Company.

- (d) The employee shall reimburse the Company the value of the replacement cost for any item(s) or the Company property that is lost or destroyed while under his custody.
- (e) The employee shall settle all outstanding liabilities and obligations with the Company before any monies due to him are to be released.

## **APPENDIX 1**

Acts of misconduct shall include but are not confined to the following:

1. Theft/ pilferage/ misappropriation or attempt of the same of the Company's money or property or other Employee's money or property within the Company's premises
2. Fraud, dishonesty, falsification or attempt of the same in connection with the Company's business, money or property
3. Cheating the Company
4. Fighting with or assaulting, abusing or being violent towards another Employee or authorised visitor on the Company's premises or threatening the same
5. Arrested and or charged with any criminal or civil offence
6. Soliciting or accepting bribes or any illegal gratification
7. Participating in unauthorised financial transactions within the Company's premises
8. Participation in illegal strikes / assembly
9. Instigating industrial action among Employees against the Company
10. Picketing in the Company's premises except where permissible under the law, agreement or award
11. Inciting other Employees to participate in illegal strikes in contravention of the provisions of any law or rule having the force of law
12. Willful insubordination or disobedience whether alone or in combination with others to any lawful and reasonable order of a superior
13. Conflict of interest
14. Breach of fiduciary relationship
15. Spreading malicious rumours about the Company (including any activities on social media.
16. Gambling whether involving money or otherwise, in the Company's premises
17. Gross negligence and neglect of duty
18. Interfering with the record of his attendance or of any other Employee or falsification, defacement or destruction of any record of the Company
19. Sleeping while on duty
20. Possession of illegal weapon or lethal weapon on the Company's premises
21. Riotous, disorderly or indecent behaviour on the Company's premises.

22. Smoking in prohibited/restricted areas
23. Illegal substance or drug abuse
24. Disclosing confidential information in whatsoever form
25. Driving or unauthorised use of the Company's vehicle without prior authorisation
26. All forms of harassment including but not confined to unwelcome verbal or physical advances and sexually, racially or otherwise derogatory or discriminatory statements or remarks
27. Habitual late coming or late attendance
28. Habitual negligence
29. Commission of any subversive act to the discipline of the Company or general behaviour
30. Commission of any private act that brings disrepute, embarrassment or affects the legitimate interest of the Company or ruins the image of the Company
31. Habitual breach of any Company order or any law applicable to the establishment of rules made thereunder
32. Withholding overtime at a critical time to bring pressure on the management
33. Making material misstatement in job application, loan application or declaration
34. Unauthorised use of time cards
35. Possession, sale or distribution of unsuitable, indecent or pornographic materials
36. Committing an immoral act within the Company's premises
37. Failure to report serious infectious or contagious illness or disease to the Company's medical officer or HCM
38. Forging or defacing medical certificates or other official documents to defraud the Company
39. Conduct which is likely to cause injury or endanger the life or safety of another person within the Company's premises
40. Trespassing or forcible occupation of the Company's premises or prohibited areas
41. Illegally challenging Company to dismissal
42. Bypassing the proper channel of communication
43. Refusal to accept any communication served either in accordance with the Code or in the interest of discipline

44. Misrepresentation of the Company to others
45. Participation in illegal gatherings or activities in the Company's premises or abetting, inciting or instigating the same
46. Serious pecuniary indebtedness affecting the public image of the Company
47. Making public statements against the interest of the Company (including any activities on social media)
48. Publishing or writing of books or in other forms against the interest of the Company
49. Leaving work place during working hours without permission of the immediate supervisor or overstaying sanctioned leave without sufficient grounds or proper satisfactory explanation or without informing or attempting to inform the immediate superior or HCM of the excuse or reason for such absence.
50. Absenteeism
51. Quarrelling or fighting or committing nuisance at the work place
52. Habitual misdemeanors
53. Carelessness or willfully causing damage or loss to the Company's property or goods
54. Deliberate damage and interference with or contamination of factory processes, material or equipment
55. Posting, altering, removing, defacing or destroying the Company's notices or any material on bulletin boards or the Company's property without the permission of the management
56. Failure to wear uniform at work place as per the Company's policy
57. Failure to furnish information which is within the scope of his employment and which relates to the mutual interest of the Company and employee
58. Malingering and feigning illness
59. Loitering during working hours
60. Failure to follow safety procedures or tampering with safety devices to the detriment of the Company or its employees
61. Infringement of safety regulations
62. Unnecessary wastage of documents and materials
63. Abuse or unauthorised use of the Company's property, utilities, equipment or facilities
64. Habitual or substantial negligence in the care of tools, equipment and apparatus of the Company

65. Willful failure to report at once to his superior any defect which an employee may notice in any equipment connected with his work
66. Willful in not reporting any defect or occurrence which an employee may notice or which might endanger himself or any other person or which might result in damage to the Company or any person within the Company
67. Failure to keep work place clean and tidy
68. Obstructing, inciting or willfully slowing down other employees from work
69. Slackness in performance
70. Disclosing commercial or manufacturing secrets, calculations or designs

The above examples of misconduct are not exhaustive as the Company reserves the right at its absolute discretion to determine what constitutes acts of misconduct that warrant disciplinary action.