



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 34TH REGULAR SESSION OF THE 2019 – 2022 SANGGUNIANG BAYAN OF LOOC, PROVINCE OF ROMBLON HELD AT MUNICIPAL SESSION HALL ON MAY 12, 2020.

PRESENT:

- | | |
|---------------------------------|------------------------------------------|
| HON. DIANSON R. TAYTAY..... | Municipal Vice Mayor & Presiding Officer |
| HON. PERIANO R. BERNARDO..... | SB Member |
| HON. ISMAEL S. OSORIO, JR..... | SB Member |
| HON. BENROL M. PALACIO..... | SB Member |
| HON. TEODULO G. TIROL, JR. | SB Member |
| HON. JOHNNY M. AGUIRRE..... | SB Member |
| HON. HERMIE G. LACHICA..... | SB Member |
| HON. MICHAEL P. FRANCISCO..... | SB Member |
| HON. ROLANDO F. BAUTISTA..... | SB Member |
| HON. JOSEFINA G. MORTEL | LnB President |
| HON. ANGELIC F. CONDES..... | SK Federation President |

ABSENT:

NONE

MUNICIPAL ORDINANCE NO. 083 – 2020

AN ORDINANCE PROHIBITING DISCRIMINATION AGAINST A PERSON INFECTED, RECOVERED, UNDER MONITORING OR INVESTIGATION DUE TO COVID-19 VIRUS INCLUDING FRONTLINE AND HEALTH WORKERS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Sponsor: Hon. Ismael S. Osorio, Jr.

Co-sponsors: Hon. Periano R. Bernardo, Hon. Benrol M. Palacio, Hon. Teodulo G. Tirol, Jr., Hon. Johnny M. Aguirre, Hon. Hermie G. Lachica, Hon. Michael P. Francisco, Hon. Rolando F. Bautista, Hon. Josefina G. Mortel – LnB President and Hon. Angelic F. Condes – SK Federation President

WHEREAS, Section 16 of the Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides in part that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare and shall ensure and support, among other things, the promotion of health and safety;

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WHEREAS, President Rodrigo R. Duterte signed Proclamation 922 and Proclamation 929 which declares the Philippines under the state of public health emergency and state of calamity, respectively, due to COVID-19;

WHEREAS, President Duterte place the entire Luzon island, to which the Province of Romblon is included under enhanced community quarantine last 16 March 2020 due to COVID-19 outbreak;

WHEREAS, there is already an alarming increment of positive cases of COVID-19 throughout the Philippines as reported by the Department of Health;

WHEREAS, with the emergence and continued spread of COVID-19, public stigma formed against persons who have contracted the said disease and against the health workers taking care of them and others working on the frontlines;

WHEREAS, there is an urgent need to combat this stigmatization and protect frontline workers, especially health workers, from all forms of discrimination, harassment, and abuse;

WHEREAS, under Section 1, Article III of the 1987 Philippine Constitution, every person has the right to life, liberty, security of person, and the right to be free from discrimination. Furthermore, under Section 11 Article II thereof, the state values the dignity of every person and guarantees full respect for human rights.

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Bayan of Looc, Romblon in session duly assembled:

SECTION 1. TITLE - This Ordinance shall be known and cited as the "Anti-Discrimination Ordinance During The Covid-19 Outbreak In Looc, Romblon".

SECTION 2. DEFINITION OF TERMS - As used in this Ordinance, the following terms shall mean:

1. **Persons Infected, Persons Recovered, Patients Under Investigation (PUIs), and Person Under Monitoring (PUMs)** - are those defined by the protocols and guidelines of the Department of Health.
2. **Frontline Workers** - refers to persons, whether in the private or public sector, who are required or allowed to leave their physical residence in order to report for or go to work during the period of community quarantine, enhanced community quarantine, and/or community lockdown in order to render frontline, critical, and other essential services, including, but is not limited to members of the Philippine National Police, members of the Bureau of Fire Protection, members of the Armed Forces of the Philippines, Philippine Coast Guard and other authorized instrumentalities, offices, or agencies of the government rendering emergency frontline services, border control, and other critical services. This also includes security guards, persons engaged in the production, delivery, distribution, and sale of food, medicine, banking and financial services, public utilities, and other essential goods or services, and such other persons performing similar functions.
3. **Health Workers** - are persons who provide care and services to the sick and ailing, whether direct or indirect. They include Doctors, Nurses, Hospital and Clinic Aides, Medical Technologists, Radiation Technologists, Laboratory Technicians, Public Health Workers, other health care workers and medical staff,

as well as their non-medical or administrative staff or support and utility workers.

4. **Discrimination** - refers to any act or omission which unduly curtails or impairs a right, or excludes and withholds access to services, goods, benefits, or privileges, where the right or access to which is not otherwise withheld, prohibited, or restricted by relevant protocols, guidelines, and rules issued by the State through the Department of Health, the Inter-Agency task Force for Emerging Infectious Diseases (IATF-EID), and such other authorized agencies of the government relative to measures against the COVID-19 pandemic. It also includes any act that causes or tends to cause any stigma, disgrace, shame, humiliation, harassment, or discrimination against persons infected with or have recovered from COVID-19, persons under investigation, persons under monitoring, frontline and health workers, on the basis of their status as such.

SECTION 3. PROHIBITED ACTS - It shall be unlawful for any person, whether natural or juridical, to commit the following discriminatory acts: to wit:

1. Make utterances which cause or tend to cause stigma, disgrace, shame, humiliation, harassment, or otherwise discriminating against a person infected, recovered, under investigation or monitoring due COVID-19, frontline and health worker as defined under this Ordinance;
2. Publicly claim, post on social media, spread or announce that a person is infected, under investigation or monitoring due to COVID-19 whether of not the same has been confirmed or validated from the list given by authorized proper health officials, agency, or department;
3. Prohibiting frontline and health workers from entering an establishment or areas thereof if such establishment or the areas concerned are open and accessible to the general public;
4. Refusing to provide services or goods to frontline and health workers, which services or goods are available to the general public;
5. Requiring frontline and health workers to undertake any extra step, measure, or procedure before providing services or goods if such step, measure, or procedure is not required to be observed by members of the general public;
6. Refusing to allow any frontline worker and health workers by reason of his status, to avail of accommodation in a house, apartment, condominium, townhouse, flat, hotel, inn, dormitory, or any place of dwelling being rented out or offered to the public;
7. Evicting or forcing any frontline and health worker to leave, temporarily or otherwise, or preventing such worker from entering his or her accommodation in a house, apartment, condominium, townhouse, flat, hotel, inn, dormitory, or any place dwelling by reason of his or her status as a frontline and health worker;
8. Discriminate a person by reason of his/her association or relation with a frontline and health worker, and a person infected, recovered, under investigation or monitoring due to COVID-19; and
9. Performing similar act which demeans the dignity and self-respect of persons infected, recovered, under investigation or monitoring due to COVID-19, and the frontline and health workers.

SECTION 4. CONSTRUCTION - Nothing in this Ordinance shall be construed as defeating, qualifying, modifying, or superseding in any way, manner, or extent the guidelines, rules, and protocols issued by the Department of Health, by the IATF-EID, or by authorized agencies of the Government on the proper handling, procedure, and management response for PUIs, PUMs, and persons found infected with or undergoing treatment for or have recovered from the COVID-19 virus.

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SECTION 5. ENFORCEMENT - The COVID-19 Task Force is hereby mandated to enforce the full extent of this Ordinance, as well as barangay officials.

SECTION 6. PENALTY CLAUSE - Any individual or juridical entity that commits any of the prohibited acts provided for in Section 3 of this Ordinance shall be prosecuted for violation of this Ordinance and upon conviction shall suffer a fine of not more than Two Thousand Five Hundred Pesos (Php2,500.00).

If committed by a juridical person, the President, General Manager, or Corporate Secretary or person with related interest in the corporation or partnership or association shall be held liable or be penalized accordingly.

If the commission of any of the prohibited acts in Section 3 of this Ordinance, resulted to a widespread panic or harm to the members of the community, in addition to the filing of an action for the violation of this Ordinance, the LGU-Looc reserves its rights to file the corresponding criminal and/or administrative actions against the violator.

SECTION 7. REPEALING CLAUSE - All Ordinances, Resolution, Executive Issuance and Regulations or parts thereof, whose provisions are inconsistent with or contrary to the provision of this Ordinance, are hereby deemed, repealed, amended or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE - If, for any reason, any section/s or provision/s of this Ordinance is/are held unconstitutional or invalid, the other section/s or provision/s not affected thereby shall remain in full force and effect.

SECTION 9. EFFECTIVITY CLAUSE - This Ordinance shall take effect upon its approval and completion of its posting at least three (3) public places of the Municipality .

Approved: 12 May 2020/34th Regular Session.

CERTIFIED to the correctness of the aforesaid Ordinance.

Reyam A. Reyes
REYAM A. REYES
Secretary to the Sanggunian

ATTESTED:

Dianson R. TAYTAY
DIANSON R. TAYTAY
Municipal Vice Mayor &
Presiding Officer

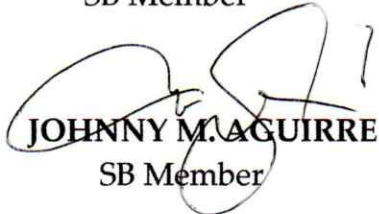
Concurred:

Periano R. Bernardo
PERIANO R. BERNARDO
SB Member

Ismael S. Osorio, Jr.
ISMAEL S. OSORIO, JR.
SB Member/Sponsor

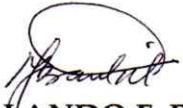

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JOSEFINA G. MORTEL
LnB President


ANGELIC F. CONDES
SK Federation President

APPROVED:


ATTY. LISETTE M. ARBOLEDA
Municipal Mayor