



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2020-03

AN ORDINANCE PROHIBITING THE HARASSMENT, VIOLENCE, AND/OR ANY FORM OF DISCRIMINATION AGAINST PERSONS WHO ARE CONFIRMED COVID-19 CASES, PERSONS WHO HAVE RECOVERED FROM COVID-19, PERSONS UNDER INVESTIGATION (PUIS) AND PERSONS UNDER MONITORING (PUMs), AND AGAINST HEALTH WORKERS, FRONTLINERS, OFWs, AND PERSONS WHOSE EMPLOYMENT HAS CALLED THEM TO REPORT FOR DUTY DURING THIS TIME OF PUBLIC HEALTH EMERGENCY, AND IMPOSING PENALTIES THEREFOR

Introduced by: HON. MARY JANE B. CAGULA

WHEREAS, it is a state policy to value the dignity of every human person and to guarantee full respect for human rights;

WHEREAS; on March 8, 2020, President Rodrigo Roa Duterte issued Presidential Proclamation No. 922 series of 2020, declaring the entire country under a State of Public Health Emergency due to COVID-19 and enjoining all government agencies and Local Government Units to render full assistance and cooperation in this time of health crisis;

WHEREAS, the rapid increase of COVID-19 cases has struck fear and paranoia in people so much so that it has brought forth biases and prejudices against persons who are confirmed COVID-19 cases, who have recovered from COVID-19, Persons Under Investigation (PUIS) and Persons Under Monitoring (PUMs), and against health workers, frontliners, repatriated overseas Filipino workers and seafarers, or others persons whose employment has called them to report for duty during this time of national health emergency (Covered Individuals);

WHEREAS, these biases and prejudices have resulted in unwarranted actual and virtual vilification, discrimination, and violence towards these Covered Individuals;

WHEREAS, it is the municipality's mandate to keep peace and order and security among its inhabitants within its territorial jurisdiction and to bring before the law those who violate the same;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Albura, Leyte in Session that:

Section 1. Short Title. – This Ordinance shall be known as the "Anti-Discrimination During National Public Health Emergency";

Section 2. Covered Individuals. – The following persons are Covered Individuals as defined by this Ordinance:

- a. Person who is a Confirmed COVID-19 Patient – a person with laboratory confirmation of COVID-19 infection, irrespective of clinical signs and symptoms;
- b. Person Under Investigation (PUI) – a person showing symptoms of COVID-19 within 14 days after traveling to a country or area with local transmission of COVID-19, or after having close contact with a confirmed COVID-19 case;
- c. Person Under Monitoring (PUM) – an asymptomatic person with appropriate exposure history who is either quarantined at home or in an isolation unit for 14 days to monitor the development of symptoms;

MANUEL E. BANTASAN

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IMELDA A. FADUL

MARY JANE B. CAGULA

TITAP. ALAJAS

SIXTO B. DELA VICTORIA

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- d. Recovered person – a person who was either a confirmed COVID-19 patient or a PUI who has made a recovery, and who was subsequently discharged from the public or private hospital, clinic, or center by the attending physician;
- e. Health workers - persons who deliver care and services to the sick and ailing, either directly or indirectly. Health workers include, among others, doctors, nurses, aides, barangay health workers, first-responders, ambulance drivers, and laboratory technicians, in public and private hospitals, clinics, and centers;
- f. Frontliners – are persons who are officers and members of the PNP, AFP, PCG and other government instrumentalities rendering emergency frontline services; border control, and other critical services; barangay officials and their Bantay Bayan; local government officials and employees called upon to render service during this period of national health emergency; service workers in private establishments providing basic necessities and such activities related to food and medicine production, i.e. public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, pharmacies and drug stores, food preparation and delivery services, water-refilling stations, manufacturing and processing plants of basic food products and medicines, banks, money transfer services, power, energy, telecommunications and water supplies and other related facilities, including their security guards and janitors, garbage collectors and street sweepers; employees of publicly and privately-owned crematorium and funeral parlors; repackers for the LGU’s food distribution program and the drivers for the trucks used in the distribution; drivers of the LGU’s service vehicles; Repatriated Overseas Filipino Workers and seafarers; other persons whose employment has called them to report for duty during this time of national health emergency.


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Section 3. Unlawful Acts. – It shall be unlawful for any person, whether natural or juridical, to commit any of the following act/s against Covered Individuals as defined under this Ordinance:

- a) Make utterances which cause or tend to cause the Covered Individuals’ discrimination, stigma, disgrace, shame, insult, or harassment, including the unauthorized disclosure of their names and/or place of residence to other people;
- b) Unauthorized disclosure of their names and/or place of residence in social media;
- c) Commit any act of violence against them or any of their family member/s;
- d) Prohibit their return to their residences even after obtaining clearance from the proper health officials;
- e) Refuse to render them service or assistance solely due to their status as Covered Individuals as defined herein;
- f) Refuse to allow them entry in private establishments providing basic necessities solely due to their status as Covered Individuals as defined herein;

Section 4. Enforcement. – This Ordinance shall be primarily implemented by the Albura-PNP, to be assisted by the Punong Barangays and their Barangay Tanods.

Section 5. Penalties. – Any person who commits any of the acts under Section 3 hereof shall suffer a fine ranging from Five Hundred Pesos (Php. 500.00) to Two Thousand Five Hundred Pesos (Php. 2,500.00) and/or an imprisonment not exceeding six (6) months, or both, at the discretion of the court;


TITO P. ALAJAS


MARIO T. BARTE

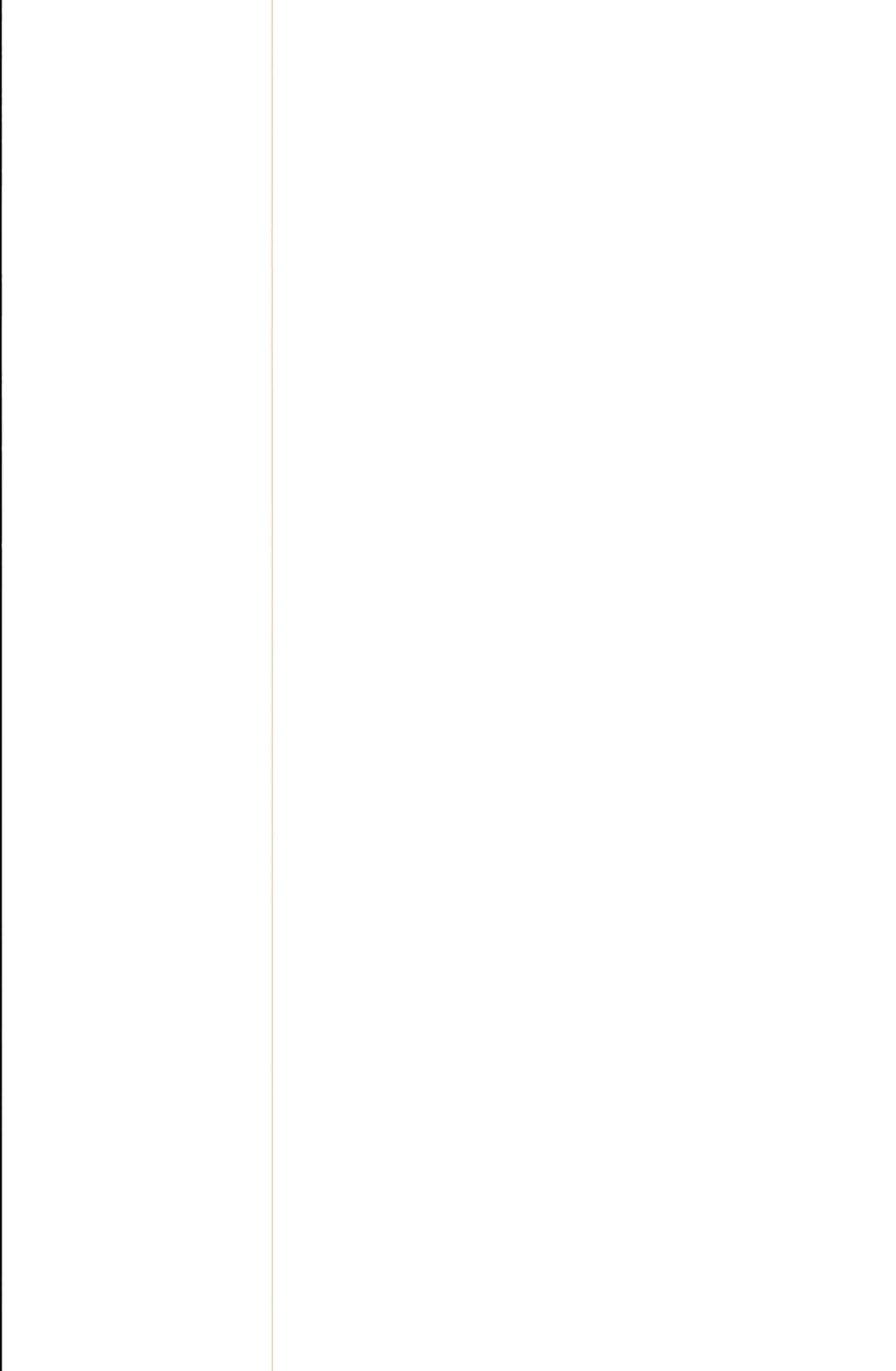
If the offender is a Public Officer or Employee, the maximum penalty herein shall be imposed;

If any of the acts under Section 3 herein is committed by a juridical person, the President, General Manager, its directors, or any person with related interest in the corporation, partnership, or association shall be held liable;

Section 6. Separability Clause. – If, for any reasons, any section or provision of this Ordinance is declared invalid or unconstitutional, other sections or provisions of thereof which are not affected thereby shall continue to be in full force & effect.


SIXTO B. DELA VICTORIA


MIGUEL D. RETUYA



Section 7. Repealing Clause. – All Ordinances and Rules inconsistent with the provisions of this Ordinance are hereby deemed modified or repealed accordingly;

Section 8. Dissemination – After the approval of this Ordinance, the Secretary to the Sangguniang Bayan of this Municipality shall cause the immediate and municipality-wide dissemination of this Ordinance by posting a copy in a conspicuous place of every Barangay;

Section 9. Effectivity – The provisions of this Ordinance shall take effect immediately upon its approval.


APPROVED.

ENACTED BY THE 10TH SANGGUNIANG BAYAN OF ALBUERA, LEYTE DURING ITS 41ST REGULAR SESSION HELD ON APRIL 27, 2020 AT THE SB SESSION HALL.

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:



HON. MARY JANE B. CAGULA
SB Member


HON. MIGUEL D. RETUYA
SB Member


HON. ALBERTO C. SUMALJAG
Liga ng Mga Barangay President/
Ex-Officio Member



HON. IMELDA A. FADUL
SB Member


HON. MARIO T. BARTE
SB Member


HON. JOY S. PATRICIO
SK Federation President/
Ex-Officio Member


HON. LENY S. BILBAO
SB Member


HON. ROXANNE R. ZALDIVAR
SB Member


HON. MANUEL E. BANTASAN
SB Member

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the 10th Sangguniang Bayan of Albuera, Leyte on its 41st Regular Session on April 27, 2020 at the SB Session Hall of Albuera, Leyte.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I


HON. TITA P. ALAJAS
Municipal Vice-Mayor/Presiding Officer

APPROVED:


HON. SIXTO B. DE LA VICTORIA
Municipal Mayor

Date: 4/29/20