



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON JUNE 15, 2021

PRESENT:

- | | |
|--|---------------------------------|
| Vice Mayor Jose Antonio Miguel Y. Perez | - Presiding Officer |
| Councilor Apolonia G. Bacay | - Presiding Officer Pro-Tempore |
| Councilor Cirilo B. Radoc | - Majority Floor Leader |
| Councilor Oscar A. Boling | - Minority Floor Leader |
| Councilor Carolyn D. Sison | - Member |
| Councilor Michelle S. Segundera | - Member |
| Councilor Joselito O. Fontelera | - Member |
| Councilor Verna S. D. Rabago | - Member |
| Councilor Froebel A. Ranoy | - Member |
| Councilor Dahlia M. de Leon | - Member |
| Councilor Alfred Felix E. de Castro | - Member |
| PPSKP Lovely V. Bernabe | - Ex-Officio Member |

ABSENT:

- | | |
|-------------------|----------------------|
| LBP Raul B. Bacay | - On official travel |
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ORDINANCE NO. 2021-17

AN ORDINANCE PROHIBITING THE DISCRIMINATION AGAINST PERSONS WHO ARE DECLARED CONFIRMED, SUSPECT, PROBABLE, AND RECOVERED CASES OF COVID-19, REPATRIATED FILIPINOS, HEALTHCARE WORKERS, RESPONDERS, AND SERVICE WORKERS, PROVIDING PENALTIES FOR VIOLATION THEREOF

Sponsored by: Councilor Apolonia G. Bacay

EXPLANATORY NOTE

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 12, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922, entitled "*Declaring a State of Public Health Emergency throughout the Philippines*";

WHEREAS, on March 16, 2020, the President declared a State of Calamity throughout the entire Philippines and placed Luzon under Enhanced Community Quarantine, as part of its continuous campaign to halt the Coronavirus Disease 2019 (COVID-19) pandemic;

WHEREAS, on March 20, 2020, under Resolution No. 2020-61, the Sangguninag Panlungsod declared City of Alaminos to be under a State of Calamity, following the sharp increase in the number of confirmed COVID-19 cases throughout the country;

WHEREAS, based on Section 16 of the Local Government Code, every Local Government Unit, including the barangay, has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote general welfare, promote health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;



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WHEREAS, the Commission on Human Rights (CCHR) Regional Office 1 strongly condemns any display of all forms of discrimination, manifestation of exclusion, restriction, humiliation, criticism and stigma against frontline workers by reason of their work during this public health crisis is truly unacceptable and must be dealt with full force of law;

WHEREAS, both the Department of Health (DOH) and Inter-Agency Task Force for Emerging Infectious Disease (IATF-EID or IATF) called for the protection of all frontline workers, and sought the assistance of the LGUs to enact measures to prevent these crimes;

NOW, THEREFORE, on motion of Councilor Apolonia G. Bacay, duly seconded by Councilor Carolyn D. Sison, Councilor Michelle S. Segundera, Councilor Verna S. D. Rabago and Councilor Dahlia M. de Leon,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN, IN SESSION ASSEMBLED, that:

SECTION 1. Short Title. - This Ordinance shall be known as the "COVID-19-RELATED ANTI-DISCRIMINATION ORDINANCE".

SECTION 2. Declaration of Policy. - It is the policy of the Local Government of the City of Alaminos, Pangasinan to ensure provision of essential services and assistance to, and protect from harassment or any form of assault, stigma, and discrimination anyone especially those who are declared confirmed, suspect and probable cases of COVID-19, COVID-19 survivors, or any person suspected of having been exposed to COVID-19, repatriated Filipinos, responders or service workers, or any other persons not expressly enumerated under Section 3 (b) of this Ordinance.

SECTION 3. Definition of Terms. - As used in this Ordinance:

- a. **Confirmed cases** refer to persons who tested positive for COVID-19;
- b. **Discrimination** refers to any act of unjust distinction, exclusion, or restriction which has the effect of impairing or nullifying the recognition, enjoyment, and exercise on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any field of the public life of a person, or which tends to have the effect of endangering the person's life, safety, and security, specifically against persons who are:
 1. Declared confirmed, suspect, and probable cases of COVID-19;
 2. Recovered cases of COVID-19;
 3. Essential and frontline workers;
 4. Healthcare workers;
 5. Responders;
 6. Recognized volunteers;
 7. Stranded individuals travelling from one local government unit to another;
 8. Service workers;
 9. Repatriated Filipinos, whether land or sea-based, registered or otherwise; and
 10. Families and members of the households of persons mentioned above.
- c. **Essential and frontline workers** refer to those who are engaged in, or employed by essential services which cover health and social services to secure the safety and well-being of persons, such as but not limited to, food, water, medicine, medical devices, public utilities, energy, banking and finance, security, maintenance and sanitation, and those who provide services under circumstances with high risk of exposure to COVID-19, which include administrative, security, maintenance and staff



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- support to health and quarantine facilities, telecommunications, information technology systems, defense, transportation and logistics, law enforcement, public works, protective service workers (police), cashiers in grocery and general merchandise stores, production and food processing workers, janitors and maintenance workers, agricultural workers, and truck drivers, and others as may be determined by the IATF.
- d. **Healthcare workers** refer to those who deliverer health-related service or care which include physicians, nurses, hospital and clinic aides, barangay health workers, paramedics, emergency medical technicians, ambulance drivers and staff, laboratory technicians, and those who provide related or support service in hospitals, clinics, quarantine centers, and other health facilities;
 - e. **Probable cases** refer to persons with mild, severe, or critical symptoms whose test COVID-19 results are inconclusive as defined by the DOH;
 - f. **Recovered cases** refer to persons who tested negative to COVID-19 after treatment and declared as such by the DOH;
 - g. **Repatriated Filipinos** refer to citizens of the Philippines working abroad including Overseas Filipino Workers (OFWs) who return to the Philippines, for reasons which include completion of employment, labor conflicts, medical causes, psychosocial problems, restrictive immigration policies, wars, and other similar cases. The term also includes the remains of Filipinos brought back to the Philippines;
 - h. **Responders** refer to officers, members, and employees of the police and armed forces, city and barangay offices, the local Public Order and Safety Office, Disaster Risk Reduction and Management Office, Barangay Health Emergency Response Team, Epidemiology and Disease Surveillance Unit, and other government employees deployed directly or indirectly to respond to COVID-19-related situations, or who perform functions that may cause potential exposure to COVID-19;
 - i. **Service workers** refer to persons who work in public or private establishments for essential services, which include food, water, banking and finance, utilities, medicine, security, maintenance and sanitation, and those who provide services under circumstances with high risk of exposure to COVID-19, which include administrative, security, maintenance and staff support to health and quarantine facilities; and
 - j. **Suspect cases** refer to individuals who show symptoms of influenza-like illness such as fever, tiredness and dry cough, those with travel history abroad and to areas with confirmed local transmission of COVID-19, and those with exposure to a confirmed case as defined by the DOH.

SECTION 4. Discriminatory Practices. - Notwithstanding proper enforcement of and compliance with the government's community quarantine protocols for public health emergencies, it is unlawful for any person, natural or juridical, to engage in the following discriminatory practices solely on the basis of COVID-19:

- a. **Failure to Give Assistance.** No public official, healthcare worker, or healthcare institution shall refuse, fail, or neglect to give assistance to persons who are declared confirmed, suspect and probable cases of COVID-19 or any person suspected of having been exposed to and has recovered from COVID-19, including overseas Filipino workers, registered or otherwise;
- b. **Harassment or Assault.** No person may verbally, physically, or psychologically harass, threaten or assault persons who are declared confirmed, suspect and probable cases of COVID-19, COVID-19 survivors, or any person suspected of having been exposed to COVID-19, repatriated OFWs, responders or service workers, or any of those persons enumerated under Section 3(b) of this Ordinance;



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- c. *Stigmatization.* No person shall publicly disclose, with the intent of exclusion, harm and discrimination, in social media and other information platforms, that a person is declared a confirmed, suspect and probable case of COVID-19 or has recovered from COVID-19, whether or not the same has been confirmed or validated from the list provided by authorized health officials and agencies;
- d. *Dishonor Valid and Existing Contracts.* No person may unlawfully refuse to honor any valid and existing contract due to COVID-19;
- e. *Failure to Render Essential Services.* No person may unlawfully refuse to render essential services, such as but not limited to, public transport, laundry service, and refuse to allow entry in or unlawfully evict from private establishments providing basic necessities to any of those persons enumerated under Section 3(b) of this Ordinance.
- f. *Public Disclosure of Personal Information.* No person shall make utterances which cause or tend to cause discrimination, stigma, disgrace, shame, insult, or harassment, including the unauthorized disclosure of their names and/or place of residence to other people or in social media of those persons enumerated under Section 3 of this Ordinance.
- g. No person shall prohibit the return to their residences, even after obtaining clearances from proper health officials those persons enumerated under Section 3(b) of this Ordinance.
- h. No person shall unlawfully evict from public or private business establishments any of those persons enumerated under Section 3(b) of this Ordinance.

Notwithstanding these prohibitory practices, authorities shall not be prevented from performing their functions as mandated under existing laws and ordinances for the containment of COVID-19.

SECTION 5. Penalties. Any person found violating any of the provisions of this Ordinance shall be penalized as follows:

- First Offense - A fine of PhP 2,000.00 with one (1) day community service in his/her barangay or seminar on Human Rights in the times of COVID-19 to be conducted by the CSWDO.
- Second Offense - A fine of PhP 3,000.00 with one (1) day community service in his/her barangay or seminar on Human Rights in the times of COVID-19 to be conducted by the CSWDO.
- Third and Succeeding Offenses - A fine of PhP5,000.00 with one (1) day community service in his/her barangay or seminar on Human Rights in the times of COVID-19 to be conducted by the CSWDO, or imprisonment not exceeding six (6) months, or both such fine and imprisonment at the discretion of the court

If the offender is a juridical person, its president, director, head, or officer shall be liable for the penalties prescribed herein.

If the offender is a civil servant and found guilty after investigation by the Civil Service Commission, the offender shall be subject to dismissal from the civil service.

SECTION 6. Enforcement. - This Ordinance shall be primarily implemented by the Philippine National Police – Alaminos City, in coordination with the Public Office for Safety and Order (POSO) and the City Health Office (CHO) of this city.

[Handwritten signatures and initials]



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SECTION 7. Engagement of Barangays. - To strengthen the implementation of this Ordinance, all sangguniang barangays within the territorial jurisdiction of the City of Alaminos shall enact a similar ordinance to address discrimination on account of COVID-19 in their respective areas of jurisdiction.

SECTION 8. Interpretation. - Nothing in this Ordinance shall be interpreted as an exception to Section 6(e) of Republic Act No. 11332, otherwise known as the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concerns Act".

The proper enforcement of, and compliance with, the government's community quarantine protocols for public health emergencies shall be strictly observed.

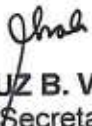
SECTION 9. Separability Clause. - If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

SECTION 10. Repealing Clause. - All ordinances, resolutions, executive orders, rules and regulations, or other issuances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.


SECTION 11. Effectivity. - This Ordinance shall take effect immediately after its publication in a newspaper of general circulation.

SO ORDAINED/ENACTED.....

I **HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of five (5) pages including this page.


LUZ B. VALE
Secretary

ATTESTED:

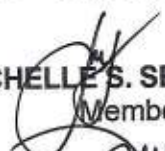

JOSE ANTONIO MIGUEL Y. PEREZ
City Vice Mayor/Presiding Officer


APOLONIA G. BACAY
Presiding Officer Pro-Tempore


CIRILO B. RADOC
Majority Floor Leader


OSCAR A. BOLING
Minority Floor Leader


CAROLYN D. SISON
Member



MICHELLE S. SEGUNDERA
Member



JOSELITO O. FONTELERA
Member


VERNA S. D. RABAGO
Member



FROEBEL A. RANOY
Member


DAHLIA M. DE LEON
Member


ALFRED FELIX E. DE CASTRO
Member


LOVERLY V. BERNABE, PPSKP
Ex-Officio Member

APPROVED BY:


ARTH BRYAN C. CELESTE
City Mayor

07/05/21
Date