



Republic of the Philippines
Province of Cagayan
Municipality of Claveria



OFFICE OF THE SANGGUNIANG BAYAN

ORDINANCE NO. 005, S – 2020

PROHIBITING DISCRIMINATION AGAINST FRONTLINE WORKERS; PERSONS INFECTED WITH DISEASE, RECOVERING OR HAVE RECOVERED; PERSONS UNDER INVESTIGATION, PERSONS UNDER MONITORING OR THOSE RELATED OR ASSOCIATED WITH ANY OF THE FOREGOING PERSONS; AND PROVIDING PENALTIES THEREOF.

Be it Ordained, by the Sangguniang Bayan of the Municipality of Claveria, in regular session that:

SECTION 1. TITLE – This ordinance shall be known as ***“Anti-Discrimination Against Frontline Workers and Victims of Disease Ordinance of 2020”***.

SECTION 2. AUTHORITY – Section 1, Article III of the 1987 Constitution states that every person has the right to life, liberty, security, and the right to be free from discrimination. Furthermore, under Section 11 Article II thereof, the state values the dignity of every human person and guarantees full respect for human rights.

SECTION 3. DEFINITION OF TERMS – the word or phrase in this ordinance shall mean:

- a. **Discrimination** – refers to any action 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, and such other authorized agencies of the government relative to measures against disease pandemic. It also includes any act that causes or tends to cause any stigma, disgrace, shame, humiliation, harassment or discrimination against frontline workers, person infected with or have recovered from the disease, persons under investigation, and persons under monitoring on the basis of their status as such.
- b. **Persons Under Investigation (PUI)** – are Persons Under Investigation for the disease as defined by the protocols and guidelines issued by the Department of Health
- c. **Persons Under Monitoring (PUM)** – are Persons Under Monitoring for the disease as defined by the protocols and guidelines issued by the Department of Health.
- d. **Frontline Worker** – a person either government employee/official or volunteer worker from government or private sector who performs health risks work for the containment of the disease but not limited to, the health workers, municipal employees, armed forces and PNP personnel, and barangay officials (elective and appointive).

SECTION 4. DISCRIMINATION AGAINST FRONTLINE WORKERS, PERSONS AFFECTED OR RECOVERED, PERSONS UNDER INVESTIGATION; MONITORING OR THOSE RELATED OR ASSOCIATED WITH SUCH PERSONS.

- a. It shall be unlawful for any person, natural or juridical, to discriminate against front liners, persons found afflicted with or are recovering, or have recovered from the disease, as well as against persons considered PUIs or PUMs, by curtailing or impairing their right, or preventing them from exercising a right, or withholding access to services, goods, benefits, or privileges where their exercise of such right and access to goods, services, benefits and privileges are not otherwise withheld, prohibited or restricted by relevant protocols, guidelines and rules issued by the state through the Department of Health or other authorized agencies of the government relative to the disease pandemic.
- b. It shall be unlawful for any person to whether verbally or in writing or otherwise humiliate, ridicule, insult, embarrass, harass or perform any act which demeans the dignity and self-respect including posting or sending of messages in social media applications or unauthorized disclosure or personal information or identity of a PUI, PUM or persons found afflicted with or have recovered from the disease of their status as such.
- c. It shall be unlawful for any person to whether verbally or in writing or otherwise humiliate, ridicule, insult, embarrass, harass or perform any act which demeans the dignity and self-respect including posting or sending of messages in social media applications against front liners

SECTION 5. PERSONS LIABLE– Any person, natural or juridical who commits any of the acts prohibited herein shall be criminally liable hereunder provided that the owner, manager, supervisor or any officer-in-charge of the store, facilities, establishment, dormitory, hotels, inn, apartments and any such establishment guilty of discrimination against frontline workers, persons affected or recovered, with such persons shall be liable separately and to the same extent as the direct perpetrator if they consented to allow or failed to take action to prevent such discrimination.

Section 6. PENALTY CLAUSE – Any person natural or juridical who commits any act prohibited in this ordinance shall be penalized by a fine of Two Thousand Five Hundred pesos (Php 2,500.00) and imprisonment for a period of not less than six months but not more than one year for each act. The employer, owner, manager, supervisor or any officer-in-charge as provided in Section 5 hereof shall be subsidiary liable for the fine imposed upon the direct perpetrator.

Section 7. SEPARABILITY CLAUSE – Any provision of this ordinance be declared invalid by a court of competent jurisdiction by the Sangguniang Panlalawigan on review, shall not affect the validity of such part which shall continue to be in full force and effect.

Section 8. APPLICABILITY CLAUSE – All other matters relating to the impositions in this ordinance shall be governed by pertinent provisions of existing laws, orders and other ordinances.

Section 9. REPEALING CLAUSE – Ordinances, rules and regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

The bottom of the page contains several handwritten signatures in black ink. From left to right, there are approximately seven distinct signatures, some appearing to be initials or full names, representing the signatories of the ordinance.

Section 10. EFFECTIVITY – This Ordinance shall take effect upon compliance of the required posting and publications as provided under RA 7160.

ENACTED this 13th day of May 2020 at Claveria, Cagayan.

CERTIFIED CORRECT:

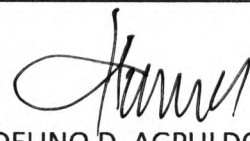


ENGR. JERRY JEFFERSON P. ONG
Secretary
Sangguniang Bayan

SANGGUNIANG BAYAN MEMBERS



JOJIE CALASAG



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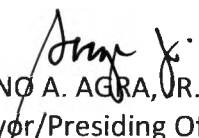
ANGELITA A. BARIUAN



FLORAMANTE S. NEBAB SR.

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ATTESTED:



SOLFERINO A. AGRA, R., MD.
Vice Mayor/Presiding Officer

APPROVED:



CELIA T. LAYUS, MD.
Municipal Mayor

Date : _____