

HOUSE OF REPRESENTATIVES

H. No. 6817

BY REPRESENTATIVES BELMONTE, TUPAS, BRAVO, HERNANDEZ, GONZALES (A.), SIAO, BARBERS, TORRES-GOMEZ, REVILLA, SUNTAY, VELOSO, DY (F.), DIMAPORO (M.K.), LARA, CASTRO (F.L.), CULLAMAT, PADUANO, SAGARBARRIA, CHATTO, BABASA, TUTOR, VERGARA, HARESCO, ROMUALDO, FERRER (J.M.), MANGAOANG, TEJADA, DEL MAR, TAN (A.S.), CABATBAT, RIVERA, VILLANUEVA (E.), ACOSTA-ALBA AND LOPEZ (M.L.), PER COMMITTEE REPORT NO. 314

AN ACT

**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 AND PROVIDING PENALTIES FOR VIOLATION THEREOF**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. **Short Title.** – This Act shall be known as the “COVID-19-Related
2 Anti-Discrimination Act.”

3 SEC. 2. **Declaration of Policy.** – It is the policy of the State to:

4 a. Maintain peace and order, protect life, liberty and property, and promote
5 the general welfare of the people for the enjoyment of the blessings of democracy;

6 b. Promote a just social order through programs and practices that provide
7 adequate social services; and

8 c. Give the highest priority to the enactment of measures that protect and
9 enhance the right of all people to human dignity and reduce social, economic and
10 political inequalities.

11 SEC. 3. **Definition of Terms.** – As used in this Act:

12 a. *Confirmed cases* refer to persons who tested positive for COVID-19;

13 b. *Discrimination* refers to any act of unjust distinction, exclusion, or
14 restriction which has the effect of impairing or nullifying the recognition, enjoyment, and
15 exercise on an equal footing, of human rights and fundamental freedoms in the political,

1 economic, social, cultural, civil, or any field of the public life of a person, or which tends
2 to have the effect of endangering the person's life, safety, and security, specifically against
3 persons who are:

- 4 1. Declared confirmed, suspect, and probable cases of COVID-19;
- 5 2. Recovered cases of COVID-19;
- 6 3. Essential and frontline workers;
- 7 4. Healthcare workers;
- 8 5. Responders;
- 9 6. Recognized volunteers;
- 10 7. Stranded individuals traveling from one local government unit to another;
- 11 8. Service workers;
- 12 9. Repatriated overseas Filipino workers, whether land or sea-based,
13 registered or otherwise; and
- 14 10. Families and members of the households of persons mentioned above.

15 c. *Essential and frontline workers* refer to those who are engaged in, or
16 employed by essential services, as defined in laws, rules, orders and resolutions;

17 d. *Healthcare workers* refer to those who deliver health-related service or
18 care which include physicians, nurses, hospital and clinic aides, barangay health
19 workers, paramedics, emergency medical technicians, ambulance drivers and staff,
20 laboratory technicians, and those who provide related or support service in hospitals,
21 clinics, quarantine centers, and other health facilities;

22 e. *Probable cases* refer to persons with mild, severe, or critical symptoms
23 whose test COVID-19 results are inconclusive as defined by the Department of Health
24 (DOH);

25 f. *Recovered cases* refer to persons who tested negative to COVID-19 after
26 treatment and declared as such by the DOH;

27 g. *Repatriated Filipinos* refer to citizens of the Philippines working abroad
28 including Overseas Filipino Workers (OFWs) who return to the Philippines, for reasons
29 which include completion of employment, labor conflicts, medical causes, psychosocial
30 problems, restrictive immigration policies, wars, and other similar cases. The term also
31 includes the remains of Filipinos brought back to the Philippines;

32 h. *Responders* refer to officers, members, and employees of the police and
33 armed forces, city and barangay offices, the local Department of Public Order and
34 Safety, Disaster Risk Reduction and Management Office, Barangay Health Emergency
35 Response Team, Epidemiology and Disease Surveillance Unit, and other government
36 employees deployed directly or indirectly to respond to COVID-19 related situations, or
37 who perform functions that may cause potential exposure to COVID-19;

38 i. *Service workers* refer to persons who work in public or private
39 establishments for essential services, which include food, water, banking and finance,
40 utilities, medicine, security, and maintenance and sanitation, and those who provide
41 services under circumstances with high risk of exposure to COVID-19, which include
42 administrative, security, maintenance and staff support to health and quarantine
43 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.

SEC. 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:

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 of this Act;

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 given by authorized health officials, and agencies; and

d. *Unlawful Refusal to Honor Valid and Existing Contracts.* No person may unlawfully refuse to honor any valid and existing contract on the basis of COVID-19.

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

SEC. 5. Penalties. A person who commits harassment or assault described in paragraph (b) Section 4 of this Act shall, upon conviction, be penalized by imprisonment of not less than one (1) year but not more than ten (10) years, or a fine of not less than Two hundred thousand pesos (PhP200,000.00), but not more than One million pesos (PhP1,000,000.00), at the discretion of the court.

A person who commits any discriminatory practice described in paragraphs (a), (c), and (d) of Section 4 of this Act shall, upon conviction, be penalized by imprisonment of not less than six (6) months but not more than five (5) years, or a fine of not less than Fifty thousand pesos (PhP50,000.00), but not more than Five hundred thousand pesos (PhP500,000.00) or both, 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.

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

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

6 SEC. 7. **Repealing Clause.** – All laws, presidential decrees, executive orders,
7 rules and regulations, or other issuances or parts thereof inconsistent with the provisions
8 of this Act are hereby repealed or amended accordingly.

9 SEC 8. **Effectivity.** This Act shall take effect immediately after its publication in the
10 Official Gazette or in a newspaper of general circulation.

11 Approved,