



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
Los Baños, Laguna 4030 Philippines
Email: losbaños@laguna.net

EXCERPTS FROM THE MINUTES OF THE SEVENTH (7TH) SPECIAL SESSION OF THE SANGGUNIANG BAYAN HELD ON APRIL 17, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Antonio L. Kalaw, Presiding Officer
S.B. Member Josephine S. Evangelista
S.B. Member Miko C. Pelegrina
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mike Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Arlene P. delos Santos, Liga President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : S.B. Member Janos S. Lapiz, (O.B)
S.B. Member Jozylyn N. Manansala, SK Fed. President, (O.B)

Visitors : None

ORDINANCE NO. 2020 - 2015

AN ORDINANCE PROHIBITING ANY PERSON FROM COMMITTING ANY ACT WHICH CAUSES STIGMA, DISGRACE, SHAME, HUMILIATION, HARRASSMENT OR OTHERWISE DISCRIMINATION AGAINST A PERSON BELONGING TO SUSPECT, PROBABLE AND CONFIRMED CASES OF CORONAVIRUS DISEASE 2019 (COVID-19) INCLUDING THEIR FAMILY MEMBERS AND AGAINST FRONTLINE WORKERS.

Author: Councilor Mike Dexter A. Concio
Co – Authors: Councilors Josephine S. Evangelista, Miko C. Pelegrina, Geronimo A. Ciceron
Marlo PJ A. Alipon, Mark Lester B. Dizon, Cris Dayril B. Bagnes, Arlene delos Santos

WHEREAS, on March 9, 2020, President Rodrigo Duterte issued Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines due to the Coronavirus Disease 2019 (COVID-19) and the Code Alert System for COVID-19 was raised to Code Red Sub-Level Two (2) in accordance with the recommendation of the Department of Health (DOH) and the Inter-Agency Task Force for Emerging Infectious Diseases (IATF). Presidential Proclamation No. 929, Series of 2020 was issued declaring a State of Calamity throughout the Philippines due to COVID-19;

WHEREAS, since the emergence of COVID-19, we have seen instances of public stigmatization among persons who have contracted the disease including those belonging to probable and suspect cases, and the rise of harmful stereotypes. This means that people are

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PETA June 04, 2020

being labelled, stereotyped, separated and/or experience loss of status and discrimination because of a potential negative affiliation with the disease. Stigmatization could drive people to hide the illness to avoid discrimination or prevent people from seeking health care immediately and discourage them from adopting healthy behaviors;

WHEREAS, the Department of Health (DOH) recently warned the public against discrimination against persons reported to have contracted COVID-19 including health workers and emergency workers who are among those in the frontlines of the battle against the rapidly spreading COVID-19. The DOH stated "that with the world confronted with a virus with little information known, it is human to be afraid. But we must not allow hysteria and paranoia to result in irrational treatment of people.";

WHEREAS, the 1987 Philippine Constitution under Article III, Section 1 provides that every person has the right to life, liberty, security of person and privacy and the right to be free from discrimination. Furthermore, under Section 2 thereof, the State values the dignity of every person and guarantees full respect for human rights;

WHEREAS, there have been several reported incidents of people being evicted out of their residences or after having recovered from the illness were prevented from returning back to their residences, while some were even doused with water and were refused services in eateries or transportations over fears of infection. Some were shunned by local stores, boarding houses, and even their own barangays and homes. Several false and inaccurate social media post even circulated online spreading names of people alleged to have been infected with COVID-19 and urging the recipients to check if they had contact with those listed;

WHEREAS, considering the gravity of the situation, there is an urgent need to combat this pervasive stigmatization on the basis of one's medical condition. There is a need for the municipality to bring normalcy and order amidst the crisis, and protect its constituency from unjust discrimination brought on by fear and panic by public;

WHEREAS, it is at this trying time, families who are affected by this pandemic suffer severe anxiety and social humiliation. Hence, it is the policy of the Municipal Government of Los Baños to act as *parens patria* during this trying time by showing compassion, empathy and tolerance towards its affected constituents as this virus can inflict any person regardless of race, age, sex or social standing. Only through a united front strengthened by our religious conviction can we fight and end this pandemic;

NOW, THEREFORE, on motion of Councilor Mike Dexter A. Concio, duly seconded and approved by all the Councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA in its session assembled, **THAT:**

SECTION 1. TITLE - This Ordinance shall be known as the **"COVID-19 Anti-Discrimination Ordinance of the Municipality of Los Baños."**

SECTION 2. DEFINITIONS OF TERMS. As used in this ordinance:

- a. **Discrimination** refers to any act or omission which impairs a right, or excludes and withholds access to services, goods, benefits, privileges, where the right to access to which is not otherwise withheld, prohibited or restricted by relevant protocols and guidelines issued by the National Government relative to measures against the COVID-19 pandemic. It also includes any act that causes or tends to cause any

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stigma, disgrace, shame, humiliation, harassment against persons belonging to probable, suspect and confirmed cases of COVID-19 as well as those acts against frontline workers.

- b. **COVID-19 Case definitions**, as stated in the Department of Health Administrative Order No. 2020-0013:
- i. **Suspect case** – is a person with Influenza-like Illness and Severe Acute Respiratory Infection or individuals with fever or cough or shortness of breath or other respiratory signs
 - ii. **Probable case** – a suspect case whom testing for COVID-19 is inconclusive; a suspect case who tested positive for COVID-19 but whose test was not conducted in a national or subnational reference laboratory or officially accredited laboratory for COVID-19 confirmatory testing
 - iii. **Confirmed case** – any individual, irrespective of presence or absence of clinical signs and symptoms, who was laboratory confirmed for COVID-19 in a test conducted at the national or subnational reference facility, and/or DOH-accredited laboratory testing facility
- c. **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 or community lockdown in order to render frontline, critical, and other essential services, including, but not limited to, healthcare workers like doctors, nurses, hospital and clinic aides and laboratory technicians, emergency responders (BFP, MDRRMC, MSWDO, BHERT, LGU Officials), law enforcement agency personnel (PNP, AFP, BJMP, NBI), force multipliers (Barangay Officials, Brgy. Tanods and other volunteers recognized by the LGU and Barangay Government). Frontline workers also include bank employees, persons engaged in the production, delivery, distribution, and sale of food, medicine, and other essential goods or services, employees of utility service providers and such other persons performing similar functions.

SECTION 3. PROHIBITED ACTS. Any form of discrimination, as defined in this Ordinance, shall be unlawful.

3.1. DISCRIMINATION AGAINST A PERSON BELONGING TO SUSPECT, PROBABLE AND CONFIRMED CASES OF CORONAVIRUS DISEASES 2019 (COVID-19) INCLUDING THEIR FAMILY MEMBERS

It shall be unlawful for any person, natural or juridical, to discriminate against persons belonging to suspect, probable and confirmed cases of COVID-19 by impairing their right, or preventing them from exercising a right or withholding access to goods, services, benefits, and privileges, where their exercise of such right or access to goods, services, benefits and privileges are not otherwise withheld, prohibited or restricted by relevant protocols and guidelines issued by the National Government relative to the COVID-19 pandemic.

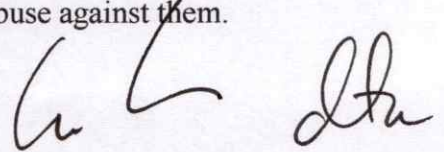
It shall likewise be unlawful for any person to, whether verbally, in writing or otherwise humiliate, ridicule, insult, embarrass, harass or perform any act which demeans the dignity and self-respect, including posting of unauthorized disclosure or personal information or identity of any person belonging to suspect, probable and confirmed cases of COVID-19.

Furthermore, it is unlawful for any person to discriminate against another by reason of the latter's association or relation with those belonging to COVID-19 cases.

3.2 DISCRIMINATION AGAINST FRONTLINE WORKERS.

The following acts are considered discriminatory against frontline workers and are therefore prohibited:

- a. Prohibiting frontline workers from entering an establishment or areas thereof if such establishment or the areas concerned are open and accessible to the general public;
- b. Refusal to provide services or goods to frontline workers, which services or goods are available to the general public;
- c. Denying a frontline workers access to, or use of, establishments, facilities, utilities, or services, open to the general public;
- d. Requiring frontline workers to produce any identification when the general public is not required to do so;
- e. Requiring frontline 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 the general public;
- f. Refusing or failing to allow any frontline worker, by reason of his or her status as such to avail of quarters or accommodation in a boarding house, apartment, hotel, inn or dormitory or any place of dwelling being rented out or offered to the public;
- g. Evicting or otherwise forcing any frontline worker to leave, temporarily or otherwise preventing such worker from entering his or her quarters or accommodation in a boarding house, apartment, hotel, inn or dormitory or any place of dwelling by reason of his or her status as a frontline worker;
- h. Humiliating, ridiculing, insulting or harassing any frontline worker, either verbally, physically or in writing, including posting or messaging in social media applications any frontline worker
- i. Performing any other similar act which demeans the dignity and self-respect of frontline workers or which causes any form of discrimination, harassment and abuse against them.



SECTION 4. PENALTIES. Any person caught in violation of Section 3 of this Ordinance shall be meted and penalized as follows:

FIRST OFFENSE: A fine of One Thousand Pesos (P1,000.000).

SECOND OFFENSE: A fine of One Thousand Five Hundred Pesos (P1,500.00).

THIRD OFFENSE: A fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than six (6) months or both in the discretion of the Court.

If the offender is a public officer, the maximum penalty herein shall be imposed and could be a ground for filing administrative case.

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

SECTION 5. IMPLEMENTATION. The Local Chief Executive, the Philippine National Police – Los Baños (PNP-LB), Barangay Officials and Barangay Tanods and other law enforcement agents, person or entities duly recognized by the LGU and the Barangay are the authorized persons to implement and enforce the provisions of this Ordinance.

The Municipal Health Office (MHO) and the Public Information Office (PIO) are hereby requested for the widest dissemination of aforementioned provisions this Ordinance.

SECTION 6. 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 7. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.

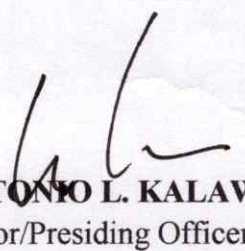
ENACTED : April 17, 2020

I HEREBY CERTIFY to the correctness of the above –quoted Ordinance.



DONA T. ALBORIDA

Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. ANTONIO L. KALAW
Vice Mayor/Presiding Officer

APPROVED:


HON. CAESAR P. PEREZ
Municipal Mayor

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KAPASIGAHAN BL. 317, S. 2020
AFTSA June 24, 2020