
Sponsored by Councilors Danilo V. Hernandez, Filemon C. Aguilar III, Lord Linley R. Aguilar, Julio L. Balanag, Florante S. dela Cruz, Oscar C. Peña, Luis I. Bustamante, Alfredo L. Miranda, Ruben C. Ramos, Bonifacio C. Riguera, Rex H. Riguera, Ignacio B. Sangga, Roberto B. Cristobal and Rachelle R. dela Peña.

CITY ORDINANCE NO.1685-20
Series of 2020

AN ORDINANCE PROHIBITING ANY PERSON FROM COMMITTING ANY ACT OF DISCRIMINATION, HARRASSMENT, VIOLENCE, CYBER-BULLYING OR ANY OTHER ACT CAUSING STIGMA, SHAME, INDIGNITY, DISHONOR OR HUMILIATION AGAINST CONFIRMED COVID-19 INFECTED PERSONS, CLOSE CONTACTS, PERSONS UNDER INVESTIGATION (PUIs), PERSONS UNDER MONITORING (PUMs), HEALTH WORKERS, HOSPITAL EMPLOYEES, AND OTHER FRONTLINERS AND IMPOSING THE APPROPRIATE PENALITIES FOR VIOLATION THEREOF.

WHEREAS, Article II, Section 11 of the 1987 Philippine Constitution provides that the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, Article 19 of the Civil Code of the Philippines provides that every person must, in the exercise of his rights and in the performance of his duties, act with justice, give everyone his due, and observe honesty and good faith;

WHEREAS, His Excellency President Rodrigo Roa Duterte issued Presidential Proclamation No.922 on March 8, 2020 declaring a State of Public Health Emergency throughout the Philippines due to COVID-19, and Presidential Proclamation No.929 on March 16, 2020 declaring a State of Calamity throughout the Philippines and imposing an Enhanced Community Quarantine in the entire Luzon;

WHEREAS, studies have shown that public health emergencies, such as the outbreak of COVID-19, are stressful times for people and communities. Fear and anxiety about a disease can lead to social stigma towards people, places, or things. Stigma occurs when people associate a health risk with specific types of people, such as confirmed COVID-19 infected patients, Persons Under Investigation (PUIs), Persons Under Monitoring (PUMs), health workers, hospital employees, and other frontliners because of their possible exposure to the COVID-19 virus;

WHEREAS, COVID-19 infected persons, PUIs, PUMs, health workers, hospital employees, and other frontliners are presently experiencing stigma because of the perceived danger they pose in spreading the virus. This behavior against them hurts everyone by creating unwarranted fear, anxiety or anger in communities. This unduly results to social avoidance or rejection, denial of assistance, healthcare or housing, discrimination, physical violence and other criminal acts against COVID-19 infected persons, PUIs, PUMs, health workers, hospital employees, and other frontliners;

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WHEREAS, the Department of Health (DOH) warned the public against discrimination against persons who contracted COVID-19, PUIs, PUMs, health workers and emergency workers who are in the front lines of the battle against the rapidly spreading COVID-19. The DOH clarified that with the world confronted by a virus with little known information, it is human to be afraid, but we must not allow hysteria and paranoia to result in irrational treatment of people;

WHEREAS, the Integrated Bar of the Philippines and the Philippine Medical Association, in a joint statement entitled as "Cooperation Not Discrimination," have urged our countrymen to fully cooperate rather than discriminate, show benevolence rather than bias, increase help, not hype so as to protect our health workers, other frontliners and patients;

WHEREAS, because of the worsening fear of people against confirmed COVID-19 infected patients, Persons Under Investigation (PUIs), Persons Under Monitoring (PUMs), Close Contacts, as well as the exposed health workers, hospital employees, and other frontliners, the City Government of Las Piñas must protect these people from any act of discrimination, harassment, violence, cyber-bullying, or anything that causes them to suffer stigma, shame, indignity, dishonor, or humiliation; and

WHEREAS, the City Government of Las Piñas is herein compelled to adopt clear-cut measures in order to protect confirmed COVID-19 infected patients, Persons Under Investigation (PUIs), Persons Under Monitoring (PUMs), health workers, hospital employees, and other frontliners who are fighting this dreadful disease from unjust discrimination brought on by fear and panic by the public;

NOW, THEREFORE:

BE IT ORDAINED, as it is HEREBY ORDAINED, by the Sangguniang Panlungsod of Las Piñas in session assembled that:

SECTION 1. This Ordinance shall be known as the "COVID-19 ANTI-DISCRIMINATION Ordinance of Las Piñas City."

SECTION 2. DEFINITION OF TERMS:

- a. Close Contact - a person who may have come into contact with an infected person or infectious secretions of a COVID-19 case. It includes any person visiting said patient/s or staying in the same close environment of a COVID-19 infected patient/s.

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- b. Confirmed COVID-19 Infected Person - any person who has been tested positive for COVID-19 by laboratories or health facilities authorized and accredited by the Department of Health.
- c. Frontliners - include officers and members of the PNP, AFP, PCG and instrumentalities of the government rendering emergency frontline services, border control and other critical services. It also includes personnel or service workers who are working in private establishments providing basic necessities and such activities related to food and medicine production (e.g. public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, diagnostic centers, testing laboratories, pharmacies, drug stores, food preparation and delivery services, water-refilling stations, manufacturing and processing plants of basic food products and medicines, banks, security services, money transfer services, power, energy, telecommunications and water supplies and other related facilities).
- d. Health Workers - refers to any person who renders health care services to the sick and ailing, either directly or indirectly, such as, doctors, nurses, medics, hospital and clinic aides, laboratory technicians and other health professionals. Health workers also include those whose job it is to protect and improve the health of their communities.
- e. Hospital Employees - refers to persons, not necessarily health professionals, who are working in hospitals, clinics, laboratories and diagnostic centers dealing with patients with COVID-19 related medical concerns.
- f. Persons Under Investigation (PUIs) - refers to persons, regardless of nationality, race, gender or age, who are classified as such under the protocols and guidelines of the Department of Health. They are usually experiencing signs and symptoms like fever and/or cough and with travel history in COVID-19 infected areas with issued travel restrictions.
- g. Persons Under Monitoring (PUMs) - refers to persons, regardless of nationality, race, gender or age, who are classified as such under the protocols and guidelines of the Department of Health. They are usually not exhibiting any sign or symptom but with known exposure to COVID-19 infected persons or with travel history in COVID-19 infected areas with issued travel restrictions.

Section 3. UNLAWFUL ACTS.

- a. It shall be unlawful for any person, whether natural or juridical, to commit any act of discrimination, harassment, violence, cyber-bullying, or any

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action/inaction that causes stigma, shame, indignity, dishonor, humiliation, or harm against a Confirmed COVID-19 Infected Person, Close Contact, Person Under Investigation (PUI), Person Under Monitoring (PUM), Health Workers, Hospital Employees, or Frontliners.

- b. It shall be unlawful for any public official, public employee or essential service provider to refuse assistance or deny services to a Confirmed COVID-19 Person, Close Contact, Person Under Investigation (PUI), Person Under Monitoring (PUM), Health Worker, Hospital Employee or any Frontliner, who intends to return or enter to his/her room, residence or lodging facility unless the said person is known to be in violation of the protocols or guidelines of the Department of Health or any government authority.
- c. It shall be unlawful for any person to influence or instigate another person to commit acts of discrimination, harassment, violence, cyber-bullying or any action/inaction that causes stigma, shame, indignity, dishonor, humiliation, or harm against a Confirmed COVID-19 Infected Person, Close Contact, Person Under Investigation (PUI), Person Under Monitoring (PUM), Health Workers, Hospital Employees, and Frontliners, through spreading rumors, uttering information or any communication, by electronic means, vandalism, or through any other manner/method, that causes unnecessary fear, anger, panic or violation of rights of such persons.
- d. It shall be unlawful for any person to maliciously disclose information regarding the identity or any data that may lead to the identity of a Confirmed COVID-19 Infected Person, Close Contact, Person Under Investigation (PUI), Person Under Monitoring (PUM), Health Worker, Hospital Employee, or Frontliner, including but not limited to, his name, known alias, address, place of work, and such other similar information.

SECTION 4. PENALTIES. Any person who violates any of the provisions of Section 3 hereof shall be liable to pay a fine in the amount of Five Thousand Pesos (Php 5,000.00) and community service for thirty (30) days or imprisonment of not exceeding six (6) months OR both for each offense committed. If the offender is a public officer or public employee, the maximum penalty shall be imposed. In case of inability to pay the fine, the offender shall be required to render additional thirty (30) days of community service.

If the unlawful act is committed by a juridical entity, the directors, officers and employees of the juridical entity that participated, contributed or tolerated the commission of any of the Unlawful Acts under Section 3 shall be held liable.

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The penalties imposable under this Ordinance is without prejudice to other administrative, criminal or civil liability that are available for the commission of other criminal acts punishable under the Revised Penal Code or Special Criminal Laws arising from the same unlawful act or commission of an offense hereunder.

SECTION 5. SEPARABILITY CLAUSE. If for any reason, any provision of this Ordinance shall be held invalid or unconstitutional, the other provisions hereof which are not affected by the invalidity shall continue to be in full force and effect.

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

ENACTED by the Sangguniang Panlungsod of Las Piñas in its special session today, April 8, 2020.

HON. FILEMON C. AGUILAR III <i>City Councilor</i>	HON. LORD LINLEY R. AGUILAR <i>City Councilor</i>
HON. JULIO L. BALANAG <i>City Councilor</i>	HON. LUIS I. BUSTAMANTE <i>City Councilor</i>
HON. FLORANTE S. DELA CRUZ <i>City Councilor</i>	HON. DANILO V. HERNANDEZ <i>City Councilor</i>
HON. ALFREDO L. MIRANDA <i>City Councilor</i>	HON. OSCAR C. PEÑA <i>City Councilor</i>
HON. RUBEN C. RAMOS <i>City Councilor</i>	HON. BONIFACIO C. RIGUERA <i>City Councilor</i>

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HON. REX H. RIGUERA
City Councilor

HON. IGNACIO B. SANGGA
City Councilor

HON. RACHELLE R. DELA PEÑA
President, SK Federation

HON. ROBERTO B. CRISTOBAL
President, Liga ng mga Barangay

HON. APRIL AGUILAR-NERY
Vice-Mayor & Presiding Officer

ATTESTED:

JOSEFINA M. SORIANO
Assistant Sanggunian Secretary

APPROVED:

HON. IMELDA T. AGUILAR
City Mayor