



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF ORIENTAL MINDORO  
MUNICIPALITY OF PINAMALAYAN

# OFFICE OF THE SANGGUNIANG BAYAN

Telephone No: (043) 284-3147 Email Address: [vicemayorsoffice@pinamalayan.gov.ph](mailto:vicemayorsoffice@pinamalayan.gov.ph)  
Office of Vice Mayor/Sangguniang Bayan 2nd Floor Municipal Building, Madrid Blvd., Pinamalayan, Oriental Mindoro

## ORDINANCE NO. 05-2020

**AN ORDINANCE PROHIBITING SPECIFIC ACTS OF DISCRIMINATION AND HARASSMENT AGAINST FRONTLINE WORKERS, PERSON UNDER MONITORING (PUM), PERSON UNDER INVESTIGATION (PUI) AND OVERSEAS FILIPINO WORKERS (OFW) AMID HEALTH EMERGENCY AND GLOBAL PANDEMIC SITUATION IN THE MUNICIPALITY OF PINAMALAYAN, ORIENTAL MINDORO AND IMPOSING PENALTIES FOR VIOLATION THEREOF.**

**WHEREAS**, the World Health Organization declared the Coronavirus Disease 2019 (COVID-19) as a pandemic due to the rapid increase of cases of infection throughout the entire world;

**WHEREAS**, Presidential Proclamation No. 929, s. 2020, declaring a State of Calamity throughout the Philippines due to Corona Virus Disease 2019 (COVID-19) dated March 16, 2020 placed Luzon under Enhanced Community Quarantine (ECQ) and the rest of the country in a State of Public Health Emergency;

**WHEREAS**, in the midst of the recent public health crisis brought about by the threat of Covid-19, instances of discrimination were reported targeting persons who have contracted the disease, including Persons Under Investigation (PUI) and Persons Under Monitoring (PUM), and "Frontliners" or the people who are in the frontlines in the fight against the spread of the covid-19 virus, including health professionals and other medical staff personnel as well as non medical frontliners like law enforcement officers and government officials and even employees of establishments providing basic services in the health crisis;

**WHEREAS**, the Department of Health has received various reports regarding discrimination against the frontliners such as being refused basic services like public transport and laundry service, refused entry to supermarket or grocery stores, or being evicted from their lodging houses and apartments due to the fear of contamination;

**WHEREAS**, the Inter-Agency Task Force for the management of Emerging Infectious Disease (IATF-EID) urged local government units to pass a measure that would address discrimination against frontliners, migrant workers and confirmed or suspected Covid-19 patients;

**WHEREAS**, Department of the Interior and Local Government (DILG) Memorandum Circular No. 072, dated April 11, 2020 issued to mobilize LGUs to secure temporary shelter/accommodation for the safety and protection against discrimination of health workers in Provincial/City Hospitals and other public Health Facilities catering to Covid-19 patients for the duration of the Covid-19 pandemic;

**WHEREAS**, the Municipal Government of Pinamalayan is committed in protecting its constituents in most cases, the protection of Frontline Workers, Person Under Monitoring (PUM), Person Under Investigation (PUI) And Overseas Filipino Workers (OFW) amid health emergency and global pandemic situation in the municipality;

**NOW THEREFORE, BE IT ENACTED BY THE SANGGUNIANG BAYAN OF PINAMALAYAN, ORIENTAL MINDORO, in session assembled, that:**

Handwritten signatures of the Sangguniang Bayan members, including the Vice Mayor and other council members, at the bottom of the document.



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**Section I. TITLE:** This Ordinance shall be known as the **“Anti-discrimination and Anti-harassment Ordinance to frontline workers, PUMs, PUIs, and OFWs of Pinamalayan, Oriental Mindoro”**.

**Section II. DEFINITION OF TERMS:**

1. Frontline workers – refer to medical and non-medical personnel, whether from the private and public sector, who are on the frontlines in provision of essential services in the face of COVID-19 pandemic, such as:
  - a. Private and government doctors, nurses and other medical personnel and health volunteers;
  - b. Hospital workers, administrative staff, janitors and security personnel;
  - c. National and local government officials and employees in the exercise of frontline functions;
  - d. Members of the Philippine National Police (PNP), Armed Forces of the Philippines and other law enforcement personnel;
  - e. Emergency responders like members of the Philippine Red Cross, Bureau of Fire Protection, Disaster Risk Reduction Management Office, and Barangay Health Emergency Response team;
  - f. Employees and personnel of establishments providing needed services like funeral parlors, manufacturers of medical supplies and those providing basic services.
2. Persons infected, Patients Under Investigation (PUIs) and Persons Under Monitoring (PUMs) are those defined by the protocols and guidelines of the Department of Health.
3. OFWs – Overseas Filipino Worker is a person from the Philippines who is living and working in another country, typically on a temporary basis.
4. Discrimination and Harassment Act – refers to any act or action committed to manifest, prejudice, bigotry, unequal treatment, exclusion, restriction, humiliation and vilification towards persons infected, PUIs, PUMs, and any front liner by reason of his or her work during the COVID-19 situation which has an effect or purpose of impairing or nullifying the enjoyment or exercise of their human rights and fundamental freedoms.
5. CoViD-19 – previously known as “2019 novel coronavirus and is an infectious disease caused by a coronavirus.
6. Pandemic – is the global outbreak of a disease.
7. Public Health Emergency – (the condition that requires a declaration of a state of public health emergency) is defined as "an occurrence or imminent threat of an illness or health condition, caused by bio terrorism, epidemic or pandemic disease, or (a) novel and highly fatal infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents or permanent or long-term disability (WHO/DCD, 2001).



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**Section IV. SPECIFIC PROHIBITED DISCRIMINATORY ACTS/OFFENSES:** It shall be unlawful for any person, whether natural or juridical, to commit any of the following acts/offenses against frontline workers, OFWs, a person infected, under investigation or monitoring due to COVID-19:

1. Deny access to public programs and services otherwise available to the public;
2. Refuse admission or expel from public markets, supermarkets, groceries, bakeshops and convenience stores by reason of his/her work as frontline;
3. Refuse entry or eject from usual accommodation in any lodging house, apartment, motel, hotel, inn, dormitory and any other places dwelling being rented out or offered to the public or for a fee or give inferior accommodation or services by reason of his/her being a person infected, under investigation or monitoring, or work as a front liner;
4. Deny access or admission to medical and other health services, health insurance, or give inferior accommodation or services by reason of his/her being a person infected, under investigation or monitoring, or work as a front liner;
5. Deny access to and/or use of private and public establishment, facilities, utilities, transportation services that are open to the general public by reason of his/her work as front liner;
6. Utter or post online slanderous or abusive statements which incites discrimination against a person infected, under investigation or monitoring, or front liner; subject said person to any harassment or any threat of physical, mental and verbal violence, intimidation or other threatening disruptive behavior;
7. Any other act of discrimination which, demeans, impairs, mars, reduces or nullifies the enjoyment or exercise of a person infected, under investigation or monitoring, front liner's human and legal rights;

**Section VI. PENALTIES:** Any person or business entity owner found guilty of the prohibition acts/offenses under this ordinance shall, upon conviction, be punished by imprisonment of not less than one (1) month but not more than three (3) months; by a fine of not less than One Thousand (Php1,000) pesos but not more than Two Thousand Five Hundred (Php2,500.00) pesos, or both upon discretion of the Court.

**Section VII. REPEALING CLAUSE.** All Ordinances, rules and regulations, or part thereof, whose provisions of this ordinance are hereby repealed, amended or modified accordingly.

**Section VIII. SEPARABILITY CLAUSE:** Any part or section hereof found to be unconstitutional for any reason, the remaining section not affected by the declaration of invalidity shall remain in force in effect

**Section VIII. EFFECTIVITY:** This Ordinance shall take effect immediately after compliance with the requirements of posting and/or publication under Section 59(c) and 511(a) of the Local Government Code of 1991, and shall remain in full force and effect during the Enhanced Community Quarantine and state of health emergency period imposed by the National Government.



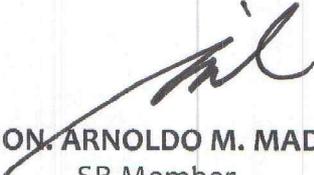
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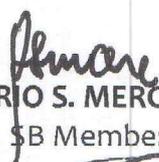
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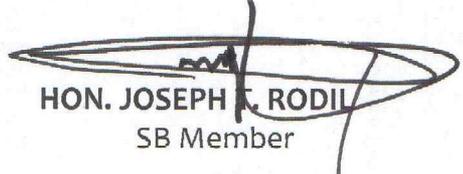
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**ENACTED UNANIMOUSLY** this 27<sup>th</sup> day of April 2020 on mass motion of all Sangguniang Bayan members present.

  
HON. ARNOLDO M. MADRID  
SB Member

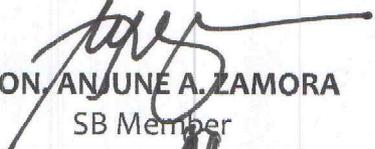
HON. DUNHILL MARCELO M. DELMO V  
SB Member

  
HON. RIO S. MERCENE  
SB Member

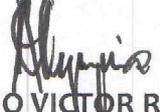
  
HON. JOSEPH K. RODIL  
SB Member

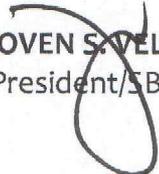
  
HON. SEVERINO J. NARITO  
SB Member

  
HON. NAPOLEON M. MANGARING  
SB Member

  
HON. ANJUNE A. ZAMORA  
SB Member

  
HON. LEONARDO L. PEDRAZA  
SB Member

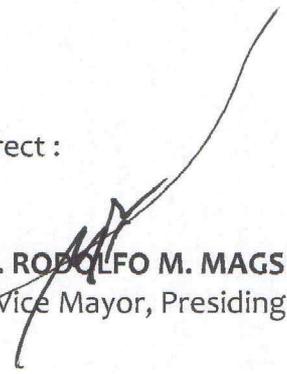
  
HON. ANTONIO VICTOR R. OLYMPIA  
ABC President/SB Member

  
HON. JOVEN S. VELASCO  
SKMF President/SB Member

Attested :

  
ARNEL G. ABRENICA  
Secretary to the Sanggunian

Certified Correct :

  
HON. ROBERTO M. MAGSINO  
Municipal Vice Mayor, Presiding Officer

Approved :

  
HON. ARISTEO APASAN- BALDOS, JR.  
Municipal Mayor