



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 29
Series of 2016

ORDINANCE ON GENDER EQUALIZATION IN THE HIRING FOR POSITIONS AND OTHER PERSONNEL ACTIONS IN THE WORKPLACE.

Authored By: Councilor Corazon M. Raymundo,
Co-Authored By: Councilors Rodrigo B. Asilo, Ferdinand A. Avis, Regino S. Balderrama Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Gregorio P. Rupisan, Jr., Alejandro E. Santiago, Wilfredo F. Sityar, Victor Ma. Regis N. Sotto, and LIGA Pres. Celestino U. Chua

WHEREAS, Section 14 of the 1987 Philippine Constitution provides that the State recognizes the role of women in nation building and shall promote the **FUNDAMENTAL EQUALITY** before the law of women and men and towards this end a variety of gender-responsive legal and policy initiatives at the national and local levels have been undertaken but still lacking more specificity and implementation in many spheres of development like in the workplace;

WHEREAS, gender inequality in the labor market remains where gender gap persists in employment rate, unpaid domestic and care work burden, vulnerable employment, decent work and social protection with deficits experienced by women more than by men;

WHEREAS, local statistics show that women have higher levels of educational attainment than men and yet wage employment rate of women is much lower than that of men leading to inefficient use of human capital limiting women's contribution to development;

WHEREAS, many workplaces remain conservative in their selection and hiring of personnel and workers following a gender-biased policy dictated by a tradition of stereotypes of what kinds of work a man or a woman should do which more often discriminates women from male-defined work;

WHEREAS, traditional view of women being the weaker sex is still pervasive and the reproductive role of women in the society put them in a disadvantaged role in hiring and promotion for work;

WHEREAS, in view of the foregoing, it is

NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD, in session duly assembled that:

Section 1. TITLE. – This Ordinance shall be known as “Gender Equalization in Hiring and Other Personnel Actions in the Workplace”

Section 2. Declaration of Policy. It is hereby declared that it is the policy of the City Government of Pasig to promote gender equality and empowerment of women and pursue equal opportunities for women and men and ensure their equal access to development pursuits, results and outcomes. Pasig City also realizes



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that gender equality can entail changes in deeply-rooted practices that perpetuate discrimination and inequality. To realize this, it shall endeavor to institute measures and mechanisms to address discrimination and inequality in development endeavors such as the labor market.

The City Government of Pasig supports the national government and its tributaries in realizing the national objectives thus actively serves as the representative in the different aspects of developmental work.

Section 3. Purpose. This ordinance is enacted for the following objectives:

1. To prevent gender-based discriminatory practices in hiring, promotion, and salary determination and payment in all industries and establishments operating in the city.
2. To improve the employment rate among women who are of legal working ages and ideally aiming for occupying 50 per cent of positions in every establishment.
3. To provide a mechanism for women to contribute in a more meaningful way on the basis of their educational attainment and training.

Section 4. Definition of Terms. The following terms are defined below for the purpose of this ordinance.

1. **Discrimination** – any act that distinguishes excludes or makes preferences on the basis of sex (in the case of this ordinance) which has the effect of impairing the equality of opportunity or treatment in employment or occupation.
2. **Gender equality** - everyone receive equal treatment and not be discriminated against based on their gender.
3. **Industry**– includes manufacturing, construction, genetic, services (includes government service) and such other industries operating in the city.
4. **Workplace** – public or private physical location of work where employer-employee relationship occurs.
5. **Wage employment**-agreement between two parties (known as employer and employee) in which the employee (generally an individual) agrees to work for the employer (generally a business firm, government office or sometimes an individual) under some specific terms and conditions.

Section 5. Coverage. This ordinance is applicable to workplaces/establishments classified under any legitimate type of industry which hire/employ workers or employees on wage/monetary basis and are located within the jurisdiction of the City of Pasig.

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Section 6. Prohibitions.

It will be unlawful for owners, employers, managers or heads of establishments/industries/offices not to hire female applicants who are qualified for a job they are filling up and instead hire a male applicant who is less qualified. In no case will the marital status of a female applicant be considered as a negative factor for her employment.

A pregnant female employee will be protected against dismissal from work, nor her pregnancy be made a cause for denying her of a promotion or be used as a reason for her to go into forced unpaid leave. She cannot be made to work under conditions that will endanger her health or that of the unborn child.

Section 7. Reporting Entities.

Any woman who has been the subject of discrimination at her workplace in hiring, dismissal, promotion, working condition on the basis of her gender, marital status and/or pregnancy by her employer/manager has the right to report such experiences and be assisted by the Legal Office of the City Government of Pasig and the Public Attorney's Office (PAO).

Section 8. Responsibility Centers.

Owners, employers, managers or heads of establishments/industries/offices who commit any of the aforementioned discriminatory practices are liable for citation and will be reported to the Secretary of Labor and Employment or his duly appointed representatives for appropriate action.

The City Government of Pasig through its Legal Office shall assist women whose rights are violated under this ordinance in calling the attention of the Department of Labor and Employment for appropriate action.

The Public Attorney's Office shall also be enjoined to provide legal assistance to women who have been victims of discrimination at the workplace.

Section 9. SEPARABILITY CLAUSE. – If, for any reason or reasons, any part or provision of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions are not affected thereby shall continue to be in full force and effect.

Section 10. REPEALING CLAUSE. – All ordinances or issuances of the City or parts thereof that are inconsistent with any of the provisions of this ordinance are hereby repealed or modified accordingly.

Section 11. EFFECTIVITY. - This Ordinance shall take effect immediately upon approval.

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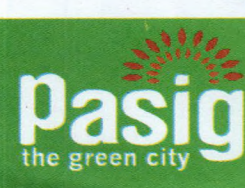
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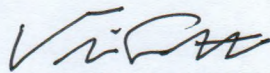
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APPROVED, this 1st day of **December 2016** at Pasig City.

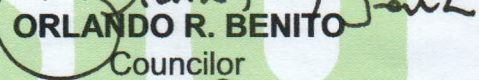

VICTOR MA. REGIS N. SOTTO
Councilor


RODRIGO B. ASILO
Councilor

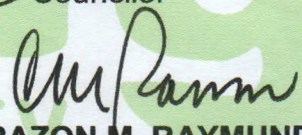

GREGORIO P. RUPISAN JR.
Councilor


MARIO C. CONCEPCION, JR.
Councilor


RHICHIE GERARD T. BROWN
Councilor


ORLANDO R. BENITO
Councilor


ALEJANDRO E. SANTIAGO
Councilor


CORAZON M. RAYMUNDO
Councilor


REGINO S. BALDERRAMA
Councilor


ROSALIO D. MARTIRES
Councilor

CELESTINO U. CHUA
LIGA President


FERDINAND A. AVIS
Councilor
Minority Floor Leader




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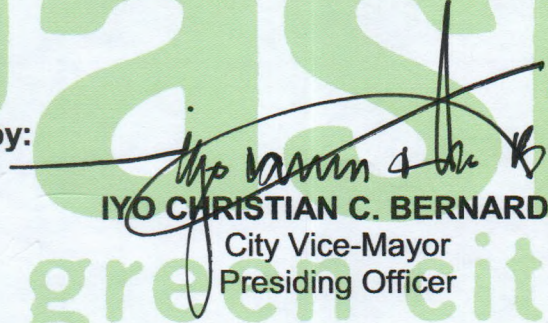
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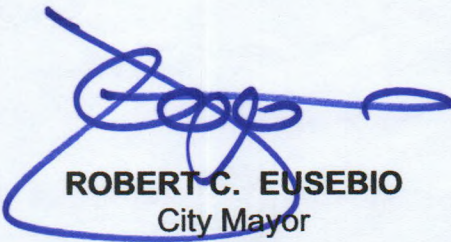
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WILFREDO F. SITYAR
Councilor
Majority Floor Leader

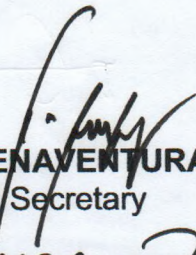
Attested by:


IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:


ROBERT C. EUSEBIO
City Mayor

Attested by:


REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary