



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 10
Series of 2020

AN ORDINANCE PROHIBITING ANY PERSON FROM COMMITTING ANY ACT WHICH CAUSES STIGMA, DISGRACE, SHAME, HUMILIATION, HARASSMENT, OR OTHERWISE DISCRIMINATING AGAINST A PERSON INFECTED, UNDER INVESTIGATION OR MONITORING DUE TO INFECTIOUS DISEASES OR EMERGING AND RE-EMERGING INFECTIOUS DISEASES, AS WELL AS AGAINST PUBLIC AND PRIVATE DOCTORS, NURSES, HEALTH WORKERS, EMERGENCY PERSONNEL AND VOLUNTEERS, SERVICE WORKERS WHO ARE ASSIGNED TO HOSPITALS OR OTHER CENTERS WHERE THESE PERSONS ARE BEING TREATED, AND OTHER FRONT LINERS, AND PROVIDING PENALTY THEREFOR.

Authored By: Councilor Rhichie Gerard T. Brown

Co- Authored By: Councilors Rodrigo B. Asilo, Ferdinand A. Avis, Regino S. Balderrama, Orlando R. Benito, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Reynaldo R. San Buenaventura III, Editha C. Santiago, Wilfredo F. Sityar, LIGA Pres. Rigor J. Enriquez and SK Pres. Georgia Lynne P. Clemente

WHEREAS, under Article II, Section 11 of 1987 Philippine Constitution, the State values the dignity of every person and guaranties full respect of human rights;

WHEREAS, under Article III, Section 1, 2, 4, 8, 12, the State guarantees every person the right to life, security of person and privacy, the right to be free from torture, arbitrary arrest and detention, the right to be free from discrimination and the right to freedom of expression, and the right to organize associations;

WHEREAS, Section 2 of Republic Act No. 11332, also known as the Mandatory Reporting of Notifiable Disease and Health Events of Public Health Concern Act, it is hereby declared the policy of the State to protect and promote the right to health of the people and instill health consciousness among them, as well as protect them from public health threats through the efficient and effective disease surveillance of notifiable diseases including emerging and re-emerging infectious diseases, diseases for elimination and eradication, epidemics and health events including chemical, radio-nuclear and environmental agents of public health concern. Further, the State recognizes epidemics and other public health emergencies as threats to public health and national security, which can undermine the social, economic and political functions of the State;

WHEREAS, Section 16 of Republic Act No. 7160, also known as the Local Government Code of 1991, provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective



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governance, and those which are essential to the promotion of the general welfare;

WHEREAS, on March 9, 2020, President Rodrigo R. Duterte issued Proclamation No. 922, declaring the State of Public Health Emergency throughout the Philippines due to the Corona Virus Disease 2019 (COVID-19). Further, Proclamation No. 929, Series of 2020, declaring a State of Calamity throughout the Philippines due to COVID-19;

WHEREAS, the Inter-Agency Task Force for the Management of Emerging Infectious Disease, through Resolution No.11, Series of 2020 dated 12 March 2020 raised the Code Alert system for COVID-19 to Code Red Sub-level 2 and recommended strict social distancing, suspension of classes, limiting of mass gatherings, community quarantine, limiting of work in the executive branch of government and promoting flexible work arrangements for a period of thirty (30) days in the National Capital Region;

WHEREAS, the Inter-Agency Task Force for the Management of Emerging Infectious Disease, through Resolution No.20, Series of 2020 dated April 7, 2020, announced that President Rodrigo R. Duterte has approved its recommendation of extending the Enhanced Community Quarantine in Luzon until April 30, 2020;

WHEREAS, the Metro Manila Council had passed MMC Resolution No 20-08, dated April 7, 2020, urging all the legislative councils of Metro Manila LGUs to pass an ordinance penalizing acts of discrimination vs health workers, OFWs, COVID-19 patients, and persons under monitoring/investigation.

WHEREAS, the Department of Interior and Local Government, with the recognition that acts of discrimination persist in numerous localities, had issued Memorandum Circular No. 2020-072 on April 11, 2020, enjoining LGUs to issue the necessary executive order/enact ordinances or other policies that shall prohibit and penalize discriminatory acts inflicted upon health workers.

WHEREAS, as a recognition by the City government that since the emergence of infectious diseases, particularly at present COVID-19, we have witnessed the alarming rise of instances wherein there is public stigmatization and discrimination among persons who have contracted these diseases, particularly Persons under investigation (PUIs) and Persons under monitoring (PUMs) of COVID-19 and to those treating these diseases, including doctors, nurses, and



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...healthworkers. These people are being labeled, stereotyped and separated and/or experiencing the loss of their status and discrimination upon due to a mistaken or real affiliation with these diseases, such prejudicial acts resulting in the hiding of symptoms and illness, avoiding health care and treatment, and even preventing or discouraging the victims of discriminatory acts from adopting healthy and responsible behaviours;

WHEREAS, considering the gravity of the situation, there is a dire need to prevent this pervasive stigmatization on the basis of one's medical condition or choice or mandate to serve as a health worker in contact with those PUMs and PUIs; There is thus an urgent mandate for the City to bring normalcy and order amidst the crisis, and protect its constituencies from unjust discrimination brought on by fear and panic by the public.

NOW, THEREFORE, be it **ORDAINED** as it is **ORDAINED** by the Sangguniang Panlungsod ng Pasig, in session duly assembled, the following:

SECTION 1. SHORT TITLE. This Ordinance shall be called the "Anti-Discrimination Due to Infectious Diseases Ordinance of Pasig 2020".

SECTION 2. DECLARATION OF POLICY. It shall be the policy of the Local Government of Pasig to strictly prohibit any act which may cause or tend to cause stigma, disgrace, shame, humiliation, harassment, or otherwise may be discriminating against a person infected, under monitoring or investigation due to infectious diseases and others that may emerge or re-emerge from time to time, particularly the SARS Ncov 2 (COVID-19) virus, as well as against the public and private doctors, nurses, health workers, emergency personnel and volunteers, and service workers who are assigned to hospitals or other centers where these persons are being treated.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance:

- (a) *Disease*- refers to an illness due to a specific toxic substance, occupational exposure or infectious agent, which affects a susceptible individual either directly or indirectly, as from an infected animal or persons or indirectly through an intermediate host, vector, or the environment;



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- (b) *Discrimination*- any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on a person's affliction of an infectious disease or his or her reputation involving infection, monitoring, or investigating by reason the potential presence of an infectious disease, or by reason of one's affiliation or status as a health worker involved in suppression and treatment of an infectious diseases.
- (c) *Dishonor of Contract*- refers to abrupt termination or breach of contract (i.e., lease, employment) solely for reasons involving infectious diseases, including the ejection and eviction of the legitimate inhabitant in buildings by reason of the same;
- (d) *Emerging and Re-Emerging Infectious Diseases*- refer to diseases that (1) have not occurred in humans before; (2) have occurred previously but affected only small numbers of people in isolated areas; (3) have occurred throughout human history but have only been recognized as a distant disease due to an infectious agent; (4) are caused by previously undetected or unknown infectious agents; (5) are due to mutant or resistant strains of a causative organism; and (6) once were major health problems in a country which declined dramatically, but are again becoming health problems for a significant portion of the population;
- (e) *Front liners* – refers to the public and private doctors, nurses, health workers, emergency personnel and volunteers, and service workers who are assigned to hospitals or other centers where persons who may have been confirmed to have infectious diseases are being treated;
- (f) *Person Under Investigation* – refers to an individual who exhibits the symptoms of infectious diseases according to the listed decision and classification tools of the Department of Health, who may or may not be confined for health testing and recovery.
- (g) *Person Under Monitoring* – refers to an individual who came from other parts of the world with confirmed 2019-nCoV ARD infection except China, has no history of exposure, but with fever and/or cough, and who has been advised to go on self-quarantine for fourteen (14) days.



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(h) *Violence*- refers to causing or attempting to cause harm to another through acts resulting in physical or emotional injuries, including but not limited to physical assault, harassment, libel, and slander.

SECTION 3. UNLAWFUL ACTS. It shall be unlawful for any person, whether natural or juridical to commit any act or utterances which may cause or may tend to cause stigma, disgrace, shame, humiliation, harassment, or otherwise may be discriminating, including acts of violence such as, but not limited to, libel, slander, physical injuries and the dishonoring of contractual obligations such as contract of lease or contract of employment, against a person infected, is under observation (most especially now, patients, PUIs, and PUMs of COVID-19), as well as against front liners.

A public officer who refuses to give aid or assistance to persons infected after obtaining clearance from the proper health officials in returning to his place of residence or domicile; or to patients under observation or to the front liners intending to go to their places of work and back to their places of residence or domicile, due to infectious diseases shall also be liable under this section of the Ordinance.

Any person who shall publicly claim, post on social media, spread or announce that a person is infected, is under observation due to an infectious disease whether the same is confirmed or validated from the list given by the proper health officials, agency, or department, shall also be liable under this section, and in accordance with the penalty as may be prescribed by other law prohibiting the violation of the right to privacy.

A public officer who refuses to wear face mask shall also be liable under the Ordinance and the penalty shall be imposed thereof.

SECTION 4. PENALTIES. Any person in violation of SECTION 3 shall be fined with Five Thousand Pesos (5,000.00) or imprisonment not exceeding six (6) months or both at the discretion of the court.

If committed by a juridical person, the penalty shall be imposed to the Corporation, Partnership or Association unless otherwise provided by laws.



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SECTION 5. SEPARABILITY CLAUSE. Should any article, section or regulation of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof other than the article, section or regulation so declared to be unconstitutional or invalid.

SECTION 6. REPEALING CLAUSE. All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

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

APPROVED, this 16th day of **April 2020** at Pasig City

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FERDINAND A. AVIS
Councilor

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MARIO C. CONCEPCION, JR.
Councilor

Handwritten signature
GREGORIO P. RUPISAN JR.
Councilor

Handwritten signature
ORLANDO R. BENITO
Councilor

Handwritten signature
REYNALDO R. SAN BUENAVENTURA III
Councilor

Handwritten signature
RODRIGO B. ASILO
Councilor

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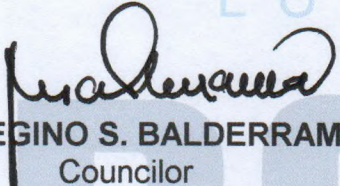


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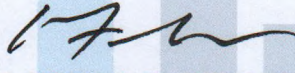
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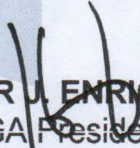
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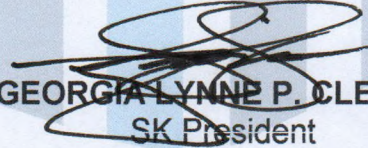

REGINO S. BALDERRAMA
Councilor


CORAZON M. RAYMUNDO
Councilor

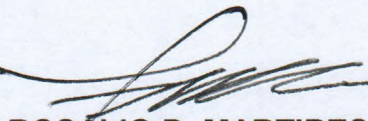
EDITHA C. SANTIAGO
Councilor

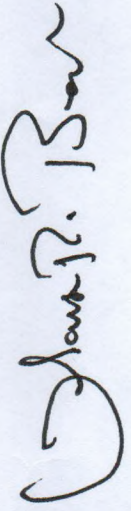

WILFREDO F. SITYAR
Councilor

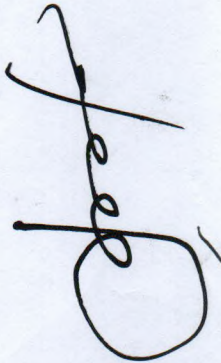

RIGOR J. ENRIQUEZ
LIGA President


GEORGIA LYNNE P. CLEMENTE
SK President


RHICHIE GERARD T. BROWN
Councilor
Minority Floor Leader

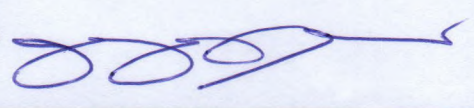

ROSALIO D. MARTIRES
Councilor
Majority Floor Leader

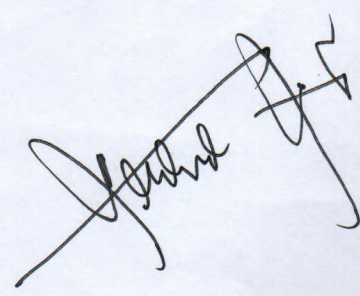














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Attested by:

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IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:

[Handwritten signature]
VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

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LOIDA U. VILLANUEVA
Acting City Council Secretary

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