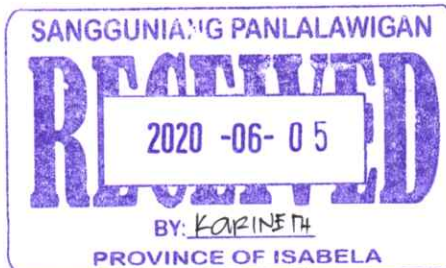


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Republic of the Philippines
Province of Isabela
MUNICIPALITY OF PALANAN



OFFICE OF THE SANGGUNANG BAYAN

Literal Copy of **Municipal Ordinance No. 2020-048** approved by the Sangguniang Bayan of Palanan, Isabela in its **Regular Session on May 4, 2020** held at the Legislative Session Hall, this Municipality.

Sponsored by: **HON. RONNIE A. ATIENZA**, Sangguniang Bayan Member

MUNICIPAL ORDINANCE NO. 2020-048

ORDINANCE PROHIBITING ANY ACT THAT CAUSES DISCRIMINATION, HARRASSMENT, HUMILIATION, MALTREATMENT AND VIOLENCE AGAINST FRONTLINE HEALTH CARE WORKERS AS WELL AS FRONTLINERS, VOLUNTEERS, SUSPECTED, PROBABLE AND CONFIRMED COVID-19 PATIENTS AND PROVIDING PENALTIES THEREFOR

WHEREAS, under Article III, Section 1 of the 1987 Philippine Constitution provides that "no person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the equal protection of the laws;

WHEREAS, the 2019 coronavirus disease (COVID-19) pandemic has greatly affected nations worldwide, including the country, and has been causing loss of lives and disruption to the economy;

WHEREAS, along with the rapid and alarming spread of COVID-19 cases of discrimination against frontline health workers, as well as those who are suspected, probable and confirmed COVID-19 patients have been reported in the region and elsewhere out of sheer ignorance, fear, and lack of knowledge about COVID-19;

WHEREAS, aside from discrimination and stigma, frontline health workers, as well as confirmed, suspected, and probable COVID-19 patients, have experience threats to their security and safety, such as maltreatment, physical assaults, and verbal abuse;

WHEREAS, said actions are unjustifiable, detestable, and pose serious negative consequences not only to the emotional, mental, and the total well-being of the concerned persons, but also of utmost concern is that these jeopardize the effectiveness of the frontline health workers in delivering services and the fast recovery of the COVID-19 patients;

WHEREAS, the DILG issued Memorandum Circular No. 2020-072 dated 11 April 2020 providing, among others, for LGUs to further promote the safety and protection of health workers against discrimination and enjoining LGUs to issue the necessary exclusive and/or local ordinances or other policies that shall prohibit and penalize discriminatory acts inflicted upon health workers;

WHEREAS, the Department of Health (DOH) recently warned the public against discrimination to persons reported to have contracted COVID-19 as well as PUIs, PUMS including health workers and emergency workers who are among those in front lines of the battle against the rapidly spreading COVID-19. The DOH stated that with the word 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, there is a need for the municipality to normalize amidst the crisis and protect its constituency from unjust discrimination brought by fear and panic of the public;

NOW THEREFORE, Be it **ORDAINED**, by the Sangguniang Bayan of Palanan, Isabela that:

SECTION 1. TITLE. This Ordinance shall be known as the "**ANTI-COVID-19 DISCRIMINATION ORDINANCE**".

SECTION 2. DEFINITIONS.

- a) **CONFIRMED/PROBABLE/SUSPECT-** are those defined by the protocols and guidelines of the Department of Health (DOH).
- b) **HEALTH WORKERS** – are those who deliver care and services to the sick and ailing, either directly or indirectly such as but not limited to doctors, nurses, midwives, medical technologist, laboratory technician and Barangay Health Worker (BHW).
- c) **FRONTLINERS** – include officers and members of the PNP, AFP, IATF, DRRM Personnel, Barangay Officials, Barangay Health Workers, Barangay Tanods, BHERTS and instrumentalities of the Government rendering emergency frontline services, border control and other critical services. It also include service workers who are working in private establishments providing basic necessities and such activities related to food and medicine production, i.e., public markets, supermarkets, groceries, convenience stores, hospitals, medical clinic, pharmacies and drug stores, food preparation and delivery services, water refilling stations, manufacturing and processing plants of basic food products and medicines, money transfer services, power energy, telecommunications and water supplies and other related facilities.

EARL JOHN ANGELO S. BERNARDO
SB MEMBER

MICHAEL JOHN D. BERNARDO
SB MEMBER

ROBERT B. NERI
SB MEMBER

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LNB PRESIDENT

JUSTIN KERBY S. BERNARDO
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SB MEMBER

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d) **DISCRIMINATION/ STEREOTYPING**- refers to any act committed or utterances which cause stigma, disgrace, shame and manifest prejudice, harassment unequal treatment, exclusion, restriction, humiliation or vilification against a person infected, suspect or probable.

SECTION 3. REGULATED ACTS.

a) It shall be unlawful for any person to vex, humiliate, harass, intimidate, and /or discriminate any individual designated as frontliners.

b) It shall be unlawful for a store owner/proprietor who vexes, prevents and/or precludes frontliners to enter, inspect, and/or investigate their business establishment(s) during the State of Public Health Emergency.

SECTION 4. PROHIBITED ACTS. It is hereby prohibited for any person who shall publicly pronounce, post on social media, spread or announce that a person, is infected, confirmed, suspect, or probable of having COVID-19, whether or not the same has been confirmed or validated from the list given by authorized proper health officials, agency or department.

Specifically, it is prohibited for any person to:

- a. Refuse admission or expel from public markets, groceries, *talipapas* and other establishments providing essential necessities;
- b. Refuse entry or reject from usual accommodation in any house by reason of his/her work or profession;
- c. Refuse or fail to give assistance to a person infected, SUSPECT or PROBABLE who has obtained clearance of the virus infection from the proper health officials and health worker or front liners who intends to return to his place of residence or domicile.
- d. Publicly claim, post on social media, spread or announce that a person is infected, SUSPECT or PROBABLE COVID-19 or virus carries whether or not the same has been confirmed or validated from the list given by the authorized proper health officials, agency or department except when the patient concerned has waived his or her right to privacy and for purposes of contract tracing and other medical purposes.

SECTION 5. ENFORCEMENT. The Palanan Police Station shall implement this Ordinance and shall cause the arrest of any person violating any provisions hereof and shall assist the Business Permit and Licensing Office of the LGU and the barangay officials concerned in closing any errant establishment, as may be ordered by the Local Chief Executive.

SECTION 6. PENALTY CLAUSE. Any person caught in violation of the provisions hereof shall be fined:

- 1st Offense – **One Thousand (P 1,000.00) Pesos** or 5 days community service;
 - 2nd Offense – **One Thousand Five (P1,500.00) Pesos** or 10 days community service and succeeding offenses;
- Two Thousand Five Hundred (P2,500.00) Pesos** if the offender or perpetrator is a public employee or officer, the penalty imposed shall be in its maximum without prejudice to the filing of appropriate administrative case.

In case the violator is a business establishment, the owner/proprietor shall be imposed maximum penalty hereof. The Apprehending Officer shall issue Citation Ticket to the violators.

SECTION 7. FUNDING - An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance shall be sourced out from the 5% MDRRM Fund of this Local Government Unit.

SECTION 8. SEPARABILITY CLAUSE. If, for any reason (s), any part 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 9. REPEALING CLAUSE. All ordinances, rules and regulations in conflict with the provisions of this Ordinance are hereby modified/repealed.

SECTION 10. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon its approval.

ENACTED, May 4, 2020.


I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


NELIA ALAMO-PLATA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

APPROVED:


JIMMY B. GONZALES
Municipal Vice Mayor/Presiding Officer


ELIZA BETH B. OCHOA
Municipal Mayor
Date: 05-13-2020

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