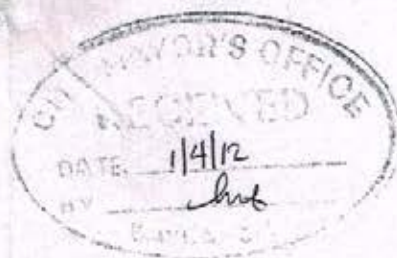




Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
-0000000-



Office of the Sangguniang Panlungsod

MINUTES OF THE 46TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD HELD ON DECEMBER 26, 2011.

City Ordinance No. 015

AN ORDINANCE PROVIDING FOR GENDER AND DEVELOPMENT CODE OF THE BAYBAY CITY AND FOR OTHER PURPOSES

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CITY ORDINANCE NO.015

AN ORDINANCE PROVIDING FOR GENDER AND DEVELOPMENT CODE OF THE
BAYBAY CITY AND FOR OTHER PURPOSES

Be it ordained by the Sangguniang Panlungsod, Baybay City that:

BOOK I – GENERAL PROVISIONS
CHAPTER I – DEVELOPMENT CONCERNS

ARTICLE I

Title, Statement of Policy and Definition of Terms

SECTION 1. – Title. This ordinance shall be known as the "Gender and Development Code of the City of Baybay," hereinafter referred to as the "**GAD Code of the City of Baybay**".

SECTION 2. Statement of Policy. This Code is an *indelible blueprint*, a concrete manifestation of the City Government's strong adherence to the time honored democratic principle that women and men in a civil society are equal. This significant initiative aims to mainstream women's concern and ensure the fundamental equality of women and men before the law, an open and wider arena for their active participation in the development process, for equal rights and opportunities.

The City Government of Baybay shall undertake rights based developments that enhance women's and men's full potentials to uplift the quality of life and to adopt and implement measures that give recognition on their equal contribution in nation building, effective and accountable governance, sustainable economic growth, and their role to sustain a balanced ecology.

SECTION 3. Mandates

Legal Basis, Statement of Policies, Declaration of Principles

The GAD Code is based on the following international, national and local mandates:

1. **International Policies:**

- Universal Declaration of human rights
- UN Convention on the Elimination of All Forms of Discrimination Against Women (UN-CEDAW) which articulates the economic, political, and socio-cultural rights of women;
- The Beijing Plat Form of Action (BPFA) agreed during the 4th World Conference on Women and its succeeding updates;
- ILO Conventions

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- Other international conventions and treaties (e.g. social development, environment, population and development)

2. Philippine Constitutional Provision

- Article 11 Section 14 of the 1987 Philippine Constitution "The State recognizes the role of women in nation building and shall ensure the fundamental equality before the law of women and men"

3. National Laws:

Women's Laws:

- R.A 9710 : An Act Providing For The Magna Carta of Women
- RA 6725: An Act Strengthening the Prohibition on Discrimination Against women with Respect to Terms and Conditions of Employment, Amending for the Purpose Article One Hundred Thirty-five of the Labor Code as Amended
- RA 6955: An Act Declaring Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail-Order Basis and other Similar Practices, Including the Advertisement, Publication, Printing or Distribution of Brochures, Flyers and Other Propaganda Materials in Furtherance Thereof and Providing Penalty Therefore
- RA 7192: An Act Promoting the Integration of Women as Full and Equal Partners of Men in Development and Nation Building and for Other Purposes
- RA 7322: An Act Increasing Maternity Benefits in Favor of Women Workers in the Private Sector, Amending for the Purpose Section 14-A of RA 1161, As Amended, and For Other Purposes
- RA 7688: An Act Giving Representation to Women in the Social Security Commission, amending for the Purpose Section 3 (A) of RA No. 1161, as Amended
- RA 7877: An Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment, and for Other Purposes
- RA 7882: An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises, and for Other Purposes
- RA 8171: An Act Providing for the Repatriation of Filipino Women Who Have Lost Their Philippine Citizenship by Marriage to Aliens and of Natural-Born Filipinos
- RA 8343: An Act Expanding the Definition of the Crime of Rape, Reclassifying The Same As a Crime Against Persons, Amending for the Purpose Act No. 3815, as Amended, Otherwise Known as the Revised Penal Code and for Other Purposes
- RA 8505: An Act Providing Assistance And Protection For Rape Victims, Establishing For The Purpose A Rape Crisis Center In Every Province And City, Authorizing The Appropriation Of Funds Therefore, And For Other Purpose
- RA 9208: An Act To Institute Policies to Eliminate Trafficking In Persons Especially Women and Children, Establishing the Necessary Institutional

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Mechanisms for the Protection and Support of Trafficked Persons, Providing Penalties for its Violations, and for Other Purposes

- RA 9262: An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefore, and for Other Purposes
- Executive Order No. 209: The Family Code Of The Philippines

Children's Laws:

- R.A 7610 : An Act Providing For Stronger Deterrence And Special Protection Against Child Abuse, Exploitation And Discrimination, And For Other Purposes
- R.A 9344 : The Juvenile Justice Welfare Act of 2009.
- R.A 8980 : An Act Promulgating a Comprehensive Policy and a National System for Early Childhood Care and Development (ECCD), Providing Funds Thereof and for Other Purposes
- Executive Order No. 51 : Milk Code of the Philippines
- DOH Administrative Order No. 2008 – 0029 : Implementing Health Reforms for Rapid Reduction of Maternal and Neonatal Mortality
- DOH Administrative Order No. 2008 – 0026: Addendum to the Rules and Regulations Implementing R.A 9288, otherwise known as the "Newborn Screening Act of 2004".
- DOH Administrative Order No. 2006 – 0012 : Revised Implementing Rules and Regulations of EO 51, otherwise known as the "Milk Code", Relevant International Agreements, Penalizing Violations Therefore, and for Other Purposes
- DOH Administrative Order No. 2005 – 0014 : National Policies on Infant and Young Child Feeding
- DOH Administrative Order No. 2005 – 0005: Cost of the Newborn Screening and Maximum Allowable Service Fees for the Collection of Newborn Screening Samples in all New born Screening Collecting Health Facilities.
- DOH Administrative Order No. 2000– 0079 : Safe Motherhood Policy

Other Law:

- R.A 9336: General Appropriation Act (GAA)

4. National Plans

- Philippine Plan for Gender Responsive Development, 1995-2025 Adopted through Executive Order No. 273

5. Local Policies

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A statement of the other ordinances, resolutions, or policy statements of the LGU in support of GAD:

- **Executive Order No. 6 S. 2011** - Creation and Composition of City Disaster Risk Reduction Management Council
- **Executive Order No. 5 S. 2011** - Health Plus Pharmacy (BHWA – BL)
- **Executive Order No. 3 S. 2008** - Creation and Composition of the City Peace and Order Council
- **City Ordinance No. 005 Series of 2010** – An Ordinance Creating the City Gender and Development (GAD) Council and GAD Resource and Coordinating Office under the Office of the City Mayor, defining its Powers, Duties and Functions and Providing an Annual Budget and Staff as mandated under R.A 7192.
- **City Ordinance No. 004 Series of 2010** – An Ordinance to Address the Problem of Prostitution in the City of Baybay, Imposing Penalties on its Perpetrators, Providing Protective Measures and Support Services for the Prostituted Persons, and for Other Purposes.
- **City Ordinance No. 002 Series of 2009** – An Ordinance Imposing Curfew on Minors in the City of Baybay from 10:00 pm to 4:00 am.
- **Municipal Ordinance No. 001 Series of 2006** – An Ordinance Regulating the Operation of Video Computer Games and Internet Cafes/Server.

SECTION 4. Definition of Terms. – The following terms or phrases used in this code shall mean as follows:

1. **Accredited** - Officially recognized as meeting the essential requirements such as attending training, and still active in service.
2. **Battered Woman Syndrome** - Refers to a scientifically defined pattern of psychological and behavioral symptoms found in women living in battering relationships as a result of cumulative abuse. A woman is considered battered when she has been through the cycle of violence at least twice.
3. **Child in Conflict with the Law (CICL)** - refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.
4. **City** – The City shall refer to City of Baybay.
5. **Commercial Sex Workers** – refer to persons who offer sex services in exchange for cash or goods for economic considerations.
6. **Commercial Sexual Exploitation** – a process to which the women/children are treated as sexual objects and as commercial objects and which constitute a form of coercion and violence against women and children, and amounts to force labor and a contemporary form of slavery.
7. **Community-based Program** – refers to the programs provided a community setting developed for purposes of intervention and diversion, as well as rehabilitation of the child in conflict with the law, for reintegration into his/her family and and/or community.

8. **Crisis Intervention Center** – substitute home/residential facility for victims of VAWC and others who are in extremely difficult circumstances needing temporary shelter while their eventual return to family is facilitated
9. **Cybersex** - also called computer sex is a virtual sex encounter in which two or more persons connected remotely via computer network send each other sexually explicit messages describing a sexual experience.
10. **Dating relationship** - refers to a situation wherein the parties live as husband and wife without the benefit of marriage or are romantically involved over time and on a continuing basis during the course of the relationship. A casual acquaintance or ordinary socialization between two individuals in a business or social context is not a dating relationship.
11. **Debt Bondage** - refers to the pledging by the debtor of his/her personal services or labor or those of a person under his/her control as security or payment for a debt, when the length and nature of services is not clearly defined or when the value of the services as reasonably assessed is not applied toward the liquidation of the debt.
12. **Discrimination Against Women** - refers to any gender-based distinction, exclusion, or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It includes any act or omission, including by law; policy, administrative measure, or practice, that directly or indirectly excludes or restricts women in the recognition and promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges. A measure or practice of general application is discrimination against women if it fails to provide for mechanisms to offset or address sex or gender-based disadvantages or limitations of women, as a result of which women are denied or restricted in the recognition and protection of their rights and in their access to and enjoyment of opportunities, benefits, or privileges; or women, more than men, are shown to have suffered the greater adverse effects of those measures or practices. *Provided, finally*, that discrimination compounded by or intersecting with other grounds, status, or condition, such as ethnicity, age, poverty, or religion shall be considered discrimination against women under this Act.
13. **Entertainment Industry** – refers to the following establishments: Videoke/ KTV bar, beer houses, night club, cocktail lounge, massage clinic, bar or similar establishments.
14. **Exclusive Breastfeeding** – No other liquid or solid from any other source enters the infant's mouth other than breast milk.
15. **Forced Labor and Slavery** - refer to the extraction of work or services from any person by means of enticement, violence, intimidation or threat, use of force or coercion, including deprivation of freedom, abuse of authority or moral ascendancy, debt-bondage or deception.
16. **Gender** – refers to the socially differentiated roles, characteristics and expectations attributed by culture to women and men.

17. **Gender roles** - those roles a society or culture defines or constructs as female or male.
18. **Gender and Development (GAD)** - refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.
19. **Gender Equality** - refers to the principle asserting the equality of women and men and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.
20. **Gender Equity** - refers to the policies, instruments, programs, services, and actions that address the disadvantaged position of women in society by providing preferential treatment and affirmative action. Such temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. These measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.
21. **Gender Mainstreaming** - refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.
22. **Gender Responsive** - characterizes policies and programs that systematically incorporate or address gender concerns that aim to reduce inequalities between women and men regardless of sex preferences, and that are based on a gender analysis of the situation. This may also refer to programs in which gender equality issues are fully integrated or mainstreamed in all aspects and activities; programs that include a gender equality component to redress specific inequalities that may impact on women's benefiting from program implementation; or programs designed exclusively with the objective of promoting gender equality.
23. **Gender-Sensitive** - is having an understanding of the marginalized position of women and consciously challenging the attitudes and behavior that reinforce women's subordinate status.
24. **Indecent and violent video games** - refers to the commercial and homemade digital softwares that are detrimental to the family values and moral development of the children.
25. **Indecent Shows** - are shows which include nude or other provocative gestures which further project and exhibit men, women, especially children as sex objects.
26. **Marginalization** - refers to a condition where a whole category of people is excluded from useful and meaningful participation in political, economic, social, and cultural life.

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Marginalized - refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure; and the justice system.

- (1) **"Small Farmers and Rural Workers"** refers to those who are engaged directly or indirectly in small farms and forest areas, workers in commercial farms and plantations, whether paid or unpaid, regular or season-bound. These shall include, but are not limited to, (a) small farmers who own or are still amortizing for lands that is not more than three (3) hectares, tenants, leaseholders, and stewards; and (b) rural workers who are either wage earners, self-employed, unpaid family workers directly and personally engaged in agriculture, small-scale mining, handicrafts, and other related farm and off-farm activities;
- (2) **"Fisherfolk"** refers to those directly or indirectly engaged in taking, culturing, or processing fishery or aquatic resources. These include, but are not to be limited to, women engaged in fishing in municipal waters, coastal and marine areas, women workers in commercial fishing and aquaculture, vendors and processors of fish and coastal products, and subsistence producers such as shell-gatherers, managers, and producers of mangrove resources, and other related producers;
- (3) **"Urban Poor"** refers to those residing in urban and urbanizable slum or blighted areas, with or without the benefit of security of abode, where the income of the head of the family cannot afford in a sustained manner to provide for the family's basic needs of food, health, education, housing, and other essentials in life;
- (4) **"Workers in the Formal Economy"** refers to those who are employed by any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the government and all its branches, subdivisions, and instrumentalities, all government-owned and -controlled corporations and institutions, as well as non-profit private institutions or organizations;
- (5) **"Workers in the Informal Economy"** refers to self-employed, occasionally or personally hired, subcontracted, paid and unpaid family workers in household incorporated and unincorporated enterprises, including home workers, micro-entrepreneurs and producers, and operators of sari-sari stores and all other categories who suffer from violation of workers' rights;
- (6) **"Migrant Workers"** refers to Filipinos who are to be engaged, are engaged, or have been engaged in a remunerated activity in a State of which they are not legal residents, whether documented or undocumented;
- (7) **"Indigenous Peoples"** refers to a group of people or homogenous societies identified by self-ascription and ascription by other, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied; possessed customs, tradition, and other distinctive cultural traits, or who have, through resistance to political, social, and cultural inroads of colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos.

They shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of

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conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural, and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains as defined under Section 3(h), Chapter II of Republic Act No. 8371, otherwise known as "The Indigenous Peoples Rights Act of 1997" (IPRA of 1997);

(9) "**Children**" refers to those who are below eighteen (18) years of age or over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition;

(10) "**Senior Citizens**" refers to those sixty (60) years of age and above;

(11) "**Persons with Disabilities**" refers to those who are suffering from restriction or different abilities, as a result of a mental, physical, or sensory impairment to perform an activity in the manner or within the range considered normal for a human being; and

(12) "**Solo Parents**" refers to those who fall under the category of a solo parent defined under Republic Act No. 8972, otherwise known as the "Solo Parents Welfare Act of 2000".

27. **Multigravida** – refers to a woman who has been pregnant more than once

28. **Pornography** – refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes.

29. **Primigravida** – refers to a woman in her first pregnancy.

30. **Safe Place or Shelter** – refers to any home or institution maintained or managed by the Department of Social Welfare and Development (DSWD) or by any other agency or voluntary organization accredited by the DSWD for the purposes of Republic Act 9262 or any other suitable place, the resident of which is willing temporarily to receive the victim.

31. **Sex** – represents classification based on anatomical and biological differences among individuals. These characteristics are inborn, universal and cannot be change.

32. **Sex disaggregated** – separate data of men and women, male and female

33. **Sex Tourism** – refers to a program organized by travel and tourism-related establishments and individuals which consists of tourism packages or activities, utilizing and offering escort and sexual services as enticement for tourists. This includes sexual services and practices offered during rest and recreation periods for members of the military.

34. **Sexual Exploitation** – refers to participation by a person in prostitution or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, and fraud or through abuse of a victim's vulnerability.

35. **Sexual Harassment** – is committed by any person who demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act. It is also committed thru suggestive acts of sexual tone, hand signs, graphics signs and other related acts;

36. **Sexual relations** – refers to a single sexual act which may or may not result in the bearing of a common child.

37. **Social Protection** – refers to policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status and rights of all women, especially the marginalized by promoting and protecting livelihood and employment, protecting against hazards and sudden loss of income, and improving people's capacity to manage risk. Its components are labor market programs, social insurance, social welfare, and social safety nets.

38. **Stalking** – refers to an intentional act committed by a person who, knowingly and without lawful justification, follows the woman or her child or places the woman or her child under surveillance.

39. **Substantive Equality** – refers to the full and equal enjoyment of rights and freedoms contemplated under this Act. It encompasses *de jure* and *de facto* equality and also equality in outcomes.

40. **Temporary Special Measures** – refers to a variety of legislative, executive, administrative, and regulatory instruments, policies, and practices aimed at accelerating this *de facto* equality of women in specific areas. These measures shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. They shall be discontinued when their objectives have been achieved.

These include, but are not limited to, women in the following sectors and groups:

41. **Violence Against Women** – refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life.

42. **Women Empowerment** – refers to the provision, availability, and accessibility of opportunities, services, and observance of human rights which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society.

ARTICLE II

Rights of Women

SECTION 5. *Rights of Women Defined.* Women Rights are the rights of women that are defined and declared by the United Nations under Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) which we hereby adopt as follows:

- a) Women have the right to the prevention of, and protection from all forms of violence and coercion against their person, their freedom, their sexuality and their individuality;
- b) Women have the right to freely and fully participate individually or collectively in the political processes of their communities and nations;
- c) Women have the right to the means for assuring their economic welfare and security;
- d) Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice in accordance to the Constitution and their beliefs and preferences;
- e) Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children;
- f) Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood;
- g) Women have the right to adequate nutrition and proper health care;
- h) Women have the right to humane living conditions;
- i) Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respects, trust and mutuality;
- j) Women have the right to equality before the law in principles as well as practice.

In the light of historical gender biases and inequalities, this piece of local legislation, based from national and international laws, shall provide the City Government a policy direction to formulate programs and strategies, among others, that shall:

1. Mainstream gender concerns in sectoral development plans, policies and programs;
2. Intensify awareness campaign on gender issues and concerns;
3. Strengthen GO/PO/NGO partnership to maximize the effectiveness of programs and services addressing Gender and Development (GAD) concerns;
4. Encourage, support and expand the participation of women in planning, implementation, monitoring and evaluation of development programs and projects;
5. Ensure equal access to education and recommend appropriate & rights based curricula. Provide gender-responsive relief and rehabilitation programs considering the specific needs of women, men and children;
6. Establish crisis intervention center in the City that shall be accessible to the survivors of violence against women and children and other social conflicts;
7. Involve both women and men in family planning programs of the government, health and child care and nutrition concerns and engage them in projects that would enhance the well-being of families;
8. Encourage gender sensitivity awareness in local media and advertising agencies;
9. Increase the number of women in decision and policy-making posts in the locality through the implementation of capability-building programs, and/or;

10. Establish the necessary mechanism to enable indigenous women to participate in development programs and gain access to non-traditional sources of livelihood, credit financing, productive skills and labor-saving technologies.

ARTICLE III Gender and Development Programs

SECTION 6. Gender Sensitivity Orientation and Training. All schools, offices, establishments or companies, departments and agencies within this City of Baybay shall be encouraged to provide gender sensitivity orientation and training to their employees to equip them with theoretical and practical knowledge on gender issues and concerns. Report of compliance shall be submitted to the City Gender and Development Office.

Likewise all establishments, schools, colleges and universities shall develop assessment tools for gender training. Compliance to this provision shall be given due recognition by the City Mayor, through the CGAD Office.

SECTION 7. Support to Gender Studies. A sufficient amount shall be allotted to gender-related documentation and researches which shall be taken from 2% of the 5% GAD budget of the city for database program development.

SECTION 8. Popularization of Gender-Fair Materials. There shall be an active promotion and publication of gender-fair materials in popular forms in Baybay City.

SECTION 9. Gender-Sensitive and Environment-Friendly City Comprehensive Land Use Plan (CLUP). A Gender-Sensitive and Environment-Friendly City Comprehensive Land Use Plan shall take into consideration, among others, the following:

- a. Should there be relocation of communities by reason of or in relation to any LGU-sponsored programs, the LGU shall assist the affected families in looking for a relocation site and giving them sufficient time to prepare for their transfer;
- b. Relocation sites shall not contribute to an increase in anyone's burden in economic, home and social productivity.
- c. Housing project sites shall be those unproductive lands unsuitable for agricultural purposes.
- d. Industrial project sites shall be located away from residential areas.

SECTION 10. Community-based Environment and Natural Resources Management Programs and Projects (ENRM-PAPs). The City Government shall enjoin men, women, youth and able-bodied senior citizens to take active participation and involvement in the sustainable development, management, protection and preservation of the environment. Men and women shall play an active role in the environmental impact assessment of projects and other economic activities and must equally participate in the reduction on issues affecting climate change, disaster risk reduction, management and decision making processes at the community.

SECTION 11. Promotion of Alternative Technology. The City Government, in coordination with concerned technology providers, shall promote alternative technologies

appropriate and safe for women and men. It shall prioritize technologies that cater to the economic needs and personal well-being of families.

SECTION 12. *Support to Overseas Filipino Worker's (OFWs)* The City Government thru City Employment Service Office (CESO) in coordination with other concerned agencies shall:

- a. Have a database of overseas contract workers, especially those who are victims/survivors of abuse, and of legitimate placement agencies for monitoring purposes.
- b. Conduct pre-employment orientation/briefings to overseas contract workers and their families on issues and concerns relative to migration in coordination with OWWA.
- c. Provide appropriate support or interventions to OFWs and their families affected with job displacement due to war/ abuses or those in distress.
- d. Encourage Participation of the OFW's families in LGU programs and activities
- e. Conduct annual JOB FAIR for domestic and foreign

SECTION 13. *Training on Non-Traditional Occupation.* Women and Men shall be given opportunity to acquire training on non-traditional occupation such as those related to science and technologies.

SECTION 14. *Continuing Training, Advocacy and Education for Barangay Officials & Frontline Service Providers* - Special para-legal training/workshops on laws and other related gender issues shall be conducted for all barangay officials and others concerned groups- Barangay Health Workers (BHWs), Barangay Nutrition Scholars (BNSes), Barangay Service Point Officers (BSPOs), Day Care Workers (DCWs), Tanods, Bantay Dagat & Lupon throughout the City.

ARTICLE IV

Support Services

SECTION 15. *Integrated Development Program for Women* The City, through the City Gender and Development Council (CGADC) and the concerned sectors, shall develop a program that shall facilitate empowerment of women. Active support for the preservation of women's knowledge of the environment shall be incorporated in the program.

SECTION 16. *Programs for Survivors of Violence.* The City Government shall provide necessary support to women and children victims of violence. All victims shall be provided immediate social work interventions by the Local Social Welfare Development Offices and other concerned agencies in accordance with the performance standards set at the national level by the Inter Agency Committee on Violence against Women and Children as created by RA 9262.

SECTION 17. *Women and Children Protection Desks (WCPDs).* The City Government, through the PNP, shall establish and maintain the WCPDs preferably handled by Female Police personnel trained on GAD. The Baybay City Police Station shall have WCPD to specifically handle concerns of women and children and shall have separate WCPD room within the police station.

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SECTION 18. Role of Female Police Officer. Complaints on battering and other forms of abuse against women and children shall be handled by female police assigned in WCPDs in their respective police stations and who have been trained in gender sensitivity and protection laws are provided.

SECTION 19. Establish and Institutionalize the Barangay VAW Desk and the Designation or Appointment of Barangay VAW Desk Officer and Barangay GAD Focal Points in the 92 Barangays – The City shall encourage and assist the 92 barangays for the establishment of a VAW desk in every barangay and appointment of Barangay GAD Focal Point to ensure that violence against women cases are fully addressed in a gender-responsive manner pursuant to Section 12 D, Rule IV of the IRR of the Magna Carta of Women.

SECTION 20. Gender Sensitive Investigation/ Court Hearings of Rape Cases, Incest and other Forms of Violence Against Women and Children. All investigations/hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutor's office and trial courts shall be child and women – friendly and allow the social workers and immediate family of the victims to be present in the venue as observers and to provide moral support to the survivors.

SECTION 21. Gender and Development Councils. The City Gender and Development Council which was created pursuant to Executive Order No.01 Series of 2010 shall serve as the coordinating and advisory body of the City Government in designing programs geared towards gender and youth development, promotion and protection of human rights, and shall be formally and regularly consulted on peace and development issues on the basis of social equity and justice.

SECTION 22. Women and Children Protection Unit (WCPU) and Crisis Intervention Centers for Women and Children In Conflict with Law. The WCPU is hereby established under the management and supervision of the City Social Welfare and development Office with the support of CGADC to provide immediate attention and services. The City Health Office and the Western Leyte District Hospital shall consider victims of abuse as special cases, hence, provide free immediate medical attention and issue medico- legal certificate to any victims of abuse. The City Prosecutor's Office shall take immediate legal action to victims of abuse.

In like manner, Crisis Intervention Centers for Women and Children in Conflict with the Law (CICL) shall be established in the City of Baybay to cater the problems and concerns of victim-survivors and individuals in *extremely difficult situations*. This center shall be under the supervision of the City Social Welfare and Development Office in coordination with Local Government Units and other concerned agencies. Facilities for abused women and children shall be operated according to the performance standards for VAW services by CSWD staff.

ARTICLE V

Special Events and Activities

SECTION 23. Declaration of March 8 as INTERNATIONAL WOMEN'S DAY (Proclamation No. 224) and the month of March as WOMEN'S MONTH (Proclamation No. 227). As declared by the United Nations, March 8 shall be observed as Women's Day

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and March as Women's Month and conduct Annual Women's Summit, through the issuance of an Executive Order of the City Mayor. There shall be a City level set of activities for women to increase their level of awareness and critical consciousness on the issues affecting them.

SECTION 24. *International Day of Action for Women and Men's Health and other Universal Celebration.* The City Government through the City Health Office shall cause the celebration of the International Day of Action for Women's Health and other universal celebration including World AIDS Awareness, Cancer Prevention, World TB Day every year where issues and concerns relative to the protection and promotion of women and men's health shall be examined, deliberated, projected and government action sought.

SECTION 25. *National Children's Month.* Pursuant to Proclamation No. 267, dated September 30, 1993, the City of Baybay shall observe the month of October of every year as National Children's Month and undertake activities/projects in the observance thereof.

SECTION 26. *18-Day Campaign on the Elimination of Violence Against Women and Children (VAWC).* The City of Baybay, in partnership with the Philippine Commission on Women (PCW) and other concerned agencies/organizations, shall conduct activities in the observance of the 18-Day Campaign on the Elimination of VAWC from November 25 – December 12 of every year.

ARTICLE VI

Labor and Employment

SECTION 27. *Equal Access to Employment, Training and Promotion.* No one shall be denied or discriminated in employment, training and promotion on account of age, gender, civil status, creed, religion and ethnicity as prescribed in the Labor Code, and amended by RA 6725.

SECTION 28. *Wage and Benefits.* Every employer shall comply with the minimum wage as prescribed by the Regional Wage Board or as may be provided by existing laws and shall grant all benefits and protection to all employees such as maternity, paternity, sick and vacation leave and retirement and others provided for by law.

SECTION 29. *Occupational Health & Safety.* All government/ private entities, establishments, companies or plants shall coach and provide paraphernalia and equipments on occupational safety and health standards.

SECTION 30. *Services and Facilities.* The LGU/City Government shall establish standards that will ensure the safety and health of women and men employees. In appropriate cases, he/she shall by regulations, require employers to:

- a. Provide seats proper for women and permit them to use such seats when they are free from work and during working hours, provided they can perform their duties in this position without detriment to efficiency;
- b. To establish separate toilet rooms and lavatories for men and women and provide at least a dressing room for women;

- c. Provide breastfeeding area for lactating employees and clients.

SECTION 31. Maternity, Paternity and Special Leave Benefits

- a. Every employer shall grant to any pregnant woman employee, who has rendered an aggregate service of at least six (6) months for the last twelve (12) months, maternity leave of at least two (2) weeks prior to the expected date of delivery and another four (4) weeks after normal delivery or abortion with full pay based on her regular or average weekly wages. The employer may require from any woman employee applying for maternity leave the production of a medical certificate stating that delivery will probably take place within two weeks
- b. The maternity leave shall be extended without pay on account of illness medically certified to arise out of the pregnancy, delivery, abortion, or miscarriage, which renders the woman unfit for work, unless she has earned unused leave credits from which such extended leave may be charged.
- c. All women employees who will undergo surgery caused by gynecological disorders shall be entitled to two months special leave with full pay based on gross monthly compensation provided that they rendered continuous aggregate employment service for six months for the last twelve months.
- d. The maternity leave provided in this Article shall be paid by the employer only for the first four (4) deliveries by a woman employee upon the effectivity of this Code.
- e. Male employees whose wife/ partner is giving birth can avail of the mandated paternity leave
- f. For Solo Parents, Additional parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered of at least one (1) year pursuant to section 8 of R.A 8972 also known as Solo Parents' Welfare Act of 2000.

SECTION 32. Discrimination Prohibited. It shall be unlawful for any employer to discriminate against any women employee with respect to terms and conditions of employment solely on account of her sex.

The following are acts of discrimination:

- a. Payment of a lesser compensation, including wage, salary or other form of remuneration and fringe benefits, to a female employee as against a male employee, for work of equal value; and
- b. Favoring a male employee over a female employee with respect to promotion, training opportunities, study and scholarship grants solely on account of their sexes.
- c. Unmarried female employee or applicant who bear child w/o the benefit of marriage.

SECTION 33. Stipulation Against Marriage and to Marry. It shall be unlawful for an employer to require as a condition of employment or continuation of employment that a woman employee shall not get married, or to stipulate expressly or tacitly that upon getting married a woman employee shall be deemed resigned or separated, or to actually dismiss, discharge, discriminate or otherwise prejudice a woman employee merely by reason of her marriage.

SECTION 34. Prohibited Acts. It shall be unlawful for any employer:

1. To deny any woman employee the benefits provided for in this Chapter or to discharge any women employed by him for the purpose of preventing her from enjoying any of the benefits provided under this Code.
2. To discharge such woman on account of her pregnancy, or while on leave or in confinement due to her pregnancy;
3. To discharge or refuse the admission of such woman upon returning to her work for fear that she may again be pregnant.
4. To terminate any woman employee on account of her being unwed mother or bearing a child without the benefit of marriage;

SECTION 35. Classification of Certain Women Workers. Any woman who is permitted or suffered to work, with or without compensation, in any night club, cocktail lounge, massage clinic, bar or similar establishment, under the effective control or supervision of the employer for a substantial period of time as determined by the City shall be considered as an employee of such establishment for purposes of labor and social legislation.

SECTION 36. Creation of Committee on Decorum and Investigation (CODI). A CODI shall be set up in all local offices, agencies, establishments or companies to act on complaints related to violence against person. For this purpose, a grievance procedure must be installed in every agency, office or establishments pursuant to RA 7877.

SECTION 37. Gender – Sensitive Physical Plan. A physical plan for buildings and structures appropriate for a gender – sensitive environment shall be adopted by all offices, agencies and establishments or companies which shall help prevent sexual harassment, sexual abuse and other forms of maltreatment in the workplaces.

SECTION 38. Employment Assistance Program. The City Government through the Public Employment Services Office (PESO) in partnership with the DOLE shall endeavor to assist underprivileged and deserving students, the unemployed and the underemployed in securing gainful employment.

ARTICLE VII Rights to Health

SECTION 39. Budget for Women, Men and Children's Health. An appropriate amount shall be set aside in the annual budget of the City and Barangay Government for women, men and children's health and nutrition services pursuant to R.A 7160, R.A 9336, R.A 8980 and R.A 9344.

SECTION 40. Increase Women and Men's Access Throughout the Life Cycle to Appropriate, Affordable and Quality Health Care, Information and related services. The City of Baybay shall promote and allocate budget as proposed by the City Health Office in the integration of health services intended to improve quality health care.

- a. Upgrading of Primary and Reproductive Health Care Delivery System.** Quality health care and services that are not discriminatory on account of their gender, age, sex, creed, religion and ethnicity shall be implemented.

For sexual and reproductive health cases, the City of Baybay shall encourage greater use of related services such as responsible parenting, maternal and child health, education and counseling on sexual health.

- b. Women's Right Over Their Bodies.** Women's decision to prevent and control pregnancy without necessarily resulting to abortion shall be given appropriate support and guidance by health professionals, private and public physicians.

- c. Undertake Gender Sensitive Initiatives That Address Sexually Transmitted Infections, HIV-AIDS, Sexual and Health Issues.** The City shall create the Local AIDS Council to promote public awareness on HIV-AIDS. Prevention and management of STD/RTIs and the prevention of HIV-AIDS and provision of HIV testing facilities and equipments.

SECTION 41. Facility based delivery. The City Government through the City Health Office shall strictly prohibit home deliveries and well-equipped birthing facilities shall be established in strategic areas. It shall be complemented with Newborn Screening and essential new born care services.

SECTION 42. Physical Fitness and Healthy Lifestyle. The City Government shall ensure that women and men have access to physical fitness and healthy lifestyle program and appropriate funds thereof. The program shall encourage the participation of girls in sports.

SECTION 43. Maternal and Infant Mortality Prevention. The City Government through the City Health Office shall prevent maternal and infant mortality through four quality pre-natal visits, three post- natal visits and neo- natal care.

Health Front liners including BHWs, BNSes shall survey and closely monitor infant and lactating mother and strongly advocate the exclusive breastfeeding campaign for six months and appropriate complementary feeding after six months and continuation of breastfeeding up to two (2) years and beyond

SECTION 44. Safe Water, Sanitation and Hygiene. The City shall assist all barangays to have access to safe drinking water and, shall require all households to install sanitary toilets or water sealed toilets, regulate backyard hog raising and proper waste disposal. The City Health office through the Sanitary Inspectors shall conduct monitoring in all Barangays.

ARTICLE VIII Rights to Education

SECTION 45. *Equal Access to Education.* The City shall take measures to eliminate gender disparity in all levels of education.

SECTION 46. *Alternative Learning System.* In cooperation with the DepEd Sub- Office through the Alternative Learning System, the City through the City Social Welfare and Development Office shall assist the ALS Mobile Teachers in organizing classes for all identified Barangays with high incidence of Out of School Youth and children, working persons and shall reach out inmates and IPs, if there are any. The City of Baybay through the City Social Welfare and Development Office shall provide scholarship program to deserving and qualified ALS Passers to be taken from the City GAD budget.

SECTION 47. *Eradication of Illiteracy Among Women and Men.* The City shall ensure the implementation of Reading Literacy Program in coordination with Department of Education through the Alternative Learning System (ALS) to eradicate illiteracy among the constituency. Priority shall be given to areas with high illiteracy rate.

SECTION 48. *Nondiscriminatory Education and Training.* The City shall ensure the elimination of sexism in curricular and instructional materials in languages used and classroom strategies of teachers. The schools and other concerned agencies within the City shall integrate gender sensitive issues and concerns in the curricula and shall conduct counseling and career education programs to encourage students to pursue academic and technical courses in non-traditional trades/ occupations.

SECTION 49. *Unmarried Pregnant Student.* No female student shall be refused admission, graduation or be expelled in any school by reason of her being an unmarried pregnant or unwed mother or expelled from enrollment by reason of pregnancy.

ARTICLE IX

Socio – Economic Benefits for Women

SECTION 50. *Accreditation of Women's Group.* The City of Baybay thru the Sangguniang Panlungsod shall upon application by any organized group of women of Baybay City, and after the determination of its legal existence, approve its accreditation as one of the duly recognized people's organization existing in Baybay City.

SECTION 51. *Patronize and Promote Locally Made or Produced Products.* Whenever the City Government of Baybay or any other government agencies or offices located in the city will host, sponsor, initiate a meeting, seminar, symposium within the territorial limits of Baybay City, they are obliged to buy the locally made or produced delicacies/foods of any of the accredited women's group for their snacks/meriendas or token. For this purpose, the City Social Welfare and Development Office shall coordinate with all duly accredited organized women's group of Baybay City in order to effectively implement this provision.

SECTION 52. *Continuous Production and Supply of Indigenous Raw Materials.* The City Agriculture Office, in partnership with National Government Agencies, duly registered POs and NGOs, shall support the continuous production and supply of vital raw materials e.g. pandan to sustain the One Town One Product (OTOP) of the City.

SECTION 53. *Equality in Capacity to Act and Enter into Contracts.* Women who are not legally incapacitated shall have the right to enter into contract shall have the capacity to act and enter into contracts which shall in every respect be equal to that of men under

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similar circumstances. In all contractual situations where married men have the capacity to act, married women shall have equal rights.

ARTICLE X Rural Women's Rights

SECTION 54. *Promotion of Rural Women- Managed Projects.* The City Government through the City Agriculture and other partner agencies and institutions shall support women engaged in fishing, crop and livestock production projects to ensure food security by using appropriate technology.

SECTION 55. *Promotion of Environment – Friendly Technologies.* No Local Government Agency or its representative shall act as agent of inorganic fertilizers, herbicides and pesticides. An administrative sanction shall be imposed to head of agencies upon violation of this provision.

SECTION 56. *Equality, Access and Promotion in Fisheries Development Program/ Projects.* The City Government through the Coastal Resources and Fishery Management Office (CRFMO) and other line agencies and institution shall provide technical support to women and men engaged in various fisheries production project and activities in the protection, rehabilitation and environmentally sound management and practices of fishery resources to ensure food security using improved and appropriate technology.

SECTION 57. *Food Based, Commodity Centered Initiatives.* The LGU thru the City Agriculture Office shall continually undertake specific actions emphasizing food based, commodity centered initiatives using participatory approaches that encourages and empower women and men to take an active role in designing and implementing good agricultural practices.

SECTION 58. *Access to Science and Women- Friendly Alternative Technology Education.* The City Government, in cooperation with the DA, VSU, DOST, DTI, TESDA and other related line agencies and private sector, shall establish a science and women friendly alternative technology education for rural women in identified potential barangays of the city.

ARTICLE XI Women's Participation in Governance

SECTION 59. *Representation in Local Special Bodies and Councils.* The City Government shall ensure that 50% of membership in the Local Planning & Development Council and Special Bodies is composed of women. In the event that the fifty percent (50%) membership is not met, women shall be given preference in the selection of private sector and NGO representatives and designation of the congresspersons' representative. The LCEs shall undertake the necessary information campaign to ensure participation of NGO women representatives in the local development councils and other local special bodies.

SECTION 60. *Consultation with Women.* The City Government shall ensure that women sector is consulted and their perspectives and issues are considered in the development of plans, programs and projects.

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SECTION 61. Leadership Development for Women. The City Government shall endeavor to develop the leadership capacity of women through leadership skills training, mentoring and other capacity development strategies.

ARTICLE XII Special Group of Persons

SECTION 62. *Persons with Disabilities (PWDs).*

- a. **Creative Employment Opportunities:** The City Government in coordination with CSWD and other concerned agencies shall develop creative employment opportunities for Persons with Disabilities recognizing their different conditions and full potentials as human beings.
- b. **Special Education:** The City shall set aside a special budget to support special education in formal and non- formal prioritizing Persons with Disabilities.
- c. **Reporting of Cases of Harassment Committed Against Persons with Disabilities:** The City Government through its Gender and Development Office shall require all Barangays to monitor and report cases of harassment committed against Persons with Disabilities.

SECTION 63. Magna Carta for Persons with Disabilities As Amended (RA 9442). The City Government shall ensure the implementation of the Magna Carta for Persons with Disabilities (PWD) as indicated in Section 32-33, Chapter 8, of RA 9442 granting other privileges and incentives for persons with disabilities:

- a. Twenty percent (20%) discount from all establishments
- b. Minimum of twenty percent (20%) on admission fees
- c. At least twenty percent (20%) discount for the purchase of medicines
- d. At least twenty percent (20%) discount on medical and dental and professional fees
- e. At least twenty percent (20%) discount on fare for domestic air, sea travel, public railways, skyways and bus fare for the exclusive enjoyment of persons with disability;
- f. Education assistance to persons with disability
- g. To the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS), and PAG-IBIG, as the case maybe, as are enjoyed by those in actual service;
- h. 5% discounts on the purchase of basic commodities, subject to guidelines issued by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and
- i. Provision of express lanes in all commercial and government establishments; in the absence thereof, priority shall be given to them.
- j. Provision of a special priority seats for PWDs in all vehicles

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SECTION 64. Senior Citizens: The City shall allocate funds for the establishment & maintenance of the Day Center and other recreational equipments for Senior Citizens.

- a. **Day Center for Senior Citizens:** There shall be a Day Center for the senior citizens to serve as their office and activity center.
- b. **Additional Benefits and Privileges to Senior Citizens pursuant to R.A 9994 "Expanded Senior Citizens Act of 2010."** The City Government shall ensure the implementation of Section 4 of RA 9257 as amended by R.A 9994 also known as the Expanded Senior Citizens Act of 2010:
- a) the grant of twenty percent (20%) discount and exemption from the value -added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the senior citizen
 - b) exemption from the payment of individual income taxes of senior citizens who are considered to be minimum wage earners in accordance with Republic Act No. 9504;
 - c) the grant of a minimum of five percent (5%) discount relative to the monthly utilization of water and electricity supplied by the public utilities: *Provided*, That the individual meters for the foregoing utilities are registered in the name of the senior citizen residing therein: *Provided, further*, That the monthly consumption does not exceed one hundred kilowatt hours (100 kWh) of electricity and thirty cubic meters (30 m3) of water: *Provided, furthermore*, That the privilege is granted per household regardless of the number of senior citizens residing therein;
 - d) exemption from training fees for socioeconomic programs;
 - e) free medical and dental services, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities, subject to the guidelines to be issued by the DOH in coordination with the PhilHealth;
 - f) the DOH shall administer free vaccination against the influenza virus and pneumococcal disease for indigent senior citizen patients;
 - g) educational assistance to senior citizens to pursue pot secondary, tertiary, post tertiary, vocational and technical education, as well as short-term courses for retooling in both public and private schools through provision of scholarships, grants, financial aids, subsidies and other incentives to qualified senior citizens, including support for books, learning materials, and uniform allowances, to the extent feasible: *Provided*, That senior citizens shall meet minimum admission requirements;
 - h) to the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), the Social Security System (SSS) and the PAG-IBIG, as the case may be, as are enjoyed by those in actual service;
 - i) retirement benefits of retirees from both the government and the private sector shall be regularly reviewed to ensure their continuing responsiveness and

5. Special projects for individuals in need of protection

f. Flexible Work Schedule

g. Work Discrimination – no employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his or her status

h. Parental Leave – in addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least one (1) year.

i. Educational Benefits

j. Housing Benefits

k. Medical Assistance

Pursuant to RA 8972, all solo parent shall register to the Local Social Welfare Office for the issuance of Solo Parent ID with annual renewal.

SECTION 67. Workers in the Entertainment Industry. Workers in the entertainment industry as defined under this Code shall render services only in the place of work as specified in the business permit of the establishment concerned.

a. *Support Services for Workers in the Entertainment Industry.* The City Government shall provide socio-economic support services as determined by the CSWD Office, CHO, BTIPO and CGADC to the workers in the entertainment industry in its desire to concretely respond to their practical needs.

b. *Medical Routine Check-up.* Workers in the entertainment industry shall be afforded by their respective employers mandatory regular check-up and medicines if needed. The City shall provide programs addressing the health needs of such workers.

SECTION 68. Anti-Violence Against Women and their Children (Anti-VAWC) of RA 9262 - refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes, but is not limited to, the following punishable acts:

1) **Economic Abuse** - refers to acts that make or attempt to make a woman financially dependent which includes, but is not limited to the following:

1. Withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity, except in case wherein the other spouse / partner objects on valid, serious and moral grounds as defined Article 73 of the Family Code;

2. Deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of the conjugal, community or property owned in common;
3. Destroying household property;
4. Controlling the victim's own money or properties or solely controlling the conjugal money or properties.

2) **Psychological Violence** - refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and /or visitation of common children.

3) **Physical Abuse** - refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and /or visitation of common children.

4) **Sexual Violence** - refers to an act which is sexual in nature, committed against a women/men or her/his children. It includes, but is not limited to:

- a. Rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make fills thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;
- b. Acts causing or attempting to cause the victim to engage in any sexual activity by force, threat or force, physical or other harm or threat of physical or other harm or coercion.
- c. Prostituting the women and men

SECTION 69. Acts of Violence Against Women and Their Children. The crime of violence against women and their children is committed through any of the following acts:

- a. Causing physical harm to the woman or her child;
- b. Threatening to cause the woman or her child physical harm;
- c. Attempting to cause the woman or her child physical harm;
- d. Placing the woman or her child in fear of imminent physical harm;
- e. Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or desist from conduct

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which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm, or intimidation directed against the woman or child. This shall include, but not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or conduct:

- (1) Threatening to deprive or actually depriving the woman or her child of custody to her/his family;
 - (2) Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;
 - (3) Depriving or threatening to deprive the woman or her child of a legal right;
 - (4) Preventing the woman in engaging in any legitimate profession, occupation, business or activity or controlling the victim's own money or properties, or solely controlling the conjugal or common money, or properties;
- f. Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;
- g. Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape, by force or threat of force, physical harm, or through intimidation directed against the woman or her child or her/his immediate family;
- h. Engaging in purposeful, knowing, or reckless conduct, personally or through another, that alarms or causes substantial emotional or psychological distress to the woman or her child. This shall include, but not be limited to, the following acts:
- (1) Stalking or following the woman or her child in public or private places;
 - (2) Peeping in the window or lingering outside the residence of the woman or her child;
 - (3) Entering or remaining in the dwelling or on the property of the woman or her child against her/his will;
 - (4) Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or her child; and
 - (5) Engaging in any form of harassment or violence;
- i. Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children or access to the woman's child/children.

SECTION 70. Protection Orders. Refers to an order issued for the purpose of preventing further acts of violence against a woman or her child.

- a. Barangay Protection Order (BPO) – Effective for 15 days issued by the Barangay upon filing of the case;
- b. Temporary Protection Order (TPO) – Effective for 30 days issued by the court

- c. Permanent Protection Order (PPO) – Effective until revoked by the court

SECTION 71. Duties of Barangay Officials and Law Enforcers. Barangay officials and law enforcers shall have the following duties:

- (a) Enter the house of the victim if necessary, whether or not a protection order has been issued;
- (b) confiscate any deadly weapon in the possession of the perpetrator or within plain view;
- (c) transport or escort the victim/s to a safe place of their choice or to a clinic or hospital;
- (d) assist the victim in removing personal belongings from the house;
- (e) assist the barangay officials and other government officers and employees who respond to a call for help;
- (f) ensure the enforcement of the Protection Orders issued by the *Punong Barangay* or the courts;
- (g) arrest the suspected perpetrator without a warrant when any of the acts of violence defined by this Act is occurring, or when he/she has personal knowledge that any act of abuse has just been committed, and there is imminent danger to the life or limb of the victim as defined in this Act; and
- (h) immediately report the call for assessment or assistance of the DSWD, social Welfare Department of LGUs or accredited non-government organizations (NGOs).

SECTION 72. Exemption from Liability. In every cases of violence against women and their children as herein defined, any person, private individual or police authority or barangay official who, acting in accordance with law, responds or intervenes without using violence or restraint greater than necessary to ensure the safety of the victim, shall not be liable for any criminal, civil or administrative liability resulting therefrom (Sec.34 of R.A 9262)

SECTION 73. Acts of Trafficking in Persons otherwise known as Anti-Trafficking in Persons Act of 2003 (R.A. 9208). It shall be unlawful for any person, natural or juridical to commit any of the following acts.

- a. To recruit, transport, transfer, harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- b. To introduce or match for money, profit or material, economic or other consideration, any person or, as provided for under Republic Act No. 6955, any Filipino woman to a foreign national, for marriage for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- c. To offer or contract marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;

sustainability, and to the extent practicable and feasible, shall be upgraded to be at par with the current scale enjoyed by those in actual service;

- j) to the extent possible, the government may grant special discounts in special programs for senior citizens on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA);
- k) provision of express lanes for senior citizens in all commercial and government establishments; in the absence thereof, priority shall be given to them; and
- l) death benefit assistance of a minimum of Two thousand pesos (Php2, 000.00) shall be given to the nearest surviving relative of a deceased senior citizen which amount shall be subject to adjustments due to inflation in accordance with the guidelines to be issued by the DSWD.

SECTION 65. The Office for Senior Citizens Affairs (OSCA). The City shall establish an OSCA Office to be headed by a senior citizen who shall be appointed by the Mayor for a term of three (3) years without reappointment but shall be chosen from a list of three (3) nominees as recommended by a general assembly of senior citizens organizations from different barangays in the City.

The head of the OSCA shall be appointed to serve the interest of senior citizens and shall not be removed or replaced except for reasons of death permanent disability or ineffective performance of his duties to the detriment of fellow senior citizens.

The head of the OSCA shall be entitled to receive an honorarium of an amount at least equivalent to Salary Grade 10 to be approved by the LGU.

The head of the OSCA shall be assisted by the City Social Welfare and Development Office.

The Office of the Mayor shall exercise supervision over the OSCA relative to their plans, activities and programs for senior citizens. The OSCA shall work together and establish linkages with accredited NGOs Pos and the barangays in their respective areas.

The OSCA shall have the following functions:

- (a) To plan, implement and monitor yearly work programs in pursuance of the objectives of R.A. 9994;
- (b) To draw up a list of available and required services which can be provided by the senior citizens;
- (c) To maintain and regularly update on a quarterly basis the list of senior citizens and to issue national individual identification cards, free of charge which shall be valid anywhere in the country.
- (d) To serve as a general information and liaison center for senior citizens;
- (e) To monitor compliance of the provisions of this Act particularly the grant of special discounts and privileges to senior citizens;

- (f) To report to the mayor, any individual, establishments, business entity, institutions or agency found violating any provision of this Act; and
- (g) To assist the senior citizens in filing complaints or charges against any individual, establishments, business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court.

SECTION 66. Solo Parent as defined under Section 3 of RA 8972 of 2000. – Any individual who falls under any of the following categories:

- a. A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender, provided that the mother keeps and raises the child;
- b. Parent left solo or alone with the responsibility of parenthood due to death of spouse;
- c. Parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
- d. Parent left solo or alone the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
- e. Parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children;
- f. Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;
- g. Unmarried mother or father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institutions;
- h. Any other person who solely provides parental care and support to a child or children;
- i. Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parent or solo parent.

1. Support to Solo Parent: A Solo parent, regardless of status, shall have equal access to economic and other support services which include livelihood, provision of seed capital, job placement, value orientation, basic business skills, trainings, educational benefits for them and their children and medical assistance.

2. Privileges of Solo Parent:

- a. Comprehensive Package of Social Development and Welfare Services such as:
 - 1. Livelihood development services
 - 2. Counseling services
 - 3. Parent effectiveness services
 - 4. Critical incidence stress debriefing

- d. To undertake or organize tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation;
- e. To maintain or hire a person to engage in prostitution or pornography;
- f. To adopt or facilitate the adoption of persons for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- g. To recruit, hire, adopt, transport or abduct a person, by means of threat or use of force, fraud, deceit, violence, coercion, or intimidation for the purpose of removal or sale of organs of said person; and
- h. To recruit, transport or adopt a child to engage in armed activities in the Philippines or abroad.

SECTION 74. Surveillance Team. The Barangays shall create a surveillance team to monitor any unscrupulous and/or suspicious persons who recruits women and men especially minors. Likewise, the City shall organize a surveillance team which composes staffs from the PNP, CSWD, Tanods and Volunteers especially in the Port and Bus Terminal area.

SECTION 75. Sexual Harassment as defined in RA 7877 also known as Anti-Sexual Harassment Act of 1995. Sexual Harassment is one or a series of incidents involving unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of sexual in nature, made directly, indirectly and impliedly when:

1. Work, Education or Training-related Harassment, as defined in Republic Act No. 7877, is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

a) In a work-related or employment environment, sexual harassment is committed when:

- 1. The sexual favor is made as a condition in the hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor result in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;
- 2. The above acts would impair the employee's rights or privileges under existing labor laws; or employee;
- 3. The above acts would result in an intimidating, hostile or offensive environment for the employee.

b). In an education or training environment, sexual harassment is committed:

- 1. Against one who is under the care, custody or supervision of the offender;

2. Against one whose education, training, apprenticeship or tutorship is entrusted to the offender
3. When the sexual favor is made a condition to the giving of a passing grade, or the granting of honors and scholarships or the payment of a stipend, allowance or other benefits, privileges, or considerations; or
4. When the sexual advances result in an intimidating, hostile or offensive environment for the student, trainee or apprentice.

Any person who directs or induces another to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed shall also be held liable as provided for by Republic Act 7877.

- (1) Such conduct might reasonably be expected to cause insecurity, discomfort, offense or humiliation to another person or group; or
- (2) Submission to such conduct is made either implicitly or explicitly a condition of employment, or any opportunity for training or grant of scholarship, or
- (3) Submission to or rejection of such conduct is used as a basis for any employment decision (including , but not limited to, matters of promotion, raise in salary, job security and benefits affecting the employee); or
- (4) Such conduct has the purpose or the effect of interfering with a person's work performance, of creating an intimidating, hostile or offensive work environment.

SECTION 76. Sexual Harassment. In addition to the Anti Sexual Harassment Act of 1995, and for purposes of this Code, the following are acts of sexual harassment committed by any person within the work premises, office, or school or training institution or in any other places regardless whether the victim and the offender are officemates, co-employees, co-workers, classmates, student-teacher-relation, athlete-coach relation;

1. Physical

- a. Malicious touching
- b. Overt sexual advances;
- c. Gestures with lewd insinuation;

2. Verbal

- a. Requests or demands for sexual favors, and lurid remarks;

3. Use of objects, pictures, hand signals or graphics, letters or writing with sexual underpinnings; and

4. Other forms analogous to the foregoing

SECTION 77. Duties of the Employer or Head of Office in a Work-related, Education or Training Environment. - It shall be the duty of the employer or the head of the work-related, educational or training environment or institution, to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution,

settlement or prosecution of acts of sexual harassment. Towards this end, the employer or head of office shall:

- (a) Promulgate appropriate rules and regulations in consultation with and jointly approved by the employees or students or trainees, through their duly designated representatives, prescribing the procedure for the investigation of sexual harassment cases and the administrative sanctions thereof.

Administrative sanctions shall not be a bar to prosecution in the proper courts for unlawful acts of sexual harassment.

The said rules and regulations issued pursuant to this subsection (a) shall include, among others, guidelines on proper decorum in the workplace and educational or training institutions.

- (b) Create a committee on decorum and investigation (CODI) of cases on sexual harassment. The committee shall conduct meetings, as the case may be, with officers and employees, teachers, instructors, professors, coaches, trainers, and students or trainees to increase understanding and prevent incidents of sexual harassment. It shall also conduct the investigation of alleged cases constituting sexual harassment.

In the case of a work-related environment, the committee shall be composed of at least one (1) representative each from the management, the union, if any, the employees from the supervisory rank, and from the rank and file employees.

In the case of the educational or training institution, the committee shall be composed of at least one (1) representative from the administration, the trainers, instructors, professors or coaches and students or trainees, as the case may be.

The employer or head of office, educational or training institution shall disseminate or post a copy of this Act for the information of all concerned.

SECTION 78. Liability of the Employer, Head of Office, Educational or Training Institution. - The employer or head of office, educational or training institution shall be solidarily liable for damages arising from the acts of sexual harassment committed in the employment, education or training environment if the employer or head of office, educational or training institution is informed of such acts by the offended party and no immediate action is taken.

SECTION 79. Independent Action for Damages. - Nothing in this Act shall preclude the victim of work, education or training-related sexual harassment from instituting a separate and independent action for damages and other affirmative relief.

SECTION 80. Pedophilia. Pedophilia as a form of sexual perversion where children are the victims shall be punishable under RA 7610, 8353, 9208, 7877. Pursuant to RA 7610 also known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act", the penalty of reclusion temporal in its medium period to reclusion perpetua shall be imposed upon the following:

- (a) Those who engage in or promote, facilitate or induce child prostitution which include, but are not limited to, the following:
- (1) Acting as a procurer of a child prostitute;

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SP Member

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SP Member

LEONCIO P. ASILON
SP Member

ERNESTO M. EUTAWA N
SP Member

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SP Member

TERESITA C. VELOSO
SP Member

KRISTELLE ANN A. DACERA
SP Member

- (2) Inducing a person to be a client of a child prostitute by means of written or oral advertisements or other similar means;
- 3) Taking advantage of influence or relationship to procure a child as prostitute;
- (4) Threatening or using violence towards a child to engage him as a prostitute; or
- (5) Giving monetary consideration goods or other pecuniary benefit to a child with intent to engage such child in prostitution.
 - (a) Those who derive profit or advantage there from, whether as manager or owner of the establishment where the prostitution takes place, or of the sauna, disco, bar, resort, place of entertainment or establishment serving as a cover or which engages in prostitution in addition to the activity for which the license has been issued to said establishment.
 - (b) Attempt To Commit Child Prostitution. - There is an attempt to commit child prostitution under Section 5, paragraph (a) hereof when any person who, not being a relative of a child, is found alone with the said child inside the room or cubicle of a house, an inn, hotel, motel, pension house, apartelle or other similar establishments, vessel, vehicle or any other hidden or secluded area under circumstances which would lead a reasonable person to believe that the child is about to be exploited in prostitution and other sexual abuse.
 - c) There is also an attempt to commit child prostitution, under paragraph (b) of Section 5 hereof when any person is receiving services from a child in a sauna parlor or bath, massage clinic, health club and other similar establishments. A penalty lower by two (2) degrees than that prescribed for the consummated felony under Section 5 hereof shall be imposed upon the principals of the attempt to commit the crime of child prostitution under this Act, or, in the proper case, under the Revised Penal Code.

SECTION 81. Regulation of Internet Cafe in the City. The City shall ensure the strict implementation of Municipal Ordinance No. 001 series of 2006 also known as "An Ordinance Regulating the Operation of Video Computer Games and Internet Cafes/Server".

CHAPTER II
PROVISIONS FOR IMPLEMENTATION

ARTICLE I

The City Gender and Development Office

SECTION 82. *The City Gender and Development Office.* The City Gender and Development Office shall be one of the divisions of the City Social Welfare and Development Office.

SECTION 83. *City Social Welfare and Development Office Organogram*

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SP Member

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SP Member

LEONARDO P. ASIDEM
SP Member

ERNESTO M. BUTAWA N
SP Member

LEONILDO A. VELASCO
SP Member

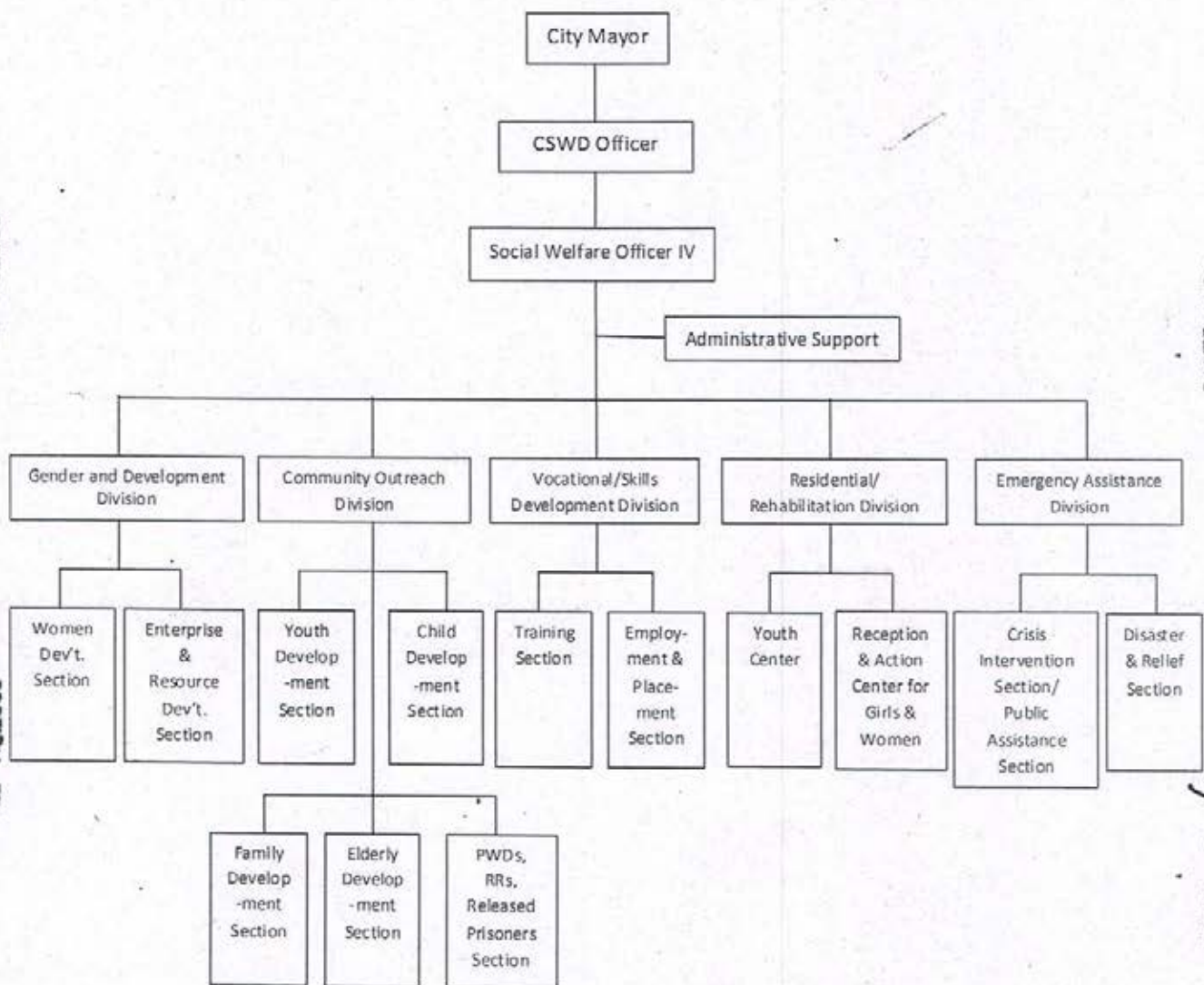
TERESITA M. VELASCO
SP Member

KRISTELLE ANN A. DACCERA
SP Member

SECTION 84. Functions of the City Gender and Development Office. The City Gender and Development Office shall have the following functions to ensure consistency in the implementation of the provisions of this Code.

A. Coordinative and Regulatory Functions – these functions shall assure the realistic, measurable and tangible results in the implementation of this Code pursuing the following strategies:

1. Advocacy and Social Mobilization - The CGAD office advocates gender equality and women empowerment and mobilizes with partner agencies and various stakeholders for gender mainstreaming at the local level. Activities are undertaken to make the public aware of gender issues and concerns and eventually empower communities especially women.



These shall include, but not limited to:

- Development, printing and dissemination of IEC materials for users in the City of Baybay
- Conduct of Gender Sensitivity Trainings
- Conduct massive community education on RA 9262 and RA 9208

-more- over-

- d. Initiate and conduct activities re: 18-Day Campaign to End Violence Against Women (VAW) – November 25 – December 12 of each year
- e. Initiating the formulation of local issuances and resolutions on trafficking and violence against women and their children and other policies along gender and development concerns
- f. Initiating the reorganization, reactivation and mobilization of C/BGADC.
- g. Organize MOVE (Men Opposed to Violence Against Women Everywhere) to fight and end Trafficking and Violence Against Women and their Children in the City of Baybay
- h. Obtain and sustain media support for public information, coverage and documentation
- i. Lead Office in the City Women's Month Celebration
- j. Recommend administrative measures pertaining to Gender and Development

2. Capacity Building - Gender-sensitivity education and trainings for all departments and partner agencies i.e. PNP, BJMP, etc. of the City Government and at the city/barangay level shall be designed. Standards for contents of the courses shall be established by the office..

a) Conduct orientation and training for frontline workers and service providers on:

- 1. Trafficking and case management
- 2. Para-legal training on documentation and filing of cases
- 3. Anti-Sexual Harassment Law
- 4. Gender Enhancement Seminars for CGAD Council Members
- 5. Gender Analysis Training for LCEs/SPs and Department Heads of the City
- 6. VAWC and Child Abuse handling and management

b) Send qualified implementers to attend seminars and training of trainers (TOT) on GAD related topics upon invitation on NGOs and NGAs and roll-out the same trainings to the target beneficiaries.

c) Replication of success implementation of other places through lakbay-aral.

3. Data Collection and Management

- a. Collect, maintain and update sex disaggregated data.
- b. Maintain and improve CGAD Office centralized and comprehensive data banking system on Trafficking, VAWC cases and among others in the City including effective measures and services.

4. Selection and targeting of beneficiaries shall be based on the database

5. Alliance Building and Networking

- 1) Strengthen partnership with partner agencies, NGOs, People's Organization and other agencies, local, national and international

6. Research, Policy Studies and Documentation - It shall be involved in all the processes related to the conceptualization, development, assessment and evaluation of population and gender development and advocacy programs of the City Government.

- 1.) Document best practices on RA 9208, RA 9262 implementation and other GAD related activities

7. Mechanisms – Developing institutional mechanism for increased coordination and synergy in the approach against violence against women and their children and other GAD concerns.

These shall include, but not limited to:

1. Come- up with a monitoring tools in the implementation of rehabilitation plans for victims-survivors through regular/periodic reporting/meetings
2. Quarterly meeting of CGADC
3. CGADC Year-end Evaluation of PPAs (Implementation Review)
4. Organize trafficked persons and survivor support through the creation of survivor support groups
5. Gender mainstreaming and integration of women and children budget in every barangay plans.
6. Activate the Local Special Bodies especially at the Barangay levels that concern women, men and children.
7. Budget allocation for capacity development for all departments/offices in the city.

8. Monitoring Functions

- a. Violence in Media Check** – An active dialogue with tri-media representative shall be undertaken by the office in coordination with the SP Committee on Gender Equality, Family affairs and Social Welfare and Women GOs and NGOs on incidence of all forms of violence in media.
- b. Monitoring System for Labor Standards.** A mechanism shall be installed in the City Gender and Development Office to monitor all offices, agencies and establishments or companies violating the Article 5 of the GAD Code, the provisions of this Code and existing laws.
- c. Monitoring of Entertainment Establishments.** A special Task Force commissioned by the CGAD Council shall monitor entertainment establishments reportedly exploiting men, women, and especially children.
- d. Monitoring of Internet Cafes.** A special Task Force shall monitor the compliance of the prohibited acts of Municipal Ordinance No. 001 series of 2006.
- e. Regular monitoring** of the GAD Plan of the barangays and the policies, programs projects and activities including the implementation of this Code.

SECTION 85. Organization and Creation of Positions and Appointment of Personnel. Upon recommendation of the City Mayor, the Sangguniang Panlungsod shall create positions that will assist in the implementation of this Code and man the operation of the City Gender and Development Office taking into consideration the service requirement and financial capability of the City Government, subject to the minimum standard prescribed by the Civil Service Commission as well as

the appropriate position titles and salary grades prescribed by the Department of Budget and Management.

SECTION 86. Enterprise Resource and Development Unit. The City shall establish Enterprise Resource and Development Unit under the CGAD Office and shall assign permanent staff with the following task and functions:

1. The office shall serve as the main processing and releasing of all livelihood assistance to beneficiaries.
2. The office shall formulate schemes/policies in determining/screening of beneficiaries and its Return of Investments (ROI)
3. Ensure the involvement of women in discussion and Planning Implementation, Monitoring and Evaluation of Programs, Projects and Activities
4. Promote and market the beneficiaries' products
5. Provide incentive schemes (streamlined business permit processing, subsidies to women micro entrepreneurs, tax incentives etc.) in coordination with the BPLO.
6. Ensure the conduct of continuing education to all beneficiaries like GST, Financial Literacy, Simple Bookkeeping and Management.
7. Link and network to access greater credit and market and encourage inter-business collaboration with resource institution and private sector
8. Raise women's educational achievement, develop and encourage micro enterprise.
9. Assist beneficiaries to enter into joint venture arrangements with the private sector
10. Assist WMEs in securing business permits and license and social insurance.
11. Assist women's groups in registration with DOLE, SEC, DTI and accreditation with the LGU
12. Facilitate the conduct of regular business opportunity for a

SECTION 87. Social Protection for Extension Volunteer Workers in every Barangay. The City through the CGAD Office shall ensure that all registered and accredited BHWs, BNSes, DCWs, BSPOs, Tanods and Bantay Dagat who serve as extension workers or partners in implementing the GAD Project, Programs and Activities shall be given priority in the issuance of Philhealth Cards under the Indigent Philhealth Program likewise allocated renewable yearly life insurance.

SECTION 88. Termination/ Retention of Appointive Barangay Volunteers. All incumbent BHWs, DCWs, BNSes, BSPOs, Tanods and Bantay Dagat who were provided seminars and trainings by the National and/or the city Government, NGOs and gained sufficient experiences in the performance of their respective jobs, all Punong Barangays and Sangguniang Barangay Members are hereby strongly encouraged to reappoint them unless it is proven that they are NOT performing effectively while in service in the past administration. (Pursuant to DILG Memorandum Circular NO. 2010-147.)

SECTION 89. Accomplishment Report. Annual Accomplishment Report shall be submitted by CGAD Office to the City Mayor within one (1) month after the end of the calendar year and every year thereafter. Relevant reports shall be made accessible to POs, NGOs, and other line agencies.

ARTICLE II – Penalty Provisions

SECTION 90. *Violation of any provisions of this code, the following penalty shall be imposed to violators, including but not limited to the owner of establishments, heads of agencies and offices, institutions, organizations:*

- a. 1st offense – fine of P3,000.00 plus community service of not more than 10 days;
- b. 2nd offense – fine of P4,000.00 and suspension of business permit or license for 6 Months plus community service of not more than 15 days
- c. 3rd offense – fine of P5,000.00 and revocation of business permit or license and imprisonment of not more than 30 days.

If the violator or offender is the head of the any government agencies he/she maybe proceeded administratively under the existing laws aside from the criminal liabilities under this code.

For purposes of this code, community service shall be determined by the GAD Focal Person and the latter shall submit program of community service to the Sangguniang Panlungsod for approval.

ARTICLE III

Final Provisions

SECTION 91. *Funding.* The City and its component Barangays shall allocate at least 5% of the annual budget to implement the provisions of this Code

SECTION 92. *Implementing Rules and Regulations.* The City Mayor, through the assistance of the City Gender and Development Council, shall formulate the Implementing Rules and Regulations necessary to carry out the provisions of this Code.

SECTION 93. *Repealing Clause.* All ordinances, resolutions, memorandum circulars, rules and regulations inconsistent with the provision of this Code are hereby repealed and modified accordingly.

SECTION 94. *Separability Clause.* If for any reason, any portion or provision of this Code is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 95. *Supplementary Clause.* On matters not provided for in this Code, any existing applicable laws and their corresponding implementing rules and regulations, executive fiats and relevant issuances issued therefore shall apply in supplemental manner.

SECTION 96. *Effectivity Clause.* This Code shall take effect upon compliance of the mandatory posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

SECTION 97. – *Adoption Clause.* Any amendment to the National Laws pertinent to this Code shall be adopted.

ACRONYMNS:

BPFA – Beijing Plat Form of Action

BTIPO – Baybay Tourism & Investment Promotion Office

CAO – City Agriculture Office

CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women

CSWMB – City Solid Waste Management Board

DOLE – Department of Labor and Employment

DOST – Department of Science and Technology

DTI – Department of Trade and Industry

GAD – Gender and Development

IEC – Information, Education and Communication

IPs – Indigenous Peoples

LED-WEE – Local Economic Development – Women's Economic Empowerment

• MOVE – Men Opposed to Violence Against Women Everywhere

NGAs – National Government Agencies

NGOs – Non Government Organizations

OTOP – One Town One Product

PCW – Philippine Commission on Women

PESO – Public Employment Service Office

POs – People's Organizations

PWD – Persons with Disabilities

SUCs – State Universities and Colleges

TESDA – Technical Education and Skills Development Authority

VAWC – Violence Against Women and their Children

• WCPD – Women and Children Protection Desks

WCPU – Women and Children Protection Unit

- Promotion and development of organic farming, pursuant to Executive Order 481 of 2005. The City Government, in collaboration with the City Agriculture Office and other partner agencies and institutions shall promote a shift towards organic-based farming. Organic agriculture shall focus on:

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SP Member

LORETO
SP Member

LEONILLO P. AGUIRRE JR.
SP Member

ARMANDO A. STANAN
SP Member

LEONILLO P. AGUIRRE JR.
SP Member

TERESSITA J. VELASCO
SP Member

KRISTINA A. SORIANO
SP Member

- Creation of meaningful work, giving women or group of women a more prominent role in household economy, access to funding and training support and extension services which increases self-esteem, strengthen leadership and decision-making participation.
- Economic opportunities – offers equitable access of women to rural economic growth on their roles as farmers, wage laborers and small-scale entrepreneurs, increases income-earning potential and strengthen control over resources.
- Health support – provides women a good working condition, safe nutrition of the family with healthy food and sustain health of the ecosystem, safety from adverse effects of the use of synthetic chemicals, plant growth regulations, livestock anti-biotic and genetically-modified organisms.

This ordinance shall take effect upon its approval.

Enacted December 26, 2011.

I HEREBY CERTIFY TO THE correctness of the foregoing resolution which was duly adopted during the 46th regular session of the Sangguniang Panlungsod, this city held on December 26, 2011.

AMELITO V. BORNEO
SP Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED.

MICHAEL L. CARI
City Vice Mayor, Presiding Officer

APPROVED:

CARMEN L. CARI
City Mayor