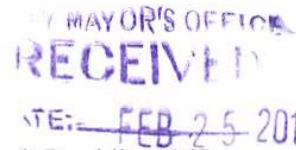




REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE TWELFTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE  
SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON FEBRUARY 21, 2013



PRESENT:

Hon. Nepomuceno P. Aparis I,  
Hon. Ruben R. Capahi,  
Hon. Rolando M. Villasencio,  
Hon. Claudio P. Larrazabal,  
Hon. Lea Doris C. Villar,  
Hon. Filomeno P. Maglasang,  
Hon. Jose C. Alfaro, Jr.,  
Hon. Sotero M. Pepito,  
Hon. Demosthenes F. Tugonon,  
Hon. Rafael C. Omega, Jr.,  
Hon. Antonio M. Codilla,

Vice Mayor & Presiding Officer  
City Councilor, Majority Floor Leader  
City Councilor, Minority Floor Leader  
City Councilor, Presiding Officer "Pro-Tempore"  
City Councilor, Assist. Majority Floor Leader  
City Councilor  
City Councilor  
City Councilor  
City Councilor  
City Councilor  
Ex-Officio City Councilor  
Chapter President, Liga ng mga Barangay ng Ormoc  
Ex-Officio City Councilor,  
SK Federation President

Hon. Corinne M. Corro,

ON LEAVE:

Hon. Mario M. Rodriguez, City Councilor, Assist. Minority Floor Leader

**PREFATORY STATEMENT**

WHEREAS, Sec. 14, Article II of the 1987 Constitution provides that the "State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men";

WHEREAS, Republic Act No. 7192, otherwise known as the "Women in Development and Nation Building Act" strengthen the nation's policy to uphold and provide for women rights and opportunities equal to that of men by mandating all government agencies to take appropriate measures in implementing the said provision;

WHEREAS, pursuant to Sec.14, Art. II of the Constitution and RA 7192, an Executive Order No. 273, entitled: " APPROVING AND ADOPTING THE PHILIPPINE PLAN FOR GENDER RESPONSIVE DEVELOPMENT, 1995 TO 2025" was promulgated directing all government agencies, including LGUs, to institutionalize Gender and Development (GAD) efforts in the government by incorporating GAD concerns in their planning, programming and budgeting processes;

WHEREAS, over the decades, recognition and protection of women rights has become a universal concern. Hence, the adoption of a Code providing for the fundamental rights of women is imperative and deemed in accordance with the provisions of the Constitution and other related laws, which matter was further guaranteed during the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and recognized under international human rights instruments duly signed and ratified by the Philippines;

WHEREAS, the United Nations Millennium Summit in September 2000 concluded with the adoption of United Nations Millennium Declaration in order to renew its global commitment to peace and human rights to set specific goals and targets towards reducing poverty and the worst forms of human deprivation;



WHEREAS, following the adoption of the Millennium Declaration, an Eight-Point Millennium Development Goals (MDGs) were established and agreed upon by the 193 member states and 23 international organizations. One of the focuses of the MDGs is on *“promoting gender equality and empowering women”*. The Philippines, as one of the UN-Member, is a signatory to the Millennium Declaration and has committed to attain the MDGs by 2015;

WHEREAS, consistent with our country’s commitment to achieve and attain the MDGs, a comprehensive women’s human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in marginalized sector was enacted known as “The Magna Carta for Women” (RA 9710);

WHEREAS, the City Government of Ormoc fully supports the national government in its crusade to promote gender equality through the recognition of “WOMEN” as equal partners of “MEN” towards development and nation building as well as mainstreaming gender and development issues, concerns, plans and programs, and other priority services for women;

WHEREAS, the Honorable City Mayor Eric C. Codilla, in accordance with the mandate of Executive Order No.273 to institutionalize GAD concerns at local levels, issued Executive Order No. 20, S. 2010, creating the Gender and Development Focal Point (GAD-FP) in the City of Ormoc;

WHEREAS, the City undertakes to enhance the women’s full potentials, uplift their status and initiate plans and programs geared to improve their quality of life, enact gender responsive policies, integrate practices that promote Gender Equality in both the public and private sectors, and the eventual eradication of all forms of violence against women;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion presented by Hon. Lea Doris C. Villar, Chairman, Committee on Social Welfare, Senior Citizen, Women and Family, severally seconded by City Councilors Sotero M. Pepito, Corinne M. Corro, Antonio M. Codilla and Ruben R. Capahit be it

RESOLVED, AS IT IS HEREBY RESOLVED, to enact:

### **ORDINANCE NO. 181**

## **AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT (GAD) CODE OF THE CITY OF ORMOC.**

Be it enacted by the Twelfth SangguniangPanlungsod, That:

### **CHAPTER 1 GENERAL PROVISIONS**

#### **ARTICLE I TITLE, DECLARATION OF PRINCIPLES AND POLICIES AND DEFINITION OF TERMS**

**SECTION 1. TITLE.** This Ordinance shall be known as the **“Gender and Development Code of the City of Ormoc”** hereinafter referred to as the GAD Code.

**SECTION 2. DECLARATION OF PRINCIPLES AND POLICIES.** It shall be the policy of the City Government of Ormoc to uphold the equality of rights of men and women, believe in their worth and protect their dignity as human beings.

2.1 Women shall be recognized as equal partners of men in the development of the city, sharing equally in the responsibilities and enjoying equally the fruits thereof.

- 2.2 The City Government of Ormoc shall undertake the development of women's potentials towards the improvement of the quality of their lives, their families and that of their communities.
- 2.3 The City Government of Ormoc, fully cognizant of women's efforts towards empowerment and self-determination, shall vigorously pursue and implement gender-responsive development policies and programs, design integrated gender and development support systems, and implement measures to protect and promote their rights.
- 2.4 In order to attain the foregoing principles:
  - 2.4.a) As mandated in the Special Provisions of the Annual General Appropriations Act (GAA), the City shall allocate at least 5% of the total LGU annual budget for the implementation of its annual Gender and Development Plan that shall be formulated to address gender concerns and issues and to support programs and activities for women in accordance with the provisions of R.A. 7192, otherwise known as the Women in Development and Nation-Building Act;
  - 2.4.b) The City Government of Ormoc shall formulate a GAD Plan that shall contribute to poverty alleviation, the economic empowerment of women, the protection, promotion, and fulfillment of women's human rights, the achievement of its Millennium Development Goals (MDGs) and the practice of gender-responsive governance;
  - 2.4.c) The City Government of Ormoc shall ensure that women benefit equally and participate directly in government programs, projects and activities;
  - 2.4.d) All government project proposals shall ascertain the inclusion of gender-responsive indicators and guidelines;
  - 2.4.e) The City Government of Ormoc shall review and revise all their internal policies, set rules and regulations, circulars, issuances and procedures to remove any gender biases thereat;
  - 2.4.f) The Gender and Development Focal Point and/or the City Council for Women of the City Government of Ormoc shall be actively consulted on matters dealing with gender issues and concerns so as to determine gender biases and implications on women.

**SECTION 3. RELATED PRINCIPLES.** To facilitate the development of the full potentials of women, the following rights, as defined under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), are hereby declared and adopted under this ordinance:

- 3.1 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;
- 3.2 Women have the right to freely and duly participate, individually or collectively, in the political processes in their communities and nation;
- 3.3 Women have the right to the means for assuring their economic welfare and security;
- 3.4 Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice with the constitution and their beliefs and preferences;



- 3.5 Women have the right to choose a spouse in accordance with the law, their values and preferences, maintain equality in marriage or its dissolution, and receive adequate support for rearing and caring of their children;
- 3.6 Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood;
- 3.7 Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as a whole and valuable beings, to build relationships based on respect, trust and mutuality;
- 3.8 Women have the right to equality before the law, in principle and in practice. In reality, women should not be viewed as second class to men but as partners of men in development.
- 3.9 In the light of some existing gender biases, inequalities and inequities, this Ordinance will provide the City Government a policy direction to formulate plans, programs and strategies, among others, that will:
  - 3.9.a) Mainstream gender concerns in sectoral development plans, policies and programs;
  - 3.9.b) Intensify awareness campaign on gender issues and concerns;
  - 3.9.c) Strengthen Government Organization-Private Organization – Non-Government Organization (GO-PO-NGO) partnerships to maximize the effectiveness of programs and services addressing Gender and Development (GAD) concerns;
  - 3.9.d) Encourage, support and expand the participation of economically and socially disadvantaged women in the planning, implementation, monitoring and evaluation of development programs and projects;
  - 3.9.e) Recommend appropriate academic curricula that are gender-sensitive;
  - 3.9.f) Provide gender-responsive relief and rehabilitation programs with special focus on the needs of women and children;
  - 3.9.g) Involve men in family planning programs, health and child care and nutrition concerns and engage them in projects that enhance the well-being of the family;
  - 3.9.h) Set up crisis intervention centers and shelters in the City of Ormoc for survivors of violence against women and children and other social conflicts;
  - 3.9.i) Promote gender sensitivity in local media and advertising agencies;
  - 3.9.j) Increase the number of women in decision and policy-making posts in the locality;
  - 3.9.k) Organize and enhance the organizational capabilities and capacities of women's group in the barangays in responding to the development concerns in their communities.

**SECTION 4. DEFINITION OF TERMS.** The following terms or phrases used in this Code shall mean as follows:

- 4.1 **Battering-** refers to a series or sequence of acts or deprivations constituting psychological/emotional and/or physical abuse such as, but not limited to, repeated or habitual cyclic patterns intended to cause intimidation of the victim and/or the imposition of the batterer's will and control over the victim's life.

- 4.2 **Commodification of Persons** – refers to an activity or practice wherein the participants or subjects thereof, regardless of age, are put in an exploitative and subordinated situation involving physical or sexually suggestive displays or exposition of their bodies, and results in their maltreatment, without their informed and free consent, with no power or control to reject such utilization or manipulation. This includes any activity, whether in whole or in part, integrated in any raffle draw, benefit or disclosure, premier showing of movies, or any similar fund raising undertaking where persons are used as incentives, prizes, substitute for cash prizes won, a companion package for an award prize or recognition or any activity, come-on display or exhibits which depicts such persons as central, partial or special focus in order to raise funds
- 4.3 **Commodification of Women** – Any activity or form of beauty contest which tends to commodify or exhibit women as defined in Section 4.2 of this ordinance.
- 4.4 **Development** – the improvement of the quality of life of all regardless of age, sex, gender, tribe, race, creed and religion. It is characterized by sustained and equitable growth in a balanced ecology.
- 4.5 **Economic Violence** – refers to acts which are intended to enforce economic dependence upon women and their children or deprive them of sufficient means and resources in accordance with the description given in Section 52 hereof.
- 4.6 **Empowerment** – refers to a process by which women are mobilized to understand, identify and overcome gender discrimination.
- 4.7 **Gender** – refers to the differentiated social roles, behavior, capacities and intellectual, emotional and social characteristic attributed by a given culture to women and men.
- 4.8 **Gender and Development** – shall refer to a development perspective which promotes greater focus on people both as development agents and participants. It encourages the equal contributions of women and men in all aspect/sectors of development. It recognizes that the unequal relation between women and men is a major deterrent to social and economic progress. It acknowledges that the difficulties encountered by women have to be addressed to ensure their effective participation in development. It envisions a future society where women and men equally contribute to and benefit from development.
- 4.9 **Gender Equality** – is the role required by or expected of women and men as prescribed by society. As a key to development, gender equality means the equal empowerment and participation of women, men and other subgroups of society, i.e., homosexuals, in all spheres of public and private life.
- 4.10 **Gender Fair** – where women and men share equally in responsibilities, power, authority and decision making.
- 4.11 **Gender Perspective** – way of viewing issues and problems that take into consideration the different realities of women's and men's lives and recognizing that there is an unequal relationship between the two.
- 4.12 **Gender Planning** – means taking account of gender issues in planning. In development planning, it means that gender issues are recognized in the identification of problems and addressed in development objectives.
- 4.13 **Gender Sensitive/Responsive** – having an understanding of the marginalized position of women and consciously challenging the attitudes and behavior that reinforce women's subordinate status.



- 4.14 **Gender Sensitivity Training** – means providing people with formal learning experience in order to increase their awareness and provide the knowledge and skills necessary to recognize and address gender issues in the programming process. At the center of the learning process is the conscientization, or the ability to recognize the underlying issues of gender equality which form a pervasive obstacle to program progress.
- 4.15 **Indigenous People**– a group of people who have continuously lived as an organized community in a communally bounded and defined territory, and who have, under claims of ownership, occupied, possessed, and utilized such territories since time immemorial, sharing common bonds of language, customs, traditions and other distinctive cultural traits.
- 4.16 **Minors** – refer to persons below 18 years of age.
- 4.17 **Other Places of Amusement** – refer to all other places of amusement not specifically enumerated or otherwise provided for in this Code, includes but not limited to night/day clubs, cocktail lounges, super or family clubs, disco houses, minus-one or sing-along houses, bars or beerhouses, fastfood centers showing sports competitions, replay videocassette films/movies and other places of amusement where one seeks admission to entertain oneself by seeing or viewing or by direct participation.
- 4.18 **Prostitution**– is the sale, purchase and exchange of women and minors for sexual exploitation for each project or other economic considerations by an individual including but not limited to pimp, procurer of the service parents, owners of establishments such as hotels and restaurants, and any other persons who uses various schemes to prostitute women and minors. It is the act as defined under the Revised Penal Code of the Philippines and shall be recognized as a violation of human rights and exploitation of women who have no real choices for survival.
- 4.19 **Psychological/Emotional Abuse**– refers to written or spoken acts and declarations made to or against the victim or his/her children for the purpose of accomplishing any of the purposes specified and defined in Section 50 hereof.
- 4.20 **Reproductive Health** – is a state of complete physical, mental and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive system and to its function and process. It constitutes twelve(12) elements, namely:
- 4.20.a) Maternal, infant and child health and nutrition, including breastfeeding;
  - 4.20.b) Family planning information and services;
  - 4.20.c) Prevention and management of RTIs, HIV and AIDS and other STIs;
  - 4.20.d) Treatment of breast and reproductive tract cancers and other gynecological conditions and disorders;
  - 4.20.e) Proscription of abortion and management of abortion complications;
  - 4.20.f) Mental health aspect of reproductive health care;
  - 4.20.g) Treatment of infertility and sexual dysfunction;
  - 4.20.h) Counseling and education in sexuality and sexual health;
  - 4.20.i) Adolescent and youth reproductive health;

- 4.20.j) Male involvement and participation;
- 4.20.k) Elimination of violence against women; and
- 4.20.l) Education and counseling on sexuality and reproductive health.

4.21 **Sexual Abuse**— refers to an act or acts involving physical contact as defined and specified in Section 48 hereof which is sexual in nature committed against a woman regardless of age or mental development of the woman;

4.22 **Trafficking in Persons** -Consistent with and in accordance with Section 3(a) of Republic Act No. 9208, "Trafficking in Persons" is defined as the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall also be considered as "trafficking in persons" even if it does not involve any of the means set forth in the preceding paragraph.

4.23 **Sexual Harassment**. Other than the acts defined as sexual harassment under RA 7877, the following shall constitute sexual harassment punishable under this ordinance, or covered by the Revised Penal Code under acts of lasciviousness:

- 4.23.a) Persistent telling of offensive jokes or other analogous statements despite having been previously requested to refrain from doing so;
- 4.23.b) Taunting a person with constant talk about sex and sexual innuendos;
- 4.23.c) Displaying offensive or lewd pictures and publications in the workplace;
- 4.23.d) Interrogating someone about their sexual activities or private life except on physical or examination purposes;
- 4.23.e) Making offensive hand or body gestures at someone;
- 4.23.f) Repeatedly asking for dates despite verbal rejection;
- 4.23.g) Staring or leering maliciously;
- 4.23.h) Touching, pinching or brushing up against someone's body unnecessarily or deliberately;
- 4.23.i) Kissing or embracing someone against her will;
- 4.23.j) Requesting sexual favors in exchange for a good grade, obtaining a good job or promotion;
- 4.23.k) Cursing, whistling, or calling a woman in public with words having dirty connotations or implications which ridicules, humiliates or embarrasses the woman, such as "puta", "peste", or "puñita", etc.;
- 4.23.l) Any other unnecessary acts during physical examinations;
- 4.23.m) Premeditated and intentional destruction of property and pets usually the victim's favorite;



- 4.23.n) Requiring a woman to wear suggestive or provocative attire during interviews, such as on job hiring, promotions.

## **ARTICLE II GENDER AND DEVELOPMENT PROGRAM**

### **SECTION 5. INTEGRATED GENDER AND DEVELOPMENT PROGRAM**

- 5.1 The City Government of Ormoc shall ensure the integration of Gender and Development (GAD) in the local planning and budgeting system through the formulation of GAD plans as stipulated in DILG-DBM-NCRFW Joint Memorandum Circular No. 2001-01 "Guidelines for Integrating Gender and Development (GAD) in the Local Planning System through the Formulation of GAD Plans."
- 5.2 The City Government of Ormoc shall ensure that the Philippine Plan for Gender and Responsive Development (PPGRD) which was adopted through Executive Order No. 273 is implemented for women in relation to the services stated in R.A. 7160 or the Local Government Code of 1991 particularly Sections 16 and 17 and other related provisions thereof.
- 5.3 The City Government of Ormoc shall ensure that all barangays under its jurisdiction shall prepare a GAD plan and budget addressing gender concerns of their locality following Sections 16 and 17 of the Local Government Code of 1991 and other related provisions.
- 5.4 The City Government of Ormoc shall integrate gender concerns in the formulation of its Comprehensive Development Plan (CDP), Comprehensive Land Use Plan (CLUP), and Annual Investment Plan (AIP);
- 5.5 The formulation of the GAD plan shall follow the regular planning and budget calendar and shall, as far as practicable, be incorporated in the existing CDP, CLUP and AIP;
- 5.6 It is the responsibility of the City Planning and Development Coordinator to ensure that GAD Programs/Projects/Activities (PPAs) are integrated in the local planning process.

**SECTION 6. SUPPORT TO GENDER STUDIES/SURVEY.** An adequate amount shall be allotted to gender-related documentation and researches which shall form part of the City's data-based programs.

**SECTION 7. POPULARIZATION OF GENDER FAIR MATERIALS.** There shall be an active promotion and publication of Gender Fair materials in popular forms in the City Government of Ormoc.

**SECTION 8. INTEGRATED GENDER SENSITIVE AND ENVIRONMENT FRIENDLY ZONING PLAN.** An Integrated Gender Sensitive and Environment-Friendly Zoning Plan for the City Government of Ormoc shall be established, taking into consideration the CLUP.

**SECTION 9. COMMUNITY BASED ENVIRONMENT PLANS AND PROGRAMS.** Both men and women shall participate in pollution control, zero waste technology development and management, preservation of the forest, with due respect to indigenous people's rights to self-determination.

**SECTION 10. GENDER SENSITIVE NATURAL RESOURCES BASED MANAGEMENT PROGRAM.** The City Government of Ormoc shall engage in Gender Sensitive natural resources based management program.



**SECTION 11. ROLE OF WOMEN IN ENVIRONMENT IMPACT ASSESSMENT PROJECTS.** The City Government of Ormoc shall promote the active role of women in environmental impact assessment projects.

**SECTION 12. ADEQUATE BUDGET FOR SPECIAL PROGRAMS.** The City Government of Ormoc shall ensure that funds are provided to implement special programs for women and children in extremely difficult circumstances.

**SECTION 13. GENDER SENSITIVITY TRAINING FOR THE LUPONGTAGAPAMAYAPA.** A special paralegal training for the LupongTagapamayapa shall be conducted in line with gender related issues and concerns.

**SECTION 14. TRAINING IN NON-TRADITIONAL OCCUPATION.** Women shall be given the opportunity to acquire training in and basic skills in non-traditional occupations such as, but not limited to those related to science and technology.

### **ARTICLE III HEALTH**

**SECTION 15. STATEMENT OF POLICY.** No woman shall be denied basic health services such as those declared by World Health Organization as necessary to respond to basic health needs especially those that relate to maternal health care on purely financial grounds or lack of access thereto.

**SECTION 16. BUDGET FOR WOMEN'S HEALTH.** An adequate amount of the health budget of the City Government of Ormoc shall be allocated for women's health and services.

**SECTION 17. WOMEN'S RIGHT TO MATERNAL HEALTH.** Women's decision to plan her pregnancy shall be given appropriate support and guidance by all health professionals, private and public.

**SECTION 18. ACCESS TO SAFE WATER.** Appropriate water systems shall be installed to ease women's workload brought about by the lack of this facility.

**SECTION 19. GENDER FAIR HEALTH CARE SERVICES.** The City Health Department shall ensure that health care services are not discriminatory on account of sex, gender, age or religion.

**SECTION 20. REPRODUCTIVE HEALTH SERVICES.** No hospital or medical facility operating within the territorial jurisdiction of the City of Ormoc shall deny reproductive health services to any woman by reason of the latter's poverty.

**SECTION 21. INFORMATION EDUCATION ON WOMEN'S HEALTH.** The City Health Department, in collaboration with the City Health Board, shall endeavor to improve the implementation of education/information campaign on women's health, such as but not limited to the celebration of the International Day of Action for Women's Health every May 28 of each year.

### **ARTICLE IV EDUCATION AND TRAINING**

**SECTION 22. STATEMENT OF POLICY.** The City Government of Ormoc shall endeavor to improve access of women to technology-based education and training programs.

**SECTION 23. WOMEN LITERACY AND ADULT EDUCATION.** In coordination with the Department of Education and the Technology Education and Skills Development Authority (TESDA), non-formal education classes shall be held in identified schools in the city to facilitate working women's access to education. Any woman desiring to engage in functional and practical education shall be given priority in the adult education programs of the city government.



**SECTION 24. GENDER FAIR CURRICULA.** The City Government of Ormoc shall promote gender equality in all schools at all levels in the city.

**SECTION 25. SPECIAL EDUCATION FOR WOMEN WITH DISABILITY.** The City Government of Ormoc shall ensure that all interested women with disability shall have access to special education programs.

**SECTION 26. SCHOLARSHIP PROGRAM.** The City Government of Ormoc shall include poor and indigent married women, solo-parents and mothers with infants in its educational scholarship programs.

## **ARTICLE V LABOR, EMPLOYMENT AND ECONOMIC OPPORTUNITIES**

**SECTION 27. STATEMENT OF POLICY.** The City Government of Ormoc shall ensure that all its departments and offices shall engage in and expand their socio-economic programs to include women as beneficiaries, and implement programs and projects designed to empower them and provide access to medium and large scale economic opportunities.

**SECTION 28. EQUAL ACCESS TO EMPLOYMENT AND TRAINING PROGRAMS.** No one shall be denied employment opportunity on account of gender, sex, age, ethnicity, creed, religion or civil status, as prescribed in the Labor Code, and as amended by RA 6725.

**SECTION 29. WAGES AND BENEFITS.** Every employer shall comply with the minimum wage as prescribed by the Regional Tripartite and Wages Productivity Board (RTWPB) and shall grant all benefits to all employees as provided by law.

**SECTION 30. FACILITIES AND SUPPORT SYSTEM TO EMPLOYEES.** The City Government of Ormoc shall ensure the safety and health of women in appropriate cases, to wit:

- 30.1 Establish separate toilet rooms and lavatories for men and women and provide at least a dressing room for women; and
- 30.2 Provide breastfeeding area, child-rearing and early childhood care for working parents while on their respective jobs.

**SECTION 31. EMPLOYMENT OPPORTUNITIES TO WOMEN WITH DISABILITY.** The City Government of Ormoc in partnership with appropriate national government agencies, private organizations and other entities shall provide employment opportunities to women with disability recognizing their differentiated conditions and potentials as human beings.

**SECTION 32. HEALTHY AND GENDER FAIR WORK ENVIRONMENT.** The City Government of Ormoc shall ensure that the workplace, private or public, actualizes the principle of equality between women and men in all aspects of their employment.

**SECTION 33. Healthy Work Environment** Employers are required to provide seats proper for women and permit them to use such seats during working hours, provided they can perform their duties in this position without detriment to efficiency, and provide workers with the necessary gear to guard against the detrimental effects of the nature of their functions such as special support stockings for female workers required to perform their functions.

**SECTION 34. GENDER SENSITIVE PHYSICAL PLAN.** The City Government of Ormoc shall promulgate policies to promote gender sensitivity in the physical plan and design of the workplace.



**ARTICLE VI**  
**POLITICAL AND PUBLIC SPHERE OF WOMEN AND CHILDREN**

**SECTION 35. STATEMENT OF POLICY.** The City Government of Ormoc shall ensure the fundamental equality before the law of men and women and their active participatory role in the development process.

**SECTION 36. MARCH AS WOMEN'S MONTH AND OBSERVATION OF MARCH 8 AS WOMEN'S DAY.** The month of March is hereby recognized as International Women's Month with March 8 of each year to be observed as National Women's Day. The City of Ormoc shall conduct a set of activities for women to increase their level of awareness and consciousness on the issues affecting them.

**SECTION 37. COMMUNITY BASED WOMEN'S ORGANIZATIONS.** The City Government of Ormoc thru the City Council for Women, shall encourage and support the formation of community-based women's organizations, and assist in their accreditation with the Sangguniang Panlungsod.

**SECTION 38. PARTICIPATION OF WOMEN IN LOCAL GOVERNANCE.** To widen and enhance participation of women in local government decision-making and administration, the City Government of Ormoc shall ensure the participation of women in all Local Special Bodies in the city. These women representatives shall be elected among the accredited women's organizations in the city.

**SECTION 39. CREATION OF THE CITY GENDER AND DEVELOPMENT FOCAL POINT.** The City Gender and Development Focal Point (GAD-FP) is hereby created, which shall serve as the city's lead group for GAD programs and activities: The GAD-FP shall be composed of the following persons:

Chairperson	-	City Mayor
Vice-Chairperson	-	City Councilor / Chairperson, Committee on Social Welfare, Senior Citizens, Women and Family
Members	-	City Social Welfare & Development Officer (CSWD)
		City Health Officer (CHD)
		City Accountant (OCA)
		City Budget Officer (CBO)
		Internal Audit Service Officer (IAS)
		Human Resource Management Officer (HRMD)
		Development Management Officer (CPDO)
		Community Affairs Officer (PAIAD)
		Population Officer (CHD)
		City Director (DILG)
		Department of Labor and Employment (DOLE)

The GAD-FP shall be tasked with the following:

- 39.1 Catalyze, coordinate, provide direction, monitor and serve as technical adviser on programs/projects on women/gender and development concerns within the city;
- 39.2 Review the mandated tasks of the LGU as per RA 7192 and other Presidential directives on the course of action to be taken;
- 39.3 Conduct a Gender-Responsive Planning Workshop;
- 39.4 Make a Comprehensive and Integrated Plan and Program for Women in the city and ensure its implementation;
- 39.5 Establish a sex-disaggregated data bank system;
- 39.6 Facilitate a Trainers' Training on GAD;

- 39.7 Ensure that GAD activities of the LGU are replicated at the barangay level;
- 39.8 Conduct Gender-Sensitivity Training/Orientation for local officials and employees;
- 39.9 Establish linkage with the Philippine Commission for Women and the Regional GAD Council;
- 39.10 Prepare the LGU's Annual GAD Plan and Budget and submit regularly Accomplishment Reports to appropriate agencies/offices requiring the same.

**SECTION 40. CREATION OF CITY COUNCIL FOR WOMEN.** The City Council for Women shall be organized in the city which shall be composed of accredited women's organizations existing in the city.

The City Council for Women shall be composed by the following:

- |                  |   |  |
|------------------|---|--|
| Chairperson      | - | City Mayor   |
| Vice-Chairperson | - | City Councilor / Chairperson, Committee on Social Welfare, Senior Citizens, Women and Family |
| Members          | - | President, Liga ng mga Barangay  |
|                  |   | City Social Welfare & Development Officer (CSWD)   |
|                  |   | City Health Officer (CHD)  |
|                  |   | Schools Division Superintendent (DepEd)  |
|                  |   | Internal Audit Service Officer (IAS)   |
|                  |   | Community Affairs Officer (PAIAD)  |
|                  |   | Human Resource Management Officer (HRMD)   |
|                  |   | Development Management Officer (CPDO)  |
|                  |   | NGO/PO representatives (women sector)  |

The City Council for Women shall perform the following functions:

- a. To lead more women to get involved in the social, civic and political activities of the local government to promote gender equality;
- b. To promote gender mainstreaming and actively participate in the planning and implementation of local programs, activities and projects; and
- c. To formulate actions plans for women and create committees to include social development, health, nutrition and environment, human rights, gender and policy advocacy and other local concerns.

**SECTION 41. WOMEN'S CONGRESS.** The City Government of Ormoc through the City Council for Women shall hold and convene a City Women's Congress at least once a year to renew women's development in all aspects of community life and make appropriate recommendations for actions thereon.

## **ARTICLE VII SUPPORT SERVICES**

**SECTION 42. SUPPORT PROGRAMS TO WOMEN AND CHILDREN WHO ARE VICTIMS OF VIOLENCE.** The City Government of Ormoc shall provide immediate support services to women and children who are victims of violence, to include but not limited to legal, medical, psychological, shelter and other forms of support services. These services shall be provided by the CSWDO in coordination with other involved agencies.

**SECTION 43. ROLE OF FEMALE POLICE OFFICER.** Complaints of battering and other forms of abuse against women and children shall be handled by female officers in the local police who shall undergo special courses on handling such cases.



**SECTION 44. CRISIS INTERVENTION CENTER.** A crisis intervention center shall be established by the City Government of Ormoc to serve as a temporary shelter with appropriate support services for women and children in crisis.

**SECTION 45. CONTINUING EDUCATION AGAINST SEXUAL HARASSMENT.** To foster a culture against sexual harassment, all government or private agencies and offices within the jurisdiction of the city shall conduct continuing education against sexual harassment. For this purpose, the City Council for Women shall ensure that:

- 45.1 At least one (1) activity designed to equip workers and employees with the critical and practical knowledge on gender issues and concerns is conducted each year in these offices/ establishments or workplace.
- 45.2 The provisions of RA 7877 otherwise known as the Anti-Sexual Harassment Law and other provisions of the Labor Code affecting women are faithfully implemented, especially the formulation of the necessary policies and procedures in resolving complaints for sexual harassment.
- 45.3 The existing Tools for Assessment and Strategies against gender bias are adopted.

**SECTION 46. LEGAL EDUCATION AND COUNSELING.** The City Legal Office shall (a) in coordination with the CSWDO and concerned government organization (GOs), undertake legal education and training for community leaders, barangay officials and members of the LupongTagapamayapa on legal counseling and arbitration to capacitate community workers in resolving cases of family conflicts at the barangay level; and (b) in partnership with the Ligangmga Barangay and other non-government organizations (NGOs), undertake a special para-legal training on gender issues and related matters for members of the LupongTagapamayapa for all barangays in the city.

**SECTION 47. SUPPORT FACILITIES TO WOMEN IN DETENTION.** The City Government of Ormoc shall assist the concerned National Government Agency in the establishment of appropriate structure and facilities for detention and rehabilitation for women.

## **CHAPTER II PROHIBITED ACTS**

### **ARTICLE I VIOLENCE AND DISCRIMINATION OR ABUSE**

**SECTION 48. SEXUAL ABUSE.** Sexual Abuse shall include but is not limited to the following:

- 48.1 When a man inserts or attempts to insert his penis into the mouth or anus of a woman against her will or under any of the following situations;
  - 48.1.a) Through force, threat, or intimidation;
  - 48.1.b) When the offended party is deprived of reason or otherwise unconscious;
  - 48.1.c) By means of fraudulent machinations or grave abuse of authority; and
  - 48.1.d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.
- 48.2 When a person inserts or attempt to insert part of his or her body other than the sexual organ or introduces any object or instrument into the genital or anus of a woman against her will or under any of the foregoing circumstances.

- 48.3 When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in the preceding paragraphs or through any abnormal, unusual or ignominious sexual acts;
- 48.4 Any intentional contact however slight of one's penis to the genital, mouth, breast or anus of a woman, or to any part of her body other than her sexual organ, or the use of any instrument or object which touches the genital, breast or anus of a woman against her will or under any of the foregoing circumstances;
- 48.5 Forced sexual act committed under intimate or marital relations such as those between man and woman, woman and woman, man and man relations, married or unmarried, legally separated or separated in fact.

**SECTION 49. PSYCHOLOGICAL/EMOTIONAL ABUSE.** Any intentional act that causes or is likely to cause mental or emotional suffering or which forces the victim to perform an act against his/her will such as but not limited to the following:

- 49.1 Threats of suicide if the victim will not give in to the demands of the offender;
- 49.2 Threats of grave physical harm against the victim or his/her family;
- 49.3 Punching, breaking or defacing or otherwise destroying the house or any part thereof or the personal belongings of the victims;
- 49.4 Threatening to kidnap the victim's children or to take them to a foreign country;
- 49.5 Threatening deportation of the victim with foreign citizenship;
- 49.6 Forcing the victim to do things he/she considers as dehumanizing or degrading;
- 49.7 Controlling the victims lawful or usual activities;
- 49.8 Use of false and insulting words, language, or statements against the victim;
- 49.9 Threats of abandonment and expression such as forcing the victim to leave the conjugal dwelling;
- 49.10 Shouting invectives against the victim and other forms of verbal abuse intended to or causing the public humiliation or ridicule of the victim.
- 49.11 Any intentional and malicious transmission, alteration, deletion, manipulation, or deterioration of computer data such as but not limited to electronic documents, electronic messages, electronic images and videos, or combinations thereof, posted or shared in cyberspace or transmitted to third parties thru electronic means, intended to or causing the public humiliation or ridicule of the victim.

**SECTION 50. ECONOMIC VIOLENCE.** This includes deprivation of women of economic resources, their means of income generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination.

**SECTION 51. DOMESTIC VIOLENCE AS AN AGGRAVATING CIRCUMSTANCE.** When any of the acts defined under this Chapter is committed by a member of the family of the victim or offended party within the 4<sup>th</sup> civil degree of consanguinity or affinity, the same shall be considered as an act or acts constituting Domestic Violence and shall be punished with the maximum penalty or fine imposable under the R.A. 7160, or both, at the discretion of the court. In case the violence committed is between persons living as husband and wife, parent and child or between persons with common child/children whether living together or not, the violence committed shall be deemed as domestic violence regardless of the legitimacy of the relationship between them.



**SECTION 52. SEXUAL SOLICITATION.** It is unlawful for any person to solicit another person's services for acts which are sexual in nature regardless of whether the solicitor profits or not from such acts, or whether such solicitation is done on behalf of another, or as an habitual activity, or whether or not the sexual act is fully consummated.

**SECTION 53. COMMODIFICATION OF PERSONS.** Any raffle draw, benefit or disco dance or any similar undertaking wherein persons, regardless of age, are used as incentive, raffle prize, substitute for cash prizes won, or as a companion package for an award, prize or recognition, or any other activity which depicts such persons as central, partial or special focus in order to raise funds shall be prohibited.

**SECTION 54. COMMODIFICATION OF WOMEN.** Any activity or form of beauty contest which tends to commodify or exhibit women in a sexually suggestive manner shall be strictly prohibited within the territorial jurisdiction of the City Government of Ormoc. For this purpose, the City Council for Women and the City Council for the Welfare of Children are hereby mandated to jointly draft and promulgate the guidelines that shall be adhered to in the conduct or staging of beauty contests involving women and / or children.

Organizers of beauty contests found to be willfully violating this provision as well as those found to have willfully violated any of the guidelines promulgated by the City Council for Women and the City Council for the Welfare of Children for the conduct or staging of beauty contests involving women and / or children.

## **ARTICLE II LABOR AND EMPLOYMENT**

**SECTION 55. MINIMUM WAGE AND OTHER BENEFITS.** Employers shall comply with the minimum wage requirement as stipulated by the Regional Wage Board or passed by Congress and shall grant all the benefits to all employees in the private sector such as, but not limited to maternity leave, paternity leave, benefits for solo parents, mandatory social security benefits, retirement, terminal leave benefits, and such other benefits provided by law.

**SECTION 56. REPRODUCTIVE HEALTH SERVICES.** Establishments within the City as well as labor-intensive establishments shall provide access to reproductive health services to workers regardless of sex and civil status.

## **ARTICLE III WOMEN IN THE ENTERTAINMENT INDUSTRY**

**SECTION 57. WORKERS IN ENTERTAINMENT INDUSTRY.** Persons working in the entertainment industry such as, but not limited to those classified as commercial sex workers shall be recognized as wage earners, and they shall receive minimum wages and benefits accorded to workers and shall render services only in the place of work as specified in the business permit of the establishment concerned.

## **ARTICLE IV GAD ORIENTATION TRAINING**

**SECTION 58. GENDER AND DEVELOPMENT (GAD) ORIENTATION TRAINING.** All schools, offices, establishments or companies, department and agencies including city and barangay officials shall initiate gender sensitivity orientation and training to provide all concerned with theoretical and practical knowledge on gender issues and concerns.

## ARTICLE V PROVISIONS FOR IMPLEMENTATION

**SECTION 59. CREATION OF GENDER AND DEVELOPMENT DESK.** The GAD Desk shall be established by virtue of this Ordinance which shall be under the administrative supervision of *City Mayor's Office*. The GAD Desk shall be responsible for the implementation of this Ordinance.

**SECTION 60. FUNCTIONS OF GAD DESK.** The GAD Desk shall act as the lead convenor and Secretariat of the GAD-FP. For this purpose, it shall:

- 60.1 Coordinate with different NGAs, PGAs, LGUs and private sector;
- 60.2 Provide administrative and technical assistance to the GAD-FP;
- 60.3 Mobilize various sectors for gender programs and projects;
- 60.4 Design capability building programs in relation to GAD;
- 60.5 Conduct advocacy programs and trainings in relation to GAD;
- 60.6 Provide assistance to women and children especially in difficult circumstances; and
- 60.7 Evaluate and monitor the GAD programs of the city.

**SECTION 61. RULES AND REGULATIONS.** The GAD-FP of the city shall promulgate the rules and regulations to carry out and implement the provisions of this Ordinance. It shall be convened periodically throughout the formulation of the Implementing Rules and Regulations (IRR). Official representatives of the various agencies of the city government and women NGOs involved in the process of drafting of this Code shall be involved in the formulation of the IRR.

A **Technical Working Committee** shall be formed for effective and efficient formulation of the IRR. Such rules and regulations shall take effect after the compliance of the necessary posting and publication requirements under Section 59 (d) of Republic Act 7160.

## CHAPTER III PENAL PROVISIONS

**SECTION 62. PROHIBITED ACTS** – If the prohibited acts enumerated and defined in Chapter II, Article I of Section 48 to 54 are punishable under a special law, the penalty to be imposed for any violation thereof shall be imprisonment of not more than one (1) year or a fine of not more than five thousand (P5,000.00) pesos, or both, at the discretion of the court.

## CHAPTER IV FINAL PROVISIONS

**SECTION 63. REPEALING CLAUSE.** All local ordinances, resolutions, circulars, memoranda, or rules, rules and regulations inconsistent with the provisions of this Code are hereby repealed and modified accordingly.

**SECTION 64. 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.



Ord. No. 181

**SECTION 65. SUPPLEMENTARY CLAUSE.** On matters not provided in this code, any existing applicable laws and their corresponding Implementing Rules, Executive Orders and relevant issuances issued therefore shall apply in a supplemental manner.

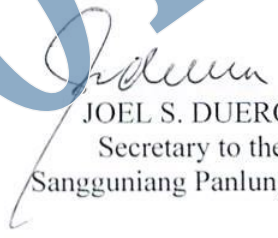
**SECTION 66. EFFECTIVITY CLAUSE.** This code shall take effect upon compliance of the mandatory posting and publication requirements prescribed under RA 7160 otherwise known as the Local Government Code of 1991.

ENACTED, February 21, 2013.

RESOLVED, FURTHER, to furnish copies of this ordinance each to the Honorable City Mayor Eric C. Codilla; the City Administrator; the City Legal Officer; the City Budget Officer; the City Accountant; the City Treasurer; the City Social Welfare and Development Office; the City Planning and Development Office; the City Auditor; the City Director, DILG Ormoc City; and other offices concerned.

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.

  
JOEL S. DUERO  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
NEPOMUCENO P. APARISI  
Vice Mayor & Presiding Officer

APPROVED:

  
ERIC C. CODILLA  
City Mayor  
2/28/13  
(Date)