



Republic of the
Philippines Province of
Iloilo
Municipality of
Tigbauan

OFFICE OF THE SANGGUNIANG BAYAN

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Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan

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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE
SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL,
TIGBAUAN MUNICIPAL BUILDING ON DECEMBER 29, 2010 AT 9:25 IN THE MORNING

PRESENT:

| | |
|-------------------------------------|--------------------------------|
| HON. ROEL T. JARINA, | Vice Mayor & Presiding Officer |
| HON. SUZETTE TENEFRANCIA-ALQUISADA, | SB Member |
| HON. DENNIS T. VALENCIA, | SB Member |
| HON. ALFONSO C. BABIERA, | SB Member |
| HON. JOSE DONEL T. TRASPORTO, | SB Member |
| HON. LORETA LUNGAY-ARIAS, | SB Member |
| HON. MARLON R. TERUÑEZ, | SB Member |
| HON. RICKY T. NULADA, | Pres., Liga Ng Mga Brgy. |
| HON. NYSSA NICHOLA T. CALLOSA, | SKMF President |

ABSENT:

| | |
|----------------------------|---------------------------------|
| HON. AGATON O. TUMABOTABO, | SB Member (<i>Sick Leave</i>) |
| HON. ELMER T. TORRATO, | SB Member |

Municipal Ordinance No. 2010-009

AN ORDINANCE PROVIDING FOR A MUNICIPAL GENDER AND DEVELOPMENT
CODE AND FOR OTHER PURPOSES

Sponsor: Hon. Suzette Tenefrancia-Alquisada, Chairman Committee on
Women, Family & Human Rights
Seconded by: Hon. Dennis Valencia, Hon. Alfonso Babiera, Hon. Jose Donel
Trasporto,
Hon. Loreta Lungay- Arias, Hon. Marlon Teruñez, Hon. Ricky Nulada
and
Hon. Nyssa Nichola Callosa

BE IT ORDAINED BY THE SANGGUNING BAYAN OF THE MUNICIPALITY
OF TIGBAUAN IN SESSION ASSEMBLED:

**BOOK I – GENERAL PROVISIONS
CHAPTER I – BASIC PRINCIPLES**

HON. ROEL T. JARINA, M.D.
Municipal Vice Mayor

Sangguniang Bayan Members:

HON. SUZETTE T. ALQUISADA, CPA-Lawyer
HON. DENNIS T. VALENCIA
HON. ALFONSO C. BABIERA
HON. AGATON O. TUMABOTABO

HON JOSE DONEL T. TRASPORTO
HON. ELMER T. TORRATO
HON. LORETA LUNGAY-ARIAS
HON. MARLON R. TERUÑEZ, Ph.D.

HON. ORVILLO T. TANGENTE (LnB.Pres)
HON. LEA E. TORREFLORES (sKMF-Pres)

ARTICLE I
TITLE AND GENERAL POLICY

SECTION 1. Title- This Ordinance shall be known as the "GENDER AND DEVELOPMENT CODE OF TIGBAUAN."

SECTION 2. Declaration of Policy and Principles of the Municipality of Tigbauan Government - It shall be the policy of Municipal government to ensure both women/girls and men/boys benefit equally and participate directly in the development programs and projects of its various departments and ensure the full participation and involvement of both men and women in the development process, pursuant to RA 7192. It shall also uphold the rights of women/girls and the belief in their worth and dignity as human beings in accordance with the fundamental freedoms guaranteed under the Constitution and the Provisions of the Universal Declaration of Human Rights, Convention on the Elimination of All Forms of Discrimination Against women and other international human rights instruments of which the Philippines is a party.

Women shall be recognized as full and equal partners of men in development and nation building and men shall share equally with all forms of productive and reproductive activities.

The Municipal government shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. Any development effort it undertakes should realize the rights of women, enhance women's full potentials, uplift their status, and lead to the improvement of the equality of lives, their families and communities.

Toward this end, the Municipal government shall pursue and implement vigorously gender-responsive development policies, design and integrate specific gender sender support systems, take into consideration women' and girls' right to economic survival, political participation, self-determination and personal empowerment; adopt and implement measures to protect and promote their rights; and ensure the widest participation of women from the local government, nongovernmental organizations (NGO's) and people's organizations (PO's), and the private/business sector in all phases of the development program cycle.

TO ATTAIN THE FOREGOING POLICY:

1. All Municipal government departments, offices, and instrumentalities shall ensure the women and girls benefit equally and participate directly in the development programs and projects of said departments and agencies, specifically those funded under official foreign development assistance, to ensure the full participation and involvement of women in the development process, pursuant to RA 7192, or the Women in Development and Nation Building Act.
2. All Municipal government proposals shall ascertain the inclusion of gender-responsive indicators and guidelines while not be remiss in locating the root of women's oppression, pursuant to the United Nations declarations and Conventions of Women which the Philippine Government is signatory.

3. All Municipal departments, offices and instrumentalities, upon affectivity of this Code, shall review and revise all their regulations, circulars, issuances, and procedures to remove gender bias therein, and shall complete the same within two years.

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ARTICLE II RELATED PRINCIPLES

SECTION 3. Rights of Women Defined. – Women’s rights are the rights of women that are defined and declared by United Nations under the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) which are hereby adopted 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 individualism.
- b. Women have the right to freely and participate individually or collectively in the political processes of their communities and nations.
- c. Women have the right to the means of 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 on accordance to the Constitution and their beliefs and preference.
- 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 the 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 the humane living condition.
- 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 respect, trust and mutuality.
- j. Women have right to equality before the law in principle, as well as in practice.

SECTION 4. Gender, Development, Discrimination, Commodification Defined:

Gender- is a socially constructed difference between men and women for all sexual orientations and gender identities, created artificially, partly through socialization and partly through positive and negative discrimination in the various institutions and structures of society.

Development- is the improvement of the equality of life of all regardless of age, sex, gender, tribe, race, creed and religion. It is characterized by an enrichment of indigenous resources, sustainable utilization of the natural resources of the country and freedom from dependency. It is, therefore, sustainable, equitable and gender-responsive.

Discrimination Against Women- any distinction, exclusion or restriction made on the basis of sex has purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of their rights

irrespective of their marital status.

Commodification of Women- is a practice which puts women in a subordinate situation which results in the treatment of women as both consumers and objects. As consumers, women are enticed to buy beauty products to enhance their physical attractiveness. As objects of consumption, women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest, usually in exchange in money or goods so that women have no control or power to reject such utilization or manipulation.

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CHAPTER II- DEVELOPMENT CONCERNS

ARTICLE I VIOLENCE AGAINST WOMEN

SECTION 1. Violence Against Women Defined- Any act of gender-based violence that result in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such act, coercion, or arbitrary deprivation of liberty, whether occurring on public or private life as defined in the UN Declaration on the Elimination of Violence Against Women.

SECTION 2. Violence Against Women shall include but is not limited to:

- a. Physical, sexual and psychological violence occurring in the family regardless of the relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational situations and elsewhere, trafficking in women, and forced prostitution.
- c. Violations of the human rights of women in situations of armed conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.
- d. Forced sterilization and abortion, social stigmatization, coercive/forced use of contraceptives, prenatal sex selection, female infanticide, forced medical or psychological examinations without expressed approval of the concerned person.
- e. To buy and sell a woman or any of her body parts for profit.
- f. Sexual harassment and assault of women in detention.

SECTION 3. Sexual Abuse Defined- Sexual abuse shall include but is not limited to the following.

- a. when a man inserts or attempts to insert his penis into the mouth, genital or anus of a woman under any of the following:
 - 1.) through force, threat or intimidation;
 - 2.) by means of abuse of authority or relationship;
 - 3.) when the offended party is deprived of reason or is otherwise unconscious;
 - 4.) when the offended party is below twelve years old, even though none of the above circumstances is present.

- b. When a person who inserts parts of his or her body other than the sexual organ, or who introduces any object or instrument into the genital or anus of a woman under any of the situation stated in paragraph 1.
- c. When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in paragraph 1 or through any abdominal, unusual or ignominious sexual act.
- d. Sexual abuse in intimate relationships consisting of any form of forced sexual act by a partner to the other within intimate relations as defined in the Anti-Rape Law of 2001, such as those between women relations, married or unmarried, legally separated or separates in fact.
- e. Incestuous abuse committed by any person who has authority over a person by virtue of consanguinity and/or affinity such as those perpetrated by father, mother, grandparent, brother, sister, whether whole of half blood, an uncle, aunt, nephew or niece, or cousin to the fourth degree.

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SECTION 4. Partner/Wife Abuse and Battering Defined- Battering is any single or sporadic act of violence which shall include the repeated and habitual cyclic pattern as means of intimidation and imposition of the batterer's behavior but is not limited to:

- a. Physical abuse and battering- this includes any form of conflicting wounds, pain, etc. on any part of the woman's body or the threat of physical violence.
- b. Sexual abuse and assault- this includes physical attacks on the women's breast/genitals or forced sexual activity, accompanied by either physical violence or the threat of physical violence.
- c. Psychological abuse- this includes threats of suicide, violence against the women of her family, punching, breaking or defacing or otherwise destroying the house or any part thereof or of personal belongings of a woman, threatening to take the children away, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to foreign country and forcing the victim to do degrading things: controlling the victim's lawful or usual activities, the use of foul and insulting words or statements and threat the conjugal dwelling. This provision shall apply to any form of intimate relations such as common-law relations, those between and among members of the same household; and includes men's control over women's resources (e.g. income, property, etc.).
- d. Economic abuse- this includes deprivation of women on economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination such as controlling over women's hard-earned money and using them to his vices, etc.

SECTION 5. Trafficking in Women Defined- A covert or overt recruitment of women into the sex trade industry. It includes new forms of sexual exploitation such as sex tourism, the illegal recruitment for domestic labor to work in developed counties and organized marriages between women from otherworld countries and foreign nationals, promoting or initiating a system in which women became movable properties and objects of exchange.

Trafficking in women shall include the following but not limited to any association, cult, religion or organization or similar entities to conduct following acts:

- a. Establish or carry on a business for the purpose of matching women for marriage to foreigners, either on a mail-order basis or through personal introduction or cyberspace;
- b. Advertise, publish, print or distribute or cause the advertisement publication, printing or distribution of any brochure, flyer or propaganda material calculated to promote the above mentioned paragraph for profit or advantage;
- c. Induce any woman to join any club association or organization whose objective is to match women for marriage to foreigners either on a mail-order basis or through personal introduction or cyber or any form which facilitates the act of solicitation;
- d. Use the proposal service, cyberspace or satellite TV to promote the above-mentioned prohibited acts;
- e. To buy or sell a woman, or any of her body parts for profit; or to use her body by any pretext; to be used for experiments, research or the like without her consent;
- f. Act as a procurer of a prostituted woman;
- g. Threaten or use violence for a woman to become a mail-order bride;
- h. Lease or sublease, use or allow to be used any house, building or establishment for the purpose of trafficking in persons; and
- i. Organize, produce or distribute pornographic materials that promote traffic in persons.

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SECTION 6. Mail-order Bride Defined- It is a practice where a woman establishes a personal relation with male-foreign nationals via mail, electronic or similar means, upon recruitment by an individual or agency for the purpose of exploiting women in guise of marriage.

SECTION 7. Sexual Harassment Defined- It is a form of misconduct involving a act or a series of unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature, made directly or indirectly.

Sexual harassment shall be unlawful in the employment, education or training environment as prescribed in RA 7877.

SECTION 8. Other Forms of Sexual Harassment- Other than the definition provided by RA 7877, the following constitute sexual harassment, some of which are covered by the Revised Penal Code under Acts of Lasciviousness:

- a. Persistent telling of offensive jokes such as green jokes or other analogous statements to someone who finds them offensive and humiliating;
- b. Taunting a person with constant talk about sex and sexual innuendoes; displaying offensive or lewd pictures and publications in the work place;
- c. Interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant or any lawful activity applied for;
- d. Making offensive hand or body gesture at someone;
- e. Repeatedly asking for dates despite verbal rejection;
- f. Touching, pinching or brushing up against someone's body unnecessarily or deliberately;
- g. Kissing or embracing someone against her will;
- h. Requesting sexual favors in exchange for a good grade, obtaining a good job or promotion etc.;
- i. Cursing, whistling or calling a public with words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman such as "puta", "peste", "pokpok";

- j. Any other unnecessary acts during physical examinations;
- k. Requiring women to wear suggestive or provocative attire during interviews such as job hiring, promotion, admission; and
- l. Any expression of gender bias against a person with the intention to embarrass, humiliate and stigmatized.

SECTION 9. Pedophilia Defined- It is a form of sexual perversion where children are preferred victims for intercourse. It shall include the following acts but shall not be limited to the following:

- a. when the offender shall have sexual intercourse with a boy or girl child;
- b. when the offender shall have anal intercourse with a boy or girl child;
- c. when the offender does other sexual acts such as fondling, kissing the private parts of the girl or boy child or taking photographs/video of the same for pornography;
- d. when the offender shall have in possession of pornographic photographs/videos of the same.

SECTION 10. Commercial Exploitation of Women/Men and Girls/Boys – It shall be unlawful for any person to sell or market women’s and other girl’s bodies in various forms of packaging. These include but are not limited to the following:

- a. prostitution which is selling a woman’s body mainly for sex;
- b. printing, publication, display and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials and

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- c. literature that threat women/men and girls/boys as sex objects and commodities;
- d. pornographic and indecent shows depicting women/men and girls/boys as sexual objects either in nude or provocative gestures; and/or
- e. live shows whether women or girl-children are influenced or forced to dance or do naked shows in public or private places for various purposes.

SECTION 11. Nondiscrimination of gays, lesbians, bisexuals and transgender- It shall be regarded a violation of human rights to discriminate any person on the basis of his/her sexual preference or orientation for employment, participation in city development programs and projects, and/or other family or community activities. Every person’s right to her/his sexual preference shall be respected and protected.

ARTICLE II

SUPPORT MECHANISMS TO EMPOWER WOMEN AND PROMOTE AND RESPECT WOMEN’S RIGHT

SECTION 12. Comprehensive Support to Women-survivors of Violence.- The Municipal government shall provide comprehensive support to women-survivors of violence which consists of, but not limited to the following:

- a. immediately conduct an investigation within twenty-four hours;
- b. provide for counseling and medical services for the offended party;
- c. gather evidence for the arrest and prosecution of the offenders;
- d. make a report of his/her investigation and, on the basis of the offended party’s testimony and additional evidence, if any, endorse the same to the proper prosecution office within thirty-six

- (36) hours from time of filing, regardless of his/her evaluation of the case;
- e. the investigation officer or the examining physician, if possible, of the same sex as the offended party, ensures that only persons expressly authorized by the latter are allowed inside the room where the investigation or medical or physical examination is being conducted;
 - f. women victim-survivors of all forms of violence shall be registered in a community-based psychological program that shall assist the women in holistically rebuilding and empowering themselves;
 - g. all investigations/hearing involving rape cases and other forms of violence against women conducted in the police stations, prosecution's office and the trial courts shall recognize the survivor's social support group as expressively allowed or requested by the offended party;
 - h. a temporary shelter with appropriate support services for women in crises shall be appropriately constructed under the management and supervision of the Municipal Social Services and Development Department; and
 - i. free legal services to women and victim-survivors.

SECTION 13. Psychosocial Program- It is an intervention using integration and holistic approach to conditions of women considering their differentiated needs within a social context.

SECTION 14. Survivor's Support Group Defined- It is an organized group of women to whom a woman-survivor of violence voluntarily agrees to go through a collective helping process.

ARTICLE III POLITICAL AND PUBLIC SPHERE PARTICIPATION IN WOMEN

SECTION 17. Election of Women Sectoral Representative to the Sangguniang Bayan- As a concrete manifestation of acknowledge in the importance of women's role

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in local governance and pursuant to Section 457(b) of the Local Government Code the Municipal Government shall appropriate funds for the election of the sectoral representative for women at the Sangguniang Bayan of Tigbauan. The woman sectoral representative shall be elected by the members of all accredited women's organizations in the Municipality of Tigbauan.

SECTION 18. Women's Participation in the Barangay and Municipal Development Council - Both the Municipal and Barangay Council shall ensure that all at least one-third (1/3) of its members is composed of women in recognition of their considerable leadership and involvement in various development efforts and initiative. These women shall come from accredited organizations with considerable accomplishments and programs geared towards people-centered genuine development. Both the Municipal and Barangay Development Councils shall undergo capacity building for gender projects are gender responsive.

SECTION 19. Promoting Gender Balance at all Levels of Tigbauan Local Government Positions - The municipal government shall promote gender balance or equal proportion of qualified women and men for opportunity to assure key positions at all levels of local government, whether elective or appointive. This should form part of the Municipal government's efforts to eliminate barriers to women's participation in the

public sphere. This shall include their equal representation in the structure of the Municipal Development Code (MDC) and the Barangay Development Council (BDC). Implementation guidelines shall be detailed in the Code's Implementing Rules and Regulations.

SECTION 20. Barangay gender and Development Committee - All barangays shall establish their respective Gender and Development Committee that shall ensure that gender issues and concerns are incorporated and addressed at the barangay level and reflected in barangay development plans. All accredited women's organizations with mass membership at the community level shall be represented in the committee as a cluster. Details of the Committee operations shall be provided in the Implementing Rules and Regulations of this Code. This committee shall appropriate at least five percent GAD Budget as institutionalized and mandated by law.

SECTION 21. Marking Significant Days for Women's Action - March 8 as International Women's Day shall be declared as a special day for all women in Tigbauan through an Executive Order. There shall be coordinated Municipal and barangay level activities for women to be highlighted with the State of the Women Address by the Municipal Mayor reporting all accomplishments and initiatives to promote the status of women in Tigbauan. A committee for this activity should be concerned as spearheaded by the Municipal GAD Council.

A half-day leave with pay may be availed of by any woman employee on March 8. In recognition to women's contribution in society, commercial establishments shall be encouraged twenty percent (20%) discount for women in March 8. Implementation guidelines shall be provided in this Code's Implementing Rules and Regulations.

SECTION 22. Day of Action for Breast Cancer Awareness - the municipal government shall set a day in the third week of March to organize information campaign activities on breast cancer, one of the top causes of maternal mortality. A coordinated municipal and barangay level activities shall be set and spearheaded by the Municipal Health Department to promote consciousness on breast cancer.

SECTION 23. Girl Child Week - The municipal government shall set the first week of October to recognize activities to celebrate the Girl Child Week, with special recognition of cases of working children. It shall be spearheaded by the Social Services and Development Department.

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SECTION 24. International Day of Action for Women's Health - The municipal government shall set May 28 to mark the International Day of Action for Women's Health, Wellness and Well-being when issues and concerns relative to the protection and promotion of women's wealth shall be examined, deliberated, protected and government action sought. A coordinated municipal and barangay level activities shall be set and spearheaded by the GADRO and the Municipal Health Department to promote women's health and well-being.

SECTION 25. International Week of Action Against Gender-based Violence - The municipal government shall organize various events and activities to educate residents about violence against women and children every November 25-December 10 as the period marked as the International Week of Action Against Gender-based Violence and culminates on International Human Rights Day. The activities shall be spearheaded by the Social services and Development Department, the Department of Health, Barangay Operation Center, and the Municipal GAD Council.

SECTION 26. Tigbauan Municipal Gender and Development Summit – The municipal government shall set a day on the last week of *October to hold a Gender and Development Summit as Part of the Municipal Foundation Day Celebration*. A committee shall be convened to manage and coordinate the activities and affairs of the summit focusing on (a) the current situation of women in Tigbauan; and (b) women’s issues and concerns and how this can be addressed. The summit shall come up with priority issues with their specific action points to be disseminated and proposed for adoption at the municipal and barangay councils.

SECTION 27. Peace Based on Social Justice and Human Rights – The municipal government shall promote peace education at the barangay level through affirmative action and information campaign activities on peace and development issues based on social justice and human right to be spearheaded by barangay leaders in coordination with community-based women, and people’s and government organizations.

ARTICLE IV LABOR AND EMPLOYMENT

SECTION 28. Wage and Benefits for Women – Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or as stipulated by pertinent legislation passed by congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement and other benefits provided by law. The same provision shall apply to benefits covered by the Collective Bargaining Agreement (CBA) between the concerned employees union and management. Provided, further, that any additional leave period shall be used for breast feeding for the newborn baby by the concerned employee.

SECTION 29. Increase Maternity Leave Benefits as incentives for Breastfeeding Mothers in the Private Sector- Additional maternity leave benefits up to sixty (60) days from forty-five (45) days mandated by law under RA 8283, shall be extended to women employees in private offices and commercial/ industrial establishment located in the municipality who have rendered at least one year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees’ union and management. Provided, further, that any additional leave period shall be used for breastfeeding for the new born baby by the concerned employee.

SECTION 30. Increase Paternity Leave Benefits as Incentive for Fathers for Meaningful Participation in care of the New Born Child in the Private Sector- Additional paternity leave benefits up to fourteen (14) days from the seven (7) mandated by law

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under RA 8187, shall be extended to male employees in private offices and commercial/industrial establishments located in the municipality, who have rendered at least one (1) year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees’ union and management. Provided, further, that any additional leave period shall be used for caring of the new-born baby by the concerned employee.

SECTION 31. Orientation on Sexual Harassment – All government agencies and private offices, commercial/industrial establishments located in the municipality shall conduct regular orientation on sexual harassment of their respective employees. Certificate of Compliance shall be submitted

to the Municipal Gender and Development Resource and Coordinating Office.

The municipal government shall set up/create its own Committee on decorum and Investigation (CODI) including the promulgation of the implementing Rules and Regulations or policy on sexual harassment that will provide/prescribe procedure for the investigation of sexual harassment cases and administrative sanctions covering all municipal officers and employees in accordance with the provision of RA 7877 and the Civil Services Rules and Regulations on Sexual Harassment.

The municipal government shall campaign to set up/create the same CODI in all private offices and commercial/industrial establishments.

SECTION 32. Setting up Grievance Machinery - A grievance committee shall set up in all government and private offices, commercial/industrial establishments located in the municipality, to act on complaints/cases related to various forms of discrimination against women in the workplace as hiring, job training, promotion and the like.

SECTION 33. Equal Access to Job Training and Promotion - Women shall not be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion and civil status.

SECTION 34. Facilities and Support System to Women - The municipal government shall ensure the occupational safety and health of women employees in both government and private offices and commercial/industrial establishments. In appropriate cases, it shall requires employers to:

- a. provide an organic system of seats or equipment in the performance of their duties without detriment efficiency;
- b. establish separate toilet rooms, lavatories ,and lounge for men and women and provide at least a dressing room for women;
- c. provide a breast feeding corner for women in the workplace.

SECTION 35. Household-based Workers or Women in the Informal Sector - The municipal government shall ensure that social protection shall be accorded to women working in the informal economy. These are women vendors, sewers, laundry workers and related occupation. Organized home-based workers may avail of social security and employees' compensation benefits and PhilHealth benefits upon upper documentation and registration with the Social Security system and PhilHealth, respectively.

SECTION 36. Barangay-based Househelp Support - All barangays in Municipality of Tigbauan shall conduct compulsory education for both househelpers and househelper employers on gender sensitivity. An administrative sanction shall be imposed to any Barangay Council which fails to comply with this provision.

SECTION 37. Women in the Entertainment Industry - women engaged in illegitimate occupations in the entertainment industry such as singers, stage performers/actresses, bar girls and receptionist, shall be recognized as wage earners

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and they shall receive minimum wage and benefits afforded to women workers and shall render services as set in the job contract and only in the place of work as specified in the business permit of the establishment concerned.

It must be emphasized that employing minors in the entertainment industry is prohibited in accordance to RA 7658.

SECTION 38. Police Operations in Entertainment establishments – All police operations or raids conducted in any entertainment establishment must be undertaken with utmost care and respected for human rights. Police officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. Violation of this provision is punishable under the Revised Penal Code and other related laws.

SECTION 39. Tax Incentives for Business Entities – The municipal government shall provide tax incentives to business entities as follows:

- a. any amount used for the establishment, maintenance and operation of child-minding support service centers shall be tax-deductible;
- b. annual tax credit per child regularly served as for at least one year in the Center; and
- c. annual tax credit per woman extended with maternity leave benefits for breastfeeding.

SECTION 40. Monitoring System for Labor Standards – A mechanism shall be installed by the Municipal GAD council to monitor all offices, agencies and establishments or companies violating Labor Code provisions and provisions of this Ordinance; prepare regular reports to concerned departments and recommended appropriate actions.

ARTICLE V HEALTH RIGHTS

SECTION 41. Right to Health – Article 12 of the UN International Convention on Economic, Social and Cultural Rights provides that women’s right to health, which includes women’s reproductive rights, is a basic fundamental human right. In recognition of the fact that women’s reproductive roles and social expectations have made health policies, programs and more holistic approach, the municipal government shall respect and promote a rights-based approach to women and men’s health by considering their respective specific realities and health needs at every stage in their lives. It shall also promote couple’s shared responsibilities of child birth and child care.

SECTION 42. Reproductive Health Defined – As defined in the International Conference on Population and Development and World Health Organization, and affirmed in the International Women’s Conference in Beijing, 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 functions and processes, i.e., people are able to have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide it, when and how to do so.

The Municipal Health Department shall adopt the reproductive health care approach at all levels of health care delivery.

SECTION 43. Health Care Delivery – Quality health care and services shall be accessible to all women and men regardless of age, sex, creed, religion and ethnicity in Tigbauan.

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No health center or similar institution in the municipality shall deny women and men living below the poverty line of reproductive health services. A certificate of indigency shall be issued by the punong barangay for the purpose of verifications.

In case of emergency, a social worker or any authorized personnel shall be designated to conduct rapid appraisal of the socioeconomic status of the patient for admission purpose.

The government must ensure regular expansion and upgrading of health care facilities to ensure their access by all women and men.

SECTION 44. Women's Control Over their Bodies - Women's decision to attain healthy sexual development and achieve their reproductive intention shall be given appropriate support and guidance by all health professionals, private and public, at very minimal cost.

Provision of accurate and appropriate information on these matters and corresponding services shall made available.

SECTION 45. Gender-sensitive Women and Children Protection Unit (WCPU) - the municipal government shall establish a Gender-sensitive Crisis Intervention Unit at all levels of health care, especially at the tertiary level, and shall provide service training to all health and other allied personnel who shall be assigned to this unit.

SECTION 46. Gender-fair Approach to Premarital Counseling Program - The Municipal Health Department and the Social Services and Development Department shall ensure gender-sensitive conduct required in the application for marriage licenses with the Municipal Civil Registry.

SECTION 47. Mainstreaming Reproductive Health Framework Through Primary Health Care Strategy - In consonance with the Municipal Department policies, Children's Youth and Welfare Code, and in pursuance of agreements made at the International Conference on Population and Development (ICPD), the municipal approach in health care services delivery using the primary health care strategy.

ARTICLE VI EDUCATION RIGHTS

SECTION 48. Conduct of Regular Gender-sensitivity Training for All Teachers at All School Levels - The Division of City Schools in accordance with the Municipality of Tigbauan GAD Council shall conduct and incorporate gender-sensitivity orientation in teachers' orientation seminars and Parents-Teachers Association (PTA's) meetings conducted before classes start at the beginning of the school year.

SECTION 49. Developing Gender-fair Educational Materials. The Local School Board shall ensure that all educational materials developed by the Municipal Schools Officials and the private sector are gender fair and do not portray stereotyping of roles for women or boys and girls. It shall conduct a regular monitoring review of existing educational materials to ensure that these are gender sensitive and gender fair.

SECTION 50. Promotion of Gender-sensitive Curriculum. All public and private schools in the Municipality of Tigbauan shall actively promote gender-sensitivity in their subject/course curriculum and gender-fair socialization for school pupils. The Local School Board shall also ensure that the municipal school officials and the private sector professional school counseling and career education programs are gender responsive.

SECTION 51. Promoting Gender-sensitive Education Programs and

Services. All schools, offices, establishments or companies, departments, and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge of gender justice.

SECTION 52. Gender-responsive Nonformal Education for Youth and Adults. The Local School Board in coordination with Municipality of Tigbauan, Technical Education Services Development Authority (TESDA) shall conduct non-formal classes for women and men desiring to engage themselves in functional and practical education, to be held in barangay high schools or barangay multipurpose centers.

ARTICLE VII CULTURE AND MASS MEDIA

SECTION 53. Gender-sensitive Portrayals in Media. The Municipal government shall oblige all media institutions to be sensitive in the portrayal of women's and men's role, encourage positive images of women, and discourage sexist and homophobic print materials and broadcast programs.

SECTION 54. Gender-sensitivity Training for Local Media Practitioners – The Municipal government shall encourage and support the conduct of gender-sensitivity workshop trainings for local media practitioners at the community level and tertiary schools located in the municipal. It shall likewise provide support to media practitioners and freelance independent media productions that advocate gender-sensitive issues through various forms of incentives and recognitions.

SECTION 55. Regulations of Internet Cafes and Computer shops – the Municipal government shall regulate the operation of internet service-providing establishments and entertainment computer shops in order to curb and prevent the proliferation of access to cyber sex pornography of minors.

ARTICLE VIII SOCIO ECONOMIC RIGHTS

SECTION 56. Gender responsive and Comprehensive Livelihood Program – The Municipal government shall allocate funds for socioeconomic programs for poor women and men that include gender-responsive livelihood skills and values training seminars. The comprehensive Livelihood Program shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.

SECTION 57. Social Lending Program – the Municipal government shall establish a social lending program to cater to low-income families with interest rates similar to those availed by members of cooperatives.

SECTION 58. Access to Investment and Loan Programs – loans shall be extended to women engaged in small to medium scale enterprises as well as to displaced industrial workers under the principle of self – reliance and hard work.

SECTION 59. Low-cost Basic Services – the municipal government shall facilitate access of women and men to quality low-cost housing, safe water, electricity, communication, transportation and basic commodities.

SECTION 60. Economic Empowerment for Poor Women–Feminization of poverty which is regarded as a condition when the gap between the rich and the poor widens and equal distribution of wealth. Such gap reinforces no response to both practical strategic interests of women. The municipality government shall ensure poor women of

strategic and transformative mechanisms whereby they could uplift their economic and social relations.

ARTICLE IX SPECIAL SECTORIAL CONCERNS

SECTION 61. Differently-abled Women Defined - Differently-abled women are those who experience one or a combination of physical impairment with distinct needs and potentials.

SECTION 62. Advocacy on Differently-abled Women's Rights and Support mechanisms for Education and Employment - the Municipal government shall initiate active advocacy on the rights of differently-abled women; establish special education schools/classes for them through the Local School Board which shall offer appropriate curriculum for their specific needs; and develop creative employment opportunities for them in recognition of their differentiated conditions and full potentials as human persons.

The municipal government, through the municipal engineer's office, shall ensure that all educational and commercial buildings are provided with ramps and toilet facilities for differently-abled persons.

The municipal government shall implement RA 7277 of the Magna Carta for Disabled Persons that reserves five percent (5%) of contractual or emergency positions for persons with disabilities.

SECTION 63. Organization of Differently-abled Women in the Community. - it shall be the duty of the Barangay GAD Committee to organize differently abled women in the community in order to advance the interest of this special group of women and to monitor and report cases of harassment and discrimination committed against differently-abled women.

SECTION 64. Mobilizing Support for Elderly Women in the Community. - it shall be the duty of the Barangay GAD Committee to organize elderly women within the barangay to advance their practical and strategic interests and needs. The municipal government and the Barangay GAD Committee shall allocate funds for emergency assistance, yearly physical health check-ups, social group work program, and appropriate socioeconomic activities.

SECTION 65. Support to Women in Detention. - the rights of all women detainees shall be protected by ensuring them of (a) a speedy trial of their respective cases; (b) an appropriate program to respond to their specific needs and problems as detainees; (c) a separate physical structure and space provisions for detention and rehabilitation; and (d) a provision of legal services.

ARTICLE X WOMEN AND CHILDREN SUPPORT SYSTEM

SECTION 66. The Municipal government shall implement systems and programs that are anchored on United Nations Convention on the Rights of the Child (UN CRC) which stipulates the promotion and protection of children's right to survival, development and protection in national and local laws which no include the New Family Code and Child Youth Welfare Code.

SECTION 67. Gender-responsive and Child-friendly Child Minding

Center in every Barangay.-The municipal government shall ensure that child-friendly and gender-responsive child daycare/minding centers are set up in every barangay to provide

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parents support facilities for the care of their basic early child education curriculum in the centers promote gender-fair development, care and nurturing of their children; and boys and girls in the center are able to learn to respect the rights of all children to the full enjoyment of their childhood and their rights.

SECTION 68. Shared Parenting and Responsibilities. - the Municipal government shall advocate that all fathers and mothers have both the moral obligation and responsibility in assuring the rights and well being of their children, such as caring and nurturing, regardless of sex, physiological and psychological conditions.

ARTICLE XI GENDER AND DEVELOPMENT

SECTION 69. Gender and Development Defined. - Conscious efforts at improving the quality of lives of women and men of all sexual orientations and identities based on sustained, equitable growth and balance ecology. It sees society as a gender system in all its aspects - economic, political and social. It views oppression in both private and public spheres recognizing women as agents of change through the reorientation of the male-centered culture.

SECTION 70. Gender Sensitivity and Training, Gender Sensitization defined. - it is a critical process of learning and unlearning by an individual, male or female, of the causes and effects of the culturally-determined roles of women and men.

All schools, offices, establishments or companies, departments and agencies of the municipal government shall be provided with gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issues and concerns. Likewise, all establishments, schools, colleges and other similar institutions shall develop assessment tools for gender biases.

SECTION 71. Active Support to Gender Studies. - a sufficient amount shall be allotted to gender-related documentation and researches which shall form part of Municipality of Tigbauan's database program development.

SECTION 72. Production, Population and Campaign of Gender-fair Materials. - the municipal government shall actively promote and publish popular forms of gender-fair materials through all concerned departments and local agencies/networks.

SECTION 73. Gender and Development Focal Point. - the Gender and Development Council which has been created under Municipal Ordinance No. 2008-001, shall be designed as the main GAD Focal Point of the municipal government. It shall be the major body that will facilitate GAD programs, projects and activities for the municipal's constituents through the various municipal departments and instrumentalities. It shall work with close coordination with the Gender and Development Resources and Coordinating Office, the GAD Focal Points formed in every departments/offices and the Barangay GAD focal points created in each barangay.

SECTION 74. Integrated Gender-sensitive and Environment-friendly Zonification Plan of Municipality of Tigbauan. - an integrated gender-sensitive and environment-friendly zonification plan of municipality of Tigbauan shall constitute but is limited not limited to the following:

- a. The Municipal government as far as practicable shall ensure that all relocation of communities shall not deprive women and men of their sources to livelihood;
- b. Relocation sites shall not contribute to an increase in women's burden in economic, home and social production;

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- c. Housing and industrial project sites shall be those unproductive lands unsuitable for economic purposes;

SECTION 75. Community-based Environmental Plans and Programs. - Both men and women shall participate in pollution control, zero-waste technology development and management preservation of the municipal's environment and aquatic resources.

SECTION 76. Gender-sensitive Natural Resources-based Management Programs. - The municipal government shall engage itself in the development of gender-sensitive natural resources-based management programs.

SECTION 77. Role of Women and Men in Environment Impact Assessment Projects. - The municipal government shall promote the active role of women vis-à-vis men in environmental impact assessment of projects. Instruments for environmental impact assessment shall consciously determine sex-disaggregated data.

SECTION 78. Promotion of Appropriate Technology. - the municipal government of Tigbauan shall actively promote alternative technologies that are appropriate and safe for women.

SECTION 79. Sufficient Budget for Basic Social Services. - a sufficient amount shall be allocated from all sources of funds for the basic social services for women and children in extremely difficult circumstances.

SECTION 80. Investments and Loans. - the municipal government shall hold consultative assemblies with women NGO's/PO's in establishing contracts for loans and investments to clarify implications on women's welfare development at the barangay level.

SECTION 81. Overseas Contract Workers' (OCW) Wives and Children Support. - the municipal government shall conduct a survey of overseas contract workers at the barangay level, out of which shall serve as basis for special support to OCW families, especially wives and children.

SECTION 82. Special Course on OCW. - a special course on overseas contract work primarily to orient women on the issues and concerns relative to migration shall be conducted in all barangays to be organized by their respective Barangay GAD Committee.

SECTION 83. Education on National Policies. - women and men shall undertake education on national policies and their implications on women.

SECTION 84. Special Training for Lupong Tagapamayapa.- all training courses for Barangay Lupong Tagapamayapa and Barangay Security and Development Officers (BSDOs) shall include gender and development basic orientation.

SECTION 85. Gender and Population. - the municipal health department shall review and redesign the population program based on the reproductive health framework.

SECTION 86. Training on Nontraditional Occupation. - Women shall be given opportunity to acquire training on nontraditional occupation specially in the field of science and technology.

BOOK II - FINAL PROVISIONS
CHAPTER I - PENAL PROVISIONS

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ARTICLE I
VIOLENCE AGAINST WOMEN AND CHILDREN

SECTION 1. Soliciting Sexual Services. - it is unlawful for a person to solicit a woman's services for sexual purposes as a gift, presentation, public relation, or as an act of goodwill regardless of whether the solicitor profits or not from such act without prejudice to the provisions of the Revised Penal Code and RA 9208 or the Anti-Trafficking in Persons Act.

Any person may file a complaint together with the affected women to the proper court. Violations of this Code shall suffer the penalty in accordance with RA 9208.

SECTION 2. Trafficking in Women and Children. - any person or agency, who, with the use of force or deceit, lures a woman or boy/girl child to work abroad or in other provinces or cities in the Philippines for a particular job on a promise of high fees, but instead landed on prostitution, domestic help or other odd jobs. Violators of this provision shall be penalized in accordance with the penal provisions under RA 9208 or the Anti-Trafficking in Persons Act, RA 7610 or the Law on Protection Against Child Abuse, RA 7877 or the Anti-Sexual Harassment Law, RA 8353 or the Anti-Rape Law, and the Revised Penal Code.

SECTION 3. Prostitution Sex Trade - any agency or person who shall engage in keeping women for sex for a fee shall suffer the penalty in accordance with the Revised Penal Code.

Entertainment establishments that promote prostitution as defined in this Code shall suffer the penalty in accordance with RA 7610, RA 9208, RA 7877, RA 8353 and RA 7658.

SECTION 4. Sex Tours.-No hotels, beach resorts, sauna baths and related establishments shall be allowed to operate as conduit for sex tours. Cancellation of business permit, a fine of Two Thousand Five Hundred Pesos (P 2,500.00) shall constitute the penalty for violation.

SECTION 5. Beauty Contest. Beauty contest which tend to commodity abuse, humiliate and treat other persons, especially women and homosexuals as sex objects shall strictly be prohibited in schools, communities, barangays and by the municipal government in its special celebrations, but in their stead the projection of women's strengths and potentials, especially with regard to indigenous and culturally relevant forms shall be encouraged.

Those who initiate the conceptualization and implementation of the beauty contest shall be subjected to a penalty consisting of the following:

For business entities: a) cancellation of business permit; b) fine of two

thousand five hundred pesos (P2,500.00),

For representatives of agencies, departments or units of the local government of Tigbauan: a) suspension for one month without pay; b) fine of two thousand five hundred pesos (P2,500.00);

For educational institutions, charity or welfare organizations: a) cancellation of license to operate; b) fine of two thousand five hundred pesos (P2,500.00);

SECTION 6. Fund-Raising Initiative Defined. It refers to any activity, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing or movies, or any similar fund-raising undertakings where women are used as donor

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prize, substitute for prizes won, a companion package for an award, prize or recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or special focus in order to raise funds.

All fund-raising activities as defined in this Code shall be strictly prohibited in municipality of Tigbauan. Violators of this provision shall pay a fine of two thousand five hundred pesos (P2,500.00) or imprisonment of six (6) months or both at the discretion of the court.

SECTION 7. Women and Girls in Detention. No women or girl child shall be kept by any PNP/military personnel in police/ military detachment/checkpoint or any analogous quarter for purposes of comfort and may not be deprive of basic social services detention. Violation shall be penalized through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Police Law Enforcement Board.

SECTION 8. Forced Marriage. No person shall be forced to marry on the basis of vitiated consent. Any person or representative committing a fraudulent or coercive act to cause and effect a forced marriage shall be liable under this Code by a fine of two thousand five hundred Pesos (P2,500.00) or an imprisonment of one year, or both, at the discretion of the Court.

SECTION 9. Regular Surveillance of Entertainment Establishments. A Municipal Interdepartmental Task Force shall be created to conduct regular surveillance of business establishments involve in trading women's bodies such as (a) prostitution; (b) printing, publication, display and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials and literature that treat women as sex objects and commodities; organizing production of pornographic and indecent shows depicting women and girls as sexual objects either in nude or provocative gestures; and mounting live shows women or girl-child are influenced or forced to dance or do nude shows in public or private places.

Any person or agency who engages in organizing or producing these activities that exploit women and girl children violate human rights and shall be dealt with under the law. Failure of the Task Force to submit weekly reports shall be subjected to administrative sanction.

SECTION 10. Violence Against Women. Any violator of this code as stipulated in Section 1, Art. 1, Chapter 2 in Book 1 shall be penalized in accordance with the revised penal code.

SECTION 11. Pedophilia. Any falling under the definition of pedophilia shall constitute a violation of this Code as stipulated in Section 9, Art. 1, Chapter 2 in Book 1. a by violator of this provision shall be penalized in

accordance with the Revised Penal Code.

ARTICLE II LABOR AND EMPLOYMENT

SECTION 12. Equal Access to Job Training and Program. No women shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion, and civil status. Violations by private employers shall constitute a fine of Five Hundred Pesos (P500.00) and temporary cancellation of business permit for the first offense, and Two Thousand Five hundred Pesos (P2,500.00) fine and permanent cancellation of business permit for the second offense or as prescribed by the Court in accordance with penal provisions under the Labor Code. The government unit or agency head of office is liable with the penalty of three months suspension and a fine of One Thousand Pesos (P 1,000.00).

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SECTION 13. Wage and Benefits for Woman. Every employer shall comply with the minimum wage as stipulated by the regional wage board or passed by the congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement, termination and other benefits provided by the law. Violation by private employers shall constitute a fine of two thousand five hundred Pesos (P2,500.00) and a cancellation of business permit or as prescribed by the court in accordance with a penal provisions under the Labor code. A municipal government unit or agency head of office which violates this Code shall be liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00).

SECTION 14. Facilities and Support System for Women. The municipal government shall ensure the safety and health of women employees. In appropriate cases, it shall 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. establish separate toilet rooms, lavatories and lounges for men and women and provide at least a dressing room for women.
- c. Provide breast feeding corners for women in the work places.

Violation by private employers shall constitute a fine of two thousand five hundred Pesos (P2,500.00) and cancellation of business permit or as prescribed by the Court. The Government unit or agency head of office is liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00).

SECTION 15. Increase Maternity Leave Benefits as Incentives for Breastfeeding Mothers in the Public and Private Sector. Maternity leave benefits of forty-five (45) days shall be extended according to all women employees (public and private) who have rendered at least one (1) year continuous service.

Any employer who violates this provision shall pay a fine of two thousand five hundred Pesos (P2,500.00) and a suspension of business permit or license to operate for six (6) months. For local government department or agency, administrative sanctions shall be imposed.

SECTION 16. Barangay Education and Gender Sensitivity. All barangay in the Municipality of Tigbauan shall conduct compulsory training and education for both BSDOs, barangay officials, househelpers, and househelper employers on gender sensitivity. An administrative sanction shall be imposed on the barangay council which fails to comply with this

provision.

SECTION 17. women in the Entertainment Industry. Women engage in the entertainment industry shall be recognized as wage earners and they shall receive a minimum wage and the benefits afforded to women workers and shall render services as set in the job contract and only in the place of work is specified in the business permit of the establishment concerned. Violation of this provision shall be subjected to a fine of two thousand five hundred Pesos (P2,500.00) or cancellation of business permit, or both, at the discretion of the Court.

SECTION 18. Police Operation in Entertainment Establishments. All police operations or raids conducted in any entertainment establishment must be undertaken with utmost respect for human rights. Police officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. The municipality shall also regulate the media coverage of raiding activities. Violation of this provision shall be subjected to as administrative sanction/action.

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SECTION 19. Orientation on Sexual Harassment. All government commercial and private offices, agencies, establishments or companies located in the municipality shall conduct regular orientation seminars on sexual harassment for their respective employees.

Certificate of compliance shall be issued by the Municipal Gender and Development Resource and Coordinating Office. Establishments which is to comply with this provision shall pay a fine of not less than two thousand five hundred Pesos (P2,500.00) immediately or at the discretion of the Court.

ARTICLE III HEALTH RIGHTS

SECTION 20. *Socialized Reproductive Health Services for all Heath Centers, health units and similar establishments. No Heath Centers, health units and similar establishments in the municipality shall deny a woman living below poverty of reproductive health services. A Certificate of Indigency shall be issued by the Barangay Captain.*

In case of emergency, a social worker or any authorized person shall be designated to conduct rapid appraisal of the socioeconomic status of the patient for admission purposes. Noncompliance of the administrator, this provision shall be penalized in accordance with penal provision under RA 8344.

ARTICLE IV SOCIOECONOMIC BENEFITS

SECTION 21. Socialized Lending Program. All banks, finance, lending institutions and cooperatives shall open special windows for women engaged in small to medium scale enterprises including women who lack access to traditional sources of collateral.

Money lending institutions shall established socialized lending schedule, friendly to women subject to the following conditions:

- a. based on cooperative's interest rates;
 - b. no postdated checks for payment;
 - c. submission of a Certificate of Income-generating Activity
- Failure to comply with this provision shall subject the concern establishments to administrative sanctions.

ARTICLE V SPECIAL SECTORAL CONCERNS

SECTION 22. Barangay-level Sanction on Cases of Harassment Committed Against Differently-abled and Elderly Women. All barangays in the municipality of Tigbauan shall formulate a barangay-level sanction on cases of harassment committed against differently-abled and elderly women. Failure to comply with this provision shall subject the barangay council to an administrative sanction.

ARTICLE VI GENDER AND DEVELOPMENT

SECTION 24. Gender Sensitivity and Orientation Training. All schools, offices, establishments or companies, departments and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and training which shall equip them theoretical and practical knowledge on gender justice. Noncompliance of this provision shall require the concerned party to pay a fine of

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two thousand five hundred Pesos (P2,500.00) and issuance of warning by the Integrated Gender and Development Office.

CHAPTER II PROVISIONS FOR IMPLEMENTATION

SECTION 25. Powers and Functions of the Municipal Gender and Development (GAD) Council. As the municipal government's GAD Focal Point, the Municipal GAD Council shall ensure the promotion of women's empowerment an equality/equity between women and men in the municipality, and is primarily responsible for ensuring the sustained implementation of this Municipal GAD Code. To achieve these, it shall perform the following powers and duties:

- a. Formulate and submit comprehensive medium term (three years) and annual integrated GAD plans responsive to the needs and situation of women constituents that incorporate policies, programs and activities (PPA's) that will uplift their conditions;
- b. Monitor and evaluate the implementation of local gender and development policies, programs and activities through the conduct of regular review evaluation of existing legislation, policies and programs measuring the extent to which women's concerns are integrated in all aspects of life on the basis of equal opportunities with men;
- c. Recommend the adoption of appropriate policies, enactment of ordinances or passage of resolutions that enhance the potentials and capabilities of women and men to implement GAD mainstreaming;
- d. Promote and support the establishment of a consultative mechanism to provide continuing dialogue between the municipal government and women sector;
- e. Maintain and update a sex-disaggregated data bank through the conduct of the primary and secondary data gathering activities;
- f. Work in collaboration with national and regional government agencies, NGO's, Pos, the private sector and institutions to ensure that women's concerns are brought into the mainstream of all development efforts;
- g. Ensure that all municipal government program planning and implementation activities are gender sensitive/responsive;

- h. Review and approve all GAD PPA's from the barangay to city level prior to implementation to monitor if activities to be undertaken are in accordance with guidelines set forth;
- i. Create functional committees in the performance of its functions, as the need arises.
- j. Assist the Finance Committee, the Committee on Appropriations in the allocation of the GAD Budget;
- k. Avail of educational and training seminars offered by NGO's/PO', educational and research institutions, and other private sector initiatives that may be helpful in the achievements of its goals;
- l. Represent the municipality in local and international women's conferences and for others which are pertinent to its other duties and functions.
- m. Gather and disseminate information on current developments and studies on GAD and related issues (i.e. gender and government); and
- n. All other duties and functions that may be mandated by its council members deemed necessary to achieve its goals.

SECTION 26. Function of the Gender and Development Resources and Coordinating Office (GADRCO). The Gender and development resources and coordinating office is responsible for providing technical and administrative support to the GAD Council in implementing this Ordinance The GADRCO shall have the following

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functions to ensure effective and consistent implementation of the provisions of this Ordinance:

- a. Act as a Secretariat for the Municipal GAD Council and will provide administrative, operational, and coordinative support to the body, including the documentation of GAD Council meeting proceedings;
- b. Assist the Council and the Executive Committee in the monitoring of GAD plans and PPA's from the barangay to the municipal department/office level;
- c. Assist the Council in capacity building activities for GAD mainstreaming such as GAD/gender sensitivity orientation, gender-responsive planning and budgeting, gender diagnosis or programs/projects, and gender-based information systems;
- d. Assist the Council in information dissemination and awareness building and in the production of information-education-communication tools such as regular publications, research and monitoring reports, city gender profiling, advocacy materials, audiovisuals; as well as in the identification and maintenance of resource persons and trainers for a GAD speakers bureau for the municipality;
- e. Assist the GAD Council in establishing and maintaining a gender-responsive knowledge center/databank;
- f. Assist in establishing a GAD Focal Point mechanism in each department within the municipal government and in barangays for better coordination and monitoring;
- g. Facilitate the holding of women's assemblies for consultation of issues; and for the registration and election of women NGO/PO representatives to the GAD Council; and
- h. Undertake all other work required for the effective and efficient discharge of the Council's functions.

SECTION 27. Local Monitoring Board of Violence in Media. A local monitoring board for movie, print, broadcast and multimedia shall be set up classify, censure, prohibit or regulate the exhibition of materials in the

municipality degrading women. The Board's function shall also extend to video shops, electronic communication, cable television, books and other forms of audio visual channels of instruments.

SECTION 28. Creation of Women and Children's Desk (WCD) and Appointment of WCD Officer. The municipal government shall create the WCD and appoint a WCD Office in all police stations in the municipality of Tigbauan specifically to handle women and children's concerns. Complaints filed by women on battering and other forms of abuse against them shall be handled by female officers in the local police force who shall undergo special courses on handling cases affecting abused women.

SECTION 29. Creation of Medico-legal Desk for Women and Children at the Municipal Social Services and Development Department. There shall be a medico-legal desk for women at the Municipal Social Services and Development Department to cater to specific women problems and concerns.

SECTION 30. Community Education on Trafficking. The Barangay GAD Committee shall organize massive information campaigns and continuing education on trafficking of women and children; monitor trafficking activities in their respective communities; and develop a system for reporting or referral of traffic victims to appropriate agencies.

SECTION 31. Special Body to Investigate Cases of Violations of Women Under Police or Military personnel in police/military detachment/checkpoint or any service in detention. Violation shall be penalized through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Police Law Enforcement Board.

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SECTION 32. Generating Sex-disaggregated Data and Undertaking Gender Analysis. It shall be the main function of all Barangay GAD Committee to periodically generate sex-disaggregated data on their respective communities. This shall be the duty of all concerned municipal departments and offices and partner NGO's and PO's to enable them to provide situational analysis for better formulation of the Municipal GAD Plan.

SECTION 33. Guidelines for Determining Gender Biases. The municipal government, through the municipal Personnel Department shall issue guidelines to determine gender biases in municipal government departments and instrumentalities, schools, and private offices, commercial/industrial establishments, etc., and promote the prevention of these biases.

SECTION 34. Creation of a Municipal Tripartite Committee to Monitor the Implementation of Labor Standards. There shall be a Tripartite Committee composed of representatives from the municipal industrial Relations Office, organized labor and association of employers. The Tripartite Committee shall be tasked to:

- a. Monitor the implementation of labor standards set under this Code;
- b. Establish a Labor Assistance Desk where women workers could file complaints or seek legal assistance/advice on labor issues to promote industrial peace;
- c. Recommend to the Municipal Council on issues or complaints lodged with the Labor Assistance Desk;
- d. Formulate rules/mechanics or monitoring labor standards; and

- e. Conduct regular labor standards orientation for the Municipal women workers in coordination with the Municipal GAD Resource and Coordinating Office.

SECTION 35. Implementing Rules and Regulations. Upon effectivity of this Ordinance, a drafting Committee to formulate the Implementing Rules and Regulations (IRR) necessary to carry out the provisions of this Ordinance shall be convened by the Municipal GAD Council composed of representatives from the Municipal Secretary's Office, Municipal Legal Office, Municipal Planning and Development Office, Municipal Administrators Office, Municipal Health Department, Social Services and Development Department, Barangay Operations Center, Community Relations Office, Municipal GAD Resource and Coordinating Office, Municipal Council on Women and Family Affairs, and NGO's/PO's duly accredited by the Sangguniang Bayan.

A consultative body shall be convened the initial formulation of the Code's Implementing Rules and Regulations to validate the draft document. It shall be composed of representatives of the Focal Points of the municipal departments and offices, NGO's/PO's, and barangay officials involved in the process of drafting this Code.

SECTION 36. Compliance Report. Within six (6) months from the effectivity of this Code and Every six (6) months thereafter, all City Government departments and instrumentalities, shall submit a report to the Municipal Council o their compliance with the Code.

CHAPTER III
FINAL PROVISIONS

SECTION 37. Separability Clause. If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provision thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 38. Repealing Clause. Repealing Clause. All previous ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 39. Effectivity Clause. This Ordinance shall take effect after 15 days of posting in the bulletin board of the municipal hall and in at least two (2) conspicuous places in the Municipality of Tigbauan.

ENACTED. December 29, 2010.

I HEREBY CERTIFY that the foregoing Municipal Ordinance No. 2010-009 was approved by the Sangguniang Bayan.

MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Presiding Officer

APPROVED:

JAMES EXCELSIOR M. TORRES
Municipal Mayor