



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao

EIGHTH CITY COUNCIL

OFFICE OF THE BOARD SEC IV
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EXCERPTS FROM THE MINUTES OF THE 36th REGULAR SESSION
 OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON APRIL 06, 2020, MONDAY, 9:00 A.M.,
 AT THE SANGGUNIAN PANLUNGSOD SESSION HALL

PRESENT:

- | | |
|-----------------------------------|---|
| Hon. Mary Marjorie P. Martin-Chan | Sangguniang Panlungsod Member (Temporary Presiding Officer) |
| Hon. Maila Rosario T. Que | Sangguniang Panlungsod Member |
| Hon. Gilbert S. Labang | -do- |
| Hon. Ronald S. Ortiz | -do- |
| Hon. Arnel T. Arugay | -do- |
| Hon. Grace B. Arago | -do- |
| Hon. Raymund P. Guzman | Sangguniang Panlungsod Member (via teleconferencing) |
| Hon. Karina S. Gauani | Sangguniang Panlungsod Member |
| Hon. Victor Herbert N. Perez | -do- |
| Hon. Gil G. Pagulayan | Ex Officio Member (Liga ng mga Barangay President) |
| Hon. Karen L. Taguinod | Ex Officio Member (SK Federation President) |

ABSENT:

- | | |
|---------------------------------|--|
| Hon. Bienvenido C. De Guzman II | City Vice Mayor/Presiding Officer (on Home Quarantine) |
| Hon. Imogen Claire M. Callangan | Sangguniang Panlungsod Member (on Leave) |
| Hon. Danilo L. Baccay | Sangguniang Panlungsod Member |
| Hon. Winnoco R. Abraham | -do- |

CITY ORDINANCE NO. 16-08-2020

AN ORDINANCE PENALIZING PERSONS/INDIVIDUALS WHO DISCRIMINATE AGAINST COVID-19 PATIENTS, PATIENTS UNDER INVESTIGATION (PUIs), PATIENTS UNDER MONITORING (PUMs), HEALTH WORKERS AND OTHER FRONTLINERS

- Sponsors:** Hon. Bienvenido C. De Guzman II
 Hon. Raymund P. Guzman
 Hon. Winnoco R. Abraham
 Hon. Gil G. Pagulayan
 Hon. Arnel T. Arugay
 Hon. Karina S. Gauani

- Co-Sponsors:** Hon. Mary Marjorie P. Martin-Chan
 Hon. Maila Rosario T. Que
 Hon. Gilbert S. Labang
 Hon. Ronald S. Ortiz
 Hon. Grace B. Arago
 Hon. Victor Herbert n. Perez
 Hon. Karen L. Taguinod

WHEREAS, the 1987 Philippine Constitution under Article III, Section 1 provides that every person has the right to life, liberty, security of person and privacy, and the right to be free from discrimination. Further, under Section 11 thereof, the state values the dignity of every person and guarantees full respect for human rights;

WHEREAS, His Excellency President Rodrigo Roa Duterte issued Proclamation No. 922 on March 8, 2020 declaring a State of Public Health Emergency due to Novel Corona Virus Disease (COVID-19);

WHEREAS, the entire Luzon area was placed under enhanced community quarantine by President Duterte on March 16, 2020 which is a total lockdown restricting the movement of the population to immediately manage and control the spread of COVID-19;

WHEREAS, Proclamation No. 929 was also issued by President Duterte on March 16, 2020 declaring a State of Calamity throughout the Philippines in view of the escalating and continuous rise of confirmed COVID-19 cases;

WHEREAS, the Inter Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) was created as the lead agency that handles the management in the fight against COVID-19 where regular updates from the said agency regarding COVID-19 are forwarded to all local government units and all other agencies of the government;

WHEREAS, PUI/PUM people who developed symptoms of COVID-19 together with those who have travel history to countries affected by the Corona Virus and fall on the positive category based on WHO/DOH clinical standards who refused to submit for medical evaluation in the early stage because of the social stigma attached to the person and family have endangered lives of doctors and nurses in the country;

WHEREAS, the refusal of the person who manifested symptoms of COVID-19 has paved way to the spread of the virus inside the household and in the community, in which case a community transmission was seemingly foreseen that added numbers to statistics;

WHEREAS, there are several listed incidents in the Philippines affecting the hospital workforce who endangered their lives and suffered discrimination because of the fear of the people that they will spread virus from the hospital where they work to the community where they reside;

WHEREAS, there are also families who are affected by this pandemic as well as medical workers and frontliners who suffer severe anxiety and social humiliation, hence, there is an urgent need to combat this pervasive stigmatization on the basis of one's medical condition or profession;

WHEREAS, the Department of Health has urged local government units to pass ordinances against the discrimination of medical workers and other frontliners;

WHEREAS, the Department of Health reported on April 4, 2020 that the total number of COVID-19 cases in the country is at 3,094 including the 20 cases in Cagayan valley Region;

WHEREAS, there is a need for the city to bring normalcy and order amid the crisis and protect its constituency from unjust discrimination brought about by fear and panic by public;

WHEREAS, to safeguard further the health and safety of all residents and to maintain peace and order in Tuguegarao City, there is a need to prohibit discrimination against persons infected, patients under investigation (PUIs) and patients under monitoring (PUMs) of the COVID-19, health workers and other frontliners amid reports of ill treatment of the said groups;

NOW, THEREFORE, be it **ORDAINED** by the Sangguniang Panlungsod in session assembled, to enact:

SECTION 1. Title. This Ordinance shall be known as *An Ordinance Penalizing Persons/Individuals who Discriminate Against COVID-19 Patients, Patients under Investigation (PUIs), Patients under Monitoring (PUMs), Health Workers and other Frontliners or the Anti-COVID-19 Discrimination Ordinance of 2020 of Tuguegarao City.*

SECTION 2. Definition of Terms.

- A. Persons/Patients under Investigation (PUIs) – are individuals who have two or all of the following:
- History of travel in the past 14 days to countries with local transmission and risk of importation of the virus
 - History of exposure with a confirmed case
 - Has symptoms of respiratory illness (cough and/or colds) and/or fever (PUMs contracted the virus into two: Person under Investigation (PUI) and Person under Monitoring (PUM))

- B. Persons under Monitoring (PUMs) – are individuals who have a travel history and history exposure to a corona virus patient. They will undergo 14 days of self-quarantine at home or at barangay isolation units. According to the DOH, a PUI will only be tested if the person is experiencing severe manifestations of symptoms. Elderly who manifest COVID-19 symptoms, whether mild or severe, and those who have underlying medical condition, will automatically get tested for possible infection.
- C. Health workers are those who deliver care and services to the sick and ailing, either directly or indirectly, who include, among others, doctors, nurses, hospital and clinic aides, and laboratory technicians.
- D. Frontliners include:
 1. Officers and members of the AFP, PNP, PCG and instrumentalities of the government rendering emergency frontline services, border control and other critical services.
 2. Service workers who are working in private establishments providing basic necessities and such activities related to food and medicine production which include, among others, the following:
 - public markets
 - supermarkets
 - groceries
 - convenience stores
 - hospitals
 - medical clinics
 - pharmacies and drug stores
 - food preparation and delivery services
 - water-refilling stations
 - manufacturing and processing plants of basic food products and medicines
 - banks
 - money transfer services
 - power, energy, telecommunications and water supplies and other related facilities
- E. Lessor shall mean a person who leases a property to another.
- F. Lessee shall mean a person who holds the lease of a property or a tenant.
- G. Discrimination – distinguishing differences between things or treating someone as inferior based on their sex, race, national origin, age or other stigma, disgrace shame, humiliation or harassment.
- H. Stigma – a set of negative and often unfair beliefs that a society or group of people about something.

SECTION 3. Unlawful Acts. It shall be unlawful for any person, whether natural or juridical, to commit any act or make utterances which cause or tend to cause stigma, disgrace, shame, humiliation, threat, intimidation, harassment or otherwise discriminating against a person infected, under investigation or monitoring due to COVID-19, health worker or frontliner as defined in this ordinance.

If any public officer refuses or fails to give assistance to a person infected, under investigation or monitoring due to COVID-19, health worker or frontliner who intends to return to his/her place of residence or domicile after obtaining clearance of the COVID-19 infection from the proper health officials, he/she shall be equally liable under this section.

Any person who shall publicly claim, post on social media, spread or announce that a person is infected, is under investigation or monitoring due to COVID-19, whether or not the same has been confirmed or validated from the list given by authorized proper health officials, agency or department, shall also be liable under this section.

It shall be unlawful for any lessor to:

1. Discriminate against any health worker by refusing to lease any of his/her available apartment, room or bed space to him/her.
2. Evict a lessee who is a health worker on the belief that he/she might be a carrier of the virus and might infect the people around him/her.

It shall also be unlawful for any hotel establishment or the like to refuse admittance to any health worker as a hotel guest.

SECTION 4. Penalties. Any person caught in violation of Section 3 shall be fined with Five Thousand Pesos (P5,000.00) or imprisonment not exceeding 6 months or both at the discretion of the court.

If the person violating is a public officer, the penalty imposed shall be in its maximum and can also be a ground for filing an administrative case against said official, except when the patient concerned waived his/her right to privacy and for purposes of contract tracing and other medical purposes.

If committed by a juridical person, the president, general manager, corporate secretary or person with related interest in the corporation or partnership or association shall be held liable or penalized accordingly.

SECTION 5. Public Hearing. This ordinance is enacted under unusual and extreme condition the country is experiencing in general and Tuguegarao City in particular as declared by the National Government through a number of proclamation orders and other rules and regulations promulgated by His Excellency President Rodrigo Duterte and the Provincial Government, hence, the public hearing shall be dispensed with.

SECTION 6. Dissemination. Copies of this ordinance shall be posted in three conspicuous places in the city and the City Information Office is directed to cause its dissemination.

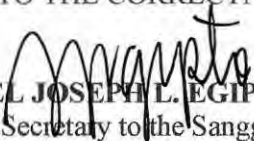
SECTION 7. Separability Clause. If, for any reason, a part of this Ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SECTION 8. Repealing Clause. All ordinances, rules or regulations in conflict with the provisions of this ordinance are hereby repealed, provided, that the rights already vested under those ordinances, rules or regulations shall not be impaired.

SECTION 9. Effectivity. Due to its urgency, this ordinance shall take effect upon approval by the Eighth City Council and shall continue to take effect until the lifting of Enhanced Community Quarantine by proper authorities.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. MARY MARJORIE P. MARTIN-CHAN
Sangguniang Panlungsod Member
Temporary Presiding Officer
Date: 4/6/20

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: 4/6/20

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