

Item No.: 01
Date: APR 25 2023

Republic of the Philippines
Province of Leyte
Tacloban City

SANGGUNIANG PANLALAWIGAN

13 April 2023
af

PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

4-11-23

2nd Indorsement
April 3, 2023

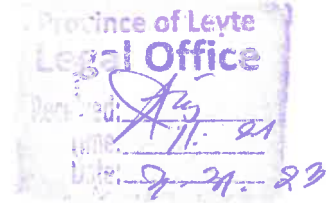
Respectfully returned to the, Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2022-03, S. 2022, of the SB of Sta. Fe, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A. 7160, the same being, to the opinion of the Provincial Legal Office (PLO), in consonance with the authority under R.A 7192 mentioned in the ordinance. In relation with Section 17 (2), (iv) of the Code, " to provided Social Services which include programs and projects on Child and Youth Welfare, Women"s Welfare".

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
30 March 2023

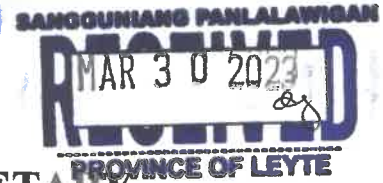


The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2022-03** of the **MUNICIPALITY** of **STA. FE, LEYTE**, entitled: AN ORDINANCE PROVIDING FOR A MUNICIPAL GENDER AND DEVELOPMENT CODE AND FOR OTHER PURPOSES.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Sta. Fe



SANGGUNIANG BAYAN SECRETARY

INDORSEMENT

RESPECTFULLY FORWARDED to the Sangguniang Panlalawigan of the Province of Leyte, Tacloban City, the herein attachment Municipal Ordinance No. 2022 – 03 (Series of 2022) of the Sangguniang Bayan, this Municipality entitled “An Ordinance Providing for a Municipal Gender and Development Code and for other Purposes”, duly approved by said August Body on April 4, 2022, hereby recommending your appropriate favourable action.

ROMEO A. GRISOLA
Sangguniang Bayan Secretary

Copy Furnished:

- *The Municipal Mayor*
- *MLGOO*
- *MSWDO*
- *The PNP Station Commander*
- *All in Sta. Fe, Leyte*



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Sta. Fe

SANGGUNIANG BAYAN SECRETARY

CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

This is to certify that copies of Municipal Ordinance of the herein attached “**Municipal Ordinance No. 2022 – 03 (Series of 2022)** of the Sangguniang Bayan, this Municipality, entitled “*An Ordinance Providing for a Municipal Gender and Development Code and for other Purposes*”, duly approved and/or enacted by said August Body on April 4, 2022, has been posted in at least three (3) conspicuous places in the municipality. One copy was posted at the bulletin board at the lobby of the municipal hall, one at the HRMO and one at the Municipal Gymnasium.

ISSUED this 6th day of April 2022 at Sta. Fe, Leyte.

ROMEO A. GRISOLA
Sangguniang Bayan Secretary



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

MAYOR'S OFFICE
RECEIVED
BY: *[Signature]*
DATE: 4/21/2022

@ R. K. Adh

MUNICIPAL ORDINANCE NO. 2022-03
Series of 2022

Sponsor: HON. BELEN C. CHUCA

Co-Sponsors:

SANGGUNIANG PANLALAWIGAN
RECEIVED
MAR 30 2022
PROVINCE OF LEYTE

- HON. AGNES A. CHUCA
- HON. EDUARDO N. TOREROS
- HON. MA. EVANGELYN P. MODESTO
- HON. EDUARDO L. LANTAJO
- HON. EDGARDO R. SALCEDA
- HON. ASSANDRO D. ECHAGUE
- HON. ALICIA M. MALQUISTO
- HON. CHARLITO L. LAGO
- HON. MAE JO A. LANTAJO

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

Be it enacted by the Sangguniang Bayan of Sta. Fe, Leyte in session assembled:

BOOK I - GENERAL PROVISIONS

CHAPTER I - BASIC PRINCIPLES

ARTICLE I

TITLE AND GENERAL POLICY

SECTION 1. TITLE. This Ordinance shall be known as the **"GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF STA. FE, LEYTE"**.

SECTION 2. DECLARATION OF POLICY AND PRINCIPLES. It shall be the policy of the 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 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 Philippines is a party.

Women shall be recognized as full 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 nation 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 quality of lives, their families and communities.

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Agnes A. Chuca

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Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

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

TO ATTAIN THE FOREGOING POLICY:

1. All municipal government departments, offices, and instrumentalities shall ensure that 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 of the Women Development and Nation Building Act.
2. All municipal government project proposals shall ascertain the inclusion of gender responsive indicators and guidelines shall not be remiss in locating the root of women's oppression, pursuant to the United Nations Declaration and Convention of Women of which the Philippine government is a signatory.
3. All municipal departments, offices and instrumentalities upon effectivity 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.

ARTICLE II

RELATED PRINCIPLES

SECTION 3. RIGHTS OF WOMEN DEFINED.- Womens's rights are the rights of women that are defined and declared by the 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 prevention of, and protection from all forms of violence and coercion against the person, the freedom, their sexuality, and their individuality.
- b. Women have the right to freely and fully participate individually or collectively in the political processes of their communities and nations.
- c. Women have the right to means for assuring their economic welfare and security.
- d. Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice in accordance to the Constituion and their beliefs and preferences.
- e. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage of its dissolution, and obtain adequate support for rearing and caring of their children.



OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

- f. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children.
- g. Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood.
- h. Women have the right to adequate nutrition and proper health care.
- i. Women have the right to humane living condition.
- j. Women have the right to nurture their personhood, collectively and individually, to ensure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality.
- k. Women have the 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 orientation 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 quality of life of all regardless of age, sex, gender, tribe, race, creed, and religion. It is characterized by an enrichment of Filipino 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 right irrespective of their marital status.

Commodification of Women - is a practice which puts women to subordinate situation which results in the treatment of women as both consumers and objects. As consumer, 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 of money or goods so women have no control or power to reject such utilization or manipulation.

ARTICLE III

VIOLENCE AGAINST WOMEN

SECTION 5. VIOLENCE AGAINST WOMEN DEFINED. - Any act of gender-based violence that results in, or is likely to result, in physical, sexual or psychological harm or suffering to women, including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public or private life as defined in the UN Declaration on the Elimination of Violence Against Women.



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 6. VIOLENCE AGAINST WOMEN shall include but is not limited to:

- a. Physical, sexual and psychological violence occurring in the family regardless of 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 exploitation.
- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions 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 forced 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 or sell a woman or any of her body parts for profit.
- f. Sexual harassment and assault of women in detention.

SECTION 7. SEXUAL ABUSE DEFINED. - Sexual abuse shall include but is not limited to the following:

1. When a man inserts or attempts to insert his penis into the mouth or anus of a woman under any of the following:
 - a. through force, threat or intimidation;
 - b. by means of abuse of authority or relationship;
 - c. when the offended party is deprived of reason or is otherwise unconscious;
 - d. when the offended party is below twelve years old, even though none of the above circumstances is present.
2. When a person who inserts part of his or her body other than the sexual organ, or who introduces any object or instrument into the genital or anus of a women under any of the situations stated in paragraph 1.
3. Sexual abuse in intimate relations 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 separated in fact.
4. 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 4th degree.



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 8. PARTNER/WIFE ABUSE AND BATTERING DEFINED. - Battering is any single or sporadic acts of violence which shall include the repeated and habitual cyclic pattern as means intimidation and imposition of the batterer's will and control over the survivor's life. It constitutes the following kinds of behavior but is not limited to:

- a. Sexual battering - this includes physical attacks on the women's breasts/genitals or forced sexual activity, accompanied by either physical violence or the threat of physical violence.
- b. Psychological battering - this includes threats of suicide, violence against the women or her family, punching, breaking or defacing or otherwise destroying the house or any part thereof; or of the 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 a 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 threats of abandonment and expulsion such as forcing the wives to leave the conjugal dwelling. This provision shall likewise apply to common-law relations but does not include adulterous ones as contemplated in the Revised Penal Code.
- c. Economic battering - this includes deprivation of women of economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination.
- d. Physical abuse and battering - this includes any form of inflicting wounds, pain, etc. on any part of the woman's body or the threat of physical violence.
- e. 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.
- f. Psychological abuse - this includes threats of suicide, violence against the women or 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 from 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 threats of abandonment and expulsion such as forcing the wives to leave 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 include men's control over women's resources (e.g., income, property, etc.).
- g. 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 use them for his vices, etc.



OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 9. TRAFFICKING WOMEN DEFINED. - A covert or overt recruitment of women into the sex trade industry. It may include new forms of sexual exploitation such as sex tourism, the illegal recruitment for domestic labor to work in developed countries, and organized marriages between women from third world countries and foreign nationals, promoting or initiating a system in which women become movable properties and objects of exchange.

Trafficking Women shall include the following but is not limited to any person or association, cult, religion, or organization or similar entities to commit the following acts:

- a. Establish or carry on a business for the purpose of matching women for marriage to foreigner either on 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 prohibited acts for profit or advantage.
- c. Solicit, enlist, attach or induce any woman to join any club, association or organization whose objectives is to match women for marriage to foreigners either on a mail-order basis or through personal introduction or cyberspace or any form which facilitate the act of solicitation.
- d. Use the postal 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 profits; 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 and force 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 persons;
- i. Organize, produce or distribute pornographic materials that promotes traffic in persons.

SECTION 10. MAIL ORDER BRIDE DEFINED. - It is a practice where a woman establishes personal relation with male-foreign national via mail, electronic or similar means upon recruitment by an individual or agency for the purpose of exploiting women in guise of marriage.

SECTION 11. SEXUAL HARASSMENT DEFINED. - It is a form of misconduct involving an act or a series of unwelcome sexual advances, requests for sexual favours, or other verbal or physical behaviour of a sexual nature, made directly or indirectly.

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

SECTION 12. 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.



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated January 31, 2022

- a. Persistent telling of offensive jokes such as green jokes or other analogous statements to someone who finds them offensive or humiliating.
- b. Taunting a person with constant talk about sex and sexual innuendoes; displaying offensive or lewd pictures and publication in the workplace.
- c. Interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant of any lawful activity applied for;
- d. Making offensive hand or body gestures 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 favours in exchange for a good grade, obtaining a good job or promotions, etc.;
- i. Cursing, whistling or calling a woman in public with words having duty 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, stigmatize.

SECTION 13. PEDOPHILIA DEFINED. – It is a form of sexual perversion where children are the 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 a girl or boy child or taking photography/video of the same for pornography;
- d. When the offender shall have possession of pornographic photographs/video of the same.

SECTION 14. COMMERCIAL EXPLOITATION OF WOMEN/MEN AND GIRLS/BOY. – It shall be unlawful for any person to sell or market women's and girl's bodies in various forms of packaging. These include but 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 literature that treat women/men and girls/boys as sex objects and commodities;
- c. Pornographic and indecent shows depicting women/men and girls/boys as sexual objects either in nude or provocative gestures; and/or

7



OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

- d. Live shows where women or girl-children are influenced or forced to dance or do naked shows in public or private places for various purposes.

SECTION 15. NON-DISCRIMINATION OF GAYS, LESBIAN, BISEXUALS, AND TRANSGENDERS. – It shall be regarded a violation of human rights to discriminate against any person on the basis of her/his sexual preference or orientation for employment, participation in municipal 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 IV

SUPPORT MECHANISMS TO EMPOWER WOMEN AND PROMOTE AND RESPECT WOMEN'S RIGHTS

SECTION 16. 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 24 hours;
- b. Provide for counselling and medical services for the offended party;
- c. Gather evidences 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 evidences. 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 victims-survivors of all forms of violence shall be registered in a community-based psychological program that shall assist the women in holistically re-building and empowering themselves.
- g. All investigation/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 expressly 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.



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 17. PSYCHOLOGICAL PROGRAM. – It is an organized intervention using integration and holistic approach of the conditions of women considering their differentiated needs within a social context.

SECTION 18. 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.

SECTION 19. SUPPORT SERVICES FOR WOMEN IN THE ENTERTAINMENT INDUSTRY, ENTERTAINMENT INDUSTRY DEFINED. – Women in the entertainment industry are those women employed in establishment identified as places of amusement defined in the Municipal Revenue Code of Sta. Fe, Leyte and shall include, but not limited to night clubs or day clubs, cocktail lounges, super or family clubs, karaoke and videoke bars, beer houses/gardens, fast food centers, resorts which show TV/cable programs, films, movies, sports shows either by direct hook-up or via satellite and other places amusement where one seeks admission to entertain himself.

The municipal government shall provide socio-economic support services for women in the entertainment industry in order to respond to their practical needs.

SECTION 20. REGULAR MEDICAL ROUTINE CHECK-UP. – Women in the entertainment industry shall be required to undergo a regular medical check-up and prescribed with medicines if needed.

ARTICLE V

POLITICAL AND PUBLIC SPHERE PARTICIPATION OF WOMEN

SECTION 21. WOMEN'S PARTICIPATION AND REPRESENTATION IN THE BARANGAY AND MUNICIPAL DEVELOPMENT COUNCIL. – Both the Municipal and Barangay Council shall ensure that 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 initiatives. These women shall come from accredited organizations with considerable accomplishments and programs geared towards people-centered genuine development. Both the Municipal and Barangay Development Council shall undergo capacity building for gender responsive development planning to ensure that all plans, programs and projects are gender responsive.

SECTION 22. PROMOTING GENDER BALANCE AT ALL LEVELS OF STA. FE LOCAL GOVERNMENT POSITIONS. – The municipal government shall promote gender balance or equal proportion of qualified women and men for opportunity in key positions at all levels of local government, whether elective or appointive. This should form part of the municipal government's effort to eliminate barriers to women's participation in the public sphere. This shall include their equal representation in the structures of the Municipal Development Council (MDC) and the



OFFICE OF THE SANGGUNIANG BAYAN

*Continuation: Municipal Ordinance No. 2022-03
Dated April 1, 2022*

Barangay Development Council (BDC). Implementation guidelines shall be detailed in the Code's Implementing Rules and Regulations.

SECTION 23. BARANGAY GENDER AND DEVELOPMENT COMMITTEE. – All barangay shall establish their respective Barangay Gender and Development Committees that shall ensure that gender issues and concerns are incorporated and addressed at the Barangay level and reflected in their 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 24. 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 Sta. Fe, Leyte through an Executive Order. There shall be coordinated Municipal and Barangay level activities for women.

SECTION 25. 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 Office to promote consciousness on breast cancer.

SECTION 26. CHILDREN'S WEEK. – The municipal government shall set the first week of October to organize activities to celebrate the Children's Week, with special recognition of cases of working children. It shall be spearheaded by the District Municipal Schools and the Municipal Social Welfare and Development Office.

SECTION 27. 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 health shall be examined, deliberated, projected and government action sought. A coordinated municipal and barangay level activities shall be spearheaded jointly by the Municipal Health Office to promote women's health and well-being.

SECTION 28. INTERNATIONAL WEEK 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 jointly by the Municipal Social Services and Development Office, Municipal Health Office and the Municipal GAD Council.

SECTION 29. GENDER AND DEVELOPMENT SUMMIT. - The municipal government shall set a day every adoption at the municipal and barangay councils.

Chrysselle P. Salcedo



OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 30. PEACE BASED ON SOCIAL JUSTICE AND HUMAN RIGHTS. - The municipal government network 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 rights to be spearheaded by barangay leaders in coordination with community-based women, people's and non-government organizations.

**ARTICLE VI
LABOR AND EMPLOYMENT**

SECTION 31. WAGE AND BENEFITS FOR WOMEN. - Every employer shall comply with the minimum wage as stipulated by regional wage board or as stipulated by pertinent legislation passed by congress and shall grant all benefits to all woman employes such as maternity leave. Sick and vacation covered by collective Bargaining Agreements between employers and unions.

SECTION 32. INCREASE MATERNITY LEAVE BENEFITS AS INCENTIVES FOR BREAST FEEDING 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 benefits shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees union and management provided further that such additional leave shall be used for breast feeding for the new-born baby by the concerned employee.

SECTION 33. INCREASE PATERNITY LEAVE BENEFITS AS INCENTIVES FOR FATHERS FOR MEANINGFUL PARTICIPATION IN THE CARE OF THE NEW-BORN BABY CHILD IN THE PRIVATE SECTOR. - Additional paternity leave benefits up to fourteen (14) days from the seven (7) days mandated by law under RA 8187, shall be extended to male employees in private offices and commercial/industrial management located in the municipality, who have rendered at least one (1) year continuous service, provided that this benefits shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees union and management provided, further, that such additional leave shall be used for caring of the new-born baby by the concerned employee.

SECTION 34. ORIENTATION ON SEXUAL HARASSMENT. - All government agencies and private offices, commercial/industrial establishments located in the municipality shall conduct regular orientation on sexual harassment for their respective employees. Certificate of Compliance shall be submitted to the GAD Council.

The municipal government shall set-up/create its own Committee on the Decorum and Investigation (CODI) including the promulgation of the Implementing Rules and Regulations (IRR) or policy on sexual harassment that will provide/prescribe procedure for the investigation of sexual harassment case and administrative sanctions covering all municipal officers and



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

employees in accordance with the provision of RA 7877 and the Civil Service 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 35. SETTING-UP GRIEVANCE MACHINERY. – A grievance committee shall be set up in all government and private office, commercial/industrial establishments located in the municipality, to act on complaints/cases related to various forms of discrimination against women in the work place such as hiring, job training promotion and the like.

SECTION 36. EQUAL ACCESS TO JOB TRAINING AND PROMOTION. – No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion and civil status.

SECTION 37. FACILITIES AND SUPPORT SYSTEMS FOR WOMEN. – The municipal government shall ensure occupational safety and health of women employees in both government and private offices and commercial/industrial establishments. In appropriate cases;

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

SECTION 38. 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 or social security employee's compensation benefits and PhilHealth benefits upon proper documentation and registration with the Social Security System and PhilHealth, respectively.

The municipal government, through the Public Employment Service Office (PESO) and the Social Service Development Office shall conduct an inventory of all women involved in the informal sector consultation and provision of appropriate support services for the sector.

SECTION 39. BARANGAY-BASED HOUSEHELP SUPPORT. – All barangays in Sta. Fe, Leyte shall conduct compulsory education for both house helper and house helper employers on gender-sensitivity.

SECTION 40. WOMEN IN THE ENTERTAINMENT INDUSTRY. – Women engaged in legitimate occupations in the entertainment industry such as singer, stage performers/actresses, bar girls and receptionist, shall be recognized as wage earned and they shall receive a 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.

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Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

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

SECTION 41. POLICE OPERATION IN ENTERTAINMENT ESTABLISHMENT. - All police operations or raids conducted in any entertainment establishment must be undertaken with utmost care and respect for human rights. Police officers shall not take his 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 42. MONITORING SYSTEM FOR LABOR STANDARDS. - A mechanism shall be installed by the 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 recommend appropriate action.

ARTICLE VII

HEALTH RIGHTS

SECTION 43. RIGHTS TO HEALTH. - Article 12 of the UN International Covenant on Economic Social and Cultural Rights provides the 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 expectation have made health policies, programs and services to focus more on pregnancy and birth-related cases rather than on 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 sates in their lives. It shall also promote couple's shared responsibilities for childbirth and child care.

SECTION 44. REPRODUCTIVE HEALTH DEFINED. - As defined in the International Conference on Population and Development and Word 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 Office shall adopt the reproductive health care approach at all levels of health care delivery. Such approach integrates many issues not previously considered central population, sexuality, reproductive tract infection, gender power relations and domestic violence and shall not be limited to family planning and child bearing or safe motherhood.

SECTION 45. 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 Sta. Fe, Leyte. No health care center in the municipality shall deny women and men living below the



Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

poverty line of health services. A certificate of indigency shall be issued by the Punong Barangay for the purpose of verification.

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

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

SECTION 46. 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 a very minimal cost.

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

SECTION 47. 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 and shall provide service training to all health and other allied personnel who shall be assigned in this unit.

SECTION 48. GENDER-FAIR APPROACH TO PRE-MARITAL COUNSELING PROGRAM. – The Municipal Health Office and the Municipal Social Welfare and Development Office shall ensure gender-sensitive conduct required in the application for marriage licenses with Local Civil Registry.

The municipal health office and municipal social welfare and development office shall review and redesign the Pre-marital Counseling Program of the Local Government Unit and shall be jointly undertaken with other concerned agencies. Agencies involved shall adhere to the principle of gender-fair premarital counseling service.

ARTICLE VIII

EDUCATION RIGHTS

SECTION 49. CONDUCT OF REGULAR GENDER-SENSITIVITY TRAINING FOR ALL TEACHERS AT ALL SCHOOL LEVELS. – The District Public Schools in coordination with GAD Council shall conduct and incorporate gender-sensitivity orientation in teacher's orientation seminars and General Parents-Teachers Association (GPTA's) meetings conducted before classes start in the beginning of the school year.

SECTION 50. DEVELOPING GENDER-FAIR EDUCATIONAL MATERIALS. – The District Public Schools shall ensure that all educational materials developed by the public schools' officials and the private sector are gender-fair and do not portray stereotyping of roles for men



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

*Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022*

and women or boys and girls. It shall conduct a regular monitoring and review of existing educational materials to ensure that these are gender sensitive and gender fair.

SECTION 51. PROVISION AND GENDER-SENSITIVE CURRICULUM. – All public and private schools shall actively promote gender-sensitivity in their subject/course curriculum and gender fair socialization for school pupils.

SECTION 52. PROMOTING GENDER SENSITIVE EDUCATION PROGRAMS AND SERVICE. – All schools, offices, establishments, or companies, departments and agencies including barangay official of the local government shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender justice.

SECTION 53. GENDER-RESPONSIVE NON-FORMAL EDUCATION FOR YOUTH AND ADULTS. – The District Public Schools in coordination with 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.

ARTICLE IX

CULTURE AND MASS MEDIA

SECTION 54. GENDER-SENSITIVE PORTRAYALS IN MEDIA. – The municipal government shall oblige all media institutions to be sensitive in portrayal of women’s and men’s role, encourage positive images of women and discourage sexist and homophobic print materials and broadcast programs.

SECTION 55. GENDER-SENSITIVITY TRAINING FOR LOCAL MEDIA PRACTITIONERS. – The municipal government shall encourage and support the conduct of gender sensitivity workshop training for local media practitioners at the community level and secondary schools located in the municipality. It shall likewise provide full support to media practitioners and free-lance/independent media productions that advocate gender-sensitive issues through various forms of incentives and recognitions.

SECTION 56. REGULATION OF INTERNET CAFES AND COMPUTER SHOPS. – The municipal government shall regulate the operation of internet services-providing establishments, entertainment computer shops in order to curb and prevent the proliferation of access of cyber-sex pornography for minors.

SECTION 57. REGULATION OF MEDIA COVERAGE DURING POLICE RAIDS ON ENTERTAINMENT ESTABLISHMENTS. – The municipal government shall regulate the media coverage of entertainment establishment raid operations for the prevention of exploitation of women and men entertainers and their unnecessary body public exposure and humiliation.

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OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-02
Dated April 4, 2022

ARTICLE X

SOCIO-ECONOMIC RIGHTS

SECTION 58. GENDER-RESPONSIVE AND COMPREHENSIVE LIVELIHOOD PROGRAM. – The municipal government should allocate funds for Socio-Economic Programs for poor women and men that include gender-sensitive livelihood skills and values training seminars. The Comprehensive Livelihood Program shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.

SECTION 59. SOCIAL LENDING PROGRAM. – The municipal government shall establish a social lending program to cater to low-income families with interest rate similar to those availed by members of cooperatives.

SECTION 60. 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 61. LOW-COST BASIC SERVICES. – The municipal government shall facilitate access of women and men for quality low-cost housing, safe water, electricity, communication, transportation, and basic commodities.

SECTION 62. MONITORING OF STANDARDIZATION OF PRICES OF BASIC COMMODITIES. – The municipal government shall ensure fair marketing practices and standard pricing of basic commodities through regular price monitoring in local markets.

SECTION 63. ECONOMIC EMPOWERMENT FOR POOR WOMEN. – Feminization of poverty which is regarded as a condition when gap between the rich and the poor widens and the grassroots women bear the brunt as in economic leading to instability and unequal distribution of wealth. Such gap reinforces non-response to both practical strategic interests of women. The municipal government shall ensure poor women of strategic and transformative mechanism whereby they could uplift their economic and social conditions.

ARTICLE XI

SPECIAL SECTORAL CONCERNS

SECTION 64. DIFFERENTLY-ABLED WOMEN DEFINED. – Differently-abled women are those who experience one or a combination of physical impairment with distinct needs and potentials.

SECTION 65. 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 District Public Schools and which shall offer appropriate

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OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-02
Dated April 4, 2022

curriculum for their specific needs; 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 those reserves (5%) percent of contractual or emergency positions of persons with disabilities.

SECTION 66. ORGANIZATION OF DIFFERENTLY-ABLED WOMEN IN THE COMMUNITY. – It shall be the duty of the Barangay GAD Committee to organize the differently-abled women in the community in order to advance the interests of this special group of women and to monitor and report cases of harassment and discrimination committed against differently-abled women.

SECTION 67. 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 physically health check-ups, social group work programs and appropriate socio-economic activities.

SECTION 68. SUPPORT TO WOMEN IN DETENTION. – The rights of all women detainees shall be protected by ensuring them of a) speedy trial of their respective cases; b) appropriate program to respond to their specific needs and problem as detainees; and c) separate physical structure and space provision for detention and rehabilitation; and d) provision of legal services.

ARTICLE XII

WOMEN AND CHILDREN SUPPORT SYSTEM

SECTION 69. The municipal government shall implement systems and programs that are anchored on the United Nations Convention on the Rights of the Child (UN CRC) which stipulates the promotion and protection of children's rights to survival, development and protection in national and local laws which now includes the New Family Code and the Child Youth Welfare Code.

SECTION 70. GENDER RESPONSIVE AND CHILD-FRIENDLY CHILD MINDING CENTER IN EVERY BARANGAY. – The municipal government shall ensure that child-friendly and gender responsive child day care/minding centers are set up in every barangay to provide parents support facilities for the care of their children when they go to work or school. The centers shall ensure that the basic early child education curriculum in the centers promote gender fair socialization; encourage both fathers and mothers participate in the development, care and

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OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

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 71. SHARED PARENTING AND RESPONSIBILITIES. – The municipal government shall advocate that all fathers and mothers have both the moral obligations and responsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex, and physiological and psychological conditions.

ARTICLE XIII

GENDER AND DEVELOPMENT

SECTION 72. GENDER AND DEVELOPMENT DEFINED. – Conscious efforts at improving the quality of lives of women and men of all sexual orientations and identities based to sustain, equitable growth and balanced 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 73. GENDER SENSITIVITY AND TRAINING, GENDER SENSITIZATION DEFINED. – It is a critical process of learning and unlearning by an individual, female or male, of the causes and effects of the 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 and schools shall develop assessment tools for gender biases.

SECTION 74. ACTIVE SUPPORT TO GENDER STUDIES. – A sufficient amount shall be allotted to gender-related documentation and researches.

SECTION 75. PRODUCTION, POPULARIZATION OF AND CAMPAIGN GENDER-FAIR MATERIALS. – The municipal government shall actively promote, publish popular forms of gender-fair materials through all concerned departments and local agencies/networks.

SECTION 76. COMMUNITY-BASED ENVIRONMENT PLAN AND PROGRAMS. – Both men and women shall participate in population control, zero-waste technology development and management preservation of the remaining tree parks and aquatic resources.

SECTION 77. GENDER-SENSITIVE NATURAL RESOURCE-BASED MANAGEMENT PROGRAMS. – The municipal government shall engage itself in the development of gender-sensitive natural resource-based management programs.



OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 78. ROLE OF WOMEN AND MEN IN ENVIRONMENT IMPACT ASSESSEMENT OF PROECTS. – The municipal government shall promote the active role of women vis-à-vis men in the environmental impact assessment of project. Instruments for environmental impact assessment shall consciously determine sex disaggregated data.

SECTION 79. PROMOTION OF APPROPRIATE TECHNOLOGY. – The municipal government shall actively promote alternative technologies that are appropriate and safe for women.

SECTION 80. 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 different circumstances.

SECTION 81. INVESTMENTS AND LOANS. – The municipal government shall hold consultative assemblies with women NGO's/POs in establishing contracts for loans and investments to clarify implications on women's welfare and development at the barangay level.

SECTION 82. OVERSEAS CONTRACT WORKER'S (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 83. SPECIAL COURSE ON OCW. – A special course on overseas contract worker primarily to orient women on the issues and concern relative to migration shall be conducted in all barangays to be organized by their respective Barangay GAD Committee.

SECTION 84. EDUCATION ON NATIONAL POLICIES. – Women and men shall undertake education on national policies and their implications on women.

SECTION 85. SPECIAL TRAINING FOR LUPONG TAGAPAMAYAPA. – All trainings courses for Lupong Tagapamayapa shall include gender and development basic orientation.

SECTION 86. GENDER AND POPULATION. – The Municipal Health Office shall review and redesign the population program based on the reproductive health framework.

SECTION 87. TRAINING ON NON-TRADITIONAL OCCUPATION. – Women shall be given opportunity to acquire training on non-traditional occupation especially in the field of science and technology.

BOOK II – FINAL PROVISIONS

CHAPTER I – PENAL PROVISIONS

ARTICLE I

VIOLENCE AGAINST WOMEN AND CHILDREN



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 1. SOLICITING SEXUAL SERVICES. – It is unlawful for a person to solicit a women’s service for sexual purposes as a gift, representation, 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.

SECTION 2. TRAFFICKING OF 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 provision 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. – An 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 establishment that promotes 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, sauna baths and related establishments shall be allowed to operate in the conduct for sex tours. Cancellation of business permit, a fine of Two Thousand Five Hundred Pesos (2,500.00Php) and imprisonment of one year shall constitute the penalty for violation thereof.

SECTION 5. BEAUTY CONTEST. – Beauty contests which tend to commodity, abuse, humiliate and treat other persons, especially women and homosexuals as sex objects shall strictly be prohibited in schools, communities, and 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 initiated the conceptualization and implement of the beauty contest shall be subject to a penalty consisting of the following:

For business entities: a) Cancellation of the Business Permit; b) Fine of Two Thousand Five Hundred Pesos (2,500.00Php); c) Others, as prescribed in the implementing rules and regulations of this Code.

For representatives of agencies, departments or units of the local government of Sta. Fe, Leyte: a) Suspension for one month without pay; b) Fine of Two Thousand Five Hundred Pesos (2,500.00Php); c) Others, as prescribes in the implementing rules and regulations of this Code.

For educational institutions, charity or welfare organizations: a) Cancellation of license to operate; b) Fine of Two Thousand Five Hundred Pesos (2,500.00Php); c) Others, as prescribes in the implementing rules and regulations of this Code

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Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

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 prize, substitute to prizes won, a companion package for a 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 initiatives as defined in this Code shall be strictly prohibited in Sta. Fe, Leyte. Violators of this provision shall pay a fine of Two Thousand Five Hundred Pesos (2,500.00Php) 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 purpose of comfort and may not be deprived of basic social service in detention. Any violation hereof shall be penalized of dismissal from the service through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Peoples Law Enforcement Board (PLEB).

SECTION 8. FORCED MARRIAGES. – No women shall be forced to marry on the basis of vitiated consent. Any person or representative committing 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 (2,500.00Php) or an imprisonment not exceeding six (6) months, or both, at the discretion of the Court.

SECTION 9. REGULAR SURVEILANCE OF ENTERTAINMENT ESTABLISHMENTS. – A Municipal Interdepartmental Task Force shall be created to conduct regular surveillance of business establishments involved in trading women's bodies such a (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 where women or girl-child are influences or forced to dance or do naked shows in public or private places.

Any person or agency who engages in organizing or production 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 report shall be subjected to administrative sanction.

SECTION 10. VIOLENCE AGAINST WOMEN. – Any violator of this Code as stipulated in Section 5, Art. 3, Chapter 1 in Book 1 shall be penalized on accordance with the provision of the Revised Penal Code.

SECTION 11. PEDOPHILIA. – Any act falling under the definition of pedophilia shall constitute a violation of this code as stipulated in Section 13, Art. 3, Chapter 1 in Book 1. Any violators of this provision shall be penalized in accordance with the Revised Penal Code.



OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

ARTICLE II

LABOR AND EMPLOYMENT

SECTION 12. EQUAL ACCESS TO JOB TRAINING AND PROMOTION. – No woman 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 of fine of Two Thousand Five Hundred Pesos (2,500.00Php) and cancelation of Business Permit by the Court in accordance with penal provision of three (3) months suspension and a fine of One Thousand Pesos (1,000.00Php).

SECTION 13. WAGE AND BENEFITS FOR WOMEN. – 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 law. Violation by private employers shall constitute a fine of Two Thousand Five Hundred Pesos (2,500.00Php) and a cancellation of Business Permit or as prescribed by the Court in accordance with the Penal Provision under the Labor Code. A government unit or agency head of office which violated this Code shall be liable with the penalty of three months suspension and a fine of One Thousand Pesos (1,000.00Php).

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 a seat proper for women and permits them to use such seats when they are free from work and during working hours, provided they can perform their duties in this provision without detriment to efficiency;
- b. Establish separate toilet rooms, lavatories and lounge for men and women and provide at least a dressing room for women.
- c. Provide breast feeding corners for women in the workplaces.

Violation by private employers shall constitute a fine of Two Thousand Five Hundred (2,500.00Php) and the cancellation of business permit or as prescribed by the Local Government unit or agency Head Office is liable with the penalty of three (3) months suspension and a fine of One Thousand Pesos (1,000.00Php).

SECTION 15. INCREASED MATERNITY LEAVE BENEFITS AS INCENTIVES FOR BREAST FEEDING MOTHERS IN THE PUBLIC AND PRIVATE SECTOR. – Maternity leave benefits of forty-five (45) days shall be extended up to sixty (60) days to all women employees (public and private) who have rendered at least one-year continuous service.

An employer who violates this provision shall pay a fine of Two Thousand Five Hundred Pesos (2,500.00Php) and a suspension of Business Permit of License to Operate for six (6) months. For local government department or agency, administrative sanctions shall be imposed.

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OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

SECTION 16. BARANGAY EDUCATION AND GENDER-SENSITIVITY. – All barangays shall conduct compulsory training and education for both barangay officials, house helpers and house helper employers on gender-sensitivity. An administrative sanction shall be imposed to the barangay council who fails to comply with the provision.

SECTION 17. WOMEN IN THE ENTERTAINMENT INDUSTRY. - Women engaged in the entertainment industry shall be recognized as wage earners 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. Violation of this provision shall be subjected to a fine of Two Thousand Five Hundred Pesos (2,500.00Php) or cancellation of Business Permit, or both, at the discretion of the Local Government Unit.

SECTION 18. POLICE OPERATIONS IN ENTERTAINMENT ESTABLISHMENTS. – All police operations or raids conducted in any entertainment establishments must be undertaken with utmost respect for human rights. Police officers shall not take his opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. Violation of this provision shall be subjected to an administrative sanction/action.

SECTION 19. ORIENTATION ON SEXUAL HARASSMENT. - All government and commercial and private offices, agencies, establishments or companies located in the municipality shall conduct regular orientation on sexual harassment for their respective employees.

ARTICLE III

GENDER AND DEVELOPMENT

SECTION 20. GENDER SENSITIVITY ORIENTATION AND TRAINING. – All school, offices, establishments, or companies, departments and agencies including barangay officials of the local government shall initiate gender-sensitivity orientation and trainings which should equip them with theoretical and practical knowledge on gender-justice. Non-compliance of this provision shall require the concerned party to pay a fine of Two Thousand Five Hundred Pesos (2,500.00Php) and issuance of warning by the Integrated Gender and Development Office.

CHAPTER II

PROVISION FOR IMPLEMENTATION

SECTION 21. 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 and equality 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:

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Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

- a. Formulates 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 (PPAs) that will uplift their conditions.
- b. Monitors and evaluates the implementation of local gender and development policies, programs and activities through the conduct of regular review and evaluation of existing legislation, policies and programs measuring the extent to which women's concern are integrated in all aspects of life on the basis of equal opportunities with men;
- c. Recommends the adoption of appropriate policies, enactment of ordinances or passage of resolution that enhance the potentials and capabilities of women and men to implement GAD mainstreaming;
- d. Promotes and support the establishments of a consultative mechanism to provide continuing dialogue between the municipal government and the women sector.
- e. Maintains and update a sex-disaggregated data bank through the conduct of the primary and secondary data gathering activities;
- f. Works in collaboration with national and regional government agencies, NGO's, PO's, the private sector and institutions to ensure that women's concerns are brought into the mainstream of all development efforts;
- g. Ensures that all Municipal Development Program Planning and Implementation are gender-sensitive/responsive.
- h. Reviews and approves all GAD Policy, Programs and Activities (PPA's) from barangay to municipal level prior to implementation to monitor if activities to be undertaken are in accordance with guidelines set forth;
- i. Creates functional committees in the performance of its functions, as the need arises;
- j. Assist the Local Finance Committee, the Committee on Appropriations in the allocation of the GAD budget;
- k. Avail educational and training seminars offered by NGO's/PO's educational and research institutions and other private sector initiatives that may be helpful in the achievement of its goals;
- l. Represents the Municipality in local and international women's conferences and for a pertinent to its other duties and functions;
- m. Gathers and disseminates information on current development and studies on GAD and related issues (i.e., gender and governance) and;
- n. All other duties and functions that maybe mandated by its council members deemed necessary to achieve its goals.

SECTION 22. CREATION OF WOMEN AND CHILDREN'S DESK (WCD) AND APPOINTMENT OF WCD OFFICER. – The municipal government shall create the WCD and appoint a WCD Officer in the Municipal Police Station of Sta. Fe, Leyte specifically to handle women and children's concerns. Complaints filed by women on battering and other forms of



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

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 23. CREATION OF MEDICO-LEGAL DESK FOR WOMEN AND CHILDREN AT THE MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE. – There shall be medico-legal desks for women at the Municipal Social Welfare and Development Office to cater to specific women problems and concerns.

SECTION 24. SPECIAL BODY TO INVESTIGATE CASES OF VIOLATIONS OF WOMEN UNDER POLICE OR MILITARY DETENTION. – No woman or girl/child shall be kept by any PNP/military personnel in police/military detachment/checkpoint or any analogous quarters for purposes of comfort nor be deprived of basic social service in detention. Violation shall be penalized through summary dismissal proceedings of the PNP which shall be conducted by RIAS or People's Law Enforcement Board while the AFP will be forwarded to the AFP Court Marshall of their appropriate actions.

SECTION 25. SPECIAL TRAINING FOR LUPONG TAGAPAMAYAPA – All training courses for Barangay Lupong Tagapamayapa shall include basic orientation in gender and development.

SECTION 26. GENDER AND POPULATION - The Municipal Health Office shall review and redesign the population program based on the reproductive health framework.

SECTION 27. TRAINING ON NON-TRADITIONAL OCCUPATION – Women shall be given opportunity to acquire training on non-traditional occupation especially in the field of science and technology. The 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 28. CREATION OF A TRIPARTITE COMMITTEE TO MONITOR THE IMPLEMENTATION OF LABOR STANDARDS. – There shall be a tripartite committee composed of representatives from the Public Employment Service Office (PESO), organized labor groups 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 Sangguniang Bayan on issues or complaints lodged with the Labor Assistance Desk;
- d. Formulate rules/mechanics for monitoring labor standards; and
- e. Conduct regular labor standards orientation for the women workers.

SECTION 29. 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 provision of this Ordinance shall be convened.



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

A consultative body shall be convened after the initial formulation of the Code's Implementing Rules and Regulations (IRR) to validate the draft document. It shall be composed of representatives of the municipal departments and offices, NGOs/POs, and barangay officials involved in the process of drafting this Code. The IRR shall take effect after it is ratified through a resolution by the Sangguniang Bayan and upon the publication in two (2) local newspapers of general circulation.

SECTION 30. COMPLIANCE REPORT. – Within six (6) months from the effectivity of this code and every six (6) months thereafter, all government department and instrumentalities shall submit a report to the Sangguniang Bayan on their compliance with this Code.

SECTION 31. APPROPRIATION. – For the effective implementation of this ordinance, the municipal government shall appropriate five percent (5%) of the Municipal Annual Development Fund in pursuance of RA 7192 and DILG-DBM-NCRFW Circular of 2001.

SECTION 32. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 33. EFFECTIVITY CLAUSE. – This Ordinance shall take effect at the end of posting for three (3) consecutive weeks in at least three (3) conspicuous places within the municipality and upon approval of the Sangguniang Bayan.

ENACTED; This 04th day of April 2022 during the 138th Regular Session of the Sangguniang Bayan at the Sangguniang Bayan Session Hall, Santa Fe, Leyte.

This ordinance is approved unanimously, on motion of Hon. Belen C. Chuca (Committee Chairman on Social Services, Women and Family) duly seconded by all members present.


HON. AGNES A. CHUCA
SB Member


HON. EDUARDO N. TOREROS
SB Member


HON. EVANGELYN P. MODESTO
SB Member


HON. EDUARDO L. LANTAJO
SB Member


HON. EDGARDO R. SALCEDA
SB Member

HON. ASSANDRO D. ECHAGUE
SB Member


HON. ALICIA M. MALQUISTO
SB Member


HON. CHARLITO L. LAGO
SB Member


HON. BELEN C. CHUCA
LIGA President


HON. MAE JO A. LANTAJO
Pambayang Federasyon ng SK



Republic of the Philippines
Province of Leyte
Municipality of Sta. Fe

OFFICE OF THE SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2022-03
Dated April 4, 2022

I HEREBY CERTIFY to the correctness of the foregoing ordinance, in 27 pages including this page.

ROMEO GRISOLA
Sangguniang Bayan Secretary

ATTESTED BY:

HON. ISMAEL V. LANTAJO
Municipal Vice Mayor
Presiding Officer

APPROVED:

HON. AMPARO H. MONTEZA
Municipal Mayor

Date: _____