

07

PROVINCE OF LEYTE
Palo, Leyte

Item No.: 07
Date: JUL 18 2023

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released by: [Signature]
Time: [Signature]
Date: 7-18-23

SANGGUNIANG PANLALAWIGAN
F JUL 11 2023
PROVINCE OF LEYTE

2nd INDORSEMENT
July 7, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 34 S.2023-2025 of the Sangguniang Bayan of Villaba, 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, an act to give "value to the dignity of every human person and guaranty full respect of human rights" mandated under Section 2, Article 2 of the Philippine Constitution.

ATTY. JOSE RAYMUND A. ACOL

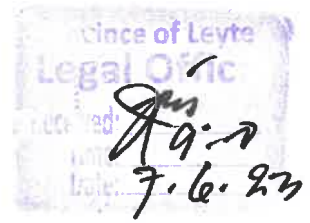
Asst. Provincial Legal Officer

[Signature]

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 July 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 34, S. 2023-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **AN ORDINANCE CRAFTED TO ELIMINATE GENDER-BASED SEXUAL HARASSMENT IN THE MUNICIPALITY OF VILLABA, LEYTE AND IMPOSE PENALTIES FOR VIOLATIONS THEREOF.**

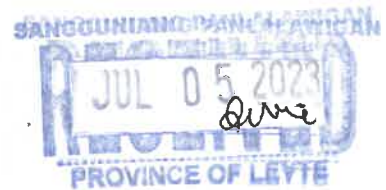

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



July 5, 2023

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex
Campetic, Palo, Leyte



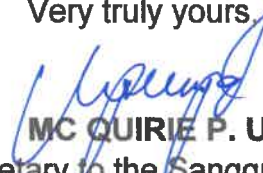
Honorable Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 34, S-2023-2025 "AN ORDINANCE CRAFTED TO ELIMINATE GENDER-BASED SEXUAL HARASSMENT IN THE MUNICIPALITY OF VILLABA, LEYTE AND IMPOSE PENALTIES FOR VIOLATIONS THEREOF" for review and approval.

God bless and more power.

Very truly yours,

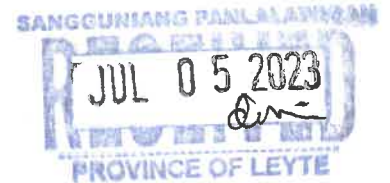

MC QUIRE P. UMPAD
Secretary to the Sangguniang Bayan



MUNICIPAL ORDINANCE NO. 34, S. 2023-2025

AN ORDINANCE CRAFTED TO ELIMINATE GENDER-BASED SEXUAL HARASSMENT IN THE MUNICIPALITY OF VILLABA, LEYTE AND IMPOSE PENALTIES FOR VIOLATIONS THEREOF

**Author: ROGELIO J. BAAY
SANGGUNIANG BAYAN MEMBER**



PREPARATORY STATEMENTS

Sexual harassment is one of the prevalent crimes not only here in our nation but also all over the world. It is an act of creating unpleasant or hostile situation that involves sexual desire, especially by one's verbal or physical conduct.

Incidents in this regard were rampant, particularly during those times before when laws in our country were loose and political influence was a free standard operating procedure. This is still existing now-a-days and for as long as carnal urge is in the human nature of unscrupulous individuals.

To do away with sexual harassment, there is a necessity to create a measure that would eventually suppress this kind of bestial actuations. **THUS,**

BE IT ORDAINED by the Sangguniang Bayan in regular session assembled hereby **ORDAINED** that:

**ARTICLE I
GENERAL PROVISIONS**

Section 1. TITLE. – This legislation shall be known as the “Anti Gender-Based Sexual Harassment Ordinance of Villaba, Leyte”.

Section 2. SCOPE. – This ordinance shall be applicable within the territorial jurisdiction of the Municipality of Villaba.

Section 3. DEFINITION OF TERMS. – As used in this ordinance, the terms herein are defined as follows:

FELIPE S. CASAS, SR.
Sangguniang Bayan Member
Temporary/Presiding Officer

ELY MARJA N. ENEVOLDSEN
Sangguniang Bayan Member

FEDERICO ENSON
SK Federation Vice President

JULCA VICTORIA L. CON-OT
Sangguniang Bayan Member

ROQUE M. COMPRA
Sangguniang Bayan Member

MARIANO DE CLARO
LNB President

MERIAM P. UMPAD
Sangguniang Bayan Member

NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member

MEL QUIRIE B. UMPAD
Secretary to the Sangguniang Bayan

VIOLETA T. SUMAPIG
Sangguniang Bayan Member

ROGELIO J. BAAY
Sangguniang Bayan Member

ENGR. CARLOS S. VELOSO
Municipal Mayor
Date: _____

- a) **Act of Lasciviousness** – an act depicting sex in a harsh or insulting way
- b) **Humiliating** – disgracing or lowering the status of a person
- c) **Innuendo** – insinuation or reference to someone or something so light as to be difficult to detect
- d) **Lewd Picture** – a picture that shows an indecent sexual desire
- e) **Leer Maliciously** – look at someone with ill will
- f) **Obscene** – offensive to accepted standards of modesty
- g) **Proliferation** – multiplying at a fast rate
- h) **Sexual Advances** – efforts made to win the sexual favor of someone
- i) **Unscrupulous** – lacking sound or honorable principle


Section 4. DECLARATION OF POLICY. – it shall be the utmost responsibility of LGU – Villaba to support the rights of women and believe in their worth and dignity as human beings.

**ARTICLE II
SEXUAL HARASSMENT**

Section 5. SEXUAL HARASSMENT. – as defined under R.A. 7877, is a form of misconduct involving an act or a series of unwelcome sexual advances, request for sexual favors, or other verbal or physical behavior of a sexual nature, made directly, indirectly or impliedly.

Section 6. FORMS OF SEXUAL HARASSMENT. – The following constitute sexual harassment some of which are covered by the Revised Penal Code under Acts of lasciviousness:

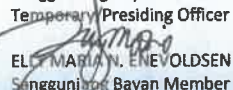
- a) Persistent telling of jokes, such as green jokes or other analogous statements to someone who finds them offensive or humiliating;
- b) Taunting a person with talk about sex and sexual innuendoes;
- c) Displaying offensive or lewd pictures and publications in the workplace;
- d) Interrogating someone about sexual activities or private life during interviews for employment, scholarship grant or any lawful activities applied for;
- e) Making offensive hand or body gestures at someone;
- f) Repeatedly asking for date despite verbal rejection;
- g) Staring or leering maliciously;


FELIPE CAMPS, SR.
Sangguniang Bayan Member
Temporary Presiding Officer

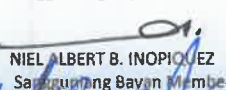

JULIA KATRINA L. CON UI
Sangguniang Bayan Member

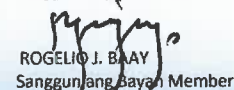

MERIAM P. UMPAD
Sangguniang Bayan Member


VIOLETA T. SUNAPIG
Sangguniang Bayan Member

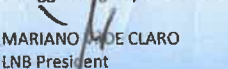

ELZMARIAN ENEVOLDSEN
Sangguniang Bayan Member


BOQUE M. TOMPRA
Sangguniang Bayan Member


NIEL ALBERT B. INOPIOVEZ
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


FEDERICO ENCA
SK Federation Vice President


MARIANO DE CLARO
LNB President


MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan

ENGR. CARLOS S. VELOSO
Municipal Mayor
Date: JUN 20 2023

- h) Touching, pinching or brushing up against someone's body unnecessarily or deliberately;
- i) Kissing or embracing someone against here will;
- j) Requesting sexual favor in exchange for good grade, obtaining a good job or promotion, etc.;
- k) Cursing, whistling or calling a woman in public with words having dirty connotations, implications which tend to ridicule, humiliate or embarrass the woman, such as "puta", "boring", "peste", etc.;
- l) Any other unnecessary acts during physical examination;
- m) Requiring a woman to wear suggestive or provocative attire during interview, such as on job hiring, promotion or admission.

**ARTICLE III
ULTIMATE RECOURSE**

Section 7. DENUNCIATION. – Republic Act 7877, which is known as the Anti-Sexual Harassment Act of 1995, holds sexual harassment as unlawful in the employment, education or training environment. In this regard, the situations stated in Section 5 of this ordinance which are simplified in Section 6, are manifestly obscene and spiteful on the part of the woman-victim. Predicated upon these reasons, it is but just and proper for the Local Government of Villaba to absolutely denounce and put an end to the existence and proliferation of these evil doings.

**ARTICLE IV
PENAL PROVISIONS**

Section 8. Any person, head of office, agency and establishment, government or private, in Villaba, Leyte, committing an act of sexual harassment specified in Section 5 and 6 of this ordinance shall suffer the penalty in accordance with the Revised Penal Code.

All local offices, agencies and establishments or companies, private or government in this municipality, shall conduct orientation on sexual harassment. Failure to comply with this provision shall cause the payment of not less than P3, 000.00 or at the discretion of the court. The head of office shall be held liable for an administrative sanction.

**ARTICLE V
FINAL PROVISIONS**

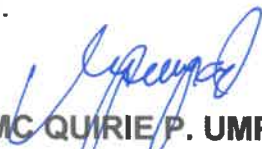
Section 9. SEPARABILITY CLAUSE. – If for any reason any section or provision of this ordinance is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall continue to be in full force and effect.

 FELIPE S. CASAS, SR. Sangguniang Bayan Member Temporary/Presiding Officer	 JULIA KATRINA L. CON-UI Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member
 ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROSELIO J. BAAY Sangguniang Bayan Member
 FEDERICO ENSON SK Federation Vice President	 MARIANO V. DE CLARO LNB President	 MAC QUIRIE P. UMPAD Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor Date: _____	


Section 10. REPEALING CLAUSE. – All ordinances, rules and other local issuances inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

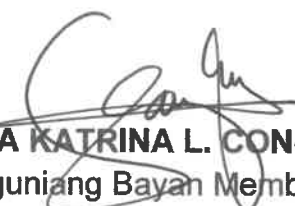
Section 11. EFFECTIVITY CLAUSE. – This ordinance shall take effect upon approval and after this shall have been posted in three (3) conspicuous places in accordance with the posting requirement of the Local Government Code.

On motion by the Hon. Rogelio J. Baay, duly seconded by the Hon. Meriam P. Umpad, this Ordinance was approved on May 22, 2023.

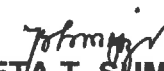

MC QUIRIE P. UMPAD
Secretary to the Sanggunian

ATTESTED:



FELIPE S. CASAS, SR.
Sangguniang Bayan Member/Temporary Presiding Officer



JULCA KATRINA L. CON-UI
Sangguniang Bayan Member


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member


VIOLETA T. SUMAPIG
Sangguniang Bayan Member


ROQUE M. COMPRA
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MERIAM P. UMPAD
Sangguniang Bayan Member


ELLY MARIA N. ENEVOLDSEN
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


MARIANO V. DE CLARO
LNB President


FEDERICO ENSOY
SK Federation President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

Date JUN 08 2023

COMMITTEE REPORT NO. 01 , S-2023-2025
(Committee on Human Resource)

RELATIVE TO THE PUBLIC HEARING ON THE ORDINANCE TITLED “ANTI GENDER- BASED SEXUAL HARASSMENT ORDINANCE INTHE MUNICIPALITY OF VILLABA, LEYTE”

May 12, 2023
SB SESSION HALL

This public hearing was attended by the Officers and members of the WOMEN'S ASSOCIATION and the representative of the MSWD office, and conducted by the Chairman, SB Committee on Laws and Rules.

The Author, who presided over this public hearing, presented the ordinance and discussed the provisions therein in detail. He went up to the extent of elaborating the different cases of harassment to the delight and indepth understanding of the all-women audience.

As for the conduct of information-dissemination activities in relation to this ordinance in offices, schools, assemblies and all other gatherings, a member of the group insinuated that the men shall also be enjoined to attend for them to be aware of the negative and regretful consequence of their act against women.

There being no other questions to consider, the hearing adjourned at 11:25 A.M.

Prepared by:


HON. ROGELIO J. BAAY
SB Member

NOTICE OF PUBLIC HEARING

[May 8, 2023]

SUBJECT: PUBLIC HEARING ON THE PROPOSED ORDINANCE ENTITLED: “AN ORDINANCE CRAFTED TO ELIMINATE GENDER-BASED SEXUAL HARASSMENT IN THE MUNICIPALITY OF VILLABA, LEYTE AND IMPOSE PENALTIES FOR VIOLATIONS THEREOF.”

The Sangguniang Bayan is inviting all **concerned citizens** affected by the proposed ordinance to attend the **Public Hearing on May 12, 2023 (9:00 AM)** at the **Sangguniang Bayan Session Hall**.



MC QUIRIE P. UMPAD
Secretary to the Sanggunian



Hermosilla Drive, District 28, Ormoc City
Contact Nos. (053) 561-0809 & 09285549820
e-mail: easternvisayasmail@gmail.com

Republic of the Philippines) .
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned;

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 34, S. 2023-2025

AN ORDINANCE CRAFTED TO ELIMINATE GENDER-BASED SEXUAL HARASSMENT IN THE MUNICIPALITY OF VILLABA, LEYTE AND IMPOSE PENALTIES FOR VIOLATIONS THEREOF APPROVED:

(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (/) 774 consecutive weeks in its EV Mail EV Mail June 12-18, 2023 issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this JUN 20 2023, 20__ in Ormoc City.


JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this JUN 20 2023 day of 2023 with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

ATTY. ADELITO N. SOLIBAGA JR.

Notary Public for the City of Ormoc,
Municipalities of Mananga, Matag-ob,
Medula and Isabel

NC No. ORM-22-12,088-1-C issued on 01/01/2023

Valid until December 31, 2024,

PTR No. 7450208, 01/01/2023, Ormoc City

IBF No. 2559/0. 02/29/2021, Leyte

Roll of Attorney No. 51625

EDM 207-493-130

MCLE Compliance No. VI-0014640

Valid until April 14, 2025

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