

Republika ng Pilipinas
Lungsod ng Dagupan
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
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EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG PANLUNGSOD, DAGUPAN CITY, HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL ON APRIL 29, 2020.

PRESENT:

Hon. Dean Bryan L. Kua	City Vice Mayor & Presiding Officer
Hon. Karlos Liberato E. Reyna IV	Presiding Officer Protempore, Member
Hon. Jose Netu M. Tamayo	Deputy Presiding Officer, Member
Hon. Michael B. Fernandez	Majority Floor Leader, Member
Hon. Luis M. Samson, Jr.	Asst. Majority Floor Leader, Member
Hon. Dennis C. Canto	Second Asst. Majority Floor Leader, Member
Hon. Ma. Librada Fe M. Reyna	Minority Floor Leader, Member
Hon. Celia C. Lim	Asst. Minority Floor Leader, Member
Hon. Marvin V. Fabia	City Councilor, Member
Hon. Cisco Jay P. Flores	City Councilor, Member
Hon. Teresa T. Coquia	City Councilor, Member
Hon. Marcelino D. Fernandez	Liga ng mga Barangay President, Ex-Officio Member
Hon. Joshua Bon Bon F. Bugayong	Pederasyon ng mga Sangguniang Kabataan President, Ex-Officio, Member

ABSENT:

NONE

ORDINANCE NO. 2202-2020

PROHIBITING ANY PERSON FROM COMMITTING ANY ACT WHICH CAUSES STIGMA, DISGRACE, SHAME, HUMILIATION, HARASSMENT AND DISCRIMINATION AGAINST PERSONS WHO ARE CONFIRMED, SUSPECTED OR PROBABLE COVID-19 CASE, INCLUDING PUBLIC AND PRIVATE DOCTORS, NURSES AND OTHER ALLIED HEALTHCARE AND EMERGENCY WORKERS, VOLUNTEERS/WORKERS ASSIGNED TO HOSPITALS AND OTHER FRONTLINERS, PROVIDING PENALTIES AND FINES FOR VIOLATION THEREOF

Explanatory Note

Discrimination has no place in the City of Dagupan, especially during this time of crisis. We must stop discrimination in all its forms and subtleties against health and emergency workers and other frontliners as well as their families perceived or suspected to be infected with COVID-19.

WHEREAS, President Rodrigo Roa Duterte on March 09, 2020 issued Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines due to the Corona Virus Disease 2019 (COVID-19);

WHEREAS, Presidential Proclamation No. 929 series of 2020 was issued declaring a State of Calamity throughout the Philippines due to COVID-19;

WHEREAS, based on the COVID-19 Situationer issued by the Public Information Office as of April 14, 2020 6:00 PM, there are now six (6) confirmed cases, seventy three (73) patients under investigation, and 1,868 patients under monitoring in the City of Dagupan, utilizing the previous DOH classification;

WHEREAS, there has been alleged reports of stigmatization among persons who have contracted the disease including those with suspected and probable cases which drives people to hide the illness, prevent people from seeking health care immediately and discourage them from adopting healthy behavior;

WHEREAS, incidents of discrimination suffered by COVID-19 patients and health and emergency workers and front liners include being evicted out of their homes, refused service in eateries and public transportation, and shunned by their own barangays and homes over fear of infection;

WHEREAS, these discriminatory behaviours are often fuelled by public fear and misinformation and can only be seen as disruptive and counterproductive to our efforts to contain and respond to this public health threat;

WHEREAS, it is not acceptable that our health workers and frontliners who have been sacrificing to save the lives of our countrymen have become victims of discrimination in their communities who instead should be treated with respect and compassion, not hate and suspicion;

WHEREAS, only through a united front strengthened by our conviction and cherished and shared values of what truly it means to be a peace-loving, caring and compassionate Dagupenos that we can fight and end this pandemic;

WHEREAS, the 1987 Constitution provides that "the State values the dignity of every human person and guarantees full respect for human rights;"

WHEREAS, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases issued Resolution No. 19 "denouncing in the strongest of terms acts of discrimination inflicted upon healthcare workers, OFWs, COVID-19 cases, whether confirmed or suspected, recovered or undergoing treatment, as well as Patients under Investigation and Persons under Monitoring."

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sanggunian Panglunsod in session assembled that:

SECTION 1. Title. This ordinance shall be known as "PROTECTION OF HEALTHCARE AND EMERGENCY WORKERS, VOLUNTEERS AND OTHER FRONTLINERS FROM HARASSMENT AND DISCRIMINATION DUE TO COVID-19 ORDINANCE OF 2020"

SECTION 2. Definitions. For purposes of this Ordinance, the following terms shall be utilized:

1. Confirmed, Suspected and Probable COVID 19 cases are persons defined under the protocols and guidelines of the DOH.

2. Health Workers - all persons who are engaged in health and health-related work, and all persons employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, clinics and other health-related establishments owned and operated by the Government or its political subdivisions with original charters and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status

3. Frontliners - includes officers and members of the AFP, PNP, PCG and instrumentalities of the government rendering emergency frontline services, border control and other critical services. It also includes service workers who are working in private establishments providing basic necessities such as food and medicine production, i.e. public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, pharmacies, drug stores, food preparation and delivery services, water refilling stations, manufacturing and processing plants of basic food products and medicines,

banks, money transfer services, power, energy, telecommunication and water supplies and other relate facilities;

SECTION 3. - Unlawful Acts.

1. It shall be unlawful for any person whether natural or juridical to commit any act of or make utterances which may cause stigma, disgrace, shame, humiliation, harassment or otherwise discriminating against a person infected with COVID-19 or those suspected or probable cases for the disease or against a health worker or frontline as defined in this Ordinance.

3. Refusal or denial of access to any place or service, including housing, food and transportation to any person, health and emergency workers, over fears of COVID-19 infection.

4. Any public officer who refuses or fails to give assistance to a suspected or probable COVID-19 person or to any health worker or frontliner who intends to return to his/her place of residence after obtaining clearance from proper health officials is likewise liable under this Ordinance.

5. Any person who will publicly claim, post on social media, spread or announce publicly that a person is a confirmed, suspected or probable COVID-19 case or any public dissemination of any sensitive information pertaining to a positive or suspected COVID-19 patient, whether through social media or any other means shall also be liable under this Ordinance. If the person violating is a public officer, the penalty imposed shall be in the maximum and can also be a ground for filing of an administrative case against said public officer EXCEPT when the person/patient waived his/her right to privacy for purposes of contact tracing another medical purposes.

SECTION 4. - Penalties Any person in violation of Section 3 of this Ordinance shall be fined in the amount of Five Thousand Pesos (Php 5,000.00) and/or imprisonment not exceeding six (6) months or both at the discretion of the court.

If violation is committed by a juridical person, the President, General Manager or owner of the corporation/entity shall be held liable.

Furthermore, should any employer or business entity be found guilty of committing discriminatory acts described under Section 3 hereof, its business license and permit shall be revoked.

SECTION 5. Information and Education Campaign. The Public Information is hereby directed to invest in education and information campaigns that will dispel rumors and fake news regarding COVID-19, especially those that put the safety of health workers at risk. Toward this end, the PIO shall disseminate information on the requirements of this Ordinance to the public immediately upon effectivity of this Ordinance.

SECTION 5. Repealing Clause That any prior law already passed with similar provision and purpose in any part, in the City of Dagupan, is hereby repealed.

SECTION 7. Effectivity. This Ordinance shall take effect immediately.

COUNCILOR KARLOS LIBERATO E. REYNA IV
Author

NOW, THEREFORE, on motion of Councilors Celia C. Lim, Marvin V. Fabia, Cisco Jay P. Flores, Teresa T. Coquia, Marcelino D. Fernandez, and Joshua Bon Bon F. Bugayong, duly and jointly seconded by Councilors Karlos Liberato E. Reyna IV, Jose Netu M. Tamayo,

Michael B. Fernandez, Luis M. Samson Jr., Dennis C. Canto, and Maria Librada Fe M. Reyna, be it enacted by the Sangguniang Panlungsod in its special session assembled that:

SECTION 1. Moratorium is hereby granted to all market stallholders in **Malimgas Market, the Makong Phase I, and the entire Second Floor of the New Galvan Market** from paying their rents. Rental payments owing to the City Government for the period until June 15, 2020 shall be waived and will not be collected.

SECTION 2. Those market stallholders on the **First Floor of the New Galvan Public Market whose businesses are closed and/or cannot operate for reason that they are non-essential services** are likewise covered by the moratorium, and will not be charged and collected with any rent for the period until June 15, 2020.

SECTION 3. This Ordinance shall immediately take effect upon its approval.

ENACTED UNANIMOUSLY.

DEAN BRYAN L. KUA
City Vice Mayor & Presiding Officer

ATTESTED:

RYAN C. RAVANZO
City Secretary

APPROVED:

MARC BRIAN C. LIM
City Mayor
Date: _____

