



Sangguniang Panlungsod

ORDINANCE NO. 15-114

AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT (GAD)
CODE OF THE CITY OF MUNTINLUPA.

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BE IT ORDAINED by the 7th Sangguniang Panlungsod ng Muntinlupa
that:

CHAPTER I
GENERAL PROVISIONS

ARTICLE I

Title, Scope, Declaration of Principles and Policies, Legal Bases and
Mandates

SECTION 1. *Title* – This ordinance shall be known as the “*Gender and Development (GAD) Code of the City of Muntinlupa.*”

SECTION 2. *Scope* – This Gender and Development Code, hereinafter referred to as the “Code,” shall be the primary basis of all policies concerning gender and development in the City of Muntinlupa, Metro Manila.

SECTION 3. *Declaration of Policy* – it is hereby declared the policy of the City of Muntinlupa to uphold and promote gender equality and women empowerment in recognition of the crucial role that women play in nation-building and the development of the city. Towards this end, it shall:

- a. *Ensure that every person, regardless of gender, will have an equal opportunity to contribute and benefit from all its programs, projects and services by pursuing a gender-free perspective in all the development cycle processes;*



Sangguniang Panlungsod

Page 2

Ordinance No. 15-114

- b. Mainstream gender and development in its planning processes, plans, programs, projects, services and other activities;*
- c. Generate sex-disaggregated data in order to address gaps in its objective to mainstream gender and development in the city;*
- d. Institute affirmative actions that will promote the development and ensure the promotion and protection of the rights of women; and*
- e. Utilize its gender and development budget for programs, projects and services that will ensure the development of women and other marginalized sectors in the city.*

SECTION 4. Legal Bases and Mandates – The adoption of this GAD Code is in line with the objective of the City of Muntinlupa to protect the rights of women and promote their economic empowerment, gender equality, gender-responsive development and governance as embodied in the following international commitments, local and national mandates and policies:

a. International Commitments on Women and GAD:

a.1 United Nations Convention on the Elimination of All Forms of Discrimination Against Women (UN CEDAW) – This international instrument defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

a.2. Beijing Platform for Action (BPFA) – An international commitment adopted during the Fourth World Conference on Women in 1995, it seeks to remove obstacles to women's full and equal participation in all spheres of life, protects women's human rights, and integrates women's concerns in all aspects of sustainable development. The BPFA identifies 12 areas of concern and strategies and actions that the world community must undertake on women, namely: (1) women and poverty; (2) education and training on women; (3) women and health; (4) violence against women; (5) women in armed conflict; (6) women and the economy; (7) women in power and decision-making; (8) institutional mechanisms for the advancement of women; (9) human rights of women; (10) women and media; (11) women and the environment; and (12) the girl-child.



Sangguniang Panlungsod

Page 3

Ordinance No. 15-114

a.3. Program of Action of the International Conference on Population and Development (POA-ICPD) – It is stipulated under this document that

population and development are inextricably linked, and that empowering women and meeting people's needs for education and health, including reproductive health, are necessary for both individual advancement and balanced development. This 20-year program of action adopted by 179 countries in 1995 provides concrete goals centered on providing universal education; reducing infant, child and maternal mortality; and ensuring universal access to reproductive health care, including family planning, assisted childbirth and prevention of sexually transmitted infections including HIV/AIDS.

a.4. Millennium Declaration and the Millennium Development Goals (MDGs) – The Millennium Declaration calls for a global consensus among

the 189 member countries of the United Nations towards swift and effective action to achieve development and eradicate poverty by 2015. The MDGs include an explicit gender equality goal as well as provide a clear recognition that gender equality is essential in achieving all the other goals.

a.5. Other International Conventions that Support GAD and Women's Concerns in keeping with the Rights - Based Approach and the concept of

gender issues being a cross-cutting concern, the state obligation to uphold and promote women's rights is not exclusive to the CEDAW. More so, in instances where the CEDAW Convention is less specific than other instruments, or does not address certain rights explicitly, such gaps can be filled by referring to provisions of particular relevance to women of the other seven (7) human rights conventions to which the Philippines is a state party to. These are: (1) the International Convention on Economic, Social and Cultural Rights (ICESCR); (2) the International Covenant on Civil and Political Rights (ICCPR); (3) the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); (4) the Convention Against Torture (CAT); (5) the International Convention on the Protection of Rights of All Migrant Workers and Members of their Families (CMW); (6) Convention on the Rights of the Child (CRC); and (7) the International Convention on the Rights of People with Disabilities (ICRPD).

b. Philippine Laws and Policies Related to Women and GAD:

b.1. The 1987 Philippine Constitution. – Our fundamental law provides that "...the State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men" (Art. II, Sec. 14). It also provides that "...the State shall protect working women by providing safe and healthy working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation" (Art. XIII, Sec. 14).



Sangguniang Panlungsod

Page 4

Ordinance No. 15-114

b.2. **Republic Act No. 7192**, "Women in Development and Nation-Building Act of 1992". – This law promotes the integration of women as full and equal partners of men in development and nation-building. It allows women to engage in economic activities even without their husband's consent, and provides resources for programs and activities for women, among others.

b.3 **Republic Act No. 7160**, "**Local Government Code of 1991**". – Local government units (LGUs) are mandated to promote the general welfare and provide basic services and facilities to their constituents under this law.

b.4. **Republic Act No. 9710**, "**Magna Carta of Women**". – The Magna Carta of Women (MCW) provides a comprehensive women's human rights framework that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors. It highlights every woman's right to protection from all forms of violence; protection and security in times of disaster, calamities, armed conflicts and other crisis situations; participation and representation; equal treatment before the law; equal access and elimination of discrimination against women in education, scholarships and training; equal participation in sports; non-discrimination in employment in the field of military, police and other similar services; non-discriminatory and non-derogatory portrayal in media and film; comprehensive health services, health information and education; employment leave benefits due to surgeries caused by gynecological disorders; and equal rights in all matters relating to marriage and family relations. It also guarantees the civil, political, cultural, social and economic rights of women in the marginalized sectors, particularly their right to:

- *Food security and resources for food production, including equal rights in the titling of the land and issuance of stewardship contracts and patents;*
- *Localized, accessible, secure and affordable housing;*
- *Employment, livelihood, credit, capital and technology;*
- *Skills training, scholarships, especially in research and development aimed towards women friendly farm technology;*
- *Representation and participation in policy-making or decision-making bodies in the regional, national, and international levels;*



Sangguniang Panlungsod

Page 5

Ordinance No. 15-114

- Access to information regarding policies on women, including programs, projects and funding outlays that affect them;
- Social protection;
- Recognition and preservation of cultural identity and integrity (provided that these cultural systems and practices are not discriminatory to women);
- Participation and representation in discussions on peace and development;
- Services and interventions for women in especially difficult circumstances (WEDC);
- Protection of girl-children against all forms of discrimination in education, health and nutrition, skills development; and
- Protection of women senior citizens.

The MCW mandates local government units and other government agencies and instrumentalities to utilize at least 5% of their total budgets on, and institute mechanisms to carry out legislations, programs, projects, services and activities addressing gender issues in their locality to promote women's empowerment and gender equality.

c. Other Relevant National Laws and Policies

c.1. On Labor and Employment

- c.1.a. Executive Order No. 340, "Directing National Government Agencies and Government-Owned and Controlled Corporations to Provide Day Care Services for Their Employees' Children"
- c.1.b. Presidential Decree No. 442, "Labor Code of the Philippines"
- c.1.c. Republic Act No. 6725, "An Act Strengthening the Prohibition on Discrimination Against Women With Respect to Terms and Conditions of Employment, Amending for the Purpose Article One Hundred Thirty-Five of the Labor Code, as Amended"
- c.1.d. Republic Act No. 6938, "Cooperative Code of the Philippines"



Sangguniang Panlungsod

Page 6

Ordinance No. 15-114

c.1.e. Republic Act No. 6972, "Barangay-Level Total Development and Protection of Children Act"

c.1.f. Republic Act No. 7305, "Magna Carta of Public Health Workers"

c.1.g. Republic Act No. 7322, "An Act Increasing the Maternity Benefits of Women in the Private Sector Amending for the Purpose Section 14-A of Republic Act No. 1161, as Amended, and for Other Purposes"

c.1.h. Republic Act No. 7655, "An Act Increasing the Minimum Wage of Household Helpers, Amending for the Purpose Article 143 of Presidential Decree No. 442, as Amended"

c.1.i. Republic Act No. 7699, Portability Law"

c.1.j. Republic Act No. 8042, "Migrant Workers and Overseas Filipinos Act of 1995"

c.1.k. Republic Act No. 8187, "Paternity Leave Act of 1996"

c.1.l. Republic Act No. 9178, "Barangay Micro Business Enterprises (BMBEs) Act of 2002"

c.1.m. Republic Act No. 9501, "Magna Carta for Micro, Small and Medium Enterprises (MSMEs)"

c.2. On Social and Economic Rights

c.2.a. Republic Act No. 7394, "Consumer Act of the Philippines"

c.2.b. Republic Act No. 7882, "An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises, and for Other Purposes"

c.2.c. Republic Act No. 8289, "Magna Carta for Small Enterprises"

c.2.d. Republic Act No. 8425, "Social Reform and Poverty Alleviation Act"

c.2.e. Republic Act No. 8972, "Solo Parents' Welfare Act of 2000"

c.2.f. Presidential Proclamation No. 1105, "National Rural Women's Day"



Sangguniang Panlungsod

Page 7
Ordinance No. 15-114

c.3. On Violence Against Women

- c.3.a. Act No. 3815, "The Revised Penal Code"
- c.3.b. Republic Act No. 6955, "An Act to Declare Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail Order Basis and Other Similar Practices Including Advertisement, Publication, Printing or Distribution of Brochures, Fliers and Other Propaganda Materials"
- c.3.c. Republic Act No. 6981, "Witness Protection, Security and Benefit Act"
- c.3.d. Republic Act No. 7610, "Special Protection of Children Against Abuse, Exploitation and Discrimination Act"
- c.3.e. Republic Act No. 7877, "Anti-Sexual Harassment Act of 1995"
- c.3.f. Republic Act No. 8353, "Anti-Rape Law of 1997"
- c.3.g. Republic Act No. 8505, "Rape Victim Assistance and Protection Act of 1998"
- c.3.h. Republic Act No. 9208, "Anti-Trafficking in Persons Act of 2003"
- c.3.i. Republic Act No. 9262, "Anti-Violence Against Women and Their Children Act of 2004"
- c.3.j. Republic Act No. 9775, "Anti-Child Pornography Act of 2009"
- c.3.k. Republic Act No. 9995, "Anti-Photo and Video Voyeurism Act of 2009"
- c.3.l. Presidential Proclamation No 731, "National Awareness Week for the Prevention of Child Sexual Abuse and Exploitation"
- c.3.m. Civil Service Commission Memorandum Circular No. 30, s. 1994, "Policy on Sexual Harassment in the Workplace"

ARTICLE II
Definition of Terms and Acronyms

SECTION 5. ~~Definition of Terms~~ As used in this Code, the following terms shall mean:



Sangguniang Panlungsod

Page 8

Ordinance No. 15-114

- a. *Access*— in the development context, the means or right to obtain services, products and commodities;
- In the context of the Gender Equality and Women's Empowerment Framework, access to resources and services is an objective to gender equality, while women's mobilization to achieve equality is an element of women's empowerment; and
- an opportunity for a person to make use of existing political, economic and time resources or benefits.
- b. *Advocacy*— a conscientization strategy concerned with increasing people sensitivity to the implications of gender inequality and demand that problems of gender discrimination be identified and overcome in policies and programs.
- c. *Battering*— any single or sporadic act of physical, emotional, psychological and economic abuse which shall include repeated and habitual cyclic pattern as a means of intimidation and imposition of the batterer's will and control over the victim's life.
- d. *Child* —any person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.
- e. *Commoditization of Women*— is a practice which puts women in subordinate situation, which results from the treatment of women as both consumers and objects. As consumers, women are lured to buy products to enhance their sexual and physical attractiveness; as object of consumption, the body of a woman is used to promote and sell a product or promote an activity.
- f. *Cult* — refers to, but not limited to, fanatic groups that entice, recruit or condition any person to become sexual offerings in organizational rituals or in other circumstances as part of membership requirement.
- g. *Development*— the improved well-being, or welfare, of people and the process by which this is achieved. It also means the sustained capacity to achieve a better life.
- h. *Differently – abled* – those who experience one or a combination of physical and/or mental impairment with distinct needs and potentials.



Sangguniang Panlungsod

Page 9

Ordinance No. 15-114

- i. *Discrimination against Women*— in the terminology of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, is any distinction, exclusion or restriction made on the basis of sex, which has the purpose or effect of denying equal exercise of human rights and fundamental freedoms in all fields of human endeavor.
- j. *Discrimination*— overt behavior in which people are given different and unfavorable treatment on the basis of their race, class, sex and cultural status; any practice, policy or procedure that denies equality of treatment to an individual/group.
- k. *Domestic Violence*— is physical, psychological, social or financial violence that takes place within an intimate family-type relationship and forms a pattern of coercive and controlling behavior.
- l. *Domestic Worker/Household Help*— one employed in the service of a family or private establishment of a person keeping the home; house servant.
- m. *Empowerment*— in the context of development, is individual or collective action by the disadvantaged to overcome the obstacles brought about by structural inequality. In another sense, empowerment is not only a process but also an outcome of that process.
- n. *Gender and Development (GAD)*— an approach to, or paradigm of development focusing on social, economic, political and cultural forces that determine how differently women and men participate in, benefit from, and control resources and activities. It shifts the focus from women as a group to the socially determined relationship between women and men.
- o. *GAD Advocate*— one who supports, defends, pleads or recommends active espousal of gender and development principles, objectives and processes.
- p. *GAD Budget*— a portion of an agency's or local government unit's annual appropriation which is not an additional amount over and above its regular budget; the allocation of a substantial amount for implementing programs, projects and activities that address gender issues; the cost and sources of financing a GAD Plan.
- q. *GAD Focal Point*— a mechanism created in all government offices to ensure the implementation, monitoring, review and updating of GAD plans; a person or group of persons tasked to facilitate and monitor the implementation of gender mainstreaming in each government agency.



Sangguniang Panlungsod

Page 10

Ordinance No. 15-114

- r. *GAD Plan*— a systematically designed set of programs, activities and projects with clear objectives for addressing gender issues and appropriate strategies and activities with monitoring and evaluation indicators; a blueprint of how an agency can achieve gender responsiveness; a set of interventions designed to transform gender-blind agencies into organizations with a gender perspective; an instrument to make all aspects of the agency and its work gender-responsive; it provides the basis for the GAD budget.
- s. *Gender*— refers to roles, attitudes and values assigned by culture and society to women and men. These roles, attitudes and values define the behaviors of women and men and the relationship between them which are created and maintained by social institutions such as family, government, community, school, church and media. Certain roles traits and characteristics are assigned distinctly and strictly to women and men because of gender.
- t. *Gender Awareness*— ability to identify problems arising from gender inequality and discrimination, even if these are not evident on the surface and are “hidden” or are not part of the general and commonly accepted explanation of what and where the problem lies; means high level of gender conscientization.
- u. *Gender Equality*— women and men enjoy the same status and conditions and have equal opportunity from realizing their potential to contribute to the political, economic, social and cultural development of their countries. They should also benefit equally from the results of development.
- v. *Gender Equity*— moves beyond a focus on equal treatment; giving to those who have less on the basis of needs and taking steps to compensate for historical and social disadvantages that prevent women and men from otherwise operating on a level playing field. Equity can be understood as the means, and equality is the end. Equity leads to equality.
- w. *Gender-Fair*— a situation where women and men share equally in responsibilities, power, authority and decision- making.
- x. *Gender Issues and Concerns*— issues, concerns and problems arising from the distinct roles of women and men and the relationships between them; affairs and involvement arising from societal expectation and perception on the roles of women and men reflected in and perpetuated by law, policies, procedures, systems, programs, activities and projects of the government. These impede the opportunities for women to participate in the development process and enjoy its benefits.



Sangguniang Panlungsod

Page 11

Ordinance No. 15-114

- y. *Gender Mainstreaming or GAD Mainstreaming*– a set of processes and strategies that aims to ensure the recognition of gender issues on a sustained basis; a strategy to integrate women's and men's concerns and experiences in the design, implementation, monitoring and evaluation of policies, programs, projects in all political, economic and social agenda.
- z. *Gender Planning*– the practical application of the skills acquired from gender studies and gender training in designing government plans, programs and projects; it recognizes that women and men have different roles in society and often have different needs as well.
- aa. *Gender Responsiveness*– the consistent and systematic attention given to the differences between women and men in society with a view to addressing structural constraints to gender equality.
- bb. *Gender Sensitivity*– the ability to recognize gender issues and to recognize women's different perceptions and interests arising from their different social position and gender roles.
- cc. *Gender Statistics*– information and data that provide not only comparisons between women and men but ensure that their participation in, and contribution to, society are correctly measured and valued.
- dd. *Governance*– the manner in which power is exercised in the management of a country's/organization's resources and affairs for development; how a government/organization establishes, maintains and deepens its relationship with its constituents/members. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests and exercise their legal rights.
- ee. *Indecent Live Shows*– shows which include nude and/or other provocative gestures/acts in public or private places which further project and exhibit women and children as sex objects for commercial and entertainment purposes.
- ff. *Law Enforcers*– refers to the members of the Philippine National Police, the Barangay Tanods and anybody who is tasked or deputized by an appropriate authority in enforcing national and /or local laws.
- gg. *Local Economic Development*– is the process by which actors within the localities (governments, private sector and civil societies) work collectively with the result that there are improved conditions for economic growth, employment generation and quality of life.



Sangguniang Panlungsod

Page 11

Ordinance No. 15-114

- hh. *Mainstream*— in the context of GAD, an interrelated set of dominant ideas and development directions and the organizations that make decisions about resource allocation and opportunities for development.
- ii. *Micro-enterprise*— business category whose total asset value ranged from P3,000,000 or less with 1-9 employees (as defined by DTI).
- jj. *Migrant Desk* – a unit within the LGU which attends to the concerns of migrant workers and their families in the different phases or cycle of migration.
- kk. *Participation*— the direct involvement of the marginalized in the development process to build their capability to access and control resources, benefits and opportunities so as to gain self-reliance and an improved quality of life.
- ll. *Pedophilia*— when an adult has sexual desire for children or sexual intercourse or act of lasciviousness by an adult with a child.
- mm. *Persons with Disability*— are those with physical impairments that have differentiated needs and potentials.
- nn. *Persons with Sexual Preference*— persons of either the female or male sexes who by choice, prefer to identify themselves other than their natural identity. They include lesbians, gays, bisexuals and trans-genders.
- oo. *Pornography*— refers to a sexual explicit material such as films, magazines, writings, photographs, internet, mobile phones or other materials that are sexually explicit and intended to cause sexual arousal.
- pp. *Prostitution*—an act of a woman in habitually indulging herself in sexual intercourse or lascivious conduct for money or profit as defined under Article 202 of the Revised Penal Code as amended by Republic Act No. 10158.
- qq. *Reproductive Health and Sexuality Education* – state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to reproductive system and to its functions and processes.
- rr. *Sex*— refers to the natural distinguishing variable based on biological characteristics of being a woman or a man; also refers to the physical attributes pertaining to a person's body contours, features, genitals, hormones and reproductive organs.



Sangguniang Panlungsod

Page 13

Ordinance No. 15-114

ss. *Sexism*— system and practice of discriminating a person on the basis of sex.

tt. *Sex-disaggregated Data*— statistical information that differentiates between women and men and allows one to see where the gaps are in their position or condition.

uu. *Sexual exploitation* — the participation or engagement of a person for any sexual act in exchange for cash, profit or other consideration as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, fraud or through abuse of his/her vulnerability.

vv. *Sexual Act* — sexual intercourse, including genital-to-genital, oral-to-genital, anal-to-genital, or oral-to-anal intercourse or contact, bestiality, masturbation, sadistic or masochistic abuse, exhibition of the genitals or pubic area of any person, and other acts of a sexual nature whether the same is made between persons of the same or opposite sex.

ww. *Support Group*— a number of persons who provide assistance to keep a person from falling or declining in a crisis situation.

xx. *Survivor-victim*— one who endures any act of gender-based violence that results in physical, sexual or psychological harm or suffering including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private.

yy. *Women's Economic Empowerment*— a state wherein women have access to and control over high-value productive resources and enjoys the benefits from wealth-creating opportunities equal with men including information, credit, loans or financial assistance, training, market, technology, decent jobs and human working conditions and balanced family life.

Sec. 6. *Acronyms*. - The following acronyms stand for:

- a. *ALS*— Alternative Learning System
- b. *BPLS*— Business Permit and Licensing Section
- c. *CODI*— Committee on Decorum and Investigation
- d. *LGU*— Local Government Unit
- e. *GAD-O*— Gender and Development Office

f. *CSWO*— City Social Welfare Officer



Sangguniang Panlungsod

Page 14

Ordinance No. 15-114

- g. NGA– National Government Agency
- h. OFW– Overseas Filipino Worker
- i. PESO– Public Employment Service Office
- j. PNP – Philippine National Police
- k. PO– People's Organization
- l. RH– Reproductive Health
- m. VAW-C– Violence Against Women and Children
- n. WCPD– Women and Children's Protection Desk

CHAPTER II GAD CONCERNS

ARTICLE III

National Laws and International Instruments on Women Empowerment and Gender and Development

SECTION 7. Implementation and Enforcement of National Laws and International Instruments - The city government shall ensure the implementation and enforcement of mandates of local government units under national laws and international instruments on, or related to, women empowerment and gender and gender and development such as, but not limited to, those enumerated in Section 4 of this Code. It shall also coordinate with other government departments, agencies, institutions and instrumentalities with offices within the city in order to ensure the same.

ARTICLE IV

Women Empowerment and Gender Equality

SECTION 8. Promotion of Women Empowerment and Gender Equality – In order to promote women empowerment and gender equality in the city, the city government shall:

- a. Promote and ensure equality of all persons in its ordinances and policies, plans, programs, projects, services and other activities; and
- b. Ensure that rights of women are protected in the city.



Sangguniang Panlungsod

Page 15

Ordinance No. 15-114

SECTION 9. Promotion of Gender Equality Through Pre-Marriage Counseling - The city government shall continue to protect and strengthen the sanctity of marriage as an institution through pre-marriage counseling. A gender and development-based pre-marriage counseling program shall be developed and made available as a service by the city government, through the GAD Office, to couples who are getting married. The rights of both the woman and man in all matters relating to marriage and family relations shall be included as a topic in the pre-marriage counseling.

ARTICLE V
Education and Media

SECTION 10. Gender-Sensitive Counseling and Career Programs – Public and private educational institutions within the city are encouraged to promote gender-sensitive counseling and career education programs to their students. This is to broaden and widen their perspectives and career opportunities through the pursuit of all kinds of employment opportunities as well as their own businesses.

SECTION 11. Gender-Sensitivity Education – The city government, through its Gender and Development Office, and in coordination with the Department of Education (DepEd) and Commission on Higher Education (CHED), shall raise the level of awareness of administrators, teachers, and staff of all education and learning institutions in the city through the following measures:

- a. Gender Sensitivity Orientation and Training Seminars;
- b. Encouraging the integration of sex and gender education in the formal education system as a special course with due consideration to the level of need and comprehension of target students; and
- c. Popularization in the schools within the jurisdiction of the city of core messages on gender-free education namely:
 - c.1. shared parenting;
 - c.2. shared home management;
 - c.3. shared decision-making;
 - c.4. equalized opportunities;
 - c.5. equalized representation and enhanced participation of women in public affairs and business; and
 - c.6. elimination of violence against women.



Sangguniang Panlungsod

Page 16

Ordinance No. 15-114

SECTION 12. Gender-Responsive Non-Formal Education for Unemployed Women Adults and Out-of-School Youth – The city government, in cooperation with the DepEd, Technical Education and Skills Development Authority (TESDA) and all educational institutions within the jurisdiction of the city, shall endeavor to promote non-formal education for unemployed women adults and out-of-school youth through technical education and skills training. It shall design education and training programs in cooperation with the appropriate agencies of the national government that would develop and harness their capabilities for employment or to start their own businesses in order to uplift their lives and contribute to the general development of the city. Discussions of pertinent laws and concerns related to women shall be made part of these education and training programs.

SECTION 13. Support for Indigenous Forms and Other Media and Information Communication Technology – Media advocacy on women's rights and gender-related concerns through indigenous forms and expressions as well as new technologies of communication shall be supported and encouraged in the city of Muntinlupa.

ARTICLE VI
Environment

SECTION 14. Care, Protection and Management of the Environment – The city government shall:

- a. Ensure the active participation and involvement of women in environmental decision-making at all levels;
- b. Integrate gender concerns and perspectives in policies and programs for sustainable development;
- c. Strengthen or establish mechanisms to assess the impact of development and local environmental policies on women; and
- d. Ensure women's enjoyment of their equitable share of benefits from sustainable resource use and quality environment.

ARTICLE VII
Health

SECTION 15. Promotion of the General Health of Women - The city government shall, as far as practicable, ensure the promotion of the general health of all women in the city. In this regard, it shall:



Sangguniang Panlungsod

Page 17

Ordinance No. 15-114

- a. Endeavor to provide women access to a full range of comprehensive health services including the prevention and treatment of diseases and sexual and reproductive health services throughout their life cycle;
- b. Recognize and respect the equal right of married women to decide on the number of children and the number of years between pregnancies, and to shared parenting; and
- c. Ensure the consistency of local ordinances, policies, programs, projects, services and other activities with women's human rights including family planning and sexuality education programs for adolescents, reduction of maternal and child mortality rates, removal of barriers to women's access to health services, information and education.

SECTION 16. *On the Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS) and Other Sexually - Transmitted Diseases (STDs)* – With regard to the HIV/AIDS and other STDs the city of Muntinlupa shall:

- a. Pursue gender-sensitive initiatives that address sexually transmitted diseases (STDs), (HIV/AIDS), and sexual and reproductive health issues;
- b. Research and information dissemination on the health of women in the city; and
- c. Allocate a reasonable amount of the city budget to monitor HIV/AIDS and STD cases.

SECTION 17. *Men's Involvement in Reproductive Health* – Reproductive health programs and projects which include among others trainings and seminars shall involve men, recognizing their crucial role in the maintenance of women's health and well-being.

SECTION 18. *Capacity Development for Health Providers* – The city government shall include capability building programs and activities for health personnel and health care providers. These shall include among others Gender Sensitivity Training to ensure efficiency and gender responsiveness in health care management and delivery.

SECTION 19. *Gender-Sensitive and Responsive Health Service* – City and Barangay Health Centers shall provide gender-sensitive and gender-responsive services in the delivery of health services.

SECTION 20. *Reproductive Health Care* – The city government shall



Sangguniang Panlungsod

Page 18

Ordinance No. 15-114

- a. Maternal and child health and nutrition;
- b. Family planning information and services;
- c. Prevention of abortion and management of its complications;
- d. Adolescent and youth health;
- e. Prevention and management of reproductive tract infections (RTIs), HIV/AIDS and other STDs;
- f. elimination of violence against women;
- g. education and counseling on sexuality and sexual health;
- h. treatment of breast and reproductive tract cancers and other gynecological conditions;
- i. male involvement in reproductive health; and
- j. prevention and treatment of infertility and sexual dysfunction.

SECTION 21. *Non-Discriminatory Health Care Delivery* – Appropriate, timely, quality and affordable health care, information and related services that are non-discriminatory on account of gender, sex, religion and ethnicity shall be implemented in Muntinlupa City. The city government shall endeavor to upgrade health facilities for the effective and efficient provision of primary health and reproductive care services.

SECTION 22. *Promotion of Breastfeeding* - Breastfeeding shall be promoted in the City of Muntinlupa. Accordingly, all health and non-health facilities, establishments or institutions shall establish lactation stations as provided under Section 11 of Republic Act No. 7600, the "The Rooming-In and Breast-feeding Act of 1992", as amended by Republic Act No. 10028 otherwise known as the "Expanded Breastfeeding Promotion Act of 2009". Nursing employees shall be granted the privileges as provided under Section 12 of RA 7600, as amended. Any private non-health facility, establishment and institution which unjustifiably refuses or fails to comply with this provision shall be sanctioned according to the provisions of Section 21 of the same law, as amended.

SECTION 23. *Weighing of Infants, Children, Pregnant and Lactating Mothers* – All barangay health centers and stations shall undertake a program for the weighing of infants, children, pregnant and lactating mothers in order to assess and address their nutrition needs. Reports shall be submitted to the City Health Office for the programming and identification of necessary interventions. This shall also include school children.



Sangguniang Panlungsod

Page 19

Ordinance No. 15-114

ARTICLE VIII
Infrastructure, Science and Technology

SECTION 24. Role of Women – The increased participation of women in infrastructure, science and technology projects of the city government shall be enhanced and promoted. This is to ensure that women will also benefit from these projects as their specific needs are addressed.

SECTION 25. Facilities for Men, Women and Persons with Disabilities – All government and private offices, clinics, hospitals and other establishments shall have separate toilet facilities for men, women and persons with disabilities.

SECTION 26. Gender-Sensitive Physical Plan – All public and commercial buildings and structures should be designed to prevent sexual harassment and abuse. The city government shall ensure that all private or public infrastructure projects provide safety, accessibility and easy mobility for women, especially pregnant women, children, elderly and persons with disabilities.

ARTICLE IX
Labor and Employment

SECTION 27. Mechanism to Monitor Compliance with Labor and Other Existing Laws – The city government, in coordination with the Department of Labor and Employment (DOLE), the Civil Service Commission (CSC) and other concerned agencies, shall establish mechanisms to monitor all offices, agencies and establishments operating within the city to ensure strict compliance with the provisions of the Labor Code and existing laws especially those pertaining to children, women and labor.

SECTION 28. Non-discrimination in Employment – All institutions, establishments and employers within the city shall implement non-discriminatory policies with respect to recruitment, promotion, salary and terms and conditions of employment.

SECTION 29. Orientation on Gender Sensitivity and Sexual Harassment – All government agencies and private establishments and institutions within the municipality shall conduct an annual orientation on gender sensitivity and sexual harassment for their new employees through the assistance of the Gender and Development Office of the city. A Certificate of Compliance in this connection shall be issued by the city government to government agencies and private establishments and institutions upon compliance with this requirement.

SECTION 30. Facilities and Support System for the Well-being of Employees and Workers – Employers shall ensure the health, safety and well-being of all their employees and workers. In this regard employers shall endeavor to:



Sangguniang Panlungsod

Page 20

Ordinance No. 15-114

- a. Encourage the establishment of separate toilets, lavatories and lounge for women and men and provide at least a dressing room for women;
- b. Set up a home care center in the workplace where working mothers may have breastfeeding, child-rearing and early childhood care and development activities: *Provided*, That said activities will not affect the quality of their work;
- c. Institute flexible working arrangements to accommodate the various responsibilities of women and men to their families; and
- d. Ensure that the working environment shall not only be conducive and safe but also be gender-sensitive to prevent sexual harassment, sexual abuse and other forms of maltreatment.

SECTION 31. *Inventory of Domestic Workers* – The City of Muntinlupa shall ensure the implementation of Republic Act No. 10361 or the “Domestic Workers Act” especially as it pertains to the protection and benefits of domestic workers. A mechanism shall be established by the by the city government, through its appropriate office and in coordination with the Department of Labor and Employment (DOLE), to monitor cases of maltreatment, sexual harassment and other forms of sexual abuse of domestic workers. The city government shall provide assistance and other forms of support to domestic worker victims.

SECTION 32. *Support to Overseas Filipino Workers (OFW), Migrant Workers and Their Families* – A Migrants’ Desk to primarily coordinate and address the concerns of OFWs, migrant workers and their families shall be established by the city government. The Migrant’s Desk shall, in coordination with the DOLE, the Philippine Overseas Employment Administration (POEA) and other appropriate departments and agencies of the national government, also assist:

- a. in tracking and verifying the legitimacy of recruitment or employment agencies;
- b. to ensure that the Pre-Employment Orientation Seminar (PEOS) required under Republic Act No. 8042 (RA 8042) or the Migrant Workers and Overseas Filipino Act, is given to prospective overseas workers and their families to inform them on overseas labor and employment conditions in their preferred countries of employment;
- c. in monitoring of OFWs during their deployment in the labor-receiving countries and act accordingly with regards to violations of RA 8042; and returning OFWs and migrant workers who no longer wish to go abroad, look for local employment or establish their own businesses.



Sangguniang Panlungsod

Page 21

Ordinance No. 15-114

SECTION 33. Gender-neutral Evaluation System for City Government Employees – The city government shall evaluate the existing job and performance evaluation system in order to ensure that all employees, regardless of gender, are given equal opportunities for promotion. It shall develop a gender-neutral criteria that would facilitate the comparison of the value of jobs of different nature, in which women presently predominate, with those jobs in which men presently predominate.

ARTICLE X

Violence Against Women, Prostitution and Trafficking

SECTION 34. Implementation and Enforcement of National Laws – The city government shall ensure the implementation and enforcement of all laws and international instruments that are aimed to prevent and eliminate violence against women. It shall likewise ensure the implementation and enforcement of all laws and international instruments that protect women and children from trafficking, prostitution and such other related acts that violate their dignity as human beings.

SECTION 35. Creation of Violence Against Women Desks - The city government shall ensure that a Violence Against Women Desk is established in every barangay to ensure that violence against women cases are fully addressed in a gender-responsive manner. In this regard, the city shall provide capability training programs, seminars and activities for barangay personnel in order to equip them with the necessary information, values, attitude skills and other tools in handling violence against women cases.

SECTION 36. Education on Laws and Policies Addressing Gender-Based Violence – The city government shall provide education on laws and policies addressing gender-based violence which shall consist of, but not limited to, the following:

- a. public information through comprehensive and multi-level information and education campaigns in close coordination and partnership with civil society organizations;
- b. the continuous development of the capacity of service providers and front liners in handling cases of violence against women through trainings and other capability development activities;
- c. the conduct of research, through the Gender and Development Office, on the nature and causes of gender-based violence in the city in order to be able to develop a database for proper intervention and legislation; and
- d. periodic capability development activities for employees and officials of the local government and barangays on gender-based violence



Sangguniang Panlungsod

Page 22

Ordinance No. 15-114

SECTION 37. Prostitution and Trafficking of Women – The City of Muntinlupa recognizes that prostitution and trafficking of women are human rights violations as these are forms of sexual exploitation and violence against women and children. The city government shall therefore undertake measures that would prevent or stop these illegal activities in the city.

SECTION 38. Monitoring of Entertainment and Other Business Establishments – The city government, through its appropriate offices/departments, shall conduct regular inspections of entertainment establishments to ensure that these are not used as brothels or fronts of prostitution and trafficking. It shall also monitor local print and broadcast media as well as other business establishments, to include movie houses, video shops, computer shops, cable companies, books or other forms of audio-visual channels or instruments, against pornographic activities that degrade women and children.

ARTICLE XI

Women With Special Concerns and Other Disadvantaged Sectors

SECTION 39. Muslim and Other Indigenous Women – The city government shall endeavor to address the unique concerns of Muslim and other indigenous women living in the city which includes among others, concrete interventions that preserve and promote the observance of their cultural traditions that are gender-fair and empowering for women.

SECTION 40. Women Migrant Workers – The city government shall endeavor to address the circumstances which contribute to the specific vulnerability of women migrant workers. It shall conduct a study, in cooperation and coordination with other departments and agencies of the national government, of the experiences of sex and gender-based discrimination as a cause and consequence of the violation of their human rights of its residents who are women migrant workers.

SECTION 41. Children – The City of Muntinlupa adheres to the principle that the primary consideration guiding all actions concerning children must be the best interests of children, taking into account the rights and duties of parents or others who are legally responsible for them, irrespective of the children's or their parent's or legal guardian's race, color, sex, language, religion, national, ethnic or social origin, disability or other status.

SECTION 42. Women With Disabilities – The city government shall promote and protect the rights and interests of women with disabilities. It shall ensure that gender-free programs and projects shall be developed towards this respect which shall include, but not be limited to, the following:

- a. organization of persons with disabilities;



Shirley

Sangguniang Panlungsod

Page 23

Ordinance No. 15-114

- b. creative employment opportunities for persons with disabilities that recognize their different conditions and full potentials as human beings;
- c. generation of a database of persons with disabilities through the Barangay Councils in order to come up with appropriate intervention measures to address their needs;
- d. require the appropriate barangay bodies to monitor and report cases of harassment against persons to the City Social Welfare and Development Office and the PNP; and
- e. implementation and enforcement of the provisions of Republic Act No. 9442, as amended, otherwise known as the Magna Carta for Persons with Disabilities.

SECTION 43. *Persons With Sexual Preference* – The human rights and fundamental freedoms, including freedom from violence and discrimination, of lesbians, gays, bisexuals and transsexuals are guaranteed in the City of Muntinlupa. The city government shall endeavor to ensure the elimination of prejudices and all practices towards members of this sector.

ARTICLE XII
Women and Governance

SECTION 44. *Creation of Barangay-based Women's Organizations* – In order to provide venues for the conduct of activities and programs for the development and empowerment of women at the grassroots, the formation or establishment of women's organizations at the barangay level shall be encouraged. The city government shall help in their organization and undertake their accreditation.

SECTION 45. *The Muntinlupa Council of Women* – A Muntinlupa Council of Women composed of representatives from accredited barangay organizations shall be organized in the city. It may serve as a consultative body to the Sangguniang Panlungsod on issues and concerns affecting women.

SECTION 46. *Representation of Women in Local Special Bodies* – The city government shall ensure the implementation of laws that mandate the participation of women in all local special bodies. It shall likewise ensure that the sector of women is represented in the City and Barangay Development Councils.

SECTION 47. *Gender Balance in All levels of Local Government Positions* – The city government shall promote gender balance or equal proportion and opportunity for qualified women and men employees to key positions at all levels of local governance.



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Sangguniang Panlungsod

Page 24

Ordinance No. 15-114

SECTION 48. Support for Women Capability Development – Mechanisms to support women's capability development shall be adopted by the city government which shall consist of, but not limited to, the following:

- a. measures, programs and projects that will encourage women to run for public office at all levels;
- b. provision of opportunities for women's participation in governance;
- c. conduct of leadership trainings and other seminars that would develop and strengthen the leadership and governance skills of women; and
- d. generation of a database on the situation of women in relevant fields or subject matters.

ARTICLE XIII
Trade and Industry

SECTION 49. Local Economic Development and Women Economic Empowerment – In accordance with the thrust of the City of Muntinlupa to promote local economic development and women's economic empowerment, the following shall be undertaken:

- a. Establishment of a Sustainable Micro Enterprise Development Mechanism. – The city government shall promote and support small and medium entrepreneurial undertakings as a tool for women empowerment in the city. It shall formulate programs, projects, development strategies, structures and processes to ensure local economic development and women's economic empowerment in line with the Comprehensive Development Plan.
- b. Establishment of Database on Micro Enterprises. – The city government, through its appropriate offices/departments, shall undertake a mapping of micro enterprises within the city in order to establish a database that shall be used as basis to craft policies, plans and programs and determine appropriate services especially for the women micro-entrepreneurs and workers in order to promote their sustainable development.
- c. Partnership and Linkage with Business Development Service Organizations, Government Agencies and Other Institutions. – The city government shall develop linkages and build partnerships with various institutions that provide technical assistance, research and development, capacity development, market links, micro-finance and other support services to capacitate women micro-entrepreneurs and expand market accessibility of their products.



Sangguniang Panlungsod

Page 25

Ordinance No. 15-114

- d. Accessing Loans and Financial Assistance. – The city government shall assist women entrepreneurs in accessing loans and financial assistance from government and private financial institutions. Efforts to continuously build the capacity of women entrepreneurs to access loans and to negotiate shall also be undertaken. Likewise, efforts for socialized lending or for special credit programs for women micro-entrepreneurs shall also be studied and pursued.
- e. Protection Against Iniquitous and Excessive Interest Rates. – It shall be the policy of the City of Muntinlupa to eliminate oppressive lending or credit schemes and imposition of iniquitous and excessive interest rates.
- f. Financial Assistance to Group Enterprises. – The city government shall assist group enterprises gain access to capital and other forms of financial assistance from government or private financial institutions. Part of this assistance shall be in the form of capacity building seminars focused on making these business ventures succeed and become sustainable.
- g. Facilitating Enrollment in the Philippine Health Insurance. – In order to provide health insurance coverage and ensure affordable, acceptable, available and accessible health care services for all employees and workers of micro enterprises in the city, the city government shall help in facilitating the enrollment of their workers and employees to the National Health Insurance Program of the Philippine Health Insurance Corporation.

ARTICLE XIV
Justice, Peace and Order

SECTION 50. Continuous Review of the Gender-Responsiveness of Local Laws and Policies – The city government shall undertake a continuous review of local laws and policies in order to revise, amend or repeal provisions that are gender-biased.

SECTION 51. Promotion of Legal Rights Literacy – Information on GAD-related and relevant national and local laws and their impact on women and men, list of agencies and offices responsible for the administration of justice, and guidelines on how to use the justice system shall be made accessible to all.

SECTION 52. GAD Orientations and Trainings for Law Enforcers – The city government shall strengthen its linkages with the PNP in order to ensure that gender and development orientations and trainings for law enforcers assigned to the city are regularly conducted.



Sangguniang Panlungsod

Page 26

Ordinance No. 15-114

SECTION 53. *Humane and Just Treatment of Female Offenders* – The city government shall coordinate with the PNP in order to establish mechanisms to promote the humane, just and gender-sensitive treatment of female offenders.

SECTION 54. *Persons in Detention* – The city government shall endeavor to extend any form assistance to the Bureau of Jail Management and Penology (BJMP) and Muntinlupa City police station in order to ensure the protection of the right to humane and just treatment of persons detained at their facilities. There shall be a separate structure and space for detention and rehabilitation for women and men detainees.

SECTION 55. *Women and Children's Protection Desks (WCPDs)* – The city government, in coordination with the PNP, shall ensure the creation of Women and Children's Protection Desks (WCPDs) in all police precincts in the city. Women police officers who are adequately trained for the purpose shall be assigned to WCPDs to ensure that cases involving women and children are handled in accordance with existing laws, rules and regulations.

SECTION 56 *Support to PNP Personnel* – The city government shall endeavor to extend support to PNP personnel assigned in the city which may include, among others, the provision of free legal assistance to those indiscriminately charged, criminally or administratively in the performance of their official duties related to, or in connection with, the promotion and protection of the rights of women.

SECTION 57. *Raids in Entertainment Establishments* – Excessive and unreasonable use of force by law enforcement agencies brutality shall not be allowed anywhere, at any time, and in any kind of activity such as during the conduct of raids in entertainment establishments and similar places that have women entertainers. Raids shall be conducted in accordance with the law and in a manner which shall not degrade or humiliate others. Violators of this provision shall be subject to appropriate administrative, civil or penal sanctions.

ARTICLE XV

Disaster Risk Reduction and Management

SECTION 58. *Gender and Development in Disaster Risk Reduction and Management* – The city government shall ensure that gender and development be considered in all its disaster risk reduction and management policies, plans and programs. In support of this, the city government shall undertake the following:

a. Pre-Disaster and Resilience Building Measures:

- a.1. Ensure that women and other vulnerable groups are duly informed on disaster risk reduction and management and climate change adaptation;



Sangguniang Panlungsod

Page 27

Ordinance No. 15-114

- a.2. Ensure the representation, active participation and involvement of women and other vulnerable groups in disaster risk reduction and management decision-making processes including hazard, vulnerability and capacity assessment (HVCA) mapping activities and in the formulation of disaster contingency plans in their respective communities;
- a.3. Design an emergency response plan for vulnerable groups including women, children and elderly for search and rescue operations, evacuation management plan and rehabilitation plan;
- a.4. Ensure that women have sustained livelihood and income; and
- a.5. Build the capacities of women in disaster risk reduction and management including but not limited to:
 - a.5.1. design and manage community-based early warning systems (CB-WWS);
 - a.5.2. manage trauma and provide psycho-social intervention to survivors of disasters;
 - a.5.3. provide first aid medical response to cases resulting from disasters; and
 - a.5.4. maintain update sex-disaggregated data and statistics especially on vulnerable groups (women, children, elderly, persons with disabilities and others).

b. Measures During Disasters

- b.1. Whenever practicable, prioritize women and other vulnerable groups in search and rescue operations;
- b.2. Ensure that information on the number of affected families and persons, including injured, dead and missing, damage to properties and infrastructures and such other related statistics during disasters are periodically updated in order to determine appropriate and timely interventions;
- b.3. Ensure that minimum standards in disaster response as set forth in existing laws and international instruments, including people's need for water, sanitation, nutrition, food, shelter, clothing, health care and other basic needs, are met; and



Sangguniang Panlungsod

Page 28

Ordinance No. 15-114

- b.4. Ensure the implementation of the provisions of Section 10 of Republic Act No. 9710, otherwise known as "The Magna Carta of Women".

c. Measures in Recovery and Rehabilitation

- c.1. Ensure women's active participation and involvement in recovery and rehabilitation efforts by:
- c.1.1. Involving women in the conduct of Damage Assessment & Needs Assessment (DANA) to ensure that their needs and those of other vulnerable groups are addressed; and
 - c.1.2. Involving women as participants of Food-for-Work and Cash-for-Work schemes in restoration works funded by the government in order to provide them with job and income opportunities to help their families cope and recover with the effects of disasters.
- c.2. Ensure that psycho-social and stress debriefing interventions especially for women, children and the elderly, are carried out by women providers to better situate the intervention; and
- c.3. Ensure that women and children have access to clean and potable water, sanitation, nutrition, food, shelter and health care to ensure their full recovery.

SECTION 59. Funding – As far as practicable, the city government shall ensure that a portion of the Local Disaster Risk Reduction and Management Fund (LDRRMF) is allocated for meeting the special needs of vulnerable groups especially women, children, elderly and persons with disabilities in the emergency and relief phase up to the recovery and rehabilitation stage.

ARTICLE XVI
Special Events and Activities

SECTION 60. Declaration of the Eighth (8TH) of March as International Women's Day and the Month of March as Women's Month – The city government, through its GAD Office, shall lead the observance and celebration of International Women's Day and Women's Month in the city pursuant to Presidential Proclamation No.'s 227 and 224 respectively. Programs and activities in connection with these events shall be pursued by the city government.



Sangguniang Panlungsod

Page 29

Ordinance No. 15-114

SECTION 61. *Muntinlupa City Women's Congress* – In line with the celebration of Women's Month, a Women's Congress shall be held in Muntinlupa City every March. A reporting of the accomplishments and initiatives of the city government to promote women's economic empowerment, human rights and gender-responsive governance shall be undertaken during this activity.

SECTION 62. *Observance of Significant International Celebrations on Women and Gender and Development* – The City of Muntinlupa shall, in communion with the international community, join in the observance of significant international celebrations on women empowerment and gender and development. These shall include among others, the International Day of Action for Women's Health every May 28, the International Week of Action Against Gender-based Violence from November 25 to December 12 and the 18-day Campaign to Eliminate Violence against Women and Children.

CHAPTER III PROHIBITED ACTS AND PENALTIES

ARTICLE XVII On Violence Against Women

SECTION 63. *Failure to Act on Reports of Violence Against Women and Children* – All concerned offices of the city government, including the barangays, shall act immediately or within twenty-four (24) hours upon receipt of complaints and reports, of violence against women and children. They shall provide the appropriate intervention to the complainants within the prescribed period as provided for under the following pertinent laws:

- a. *Republic Act No. 9262, "Anti-Violence Against Women and Their Children Act of 2004";*
- b. *Republic Act No. 9208, "Anti-Trafficking in Persons Act of 2003";*
- c. *Republic Act No. 8353, "Anti-Rape Law of 1997";*
- d. *Republic Act No. 7610, "Special Protection of Children Against Abuse, Exploitation and Discrimination Act";*
- e. *Republic Act No. 8972, "Solo Parents' Welfare Act of 2000"; and*
- f. *Republic Act No. 7877, "Anti-Sexual Harassment Act of 1995"*

Failure to act within the prescribed period constitutes neglect in the performance of duty and shall be penalized in accordance with the provisions of the laws cited above, the Civil Service Code, the Local Government Code of 1991 and other pertinent laws.



Sangguniang Panlungsod

Page 30

Ordinance No. 15-114

SECTION 64. Soliciting Sexual Services – It is unlawful for a person to solicit a woman or child's services for sexual purposes as gift, representation, public relations or as an act of goodwill regardless of whether the solicitor profits or not from such acts without prejudice to the provisions of the Revised Penal Code and other related laws.

SECTION 65. Prostitution – Prostitution shall not be allowed in the City of Muntinlupa and shall be penalized in accordance with the provisions of the Revised Penal Code. The city government shall exercise its powers to curb prostitution within its jurisdiction.

SECTION 66. Prohibited Fund-Raising Initiatives – Fund raising activities wherein men and women are used as prizes for an award, prize or recognition in order to raise funds shall be strictly prohibited. Organizers and all other persons responsible for the conduct of said fund raising activity shall pay a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or suffer imprisonment for six months (6) or both, at the discretion of the court.

SECTION 67. Contests That Degrade Persons – Beauty contests and other similar activities, whose purpose or manner of presentation tend to abuse, humiliate and treat or degrade women, men and children shall be strictly prohibited in schools, barangays and communities within the jurisdiction of the city. In lieu of these, activities that project the strength of women and children shall instead be encouraged and pursued.

ARTICLE XVIII
On Appropriate Health Services

SECTION 68. Appropriate Initial Medical Treatment And Support In Emergency Or Serious Cases – In emergency or serious cases, it shall be unlawful for any proprietor, president, director, manager or any other officer, and/or medical practitioner or employee of a hospital or medical clinic to request, solicit, demand or accept any deposit or any other form of advance payment as a prerequisite for confinement or medical treatment of a patient in such hospital or medical clinic or to refuse to administer medical treatment and support as dictated by good practice of medicine to prevent death or permanent disability: **Provided**, That by reason of inadequacy of the medical capabilities of the hospital or medical clinic, the attending physician may transfer the patient to a facility where the appropriate care can be given, after the patient or his next of kin consents to said transfer and after the receiving hospital or medical clinic agrees to the transfer: **Provided, however**, That when the patient is unconscious, incapable of giving consent and/or unaccompanied, the physician can transfer the patient even without his consent: **Provided, further**, That such transfer shall be done only after necessary emergency treatment and support have been administered to stabilize the patient and after it has been established that such transfer entails less risks than the patient's continued confinement: **Provided, furthermore**, That no hospital or clinic, after being informed of the medical indications for such transfer, shall refuse to receive the patient nor demand from the patient or his next of kin any deposit or advance payment: **Provided, finally**, That strict compliance with the foregoing procedure on transfer shall not be construed as a refusal made punishable by Section 4 of Batas Pambansa 702, as amended by Republic Act No. 8344.



Sangguniang Panlungsod

Page 31

Ordinance No. 15-114

ARTICLE XIX
On Labor and Employment Laws

SECTION 69. *Equal Access to Job Training and Promotion* – No one shall be deprived of job training, employment, promotion, appointment, salary adjustment on account of gender, sex orientation, age, ethnicity, civil status and religion.

SECTION 70. *Minimum Wage and Other Lawful Benefits* – Every employer shall comply with the minimum wage as prescribed by the Regional Wage Board or as maybe provided by existing laws and shall grant all benefits due to all employees without discrimination against women.

ARTICLE XX
On Justice, Peace and Order

SECTION 71. *Non-Disclosure of Victims' and Offenders' Identities* – The confidentiality of the real names, alias, personal circumstances, or any other information pending to establish the identities of offenders and victims shall be preserved and shall not be disclosed to the public in any manner to protect their privacy and integrity unless authorized by law or for a lawful purpose. Any person who violates this provision shall be penalized with fifteen (15) days of imprisonment or payment of Two Thousand Five Hundred Pesos (P2,500.00) or both at the discretion of the courts. The offenders may also be prosecuted for revelation of secrets under Articles 229 and 230, as the case maybe, of the Revised Penal Code or under other related laws.

ARTICLE XXI
On Other Disadvantaged Sectors

SECTION 72. *Equal Treatment* – Any ridicule, embarrassment or insult to persons belonging to cultural communities, those with disabilities, the elderly or persons with sexual preferences shall be penalized in accordance with the penal provisions of this Code.

SECTION 73. *Prohibition Against Degrading Programs and Publications* – It shall be unlawful for any person or entity to present reports, programs or advertisements in print, broadcast, electronics, film or other forms of media including stage shows or presentations that degrade or treat a person as an inferior being or which, in any manner subject a person to humiliation and ridicule. Publishers, reporters, station or program managers, advertisers, producers, directors, actors or other persons responsible for such, shall be penalized with a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of one (1) month or both at the discretion of the court. The court may impose suspension or revocation of the business permit or franchise to operate as an additional penalty.



Sangguniang Panlungsod

Page 32
Ordinance No. 15-114

CHAPTER IV
IMPLEMENTATION, MONITORING AND EVALUATION

ARTICLE XXII
Implementation, Monitoring and Evaluation

SECTION 74. Gender Mainstreaming – The city government shall adopt gender mainstreaming as a strategy towards the promotion of gender-responsive governance. It shall integrate gender equality goals into the development plans, programs, projects and services of the local government and in the whole planning and budgeting cycle. The development plans referred to are the Comprehensive Land Use Plan (CLUP); Comprehensive Development Plan (CDP); Local Development Plan Investment Program (LDIP); Executive-Legislative Agenda (ELA); Annual Investment Plan (AIP) and other plans to be formulated by the LGU out of the main instruments which are the CLUP and the CDP.

SECTION 75. Participatory Governance and Implementation – The City and Barangay Councils shall lead in the implementation of this Code. In this regard, the participation of civil society organizations shall be ensured and partnership or linkages with other concerned agencies, institutions and individuals shall be established by the City and Barangay Councils.

SECTION 76. The Muntinlupa City Gender and Development Focal Point System (MCGFPS); Establishment; Functions – (a) Pursuant to Republic Act No. 9710 and its implementing rules and regulations, the Muntinlupa City Gender and Development Focal Point System (MCGFPS) is hereby established to ensure and sustain the city's critical consciousness and support on women and gender issues. It shall take a lead role in direction-setting, advocacy, planning, monitoring and evaluation, and technical advisory on mainstreaming GAD perspectives in the city's programs, projects, activities, and processes.

(b) Specifically, the MCGFPS shall have the following functions:

1. Lead the assessment of the gender-responsiveness of policies, strategies, programs, activities, and projects of the city based on the priority needs and concerns of its constituency, and the formulation of recommendations and ensure their implementation;
2. Assist in the formulation of new policies, such as the GAD Code, in advancing women's empowerment and gender equality;
3. Lead in setting up appropriate systems and mechanisms to ensure the generation, processing, review, and updating of sex-disaggregated data or GAD database to serve as basis in performance-based and gender-responsive planning and budgeting;



Sangguniang Panlungsod

Page 33

Ordinance No. 15-114

4. Coordinate efforts of different divisions/offices/units of the city government and advocate for the integration of GAD perspectives in all its systems and processes;
5. Spearhead the preparation of the city government's annual GAD Plan and Budget (GPB) in response to the women and gender issues of its;
6. Lead in monitoring the effective implementation of the GPB, GAD Code and such other GAD-related policies, plans, programs, and activities;
7. Lead the preparation of the annual city GAD Accomplishment Report (GAD AR) and such other related reports;
8. Promote the participation of women and gender advocates, other civil society groups and private organizations in the various stages of development planning cycle, giving attention to the marginalized sectors;
9. Ensure that all personnel of the city government including the planning and finance officers are capacitated on GAD. Along this line, the MCGFPS will recommend and plan an appropriate capacity development program on GAD for its employees as part of, and implemented under, its regular human resource development program; and
10. Promote and actively pursue the participation of women and gender advocates, other civil society groups and private organizations in the various stages of development planning cycle, giving attention to the marginalized sectors.

To carry out its functions, the MCGFPS shall have an Executive Committee, a Technical Working Group and a Secretariat. The members and personnel of these bodies who are not employees of the city government or any government organization, agency, institution or instrumentality, shall be appointed by the City Mayor.

SECTION 77. The Executive Committee; Composition; Roles and Responsibilities - (a) the Executive Committee (ExeCom) shall be composed of the following:

- | | | |
|---|---|-------------|
| 1. City Mayor | - | Chairperson |
| 2. Chairperson, Committee on Appropriations, Sangguniang Panlungsod | - | Member |



Sangguniang Panlungsod

Page 34

Ordinance No. 15-114

- | | | |
|---|---|--------|
| 3. Chairperson, Committee on Women and Family Relations, Sangguniang Panlungsod | - | Member |
| 4. President, Liga ng mga Barangay | - | Member |
| 5. Chief, Social Services Department | - | Member |
| 6. Chief, City Health Office | - | Member |
| 7. Chief, Public Employment Service Office | - | Member |
| 8. Chief, Department of agriculture/extension Services Office (DA/ESO) | - | Member |
| 9. Chief, City Planning and Development Office | - | Member |
| 10. Chief, Local Civil Registry | - | Member |
| 11. President, Pamantasan ng Lungsod ng Muntinlupa | - | Member |
| 12. Superintendent, Schools Division Office | - | Member |
| 13. Director, DILG -Muntinlupa City | - | Member |
| 14. Chief of Police | - | Member |
| 15. Representative of NGOs or POs | - | Member |

The City Mayor shall appoint from the members, an Alternate Chairperson and Vice Chairperson.

(b) The Exe Com shall have the following roles and responsibilities:

1. Provide policy advice to the City Mayor to support and strengthen the MCGFPS and the city's gender mainstreaming efforts;
2. Direct the identification of GAD strategies, programs, projects, activities (PPAs) and targets based on the results of gender analysis and gender assessment, taking into account the identified priorities of the city and the gender issues and concerns faced by its constituents and employees;



Sangguniang Panlungsod

Page 35

Ordinance No. 15-114

3. Ensure the timely submission of the annual GAD Plan and Budget (GPB), GAD Accomplishment Report (GAD AR) and other related reports to the DILG which shall be consolidated for submission to the PCW and appropriate oversight agencies;
4. Ensure the effective and efficient implementation of GAD PPA's and the judicious utilization of the GAD budget;
5. Build and strengthen the partnership of the city government with concerned stakeholders such as women's groups or civil society organizations (CSOs), national government agencies, GAD experts and advocates, among others, in pursuit of gender mainstreaming;
6. Recommend awards and/or incentives to recognize outstanding GAD PPAs or individuals who have made exemplary contributions to GAD; and
7. Perform such other functions necessary to the achievement of the objectives of this Code.

SECTION 78. The Technical Working Group (TWG); Composition; Roles and Responsibilities – (a) The Technical Working Group (TWG) shall have twenty-three (23) members composed of the GAD focal persons of the following concerned city government offices/departments or government organizations, agencies, institutions or instrumentalities who shall be designated by their respective heads, and representatives of civil society organizations (CSOs):

1. Public Information Office;
2. DILG-Muntinlupa City;
3. Liga ng mga Barangay;
4. Social Services Department;
5. City Health Office;
6. Public Employment Services Office;
7. DA/ESO;
8. City Planning and Development Office;
9. Local Civil Registry;
10. City Budget Office;



Sangguniang Panlungsod

Page 36
Ordinance No. 15-114

11. City Cultural and Tourism Development Office;
12. Disaster Risk Reduction and Management Office;
13. Pamantasan ng Lungsod ng Muntinlupa;
14. DepEd Schools Division Office;
15. PNP, Muntinlupa;
16. Four (4) Representatives from NGOs or POs; and
17. Four (4) Representatives from the Private Sector

The representative of NGOs or POs who is a member of the ExeCom shall be one (1) among the four (4) representatives from NGOs or POs thereby making said person also an automatic member of the TWG. The members of the TWG shall elect from among themselves a Chairperson and a Vice Chairperson.

(b) The TWG shall have the following roles and responsibilities:

1. Facilitate the gender mainstreaming efforts of the city government through the GAD planning and budgeting process;
2. Formulate the Muntinlupa City GAD Plan and Budget (GPB) in response to the gender gaps and issues faced by their constituents including their employees;
3. Assist in the capacity and competency development of, and provide technical assistance to, the offices or units of the city government. In this regard, the TWG shall work with the human resources development office of the city on the development and implementation of a capacity development program on GAD for its employees;
4. Coordinate with the various units/offices of the city government and ensure their meaningful participation in strategic and annual planning exercises on GAD including the preparation, consolidation and submission of GPBs;
5. Lead the conduct of advocacy activities and the development of information, education and communication (IEC) materials to ensure critical support of local elected officials, department heads and staff, and relevant stakeholders to the GFPS and to gender mainstreaming;



Sangguniang Panlungsod

Page 37

Ordinance No. 15-114

6. Provide regular updates and recommendations to the City Mayor or MCGFPS ExeCom regarding MCGFPS' activities and the progress of the city government in gender mainstreaming based on the feedback and reports of concerned city government departments, offices/units, stakeholders and constituents; and
7. Perform such other functions necessary to the achievement of the objectives of this Code.

SECTION 79. The GAD Office – There shall be established a GAD Office which henceforth, shall become a regular division under the Office of the City Mayor to assist the MCGFPS ExeCom and the TWG in the performance of their roles and responsibilities, specifically on the provision of administrative, technical and logistical services. It shall have the following sections with their corresponding functions as herein enumerated:

a. Programs and Projects Section:

1. Coordinate with other departments/offices of the city government and other stakeholders for the planning, management, monitoring and evaluation of GAD and GAD-related PPAs for effective implementation;
2. Assess the gender responsiveness of systems, structures, policies, programs, processes, and procedures of the different departments and offices of the city government based on priority needs and concerns of constituencies and employees, formulate recommendations for their improvement and monitor the same;
3. Synergize efforts of all stakeholders in the development of programs, projects and activities of the city government on GAD;
4. Supervise the implementation of GAD PPAs of all the different departments and offices of the city government;
5. Coordinate and ensure the preparation and submission of the annual GAD Accomplishment Reports of the different offices or divisions of the city government;
6. Initiate advocacy in pursuit of the participation of women and gender advocates, civil society groups and private organizations in the various stages of the development planning cycle of the city government, giving attention to the marginalized sectors;



Sangguniang Panlungsod

Page 38
Ordinance No. 15-114

7. Provide assistance and strengthen linkages in the identification and mobilization of resources for GAD PPAs; and
8. Perform such other functions related to the main function of the GAD Office.

b. Planning, Research and Education Section:

1. Formulate the systems and mechanisms in ensuring the accurate generation, processing, review and updating sex-disaggregated data or GAD database to serve as basis in performance based and gender-responsive planning and budgeting;
2. Conduct field researches and studies in the communities to determine, assess and come up with viable PPAs to address the needs of women in the communities;
3. Formulate standards for all women/gender and development mechanisms instituted by all establishments and local government agencies and instrumentalities;
4. Conduct policy studies on women concerns, existing laws and proposed mechanisms to address effective intervention in policy making;
5. Develop training programs to strengthen the capacity of the GAD focal point system of the city;
6. Conduct of orientations, seminars, workshops and interactive activities to strengthen gad focal persons;
7. Ensures the conduct of gender responsive education and training for all departments, offices and Barangay units by establishing standards of course contents for the guidance of government and private organizations;
8. Provide technical support to the Barangay GAD focal point system; and
9. Perform such other functions related to the main function of the GAD Office.

c. Administrative Section

1. Manage the operation of the GAD Office in the performance of its functions;



Sangguniang Panlungsod

Page 39

Ordinance No. 15-114

2. Provide support and attend to the all administrative requirements of the GAD Office including those of the various GAD PPAs;
3. Ensure the adequacy and efficient use of supplies and equipment of the GAD Office through proper coordination with concerned offices or departments of the city government; and
4. Perform such other functions related to the main function of the GAD Office.

SECTION 80. *Personnel of the GAD Office* – All personnel of the GAD Office shall be appointed by the City Mayor in accordance with existing laws, rules and regulations governing the appointment of government personnel.

(a) *Program Director.* – The GAD Office shall be headed by a Program Director with the position of Assistant Department Head, salary grade 24 (SG 24) and shall have the following functions:

1. Manage the day to day operations of the GAD Office;
2. Advise the City Mayor on policies and/or directives that support gender mainstreaming in the policies, plans, PPAs and services of the LGU as well as in its budget, systems, processes and procedures of the LGU, including the creation, strengthening, modification or reconstitution of the GFPS;
3. Ensure the efficient, effective and judicious utilization of the city's annual GAD budget;
4. Cause the preparation of the annual GAD PPAs of the different offices or divisions of the city government and monitor and evaluate their implementation; and
5. Perform such other functions as may be directed by the City Mayor in relation to the implementation of this Code.

b. *Other personnel of the GAD Office.* – The Program Director shall be assisted by the heads of the different sections of the GAD Office. The heads of the Program Coordination, Monitoring and Evaluation Section and the Planning, Research and Education Section shall be designated to positions with salary grade 22 (SG 22) while the head of the Administrative Section with salary grade 18 (SG 18). They shall be responsible in ensuring that the functions assigned to their respective sections are carried out.



Sangguniang Panlungsod

Page 40

Ordinance No. 15-114

The following positions are also hereby created to perform such necessary functions in relation to the daily operations of the GAD Office.

- | | |
|---|-----------|
| 1. Project Development Officer III (SG 18) | - 1 item |
| 2. Project Development Officer II (SG15) | - 1 item |
| 3. Project Development Officer I (SG11) | - 1 item |
| 4. Planning Officer II (SG 15) | - 1 item |
| 5. Planning Officer I (SG 11) | - 1 item |
| 6. Administrative Officer II (Administrative Officer 1) (SG 11) | - 1 item |
| 7. Administrative Assistant II (Data Controller II) (SG 8) | - 2 items |
| 8. Administrative Aide VI (Clerk III) (SG 6) | - 2 items |
| 9. Administrative Aide IV (Clerk II) (SG 4) | - 1 item |
| 10. Administrative Aide IV (Driver II) (SG 4) | - 1 item |
| 11. Administrative Aide III (Utility Worker II) SG 3 | - 1 item |

The City Mayor shall have the authority to hire such other additional personnel necessary to attain the objectives of the GAD Office and this Code.

SECTION 81. Meetings – The ExeCom and the TWG shall hold regular meetings at least once a month or as often as may be necessary. These bodies may create committees or sub-committees composed of its members who may likewise meet at least once a month or as often as necessary in order to hasten the facilitation of their mandated tasks.

SECTION 82. Allowance – Each member of the ExeCom and the TWG or their respective committees and sub-committees shall receive an allowance to cover transportation, food and other necessary expenses, for every meeting actually and physically attended, the amount of which and release thereof, shall be what are prescribed under, and in accordance with, existing laws, rules and regulations on the matter.

SECTION 83. Quorum – A majority of all the members of the ExeCom and the TWG or their respective committees or sub-committees shall constitute a quorum. Said bodies shall not transact business without a quorum. An approval of the majority of the members present during meetings of these bodies shall be required for the adoption of policies, proposals, programs, projects, activities or decisions.

SECTION 84. Muntinlupa City Gender and Development Center (MCGDC) – A Muntinlupa City Gender and Development Center (MCGDC) shall be established in the city to serve as an operations center for gender and development concerns. It shall provide, among others, comprehensive support to women, including women in especially difficult circumstances (WEDC). As defined under Section 30 of Republic Act No. 9710, WEDC shall refer to victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, women in detention, victims and survivors of rape and incest, and such other related circumstances which have incapacitated them functionally. The MCCW shall provide the necessary services and interventions to women such as, but not limited to, the following:



Sangguniang Panlungsod

Page 41

Ordinance No. 15-114

- a. Temporary and protective custody;
- b. Medical and dental services;
- c. Psychological evaluation;
- d. Counseling;
- e. Psychiatric evaluation;
- f. Legal services;
- g. Productivity skills capability building;
- h. Livelihood assistance;
- i. Job placement;
- j. Financial assistance; and
- k. Transportation assistance.

CHAPTER V FINAL PROVISIONS

ARTICLE XXIII Funding

SECTION 85. GAD Fund – The City Council shall appropriate at least *five percent (5%)* of the *total annual budget of the city* for *GAD programs, projects, activities and services*.

SECTION 86. Appropriations – The funds necessary for the implementation of this Code shall be sourced from the GAD Fund in the annual appropriations of the city.

ARTICLE XXIV Transitory Provision

SECTION 87. Equipment and Other Resources – The existing GAD Office of the City of Muntinlupa created under Executive Order No. 2 dated January 17, 2014, shall cease to exist upon the creation of the GAD Office as provided under Section 79 of this Code. All the equipment and other resources of the existing GAD Office shall be transferred to the new GAD Office that will be created.



Sangguniang Panlungsod

Page 42

Ordinance No. 15-114

ARTICLE XXV
Separability, Repealing and Effectivity Clauses

SECTION 88. Separability Clause – If any part or provision of this Code is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall remain valid and continue to remain in force and effect.

SECTION 89. Repealing Clause – All ordinances, rules and regulations, or parts thereof, in conflict or inconsistent with any of the provisions of this Code, are hereby amended or repealed accordingly.

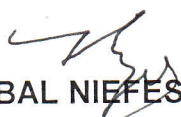
SECTION 90. Effectivity Clause – This Code shall take effect upon approval and compliance with the mandatory posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the Local Government Code.

ENACTED, by the 7th **Sangguniang Panlungsod of Muntinlupa** this 16th day of **March 2015**, on its 74th **Regular Session**.

CONCURRED:

DISTRICT I:


COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member


COUN. BAL NIEFES
Member


COUN. STEPHANIE G. TEVES
Member


COUN. LOUISITO A. ARCIAGA
Member


COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member


COUN. RINGO A. TEVES
Member


COUN. ALEXANDER B. DIAZ
Member

DISTRICT II:


COUN. LUVI P. CONSTANTINO
Member



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Sangguniang Panlungsod

Page 43

Ordinance No. 15-114

[Signature]
COUN. ENGR. NEPTALI S. SANTIAGO
Member

[Signature]
COUN. ELMER S. ESPELETA
Member

[Signature]
COUN. RAFAEL T. SEVILLA
Member

[Signature]
COUN. VERGEL C. ULANDAY
Member

[Signature]
COUN. ROBERT A. ABAS
Member

[Signature]
COUN. ROBERT P. BAES
Member

COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

[Signature]
COUN. MA. DHESIREE G. AREVALO
Member

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

[Signature]
CECILIA C. LAZARTE
Secretary

[Signature]
ATTESTED:
COUN. ATTY. RAUL R. CORRO
Acting City Vice-Mayor/Presiding Officer

APPROVED:

[Signature]
ARTEMIO A. SIMUNDAC
Acting City Mayor
Date: MAR 23 2015

[Handwritten initials]