



Republic of the Philippines
MUNICIPALITY OF PILAR
SORSOGON

OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF PILAR, SORSOGON HELD ON JUNE 9, 2014**

Present:

Hon. Celso Y. Lao, Jr. - Municipal Vice-Mayor /Presiding Officer

Sangguniang Bayan Members:

Hon. Liezl A. Millano	Hon. Arthur John S. Garchitorea
Hon. Francis M. Gacosta	Hon. Marlyn Ll. Romo
Hon. Ramon L. Tee	Hon. Sergio B. Reyes, Jr.
Hon. Telesforo G. Abogado, Jr.	Hon. George E. Loseriaga
Hon. Ambrosio P. Mananes	Liga President

Absent:

NONE

MUNICIPAL ORDINANCE NO. 002, Series of 2014

**“AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT CODE OF THE
MUNICIPALITY OF PILAR, SORSOGON AND FOR OTHER PURPOSES”.**

Sponsor: HON. MARLYN LL. ROMO & HON. LIEZL A. MILANO

Be it ordained by the Sangguniang Bayan of Pilar, Sorsogon session assembled:

CHAPTER I

ARTICLE I

GENERAL PROVISIONS

Section 1. Title. This ordinance shall be known as” GENDER AND DEVELOPMENT CODE’ of the Municipality of Pilar, Sorsogon and shall hereinafter be referred to as the GAD CODE.

Section 2. Statement of Policy. It shall be the policy of the Local Government Unit of Pilar, Sorsogon to ensure all genders benefit equally and participate directly in the development programs and projects of its various departments and ensure the full participation and involvement of all genders in the development process.

The Code formulation is anchored on R.A No. 9262 Anti Violence against Women and Their Children Act of 2004, and the Constitution which emphasizes and preserves the different rights of the individuals or its citizenry. Several laws that may serve as bases of references are (R.A No. 7192. The Women in Nation- Building (WIN); (R.A.6725; An Act Strengthening the Prohibition on Discrimination against Women); (R.A 7877; The Anti- Sexual Harassment against Women); (R.A 9208; The Anti- Trafficking in Person of 2003); (R.A 7610; Special Protection of Children against Child Abuse and Exploitation and Discrimination Act.)

The Local Government Unit adheres to the conviction that it is only by addressing the specific needs of men, women as well as their children, lesbians, gays, bi-sexual & transgender (LGBT), the elderly, the differently-abled persons, and the indigenous people, on being gender-responsive, that the quality of life is enhanced and fully enjoyed.

Based on this premise, the Local Government Unit of Pilar, Sorsogon adopts a policy direction to formulate programs and strategies, among others, that shall:

- a. heighten advocacy work on mainstreaming gender concerns in sectoral development plans, policies and programs.
- b. strengthen governmental and non-governmental partnership to maximize the effectiveness of the programs and services addressing gender and development concerns.
- c. sustain commitment to capacity building and women empowerment to increase numbers of women in decision and policy-making posts in the locality.
- d. provide gender-responsiveness, relief and rehabilitation programs with special focus on the needs of women, senior citizens, children and differently-abled persons.
- e. encourage, support and expand the participation of women in the planning implementation, monitoring and evaluation of development programs and projects.
- f. establish a cooperative or multi-purpose in different organization that will cater to and mitigate the financial as well as economic problems of the members as poverty alleviation strategy.

Section 3. Definition of Terms. The following terms or phrase as used in this Code shall mean:

- a. **GENDER.** Socially learned behavior and expectations associated with two sexes. Thus, whereas the maleness or femaleness is biological facts, masculinity and femininity are culturally construed attributes. It also refers to the socially differentiated roles and characteristics attributed by a given culture to women and men.
- b. **GENDER AND DEVELOPMENT (GAD)** The development perspective which encourages the equal participation or contribution of women and men in all aspect/sectors of development.
- c. **MINORS OR CHILDREN.** Persons below 18 years of age who are unable to fully take care of themselves from abuse, neglect, cruelty, exploitation, and discrimination.
- d. **DIFFERENTLY-ABLED PERSONS.** Survivors of physical impairments that have different needs and potentials.
- e. **VIOLENCE AGAINST WOMEN.** Refers to any gender-based violence which may result in physical, sexual, psychological suffering or economic abuse. This consists of psychological violence or economic abuse.
- f. **PSYCHOLOGICAL VIOLENCE.** An act and omission causing likely to cause mental or emotional suffering the victim such as intimidation harassment, stalking, damage to property, public ridicule humiliation repeated verbal abuse and marital infidelity.
- g. **ECONOMIC ABUSE.** An act that attempt to make a financially dependent as withdrawal of financial support or a preventing the victim from engaging in any legitimate profession, occupation or activity. Deprivation or threat of deprivation of financial resources and the right to use and enjoyment of the conjugal community or property owned in common and destroying household property.
- h. **BATTERY.** Inflecting physical harm upon the woman or her child resulting in physical, psychological and emotional distress.
- i. **REPRODUCTIVE HEALTH.** On Population and Development and World Health Organization (WHO) and affirmed in Beijing Conference, is a state of complete physical, mental and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive system its functions and process.
It includes ten (10) elements which are:

- (1) Maternal and Child Health and Nutrition
 - (2) Family Planning
 - (3) Prevention and Treatment of Reproductive Tract Infection (RTI) including STD, HIV and AIDS
 - (4) Prevention and Management of Abortion Complication
 - (5) Education and Counseling on Sexuality and Sexual Health
 - (6) Breast and Reproductive Tract Cancer and other Gynecological Conditions
 - (7) Prevention and Treatment of Infertility Sexual Disorder
 - (8) Men's Reproductive Health
 - (9) Violence against Women
 - (10) Women's Reproductive Health

ARTICLE II GENDER AND DEVELOPMENT PROGRAMS

SECTION 4. Data Bank/Gender Studies. The Local Government Unit shall undertake documentation and researches that shall form part of the municipality-based-programs development.

SECTION 5. Funding for Basic Social Services. Sufficient amount necessary to undertake the basic social services for all extremely difficult circumstances shall be allocated from any available source of funds of the Local Government.

SECTION 6. Monitoring of the implementation of laws, policies on women and children particularly the Anti-Rape Law, Women in Development and Nation Building and Child Labor shall be continuously and strictly undertaken by our Local Government.

SECTION 7. Development of Great Women Project for sustaining and tracking the progress of gender mainstreaming efforts and gender responsive programs and project in the municipality.

SECTION 8. Special Training for Lupong Tagapamayapa. The Local Government Unit shall conduct a special paralegal training for Lupong Tagapamayapa along gender questions and related matters.

SECTION 9. Training on skills and livelihood projects. Women and children shall be given opportunity to acquire skills development such as those related to science and technology. Seminar on Sexual Harassment shall also be made available to children and young adults towards sexual abuses.

SECTION 10. Establishing a cooperative in all gender organizations which shall generate small business enterprises for members.

SECTION 11. Integrated Gender-sensitivity and Environment Friendly Plan shall be established to maintain and follow-up the solid waste management especially the regulation and selling of plastic bags as well as to reserve the century-old trees that will serve as landmarks of historical origins.

ARTICLE III SUPPORT SERVICES

SECTION 12. The Municipal Gender and Development Council (MGADC) shall be created through Executive Order to be issued by the Municipal Mayor. The Council will be composed of duly accredited government peoples organization (POs) and Non- Government organizations (NGOs) operating within the municipality and shall serve as the coordinating and advisory body of the Municipality Government in the implementation of the functions, power and duties prescribed in this code.

SECTION 13. The Office of the Women and Senior Citizen and Child-Friendly Locality known as GAD Office shall be established by the Local Government Unit.

SECTION 14. Gender and Development (GAD) Focal point person under the office of the Mayor, shall be appointed, who will be responsible for gender mainstreaming and establishing institutional mechanism that will facilitate and sustain the implementation of R.A 7192- Women in the Nation Building.

SECTION 15. Women's and Children's Desks (WCDs). The local government shall establish and maintain the WCDs handled by Women Police Officer duly trained for the purpose. The police station shall have a separate WCD room.

SECTION 16. Role of the Female Police Officer. Complaints on battering and other forms of abuse against women and children shall be handled by female officer in the municipality whose character and credibility do not violate the accepted standards in handling such cases.

SECTION 17. Municipality Council for the Protection of Children (MCPC) shall be created under the office of the Municipal Mayor compliance with the provisions of R.A 7192 otherwise known as Women in Development and Nation Building and R. A 7610- Special Protection of Children against Child Abuse, Exploitation and Discrimination Act.

SECTION 18. Women Welfare and Child-Friendly Locality Plans shall be established under the Municipal Social Welfare Development Office to cater to the problems and concerns of depressed families especially those by natural and man-made calamities.

SECTION 19. Committee on Decorum and Investigation (COD) looks into the implementation of R.A No. 7877 known as Anti-harassment Act of 1995 and helps protect every individual working in public sectors as provided and promulgated by the CSC Resolution No. 01-0940 for the Administrative Disciplinary Rules on Sexual Harassment Cases in the government sectors.

SECTION 20. Alternative Learning System (ALS) formerly the Non-Formal Education (NFE) The ALS provide literacy, continuing education, and vocational training to out-of –school youths and adults who are interested to pursue their knowledge and skills in the various fields of human endeavor.

SECTION 21. Sentrong Sigla. This is the program of the Rural Health Unit which provided health services through procurement of complete facilities, proper recording and other related activities.

SECTION 22. Advocacy and Participation Scheme of all Sectors. All sectors of society are encouraged to be involved in the planning, implementation, reporting, monitoring and evaluation of GAD programs and projects.

SECTION 23. Municipal- Based Registration of Households. The local government shall conduct an annual survey of households, establishments, institutions employing women in the Municipality to look into their status, to monitor cases of sexual harassment, sexual abuse and other forms of maltreatment. Employers, owners, or administrators must provide recreation/day – off depending on the condition mutually agreed upon by both parties.

ARTICLE IV POLITICAL AND PUBLIC SPHERES OF ADULTS AND CHILDREN

SECTION 24. *Declaration of March 8 as Women's Day by the United Nation.* Through an issuance of a Proclamation Order by the Municipal Mayor there shall be a municipal level set of activities for women to increase their level of awareness and critical consciousness on the issues affecting them.

SECTION 25. International Day of action for Women's Health. The local government shall cause the celebration of this day of action for women's health where issues and concerns relative to the protection of women shall be examined, deliberated projects, and government's action should be sought.

SECTION 26. Observance of the month of July as Nutrition Month. All sectors of society are enjoined to undertake activities to enhance their nutritional and health status.

SECTION 27. Blood-letting Day. August 1 of the year in cooperation with the National Red Cross and or the Municipal Health Office shall be set for blood-letting among the people to accumulate the pool of blood.

SECTION 28. Parau Festival. This is one among the activities undertaken during the annual celebration of feast day of the municipality where cultural presentation and other activities are presented.

SECTION 29. Medical-Dental Mission. This is held any time of the year in collaboration with Municipal Foundation Day Celebration of the Municipality of Pilar, Sorsogon or any other public & private Medical-Dental exams.

ARTICLE V LABOR AND EMPLOYMENT

SECTION 30. Equal Access to Employment, Training and Promotion. No one shall be denied employment opportunity on account of gender, ethnicity, creed or religion as prescribed in the Labor Code as amended by R.A. 6425. Likewise, no one shall be denied of training and promotion.

SECTION 31. Wage and Fringe Benefits. Every Employer shall comply with the minimum wage as prescribed by the Wage Board and shall grant all benefits to all employees such as maternity/paternity leave, sick and vacation leave, retirement termination and other fringe benefits provided by law such as 13th month pay/bonus, extra cash gift (ECG), etc.

SECTION 32. Facilities and Support Systems for all Employees and Clients. The local government shall ensure the safety and health of women employees, as such may establish separate toilet rooms, lavatories, and lounge for men and women and provide at least a dressing room in public places.

SECTION 33. Setting up of Grievance Machinery. A committee shall be set up by the Committee on Decorum and Investigation to act on complaints related to sexual harassment and a grievance procedure must be installed in every agency/office.

SECTION 34. Gender-Sensitive Physical Plan. A physical plan appropriate for gender-sensitive environment shall be adopted by all officers, agencies and establishments which shall help prevent sexual harassment, sexual abuse and other forms of maltreatments in the workplaces.

SECTION 35. Assistance Program. The Local Government of Pilar, Sorsogon in cooperation with the Department of Labor and Employment (DOLE), the Technical Education and Skills Development Authority (TESDA), and other concerned government offices, shall assist poor but deserving women, children, and LGBT, the unemployment and underemployment in securing gainful employment.

ARTICLE VI EDUCATION RIGHT

SECTION 36. Alternative Learning System (ALS). In cooperation with the Department of Education (DepEd) and TESDA, and other concerned government agencies, the LGU shall extend support to:

- a. Literacy Program – to be opened to out-of-school youths; and
- b. Continuing Education Program – professional or non-professional persons can enroll in this program to enhance their skills and knowledge in vocational activities.

SECTION 37. Scholarship Program. The local government shall provide this scholarship program for the poor but deserving students in government colleges and universities.

SECTION 38. Day Care Centers. These shall be set-up in all barangays of Pilar Sorsogon in support of children between 3 and 4 years old. Incentives shall be extended to day-care workers to increase their honoraria.

ARTICLE VII CREATION OF THE MUNICIPAL GENDER AND DEVELOPMENT COUNCIL

SECTION 39. Composition of the Municipal Gender and Development Council (MGADC). The Municipal GADC shall be composed of the following:

Chairman	: Municipal Mayor
Co-Chairman	: SB Chair of the Committee on Women and Family
Members:	: MSWDO or permanent representative, MPDO, MHO or permanent representative, MBO, DILG Officer, ABC President, 2 representatives of accredited women or gender-related NGO/PO.

SECTION 40. DUTIES AND RESPONSIBILITIES OF THE MGADC. – Develop the municipal Gender and Development Plan that shall ensure the long term management of GAD, as well as integrate the various plan and strategies of the barangays with various sectors of the community:

1. Operate and maintain the Municipal Gender and Development Office.
2. Adopt measures to promote and ensure the viability and effective implementation of GAD programs in its component barangay;
3. Monitor the implementation of the plan in cooperation of the private sectors, women , NGO's and POs;
4. Convene regular monthly meetings for the purposes of planning and coordinating the implementation of the plans of respective component barangays;
5. Develop the specific mechanics and guidelines for the implementation of the Municipal GAD Plan;
6. Coordinate the efforts of the component barangay in the implementation of the municipal issues;
7. Recommend measure to the Sangguniang Bayan on all matters related to Gender issues;
8. Accept grants and donations for a range of Gender and Development endeavours and
9. Perform such other duties and functions as may be prescribed by law or ordinance.

CHAPTER II HEALTH BUDGET

SECTION 41. Resource Capacity/Budget – Funding for all GAD Programs and Activities shall come from the 5% GAD Budget allocated from the General Fund Budget as prescribe by Section 28 the GAD component in the budget of the different departments such as, but not limited to Health, Educations, Agriculture Social Services, Livelihood, Labor and Employment, Peace and Order and the Operations of the Gad Council/GAD Office. The GAD Council Government Agencies and Department involved in the implementation of the GAD programs.

shall exert their utmost effort in fund sourcing from outside the Province, National Government, NGO's and foreign funders should be tapped to augment Local GAD Funds. To realize full potential of GAD initiatives, there shall be conducted effective information and education campaign in all levels of governance, there shall be adopted a mechanism that shall provide for a continuing program for capacity building for employees in all local governments.

Budget for Women's Health. Funding for women's health shall be integrated with GAD's budget, which includes women, senior citizen, and children which would be divided equally among them whichever amount as been allocated, for health, nutrition and other services.

SECTION 42. Intensification of Health Care Delivery System. Quality health care and services that are not discriminatory on account of their gender, age, sex, religion and ethnicity shall be intensified and implemented.

SECTION 43. Primary Health Care Delivery. In consonance with the Department of Health Thrust, the local government shall strengthen the Primary Health Care and 24 hrs. emergency clinic in the context of reproductive health other emergencies.

SECTION 44. Protection against Drug Abuse. This shall be sustained and monitored by the PNP, MADAC, BADAC and Municipal Gender and Development Coordinating Council for the protection against drug abuse and proliferation of illicit drugs.

SECTION 45. Access to Safe Water. All barangays shall endeavor to provide easy access to safe water supply. Appropriate water systems shall be installed in order to ease women's workloads.

SECTION 41. Paragraph 1 was recommended by the Sangguniang Panlalawigan to be added to this ordinance during the Committee Hearing.

CHAPTER III - PENALTY

Cases	Penalty
<p>a.1. Establish or carry a business for the purpose of exploiting women for purposes of sex slavery, sex trade, sex tours and other immoral activities.</p> <p>a.2. Pornography. Advertise, publish, print or distribute, or cause the advertisement, publication or distribution of any brochure, flyers or propaganda material to promote the above-mentioned prohibited acts.</p> <p>a.3. Solicit, enlist or attract/induce any women to join any club, organization whose object is to match women for marriage to foreigners.</p> <p>b.to buy or sell a woman for any of her body parts.</p> <p>c.to threaten or use violence and force a woman to become a mail-order bride.</p>	<p>Imprisonment of six (6) months or a fine of P2,500.00 or both at the discretion of the court without prejudice to the filing of appropriate cases under the national penal laws</p>
<p>SECTION 2. Other Forms of Trafficking in Women. Any encourages, influence or recruits a woman to work abroad or locally for a particular job on a promise of a fee, instead forced and engaged in prostitution, domestic help or other odd jobs.</p>	<p>Imprisonment of six (6) months or a fine of P2,500.00 or both at the discretion of the court, without prejudice to the filing of appropriate cases under the national penal laws.</p>

Cases	Penalty
<p>Section 3, Other forms of sexual harassment that those provided by RB 7877 (Anti-harassment Act of 1995)</p> <ul style="list-style-type: none"> a. persistent telling of offensive jokes/green jokes or other analogous statements to someone who finds it offensive and humiliating; b. taunting a person with constant talk about sex and sexual innuendoes; c. interrogating someone about their sexual activities except in medical or physical examination purposes; d. making offensive hand or body gestures at someone; e. repeatedly asking for dates despite verbal rejection; f. staring or leering maliciously; g. touching, pinching or brushing up against someone's body unnecessarily or deliberately; h. kissing or embracing someone against their will; i. requesting sequel forms in exchange for good grade, obtaining a j\good job or promotion; j. Cursing, whistling or calling a woman in public with words having dirty connotations or implications which ridicule, humiliate or embarrass a woman; k. Requiring women to wear suggestive or provocative attire during interviews such as job hiring or promotion. 	<p>Commission of one of these acts will subject offender to imprisonment of one week to six (6) months or a fine of P1,000.00 to P2,000.00 or both at the discretion of the court, without prejudice to the filing of appropriate cases under the national penal laws</p>
<p>SECTION 4.Battering</p>	<p>Imprisonment of one (1) week to six (6) months or a fine of P1,000.00 to P2,000.00., without prejudice to the filing of appropriate cases under the national penal laws.</p>
<p>SECTION 5. Orientation on Sexual Harassment. All government agencies shall conduct orientation or sexual harassment</p>	<p>Failure to comply constitute a cause for administrative discipline or a fine of P2,000.00. without prejudice to the filing of appropriate cases under the national penal laws</p>
<p>SECTION 6. Worst Form of Child Labor:</p> <p>1.Domestic Work/Helper</p>	<p>According to DOLE or Child Labor Law.</p>

CHAPTER IV

**ARTICLE I
MISCELLANEOUS PROVISIONS**

SECTION 46. The GAD Council as duly constituted shall assume and exercise the functions powers and duties as prescribed in this Code

SECTION 47. Funding. An amount as maybe necessary to implement the provisions of this Code is hereby appropriated from any available sources in the general fund of the municipality in the pursuance of this Code subject to the existing laws, rules and issuances.

**ARTICLE II
FINAL PROVISIONS**

SECTION 49. Separability Clause. If for any reason, any portion or provisions of this Code is declared unconstitutional or invalid, the other sections or provisions hereby which are not affected thereby shall continue to be in full force and effect.

SECTION 50. Applicability of other laws, rules and regulations. On matters not provided for in this Code, any existing applicable laws, corresponding implementing rules, regulations, and relevant issuances issued therefore shall apply in suppletory manner.

SECTION 51. Effectivity Clause. This Code shall take effect fifteen (15) days after its posting/publication.

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ORDINANCE APPROVED BY THE SANGGUNIANG BAYAN ON JUNE 9, 2014.

CELSO Y. LAO, JR.
Municipal Vice-Mayor
Presiding Officer

SANGGUNIANG BAYAN MEMBERS:

LIEZL A. MILLANO

FRANCIS M. GACOSTA

TELESFORO G. ABOGADO JR.

RAMON L. TEE

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ARTHUR JOHN S. GARCHITORENA

MARLYN L. ROMO

SERGIO B. REYES, JR.

GEORGE E. LOSERIAGA
Liga President

Attested by:

FRANCES MARIE L. BOTIN
Secretary to the Sangguniang Bayan

Attested by:

Approved:

FRANCES MARIE L. BOTIN
SB Secretary

HON. CELSO Y. LAO, JR.
Municipal Vice-Mayor

HON. DENNIS A. SY-REYES
Municipal Mayor