

**THE
BATANGAS CITY
GENDER and DEVELOPMENT
CODE OF 2019**

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Tel. No. 723-2175

ORDINANCE NO. 4 S. 2019

THE BATANGAS CITY GENDER AND DEVELOPMENT CODE OF 2019

AUTHORS: VICE MAYOR EMILIO FRANCISCO A. BERBERABE, JR.
COUNCILOR NELSON J. CHAVEZ

WHEREAS, the 1987 Constitution declares that the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life for all;

WHEREAS, the State recognizes the role of women in nation-building, and ensure the fundamental equality before the law of women and men; and endeavors to protect working women by providing safe and healthful 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;

WHEREAS, Section 16 of the Local Government Code of 1991 authorizes the City Government to exercise powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare;

NOW THEREFORE, be it enacted by the Sangguniang Panlungsod in session assembled:

CHAPTER I - GENERAL PROVISIONS

ARTICLE I - TITLE, DECLARATION OF PRINCIPLES AND DEFINITION OF TERMS

SECTION 1. TITLE. - This ordinance shall be known and cited as the "Batangas City Gender and Development Code of 2019".

SECTION 2. LEGAL MANDATE - This GAD Code of Batangas City is promulgated pursuant to the mandates of City ordinances, national laws, and international commitments towards the attainment of gender equality, empowerment of women and fulfillment of women's rights:

I. City Ordinances:

1. Ordinance No. 6 S. 2012, Batangas City Anti-Trafficking in Persons Ordinance



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2. Ordinance No. 20 S. 2011, as amended by Ordinance No. 8 S. 2016, An Ordinance Requiring All Government And Private Agencies/Offices, Establishments And Institutions In The City Of Batangas To Establish Breastfeeding Corner/Room In Their Offices/Establishments/Institutions And Providing The Mechanism For Enforcement And Prescribing Penalties For Violation Thereof
3. Ordinance No. 2 S. 2013, Gender and Development Focal Point
4. Ordinance No. 9 S. 2013, An Ordinance Compelling Every Barangay To Establish VAWC Desk And Launch Protocol In Handling VAW Cases At Barangay Level
5. Ordinance No. 29 S. 2011, An Ordinance Compelling Strict Implementation Of Mother-Baby Friendly Health Institutions In Batangas City For The Promotion And Support Of Breastfeeding Policy, Imposing Penalties For Non-Compliance Thereof And Other Purposes
6. Ordinance No. 12 S. 2016, An Ordinance Providing For A Comprehensive Anti-Discrimination Policy On The Basis Of Sexual Orientation, Gender Identity and Expression
7. Ordinance No. 1 S. 2008 Gender And Development Code Of Batangas City
8. Ordinance No. 14 S. 1999. Creating The City Center For Women, Providing For Its Functions And For Other Purposes

II. National Laws And Policies

1. Article II, Section 14, Article XIII, Section 14, 1 Article XIII, Section 11, 1987 Constitution, all recognizing the role of women in nation-building and declaring as matter of policy the fundamental equality before the law of women and men



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2. RA 7160, Local Government Code of 1991 which mandates the promotion of General Welfare and provision of basic services and facilities to constituents
3. RA 7192, Women in Development and Nation-Building Act
4. RA 9710, Magna Carta of Women
5. Local Budget Memorandum No. 28, directing all LGU's to mobilize resources to mainstream and implement gender and development programs using the five percent (5%) of development fund
6. General Appropriations Act (GAA, 1995-2019) directing government entities to formulate GAD Plan and appropriate not less than five percent (5%) of annual budget as GAD Budget
7. Joint Circular 2012-01 of the PCW-NEDA-DBM or the Guidelines for the Preparation of Annual GAD Plans and GAD Budgets and Accomplishment Report to Implement the Magna Carta of Women
8. PCW-DILG-DBM-NEDA Joint Memorandum Circular No. 2013-01 or the Guidelines on the Localization of the Magna Carta of Women
9. Philippine Plan for Gender-Responsive Development (PPGD) 1995-2025
10. RA 6725, Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment
11. RA 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



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- 12.RA 11210, An Act Increasing the Maternity Leave Period to One Hundred Five (105) Days for Female Workers With An Option To Extend for an Additional Thirty (30) days without Pay and Granting an Additional Fifteen (15) Days for Solo Mothers, and For Other Purposes
- 13.RA 7322, Act Increasing Maternity Benefits in Favor of Women Workers in the Private Sector
- 14.RA 9208, Act To Institute Policies To Eliminate Trafficking In Persons Especially Women and Children, Establishing The Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons, Providing Penalties for Its Violations and For Other Purposes
- 15.RA 9262, Anti-Violence Against Women and Children Act

III. International Commitments

1. United Nations Convention on The Elimination of All Forms of Discrimination Against Women (UNCEDAW)
2. WHO Strategic Approach to Strengthening Sexual and Reproductive Health Policies and Programmes
3. International Conference on Population and Development
4. WHO Millennium Declaration

SECTION 3. DECLARATION OF PRINCIPLES AND POLICIES. - The City Government of Batangas upholds the equality of men and women, recognizes the vital role of women in pursuing a globally competitive and progressive City, commits to institutionalize programs and measures that will facilitate development of women's potentials, provide women with safe and growth-conducive environment and ensure the exercise and enjoyment by women of their rights.



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The City Government of Batangas adopts and conforms to the mandates, policies and guidelines embodied in ordinances, national laws and international commitments the object of which is the attainment of gender equality, empowerment of women and fulfillment of women's rights.

To attain the foregoing policy:

1. A reasonable amount from the official development assistance received from foreign government and multinational agencies and organizations shall be set aside to support programs and activities for women in accordance with the provisions of RA 7192, otherwise known as the Women in Development and Nation Building Act provided that the program or activity shall conform with the requirements and conditions set forth by the funding agencies.
2. The City Government of Batangas shall ensure that women benefit equally and participate directly in the government programs and projects funded under foreign development assistance.
3. All government project proposals shall ascertain the inclusion of gender responsive indicators and guidelines focusing on roots of women's oppression, pursuant to the United Nations Declarations of which the Philippine Government is a signatory.

SECTION 4. DEFINITION OF TERMS. - The following terms or phrases used in this Code shall mean as follows:

1. **Battering** - refers to a series of physical, emotional and psychological abuse. It is repeated and habitual cyclic patterns as means of intimidation and imposition of the batterer's will and control over the survivor's life. It constitutes the following kinds of behavior but not limited to:

a. **Sexual battering** - this includes physical attacks on the women's breast, genital, or forced sexual activity.

b. **Psychological battering** - this includes threats of suicide, violence against women or her family, punching holes in the walls, threatening to take the children



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away, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to a country and forcing the victim to do degrading acts. It may also include controlling the victim's lawful or usual activities, the use of foul words or statements and threats or abandonment and expulsion such as forcing the wife to leave the conjugal dwelling. This provision shall likewise apply to common-law relations but does not include adulterous ones as contemplated in the Revised Penal Code.

c. **Economic battering** - this includes deprivation of women of economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination.

2. **Benefit Dance/Disco** - refers to a dance in the locality where women are commodified for fund raising purposes.

3. **Commodification of Women** - refers to a practice that puts women in a subordinated situation, which results in the treatment of women as both consumers and objects of consumption. As consumers, women are lured to buy beauty products to enhance their physical attractiveness. As objects of consumption, women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest, usually in exchange of money or goods so that women have no power or control to reject such utilization or manipulation.

4. **Development** - refers to the improvement of the quality of life of all regardless of age, sex, gender, tribe, race, creed and religion. It is characterized by sustained and equitable growth in balanced ecology.

5. **Differently-abled Women** - refers to survivor-women with physical impairments that have differentiated needs and potentials.

6. **Discrimination** - refers to any distinction, exclusion, restriction, or preference made on the basis of sexual orientation and gender identity and expression (SOGIE) which has an effect or purpose of



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impairing or nullifying the recognition, enjoyment or exercise by a person, group of persons, or institutions of their human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field, especially including but not limited to, employment, livelihood, education and basic services.

7. **Discrimination against women** - refers to any distraction, 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 of their rights irrespective of their marital status.

8. **Education** - refers to all types and levels of education and includes access to education, the standard and quality of education and the conditions under which it is given.

9. **Employment** - existence of an employer-employee relationship, which is determined by the four-fold test: 1) selection of the employee; 2) payment of wages; 3) power of dismissal; and 4) power of control. This definition shall apply to regular, probational, contractual, seasonal and project-based workers. In legitimate contracting or sub-contracting agreements, the contractor/sub-contractor shall be deemed the employer of the contractual employee.

10. **Empowerment** - refers to a process by which women are mobilized to understand, identify and overcome gender discrimination.

11. **Feminization of Poverty** - refers to a condition when the gap between the rich and the poor widens and grassroots women bear the brunt as in economic instability and unequal distribution of wealth. Such gap reinforces non-response to both practical and strategic needs of grassroots women.

12. **Gender** - refers to the differentiated social rules, behavior, capacities and intellectuals, emotional and social characteristic attributed by given culture to women and men, or all differences aside from the strictly biological. There are two kinds of gender: masculine ascribed to the male and feminine ascribed to the female.



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13. **Gender and Development** - refers to a development perspective that promotes greater focus on people both as development agents and participants. It encourages the equal contributions of women and men in all aspects/sectors of development. Such a perspective involves the process of searching of new and innovative initiatives which help transform unequal gender relations into opportunities which equally/equitably favor both men and women. It recognizes that the unequal relation between women and men is a major deterrent to social and economic progress. It acknowledges that the difficulties encountered by women have to be addressed to ensure their effective participation in development. It envisions a future society where women and men equally contribute to and benefit from development.

14. **Gender Equality** - refers to the role required by or expected of women and men as prescribed by society. As a key to development, gender equality means the equal empowerment and participation of women, men and other subgroups of society, i.e., homosexuals, in all spheres of public and private life.

15. **Gender Expression** - is how a person publicly presents one's gender. This can include behavior and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.

16. **Gender Identity** - refers to each person's deeply felt and individual experience of gender which may or may not correspond with sex assigned at birth, including personal sense of the body which (may involve, if really chosen modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.

17. **Gender Mainstreaming** - refers to the strategy of integrating gender and development concerns and issues at all levels.

18. **Gender Perspective** - refers to the way of viewing issue and problems that take into consideration the different realities of women's and men's lives and recognizing that there is an unequal relationship between the two.



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19. **Gender Planning** - refers to taking account of gender issues in planning. In development planning, it means that gender issues are recognized in the identification of problems and addressed in development objectives.

20. **Gender sensitive/responsive** - refers to having an understanding of the marginalized position of women and consciously challenging the attitudes and behavior that reinforce women's subordinate status.

21. **Gender Sensitivity Training** - refers to providing people with formal learning experience in order to increase their awareness and to provide the knowledge and skills necessary to recognize and address gender issues in the programming process, and the ability to recognize the underlying issues of gender inequality which from a pervasive obstacle to program process.

22. **Indecent shows** - refers to shows that include nude or other provocative gestures which further project and exhibit women as sex-objects.

23. **Indigenous people** - refers to a group of people who have continuously lived as organized community in communally bounded and defined territory and who have under claims of ownership since time immemorial occupied, possessed and utilized cultural traits. They are regarded as indigenous on account of their decent from the populations who inhabited the country at the time of conquest or colonization and who retain some or all of their own social, economic, cultural and political institution and have been displaced from their traditional domains or who may have remitted outside their ancestral domain.

24. **LGBT** - refers to a diverse and complex range of identities based on sexual orientation, gender identity and expression (hereinafter "SOGIE"). The term "LGBT" refers to gender and sexuality non-conforming persons, including, but not limited to lesbian, gay, bisexual and transgender persons.

24.a. **Lesbian** - a woman whose emotional, romantic and sexual energies are geared towards other women;



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24.b. **Gay** - a person who is emotionally and/or physically attracted to members of the same sex. Although all encompassing, this term refers mainly to men;

24.c **Bisexual** - a person who is emotionally and/or physically attracted to members of both the same and the opposite sex;

24.d. **Transgender** - is the state of one's gender identity (self-identification as woman, man or neither) not matching one's "assigned sex" (identification by others as male or female based on physical/genetic sex). Transgender does not imply any specific form of sexual orientation; transgender people may identify as heterosexual, homosexual, bisexual, pansexual, polysexual or asexual. The precise definition for transgender remains in flux, but includes: - of relating to or designating a person whose identity does not conform ambiguously to conventional notions of male or female gender roles, but combines or moves between these. - people who were assigned a sex, usually at birth and based on their genitals, but who feels that this is a false or incomplete description of themselves. - non-identification with or non-presentation as the sex (and assumed gender) one was assigned at birth.

25. **Minors** - refers to persons below 18 years of age and unable to take care of themselves from abuse, neglect cruelty, exploitation or discrimination.

26. **Land-based projects** - refers to projects designed systematically in order to provide women the opportunity to have full-access and control over the maximum utilization of land and other indigenous resources.

27. **Mail-Order Bride** - refers to the practice where a woman establishes personal relationships with a male foreign national via mail or similar means upon recruitment by an agency operating for the purpose.



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28. **Other places of Amusement** - refers to all other places of amusement not specifically enumerated or otherwise provided for in this Code, including but not limited to night clubs or day clubs, cocktail lounges, disco houses, minus-one or sing-along, videoke houses, bars or beerhouses/gardens, fast food center showing sports competitions, replay video-cassette films/movies and other places of amusement where one seeks admission to entertain oneself by seeing or viewing or by direct participation.

29. **Overseas Filipino Women** - refers to female Filipino workers who reside and work in another country for a limited period of employment.

30. **Places of Amusement** - refers to theaters, cinemas, concert halls, circuses and other places of amusements when one seeks admission to entertain oneself by seeing or viewing the show or performances.

31. **Pornography** - refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes.

32. **Prostitution** - refers to any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.

33. **Trafficking in Persons** - refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.



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The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as trafficking in persons even if it does not involve any of the means set forth in the preceding paragraph.

34. **Solo Parent** – refers to a person who lives with a child or children and who does not have a wife, husband, or live-in partner. Individuals considered solo parents are enumerated under RA 8972 otherwise known as the Solo Parents Welfare Act of 2000.

35. **Violence Against Women and their Children** – refers to any act or series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment, or arbitrary deprivation of liberty.

36. **Reproductive Health** – refers to the state of complete physical, mental and social well-being and not merely the absence of disease and infirmity, in all matters relating to the reproductive system and to its function and process. It constitutes 10 elements namely:

- a. Maternal and Child Health and Nutrition
- b. Family Planning
- c. Prevention and Treatment of Reproductive Tract Infection (RT) including STD, HIV and AIDS
- d. Prevention and Management of Abortion Complication
- e. Education and Counseling on Sexuality and Sexual Health
- f. Breast and Reproductive Tract Cancers and Other Gynecological Situation
- g. Prevention and Treatment of Infertility and Sexual Disorders
- h. Men's Reproductive Health
- i. Violence Against Women
- j. Adolescent Reproductive Health



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37. **Sex** - is a human and civil status of a person acquired by birth having organ and system of reproduction.

38. **Sexual Orientation** - refers to each person capacity for profound, emotional, affectional and sexual attraction to and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

39. **Women in Especially Difficult Circumstances** - 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.

ARTICLE II - GENDER AND DEVELOPMENT PROGRAM

SECTION 5. INTEGRATED GENDER AND DEVELOPMENT PROGRAM. - The City Government shall ensure that gender and development program is integrated in the different aspects of governance, which shall include but is not limited to the following:

- 5.1 The City Government of Batangas shall ensure the integration of Gender and Development (GAD) in the local planning and budgeting system through the formulation of GAD plan and budget.
- 5.2 The City Government of Batangas shall ensure that the Philippine Plan for Gender - Responsive Development is implemented for women.
- 5.3 The City Government of Batangas shall ensure that all barangays under its jurisdiction shall prepare a GAD plan addressing gender issues of their locality following Sections 16 and 17 of the Local Government Code of 1991 and other related provisions.
- 5.4 The City shall integrate gender concerns in the formulation of the Comprehensive Development Plan (CDP), Comprehensive Land Use Plan (CLUP) and Annual Investment Plan (AIP).
- 5.5 The City Planning and Development Coordinator shall ensure that GAD is integrated in the local planning process.



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SECTION 6. INTEGRATED GENDER-SENSITIVE AND ENVIRONMENT-FRIENDLY ZONING PLAN. - An Integrated gender-sensitive and environment-friendly land use and zoning plan for Batangas City shall be established taking into consideration among others are the following:

- a. Relocation of communities shall not deprive anyone of their sources of livelihood.
- b. Allocation of sites shall not contribute to an increase in anyone's burden in economic, home and social production.
- c. Housing and industrial project sites shall be those unproductive lands unsuitable for agricultural purposes.

SECTION 7. GENDER STUDIES AND GENDER-FAIR MATERIALS IN PUBLICATION. - The City Government of Batangas shall include in its development programs the support to gender studies and researches, and the promotion and publication of gender-fair materials in popular forms in Batangas City, and for this purposes, the City Government shall allocate funds sufficient therefore.

SECTION 8. GENDER-SENSITIVE NATURAL RESOURCES MANAGEMENT PROGRAM. - The City Government of Batangas shall engage in gender-sensitive natural resources management program and other environment related programs.

SECTION 9. ROLE OF WOMEN IN ENVIRONMENT IMPACT ASSESSMENT PROJECT. - The City Government shall promote the active role of women in environmental impact assessment projects.

SECTION 10. PROMOTION OF ALTERNATIVE TECHNOLOGY. - The City Government shall actively promote alternative technology that is appropriate and safe for everybody's well-being.

ARTICLE III - HEALTH

SECTION 11. STATEMENT OF POLICY - The City Government upholds the right of women to health and endeavors to provide, protect and promote adequate and effective health services to meet the needs of women.



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SECTION 12. GENDER-FAIR HEALTH CARE - The City Health Office shall ensure that health care services are not denied to any women by reason of her sex, age, religion or political affiliation and take pro-active steps to ensure that no hospital, medical facility operating within the territorial jurisdiction of Batangas City shall deny health services to any woman by reason of the latter's poverty.

SECTION 13. REPRODUCTIVE HEALTH CARE AND SERVICES - The City Health Office shall adopt and utilize the Reproductive Health Care Approach mandated under RA 10354 otherwise known as the Responsible Parenthood and Reproductive Health Act of 2012, and observe the World Health Organization (WHO) Strategic Approach to Strengthening Sexual and Reproductive Health Policies and Programmes.

SECTION 14. HEALTH CARE FACILITY - The City Government, upon a determination of necessity based on well-supported data provided by the City Health Office shall endeavor to establish or upgrade existing facilities with adequate and qualified personnel equipment and supplies to provide emergency obstetrics and newborn care which shall be made accessible to all especially to women and children in geographically isolated or highly populated and depressed areas of Batangas City. Home visits and mobile health care clinics shall be established when necessary.

SECTION 15. ACCESS TO FAMILY PLANNING - All public health facilities in Batangas City shall provide a full range of modern family planning methods, issues desiring to have children.

The City Health Office shall facilitate relevant activities in the celebration of International Day of Action for Women's Health , and of the Safe Motherhood Week, both in the month of May.

SECTION 16. REPRODUCTIVE HEALTH EDUCATION - The City Government shall provide reproductive health education to adolescent appropriate to their age and development and which shall be taught by adequately trained teachers in formal and non-formal educational system and integrated in relevant subjects.



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SECTION 17. SEXUAL AND REPRODUCTIVE HEALTH PROGRAMS FOR PERSONS WITH DISABILITY - The City Government shall endeavor to obliterate barriers to reproductive health services for PWDs through:

- a. Providing physical access, and resolving transportation and proximity issues to hospitals, clinics and places where public health education is provided.
- b. Adapting examination and laboratory procedures to the needs of PWDs.
- c. Increasing access to information and communication materials on sexual and reproductive health suited for PWDs.
- d. Providing education and inclusion of PWDs among health care providers.
- e. Undertaking activities to raise awareness on the sexual and reproductive health needs and rights of PWDs.

SECTION 18. HEALTH CARE FOR WOMEN IN DRUG DEPENDENCE - The City Government shall establish a special care program for the prevention, protection treatment and rehabilitation of women in cases of drug dependence to ensure that their physical, mental, and emotional health are protected.

SECTION 19. YOUTH IN REPRODUCTIVE HEALTH - The City Government shall ensure that the youth shall be given access to information, education and services concerning reproductive and sexual health, including the prevention of early pregnancies, sex education and the prevention of HIV and other sexually transmitted diseases.

SECTION 20. SEX EDUCATION - Sex education for the pre-puberty ages shall be introduced in the right way, at the right place and by the right people. Understanding human sexuality is an intimate and personal matter that is a concern not only of parents but also of other institutions that have the competence to carry out such obligation of molding children in the context of Godly life and love.



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SECTION 21. CAPACITY BUILDING OF BARANGAY HEALTH WORKERS -

The City Government, through the City Health Office, shall provide training for BHWs and barangay volunteer health workers on gender-sensitive approach to the delivery of services related to health.

SECTION 22. ASSISTANCE FROM PRIVATE HEALTH CARE PROVIDERS -

The City Government shall encourage, through the provision of appropriate incentives or regulation, private and non-government health care service providers to provide free health services including information and education to indigents and low-income patients.

Section 23. APPROPRIATION OF FUNDS -

The City Government shall appropriate annually GAD fund for health services sufficient for the effective implementation of GAD programs for health provided under this Article.

ARTICLE IV - EDUCATION AND TRAINING

SECTION 24. STATEMENT OF POLICY. -

The City Government shall endeavor to improve access of women to education and training programs.

SECTION 25. WOMEN LITERACY AND ADULT EDUCATION -

In cooperation with the Department of Education, non-formal education classes for all shall be made available in identified schools in the City to facilitate the working person's access to education. The City Government shall endeavor to provide programs for skills training and development for free.

SECTION 26. GENDER FAIR CURRICULUM -

The City Government, in coordination with the Department of Education and the Batangas City Schools Division, shall encourage the use of gender-fair curriculum in the elementary, secondary and tertiary schools in Batangas City.

SECTION 27. SPECIAL EDUCATION FOR DIFFERENTLY-ABLED WOMEN -

The City Government shall ensure that all differently-abled women of Batangas City shall have access to special education programs.



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SECTION 28. SCHOLARSHIP PROGRAM - The City Government shall institutionalize scholarship programs for poor but deserving students and shall not disqualify married women and mothers with infants from availing scholarship to obtain education.

ARTICLE V

LABOR, EMPLOYMENT AND ECONOMIC OPPORTUNITIES

SECTION 29. STATEMENT OF POLICY. - The City Government of Batangas affirms the competence of women as a strong economic force and therefore shall protect the rights of working women and promote their welfare by providing safe and helpful working conditions, facilities and opportunities and enable them to realize their full potentials.

SECTION 30. GENDER-SENSITIVE WORK PLACE - A physical plan appropriate for gender-sensitive environment shall be adopted by all offices, agencies, establishment or companies to help prevent sexual harassment, sexual abuse and other forms of maltreatment in the work place.

SECTION 31. EQUAL WORK OPPORTUNITIES - The City Government shall ensure the equal work opportunities are made available to all regardless of sex, race, or creed. To this end, the City Government shall enforce labor and social justice laws, ordinances and policies establishing the place of women in the City's labor force. The City Government shall endeavor to equip women with skills and the corresponding work opportunities through government programs on employment of women.

SECTION 32. PROHIBITION AGAINST DISCRIMINATION - No employer shall discriminate against any woman employee with respect to terms and conditions of employment on account of her gender, age, religions, affiliation or personal circumstances. Acts to discrimination include, but not limited to, payment of lesser compensation including wage, salary or other form of remuneration and fringe benefits, to a female employee against a male employee, for work of equal value; and favoring a male employee over a female with respect to promotion, training, opportunities, study and scholarship grants solely on account of their sexes; and denial of benefits and discharging woman due to pregnancies.



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SECTION 33. FACILITIES FOR WOMEN - The City Government shall ensure compliance by employers of the standards provided by labor laws for the safety and health of women employees including, but not limited to the following:

- a. Seats proper for women
- b. Separate toilet rooms and lavatories, for men and women, and at least a dressing room for women
- c. A nursery in the workplace for the benefit of women employees

SECTION 34. SEXUAL HARRASMENT - Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor agent of the employer, teacher, instructor, professor, coach, trainor or any other person who having authority influence or moral ascendancy over another in a work or training or education environment demands, requests or otherwise requires any sexual favor from the other regardless of whether the demand, request or requirement for submission is accepted by the object of the said act.

SECTION 35. DUTY OF THE EMPLOYER OR HEAD OF THE WORK, EDUCATION OR TRAINING ENVIRONMENT - It shall be the duty of the employer or the head of the work-related, educational or training environment or institution, to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment.

SECTION 36. ORIENTATION ON SEXUAL HARRASSMENT - The City Government shall implement programs requiring employers, schools, and training institutions operating in Batangas City to conduct or sponsor orientation seminars on sexual harassment to properly apprise employees, trainees or students on their rights and the procedure of resolution, settlement or prosecution of cases of sexual harassment.

SECTION 37. REGISTRATION OF CITY-BASED HELPERS - The City Government shall cause the registration and maintain a database of domestic helpers employed in Batangas City to monitor cases of sexual harassment, sexual abuse and other forms of maltreatment.



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SECTION 38. INCREASED MATERNITY LEAVE - The City Government shall ensure compliance with RA 11210 increasing the Maternity Leave period to one hundred five days, and an option to extend for an additional fifteen days for solo mothers. It shall likewise ensure compliance by employers in the private sector to RA 7322 which increased the maternity benefits in favor of women workers.

SECTION 39. EQUAL ACCESS TO LIVELIHOOD ASSISTANCE - The departments and offices of the City Government mandated to undertake socio-economic programs shall ensure that livelihood assistance whether financial or otherwise, are equally accessible to all, including women.

SECTION 40. EMPLOYMENT OPPORTUNITIES TO DIFFERENTLY-ABLED WOMEN - The City Government in partnership with appropriate national government agencies and private groups and other entities shall develop creative employment opportunities to differently-abled women recognizing their differentiated conditions and potentials as human being.

SECTION 41. TRAINING ON NON-TRADITIONAL OCCUPATION - Women shall be given opportunity to acquire training on non-traditional occupations such as those related to science and technology.

SECTION 42. EMPLOYMENT ASSISTANCE PROGRAM THROUGH THE PESO - The City Government in cooperation with the Public Employment Service Office (PESO) shall endeavor to assist poor students, the unemployed and underemployed in securing gainful employment.

**ARTICLE VI
WOMEN IN GOVERNANCE**

SECTION 43. STATEMENT OF POLICY. - The City Government of Batangas upholds the equality of men and women before the law and recognizes the active participation of woman in the development process.

SECTION 44. GENDER MAINSTREAMING IN GOVERNANCE - The City Government shall institutionalize gender-equality concepts and principles in all units, offices and departments of the City Government through studies, trainings, seminars and similar methods and programs to develop a culture of gender-equality in the civil service.



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SECTION 45. WOMEN ORGANIZATION - The City Government shall encourage and support the formation of community-based women organizations in the barangay level, and facilitate their accreditation by the Sangguniang Panlungsod. Barangay organizations of women shall be federated and shall be recognized by the City Government as able partners in addressing issues affecting women.

SECTION 46. PARTICIPATION OF WOMEN IN LOCAL GOVERNANCE - The City Government shall ensure the participation of women, women's groups or organization in local governance and decision-making. For this purpose, women organizations shall be accredited and qualified as members of Local Special Bodies.

SECTION 47. WOMEN'S MONTH/WOMEN'S DAY - To celebrate the social, economic, cultural and political achievements of women and in accordance with the UN declaration of the international women's month and women's day, the month of March is declared the Women's Month. Women's Day shall be observed on March 8 of every year. The City Social Welfare and Development Office shall prepare and spearhead meaningful and relevant program of activities aimed at increasing the level of awareness and critical consciousness of women in issues affecting them. A women's summit may be held during the celebration of Women's Month to discuss and review issues on women's development and to recommend appropriate action or intervention thereon.

SECTION 48. ORGANIZATION OF DIFFERENTLY-ABLED WOMEN - The City Government shall facilitate the organization of differently-abled women and provide necessary support to their organization.

SECTION 49. ORGANIZATION OF ELDERLY WOMEN - The City Government shall encourage and support the organization of elderly women and facilitate response to their special needs.

ARTICLE VII
VIOLENCE AGAINST WOMEN

SECTION 50. STATEMENT OF POLICY. - The City Government of Batangas values the dignity of women and children and recognizes the duty of the government to protect them from violence and threats to their safety and security.



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SECTION 51. CRIMES AGAINST WOMEN - The City Government shall endeavor to provide the women of Batangas City with environments free from physical, sexual, psychosocial harm or suffering, or economic abuse, including threats of such acts. The City Social Welfare Office, the Batangas City PNP, and all Barangay Governments of Batangas City shall ensure effective implementation of RA 9262 or the Anti-Violence Against Women and their Children Act of 2004, the anti-prostitution and white slave trade laws under the Revised Penal Code, and RA 9208 as amended by RA 10364 or the Anti-Trafficking In Persons Act. Immediate response and assistance to victims and survivors of violence and other gender-based cases shall be provided by these agencies at all times.

SECTION 52. SUPPORT PROGRAMS FOR SURVIVORS OF VIOLENCE - The City Government of Batangas shall provide immediate support services to survivors of violence. Support services shall consist of legal, medical, psychological, social, shelter and other forms of services to be provided or made available by the GAD Focal Point System and maybe administered by the City Social Welfare and Development Office, City Health Office and other Offices of the City Government and other agencies which may be tapped to provide the support service or services required.

SECTION 53. ACTION PLAN FOR THE ADMINISTRATION OF SUPPORT PROGRAMS - The GFPS shall prepare a general action plan for the administration of the support services mentioned in the preceding section. The Action Plan will indicate the process of availing the service, the office, agency or officer to administer the service, and the basic elements of the services to be provided to the survivor of violence and her immediate family. The Action Plan shall be established as the standard operating procedure in all cases of attending to survivors of violence.

SECTION 54. SUPPORT GROUPS - The City Government shall encourage and support the formation of groups or association of individuals from public, private, religious, lay, and other sectors of the society to establish a professional helping process for survivors of violence. Participation or undergoing the helping process provided by support groups shall be voluntary on the survivor.



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SECTION 55. WOMEN AND CHILDREN'S DESK - A women and children's desk shall be established at the City Social Welfare and Development Office to handle and provide prompt response in cases of violence against women and children and other gender-based violence cases. All barangays of Batangas City are likewise required to establish VAWC desks in their jurisdiction to be manned by a competent officer. The Batangas City Police Station shall have its own VAWC Desk established in accordance with applicable policies implemented in the PNP.

SECTION 56. PROTECTION ORDERS - The City Government, through the City Social Welfare and Development Office, barangay officials, police officers, and VAWC Desk Officers shall provide assistance, whenever necessary, to victims or offended parties in VAWC or gender-based cases in applying for Barangay Protection Order (BPO) or Temporary Permanent Protection Order (TPPO) or Permanent Protection Order (PPO).

The Punong Barangay shall issue the BPO on the date of filing after ex-parte determination of the basis of the application. In the case of absence of the Punong Barangay, any Barangay Kagawad may issue the BPO with an attestation that the Punong Barangay is not available to issue the BPO. The period on acting on applications for BPO is mandatory, in accordance with RA 9262.

SECTION 57. CRISIS INTERVENTION CENTER - A crisis intervention center is hereby established to serve as a temporary shelter with appropriate support services for women and children in crisis under the management and supervision of the City Social Welfare and Development and Gender and Development Office.

SECTION 58. GENDER-SENSITIVITY TRAINING FOR PERSONS HANDLING VAWC AND OTHER GENDER-BASED CASES - The City Government shall provide and conduct gender sensitivity training for persons handling VAWC and other gender-based cases. No officer or person shall be assigned or allowed to handle VAWC and other gender-based cases unless the officer or person has completed gender-sensitivity training. Gender sensitivity trainings provided by the City Government shall be free of charge.



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SECTION 59. GENDER SENSITIVITY TRAINING FOR THE LUPONG TAGAPAMAYAPA - There shall be gender sensitivity trainings for the Barangay Lupong Tagapamayapa made available for all barangays of Batangas City.

SECTION 60. GENDER SENSITIVITY TRAINING FOR BARANGAY TANODS - There shall be gender sensitivity training for the Barangay Tanods made available for all barangays of Batangas City.

SECTION 61. SUPPORT SERVICES FOR WOMEN IN THE ENTERTAINMENT INDUSTRY OR HOUSES OF AMUSEMENT - The City Government shall provide socio-economic support services for women in the entertainment industry in its desire to concretely respond to their practical needs. The CSWDO and PESO shall make available alternative sources of income and livelihood to women engaged in entertainment industry or places of amusement.

SECTION 62. MEDICAL CHECK-UP - Routine medical check-up and medicines when necessary, shall be provided by the City Health Office to women in working in night clubs, cocktail, lounge, massage clinic, bar or similar establishments.

SECTION 63. CONTINUING EDUCATION AGAINST SEXUAL HARASSMENT - To foster a culture against sexual harassment, all government or private agencies and offices within the jurisdiction of Batangas City shall conduct a continuing education against sexual harassment. For this purpose the GFPS shall ensure that:

63.1 At least one (1) activity designed to equip workers and employees with critical and practical knowledge on gender issues and concerns is conducted annually in these offices/establishments or workplace.

63.2 The provisions of RA 7877 otherwise known as the Anti-Sexual Harassment Law and other provisions of the Labor Code affecting women are faithfully implemented, especially in the formulation of policies and procedures in resolving complaints for sexual harassment.

SECTION 64. EDUCATION AND COUNSELING - Community leaders, barangay officials and members of the Lupong Tagapamayapa shall endeavor to obtain knowledge of the legal aspects and approach



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to gender-related cases, through training and seminars on counseling on gender issues and related matters through the assistance of the Liga ng mga Barangay and Non-Government Organizations.

SECTION 65. MEDICO-LEGAL DESK FOR WOMEN - The City Health Office shall facilitate the establishment of medico-legal service especially for women.

SECTION 66. FUND FOR WOMEN AND CHILDREN IN ESPECIALLY DIFFICULT CIRCUMSTANCES - An amount necessary to provide basic social services for women and children in especially difficult circumstances shall be allocated from the City's Annual Budget.

ARTICLE VIII

LESBIAN, GAY, BISEXUAL, TRANSGENDER (LGBT) PERSONS

SECTION 67. STATEMENT OF POLICY. - The City Government of Batangas respects the dignity of persons belonging to the third sex or lesbian, gay, bisexual, transgender (LGBT) and acknowledges the duty to protect their safety and well-being.

SECTION 68. Discrimination against LGBT is committed when a person treats another less favorably on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), than a person treats or would treat another without that attribute, on the same or similar circumstances in employment, education, accommodation, delivery of services and in any other areas.

1. Discrimination in Employment - It shall be unlawful for any employer to discriminate against any person or group of persons on the basis of actual or perceived sexual orientation gender identity and expression (SOGIE), in public or private employment by:

1.a Denying or limiting rights to trainings, recruitment, promotion, remuneration and other terms and conditions of employment;

1.b Denying or limiting opportunities to favorable terms and conditions of employment which afford employees advancement, in all areas of public service, including all levels of government service and employment in Batangas City;



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- 1.c Excluding membership in labor unions or similar organizations;
 - 1.d Subject any employee to workplace harassment or any threat of physical, mental and verbal violence, intimidation or other threatening disruptive, behavior committed by the employer or by another employee;
 - 1.e Dismissing the employee or subjecting the employee to any other detriment on the basis of actual or perceived sexual orientation, gender identity and expression.
2. **Discrimination in Education** - It shall be unlawful for an educational institution, both public and private, along with the institution's officers and employees, to discriminate against a person on the ground of actual or perceived sexual orientation, gender identity and expression thereof by:
- 2.a Unduly delaying, refusing or failing to accept a person's application or admission as a student, without prejudice to the right of educational institutions to determine the academic qualifications of their students;
 - 2.b Providing onerous or unjust terms and conditions for admission of a person as a student;
 - 2.c Denying or limiting the student's access to any benefit provided by the educational authority;
 - 2.d Expelling or subjecting the student to any penalty or any other detriment on the basis of actual or perceived sexual orientation, gender identity and expression;
 - 2.e Refusing admission, denying acceptance or expelling or dismissing a student from academic, socio-civic organization and associations on the basis of actual or perceived sexual orientation, gender identity and expression;



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- 2.f Subjecting any student to harassment, bullying or any threat of physical, mental, and verbal violence, intimidation or other threatening disruptive behavior committed by teachers, professors, trainers, administrators or by other students.
- 3. Discrimination in the delivery of Goods or Services** - It shall be unlawful for a person, natural or juridical, whether as a principal or agent, to discriminate against a person on the ground of actual or perceived sexual orientation, gender identity and expression by :
- 3.a Refusing to provide goods or services and/or imposing onerous consideration and conditions to a person on the ground of one's actual or perceived sexual orientation, gender identity and expression as a pre-requisite for providing such goods or services where the said terms and conditions are not imposed on another person under the same or similar circumstances;
- 3.b Denying a person's access to health services and facilities, health insurance and other related benefits as provided under the law or those health benefits provided by the local government;
- 4. Discrimination in Accommodation** - It is unlawful for a person, natural or juridical, whether as principal or agent to refuse or limit access to any benefit associated to accommodation, on the ground of actual or perceived sexual orientation, gender identity and expression by:
- 4.a. Refusing or failing to allow any person to avail of services or accommodation in an apartment, condominium, townhouse, flat, hotel, inn, dormitory and any other places of dwelling being rented out or offered to the public for a fee;
- 4.b. Denying an application for a license, clearance, certification or any other document issued by governmental authorities or other private or juridical entities, on the basis of actual or perceived sexual orientation, gender identity and expression.



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5. **Verbal, Non-Verbal Ridicule and Vilification** - Any person, natural or juridical, is hereby prohibited from vilifying or ridiculing any person on the basis of actual or perceived sexual orientation, gender identity and expression which could result in the loss of self-esteem of the latter through any of the following acts:
- 5.a. Making fun or contemptuous imitating or making a mockery whether in writing or in words, or in action;
 - 5.b. Uttering of slanderous and abusive statements;
 - 5.c. Executing any activity in public which incites hatred towards, serious contempt for, or severe ridicule of a person;
 - 5.d. Doing any other analogous act/s of ridicule in any time and place which could intimidate or result in loss of self-esteem of the person.
6. **Harassment, unjust detention and involuntary confinement** - It shall be unlawful to commit harassment, unjust detention and involuntary confinement because of one's actual or perceived sexual orientation, gender identity and expression.
7. **Disallowance from entry and refusal to serve** - It shall be unlawful to refuse entry and/or disallow a person or group of persons from entering any establishment such as restaurants, bars, stores, movie houses, shopping malls and other places or entertainment and other businesses which are open to the general public, and/or to refuse to attend to or serve any orders for food, drinks and other goods, consumable and non-consumable, or to subject one to discrimination or harassment in buses, ships, on the basis of actual or perceived sexual orientation, gender identity and expression.
8. **Promotion of Discrimination Against LGBT** - It shall be unlawful to organize groups and activities which promote and incite discrimination against persons based on actual or perceived sexual orientation, gender identity and expression.



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9. **Any other Analogous Act** - Any act of discrimination or harassment based on actual or perceived sexual orientation, gender identity and expression which demeans the dignity and self-respect of a person or impairs, mars, reduces or nullifies the recognition, enjoyment or exercise of a person's human and legal rights and basic freedoms in the civil, political, labor, economic, social, cultural, education spheres and other spheres.

SECTION 69. AFFIRMATIVE ACTS - To ensure that the rights of lesbian, gay, bisexual and transgender (LGBT) person are protected, the following plans and programs shall be adopted in employment, in education, in the delivery of goods and services, accommodation, and other areas to wit:

1. Affirmative Acts in Employment

- 1.a Wage and Benefits for Lesbian, Gay, Bisexual and Transgender (LGBT) persons - Every employer in Batangas City shall comply with the minimum wage as stimulated by the Regional Wage Board or as stimulated by pertinent legislation passed by congress and shall grant all lesbian, gay, bisexual, and transgender (LGBT) persons benefits afforded under existing laws such as maternity/paternity leaves, sick and vacation leaves, retirement and benefits provided under special laws such as in R.A. No. 9262, among others.
- 1.b Issuance of Annual Gender Sensitivity Training Certificate including Sexual Orientation Gender Identity and Expression - All private offices, commercial/industrial establishments located in Batangas City shall encourage an annual gender sensitivity training or orientation for all employees, including a module on the elimination of all forms of discrimination on the basis of one's actual or perceived sexual orientation, gender identity and expression.
- 1.c Facilities and Support System for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons - All government agencies, private offices and



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commercial/industrial establishments shall designate toilet rooms and lavatories labeled as all gender CR.

2. Affirmative Acts in Education

2.a Equal Access to Education Opportunities - The Batangas City Government shall ensure equal access to opportunities for lesbian, gay, bisexual and transgender (LGBT) persons in various trainings and scholarships.

2.b Availability of Anti-Discrimination Materials - All schools, colleges, universities and other educational and training institutions, whether public or private, located in Batangas City, shall develop and make available resource materials on gender rights and empowerment, including laws and ordinances pertinent to the elimination of any form of discrimination on the basis of actual or perceived sexual orientation, gender identity and expression in their liabilities.

2.c Elimination of Gender Stereotyping - All schools, colleges, universities and other educational and training institutions, whether public or private, located in Batangas City, shall promote the elimination of sex-role stereotyping and gender-discriminatory role modeling for students in academic and extra-curricular activities.

3. Affirmative Acts in the Delivery of Goods and Services

3.a Delivery of Goods and Services to Eligible Individuals - Establishments supplying physical goods and services shall ensure that goods and services are delivered to eligible individuals in a non-discriminatory manner in accordance with the standards provided under applicable laws.



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4. Affirmative Acts in Accommodation

- 4.a Health Services for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons and Capacity-Building and Training for Health Care Providers - In order to ensure that health care services shall be provided in a non-discriminatory manner, the Batangas City Government, through the City Health Department, shall:
 - 4.a.1 Extend quality health care services and information on reproductive health without regard to one's marital status, age, religious affiliation, sexual orientation, gender identity and expression personal circumstances and nature of work.
 - 4.a.2 Monitor and ensure the provisions for gender-sensitive, gender-responsive and accessible health services for lesbians, gays, bisexuals and transgender (LGBTs) are available both at the hospitals within the city and in Barangay Health Centers.
 - 4.a.3 Encourage the establishment of an LGBT Desk in every public and private hospital to handle concerns pertaining to the proper administration of medical services to a person with specific needs, according to one's self-identified sexual orientation, gender identity and expression in order to provide a comprehensive, responsive and accessible health services.
 - 4.a.4 Build the capacities of Barangay Health Workers, schools and community-based health personnel in delivering gender-sensitive and gender-responsive health services to the community in coordination with the barangay and non-governmental organizations.



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- 4.a.5 Initiate a sensitization and training drive in all government health care facilities about the needs of lesbian, gay, bisexual and transgender (LGBT) population vis-à-vis general health and medical emergencies.

SECTION 70. INCORPORATION OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION CONCERNS WITH FUNCTIONS OF EXISTING VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) DESK/HUMAN RIGHTS DESK IN BATANGAS CITY PNP - The Batangas City PNP is strongly encouraged to handle the specific concerns relating to sexual orientation gender identity and expression through the existing Violence Against Women or VAWC/Human Rights Desk in all police stations in Batangas City, in close coordination with Batangas City Protection Center.

SECTION 71. INCORPORATION OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION CONCERNS WITH THE FUNCTIONS OF THE EXISTING BARANGAY VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) DESK - All barangays in Batangas City are strongly encouraged to handle concerns relating to sexual orientation, gender identity and expression (SOGIE) through the existing Barangay Violence Against Women and Children (VAWC) Desk:

- a. Develop a system to document and report cases of discrimination and violence against actual or perceived lesbian, gay, bisexual and transgender (LGBT) persons and provide assistance to the victims thereof same as process for VAWC.
- b. Ensure that barangay officials, barangay police and other barangay workers, including volunteers, undergo training to enable them to respond to victims of gender discrimination and violence against lesbian, gay, bisexual and transgender (LGBT) persons.
- c. Assist the victims in filing the appropriate complaint with Batangas City PNP or other law enforcement agencies.
- d. Ensure that all pertinent documents are forwarded to the Batangas City PNP.



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SECTION 72. COMMEMORATION OF LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) EVENTS - In support of the Lesbian, Gay, Bisexual and Transgender (LGBT) community, the Batangas City Government shall commemorate the annual celebration of the following:

- a. Philippine Pride March on the First Saturday of December
- b. World Aids Day on December 1, and
- c. Human Rights Day on December 10

SECTION 73. ANTI-DISCRIMINATION PROGRAMS - Fund shall be allocated by the Batangas City Government for the implementation of the following programs:

- a. Discrimination Databank and Monitoring
- b. Access to Legal Representation of Victims of discrimination based on sexual orientation, gender identity and expression (SOGIE)
- c. Psychological Counseling
- d. Anti-discrimination Campaign
- e. Policy review
- f. Organization of Lesbian, Gay, Bisexual and Transgender (LGBT) persons in the barangay to ensure sectoral representation in the City Government

**CHAPTER II
PENAL PROVISIONS**

**ARTICLE I
HEALTH**

SECTION 74. Any health care service provider, whether public or private operating in Batangas City who shall refuse to extend quality health care services and information on account of the person's marital status, gender, age, religious convictions, personal circumstances or nature of work, shall be penalized in accordance with the criminal and civil penalties under RA 103541 or the Responsible Parenthood and Reproductive Health Act of 2012.

If the offender is a public officer, elected or appointed, he shall also suffer the administrative penalty of suspension or removal from office imposable by the appropriate administrative body or agency after due notice of hearing.



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If the offender is a juridical person, the penalty shall be imposed upon the president, director or any responsible officer.

In addition to the criminal and civil liabilities provided in the foregoing, violation by private juridical persons shall be ground for the revocation or non-renewal of business permit to do business or operate in Batangas City.

ARTICLE II
LABOR

SECTION 75. Any employer natural or juridical who shall commit any act of discrimination against any woman employee with respect to terms and condition of employment on account of her gender, age, religious affiliation or personal circumstances shall be punishable under applicable labor laws.

Finding of guilt in a labor case of committing acts of discrimination against women employees shall be ground for the revocation or non-renewal of business permit of employer to operate or do business in Batangas City.

SECTION 76. Any employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainor or any other person who has authority, influence or moral ascendancy over another who commits sexual harassment shall be punishable under RA No. 7877 otherwise known as the Anti-Sexual Harassment Act of 1995.

If the offender is a public officer, elected or appointed, he shall also suffer the administrative penalty of suspension or removal imposable by the appropriate administrative body or agency after due notice and hearing.

ARTICLE III
VIOLENCE AGAINST WOMEN

SECTION 77. Any person who commits any act of violence against women, or violation of the anti-prostitution and white slave trade laws under the Revised Penal Code, or violation of the Anti-Trafficking in Persons Act, shall be imposed the penalties provided in RA 9262, the Revised Penal Code of the Philippines, or RA 9208 as amended by RA 10364, respectively.



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Any officer or employee of the Batangas City Government, member of the PNP, barangay official, or public officer found guilty, after due notice and hearing, of refusing, preventing, delaying, or causing or influencing any other public employee or officer to refuse, prevent, or delay providing assistance to victims or survivors of violence or other gender-based cases shall be punishable with suspension or dismissal from the service.

Failure or refusal to issue the Barangay Protection Order within the mandatory period upon valid application by victims, survivors, or their families, shall be a ground for suspension of the Barangay Official concerned for not more than six (6) months.

ARTICLE IV

LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT)

SECTION 78. Any person found committing any of the prohibited acts against lesbian, gay, bisexual and transgender (LGBT) shall be penalized with imprisonment for a period of not less than sixty (60) days but not more than one (1) year and/or a fine of not less than One Thousand Pesos (Php1,000.00) but not to exceed Five Thousand Pesos (Php5,000.00) or both at the discretion of the Court, without prejudice to any applicable criminal, civil or administrative action that may be instituted under the provisions of existing laws.

CHAPTER III

PROVISIONS FOR IMPLEMENTATION

SECTION 79. BATANGAS CITY GAD FOCAL POINT SYSTEM (GFPS). -

A GAD Focal Point System is hereby created which shall have the following composition, powers and duties:

A. The City GFPS Executive Committee (ExeCom)

Chairperson: City Mayor

Vice Chairperson: Secretary to the Mayor

Members: City Administrator
Chairperson of SP Committee on Women,
Children and Family



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City Social Welfare and Development
Officer
City Planning and Development
Coordinator
City Engineer
Asst. City Treasurer, In-Charge of
Office
City Budget Officer
City Health Officer
City Veterinarian
President - Liga ng mga Barangay
City Director - DILG
NGO Member-Kayang-kaya Basta Sama sama,
Inc.

Representatives from the following group:

PNP Women's Desk - City Police Office
Indigenous People (IP)
Persons with Disabilities (PWD)
KALIPI President
Academe

B. GENERAL FUNCTIONS OF THE CITY GFPS:

- a. Lead in mainstreaming GAD perspectives in the City Government policies, plans and programs. In the process, they shall ensure the assessment of the gender-responsiveness of systems, structures, policies, programs, processes and procedures of the City Government based on the priority needs and concerns of constituencies and employees, and the formulation of the recommendation including their implementation.
- b. Assist in the formulation of new policies such as the GAD Code in advancing women's empowerment and gender equality.
- c. Lead in the setting-up appropriate system and mechanism 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.



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- d. Coordinate efforts of different division/offices/units of the City Government and advocate for the integration of GAD perspectives in all their systems and processes.
- e. Spearhead the preparation of the annual and performance-based LGU-GAD Plan and Budget (GPB) in response to the gender issues and or concerns of their locality and in the context of the City Government mandate; and consolidate the same, following the form and procedures prescribed in this Joint Memorandum Circular (JMC). The GFPS shall likewise be responsible for submitting the consolidated GPBs of the City Government.
- f. Lead in monitoring the effective implementation of the annual GPB, GAD Code, other GAD-related policies and plans.
- g. Lead the preparation of the annual Batangas City-GAD Accomplishment Report (GAD AR) and other GAD reports that may be required under the Magna Carta of Women (MCW) and this JMC.
- h. Strengthen linkages with other LGUs, concerned agencies or organizations working on women's rights and gender and development to harmonize and synchronize GAD efforts at various levels of local governance.
- i. 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, and
- j. Ensure that all personnel of the Batangas City Government including the planning and finance officers (e.g. accountants, budget officers, auditors) are capacitated on GAD. Along this line, the GFPS will recommend and plan an appropriated capacity development program on GAD for its employees as part of and implemented under its regular human resource development program.



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SPECIFIC ROLES AND RESPONSIBILITIES OF THE CITY GFPS

a. The City GFPS Executive Committee shall:

- i. Provide policy advice to the City Mayor to support and strengthen the GFPS and the City Government's gender mainstreaming efforts.
- ii. Direct the identification of GAD strategies, PPAs and targets based on the results of gender analysis and gender assessment, taking into account the identified priorities of the City Government and the gender issues and concerns faced by the City Government's constituents and employees.
- iii. Ensure the timely submission of the Batangas City-GPB, GAD AR and other GAD-related reports to the DILG which shall be consolidated for submission to the Philippine Council for Women (PCW) and appropriate oversight agencies.
- iv. Ensure the effective and efficient implementation of the GAD PPAs and the judicious utilization of the GAD Budget.
- v. Build and strengthen the partnership of the LGU with concerned stakeholders such as women's groups or CSOs, national government agencies, GAD experts and advocates, among others in pursuit of gender mainstreaming.
- vi. Recommend awards and/or incentives to recognize outstanding GAD PPAs or individuals who have made exemplary contributions to GAD.

SECTION 80. THE CITY GFPS TECHNICAL WORKING GROUP - In accordance with Executive Order No. 11 S. 2016 (Reorganizing the City GAD Focal Point System) issued by the City Mayor, Batangas City, the GFPS-TWG shall have the following composition and functions:



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A. The City GFPS Technical Working Group (TWG)

Chairperson : City Planning and Development
Coordinator
Members: City Social Welfare and Development
Officer
City Budget Officer
City Accountant
In Charge of Office - CTO
City Secretary (Sangguniang Panlungsod)
City Health Officer
City Veterinarian
Human Resource and Management Officer
City Mayor's Office
Head, Public Information Office

B. FUNCTIONS - The City GFPS Technical Working Group (TWG)
shall:

- i. Facilitate the gender mainstreaming efforts of the Batangas City Government through the GAD planning and budgeting process.
- ii. Formulate the Batangas City-GPB in response to the gender gaps and issues faced by their constituents including their women and men employees.
- iii. 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 Resource Development Office (HRDO) on the development and implementation of a capacity development program on GAD for its employees, as necessary.
- iv. Coordinates 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.



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- v. Lead and 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.
- vi. Monitor the implementation of GAD-related PPAs and suggest corrective measures to improve their implementation.
- vii. Prepare and consolidate City-GAD ARs and other GAD-related reports.
- viii. Provide regular updates and recommendations to the City Mayor or GFPS-ExeCom regarding the activities of the GFPS and the progress of the city in gender mainstreaming based on the feedback and reports of concerned City Government offices/units, stakeholders and constituents.

SECTION 81. MONITORING AND EVALUATION. - The Batangas City Gad Focal Point System in coordination with the different departments of the City Government shall undertake a regular evaluation of the progress of implementation of this Code.

All departments, offices, agencies and barangays shall submit annual GAD Accomplishment Report to the GFPS.

The City Government shall ensure and facilitate the participative and consultative process of implementing the provisions of this Code among all departments, agencies, barangays, and other stakeholders in the City.

The GFPS shall adopt and employ the GAD monitoring indicators and evaluation checklists stated in the Harmonized Gender and Development Guidelines of the NEDA, the PCW, and Official Development Assistance and Development Network (ODA-GAD).

The GFPS shall submit Annual Accomplishment Report to the DILG for review and appropriate action.



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SECTION 82. APPROPRIATION. - For the effective implementation of this Code, the City Government shall appropriate five (5%) from its Annual Development Fund. Appropriation shall also be made from the Special Development Assistance as stipulated in RA 7192.

SECTION 83. RULES AND REGULATIONS. - The City Mayor, through the GFPS, shall have the authority to promulgate Rules and Regulations for the effective implementation of this Code.

CHAPTER IV
FINAL PROVISIONS

SECTION 84. REPEALING CLAUSE. - All ordinances, resolutions, circulars, memoranda or rules and regulations inconsistent with the provisions of this Code are hereby repealed and modified accordingly.

SECTION 85. SEPARABILITY CLAUSE. - If for any reason, any portion or provision of this code is declared unconstitutional or invalid, the other sections or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 86. SUPPLEMENTARY CLAUSE. - On matters not provided for in this Code, any existing applicable laws and their corresponding Implementing Rules, Executive Orders and relevant issuances issued therefore shall apply in a supplemental manner.

SECTION 87. EFFECTIVITY CLAUSE. - This code shall take effect upon compliance of the mandatory posting and publication requirement prescribed under RA 7160 otherwise known as the Local Government Code of 1991.

ENACTED by the Sangguniang Panlungsod this 25th day of March, 2019.



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THE BATANGAS CITY GENDER AND DEVELOPMENT CODE OF 2019

ATTY. OLIVA D. TELEGATOS

Secretary

Sangguniang Panlungsod

ATTESTED:

EMILIO FRANCISCO A. BERBERABE, JR.

Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA

City Mayor

Date Approved:

APR 08 2019

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON MARCH 25, 2019 AT THE SANGGUNIANG SESSION HALL

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Sergie Rex M. Atienza,	"
Hon. Hamilton G. Blanco,	"
Hon. Alyssa Renee A. Cruz,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Julian B. Villena,	"
Hon. Gerardo A. Dela Roca,	"
Hon. Nestor E. Dimacuha,	"
Hon. Nelson J. Chavez,	"
Hon. Julian Pedro M. Pastor,	"
Hon. Marjorie A. Manalo,	SK-Fed. Pres.
Hon. Angelito "Dondon" A. Dimacuha,	ABC-Rep.

"On motion of Councilor Cruz duly seconded, the following Resolution was Adopted:

RESOLUTION NO. 96 S. 2019

**ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND REGULATIONS
REGARDING THE PROPOSED BATANGAS CITY GENDER AND DEVELOPMENT CODE
OF 2019 AND APPROVING THE SAME FOR SECOND AND FINAL READING**

RESOLVED, to adopt the report of the Committee on Laws Rules and Regulations regarding the Proposed Batangas City Gender and Development Code of 2019.


RESOLVED FURTHER, to approve the aforementioned proposed ordinance on Second and Final Reading.

UNANIMOUSLY APPROVED."


I hereby certify that the foregoing Resolution No. 96 S. 2019 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on March 25, 2019.

GERARDO M. DIMAANO
Board Secretary III
Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE JR.
Presiding Officer

ODT/GMD/ystingchuy...



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

COMMITTEE REPORT

SUBMITTED BY : Committee on Laws, Rules and Regulations

SUBJECT : Proposed Batangas City Gender and Development Code of 2019, Amending the Batangas City Gender and Development Code of 2008

Referred to the Committee on Laws, Rules and Regulations is the Letter/Correspondence from the Batangas City Social Welfare and Development Office, through Mrs. Mila Espanola- CSWD Officer, regarding the enactment of an Ordinance entitled the Batangas City Gender and Development Code of 2019 which is intended to repeal, amend or update our existing Gender and Development Code of 2008 in compliance to the Memorandum issued by the Commission on Women.

After referral to the aforementioned Committee, the Committee conducted a committee hearing on March 20, 2019 at 3:20 o'clock in the afternoon.

Present during the committee hearing were the Chairman of the Committee on Laws, Rules and Regulation Hon. Councilor Alyssa Renee A. Cruz and members Hon. Coun. Sergie Rex M. Atienza, Hon. Coun. Gerardo A. dela Roca, Hon. Coun. Julian B. Villena and Hon. Coun. Armando C. Lazarte. Also present were the Sangguniang Panlungsod Presiding Officer Hon. Vice Mayor Emilio Francisco A. Berberabe, Hon. Coun. Aileen Grace A. Montalbo, Hon. Coun. Hamilton G. Blanco, Hon. Coun. Oliver Z. Macatangay, Hon. Coun. Karlos Emmanjuel A. Buted, Hon. Coun. Nelson J. Chavez and Hon. Coun. Nestor E. Dimacuha, Mrs. Mila Espanola our CSWD Officer, Dr. Allen Santos from City Health Office, Mrs. Agnes Francisca Panaligan and Mrs. Evelyn Atienza, both from City Planning and Development Office. The said committee hearing was presided by the Vice Mayor Emilio Francisco A. Berberabe Jr.

The City Social and Welfare Officer manifested that the existing Batangas City Gender and Development Code of 2008 must be reviewed and updated in order to conform to the newly enacted laws and guidelines relating to the protection of women and children not within the coverage of the existing ordinance. This Proposed Gender and Development Code of 2019 will embody Gender Sensitivity Programs not only for women but also for the children and the community because the use of our Gender and Development Fund includes all sectors of our society.

The CSWDO also emphasizes that the code is not the law per se, the provisions contained therein are mere precautions, preventive measures and basis of our future legislation where we can put into action or allocate for the welfare of every member of the society whether male or female and at any age group. Notably, even persons in the LGBT is included and protected in the Gender and Development Program, it is because of the strengthened policy of our National Government for the protection against discrimination to the members of LGBT community.



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The representative from the City Health Office manifested that the ordinance should include Gender Sensitivity Programs for Adolescent Health because of the increasing HIV cases in the jurisdiction of Batangas City. The proposed ordinance should also empower every participating unit like the DepEd in implementing the new law regarding HIV.

Representatives from the City Planning and Development Office pointed out that in the ten (10) year period, new guidelines regarding the implementation of the Gender and Development Program were issued and it is timely that the City Government should conform to the new changes so that the office, being directly involved in the implementation of Gender and Development Office, can consolidate the Gender and Development Plan and the Annual Budget of the City appropriately. Further announced is that the Gender and Development Program Fund for 2018 of Batangas City is One Hundred Four Million and Five Hundred Thousand Pesos (P104, 500, 000) which is Five (5) percent of our total Annual Budget.

The Committee reviewed the Proposed Ordinance and the statements of the respective parties present during the hearing and found out the necessity and sufficiency in form and substance of the same, hence the committee recommends;

1. The adoption of the committee report;
2. And, the Approval of the Proposed Ordinance and further referring it for second and final reading.


Respectfully Submitted, March 25, 2019.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS


COUN. ALYSSA RENEE A. CRUZ
CHAIRMAN


COUN. SERGIO REX M. ATIENZA
MEMBER


COUN. JULIAN B. VILLENA
MEMBER


COUN. GERARDO A. DELA ROCA
MEMBER


COUN. ARMANDO C. LAZARTE
MEMBER

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

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ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

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ODT/GMD/ystingchuy...



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Respectfully Submitted, March 25, 2019.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS


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CHAIRMAN


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MEMBER


COUN. JULIAN B. VILLENA
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COUN. GERARDO A. DELA ROCA
MEMBER


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