

Republic of the Philippines  
**CITY OF ANTIPOLO**  
Province of Rizal

**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**PRESENT:**

**FIRST DISTRICT:**

Hon. Christian Jay C. Tapales	City Councilor
Hon. Ronald R. Barcena	City Councilor/Temporary Presiding Officer
Hon. Lemuel Marlowe G. Zapanta	City Councilor
Hon. Juanito G. Lawis	City Councilor
Hon. Pablo S. Oldan, Jr.	City Councilor
Hon. Robert A. Altamirano, Jr.	City Councilor
Hon. Arnel M. Camacho	City Councilor
Hon. Felipe C. Pimentel	City Councilor

**SECOND DISTRICT:**

Hon. Josefina G. Gatlabayan	City Councilor
Hon. Philip Conrad M. Acop, M.D.	City Councilor
Hon. Catalino M. Leyva	City Councilor
Hon. Christian Edward O. Alarcon	City Councilor
Hon. Irvin Paulo C. Tapales	City Councilor
Hon. Alfred J. Zapanta	City Councilor
Hon. Antonio O. Masangkay	City Councilor
Hon. Edward R. O'Hara	City Councilor

**EX-OFFICIO MEMBER:**

Hon. Jonathan C. Salen	Pres., Liga ng mga Barangay
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**ABSENT:**

Hon. Ronaldo L. Leyva	City Vice Mayor
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Proposed Ordinance No. 076, series of 2014

**CITY ORDINANCE NO. 2015-612**

**AN ORDINANCE PROHIBITING DISCRIMINATION IN ALL ASPECTS OF EMPLOYMENT OF PERSONS ON ACCOUNT OF THEIR GENDER, DISABILITY, ETHIC ORIGIN, RELIGION, AGE, AND FOR OTHER PURPOSES.**

**INTRODUCED BY : COUN. IRVIN PAULO C. TAPALES  
COUN. CHRISTIAN EDWARD O. ALARCON  
COUN. ROBERT A. ALTAMIRANO, JR.  
COUN. CHRISTIAN JAY C. TAPALES  
COUN. LEMUEL MARLOWE G. ZAPANTA**

**SPONSORED BY : COMMITTEE ON GOOD GOVERNMENT, ETHICS  
AND PUBLIC ACCOUNTABILITY**

APPROVED:

C. A. B.

CASIMIRO A. YNARES III, M.D.

City Mayor

*Municipal Ordinance*  
02/02/2015

**WHEREAS**, Article III, Section 1, of the Bill of Rights of the 1987 Constitution provides that no person shall be deprived of the equal protection of the laws;

**WHEREAS**, Article XIII, Section 3 of the 1987 Constitution provides that the state shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities to all;

**N O W T H E R E F O R E ,**

**PREMISES CONSIDERED, BE IT RESOLVED AS IT IS HEREBY RESOLVED BY THE SANGGUNIANG PANLUNGSOD , IN SESSION ASSEMBLED, THAT:**

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as the "ANTI-DISCRIMINATION IN EMPLOYMENT ORDINANCE".

**SECTION 2. DEFINITION OF TERMS .** The following words shall have the following meaning when used in this ordinance:

1. *Discrimination* – treating a person or particular group of people differently, especially in a worse way from the way in which others are treated because of their skin color, gender, gender preference, and others; also, it is the grant of particular privileges to a class arbitrary designated from a sizeable number of persons, where no reasonable distinction exists between the favored and disfavoured classes.
2. *Employment* – refers to the existence of an employer-employee relationship, which is determined by the four fold test:
  - a) Selection of the employees;
  - b) Payment of wages;
  - c) Power of dismissal; and
  - d) Power of control.
3. *Gender*- The state of being biologically male or female and also refers to non-biological social and cultural differences or preferences or orientation.
4. *Gender Identity* – refers to the personal sense of identity as characterized, among others, by manners of clothing, inclinations, and behaviour in relation to masculine or feminine conventions. A person may have male or female identity with the physiological characteristics of the opposite sex.
5. *Sexual Orientation* – direction of emotion attraction or conduct.

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*Handwritten signature*

6. *Disability* – any disability which limits the physical function of one or more limbs.
7. *Persons with Disability* – those suffering from restriction of different disabilities or a result of a mental, physical or sensory impairment to perform an activity in the manner or within the range considered normal for a human being.
8. *Ethnicity* – common characteristics of a group of people, not necessarily based on nationality but more on their cultural background and affiliation.
9. *Religion* – any specific system of belief and worship, often involving a code of ethics and philosophy.

**SECTION 3. ACTS OF DISCRIMINATION.** How committed. It would be unlawful for any employer to do the following acts:

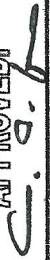
**(1) Gender**

- A. It would be unlawful for any employer or would-be employer to require the inclusion or disclosure of sexual orientation and/or gender identity in the criteria for hiring, promotion, dismissal and determination of compensation, training, incentive, privileges, benefits or allowances and other conditions of employment.
- B. Imposing as condition of employment or continued employment that a female employee or applicant should not get married.
- C. Imposing unreasonable conditions on account of pregnancy.

**(2) Disability**

- A. Refusing employment to a person with disability despite the fact that the disability will not hamper the work applied for.
- B. Segregating , limiting or classifying a person with disability in such a manner that it adversely affect work opportunities.
- C. Payment of lesser compensation and other forms of remuneration as provided for by law due to disability.

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02/02/2015

- D. Using qualification standards, employment tests or other selection criteria that screen out or tend to screen out a person with disability unless such standards, tests, or other selection criteria are shown to be job-related.

**(3) Religion and Ethnicity**

- A. Refusing employment to an application or an imposition on said person onerous terms and conditions.
- B. Denying or limiting access, without just cause, of an employee to opportunities for promotion, transfer or training, or any other benefits connected with or as a result of employment.
- C. Payment of lesser compensation and other forms of remuneration as provided for by law.

**(4) Age**

Except those prohibitions against employment of minors and those limits and/or requirements that may be imposed by law, it would be unlawful for any employer or would be employer to the following acts:

- A. Include age or indicate age preference as requirement for employment unless specifying age has substantial basis for the work applied for.
- B. Denying or limiting access, without just cause, of an employee to opportunities for promotion, transfer or training, or any other benefits connected with or as a result of employment due to age.

(5) Dismissal of the employee solely on account of the person's gender, disability, religion, ethnicity, or age; and

(6) Any other analogous act which has the effect of impairing a person's right.

**SECTION 4. PERSONS LIABLE.** Any person, natural or juridical, including the government or any private corporation, institution or company who commits discriminatory acts as enumerated herein shall be liable under this ordinance.

**SECTION 5. IMPOSSIBLE ADMINISTRATIVE PENALTY.** Pursuant to the immediately preceding section, the administrative penalty of a fine in the amount of One Thousand Pesos (P1,000.00) shall be imposed for violation of this Ordinance: Provided, that in the event the offender is a public officer or official, the administrative penalty to be imposed shall be as follow:

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*C. A. B.*  
 CASIMIRO A. YNARES III, M.D.  
 City Mayor

*Mun...  
 -Mentoko  
 02/27/2015*

- a) First Offense- written reprimand;
- b) Second Offense- suspension without pay for thirty (30) days;
- c) Third Offense- dismissal from service.

The administrative fine provided herein shall first be imposed on the offender and in the event the offender fails to pay such fine, the penalty provided in Section 6 hereof shall be applied. The imposition of the administrative fine shall be applied only once. Succeeding violations hereof shall result in the application of Section 6 of this Ordinance.

**SECTION 6. PENALTY.** The following penalty shall be imposed at the discretion of the court:

- a. *First Offense* – Any person found liable under this ordinance shall be punished by admonition and a fine not exceeding Two Thousand Pesos (P2,000.00);
- b. *Second Offense* – A second conviction under this ordinance shall be penalized by a fine of not exceeding Two Thousand Pesos (P3,000.00), or imprisonment of not more than ten (10) days or both at the discretion of the court;
- c. A third conviction or any conviction after two (2) previous convictions, shall be penalized by a fine of Five Thousand Pesos (P5,000.00) or imprisonment of not exceeding 30 days or both at the discretion of the court.

**SECTION 7. IMPLEMENTING RULES AND REGULATIONS.**

Within sixty (60) days from the approval of this Ordinance, an Implementing Rules and Regulations shall be promulgated through the coordination of the following offices: the City Legal Office, the Public Employment and Services Office, the Public Information Office and the Committee on Labor and Employment of the Sangguniang Panlungsod.

**SECTION 8. INFORMATION CAMPAIGN.** Within thirty (30) days from the approval of this Ordinance, the City's Public Information Office shall conduct an information campaign to apprise the public of the provisions of this ordinance as shall be directed by the local chief executive.

**SECTION 9. SEPARABILITY CLAUSE.** If any portion or provision of this Ordinance is declared void or unconstitutional, the remaining portions or provisions hereof shall not be affected by such declaration.

**SECTION 10. EFFECTIVITY.** This Ordinance shall take effect 15 days after the publication on a newspaper of general circulation.

APPROVED:

CASIMIRO A. YNARES III, M.D.

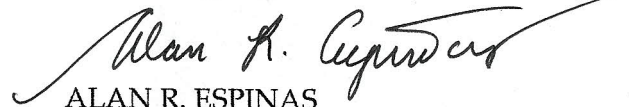
City Mayor

*Handwritten signature and date: 02/02/2015*

ENACTED UNANIMOUSLY by all the members present, there being a quorum, this 26<sup>th</sup> day of January 2015, during its Regular Session at the HAMAKA HALL, 4F City Hall Building, Antipolo City.

**CERTIFICATION**

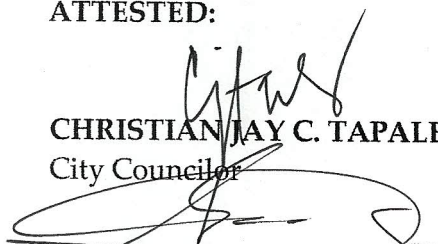
I hereby certify to the correctness of the foregoing ordinance.




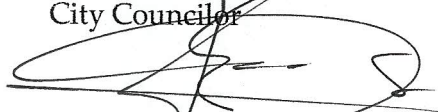
ALAN R. ESPINAS

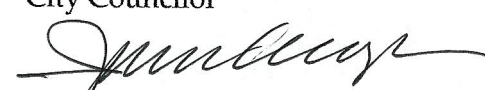
Secretary to the Sangguniang Panlungsod I

ATTESTED:


  
CHRISTIAN JAY C. TAPALES  
City Councilor

  
JOSEFINA G. GATLABAYAN  
City Councilor

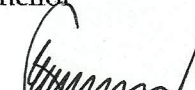
  
RONALD R. BARCENA  
City Councilor/Temporary  
Presiding Officer


  
PHILIP CONRAD M. ACOP, M.D.  
City Councilor

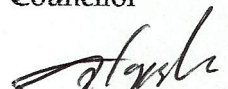
  
LEMUEL MARLOWE G. ZAPANTA  
City Councilor

  
CATALINO M. LEYVA  
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JUANITO G. LAWIS  
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CHRISTIAN EDWARD O. ALARCON  
City Councilor

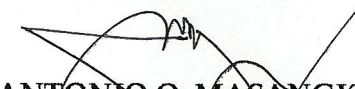
  
PABLO S. OLDAN, JR.  
City Councilor

  
IRVIN PAULO C. TAPALES  
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ROBERT A. ALTAMIRANO, JR.  
City Councilor

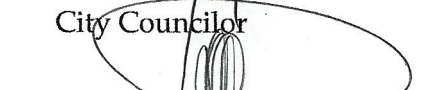
ALFRED J. ZAPANTA  
City Councilor

  
ARNEL M. CAMACHO  
City Councilor

  
ANTONIO O. MASANGKAY  
City Councilor

  
FELIPE C. PIMENTEL  
City Councilor

  
EDWARD R. O'HARA  
City Councilor


  
JONATHAN C. SALEN  
Pres., Liga ng mga Barangay


APPROVED:

CASIMIRO A. YNARES III, M.D.

City Mayor

City Ordinance No. 2015-612

  
RONALDO L. LEYVA  
City Vice Mayor

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CASIMIRO A. YNARES III, M.D.  
City Mayor ✓