

**EXCERPT FROM THE MINUTES OF THE 30TH SESSION OF THE 14<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF AURORA HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL, BALER, AURORA ON APRIL 14, 2020.**

**PRESENT:**

<b>HON. CHRISTIAN M. NOVERAS,</b>	Vice Governor & Presiding Officer
<b>HON. MARIANO C. TANGSON,</b>	Regular member, 1 <sup>st</sup> District
<b>HON. ISIDRO P. GALBAN,</b>	Regular Member, 1 <sup>st</sup> District
<b>HON. JESUS V. PALMERO,</b>	Regular Member, 1 <sup>st</sup> District
<b>HON. PHILIP BUTCH M. BAUTISTA,</b>	Regular Member, 1 <sup>st</sup> District
<b>HON. JENNIFER A. ARANA,</b>	Regular Member, 2 <sup>nd</sup> District
<b>HON. EUGENE B. CALUGTONG,</b>	Regular Member, 2 <sup>nd</sup> District
<b>HON. LORDAN B. ROXAS,</b>	Regular Member, 2 <sup>nd</sup> District
<b>HON. NICASIO M. SALAMERA,</b>	Regular Member, 2 <sup>nd</sup> District
<b>HON. RAFAEL M. DE MAYO,</b>	Ex-Officio Member, LnB Pres.
<b>HON. MARY JANE B. DONATO,</b>	Ex-Officio Member, IPMR
<b>HON. ONASIS Q. RONQUILLO,</b>	Ex-Officio Member, PCL Pres.

**ABSENT:**

<b>HON. JOVENE MIKE B. ALPUERTO,</b>	Ex-Officio Member, SKF Pres.
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**ORDINANCE NO. 321**

**AN ORDINANCE PROHIBITING AND PENALIZING ANY PERSON FROM COMMITTING DISCRIMINATORY ACT/S AGAINST FRONTLINERS AND OTHER COVERED INDIVIDUALS DUE TO COVID -19**

**Author: Hon. Jennifer A. Araña**  
**Co-authors: All SP Members**

**WHEREAS,** it is a state policy to value the dignity of every human being and to guarantee full respect for human rights;

**WHEREAS,** on March 8, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922 declaring a state of Public Health Emergency throughout the Philippines and later on placed Luzon under the Enhanced Community Quarantine, as part of its continuous campaign to prevent the COVID-19 pandemic;

**WHEREAS,** the Acting Governor Hon. Christian M. Noveras issued Executive Order No. 2020-016 declaring Enhanced Community Quarantine in the Province of Aurora for the management of COVID-19 to prevent local transmission in the entire province;

**WHEREAS,** based on Section 16 of RA 7160 or the Local Government Code of 1991, every local government unit, including barangay, has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote general welfare, promote health and safety, maintain peace and order and preserve the comfort and convenience of their inhabitants;

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**WHEREAS,** the rapid increase of COVID-19 cases has struck fear and distrust to people so much so that it has brought discrimination and prejudices against persons who have confirmed case and who have recovered from COVID-19, Persons who have Probable Case and Persons classified as Suspect, and against health workers, frontliners, repatriated Overseas Filipino Workers and seafarers or other persons whose employment has called them to report for duty or during this time of national health emergency ;

**WHEREAS**, there has been an alarming rise of reported discriminations against the aforementioned individuals, hence, the Department of Health and the Inter-Agency Task Force called for the protection of these individuals and sought the assistance of the local government units to enact measures to prevent these discriminations;

**WHEREAS**, it is the province's mandate to keep peace and order and ensure public safety within its territorial jurisdiction and to bring before the law those who violate the same;

**NOW THEREFORE, BE IT ORDAINED** by the 14<sup>th</sup> Sangguniang Panlalawigan of the Province of Aurora, in session assembled:

**SECTION 1. Short Title.** - This Ordinance shall be known as "**COVID-19 ANTI-DISCRIMINATION ORDINANCE OF THE PROVINCE OF AURORA**".

**SECTION 2. DEFINITION OF COVERED INDIVIDUALS.** -The following persons are **Covered Individuals**, as defined in this Ordinance:

1. **Suspect Case** – is a person who is presently with any of the conditions below:
  - a. All SARI cases where No other etiology fully explains the clinical presentation.
  - b. Ill cases with any one of the following:
    - i. with no other etiology that fully explains the clinical presentation;
    - ii. AND a history of travel to or residence in an area that reported local transmission of COVID-19 disease during the 14 days prior to symptom onset OR;
    - iii. with contact to a confirmed or probable case of COVID-19 in the two days prior to onset of illness of the probable/confirmed COVID-19 case until the time the probable/confirmed COVID-19 case became negative on repeat testing.
  - c. Individuals with fever or cough or shortness of breath or other respiratory signs or symptoms fulfilling any one of the following conditions:
    - i. Aged 60 years and above
    - ii. With a comorbidity
    - iii. Assessed as having a high-risk pregnancy
    - iv. Health Worker
2. **Probable Case** – a suspect case who fulfills anyone of the following below:
  - a. Suspect Case whose testing for COVID-19 is inconclusive;
  - b. Suspect who tested positive for COVID-19 but whose test was not conducted in a national or subnational reference laboratory or officially accredited laboratory for COVID-19 confirmatory testing
3. **Confirmed Case** – any individual, irrespective, of presence or absence of clinical signs and symptoms, who was laboratory confirmed for COVID-19 in a test conducted at the national reference laboratory, a subnational reference laboratory, and/or DOH-certified laboratory testing facility.
4. **Recovered Person** – a person who was confirmed COVID-19 case and recovered therefrom as declared by the proper health authority.

5. **Health workers** - person who deliver care and services to the sick and ailing, either directly or indirectly. Health workers include among others doctors, nurses, aides, Barangay Health Workers, first responders, ambulance drivers and laboratory technicians in public and private hospitals, clinics and centers.
6. **Frontliners** – are persons who are called to report by competent authority for duty in the frontline or to render frontline services during the time of national health emergency such as but not limited to the following: medical personnel and law enforcement agencies.

**SECTION 3. UNLAWFUL ACTS.** – It shall be unlawful for any person, whether natural or juridical, to commit any of the following act/s against Covered Individuals as defined under this Ordinance:

- a. Make utterances which cause or tend to cause Covered Individuals' discrimination, stigma, disgrace, shame, insult, or harassment including the unauthorized disclosure of their names and/or place of residence to the people;
- b. Disclosure of their names and/or place of residence in social media with the intent of discriminating against their person and honor.
- c. Commit any act of violence against the person or property of covered individual by reason of their services rendered in the frontline.
- d. Prohibit their return to their residences after obtaining clearance from the proper health officials;
- e. Refuse to render services or assistance solely due to their status as Covered Individuals as defined herein;
- f. Refuse to allow them entry in private establishments providing basic necessities solely due to their status as Covered Individuals as defined herein, except when such covered individual is violating DOH protocol.

**SECTION 4. ENFORCEMENT** – This Ordinance shall be primarily implemented by the concerned Local Government Units headed by the Local Chief Executive and other concerned agencies within their respective jurisdiction, the Punong Barangay with the assistance of Barangay Police, Philippine National Police, Armed Forces of the Philippines and other agencies which deemed necessary in the implementation of this Ordinance.

**SECTION 5. PENALTIES.** - Any person who commits any of the acts under Section 3 hereof shall be meted out the following penalties:


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| First (1 <sup>st</sup> ) Offense  | - The offender shall be required to pay a fine of PhP 3,000.00 or imprisonment for one (1) month  |
| Second (2 <sup>nd</sup> ) Offense | - The offender shall be required to pay a fine of PhP 4,000.00 or imprisonment for two (2) months |
| Third (3 <sup>rd</sup> ) Offense  | - The offender shall be required to pay a fine of PhP 5,000.00 and imprisonment of three months.  |

**SECTION 6. SEPARABILITY CLAUSE.** - If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected, shall continue to be in full force and effect.

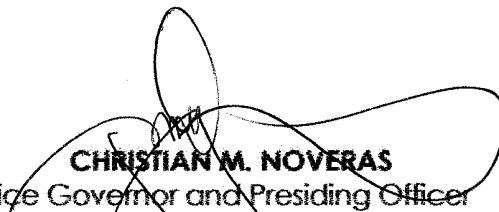
**SECTION 7. REPEALING CLAUSE.** - All Ordinances and rules inconsistent with the provisions of this Ordinance are hereby modified or repealed accordingly.

**SECTION 8. EFFECTIVITY.** - Upon approval of this Ordinance, it shall take effect immediately after compliance with the provision of Section 511 (a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

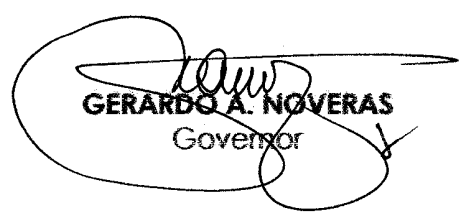
**I HEREBY CERTIFY** to the correctness of the foregoing Ordinance.

  
**MARIA OLIVIA D. MAZA**  
Secretary to the Sanggunian

**ATTESTED:**

  
**CHRISTIAN M. NOVERAS**  
Vice Governor and Presiding Officer

**APPROVED**, by His honor, the Governor on April 16, 2020.

  
**GERARDO A. NOVERAS**  
Governor