



Pamahalaang Bayan ng Taytay TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 107th REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN, TAYTAY, RIZAL HELD ON SEPTEMBER 22, 2015 AT THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL

PRESENT:

Hon. Carlito G. Gonzaga	-	Vice Mayor/Presiding Officer
Hon. Jan Victor B. Cabitac	-	Councilor
Hon. Archie L. Calderon	-	"
Hon. Sharon DL. Macabebe	-	"
Hon. Michell B. Bermundo	-	"
Hon. Sophia Priscilla L. Cabral	-	"
Hon. Ceferino R. Resurreccion, Jr.	-	"
Hon. Kristofer Charls S. Esguerra	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Joseph Z. Valera	-	LnB President

Authored/Sponsored by: Coun. Philip Jeison J. Cruz

Co-Sponsored by: Vice Mayor Carlito G. Gonzaga
Coun. Jan Victor B. Cabitac
Coun. Archie L. Calderon
Coun. Sharon DL. Macabebe
Coun. Michell B. Bermundo
Coun. Sophia Priscilla L. Cabral
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Coun. Kristofer Charls S. Esguerra
LnB Pres. Joseph Z. Valera

ORDINANCE NO. 28

TAYTAY, RIZAL GENDER AND DEVELOPMENT CODE OF 2015

Article I

Title, Statement of Policy and Definition of Terms

SECTION 1. Title.

This Ordinance shall be known as the "Gender And Development Code of the Municipality of Taytay, Rizal" hereinafter referred as the "TAYTAY, RIZAL GAD CODE OF 2015."

SECTION 2. Statement of Policy

It is a declared policy of the Municipality of Taytay, Rizal to give due recognition to the inherent equality between Taytayefios and Taytayefias; that men and women, lesbians, gays, bisexuals and trans genders play an equally crucial role in community and nation building; that their rights should be respected and protected at all times and their welfare be promoted; and that opportunities should be provided to ensure their active participation in the development process of Taytay, Rizal.

SECTION 3. Mandates and Legal Basis.

The GAD Code is based on the following international, national and local mandates:

3.1 International Policies:

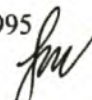
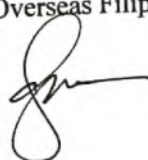
- 3.1.1. UN Convention on the Elimination of All Forms of Discrimination Against Women (UN-CEDAW), which articulates the economic, political, and social cultural rights of women;
- 3.1.2. The Beijing Platform of Action (BPA) agreed during the 4th World Conference on Women and its succeeding updates;
- 3.1.3. Millennium Development Goals;
- 3.1.4. ILO Conventions; and
- 3.1.5. Other international conventions and treaties (e.g. social development, environment, population and development).

3.2 Philippine Constitutional Provision

- 3.2.1. **Article 11 Section 14** of the 1987 Philippine Constitution, "The State recognizes the role of women in nation building and shall ensure the fundamental equality before the law of women and men
- 3.2.2. **Article XIII, Section 14** of the Constitution which recognizes women's special health needs.
- 3.2.3. **Article XIII, Section 11** of the 1987 Constitution which recognizes women's special health needs.

3.3. National Laws

- 3.3.1. **RA 6725:** An act Strengthening the Prohibition on Discrimination Against women with Respect to Terms and Conditions of Employment, Amending for the Purpose Article One Hundred Thirty-five of the Labor Code as Amended.
- 3.3.2. **RA 6955:** An Act Declaring Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail-Order Basis and other Similar Practices, Including the Advertisement, Publication, Printing or Distribution of Brochures, Flyer and Other Propaganda Materials in Furtherance Thereof and Providing Penalty Therefore.
- 3.3.3. **RA 7160** or the Local Government Code of 1991 which mandates LGUs to promote the general welfare and provide basic services and facilities to constituents.
- 3.3.4. **RA 7192:** An Act Promoting the Integration of Women as Full and Equal Partners in Development and Nation Building and for Other Purposes.
- 3.3.5. **RA 7322:** An Act Increasing Maternity Benefits in Favor of Women Workers in the Private Sector, Amending for Purpose Section 14-A of RA 1161, As Amended, and Other Purposes.
- 3.3.6. **RA 7438** otherwise known as the Act Defining Certain Rights of Person Arrested, Detained or Under Custodial Investigation as Well as the Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties for Violations Thereof
- 3.3.7. **RA 7688:** An Act Giving Representation to Women the Social Security Commission, amending for Purpose Section 3(A) of RA No.1161, as Amended.
- 3.3.8. **RA 7877:** An Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment and for Other Purposes.
- 3.3.9. **RA 7882:** An Act Providing Assistance to Work Engaging in Micro and Cottage Business Enterprises and for Other Purposes.
- 3.3.10. **RA 8042:** Migrant Workers and Overseas Filipinos Act of 1995



- 3.3.11. RA 8171:** An Act Providing for the Repatriation of Filipino Women Who Have Lost Their Philippine Citizenship Marriage to Aliens and of Natural-Born Filipinos.
- 3.3.12. RA 8292** or the Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises
- 3.3.13. RA 8343:** An Act Expanding the Definition of the Crime of Rape, Reclassifying The Same As a Crime Against Persons. Amending for the Purpose Act No. 3815 Amended, Otherwise Known as the Revised Penal Code, and for Other Purposes.
- 3.3.14. RA 8353** or the Anti-Rape Law of 1997
- 3.3.15. RA 8505:** An Act Providing Assistance and Protection for Rape Victims, Establishing for the Purpose a Rape Crisis Center in Every Province and City, Authorizing the Appropriation of Funds Therefore, and for Other Purposes
- 3.3.16. RA 8972** or the Solo Parent Welfare Act
- 3.3.17. RA 9208:** An 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.
- 3.3.18. RA 9710:** Magna Carta of Women, the comprehensive women's human rights law.
- 3.3.19. RA 9994:** Expanded Senior Citizens Act - An act granting additional benefits and privileges to senior citizens, further amending Republic Act No.7432, as amended
- 3.3.20. RA 10028:** The Expanded Breastfeeding Promotion Act of 2009
- 3.3.21. RA 10354:** Responsible Parenthood and Reproductive Health Act of 2012
- 3.3.22. RA 10661:** November as National Children's Month
- 3.3.23. General Appropriations Act, Section 28:** directing government entities to formulate a GAD plan, the cost of which shall not be less than five (5) percent of their yearly budget, otherwise known as the GAD budget.
- 3.3.24.** Executive Order (EO) 273 which directs all government agencies to institutionalize GAD efforts in government by incorporating GAD concerns in their planning, programming and budgeting processes. It also mandates agencies to incorporate and reflect GAD concerns in their agency performance commitment contracts, annual budget proposals and work and financial plans.
- 3.3.25.** Local Budget Memorandum No. 28 which directs local government units to mobilize resources to mainstream and implement gender and development programs using the five (5) percent of development fund.
- 3.3.26.** Joint Circular 2012-01 of the PCW-NEDA-DBM or the Guidelines for the Preparation of Annual Gender and Development (GAD) Plans and Budgets and Accomplishment Report to implement the Magna Carta of Women.
- 3.3.27.** PCW-DILG-DBM-NEDA Joint Memorandum Circular No. 2013-01 or the Guidelines on the Localization of the Magna Carta of Women.
- 3.3.28.** Civil Service Commission Memorandum Circular No. 12 s. 2005 which encourages all heads of constitutional bodies, departments, bureaus, offices and agencies of the national government, local government units, state universities and colleges, government-owned and/or controlled corporations the use of non-sexist language in all its [sic] official documents, communications and issuances.
- 3.3.29.** Philippine Plan for Gender-responsive Development (PPGD), 1995-2025 which envisions a society that promotes gender equality and women's empowerment and upholds human rights, among other development goals.





3.3.30. Framework Plan for Women (FPW) which encourages agencies to promote gender-responsive governance, protect and fulfil women's human rights, and promote women's economic empowerment.

3.4. National Plans

3.4.1 Philippine Plan for Gender Responsive Development, 1995-2025 Adopted through Executive Order No. 273 Framework Plan for Women, 2002-2004.

3.4.2 Joint Memorandum Circular 2003-01 -- Guidelines on the Localization of the Magna Carta of Women

3.4.3 Joint Circular 2004-01 -- Guidelines for the preparation of Annual Gender and Development (GAD) Plan and Budget and Accomplishment Report to Implement the Section on Programs/Projects Related to GAD of the General Appropriations Act.

3.5.1 Local Policies

3.5.1.1. Province of Rizal Gender and Development Code

3.5.2. Taytay Municipal Executive Orders

3.5.2.1. Executive Order No. 019 Series of 2014– Creating the Local Committee on Anti-Trafficking and Violence Against Women and their Children (LCAT – VAWC)

3.5.2.2. Executive Order No. 8 Series of 2014 – An Order Creating the Gender and Development (GAD) Focal Point System for the Municipality of Taytay

3.5.3. Taytay Municipal Ordinance

3.5.3.1 Ordinance No. 15 – An Ordinance Requiring Civil Registrar of the Municipality of Taytay, Rizal to Include the Seminar on Violence Against Women and their Children (VAWC) Under R.A. 9262 of 2004 as one of the Requirements Prior to the Issuance of a Marriage License

3.5.4. Taytay Municipal Resolution

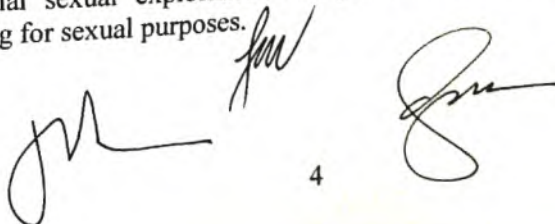
1. Resolution No. 82 – Recognizing Centenarian Citizen of Taytay. All living Taytayeyños that reach the age of 100 shall receive Php 30,000.00 for the Municipal Government of Taytay

Section 4. Definition of Terms.

The following terms or phrases used in this Code shall mean as follows:

4.1. Children – refers to those below eighteen (18) years of age or older but are incapable at taking care of them as defined under Republic Act No. 7610 (“Special Protection of Children against Child Abuse, Exploitation, and Discrimination”). It includes the biological children of the victim and other children under her care.

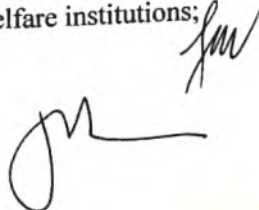
4.2. Commercial Sexual Exploitation – refers to the sexual abuse by the adult and remuneration in cash and or in kind to a person or women. It also refers to a process to which the women/children are treated as sexual objects and as commercial objects and which constitutes a form of coercion and violence against women and children, and amounts to forced labor and contemporary form of slavery. The main forms of commercial sexual exploitation are prostitution, sex tourism, pornography, and trafficking for sexual purposes.



- 4.3. Community-based Program** – refers to the programs provided a community setting developed for purposes of intervention and diversion, as well as rehabilitation of the child in conflict with the law, for reintegration into his/her family and/or community.
- 4.4. Crisis Intervention Center** – substitute home/residential facility for victims of VAWC and others who are in extremely difficult circumstances needing temporary shelter while their eventual return to family is facilitated.
- 4.5. Differently-Abled Person** – refers to those who are suffering from restriction or different abilities, as a result of mental, physical, or sensory impairment to perform an activity in the manner or within the range considered normal for a human being.
- 4.6. Economic abuse** – refers to acts that make or attempt to make a woman financially dependent.
- 4.7. Gender** – refers to roles, attitudes and values assigned by culture and society to women and men. These roles, attitudes and values define the behaviors of women and men and the relationship between them. They are created and maintained by social institutions such as families, governments, communities, schools, churches and media.
- 4.8. Gender and Development (GAD)** – refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-discrimination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stress the need of women to organize themselves and participate in political processes to strengthen their legal rights.
- 4.9. Gender Equality** – refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.
- 4.10. Gender Mainstreaming** – refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.
- 4.11. Gender Responsive** - characterizes policies and programs that systematically incorporate or address gender concerns that aim to reduce inequalities between men and women, and that are based on a gender analysis of the situation. This may also refer to programs in which gender equality issues are fully integrated or mainstreamed in all aspects and activities; programs that include a gender equality component to redress specific inequalities that may impact on women's benefiting from program implementation; on programs designed exclusively with the objective of promoting gender equality.
- 4.12. Gender-Sensitive** – the ability to recognize gender issues and to recognize women's different perceptions and interests arising from their different social position and gender roles.
- 4.13. Indecent Shows** – are shows which include nude or other provocative gestures which further project and exhibit men, women, especially children as sex objects.
- 4.14. LGBT** – persons who are either lesbians, gays, bisexuals or trans genders.
- 4.15. MGAD Office** – this shall refer to the Municipal Gender and Development Office of Taytay Rizal.

5

- 4.16. Places of Amusement** – include theaters, cinemas, concert halls, circuses and other places of amusement where one seek admission to entertain oneself by seeing or viewing the show or performances.
- 4.17. Persons with disability** – are survivors of physical impairments that have differentiated needs and potentials.
- 4.18. Psychological Violence** – refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.
- 4.19. Pornography** – refers 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 person for primarily sexual purposes.
- 4.20. Prostitution** – is the sale, purchase and exchange of women and minors for sexual exploitation cash profit of other economic considerations by an individual including but not limited to the pimp, procurer of the services, parents, owners of establishments, such of disco, bars, sauna bath, massage clinics, hotels and restaurants, and any other person who use various schemes to prostitute women and minors.
- 4.21. Reproductive Health** – as defined in the International Conference on Population and Development and World Health Organization, and affirmed in Beijing Conference, reproductive health is state of complete physical, mental and social well-being and not merely the absence of disease and infirmity, in all matter relating to the reproductive system and to its function and process.
- 4.22. Sex** – means a state of being male or female; males or females collectively; sexual intercourse.
- 4.23. Sexual violence** – refers to an act which is sexual in nature, committed against women/men or her/his children.
- 4.24. Solo Parent** – as defined under Section 3 of RA 8972 of 2000. – Any individual falls under any of the following categories:
- 4.24.1.** A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender provided that the mother keeps and raises the child;
 - 4.24.2.** Parent left solo or alone with the responsibility of parenthood due to death of spouse;
 - 4.24.3.** Parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
 - 4.24.4.** Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
 - 4.24.5.** Parent left solo or alone with the responsibility of parenthood due to legal separation or de facto separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children;
 - 4.24.6.** Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;
 - 4.24.7.** Unmarried mother or father who has preferred to keep and rear her/his child/children instead of having others care for them to give them up to a welfare institutions;



- 4.24.8. Any other person who solely provides parental care and support to a child or children; and
- 4.24.9. Any family member who assumes the responsibility of head of family as a result of the death, abandonment disappearance or prolonged absence of the parent or solo parent.
- 4.25. **Stalking** – refers to an international act committed by a person who, knowingly and without lawful justification follows the woman or her child or places the woman or her child under surveillance.
- 4.26. **Violence against women and their children** – as used in the republic Act No. 9262, refers to any act or a series of acts committed by any person against a woman who is his 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.
- 4.27. **Workers in the Entertainment Industry** – refers to commercial sex workers who offer their services in exchange for cash, profit or economic considerations.

SECTION 5. Rights of Taytayeñas.

- 5.1. Every Woman has the right to:
- 5.1.1. Affordable, good and quality education;
 - 5.1.2. Comprehensive health care services;
 - 5.1.3. Access to loans, other forms of financial credit;
 - 5.1.4. Join leisure, sports, cultural activities, spiritual and/or religious activities;
 - 5.1.5. Decide on the number of children and on the number of years between pregnancies;
 - 5.1.6. Shared parenting responsibilities;
 - 5.1.7. Freedom of speech and/or to express one's views and/or beliefs;
 - 5.1.8. Have equal access to jobs, benefits, and social security;
 - 5.1.9. Be paid equally based on the work she does;
 - 5.1.10. Be free from all forms of slavery and prostitution;
 - 5.1.11. Vote, run for election and hold public office;
 - 5.1.12. Represent the country internationally; and
 - 5.1.13. Freedom of religion.
- 5.2. In the light of historical gender biases and inequalities, pieces of local legislation, based on national or international laws, provides the Municipal Government policy direction for the formulation of programs on strategies, among others, that shall:
- 5.2.1. Mainstream gender concerns in sect of development plans, policies and programs;
 - 5.2.2. Intensify awareness campaign on gender issues of concerns;
 - 5.2.3. Strengthen GO/PO/NGO partnership to maximize effectiveness of programs and services that address Gender and Development (GAD) concerns;
 - 5.2.4. Encourage, support and expand the participation of women in planning, implementation, monitoring and evaluation of development programs and projects.
 - 5.2.5. Ensure equal access to education and recommend appropriate gender-sensitive curricula in all academic levels;
 - 5.2.6. Provide gender-responsive relief and rehabilitation programs considering the specific needs of women, men and children;





- 5.2.7. Establish crisis intervention shelter in each barangay that shall be accessible to victims of violence against women and children or other social conflicts;
- 5.2.8. Involve both men and women in family planning programs of the government, health and child care and nutrition concerns and engage them in projects that would enhance the well-being of families;
- 5.2.9. Encourage gender sensitivity awareness in local media and advertising agencies;
- 5.2.10. Increase the number of women in decision and policy-making posts in the locality through the implementation of capability building programs; and/or
- 5.2.11. Establish the necessary mechanism to enable indigenous women to participate in development programs and gain access to non-traditional sources of livelihood, credit financing, productive skills and labor-saving technologies.
- 5.3. As adapted from Sec23 of the Magna Carta of Women, Taytayeñas have the right to Livelihood, Credit, Capital, and Technology.

The State shall ensure that women are provided with the following:

- a. Equal access to formal sources of credit and capital;
- b. Equal share to the produce of farms and aquatic resources; and
- c. Employment opportunities for returning women migrant workers taking into account their skills and qualifications. Corollarily, the State shall also promote skills and entrepreneurship development of returning women migrant workers.

Article II

Gender and Development Programs in Taytay, Rizal

SECTION 6. Gender Sensitivity Orientation and Training.

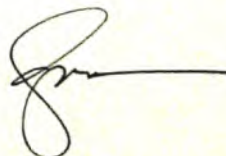
All schools, offices, establishments or companies, departments and agencies within the Municipality, in coordination with the Municipal Gender And Development (MGAD) office, shall provide other sensitivity orientation and training to their officials, employees and students to equip them with theoretical and practical knowledge on gender issues and concerns. Report of compliance from schools, offices, establishments or companies, departments and agencies within the Municipality that have undergone orientations or trainings shall be submitted to the MGAD Office for evaluation.

Likewise all establishments, schools, colleges and universities must develop assessment tools for gender biases. Compliance to provision shall be given due recognition by the Municipal Mayor, through the MGAD Office.

SECTION 7. Support to Gender Studies.

A sufficient amount shall be allotted from the budget under the GAD program to gender-related documentation and researches which shall form part of Taytay's database program for development.

SECTION 8. Popularization of Gender-Sensitive Materials.



The Municipal Government, in partnership with the all Barangays, as well as national government agencies, private institutions, non-government organizations, associations and other groups situated within Taytay, Rizal shall actively promote and publish gender-sensitive materials in popular forms.

SECTION 9. Gender-Sensitive Municipal Development and Physical Framework Plan (MDPFP).

A Gender-Sensitive Municipal Development and Physical Framework Plan shall take into consideration, among others the following:

- 9.1. Development plans, policies and programs that mainstream gender concerns and intensify awareness thereof;
- 9.2. Development that does not contribute to an increase in women's economic and social burden nor impair the productivity;
- 9.3. Development that safeguard the family as the basic socio institution;
- 9.4. that Women be given an active and expanded role in development planning, implementation, monitoring and evaluation;
- 9.5. that Disaster-preparedness and relief rehabilitation program should ensure the rights and welfare of women and children and the elderly;
- 9.6. Development that shall duly consider the rights of women in terms of education, health and sources of livelihood;

SECTION 10. Community-based Environment and Natural Resources Management - Programs and Projects (ENRM-PAPs).

The Municipal Government shall enjoin men, women, youth and able-bodied senior citizens of Taytay to take active participation and involvement in the sustainable development, management, protection and preservation of the environment. Taytayeños and Taytayeñas should play an active role in the environmental impact assessment projects and must equally participate in climate change preparedness campaigns, disaster risk reduction programs and decision making processes at the community level.

SECTION 11. Promotion of Alternative Technology.

The Municipal Government, in coordination with concerned technology providers, shall promote alternative technologies appropriate for men and women. It shall prioritize technologies that cater to the economic needs and personal well-being of families.

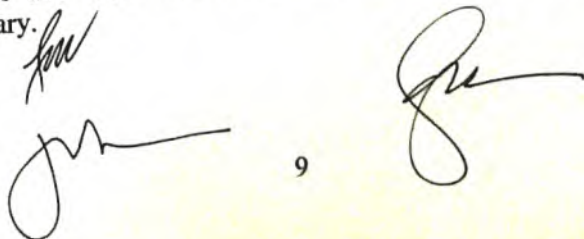
Likewise trainings for women, the elderly and PWDs pertaining to learning about technology done in partnership with national agencies and/or NGOs shall be fully supported and given assistance the Municipal government of Taytay.

30/9/2015

SECTION 12. Support to Overseas Filipino Workers (OFWs)

The Municipal Government of Taytay thru the Public Employment Service Office (PESO) in coordination with other concerned agencies shall:

- 12.1. Have a database of overseas contract workers who are originally for Taytay, especially those who are victims/survivors of abuse, and of legitimate placement agencies for monitoring purposes.
- 12.2. Conduct additional pre-employment orientation /briefings to overseas contract workers and their families on issues and concerns relative to migration, if necessary.



- 12.3. Provide appropriate support or interventions to conflict-affected OFWs and their families.
- 12.4. Provide support system for relatives of OFWs from Taytay, Rizal

SECTION 13. Training on Non-Traditional Occupation.

Women and PWDs shall be given opportunity to acquire training/s on non-traditional occupation such as those related to science and technologies and other fields that may flourish. The Municipal government shall find links that can provide trainings and/or trainers trainings for non-traditional occupations.

SECTION 14. Special Training for Punong Barangays, Sangguniang Barangays and Lupon Tagapamayapa

Special para-legal training and orientations pertaining to Gender and Development issues and related concerns for Punong Barangays, Sangguniang Barangays and Lupon Tagapamayapa shall be conducted every new term of office of the elected Barangay Officials. This should include awareness on national policies and local policies and their implications on women and family, PWDs, Elders and Taytayeños who are LGBT.

SECTION 15. Investment and Loans.

The Municipal Government shall endeavour to provide the women sector financial and technical assistance to pursue local economic development and women economic empowerment especially for micro entrepreneurs. It shall likewise extend assistance in securing grants and loans for the purpose.

SECTION 16. Recognition for Natatanging Taytayeños

The Municipal Government of Taytay through the MGADC shall conduct an annual search for outstanding Taytayeños which have shown commendable performance in attaining the goals of GAD. These exemplary individuals shall be given the Natatanging Taytayeña award based on the criteria set by the MGADC.

Likewise offices, government and private institutions, schools, colleges, universities and organizations that have shown commendable support to the GAD programs of Taytay shall be recognized by the Municipal Mayor, through the MGADC.

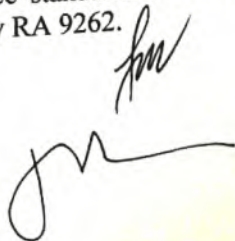
**ARTICLE III
Support Services**

SECTION 17. Gender Responsive Basic Services Data

All departments in the Municipal Government of Taytay that provide basic services shall collect sex disaggregated data by gathering information on the sex, age, whether the client is classified as PWD and other vital data prescribed by the MGAD office.

SECTION 18. Programs for Survivors of Domestic Violence.

The Municipal Government shall provide necessary support for women and children victims of violence. All victims shall be provided immediate social work interventions by the Municipal Social Welfare Development Offices and other concerned agencies in accordance with the performance standards set at the national level by the Inter-Agency Committee on VAWC as created by RA 9262.



Victims of VAWC cases are entitled to additional leaves based on the provisions of R.A. 9262.

SECTION 19. Women and Children Protection Desk (WCPD).

The Municipal Government, through the Taytay PNP shall establish and maintain the WCPD to specifically handle concerns of women and children and shall have a separate WCPD room within the police station.

SECTION 20. Role of Female Police Officer.

Complaints for violation of RA 9262 and 9208, etc and other forms of abuse against women and children in Taytay shall be handled by a policewoman assigned at the WCPD of the Taytay Police station. She/They must have been trained to handle gender sensitive VAWC cases.

SECTION 21. Investigations/Court Hearings of Rape Cases, Incest and other Forms of Violence Against Women and Children.

All investigations/hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutor's office and trial courts shall allow the survivor's support group to be present in the venue as observer and to provide moral support to the survivors.

SECTION 22. Gender and Development Councils.

The Municipal Gender and Development Council shall serve as the coordinating and advisory body of the Municipal Government of Taytay in designing programs geared towards gender and youth development, promotion and protection of human rights and ecological balance and it shall be formally and regularly consulted on peace and development issues on the basis of social equity and justice.

Based on JMC 2003-01, Barangay Gender and Development Council (BGADC) shall be created and/or strengthened in all Barangays in Taytay, Rizal. They shall serve as the coordinating and advisory body of the Barangay Council on gender issues and development initiatives. These councils must fully support and actively participate in the implementation of Taytay's GAD Programs.

SECTION 23. Women and Children Protection Unit (WCPU)

Based on the Rizal GAD Code, the WCPU shall be established under the management and supervision of the Municipal Health Office with the support of MGADC and the MSWD to provide immediate medical and referral for legal assistance to survivors of abuse.

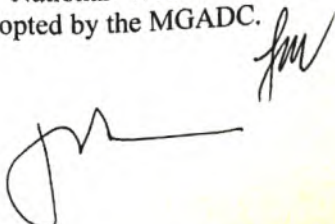
**ARTICLE IV
Special Events and Activities**

SECTION 24. Women's Month (Proclamation No. 224) and Women's Role in History Month (Proclamation No. 227), National Women's Day (RA6949)

As declared by the United Nations, March 8 of every year shall be observed as the Women's Day. The Municipal government of Taytay shall fully support and/or set programs pertaining to the Women's day celebration for the people to increase their level of awareness and consciousness on the issues affecting them and the women of Taytay.

The programs pertaining to the celebration of the Women's Role in History Month, shall be supported by the Municipal government of Taytay.

The National Women's Day shall be observed by the Municipality thru programs created or adopted by the MGADC.



SECTION 25. Taytay Women's Summit.

The Municipal Government, through the MGDAC, shall host an Annual Women's Summit for Taytayeñas during the Women's Month celebration. It shall tackle relevant issues concerning the roles, rights, as well as the responsibilities of Taytayenas in the development of the Municipality. It shall also be the venue wherein the Natatanging Taytayeñas will be recognized.

SECTION 26. National Children's Month.

Pursuant to RA 10661 dated 2015, the Municipality shall observe the month of November of every year as National Children's Month and undertake activities/projects in the observance thereof.

SECTION 27. The 18-Day Campaign for the Elimination of Violence Against Women and Children (VAWC).

The Municipality, in partnership with the National Commission on the role of Filipino Women (NCRFW) and other concerned agencies/organizations, shall conduct activities in the observance of the 18-Day Campaign on the Elimination of VAWC from November 25 – December 12 of every year.

**ARTICLE V
Labor and Employment**

SECTION 28. Equal Access to Employment, Training and Promotion.

No resident of Taytay shall be denied or discriminated in employment, training and promotion on account of age, sex, gender preference, civil status, creed, religion, ethnicity and physical disability provided that the PWD is capable to perform the tasks necessary.

SECTION 29. Wage and Benefits.

Every employer within the jurisdiction of Taytay shall comply with the minimum wage as prescribed by the Regional Wage Board or as may be provided by existing laws and shall grant all benefits and protection to all employees such as maternity, paternity, sick and vacation leave and retirement pay and others provided for by law.

SECTION 30. Maternity and Paternity Leave Benefits.

30.1. Every employer shall grant to any pregnant woman employee, who has rendered an aggregate service of at least six (6) months for the last twelve (12) months, maternity leave of at least two (2) weeks prior to the expected date of delivery and another four (4) weeks after normal delivery with full pay based on her regular or average weekly wages. The employer may require from any woman employee applying for maternity leave the production of a medical certificate stating that delivery will probably take place within two weeks.

30.2. The maternity leave shall be extended without pay on account of illness medically certified to arise out of the pregnancy, delivery, or miscarriage, which renders the woman unfit for work, unless she has earned unused leave credits from which such extended leave may be charged.

30.3. The maternity leave provided in this Article shall be paid by the employer only for the first four (4) deliveries by a woman employee after the effectivity of this Code.



- 30.4. Maternity leave with pay may be paid in advance provided there is an available leave credits. This shall be based on the Solo Parent Act or RA8972.
- 30.5. Paternity Leave may be availed for seven days per child delivery for the first four (4) deliveries.
- 30.6. Maternity leave benefits of Taytayeñas based on the Magna Carta of women shall be strictly observe by all employers within Taytay, Rizal.

SECTION 31. Family Planning Services: Incentives for Family Planning.

- 31.1. Establishments which are required by law to maintain a clinic or infirmary shall provide free family planning services to their employees.
- 31.2. In coordination with other agencies of the Government engaged in the promotion of family planning, the PESO shall develop and prescribe incentive bonus schemes to encourage family planning among workers in any establishment or enterprise.

SECTION 32. Discrimination Prohibited.

It shall be unlawful for any employer to discriminate any man, woman, lesbian, gay, bisexual or transgender employee with respect to terms and conditions of employment solely on account of sex/gender preference. The following are acts of discrimination:

- 32.1. Payment of a lesser compensation, including wage, salary or other form of remuneration and fringe benefits, to a female employee as against a male employee, for work of equal value: and
- 32.2. Favouring a male employee over a female employee or vice versa with respect to promotion, training opportunities, study and scholarship grants solely on account of their sexes.

SECTION 33. Stipulation Against or Forcing Marriage.

It shall be unlawful for an employer to require as a condition of employment or continuation of employment that a woman employee shall not get married, or to stipulate expressly or tacitly that upon getting married a woman employee shall be deemed as resigned or separated from the company, or to actually dismiss, discharge, discriminate or otherwise prejudice a woman employee merely by reason of her marriage. Likewise, requiring or forcing a woman employee to get married before being hired, continue their employment or promoted shall be unlawful.

SECTION 34. Prohibited Acts.

It shall be unlawful for any employer in Taytay Rizal:

- 34.1. To deny any woman employee the benefits provided for in this Chapter or to discharge any women employed by him for the purpose of preventing her from enjoying any of the benefits provided under this Code.
- 34.2. To discharge such woman on account of her pregnancy, or while on leave or in confinement due to her pregnancy.
- 34.3. To discharge or refuse the admission of such woman upon returning to her work for fear that she may again be pregnant.

SECTION 35. Classification of Certain Women Workers.

Any woman who is permitted or suffered to work, with or without compensation, in any night club, cocktail lounge, massage clinic, bar or similar establishments under the effective control or supervision of the employer for a substantial period of time as determined by the Secretary of Labor and Employment, shall be considered as an employee of such establishment for purposes of labor and social legislation.

SECTION 36. Acts Constituting Illegal Recruitment – Pursuant to Section 6 of RA 8042 as efined under Migrant Workers and Overseas Filipino Act of 1995.

Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines: Provided, That any such non-licensee or non-holder who, in any manner, offers or promises for a fee employment abroad to two or more persons shall be deemed so engaged. It shall likewise include the following acts, whether committed by any person, whether a non-licensee, non-holder, licensee or holder of authority:

- 36.1. To charge or accept directly or indirectly any amount greater than the specified in the schedule of allowable fee prescribed by the Secretary of Labor and Employment, or to make a worker pay any amount greater than that actual received by him as a loan or advance;
- 36.2. To furnish or publish any false notice or information of document in relation to recruitment or employment;
- 36.3. To give any false notice, testimony, information of document or commit any act of misrepresentation for the purpose of securing a license or authority under the Labor Code;
- 36.4. To include or attempt to induce a worker already employed to quit his employment in order to offer his another unless the transfer is designed to liberate a worker from oppressive terms and conditions to employment;
- 36.5. Influence or attempt to influence any persons or entity not to employ any worker who has not applied for employment through his agency;
- 36.6. To engage in the recruitment or placement of workers in jobs harmful to public health or morality or to dignity of the Republic of the Philippines;
- 36.7. To obstruct or attempt to obstruct inspection by the secretary of Labor and Employment or by his duly authorized representative;
- 36.8. To fail to submit reports on the status of employment, placement vacancies, remittances of foreign exchange earnings, separations from jobs, departures and such other matters or information as may be required by the Secretary of Labor and Employment;
- 36.9. To substitute or alter to the prejudice of the worker, employment contracts approved and verified by the Department of Labor and Employment from the time of actual signing thereof by the parties up to and including the period of the expiration of the same without the approval of the Department of Labor and Employment;
- 36.10. For an officer or agent of a recruitment or placement agency to become an officer or member of the Board of any corporation engaged in travel agency or to be engaged directly or indirectly in the management of a travel agency;
- 36.11. To withhold or deny travel documents from applicant workers before departure for monetary or financial considerations other than those authorized under the Labor Code and its implementing rules and regulations;
- 36.12. Failure to actually deploy without valid reasons as determined by the Department of labor and Employment; and
- 36.13. Failure to reimburse expenses incurred by the workers in connection with his documentation and processing for purposes of deployment, in cases where the deployment does not actually take place without the workers fault. Illegal recruitment when committed by a syndicate or in large scale shall be considered as offense involving economic sabotage.

Illegal recruitment is deemed committed by a syndicate carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against (3) or more persons individually or as a group.

The persons criminally liable for the above offenses are the principals, accomplices and accessories. In case of juridical persons, the officers having control, management or direction of their business shall be held liable.

SECTION 37. Gender-Sensitive Physical Plan.

A physical plan for buildings and structures appropriate for a gender – sensitive environment shall be adopted by all offices, agencies and establishments or companies which shall help prevent sexual harassment, sexual abuse and other forms of maltreatment in the workplaces.

Based on R.A. 10028. Private enterprises as well as government agencies, including government-owned and controlled corporations are required to put up lactation stations/breastfeeding areas.

SECTION 38. Employment Assistance Program.

The Municipal Government through Public Employment Services Office (PESO) in partnership with the DOLE shall endeavour to assist underprivileged and deserving students, the unemployed and the under-employed Taytayeños in securing gainful employment regardless of their gender.

**ARTICLE VI
Rights to Health**

SECTION 39. Budget for Men, Women and Children's Health.

An appropriate amount shall be set aside in the annual budget of the Municipal Government for men, women and children's health and nutrition services for Taytayeños.

SECTION 40. Upgrading of Primary and Reproductive Health Care Delivery System.

Quality health care services that are not discriminatory on the account of their gender, age, sex, creed, religion and ethnicity shall be implemented at all times within the Municipality of Taytay.

SECTION 41. Increase Women's Access throughout the Life Cycle Appropriate, Affordable and Quality Health Care, Information and Related Services.

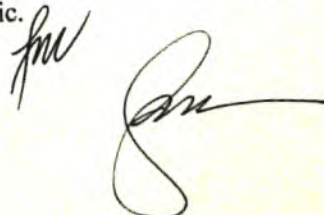
The Municipality shall promote the integration of health services intended to improve its quality and reach for all Taytayenos. For sexual and reproductive health cases, the Municipality shall encourage greater campaign and offering of related services such as family planning, maternal and child health education and counselling on sexual health.

SECTION 42. Strengthen Preventive Programs that Promote Women's Health.

In consonance with the Department of Health's thrust, the Municipal Government through the Municipal Health Office shall strengthen the Primary Health Care Delivery system in the context of reproductive health.

SECTION 43. Undertake Gender-Sensitive Initiatives that Address Sexually Transmitted Diseases, HIV-AIDS, Sexual and Reproductive Health Issues.

The Municipal Government through the MHO and the MGAD Office shall conduct campaigns to promote public awareness on HIV-AIDS and reproductive health issues as well as provide vital information to patients who have been treated at the Municipality's Hygienic Clinic located at the Municipal Health Office. The MHO shall protect the identity and all the rights and privacy of its patient treated at the Municipality's Hygienic Clinic.



SECTION 44. Reproductive Health Care Delivery.

The Municipal Government shall adopt the Reproductive Health (RH) care approach at all levels of health care delivery for every Taytayeño. Such approach integrates many issues not previously considered central to population: sexuality, reproductive tract infection, gender, power relations and domestic violence and shall not be limited to family planning and childbearing. The Municipality shall likewise seek to reduce maternal and infant mortality rate, promote exclusive breastfeeding for six (6) months and the continuation of breastfeeding for two (2) years; and, promote newborn screening.

SECTION 45. Women's Right Over Their Bodies.

Every Taytayeña's decision to prevent and control pregnancy without resulting to abortion shall be given appropriate support and guidance by health professionals, private and public physicians at very minimal cost.

SECTION 46. Access to Safe Water.

All barangays in Taytay shall be provided easy access to safe drinking water by installing low cost water supply like hand-pump gravity fed systems, rainwater collection, shallow/deep/artesian tube wells and construction of infrastructures for potable water system.

ARTICLE VII

Right to Education and Sports

SECTION 47. Alternative Learning System.

The Municipality of Taytay through the Department of Education's Alternative Learning System Division shall organize classes for public schools to facilitate working persons' access to education. The Municipal Government shall provide appropriate support to the ALS program and find other partner organizations that can give alternative means of learning for Taytayeños.

SECTION 48. Equal Access to Education and Sports participation

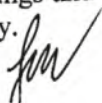
The Municipality shall take measures to eliminate gender inequality in all levels of education and sports participation through information and education campaigns and other means. Every Taytayeño shall have access to education and be able to take part in sports activities regardless of age, gender, economic status and religion.

SECTION 49. Eradication of Illiteracy Among Taytayeños and Taytayeñas.

The Municipality shall ensure the Implementation of Reading Programs with the goal of eradicating illiteracy and/or to address the problem of illiteracy especially of older women and men in Taytay. The Office on Senior Citizens' Affairs shall identify possible beneficiaries for these type of programs.

SECTION 50. Access to Vocational Training, Science and Technology, and Continuing Education.

The Municipality shall support the conduct of trainings in physical skills, social skills, and entrepreneurship, research and advocacy. It shall give special attention to the conduct of community-based training programs in depressed areas for in and out of-school youth, as well as the men and women of Taytay. It shall continue its partnership with TESDA and other agencies that conduct trainings and implement similar programs geared towards continuing education for residents of Taytay.



SECTION 51. Non-discriminatory Education and Training.

The Municipality shall work towards the elimination of sexism in popular and instructional materials in languages used in classes and/or trainings. Schools and other concerned agencies within the Municipality shall integrate gender sensitive issues and concerns in the curricula and shall conduct counselling and career education programs to encourage students to pursue academic and technical courses.

SECTION 52. Sex and Gender Education.

Sex and Gender Education shall begin during the pre-elementary stages in the formal education system taking into consideration the needs and level of comprehension of children. Understanding human sexuality and gender roles are concerns not only of adults as individuals but also of other concerned institutions such as barangays, faith-based organizations, day care and health centers that have the competence to carry out such obligations.

ARTICLE VIII

Socio – Economic benefits for Women

SECTION 53. Budget for Basic Social Services.

The Municipality shall continue to appropriate funds necessary to support the delivery of basic social services for every Taytayeño in need.

SECTION 54. Entrepreneurial and Livelihood Training Assistance for Women.

The Municipal Government, in partnership with National agencies such as, but not limited to TESDA, and private sectors which include NGOs and POs shall formulate plans and policies, implement programs and projects such as skills training, marketing and financial assistance for Taytayeñas that would want to start micro to small businesses. This shall include monitoring and evaluation of the same.

SECTION 55. Socialized Lending Scheme.

No person shall be deprived of credit on account of their gender. Lending institutions shall establish a window for women entrepreneurs that would allow them access to credit without need of spouse's consent.

SECTION 56. Increased Capital Assistance for Women.

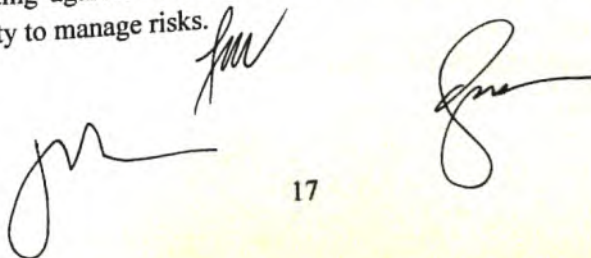
All Municipal Departments and Agencies engaged in socio-economic programs shall increase their capital assistance and/or subsidy to women especially on land-based projects using community bank approach where Taytayeñas will be economically empowered, where women have access and control of and benefit from their income and balanced family life.

Section 57 Social Protection.

Based on the Magna Carta of Women:

57.1. The Social Security System (SSS) and the Philippine Health Insurance Corporation (PhilHealth) shall support indigenous and community-based social protection schemes.

57.2. The State shall institute policies and programs that seek to reduce the poverty and vulnerability to risks and enhance the social status and rights of the marginalized women by promoting and protecting livelihood and employment, protecting against hazards and sudden loss of income, and improving people's capacity to manage risks.



57.3. The State shall endeavor to reduce and eventually eliminate transfer costs of remittance from abroad through appropriate bilateral and multilateral agreements. It shall likewise provide access to investment opportunities for remittances in line with national development efforts.

57.4. The State shall establish a health insurance program for senior citizens and indigents.

57.5. The State shall support women with disabilities on a community-based social protection scheme.

ARTICLE IX Special Groups of Persons

SECTION 58. Differently-abled Taytayeños.

Creative Employment Opportunities: The Municipal Government in coordination with DSWD thru the MSWD, PESO and other concerned agencies shall develop creative employment opportunities for differently-abled persons recognizing their different conditions and full potentials as human beings;

Local Government Employment: The Municipal Government shall have at least one PWD employee per department.

Health Services: Taytayeños who are classified as a PWD shall be exempted from paying Laboratory fees, check-up fees, and hospitalization of up to 3 days. Normal delivery for PWDs shall be free of charge at the Municipal Health Services Office provided that their pre-natal check-up have been done at the MHO. The free health services shall be given to PWDs if they can present a valid PWD ID provided by the Municipal Social Welfare Department.

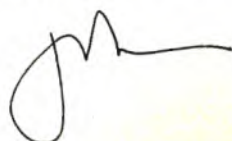
Special Education: The Municipal Government shall support special education and shall set aside a special budget for this program prioritizing differently-abled persons of Taytay; The Municipal government shall encourage schools from pre-school to college and even post graduate studies to a lot slots for PWDs of Taytay.

As per the recommendation of their respective developmental and behavioural pediatrician, PWDs students shall be accepted in regular schools if they are deemed mentally capable.

Reporting of Cases of Harassment Committed Against Differently-Abled Persons: The Municipal Government through its Gender and Development Office shall require all barangays to monitor and report cases of harassment committed against differently-abled persons.

Magna Carta for Persons with Disabilities as Amended (RA 9442): The Municipal Government shall ensure the implementation of the Magna Carta for Persons with Disabilities (PWD) as indicated in Section 32-33, Chapter 8, of RA 9422 granting other privileges and incentives for persons with disabilities:

1. Twenty percent (20%) discount from all establishments relative to the utilization of all services in hotels, restaurants and recreation centers for the exclusive use or enjoyment of persons with disabilities;
2. Minimum of twenty percent (20%) on admission fees charged by theaters, cinema houses, concert halls and other similar places of culture, leisure and amusement for the exclusive use or enjoyment of persons with disabilities;
3. At least twenty percent (20%) discount for the purchase of medicine in all drugstore for the exclusive use or enjoyment of persons with disabilities;



4. At least twenty percent (20%) discount on medical and dental services including diagnostic and laboratory fees, x-rays, blood test in all government facilities subject to the guidelines issued by the DOH in coordination with PHILHEALTH;
5. Education assistance to persons with disability for them to pursue primary, secondary, tertiary, post-tertiary as well as vocational or technical education;
6. To the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS), and PAG-IBIG, as the case maybe, as are enjoyed by those in actual service;
7. To the extent possible, the government may grant special discounts in special programs for persons with disability on purchase of basic commodities, subject to guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and
8. Provisions of express lanes in all commercial and government establishments; in the absence thereof, priority shall be given to them.

The abovementioned privileges are available only to persons with disability who are residents of Taytay upon submission of a PWD card issued by the MSWD.

SECTION 59. Senior Citizens of Taytay

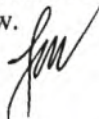
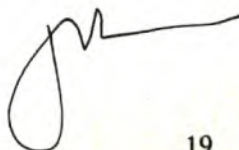
Based on Section 33 of the Magna Carta of Women states that The State shall protect women senior citizens from neglect, abandonment, domestic violence, abuse, exploitation, and discrimination. The State shall ensure special protective mechanisms and support services against violence, sexual abuse, exploitation, and discrimination of older person.

59.1.1. Office of Senior Citizens Affairs: The Municipality shall support the Office of Senior Citizens Affairs and shall set aside yearly budget for their programs and activities in order to advance the interests of this special group of Taytayeños and give back to the Senior Citizens for their contributions to the development of Taytay, Rizal.

59.1.2. Additional Benefits and Privileges for Senior Citizens pursuant to RA 9994. The Municipal Government shall ensure the implementation of Section 4 of RA 9257 also known as an Act granting additional benefits and privileges to senior citizens:

1. Twenty percent (20%) discount from all establishments.
2. Minimum of twenty percent (20%) discount on admission fees.
3. Income tax Exemption
4. Exemption from training fees
5. Medical and Dental Services Privileges in Government Facilities
6. Medical and Dental Services Privileges in Private Facilities
7. Air and Sea Transportation Privileges in Private Facilities
8. Public Land Transportation Privileges
9. Educational Privileges
10. Benefits and Privileges for Retirees
11. Privileges on granting special discounts in special programs
12. Express Lanes Privileges
13. Exemption from Value Added Tax

The Municipal Government shall ensure that all establishments in Taytay are upholding this provision. A complaint desk shall be placed at the OSCA Office where Senior Citizens of Taytay can report establishments who fail or refuse to give discounts or privileges to Senior Citizens as mandated by Law.


59.1.3. HEALTH SERVICE:

Senior Taytayeños and Taytayeñas shall be granted exemption for paying the following services from the MHO. These free services are as follows: All medical assistance including laboratory fees, check-up and hospitalization of up to 3 days. Provided they can present their valid OSCA ID as proof.

As per Resolution No. 82 series of 2013, Taytayeños/Taytayeñas shall be granted a cash incentive amounting to Php30,000.00 if they reach the age of 100 years old.

SECTION 60. Taytayeños in Detention

Support to Persons in Detention: Rights of all detainees shall be protected.

- 60.1. Speedy trial of their cases shall be ensured by all concerned;
- 60.2. An appropriate program shall be designed to respond to their specific needs and problems as detainees; and
- 60.3. Separate structure and space for detention and rehabilitation shall be established, especially for women and children. Likewise, no child shall be in detention as provided by RA 9344 which states that he or she shall be conveyed separately to, or from Court. He or she shall await hearing of his or her own case in a separate holding area.

SECTION 61. Lesbian, Gay, Bisexual and Transgender Groups in Taytay.

- 61.1. **Respect for the Rights of Homosexual Persons:** Rights of all homosexual persons shall be respected in Taytay, Rizal.
- 61.2. **Employment Opportunities for LGBT Persons:** The Municipal Government of Taytay shall provide equal opportunities for LGBT persons, recognizing their full potentials as human beings with equal rights as any other Taytayeños.

SECTION 62. Support for Solo Parents in Taytay.

The Municipality shall ensure to every solo parent, regardless of status, equal access to economic and other support services which include livelihood, provision of seed capital, job placement, orientations, basic business skills, trainings, educational benefits for them and their children and medical assistance.

Privileges of Solo Parent.

The following shall be the privileges of a Solo Parent:

- a. Comprehensive Package of Social Development and Welfare Services such as:
 1. Livelihood development services
 2. Counseling services
 3. Parent effectiveness services
 4. Critical incidence stress debriefing
 5. Special projects for individuals in need of protection
- b. Flexible Work Schedule
- c. Work Discrimination – no employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his or her status;
- d. Parental Leave – in addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least one (1) year;
- e. Educational Benefits;
- f. Housing Benefits; and
- g. Medical Assistance

Pursuant to RA 8972, all solo Parents in Taytay shall register with the Municipal social Welfare and Development for the issuance of Solo Parent ID.

SECTION 63. Persons in Armed Conflict Situation.

- 63.1. No person shall be deprived of basic social services in armed conflict areas.
- 63.2. No person shall be kept by any peace and order personnel in military detachment/police checkpoint or any similar quarter for purposes of company.
- 63.3. No military camps shall be situated near schools and residential areas in Taytay.

SECTION 64. Workers in the Entertainment Industry.

Workers in the entertainment industry as defined under this code shall be recognized as wage earners and they shall receive at least a minimum wage provided by the Wage Board and benefits under the Labor Code. They shall render services only in the place of work as specified in the business permit of the establishment concerned.

- 64.1. **Support Services for Workers in the Entertainment Industry.** The Municipal Government shall provide socio-economic support services for workers in the entertainment industry in its desire to concretely respond to their practical needs; and offer alternative livelihood programs to remove them from such type of work.
- 64.2. **Medical Routine Check-up.** Workers in the entertainment industry shall be afforded by their respective employers with medical routine check-up and medicines if needed. The local government units with entertainment industry shall provide programs addressing the health needs of such workers, based on the Health and Sanitation of Taytay.

**ARTICLE X
Children of Taytay Support Systems**

SECTION 65. Day and Night Care Centers.

The Municipal Government shall establish and maintain accredited Day Care Centers in all 5 Barangays within Taytay. It shall be handled by competent at trained Day Care Workers. Night Care Centers shall be established if necessary to accommodate the needs of parents working on a night shift.

SECTION 66. Parental Authority.

The father and mother shall jointly exercise parental authority over their common children. It shall be the right and responsibility of the parents to make decisions that affect their children's well-being.

**ARTICLE XI
Punishable Acts**

SECTION 67. Anti-Violence Against Women and their Children (Anti-VAWC) or RA 9262.

Refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, 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. It includes, but is not limited to, the following acts:

- 67.1 **Economic Abuse** – refers to acts that make or attempt to make a woman financially dependent which includes, but is not limited to the following:
 - 67.1.1. Withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity, except in case wherein the other spouse/partner object in valid, serious and moral grounds as defined in Article 73 of the Family Code;
 - 67.1.2. Deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of the conjugal, community or property owned in common;

67.1.3. Destroying household property; and

67.1.4. Controlling the victim's own money or properties or solely controlling the conjugal money or properties.

67.2 Psychological Violence – refers to acts causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

67.3 Physical Abuse – refers to acts that include bodily or physical harm.

67.4 Sexual Violence – refers to an act, which is sexual in nature, committed against a women/men or her/his children. It includes, but is not limited to:

67.4.1. Rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;

67.4.2. Acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of physical or other harm or coercion; and

67.4.3. Prostituting the women and men.

SECTION 68. Rape as a Crime Against Persons.

As provided for in Article 266-A of the revised Penal Code as amended by Republic Act No. 8353, an act reclassifying the crime of rape a crime against person, rape is committed:

68.1. By a man who shall have carnal knowledge of a woman under any of the following circumstances:

68.1.1. When the offended party is deprived of reason or is otherwise unconscious;

68.1.2. By means of fraudulent machination or grave abuse of authority; and

68.1.3. When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above are present.

68.2. By any person who, under any of the circumstances mentioned in paragraph 1 hereof, shall commit an act of sexual assault by inserting his penis into another person's mouth or anal orifice of another person.

SECTION 69. Acts of Trafficking in Persons otherwise known as Anti-Trafficking in Persons Act of 2003 (R.A. 9208).

It shall be unlawful for any person, natural or juridical to commit any of the following acts.

69.1. To recruit, transport, transfer, harbour, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

69.2. To introduce or match for money, profit or material, economic or other consideration, any person or, as provided for under Republic Act No. 6955, any Filipino woman to a foreign national, for marriage for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

69.3. To offer or contract marriage, real or simulated for their purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;

- 69.4. To undertake or organize tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation.
- 69.5. To maintain or hire a person to engage in prostitution or pornography;
- 69.6. To adopt or facilitate the adoption of persons for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
- 69.7. To recruit, hire, adopt, transport or abduct a person, by means of threat or use of force, fraud, deceit, violence, coercion, or intimidation for the purpose of removal or sale of organs of said person; and
- 69.8. To recruit, transport or adopt a child to engage in armed activities in the Philippines or abroad.

SECTION 70. Sexual Harassment as defined in RA 7877 also known as Anti-Sexual Harassment Act of 1995.

Sexual Harassment is one or a series of incidents involving unwelcome sexual advances, requests for sexual favors, in other verbal or physical conduct of sexual in nature, made directly, indirectly and impliedly:

70.1 Work, Education or Training-related Harassment. As defined in Republic Act No. 7877, is committed by or 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 on education environment, demands, requests or otherwise requires any sexual favour from the other, regardless on whether the demand, request or requirement for submission is accepted by the object of said Act.

70.1.1. In a work-related or employment environment, sexual harassment is committed when:

70.1.1.1. The sexual favour is made as a condition in the hiring or in the employment, reemployment or continued employment of said individual, or in granting said individual favourable compensation, terms conditions, promotions, or privileges; or the refusal to grant the sexual favour result in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;

70.1.1.2. The above acts would impair the employee's rights or privileges under existing labor laws or employee;

70.1.1.3. The above acts would result in an intimidating hostile or offensive environment for the employee.

70.1.2. In an education or training environment, sexual harassment is committed:

70.1.2.1. Against one who is under the care, custody or supervision of the offender;

70.1.2.2. Against one whose education, training, apprenticeship or tutorship is entrusted to the offender;

70.1.2.3. When the sexual favour is made a condition to the giving of a passing grade or the payment of a stipend, allowance or other benefits, privileges, or considerations; or

70.1.2.4. When the sexual advances result in an intimidating, hostile or offensive environment for the student, trainee or apprentice.

70.2. Any person who directs or induces another to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed shall also be held liable as provided for by Republic Act 7877.

Such conduct might reasonably be expected to cause insecurity, discomfort, offense or humiliation to another person or group; or

Submission to such conduct is made either implicitly or explicitly a condition of employment, or any opportunity for training or grant of scholarship, or

Submission to or rejection of such conduct is used as a basis for any employment decision (including, but not limited to, matters of promotion, raise in salary, job security and benefits affecting the employee); or
Such conduct has the purpose or the effect of interfering with a person's work performance, of creating an intimidating, hostile or offensive work environment.

SECTION 71. Pedophilia

Pedophilia as a form of sexual perversion where children are the victims shall be punishable under RA 7610, 8353, 9208, Pursuant to RA 7610 also known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act", the penalty of reclusion temporal in its medium period to reclusion perpetua shall be imposed upon the following:

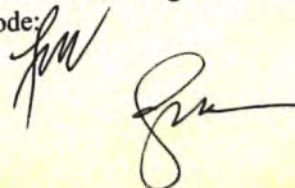
- 71.1. Those who engage in or promote, facilitate or induce child prostitution which include, but are not limited to, the following:
 - 71.1.1. Acting as a procurer of a child prostitute;
 - 71.1.2. Inducing a person to be a client of a child prostitute by means of written or oral advertisements or other similar means;
 - 71.1.3. Taking advantage of influence or relationship to procure a child as prostitute;
 - 71.1.4. Threatening or using violence towards a child to engage him as a prostitute; or
 - 71.1.5. Giving monetary consideration goods or other pecuniary benefit to a child with intent to engage such child in prostitutions.
- 71.2. Those who derive profit or advantage therefrom, whether as manager or owner of the establishment where the prostitution takes place, or of the sauna, disco, bar, resort, place of entertainment or establishment serving as a cover or which engages in prostitution in addition to the activity for which the license has been issued to said establishment.
- 71.3. Attempt to Commit Child Prostitutions. There is an attempt to commit child prostitution under Section 5, paragraph (a) hereof when any person who not being a relative of a child, is found alone with the said child inside the room or cubicle of a house, an inn, hotel, motel, pension house, apartelle or other similar establishments, vessel vehicle or any other hidden or secluded area under circumstances which would lead a reasonable person to believe that the child is about to be exploited in prostitution and other sexual abuse.
- 71.4. There is also an attempt to commit child prostitution, under paragraph (b) of Section 5 hereof when any person is receiving services from a child in a sauna parlor or bath, massage clinic, health club and other similar establishments. A penalty lower by two (2) degrees than that prescribed for the consummated felony under Section 5 hereof shall be imposed upon the principals of the attempt to commit the crime of child prostitution under this Act, or, in the proper case, under the Revised Penal Code.

ARTICLE XII

The Municipal Gender and Development Office

SECTION 72. Creation of the Taytay Municipal Gender and Development Office and GAD Focal Point System

Pursuant to the Joint Memorandum Circular No. 2013-01, there is hereby created the GAD FPS that shall take charge of the GAD programs of the Municipality of Taytay. The Municipal Gender and Development Office shall have the following functions to ensure consistency in the implementation of the provisions of this Code:



72.1. Coordinative and Regulatory Functions – these functions shall assure the realistic, measurable and tangible results in the implementation of this Code pursuing the following strategies:

72.1.1. Advocacy and Social Mobilization – The MGAD office advocates gender equality and women's empowerment and mobilizes partner agencies and various stakeholders for gender mainstreaming at the barangay level. Activities are undertaken to make the public aware of gender issues and concerns and eventually empower communities especially women.

These shall include, but not limited to:

- 72.1.1.1. Developing, printing and disseminating IEC materials for users Taytay-wide;
- 72.1.1.2. Maintenance and strengthening of MGAD Resource Center;
- 72.1.1.3. Conduct of Gender Sensitivity Trainings;
- 72.1.1.4. Conduct massive community education on RA 9262 and RA 9208;
- 72.1.1.5. Initiate and conduct activities Re: 18 – Day Campaign to End Violence Against Women (VAW) – from November 25 to December 12 of each year;
- 72.1.1.6. Initiating the formulation of local issuances and resolutions on trafficking and violence against women and their children and other policies along gender and development concerns;
- 72.1.1.7. Organize MOVE (Men Opposed to Violence Against Women Everywhere) to fight and end Trafficking and Violence Against Women and their Children in the municipality;
- 72.1.1.8. Obtain and sustain media support for public information, coverage and documentation; and
- 72.1.1.9. Lead Office in the Municipal Women's Month Celebration.
- 72.1.1.10. Organize the Empowerment and Re-affirmation of Paternal Abilities (ERPAT) for Father Leaders in Taytay.
- 72.1.1.11. Initiate and conduct a yearly Women's Summit for Taytayeñas.
- 72.1.1.12. Initiate and conduct a yearly Buntis Congress for pregnant Taytayeñas.
- 72.1.1.13. Initiate and conduct a yearly Parents Congress for Taytayeños.
- 72.1.1.14. Coordinate with Lesbian's, Gay's, Bisexual's and Transgender's groups for possible partnerships and programs pertaining, but not limited to gender identity education.

72.1.2. Capacity Building – Gender-sensitivity education and trainings for all departments and agencies of this Municipality shall be established by the office.

- 72.1.2.1. Conduct orientation and training for frontline workers and service providers on:



- 72.1.2.1.1. Trafficking and case management;
 - 72.1.2.1.2. Para-legal training on documentation and filing of cases; Municipal Government, and at the barangay level shall be designed. Standards for contents
 - 72.1.2.1.3. Anti-Sexual Harassment Law;
 - 72.1.2.1.4. Gender Enhancement Seminars for MGAD Council Members; and
 - 72.1.2.1.5. Gender Analysis Training for the LCE, SB Members and Department Heads, and officials of Barangays in coordination with concerned agencies.
- 72.1.3. Data Collection and Management**
- 72.1.3.1. Serve as data bank of the Municipal Government on gender and development; and
 - 72.1.3.2. Maintain and improve MGAD Office centralized data banking system on Trafficking and VAWC cases municipal-wide including effective measures and services.
- 72.1.4. Alliance Building and Networking**
- 72.1.4.1. Strengthen partnership with partner agencies, NGOs, People's Organization and other agencies, local, national and international.
 - 72.1.4.2. Form partnership and adopt best practices of other LGUs GAD programs.
- 72.1.5. Research, Policy Studies and Documentation** – it shall be involved in all processes related to the conceptualization, development, assessment and evaluation of population and gender and development and advocacy programs of the Municipal Government of Taytay.
- 72.1.5.1. Document best practices on RA 9208. RA 9262 implementation and other GAD related activities.
- 72.1.6. Institutional Mechanisms** – Developing institutional mechanism for increased coordination and synergy in the approach against violence against women and their children and other GAD concerns.

These shall include, but not limited to:

- 72.1.6.1. Maintain cooperation and interactive coordination of Anti-Trafficking groups.
- 72.1.6.2. Maintain and improve Women's Help Desks
- 72.1.6.3. Coordinate with partner agencies to provide immediate shelters for victim-survivors, livelihood and educational assistance and other appropriate services to victims and families;
- 72.1.6.4. Organize trafficked persons through the creation of survivor/support groups.
- 72.1.6.5. Cooperate and support the establishment and operation of Women and Children Crisis Center in Taytay.
- 72.1.6.6. Monitor implementation of rehabilitation plans for victims-survivors through regular/periodic reporting/meetings;
- 72.1.6.7. Establishment of Women and Child-Friendly Investigation Room for Women and Children Protection Unit;
- 72.1.6.8. Quarterly meeting of GAD-FPS
- 72.1.6.9. Year-end Evaluation of programs and implementation review;

72.2. Monitoring Functions – Monitoring of the implementation of the Taytay GAD Code.

72.3 Special Services

- 72.3.1. Referral for Legal Counseling and other appropriate interventions to survivors of VAWC;
- 72.3.2. Women and Children Protection Unit;
- 72.3.3. Other gender-responsive projects/services.

SECTION 73. Creation of Positions and Appointment of Personnel.

Upon recommendation of the Municipal Mayor, the Sangguniang Bayan shall create positions that will assist in the implementation of this Code and man the operation of the Municipal Gender and Development Office taking into consideration the service requirement and financial capability of the Municipal Government, subject to the minimum standard prescribed by the Civil Service Commission as well as the appropriate position titles and salary grades prescribed by the Department of Budget and Management.

SECTION 74. Accomplishment Report.

Annual Accomplishment Report shall be submitted by the MGAD Office to the Commission on Audit and DILG every 15th of January; and to the Municipal Mayor within one (1) month after the end of the calendar year and every year thereafter. Relevant reports shall be submitted likewise to other concerned agencies.

**ARTICLE XIII
Penal Provisions**

SECTION 75. Discrimination Prohibited.

Criminal liability for the willful commission of any unlawful act as provided in this article or any violation of the rules and regulations issued shall be penalized as provided in Articles 288 and 289 of the Labor Code: Provided, that the institution of any criminal action under this provision shall not bar the aggrieved employee from filing an entirely separate and distinct action for money claims, which may include claims for damages and other affirmatives reliefs. The actions hereby authorized shall proceed independently of each other. (As amended by RA No. 6725, May 12, 1989)



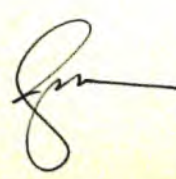
SECTION 76. Acts Constituting Illegal Recruitment.

Pursuant to Section 6 of RA 8042 as defined under Migrant Workers and Overseas Filipinos Act of 1995:

- 76.1. Any person found guilty of illegal recruitment shall suffer the penalty of imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years and a fine not less than two hundred thousand pesos (P200,000.00) nor more than five hundred thousand pesos (P500,000.00).
- 76.2. The penalty of life imprisonment and a fine of not less than five hundred thousand pesos (P500,000.00) nor more than one million pesos (P1,000,000.00) shall be imposed if illegal recruitment constitutes economic sabotage as defined herein.

Provided, however, that the maximum penalty shall be imposed if the person illegally recruited is less than eighteen (18) years of age or committed by a non-licensee or non-holder of authority.

SECTION 77. Gender – Sensitive Physical Plan.

Failure to comply with this provision shall be penalized as follows:

- 77.1. 1st offense – fine of P1,000.00 and suspension of business permit or license for 3 months.
- 77.2. 2nd offense – fine of P1,500.00 and suspension of business permit or license for 6 months.
- 77.3. 3rd offense – fine of P2,500.00 and revocation of business permit or license.

SECTION 78. Workers in Entertainment Industry.

Violation of Section 64 of this Code shall be subjected to a fine of P2,500.00 or cancellation of business permit or both.

SECTION 79. Penalties for committing violations under RA 7877 and RA 9208 shall be penalized accordingly.

In addition, individuals and establishments committing crimes as stated on RA 7877 and RA 9208 shall be penalized with a fine of P2,500.00 and/or suspension and/or revocation of business permit or as prescribed by the Court.

If the offender is a government employee he or she shall be subject to the due process being observe by the Municipal Government of Taytay.

SECTION 80. Rape as a Crime Against Persons.

- 80.1. Reclusion Perpetua – imprisonment from 20 to 40 years
 - is imposed on the offender if rape is committed through sexual intercourse.
- 80.2. Prison mayor – imprisonment from six (6) to 12 years
 - Is imposed on the offender if rape was committed through anal or oral sex or through the use of any object or instrument that was inserted into the mouth or anal orifice of the woman or a man.
 - This may also be elevated to reclusion temporary (imprisonment from 12 to 20 years) or reclusion perpetua depending on the circumstances of the crime.

SECTION 81. Acts of Trafficking in Persons otherwise known as Anti-Trafficking in Persons Act of 2003 (RA 9208).

Any person found guilty of qualified trafficking shall be meted-out with life imprisonment and a fine of up to P5 million if:

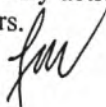
- 81.1. Victim is a child;
- 81.2. Victim died or incurred Human Immuno-deficiency Syndrome (HIV-AIDS); and
- 81.3. The offender is related to the victim or any of the law enforcement units of the government.

The law also penalizes any person who patronizes, use, buy, or engage the services of the trafficked person with six (6) months of community service and a fine of P50,000.00 for the first offense and a fine of P100,000.00 on the second and succeeding offenses.

SECTION 82. Sexual Harassment as defined in RA 7877 also known as Anti-Sexual Harassment Act of 1995.

Any person who violates the provisions of the law shall be penalized by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not less than Ten thousand pesos (P10,000.00) nor more than Twenty thousand pesos (P20,000.00) or both such fine and imprisonment at the discretion of the court.

Any action arising from the violation of the provisions of this act shall prescribe in three (3) years.



SECTION 83. Pedophilia.

83.1. Those who commit the act of sexual intercourse of lascivious conduct with a child exploited in prostitution or subject to other sexual abuse; Provided, that when the victims is under twelve (12) years of age, the perpetrators shall be prosecuted under Article 335, paragraph 3, for rape and Article 336 of Act No. 3815, as amended, the Revised Penal Code, for rape or lascivious conduct, as the case may be: Provided_nd the penalty for lascivious conduct when the victim is under twelve (12) years of age shall be reclusion temporal in its medium period; and

83.2. A penalty lower by two (2) degrees than that prescribed for the consummated felony under Section 5 hereof shall be imposed upon the principals of the attempt to commit the crime of child prostitution under this Act, or, in the proper case, under the Revised Penal Code.

**ARTICLE XIV
Monitoring Provisions**

SECTION 84. Monitoring System for Labor Standards.

A mechanism shall be installed in the Municipal Gender and Development Office to monitor all offices, agencies and establishments or companies violating the Article V of the GAD Code, the provisions of this Code and existing laws.

SECTION 85. Monitoring of Entertainment Establishments.

A special Task Force commissioned by the MGAD Council shall monitor entertainment establishments within Taytay reportedly exploiting men, women, and especially children. They shall report violations to the proper authorities.

**ARTICLE XV
Final Provisions**

SECTION 86. Funding.

The Municipal Government shall appropriate from the general fund an amount needed to implement the provisions of this Code and all programs and projects relative thereto.

SECTION 87. Implementing Rules and Regulations.

The Municipal Mayor, through the assistance of the Municipal Gender and Development Council, shall formulate the Implementing Rules and Regulations necessary to carry out the provisions of this Code.

SECTION 88. Repealing Clause.

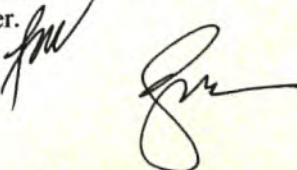
All ordinances, resolutions, memorandum circulars, rules and regulations inconsistent with the provision of this Code are hereby repealed and modified accordingly.

SECTION 89. Separability Clause

If for any reason any part on provisions of this Code is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to take in full force and effect.

SECTION 90. Supplementary Clause.

On matters not provided for in this Code, any existing applicable laws and their corresponding implementing rules and regulations, executive fiats and relevant issuances issued therefore shall apply in supplemental manner.



SECTION 91. Effectivity Clause.

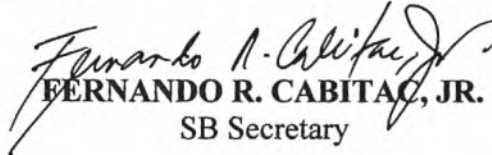
This Code shall take effect immediately upon compliance of the mandatory posting and publication requirements prescribed under Republic Act No. 7610, otherwise known as the Local Government Code of 1991.

SECTION 92. Adoption Clause.

Any amendment to the National laws pertinent to this Code shall be enacted.

ENACTED, this 22nd day of September 2015 at the Session Hall of the Sangguniang Bayan Taytay, Rizal..


I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay during 107th Regular Session held on the 22nd day of September, 2015.


FERNANDO R. CABITAC, JR.
SB Secretary

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HIS HONOR


HON. CARLITO G. GONZAGA
Vice-Mayor/Presiding Officer

APPROVED BY HER HONOR
THE MUNICIPAL MAYOR


HON. JANET DE-LEON-MERCADO
Municipal Mayor