



Republic of the Philippines
PROVINCE OF ZAMBALES
Municipality of Botolan

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE MUNICIPAL SESSION HALL, BOTOLAN, ZAMBALES ON THE 28th DAY OF AUGUST, 2024

Present:

Hon. Doris D. Ladines

Presiding Officer

Regular Members

Hon. Nick L. Manzo

SB Member

Hon. Angel B. Diesta

SB Member

Hon. Dr. Fernando D. Igrobay

SB Member

Hon. Arthur R. Daria

SB Member

Hon. Marlo Thomas D. Doble

SB Member

Hon. Jay T. Dilag

SB Member

Hon. Eddie D. Daos

SB Member

Hon. Carlos B. Caasi

SB Member

Ex-Officio Members

Hon. Fernando D. Onate

ABC President

Hon. Jessa Nicole B. Jaring

SK Mun. Fed. Chairman

Hon. Ladie M. De Leon

IPMR

Absent:

None

ORDINANCE NO. 16-2024

AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT CODE IN THE MUNICIPALITY OF BOTOLAN, ZAMBALES AND ADOPTING THE IMPLEMENTING RULES AND REGULATIONS AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

BE IT ENACTED by the Sangguniang Bayan of Botolan, Zambales that:

CHAPTER I

ARTICLE I

TITLE AND GENERAL POLICY

SECTION 1. TITLE. This Ordinance shall be known as the **GENDER AND DEVELOPMENT CODE OF BOTOLAN, ZAMBALES.**

SECTION 2. DECLARATION OF POLICY. It shall be the policy of the Municipal Government to protect and fulfill to ensure both women/girls and men/boys benefit equally and participate directly in the development programs and projects of its various departments and ensure the full participation and involvement of both men and women in the development process,

pursuant to the provisions of Republic Act 7192 (RA 7192), otherwise known as the Women in Development and Nation Building Act and Republic Act No. 9710 (RA 9710), otherwise known as Magna Carta for Women – a comprehensive women’s human rights law that seeks to eliminate discrimination against women, recognizing, protecting fulfilling and promoting the rights of Filipino women, especially in the marginalized sectors.

The Municipal Government of Botolan, Zambales shall uphold the rights of women/girls and belief in their worth and dignity as human beings by the fundamental freedom guaranteed under the Constitution and the provisions of the Universal Declaration of Human Rights, Convention on the elimination of all forms of discrimination against women and other International Human Rights instrument of which the Philippines is a part of. Women shall be recognized as full and equal partners of men in development and in nation-building and men shall share equally with all forms of productive and unproductive activities.

The Municipal Government of Botolan, Zambales, shall actively contribute to the establishment of a national and international economic development based on sustained, equitable growth and a balanced ecology. Any development effort undertaken should realize the rights of women, enhance women’s full potential, uplift their status, and lead to the improvement of the quality of lives, their families, and communities.

Toward this end, the Municipal Government of Botolan, Zambales shall pursue and vigorously implement gender-responsive development policies, design and integrate specific gender support systems, take into consideration women and girls’ right to economic survival, political participation, self-determination, and personal empowerment, adopt and implement measures to protect and promote their rights and ensure the widest participation of women from the Local Government, Non-Government Organizations (NGOs) and People’s Organizations (POs) as well as the private or business sector in all phases of the development program cycle.

To attain the foregoing policy:

- a) All Departments, Offices, and Instrumentalities in the Local Government Unit (LGU) shall ensure that women (girls) benefit equally and participate directly in the development programs and projects being undertaken in the Municipality, specifically those funded under Official Foreign Development Assistance, to ensure the full participation and involvement of women in the development process under RA 7192.
- b) All project proposals in this Municipality shall ascertain the inclusion of gender-responsive indicators and guidelines while not being remiss in locating the root of women’s oppression, under the United Nations Declaration and Conventions of Women of which the Philippine Government is a signatory.
- c) All Departments, Offices, and Instrumentalities in this LGU, upon the effectiveness of this Code, shall review and revise all the regulations, circulars, issuances, and procedures to remove gender bias therein and shall complete the same within two years.

ARTICLE II

RELATED PRINCIPLES

SECTION 3. RIGHTS OF WOMEN DEFINED. Women’s rights are the rights of women that are defined and declared by the United Nations under the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) which are hereby adopted as follows:

- a) Women have the right to the prevention of and protection from all forms of violence and coercion against their person, their freedom, their sexuality, and their individuality;
- b) Women have the right to freely and fully participate individually or collectively in the political processes of their communities and nations;
- c) Women have the right to the means to assuring their economic welfare and security;
- d) Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice by the Constitution and their beliefs and preferences;
- e) Women have the right to choose a spouse by their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for the rearing and caring of their children;
- f) Women have the right to an adequate, relevant, and gender-fair education throughout their lives from childhood to adulthood;
- g) Women have the right to adequate nutrition and proper health care;
- h) Women have the right to a humane living condition;
- i) Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as a whole and valuable human being, to build relationships based on respect, trust, and mutuality;

SECTION 4. GENDER, DEVELOPMENT, DISCRIMINATION, AND COMMODIFICATION ARE DEFINED.

- a) *Gender* – is a socially constructed difference between men and women for all sexual orientations and gender identities, created artificially, partly through socialization and partly through positive and negative discrimination in the various institutions and structures of society.
- b) *Development* – is the improvement of the quality of life of all regardless of age, sex, gender, tribe, race, creed, and religion. It is characterized by an enrichment of Filipino indigenous resources, sustainable utilization of the natural resources of the country, and freedom from dependency. It is, therefore, sustainable, equitable, and gender responsive.
- c) *Discrimination Against Women* – any distinction, exclusion, or restriction made based on sex has purpose or effect or impairs or nullifies the recognition, enjoyment, or exercise by women of their rights irrespective of their marital status.
- d) *Commodification of Women* – is a practice that puts women as subordinate which results in the treatment of women as both consumers and objects. As consumers, women are enticed to buy beauty products to enhance their physical attractiveness. As objects of consumption, women are reduced to sexual commodities for manipulation and utilization for one's sexual desire or interest, usually in exchange of money or goods so that women have no control or power to reject such utilization or manipulation.

CHAPTER II
DEVELOPMENT CONCERNS
ARTICLE I
VIOLENCE AGAINST WOMEN

SECTION 5. Violence Against Women Defined. Any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to a woman, including threats of such act, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life as defined in the UN Declaration on the Elimination of Violence Against Women.

SECTION 6. Components of Violence Against Women. Violence against women shall include but is not limited to:

- a) Physical, sexual and psychological violence occurring in the family regardless of relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence related to exploitation;
- b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and elsewhere, trafficking of women, and forced prostitution;
- c) Violation of the human rights of women in situations of armed conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery, and forced pregnancy;
- d) Forced sterilization and forced abortion, social stigmatization, coercive/forced use of contraceptives, prenatal sex selection, female infanticide, forced medical or psychological examinations without the expressed approval of the concerned person;
- e) To buy and sell a woman or any of her body parts to profit;
- f) Sexual harassment and assault of a woman in detention.

SECTION 7. Trafficking of Women Defined. A covert or overt recruitment of women into the sex trade industry. It includes new forms of sexual exploitation such as sex tourism, the illegal recruitment for domestic labor work in developed countries, and organized marriages between women from third world countries and foreign nationals, promoting or initiating a system in which women become movable properties and objects of exchange.

Trafficking of women shall include the following but is not limited to any person or association, cult, religion, or organization, or similar entities to commit the following acts:

- a) Establish or carry on a business to match women for marriage to foreigners, either on a mail-order basis or through the personal introduction of cyberspace;
- b) Advertise, publish, print or distribute, or cause the advertisement, publication, printing, or distribution of any brochure, flyer, or propaganda material calculated to promote the above-mentioned prohibited acts for profit or advantage;
- c) Solicit, enlist, or attach/include any woman to join any club, association, or organization whose objective is to match women for marriage to foreigners either on a mail-order basis or through personal introduction or cyberspace or any form from which facilitate the act of solicitation;
- d) Use the postal service, cyberspace, or satellite TV to promote the above-mentioned prohibited acts;

- e) To buy or sell a woman, or any of her parts for profit, or to use her body by any pretext; to be used for experiments, research, or the like without her consent;
- f) Act as a procurer of a prostituted woman;
- g) Threaten or use violence and force a woman to become a mail-order bride;
- h) Lease or sub-lease, use or allow to be used any house, building, or establishment for trafficking in person; and
- i) Organize, produce or distribute pornographic materials that promote traffic in persons.

SECTION 8. Mail-order Bride Defined. It is a practice where a woman establishes a personal relationship with mail foreign nationals via mail, electronic or similar means, upon recruitment by an individual or agency to exploit women in the guise of marriage.

SECTION 9. Sexual Harassment Defined. It is a form of misconduct involving an act or a series of unwelcome sexual advances, requests or demand for a sexual favors, or other verbal or physical behavior of sexual nature, committed directly or indirectly in work, education, or training related sexual harassment committed by any person who is having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other regardless of whether the demand, request or requirement for submission is accepted or not by the object of the said act. Sexual harassment shall be unlawful in the employment education or training environment as prescribed in RA 7877.

A person who directs or induces another person to commit any act of sexual harassment or who cooperates to commit the act, without which the said act would not have been committed will also be held liable.

SECTION 10. Other forms of Sexual Harassment. Other than the definition provided by RA 7877, the following constitute sexual harassment, some of which are covered by the Revised Penal Code under Acts of Lasciviousness:

- a) Persistent telling of offensive jokes such as green jokes or other analogous statements to someone who finds them offensive or humiliating.
- b) Taunting a person with constant talk about sex and sexual innuendoes.
- c) Interrogating someone about sexual activities or private life during interviews for an employment, scholarship grants or any lawful activity applied for.
- d) Making offensive hand and body gestures at someone.
- e) Repeatedly asking for dates despite verbal rejection.
- f) Touching, pinching, or brushing up against someone's body unnecessarily or deliberately.
- g) Kissing or embracing someone against her will.
- h) Requesting sexual favors in exchange for a good grade, obtaining a good job or promotion, etc.
- i) Cursing, whistling, or calling a woman in public with words having dirty connotations or implications which tend to ridicule, humiliate, or embarrass the woman such as "puta", "peste", "Pok Pok", etc.
- j) Any other unnecessary acts during physical examinations.
- k) Requiring women to a suggestive or provocative attire during interviews such as job hiring, promotions, admission, etc.
- l) Any expression of gender bias against a person to embarrass, humiliate and stigmatize.

SECTION 11. Commercial Exploitation of Women/Men and Girls/Boys. It shall be unlawful for any person to sell or market women's and girls' bodies and various forms of packaging. These include but are not limited to the following:

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- a) Prostitution which is selling a woman's body mainly for sex.
- b) Printing, publication, display, and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards, and other materials and literature that treat women/men and girls/boys as sex objects and commodities.
- c) Pornographic and indecent shows depicting women/men and girls/boys as sexual objects either nude or provocative gestures; and/or
- d) Live shows whether women or girl children are influenced or forced to dance or do naked shows in public or private places for various purposes.

SECTION 12. Non-discrimination of Lesbians, Gays, Bisexuals, and Transgender (LGBT).

It shall be regarded as a violation of human rights to discriminate against any person based on her/his sexual preference or orientation for employment, participation in municipal development programs and projects, and/or other family or community activities. Every person's right to his/her sexual preference shall be respected/protected.

ARTICLE II

SUPPORT MECHANISMS TO EMPOWER WOMEN AND PROMOTE AND RESPECT WOMEN'S RIGHTS

SECTION 13. Comprehensive Support to Women-survivors of Violence. The Municipal Government shall provide comprehensive support to women survivors of violence which consist of but are not limited to the following:

- a) Immediately conduct an investigation within twenty-four hours.
- b) Provide counseling and medical services for the offended party.
- c) Gather evidence for the arrest and prosecution of the offenders.
- d) Make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within thirty-six (36) hours from the time of filing, regardless of his/her evaluation of the case.
- e) The investigation officer or the examining physician, if possible, of the same sex of the offended party, ensures that only persons expressly authorized by the latter are allowed inside the room where the investigation or medical or physical examination is being conducted.
- f) Women victim-survivors of all forms of violence shall be registered with a community-based psychologist that will assist the women in holistically rebuilding and empowering themselves.
- g) All investigations/hearings involving rape cases and other forms of violence against women conducted in the police stations, prosecution's office, and the trial courts shall recognize the survivor's social support group expressly allowed or requested by the offended party.
- h) Temporary shelter with appropriate support services for women in crises shall be appropriately constructed under the management and supervision of the Municipal Social Welfare and Development Officer.

SECTION 14. Psychological Program. It is an intervention using integration and a holistic approach to the condition of women considering their differentiated needs within a social context.

SECTION 15. Survivor's Support Group Defined. It is an organized group of women to whom a woman survivor of violence voluntarily agrees to go through a collective helping process.

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SECTION 16. Support Services for Women in the Entertainment Industry, Entertainment Defined. Women in the entertainment industry are those women employed in establishments identified as a place of amusement shall include, but not limited to, night clubs or day clubs, cocktail, lounges, family clubs, karaoke and videoke bars, beerhouses /gardens, fast food centers, resorts which show TV/Cable program, films, movies, sport shows either by direct hook-act or via satellite and other places of amusement where one seeks admission to entertain himself.

The Municipal Government shall provide socio-economic support services for women in the entertainment industry to respond to their practical needs.

SECTION 17. Regular Medical Routine Check-ups. Women in the entertainment industry shall be required to undergo medical routine check-ups and be prescribed medicines if needed.

ARTICLE III

POLITICAL AND PUBLIC SPHERE PARTICIPATION IN WOMEN

SECTION 18. Women's Participation and representation in the Barangay and Municipal Development Council. Both the Municipal and Barangay Council ensure at least one-third (1/3) of its members is composed of women in recognition of their considerable leadership and involvement in various development efforts and initiatives. These women shall come from accredited organizations with considerable accomplishments and programs geared towards people-centered genuine development. Both the Municipal and Barangay Development Councils shall undergo capacity building for gender-responsive development planning to ensure that all plans, programs and projects are gender-responsive.

SECTION 19. Promoting Gender Balance at all levels of Local Positions. The Municipal Government shall promote gender balance or an equal proportion of qualified women and men for the opportunity to assure key positions at all levels of government, whether elective or appointive. This should form the Municipal Government's efforts to eliminate barriers to women's participation in the public sphere. This shall include their equal representation in the structure of the Municipal Development Council (MDC) and the Barangay Development Council. Implementation guidelines shall be detailed in the Code's Implementing Rules and Regulations.

SECTION 20. Barangay Gender and Development Committee. The Barangay Gender and Development Committee shall ensure that gender issues and concerns are incorporated and addressed in the barangay level and reflected in Barangay Development Plans. All accredited women's organizations with mass membership at the community level shall be provided in the Implementing Rules and Regulations (IRR) of this Code. This committee shall appropriate at least five percent (5%) GAD Budget as institutionalized and mandated by law.

SECTION 21. Marking Significant Days for Women's Action. Any day of March of every year shall be declared as International Women's Day and a Special Day for all women in Botolan, Zambales by virtue of an Executive Order issued by the Local Chief Executive. There shall be coordinated Municipal and Barangay level activities for women to be highlighted with the State of the Women Address by the Municipal Mayor reporting all accomplishments and initiatives to promote the status of women in Botolan, Zambales. A committee for this activity should be convened and spearheaded by the Municipal GAD Council.

SECTION 22. Day of Action for Breast Cancer Awareness. The Municipal Government of Botolan, Zambales, shall set any day of the year to organize information campaign activities on breast cancer, one of the top causes of maternal mortality. Coordinated Municipal and Barangay level activities shall be set and spearheaded by the Municipal GAD Council and the Municipal Health Office to promote consciousness on breast cancer.

SECTION 23. Girl Child Week. The Municipal Government of Botolan, Zambales, shall set every fourth week of March of every year to organize activities to celebrate Girl Child Week, with special recognition of cases of working children. It shall be spearheaded by the DepEd Officials and personnel detailed in this Municipality and the Municipal Social Welfare and Development Office (MSWDO).

SECTION 24. International Day of Action for Women's Health. The Municipal Government of Botolan, Zambales shall set May 28 of every year as the Municipal Women's Day or a day of Action for Women's Health, Wellness, and well-being wherein issues and concerns relative to the protection and promotion of women's health shall be examined, deliberated, projected and government action sought. Coordinated Municipal and Barangay level activities shall be set and spearheaded by the Municipal GAD Council and the Municipal Health Office to promote women's health and well-being.

SECTION 25. International Week of Action Against Gender-based Violence. The Municipal Government of Botolan, Zambales shall organize various events and activities to educate residents about violence against women and children every November 25 through December 10 of each year as the International Week of Action Against Gender-based Violence and culminates on International Human Rights Day. The activities shall be spearheaded jointly by the MSWDO, the MHO, the Barangay Operations Center, and the Municipal GAD Council.

SECTION 26. Botolan, Zambales Gender and Development Summit. The Municipal Government of Botolan, Zambales, shall set the month of May of every year to hold a Gender and Development Summit as part of the Municipal Foundation Day Celebration. A committee shall be convened to manage and coordinate the activities and affairs of this summit focusing on:

- a) The current situation of women in Botolan, Zambales; and
- b) Women's issues and concerns and how these can be addressed.

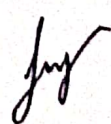
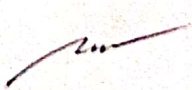
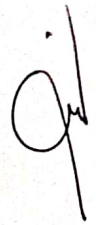
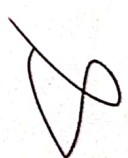
The summit shall come up with priority issues with their specific action points to be disseminated and proposed for adoption at the Municipal and Barangay Councils.

SECTION 27. Peace Based on Social Justice and Human Rights. The Municipal Government of Botolan, Zambales shall promote peace education at the Barangay level through affirmative action and information campaign activities and shall also promote peace and development based on social justice and human rights to be spearheaded by barangay leaders in coordination with the Community-based Women's Organization.

ARTICLE IV

LABOR AND EMPLOYMENT

SECTION 28. Wage and Benefits for Women. Every employer shall comply with the minimum wage by the Regional Wage Board or as stipulated by pertinent legislation passed by Congress and shall grant all benefits to all Women Employees such as maternity leave, sick and vacation leave, retirement, and other benefits provided by law. The same provision shall apply to benefits covered by the Collective Bargaining Agreement (CBA) between the concerned Employee's Union and Management.



SECTION 29. Increase Maternity Leave Benefits as Incentives for Breastfeeding Mothers in the public and private Sectors. In accordance with Republic Act No. 11210 or An Act Increasing the Maternity Leave, eligible female employees shall be granted maternity leave of one hundred five (105) days with full pay and with an option to extend for an additional of thirty (30) days without pay, whereas solo mother employees who are eligible by law are granted an additional of fifteen (15) days maternity leave. Any employer who violates this provision shall be dealt with in accordance with Republic Act No. 11210.

SECTION 30. Increase Paternity Leave Benefits as Incentives for Fathers for Meaningful Participation in the care of Newborn Child in the Private Sector. In accordance with Republic Act No. 8187 or Paternity Leave Act of 1996, male employees who are eligible under the law are entitled to a seven (7) days Paternity Leave with full pay as mandated by the law. Eligible male employees who will avail the Paternity Leave can extend another seven (7) days leave period provided that his wife is an employee in a private sector who avails the Maternity Leave Transfer under the Republic Act No. 11210. Any employer who violates this provision shall be dealt with in accordance with Republic Act No. 8187.

SECTION 31. Increase Reproductive Health Benefits for Women. A yearly twelve (12) day menstrual/menopausal leave for women employees in Private Offices and/or commercial/industrial establishments located in the Municipality, who have rendered at least one (1) year of continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement between the concerned Employee's Union and Management and provided, further, that this benefit shall be taken one-day each month for menstrual or menopausal leave.

SECTION 32. Orientation on Sexual Harassment. All Government Agencies Private Offices and Commercial/Industrial establishments located in the Municipality shall conduct regular orientation on sexual harassment for their respective employees. Certificate of Compliance shall be submitted to the Municipal Gender and Development and Resource Coordinating Office.

The Municipal Government of Botolan, Zambales shall set up or create its own Committee on Decorum and Investigation (CODI) including the promulgation of Implementing Rules and Regulations or Policy on Sexual Harassment that will provide/prescribe procedures for the investigation of sexual harassment cases and administrative sanctions covering all Municipal Officers and Employees in accordance with the provisions of RA 7877 and the Civil Service Rules and Regulations on Sexual Harassment.

The Municipal Government of Botolan, Zambales shall campaign to set up or create the same CODI in all Private Offices and/or Commercial/Industrial establishments.

SECTION 33. Setting up Grievance Machinery. A grievance committee shall be set up in all Government and Private Offices, Commercial and Industrial Establishments located in the Municipality, to act on complaints or cases related to various forms of discrimination against women in the workplace such as hiring, job training, promotion, and the like.

SECTION 34. Equal Access to Job Training and Promotion. No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion, and civil status.

SECTION 35. Facilities and Support Systems for Women. The Municipal Government of Botolan, Zambales shall ensure the occupational safety and health of women employees in Government and Private Offices and/or Commercial/Industrial establishments. In appropriate cases, it shall require employers to:

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- a) Provide an ergonomic system of seats or equipment in the performance of their duties without detriment to efficiency;
- b) Establish separate toilet rooms, lavatories, and lounges for men and women and provide dressing room for women;
- c) Provide a breastfeeding corner for women in the workplace

SECTION 36. Household-Based Workers or Women in the Informal Sector. The Municipal Government of Botolan, Zambales shall ensure that social protection shall be accorded to women working in the informal economy. These are women vendors, sewers, laundry workers, and other related occupations. Organized home-based workers may avail of social security and employees' compensation benefits and PHILHEALTH benefits upon proper documentation and registration with the Social Security System and PHILHEALTH, respectively. The Municipal Government of Botolan, Zambales through the MSWDO shall conduct an inventory of all women involved in the informal sector for consultation and provision of appropriate support services for the sector.

SECTION 37. Barangay-based House Help Support. All barangays of Botolan, Zambales shall conduct compulsory education for both house helpers and for house helper employers on gender sensitivity. An administrative sanction shall be imposed to the Barangay Council which fails to comply with this provision.

Every house helper shall be entitled to at least twenty-four (24) consecutive hours of rest in a week. Provided that the employer shall respect the preference of the house helper as to the weekly rest day when such preference is based on religious grounds. (R.A. 10361)

Payment of Wages. Payment of wages shall be made on time directly to the house helper worker to whom they are due in cash at least once a month. The employer, unless allowed by the house helper through written consent, shall make no deductions from the wages other than that which is mandated by law. No employer shall pay the wages of a domestic worker by means of promissory notes, vouchers, coupons, tokens, tickets, chits, or any object other than the cash wage as provided for under Republic Act No. 10361, An Act Instituting Polices for the Protection and Welfare of Domestic Workers.

SECTION 38. Women in the Entertainment Industry. Women engaged in legitimate occupations in the entertainment industry such as singers, stage performers/actresses, bar girls and receptionists, shall be recognized as wage earners and they shall receive minimum wage and benefits afforded to women workers and shall render services as set in the job contract and only in the place of work as specified in the business permit of the establishment concerned.

SECTION 39. Police Operations in Entertainment Establishments. All police operations or raids conducted in any entertainment establishment must be undertaken with utmost care and respect for human rights. Police Officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. Violation of this provision is punishable under the Revised Penal Code and other related laws.

SECTION 40. Tax Incentives for Business Entities. The Municipal Government of Botolan, Zambales shall provide tax incentives to business entities as follows:

- a) Any amount used for the establishment, maintenance, and operation of childminding support service centers shall be tax-deductible.
- b) Annual tax credit per child regularly serves for at least one (1) year in the center; and
- c) Annual tax credit for women extended with maternity leave benefits for breastfeeding.

SECTION 41. Monitoring System for Labor Standards. A mechanism shall be installed by the Municipal GAD Council to monitor all Offices, Agencies and Establishment or Companies violating Labor Code provisions of this Ordinance; prepare regular report to be submitted to concerned departments and recommend appropriate actions.

**ARTICLE V
HEALTH RIGHTS**

SECTION 42. Right to Health. Article 12 of the UN International Convention on Economic, Social and Cultural Rights provides that Women's Right to Health, which includes Women's Reproductive Rights, is a basic fundamental human right in recognition of the fact that Women's Reproductive Roles and Social Expectations have made health policies, programs and services to focus more on pregnancy and birth related cases rather than on a more holistic approach. The Municipal Government of Botolan, Zambales, shall respect and promote a rights-based approach to women's and men's health by considering their respective realities and health needs at every stage of their lives. It shall also promote the couple's shared responsibilities for childbirth and childcare.

SECTION 43. Reproductive Health Defined. As defined in the International Conference on Population and Development and World Health Organization and affirmed in the International Women's Conference in Beijing, Reproductive Health is a state of complete physical, medical, mental, and social well-being, functions and processes (i.e. people are able to have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide on when and how to do so.

The Municipal Health Officer shall adopt the Reproductive Health Care approach at all levels of Health Care Delivery. Such an approach integrated many issues, however, central population, sexual, reproductive tract infection, gender power relations and domestic violence shall be limited to family planning, childbearing, and safe motherhood.

SECTION 44. Health Care Delivery. Quality Health Care and Services shall be accessible to all women and men regardless of age, sex, creed, religion, and ethnicity in Botolan, Zambales.

No hospital in the Municipality shall deny women and men living below the poverty line of reproductive health service. A certificate of indigency shall be issued by the Punong Barangay for the purpose of verification and should be authenticated by the Municipal Social Welfare and Development Officer (MSWDO).

In case of emergency, a social worker or any authorized personnel shall be designated to conduct a rapid appraisal of the socio-economic status of the patient for admission purposes.

The Municipal Government of Botolan shall require pregnant mothers to utilize facility-based deliveries (BEMONC) to complement the provisions of DOH Administrative Order No. 2011-0014 "Guidelines on the certification of Health Facilities with Basic Emergency Obstetrics and Newborn Care (BEMONC) Capacity".

The Municipal Government of Botolan, Zambales must ensure regular expansion and upgrading of health care facilities to ensure their access by all women and men.

SECTION 45. Women's Control over their Bodies. Women's decision to attain healthy development and achieve their reproductive intention shall be given appropriate support and guidance by all Private and Public Health Professionals at a very minimal cost.

Provision of accurate and appropriate information on these matters and corresponding services shall be made available.

SECTION 46. Gender-sensitive Women and Children Protection Unit (WCPU). The Municipal Government of Botolan, Zambales shall establish a Gender Sensitive Crisis Intervention Unit at all levels of health care, especially at the tertiary level, and shall provide service training to all health and other allied personnel who shall be assigned in this unit.

SECTION 47. Gender-fair Approach to Pre-marital Counseling Program. The Municipal Health Officer (MHO) in coordination with the Municipal Social Welfare and Development Officer (MSWDO) and the Population Program Worker shall ensure sensitive conduct required in the application for Marriage License with the Office of the Municipal Civil Registrar.

SECTION 48. Mainstreaming Reproductive Health Framework through Primary Health Care Strategy. In consonance with the provisions of the Child Welfare Code of this Municipality and in pursuant to the agreement made at the International Conference on Population and Development (ICPD), the Municipal Government of Botolan, Zambales shall mainstream the Reproductive Health Approach in the Health Care Strategy.

ARTICLE VI

EDUCATION RIGHT

SECTION 49. Conduct of Regular Gender-sensitivity Training for all Teachers at School Levels. The Botolan District I and Botolan District II of the Department of Education and QSU Botolan of the CHED in Botolan, Zambales in coordination with the Municipal GAD Council of this Municipality, shall conduct and incorporate gender-sensitivity orientation in Teachers' classes at the beginning of the school year.

SECTION 50. Developing, Gender-fair Educational Materials. The Botolan District of the Department of Education and Polytechnic College of Botolan (PCB) of the CHED in Botolan, Zambales shall ensure that all educational materials developed by both Public and Private School Officials are gender fair and do not portray stereotyping of roles for men and women or boys and girls. It shall conduct a regular monitoring and review of existing educational materials to ensure that they are gender sensitive and gender fair.

SECTION 51. Promotion of Gender-sensitive Curriculum. All public and private schools in Botolan, Zambales shall actively promote gender-sensitivity in their subjects/course curriculum and gender fair socialization for school pupils. The Botolan District of the Department of Education and Polytechnic College of Botolan (PCB) of the CHED in Botolan, Zambales shall ensure that all Private and Public School's professional counseling and career education are gender responsive.

SECTION 52. Promoting Gender-sensitive Curriculum. All schools, Offices, Establishments or Companies, Departments, and Agencies including Barangay Officials of this Local Government Unit shall initiate gender-sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender justice.

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SECTION 53. Gender-Responsive Non-Formal Education for Youth and Adults. The Botolan District of the Department of Education and Polytechnic College of Botolan (PCB) of the CHED in Botolan, Zambales in coordination with Technical Education and Skills Development Authority (TESDA) shall conduct non-formal classes for women and men desiring to engage themselves in functional and practical education to be held in any Public School Campus or Barangay Multi-purpose centers within the Municipality.

ARTICLE VII

CULTURE AND MASS MEDIA

SECTION 54. Gender-sensitive portrayals in media. The Municipal Government of Botolan, Zambales shall oblige all media institutions to be sensitive in the portrayal of women's and men's roles, encourage positive images of women, and discourage sexist and homophobic print material and broadcast programs.

SECTION 55. Gender-sensitivity Training for Local Media Practitioners. The Municipal Government of Botolan, Zambales, shall encourage and support the conduct of gender-sensitivity workshops or pieces of training for local media practitioners in the Municipality. It shall likewise provide full support to all media practitioners and freelance/independent media production that advocate gender-sensitive issues through various forms of incentives and recognitions.

SECTION 56. Regulation of Internet Cafes and Computer Shops. The Municipal Government of Botolan, Zambales shall regulate the operation of internet service providing, establishment and entertainment computer shops to curb and prevent the proliferation of access to cybersex pornography of minors.

SECTION 57. Regulation of Media Coverage during Police Raids on Entertainment Establishments. The Municipal Government of Botolan, Zambales shall regulate the media coverage on the raid of entertainment establishments for the prevention of exploitation of women entertainers and their unnecessary body public exposure and humiliation.

SECTION 58. Gender-responsive and Comprehensive Livelihood Program. The Municipal Government of Botolan shall allocate funds for socio-economic programs for poor women and men that include Gender-responsive Livelihood Skills and Values Training Seminars. The Comprehensive Livelihood Program shall include a feasibility study, financing, monitoring, a sustainable paying scheme, and incentives.

SECTION 59. Social Lending Program. The Municipal Government of Botolan, Zambales, shall establish a social lending program to cater to low-income families with interest rates similar to those availed by members of Cooperatives.

SECTION 60. Access to Investment and Loan Payments. Loans shall be extended to women engaged in a Small to Medium Scale Enterprises as well as to place industrial workers under the principle of self-reliance and hard work.

SECTION 61. Low-cost Basic Services. The Municipal Government of Botolan, Zambales shall facilitate access of women and men to qualify low-for cost housing, safe water, electricity, communication, transportation and basic commodities.

SECTION 62. Monitoring of Standardization of Prices of Basic Commodities. The Municipal Government of Botolan shall ensure fair marketing practices and standard pricing of basic commodities through regular monitoring in local markets.

SECTION 63. Economic Empowerment for Poor Women. Feminization of poverty which is regarded as a condition when the gap between the rich and the poor and grassroots women bear the brunt in economics leading to instability and unequal distribution of wealth. Such gap reinforces non-response to both practical strategic interests of women. The Municipal Government of Botolan, Zambales shall ensure poor women of strategic and transformative mechanisms whereby they could uplift their economic and social relations.

ARTICLE VIII

SPECIAL SECTORAL CONCERNS

SECTION 64. Advocacy on Differently abled Persons Rights and Support Mechanism for Education and Employment. The Municipal Government of Botolan, Zambales shall initiate advocacy on the rights of the differently abled person, establish special education schools /classes for them through the Public Elementary and High Schools which shall offer appropriate curriculum for their specific needs and develop creative employment opportunities for them in recognition of their differentiated conditions and full potentials as persons.

The Municipal Government of Botolan, Zambales through the Municipal Engineer's Office, shall ensure that all Educational and Commercial buildings are provided with ramps and toilet facilities for differently abled persons. A separate comfort room for Lesbians, Gays, Bisexuals, and Transgender (LGBT) shall be installed in all public places, markets, sports complexes, transport terminals, and big offices to protect them from sexual harassment.

The Municipal Government of Botolan, Zambales shall implement RA 9442 or the Magna Carta for Disabled Persons and thus reserves five percent (5%) of Contractual or Emergency positions for Persons with Disabilities (PWDs).

SECTION 65. Organization of Differently abled Persons in the Community. It shall be the duty of the Barangay GAD Committee to organize differently abled persons in the community to advance the interest of this special group of persons and to monitor and report cases of harassment and discrimination committed against differently abled persons.

SECTION 66. Mobilizing Support for Elderly Persons in the Community. It shall be the duty of the Barangay GAD Committee to organize elderly persons within the Barangay to advance their practical and strategic interests and needs. The Local Government Unit of Botolan, Zambales and the Barangay GAD Committee shall allocate emergency assistance, yearly physical health check-ups, social group work programs and appropriate socio-economic activities.

ARTICLE IX

WOMEN AND CHILDREN SUPPORT SYSTEM

SECTION 67. Implementation of United Nations Convention on the Rights of the child (UNCRC). The Local Government of Botolan, Zambales shall implement systems and programs that are anchored on the United Nations Convention on the Rights of the Child (UNCRC) which stipulates the promotion and protection of children's rights to survival, development and protection as embodied in the National and Local Laws which include the New Family Code and the Child Welfare Code of this Municipality.

SECTION 68. Gender-responsive and Child-friendly Minding Center in Every Barangay. The Municipal Government of Botolan, Zambales shall ensure that a Child-friendly and Gender-responsive Day Care or Child-Minding Centers are set up in every Barangay to provide parents

support facilities for the care of their children when they go to work or school. The Centers shall ensure that the Basic Early Child Education Curriculum in the centers promote Gender-fair Socialization, encourage both fathers and mothers to participate in the development, care and nurturing of their children; and boys and girls in the center are able to learn to respect the rights of all children to the full employment of their childhood rights.

SECTION 69. Shared Parenting Responsibilities. The Local Government of Botolan, Zambales shall advocate that all fathers and mothers have both the moral obligation and responsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex, and physiological and psychological conditions.

ARTICLE X

GENDER AND DEVELOPMENT

SECTION 70. Gender and Development Defined. Conscious efforts at improving the quality of lives of women and men of all sexual orientations and identities based on sustained, equitable growth and a balanced ecology. It sees society as a gender system in all its aspects – economic, political and social. It views oppression in both private and public spheres recognizing women as agents of change through the reorientation of the male-centered culture.

SECTION 71. Gender Sensitivity and Training, Gender Sensitization Defined. It is a critical process of learning and unlearning by an individual, female or male, of the causes and effects of the culturally determined roles of women and men.

All Schools, Offices, Establishments or Companies, Departments and Agencies of the Local Government Unit of Botolan, Zambales shall be provided with Gender Sensitivity Orientation and Training which shall equip them with theoretical and practical knowledge on gender issues and concerns. Likewise, all establishments and schools shall develop assessment tools for gender biases.

SECTION 72. Active Support to Gender Studies. A sufficient amount shall be allotted to gender-related documentation and research which shall form part of the Botolan database program development.

SECTION 73. Production, Popularization and Campaign of Gender-Fair Materials. The Municipal Government of Botolan, Zambales, shall actively promote and publish popular forms of gender-fair materials through all concerned Departments and Agencies.

SECTION 74. Gender and Development Focal Point. The Gender and Development (GAD) Council shall be designated as the main GAD Focal Point of this Local Government Unit. The GAD Council shall be the Major Body that will initiate GAD programs, projects and activities through the various departments and instrumentalities in the entire Municipality.

SECTION 75. Integrated Gender-sensitive and Environment - friendly Zonification Plan of Botolan, Zambales. An Integrated gender-sensitive and environment-friendly zonification plan of Botolan, Zambales shall constitute, but not limited to the following:

- a) The Local Government Unit of Botolan, Zambales as far as practicable shall ensure that the relocation of communities shall not deprive women and men of their sources to livelihood.
- b) Relocation sites shall not contribute to an increase in women's burden in economic, home and social production.

- c) Housing, and industrial project sites shall be those unproductive lands unsuitable for economic purposes.
- d) The industrial center for light industry shall be placed in the key districts of Botolan, Zambales while the heavy industry shall be centralized in one district.

SECTION 76. Community-based Environment Plans and Programs. Both men and women shall participate in population control, zero waste technology development, and management preservation of the tree park and aquatic resources of the Municipality.

SECTION 77. Gender-sensitive Natural resources-based Management Programs. The Local Government Unit of Botolan, Zambales, shall engage itself in the development of gender-sensitive Natural Resource-based Management Programs.

SECTION 78. Role of Women and Men in Environment Impact Assessment Projects. The Local Government Unit of Botolan, Zambales shall promote the active role of women vis-à-vis men in the environmental impact assessment of projects. Instruments for environmental impact assessment shall consciously determine sex-disaggregated data.

SECTION 79. Promotion of Appropriate Technology. The Local Government Unit of Botolan, Zambales shall actively promote alternative technologies that are appropriate and safe for women.

SECTION 80. Sufficient Budget for Basic Social Services. A sufficient amount shall be allocated from all sources of funds for the Basic Social Services for women and children in extremely difficult circumstances.

A sufficient budget for basic social services shall actively promote alternative technologies that are appropriate and safe for women.

SECTION 81. Investments of Loans. The Local Government Unit of Botolan, Zambales shall hold consultative assemblies with women NGOs/POs in establishing contracts for loans and investments to clarify implications on women's welfare and development at the Barangay level.

SECTION 82. Overseas Contract Workers (OCW) Wives and Children Support. The Local Government Unit of Botolan, Zambales, shall conduct a survey of Overseas Contract Workers at the barangay level, which shall serve as the basis for special support to OCW Families, especially wives and children.

SECTION 83. Special Course on OCW. A special course on Overseas Contract Workers primarily to orient women on the issue and concerns relative to migration shall be conducted in all Barangays to be organized by their respective Barangay GAD Councils.

SECTION 84. Education on National Policies. Women and men shall undertake education based on National Policies and their implications on women.

SECTION 85 Gender Population. The Municipal Health Officer (MHO) shall review and redesign the population program based on the reproductive health framework.

SECTION 86. Special Training for Lupong Tagapamayapa. All training courses for Barangay Lupong Tagapamayapa and Barangay Security and Development Officers (BSDOs) shall include gender and development basic orientation.

SECTION 87. Training on Non-traditional Occupation. Women shall be given an opportunity to acquire a Non-traditional Occupation, especially in the field of Science and Technology.

ARTICLE XI

VIOLENCE AGAINST WOMEN AND CHILDREN

SECTION 88. Soliciting Sexual Services. It shall be unlawful for a person to solicit a woman's services for sexual purposes as a gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or not from such action without prejudice to the provisions of the Revised Penal Code, RA 9208 or the Anti-Trafficking in Person Act and RA 10364 otherwise known as the Expanded Anti-Trafficking in Persons Act of 2012. Any person may file a complaint together with the affected women to the proper court. Violators of this ordinance shall be penalized in accordance with RA 9208 and RA 10364.

SECTION 89. Trafficking in Women and Children. Any person or agency, who, with the use of force or deceit, lures a girl and a boy child to work abroad or in the other province or city in the Philippines for a particular job on a promise of high fees, but instead landed on prostitution, domestic help or other odd jobs. Violators shall be dealt with in accordance with the National Laws or RA 9208 or the Anti-Trafficking in Persons Act and RA 10364 otherwise known as the Expanded Anti-Trafficking in Persons Act of 2012, RA 9262 otherwise known as the Anti-Violence Against Women and their Children, and the Revised Penal Code.

SECTION 90. White Slave Trade. – An agency or person who shall engage in keeping women for sex purposes for a fee, shall be penalized in accordance with the Revised Penal Code.

Entertainment establishments that promote prostitution as defined in this ordinance shall suffer the penalty in accordance with RA 7610, RA 9208, RA 10364, RA 8353, RA 7658, and the amended Article 341 of the Revised Penal Code.

SECTION 91. Beauty Contests. Conduct of beauty contests shall focus on women's strength and potential, hence, contests that project women as sexual objects shall be prohibited.

SECTION 92. Fund-raising Initiative defined. It refers to any activity, whether in whole or in part, integrated with any raffle draw, benefit or disco dance, premier showing or movies, or any similar fund-raising undertakings where women are used as donor prizes, substitute for prizes won, a companion package for an award, prizes or recognition or any manner, activity, come-on display, or exhibition which depicts a woman as the central, partial, or special focus in order to raise funds. All fund-raising initiatives as defined in this code shall be strictly prohibited in Botolan, Zambales. Violators shall pay a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) or imprisonment of not exceeding six (6) months or both at the discretion of the court.

SECTION 93. Women and Girls in Detention. PNP personnel in police detachment/checkpoint or any analogous quarter shall not keep women or girls, detainees, for purposes of comfort and they shall likewise not be deprived of Basic Social service while being detained. Violators shall be penalized through summary dismissal proceedings of the Local PNP and/or at the discretion of the Local Police Law Enforcement Board.

SECTION 94. Forced Marriage. In accordance with the of Article 35 of the Family Code of the Philippines, it is unlawful for anybody to force a woman to marry based on vitiated consent.

Any person or representative committing a fraudulent or coercive act to cause and effect a forced marriage shall be liable under this ordinance by a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) or imprisonment of not exceeding six (6) months or both at the discretion of the court.

SECTION 95. Regular Surveillance of Entertainment Establishments. A local Inter-department Taskforce shall be created to conduct regular surveillance of business establishments involved in training women such as:

- a) Prostitution.
- b) Printing, publication, display, and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials and literature that women as sex objects and commodities.
- c) Organizing production of pornographic and indecent shows depicting women and girls as sexual objects either in nude or provocative gestures; and
- d) Mounting live shows where women and girl-child are influenced or forced to dance or do naked shows in public or private places.

Any person or agency who engages in organizing or producing these activities that exploit women and girl children violate human rights and shall be dealt with under the law. Failure of the Task Force to submit weekly reports shall be subjected to administrative sanction.

SECTION 96. Violence Against Women. Any violator of the provisions of this ordinance shall be penalized in accordance with the provisions of RA 9262.

ARTICLE XII

LABOR AND EMPLOYMENT

SECTION 97. Equal access to Job Training and Promotion. Women shall not be deprived of job training and promotion on account of their gender, age, ethnicity, creed, religion, and civil status. Violations by private employers shall constitute a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) and permanent cancellation of the business permit for the second offense or as prescribed by the court in accordance with penal provisions under the Labor Code of the Philippines. The Head of the Municipal Government Unit or Municipal Government's Agency Head of Office shall be held liable with the penalty of not exceeding three (3) months suspension without pay and a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00).

SECTION 98. Wage Benefits for Women. Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or passed by Congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement, termination, and other benefits provided by law. Violation by private employers shall constitute a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) and a cancellation of the business permit or as may be prescribed by the Court in accordance with the penal provisions under the Labor Code. The Head of the Municipal Government Unit or Municipal Government's Agency Head of Office which violates this ordinance shall be held liable with the penalty of not exceeding three (3) months suspension and a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00).

SECTION 99. Facilities and Support System for Women. The Local Government Unit of Botolan, Zambales shall ensure the safety and health of women employees. In appropriate cases, it shall require employers to:

- a) Provide proper seats for women and permit them to use such seats if they are free from work and during working hours, provided they can perform their duties in this position without detriment to efficiency.
- b) Provide breastfeeding corners for women in the workplace.

Violation by private employers shall constitute a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) and cancellation of business permit or as prescribed by the Court. The Head of the Municipal Government Unit or Municipal Government's Agency Head of Office is held liable with the penalty of not exceeding three (3) months suspension without pay and a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00).

SECTION 100. Barangay Education on Gender Sensitivity (BEDS). All Barangays in Botolan, Zambales, shall conduct compulsory training and education for gender sensibility. Barangay Officials who fail to comply with this provision shall be charged with corresponding administrative sanctions with a penalty of suspension for a period of not exceeding six (6) months without pay or a fine of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00), or both, at the discretion of the court.

SECTION 101. Police Operations in Entertainment Establishments. All police operations or raids conducted in any entertainment establishment must be undertaken with the utmost respect for human rights. Police officers shall not take this opportunity for sexual exploitation or extortion of entertainers and other concerned parties. The Local Government Unit of Botolan, Zambales, shall also regulate the media coverage of riding activities. Violators of this provision shall be subjected to an administrative sanction/action and shall be held criminally liable.

SECTION 102. Orientation of Sexual Harassment. All Government and Commercial or Private Offices, Agencies, Establishments or Companies located in this Municipality shall conduct regular orientation seminars on sexual harassment for their respective employees.

A certificate of compliance shall be issued by the Local Gender and Development Resource and Coordinating Office. Establishment which fails to comply with this provision shall upon or at the discretion of the Court, pay a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00).

**ARTICLE XIII
HEALTH RIGHTS**

SECTION 103. Social Reproductive Health Service for all Hospitals and Clinics. Hospitals and clinics located and operating in this Municipality shall not deny reproductive health services to any woman living below the poverty line. A certificate of indigency shall be issued by the Barangay Captain to the woman as proof thereof.

In cases of emergency, a social worker or any authorized personnel shall be designated to conduct a rapid appraisal of the socio-economic status of the patient for admission purposes. Noncompliance of the administrator of this provision shall be penalized in accordance with penal provisions under RA 8344.

**ARTICLE XIV
SOCIO-ECONOMIC BENEFITS**

SECTION 104. Socialized Lending Program. All banks, financial/lending institutions, and cooperatives shall open a special window for lending to women engage in small to medium-scale enterprises, including young women who lack access to traditional sources of collateral.

Money - lending institution shall establish a "socialized lending scale scheme friendly to women" subjects to the following conditions:

- a) Based on cooperatives interest rates.
- b) No post-dated checks for payment; and
- c) Submission of certificate of income- generating activity of potential beneficiary from her barangay.

Failure to comply with this provision shall subject the concerned establishments to administrative sanctions.

ARTICLE XV

SPECIAL SECTORAL CONCERNS

SECTION 105. Barangay-level Sanction on Cases of Harassment Committed Against Differently abled and Elderly Women. All barangays in Botolan, Zambales shall formulate a barangay-level sanction on cases of harassment committed against differently abled and elderly women.

Failure to comply with this provision shall subject the Barangay Council to an administrative sanction with a penalty of suspension for a period of not exceeding six (6) months without pay or a fine of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00), or both, at the discretion of the court.

SECTION 106. Violence committed against women from the Indigenous People can be resolved using their customs and traditions if the aggrieved party agrees but on minor offenses only.

CHAPTER III

ARTICLE I

GENDER AND DEVELOPMENT

SECTION 107. Gender Sensitivity Orientation and Training. All Schools, Offices, establishments or companies, departments, and agencies including Barangay Officials of the Local Government Unit shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender justice. Non-compliance with this provision shall require the concerned party to pay a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) and issuance of a warning by the Integrated Gender and Development Office.

ARTICLE II

PROVISIONS FOR IMPLEMENTATION

SECTION 108. Power and Function of the Municipal Gender and Development (GAD) Council. The Local Government's GAD Council shall ensure the promotion of women's empowerment and equality/equity between women and men in the Municipality and is primarily responsible for ensuring the sustained implementation of the Municipal GAD Ordinance. To achieve these, it shall perform the following powers and duties:

- a) Formulate and submit Comprehensive Medium Term (3 years) and Annual Integrated GAD plans responsive to the needs and situation of women constituents that corporate Policies, Programs, and Activities (PPAs) that will uplift their conditions.

- b) Monitor and evaluate the implementation of gender and development policies, programs, and activities through the conduct of regular review and evaluation of existing legislation, policies, and programs measuring the extent to which women's concerns are integrated in all aspects of life on the basis of equal opportunities with men.
- c) Recommend the adoption of appropriate policies, enactment of ordinances or passage of the resolution, that enhances the potentials and capabilities of women and men to implement GAD mainstreaming.
- d) Promote and support the establishment of a consultative body to provide continuing dialogue between the Municipal Government of Botolan, Zambales and the Women Sector.
- e) Maintain and update a sex-disaggregated data bank through the conduct of primary and secondary data gathering activities.
- f) Work in collaboration with the Provincial, Regional and National Government Agencies, NGOs, POs, the private sector and other institutions to ensure that women's concerns are brought into the mainstream of all development efforts.
- g) Ensure that all Municipal Development Program planning and implementation activities are gender sensitive/responsive.
- h) Review and approve of all GAD Plans and Programs and Activities from the Barangay to Municipal level prior to the implementation of this ordinance to monitor if the activities to be undertaken are in accordance with guidelines set forth.
- i) Create functional committees in the performance of its functions as the need arises.
- j) Assist the Finance Committee, the Committee on Appropriation in the allocation of the GAD Budget.
- k) Avail of educational and training seminars offered by MNGOs/POs, Educational and Research Institutions, and other private sector initiatives that may be helpful in the achievement of its goals.
- l) Represent the Municipality in Local and International Women's Conferences and for others which are pertinent to its other duties and functions.
- m) Gather and disseminate information on current developments and studies on GAD and other gender related matters (i.e., gender and governance); and
- n) All other duties and functions that may be mandated by the GAD Council members deemed necessary to achieve its goals.

SECTION 109. The function of the Gender and Development Resources and Coordinating Office (GADRCO). The Gender and Development Resource and Coordinating Office is responsible for providing technical and administrative support to the GAD Council in implementing this ordinance. The GADRCO shall have the following functions to ensure effective and consistent implementation of the provisions of this Ordinance.

- a) Act as Secretariat for the Municipal GAD Council and will provide technical administrative and operational assistance to the council, including the documentation of GAD Council meetings.
- b) Assist the GAD Council and the Executive Department of this LGU in the monitoring of GAD plans, programs, and activities from the Barangay to the Municipal level.
- c) Assist the GAD Council in capacity-building activities for GAD mainstreaming such as gender sensitivity orientation, gender-responsive planning and budgeting, gender diagnosis or programs/projects, and gender-based information systems.
- d) Assist the GAD Council in information dissemination and awareness building and the production of information, education, and communication tools such as regular publications, research and monitoring reports, municipal profiling, advocacy materials, and

audio-visuals; as well as in the identification and maintenance of resource persons and trainers for gender and development seminars/pieces of training being conducted in the Municipality.

- e) Assist the GAD Council in establishing and maintaining a gender-responsive knowledge center/databank.
- f) Assist in establishing a GAD Council Focal Point mechanism in each department within this Local Government Unit and in Barangays for better coordination and monitoring.
- g) Facilitate the holding of Women's Assemblies for consultation of issues and for registration and election of women NGO/PO representatives to the GAD Council; and
- h) Undertake all other work required for the effective and efficient discharge of the Council's functions.

SECTION 110. Local Monitoring Board for Violence in Media. A Local Monitoring Board for movie, print, broadcast, and multimedia, shall be set up to classify, censure, prohibit, or regulate the exhibition of materials in the municipality that degrade women. The Board's function shall also extend to video shops, electronic communication, cable, television, book, and other forms of audio-visual channels or instruments.

SECTION 111. Creation of Women and Children's Desk (WCD) and Appointment of WCD Officer. The Municipal Government of Botolan, Zambales shall create the WCD and appoint a WCD Office in the Police Stations and in the Women, Family, and Children Protection Center of this Municipality which shall handle women and children's concerns. Complaints filed by women on battering and other forms of abuse against them shall be handled by female officers in the Local Police Force who shall undergo special courses on handling cases affecting abused women.

SECTION 112. Creation of a Medico-legal Desk for women and Children at the Municipal Social Welfare and Development Office. There shall be medico-legal desks for women at the MSWDO to cater to specific women's problems and concerns. However, the implementation of this Session shall be subject to the availability of funds to be used in paying the salary of the one to be appointed to fill in this position.

SECTION 113. Community Education on Trafficking. The Barangay GAD Committees shall organize a massive information campaign and continuing education on the trafficking of women and children, monitor trafficking activities in their respective communities, and develop a system for reporting or referral victims to appropriate agencies.

SECTION 114. Special Body to Investigate Cases of Violations of Women under Police or Military Detention. PNP personnel in police detachment or any analogous quarter shall not keep a woman or girl child for purposes of comfort nor be deprived of basic social services while being detained. Violators of this section shall subject violators to suffer summary dismissal proceedings at the discretion of the Local Police Law Enforcement Board.

SECTION 115. Generating Sex-disaggregated Data and Undertaking Gender Analysis. It shall be the main function of all barangay GAD Committees to periodically generate sex-disaggregated data on their respective communities. This shall be the duty of all concerned Departments and Offices in this LGU and partner NGOs and POs to enable them to provide situational analysis for the betterment of the Municipal GAD plan.

SECTION 116. Guidelines for Determining Gender Biases. The Municipal Government of Botolan, Zambales through the Municipal Personnel Department shall issue guidelines to determine gender biases among the Departments and instrumentalities of this Local Government Unit, Private and Public Schools, Offices, Commercial/Industrial Establishments, etc., and promote the prevention of these biases.

SECTION 117. Creation of a Municipal Tripartite Committee to Monitor the Implementation of Labor Standards. There shall be a Tripartite Committee composed of representatives from the Human Resource and Development Office and the Local Government Employees Association of Botolan, Zambales, and other organized labor and association of employers within the Municipality. The Tripartite Committee shall be tasked to:

- a) Monitor the implementation of labor standards set under this ordinance.
- b) Establish a Labor Assistance Desk where women workers could file complaints or seek legal assistance/advice in labor issues to promote industrial peace.
- c) Recommend to the Sangguniang Bayan issues or complaints lodged with the Labor Assistance Desk.
- d) Formulate rules/mechanics for monitoring labor standards; and
- e) Conduct regular labor standards orientation for the Municipal women's workers in coordination with the Municipal GAD Resource and Coordination Office.

SECTION 118. Creation of a Consultative Body. Upon effectivity of this Ordinance, a Consultative Body composed of representatives from the Office of the Mayor, Office of the Vice Mayor, Office of the Secretary to the Sanggunian, Office of the MPDC, Office of the MSWD, Office of the Municipal Health Officer, SB Committee Chairman on Women, Family and Social Welfare, Community Relations Officer of the PNP; a representative from the RIC, IGLO, and KALUPI, Media representative and a representative from every Barangay in this Municipality shall be convened by the Municipal GAD Council to validate the Implementing Rules and Regulations of this Ordinance.

SECTION 119. Compliance Report. Within six (6) months from the effectivity of this Code and every six (6) months thereafter, the Municipal GAD Council and all concerned departments or offices shall submit a Compliance Report to the Department of the Interior and Local Government (DILG) through the Municipal Local Government Operations Officer (MLGOO) assigned in this Municipality relative to the implementation of this Ordinance.

SECTION 120. Appropriation. For the effective implementation of this Ordinance, the Municipal Government of Botolan, Zambales shall appropriate five (5%) of the Annual Regular Budget of this Municipality for the implementation of GAD Programs and projects, pursuant to RA 7192 and DILG-DB-NCRFW Circular of 2001.

ARTICLE III

FINAL PROVISIONS

SECTION 121. Separability Clause. Any provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions thereof which are not afflicted thereby shall continue to be in full force and effect.

SECTION 122. Effectivity Clause. This Code shall take effect after 21 days from the date a copy is posted in the bulletin board at the entrance of the municipal hall and in at least two (2) other prominent places in the Municipality of Botolan.

ENACTED this 28th day of August 2024 in Botolan, Zambales.

APPROVED UNANIMOUSLY.

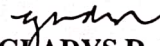
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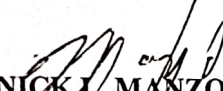
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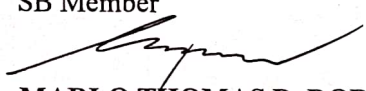
I hereby certify the correctness of the foregoing ordinance.



GLADYS D. DE VERA
Secretary to the Sanggunian


ATTESTED:



NICK L. MANZO
SB Member

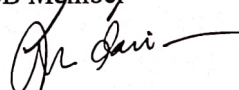

DR. FERNANDO D. IGROBAY
SB Member


MARLO THOMAS D. DOBLE
SB Member

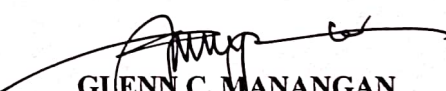

EDDIE D. DAOS
SB Member



FERNANDO D. ONATE, JR.
ABC President


ANGEL B. DIESTA
SB Member

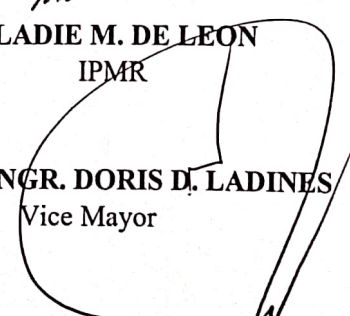

ARTHUR R. DARIA
SB Member


JAY T. DILAG
SB Member



GLENN C. MANANGAN
SB Member


JESSA NICOLE B. JARING
SK Mun. Fed. Chairman


LADIE M. DE LEON
IPMR


ENGR. DORIS D. LADINES
Vice Mayor

APPROVED:


JUN OMAR C. EBDANE
Municipal Mayor

OCT 16 2024