



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION
Region 02

CHEDRO 2	
RELEASED	
Date:	03/04/22
Signature:	<i>[Signature]</i>

REGIONAL MEMORANDUM

No. 071, Series 2022

FOR : PRESIDENTS/HEADS/OFFICERS-IN-CHARGE OF PUBLIC AND PRIVATE HIGHER EDUCATION INSTITUTIONS IN REGION 2

SUBJECT : SHORT VIDEO CONTEST RELATIVE TO THE ANTI-BASTOS ORDINANCE IN THE PROVINCE OF CAGAYAN

DATE : March 4, 2022

Attached is a communication from Atty. Mila Catabay-Lauigan, 3rd District Board Member of Cagayan, regarding the conduct of a short video contest for the Anti-Bastos Ordinance in the Province of Cagayan. The competition aims to promote the awareness among Cagayanos of the ordinance which strengthens and reinforces the provisions of RA 11313 or the Safe Space Act.

All HEIs are enjoined to participate in said activity.

Wide dissemination of this memorandum is desired.

ATTY. MARCO CICERO F. DOMINGO
OIC-Director IV

Encl.: as stated

Kindly rate the delivery of our services through the link below:

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Your response shall help us improve our systems and procedures so we can better serve you.

Thank you.

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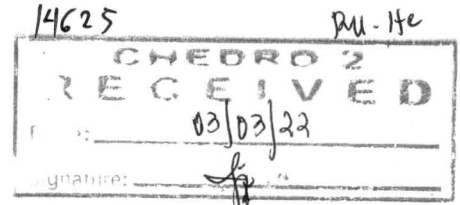


Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

Office of the Sangguniang Panlalawigan

03 March 2022

RD ATTY. MARCO CICERO F. DOMINGO
CHED-REGION 2



Dear **RD DOMINGO**,

Greetings in the Name of Public Service!

The Office of the 3rd District Board Member Atty. Mila Catabay-Lauigan will be launching a short video contest on March 5, 2022 at three o'clock in the afternoon (3PM) regarding her recently authored provincial ordinance entitled "AN ANTI- 'BASTOS' ORDINANCE IN THE PROVINCE OF CAGAYAN". The competition aims to promote the awareness among Cagayanos of the Ordinance which strengthens and reinforces the provisions of Republic Act 11313 or the Safe Space Act.

The office recognizes that your involvement and endorsement to this project will definitely encourage people to participate and get involved in this noble project which would have the effect of increasing their awareness of the laws pertaining to safe space.

Attached herewith is a copy of the ordinance and the mechanics as well as the criteria of judging the winners of the said activity.

We are looking forward for this partnership.

Thank you!

Very Truly Yours,


ATTY. MILA CATABAY-LAUGAN
3rd District Board Member

NOTE ALL SUBMISSIONS SHALL INCLUDE AN OPENING STATEMENT THAT THE ENTRY IS SUBMITTED IN THE COMPETITION LAUNCHED BY BOARD MEMBER MILA CATABAY-LAUGAN IN MARCH 2022

All entries, once submitted in the competition shall remain to be authored by the one who made the submission but the Office of Atty. Mila Catabay-Lauigan shall own the material and is authorized to use the said material or upload it in different platforms even without need of prior authority of the author.

It is understood that the entrant shall use original materials and no part of the film is copied from another person's work.

'ANTI-BASTOS' LAW SHORT VIDEO CONTEST

MECHANICS

1. The short film should be relevant to the Ordinance on 'Anti-Bastos' Law.
2. The competition will be open to all Cagayanos, high school or college students and even out of school youth as well as adults including professionals. A maximum of five members in each group.
3. The short film should be between three (3) to five (5) minutes long.
4. The dialogues or the presentation must be in a local language (Itawit, Ybanag, Ilocano, Tagalog) and must have an English subtitle.
5. The video quality should be in a HD file (mp4 format).

LAUNCHING DATE: March 5, 2022 at 3:00 o'clock PM.

SUBMISSION: Entries must be uploaded to the participant's drive and send the link to our email at bmmilalauigan@gmail.com on or before March 25, 2022 at 12:00 noon.

CASH PRIZES

First Prize: PHP 15,000.00

Second Prize: PHP 10,000.00

Third Prize: PHP 5,000.00

5 Consolation Prizes worth PHP 1,000.00

CRITERIA FOR JUDGING

CONTENT (50%)

- Does the story have a clear structure and plot?
- Are the characters adequately developed and relevant?
- Is the story original and engaging?
- Does the film have pace and continuity?
- Does the film teach a lesson or impart knowledge?
- Does the film cover all the important elements of the Ordinance?
- Does the film encapsulate the substance of the Ordinance such that the public knows what the Ordinance is all about even without the chance to read the Ordinance?

CREATIVITY AND ORIGINALITY (20%)

- Does the writing and direction use imaginative and creative ways to convey the theme?
- Does the film exhibit originality?
- Does the film display innovative ideas or storytelling techniques?

ENGAGEMENT (15%)

- How strongly does this entry stimulate thoughts and ideas?
- Does the film provoke an emotional response?

CINEMATOGRAPHY AND TECHNICAL QUALITY (15%)

- Is the lightning and camera positioning visually effective?
- Are transitions smooth and well-paced or distracting?
- Does the audio and soundtrack compliment the story?
- Are the dialogue and/or narration clear and easy to understand?



Republic of the Philippines
Province of Cagayan
Tuguegarao City
SANGGUNIANG PANLALAWIGAN

PROVINCIAL ORDINANCE NO. 2022-01-__

AN ANTI- 'BASTOS' ORDINANCE IN THE PROVINCE OF CAGAYAN

Principal Sponsor:

ATTY. MILA PERPETUA A. CATABAY – LAUIGAN

3rd District Board Member

WHEREAS, Section 11, Article II, of the 1987 Philippine Constitution states that the State values the dignity of every human person, and guarantees full respect for human rights;

WHEREAS, Section 1 (a), Article XIII, of the 1987 Philippine Constitution states that the enactment of measures that protect and enhance the right of the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities shall be given highest priority;

WHEREAS, the Philippines being a state-party to the United Nations (UN) Convention on the elimination of all Forms of Discrimination Against Women (CEDAW) also known as the International Bill of Rights of Women, which it signed on July 15, 1980, and ratified on August 15, 1981, shall pursue and implement programs, projects and activities that will contribute to the achievement of women's empowerment and gender equality;

WHEREAS, on August 14, 2009, the Philippine Commission on Women (PWC), the Department of Interior and Local Government (DILG), Department of Budget and Management (DBM) and the National Economic Development Authority (NEDA) have issued Joint Memorandum Circular 2013-01, to prescribe guidelines in mainstreaming and aligning Gender and Development in the planning, programming, budgeting, legislation and monitoring and evaluation of local government units;

WHEREAS, the Localization of the Magna Carta of Women prescribes the creation and strengthening of a LGU Gender and Development Focal Point System (GFPS), an institutional mechanism for GAD implementation;

WHEREAS, the Magna Carta of Women mandates that agencies of government shall ensure mandatory training on human rights and gender sensitivity to all government personnel involved in the protection and defense of women against gender-based violence;

WHEREAS, Section 8 par (a) of Republic Act 11313 otherwise known as the Safe Spaces Act or the ‘Anti Bastos Law’ provides that part of the duty of the Local Government Units is to pass an Ordinance that shall localize the applicability of the law.

WHEREAS, there is also a need to improve public safety response services to incidents related to gender-based sexual harassment in streets, public spaces, online, workplaces, and educational or training institutions in the Province of Cagayan;

WHEREAS, there is a need to adopt modalities of interventions for gender-based sexual harassment in streets, public spaces, online, workplaces, and educational or training institutions.

NOW THEREFORE, BE IT ORDAINED as it is hereby ORDAINED by the Sangguniang Panlalawigan of the Province of Cagayan, in session duly assembled, that:

PROVINCIAL ORDINANCE NO. 2022-01-_____

SECTION 1. TITLE. This Ordinance shall be known and referred as the “**Cagayan Anti Bastos Ordinance**”.

SECTION 2. DECLARATION OF POLICY. Declaration of Policies. – It is the policy of the Province of Cagayan to value the dignity of every human person and guarantee full respect for human rights. It is likewise the policy of the Province of Cagayan to recognize the role of women in nation-building and ensure the fundamental equality before the law of women and men. The Province of Cagayan also recognizes that both men and women must have equality, security and safety not only in private, but also on the streets, public spaces, online, workplaces and educational and training institutions.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean:

(a) Catcalling-refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, transphobic, homophobic, and sexist slurs;

(b) Employee-refers to a person, who in exchange for remuneration, agrees to perform specified services for another person, whether natural or juridical, and whether private or public, who exercises fundamental control over the work, regardless of the term or duration of agreement: Provided, That for the purposes of this law, a person who is detailed to an entity under a subcontracting or secondment agreement shall be considered an employee;

(c) Employer-refers to a person who exercises control over an employee: Provided, That for the purpose of this Act, the status or conditions of the latter’s employment or engagement shall be disregarded;

(d) Gender-refers to a set of socially ascribed characteristics, norms, roles, attitudes, values and expectations identifying the social behavior of men and women, and the relations between them;

(e) Gender-based online sexual harassment-refers to an on the conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear of personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading or sharing of one's photos without consent, video and audio recordings, cyberstalking and online identity theft;

(f) Gender identity and/or expression-refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with physiological characteristics of the opposite sex, in which case this person is considered transgender;

(g) Public spaces-refer to streets and alleys, public parks, schools, buildings, malls, bars, restaurants, transportation terminals, public markets, spaces used as evacuation centers, government offices, public utility vehicles as well as private vehicles covered by app-based transport network services and other recreational spaces such as, but not limited to, cinema halls, theaters and spas; and

(h) Stalking-refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that cause or will likely cause a person to fear for one's own safety or the safety of others, or to suffer emotional distress.

SECTION 4. GENDER-BASED STREETS AND PUBLIC SPACES SEXUAL HARASSMENT. –

A. The crimes of gender-based streets and public spaces sexual harassment are committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.

B. Gender-based streets and public spaces sexual harassment includes:

1. Catcalling, wolf-whistling,
2. Unwanted invitations,
3. Misogynistic, transphobic, homophobic or sexist slurs,
4. Persistent uninvited comments or gestures on a person's appearance,
5. Relentless requests for personal details,
6. Statement of sexual comments and suggestions,
7. Public masturbation or flashing of private parts,
8. Groping, or any advances, whether verbal or physical,

C. Such action and/or remark is unwanted and has threatened one's sense of personal space and physical safety.

D. The action and/or remark is committed in public spaces such as alleys, roads, sidewalks and parks, buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

SECTION 5. GENDER-BASED SEXUAL HARASSMENT IN RESTAURANTS AND CAFES, BARS AND CLUBS, RESORTS AND WATER PARKS, HOTELS AND CASINOS, CINEMAS, MALLS, BUILDINGS AND OTHER PRIVATELY-OWNED PLACES OPEN TO THE PUBLIC.

A. Restaurants, bars, cinemas, malls, buildings and other privately-owned places open to the public shall adopt a zero-tolerance policy against gender-based streets and public spaces sexual harassment.

B. These establishments are obliged to provide assistance to victims of gender-based sexual harassment by coordinating with local police authorities immediately after gender-based sexual harassment is reported, making CCTV footage available when ordered by the court or law enforcement agency tasked to investigate a complaint that is filed.

C. Said establishments shall also provide a safe gender-sensitive environment to encourage victims to report gender-based sexual harassment at the first instance.

D. All restaurants, bars, cinemas and other places of recreation shall install in their business establishments clearly-visible warning signs and an enumeration of the prohibited Gender-Based Sexual Harassment acts, including the anti-sexual harassment hotline number in bold letters. For this purpose, the Province of Cagayan and or the Provincial Office of the Philippine National Police as well as all Local Government Units or their respective police stations shall provide and maintain a hotline number where cases of Gender-based Sexual Harassment may be reported.

E. Persons who shall remove or deface the warning signs, stickers or notices that enumerate and define gender-based sexual harassment posted inside restaurants, bars, cinemas and other places of recreation shall be punished with imprisonment of 1 year or fine of P5,000.00 at the discretion of the Court.

F. It shall be the duty of owners of restaurants, bars, cinemas and other places of recreation to designate at least one (1) anti-sexual harassment officer to receive gender-based sexual harassment complaints.

G. Security guards in these places may be deputized to apprehend perpetrators caught in flagrante delicto and are required to immediately coordinate with local authorities.

SECTION 6. GENDER-BASED SEXUAL HARASSMENT IN PUBLIC UTILITY VEHICLES.

A. Gender-based sexual harassment committed in public utility vehicles (PUVs) where the perpetrator is the driver of the vehicle is punishable criminally following the provisions of Section 11 of RA 11313. Additionally, the Land Transportation Office (LTO) is authorized by RA 11313 to cancel the license of perpetrators found to have committed acts constituting sexual harassment in public utility vehicles, as well as the Land Transportation Franchising and Regulatory Board (LTFRB) to suspend or revoke the franchise of transportation operators who commit gender-based streets and public spaces sexual harassment acts.

B. Gender-based sexual harassment in public utility vehicles (PUVs) where the perpetrator is the driver of the vehicle shall also constitute a breach of contract of carriage, for the purpose of creating a presumption of negligence on the part of the owner or operator of the vehicle in the selection and supervision of employees and rendering the owner or operator solidarily liable for the offenses of the employee, pursuant to Republic Act 11313.

C. Employers of public utility vehicles (PUV) or operators are mandated to train and instruct their drivers to strictly observe the provisions of this Ordinance and to prevent the commission of gender-based sexual harassment inside their vehicles. For this purpose all PUV operators in the province are mandated to install notices via stickers or decals prominently displayed inside their vehicles warnings against the commission of gender based sexual harassment.

Persons who shall remove or deface the aforesaid stickers, decals or notices posted inside public utility vehicles shall be punished with imprisonment of 1 year or fine of P5,000.00 at the discretion of the Court.

SECTION 7. GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES COMMITTED BY MINORS.

In case the offense is committed by a minor, the Department of Social Welfare and Development (DSWD) shall take necessary disciplinary measures as provided for under Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act of 2006".

SECTION 8. DUTIES OF LOCAL GOVERNMENT UNITS (LGUS) WITHIN THE PROVINCE OF CAGAYAN — City/Municipalities and all brangay governments within the Province of Cagayan shall share the same responsibility in enforcing the provisions under this Ordinance and shall have the following duties:

(a) Disseminate or post in conspicuous places a copy of Republic Act 11313 and this Ordinance;

- (b) Provide measures to prevent gender-based sexual harassment in educational institutions, such as information campaigns and anti-sexual harassment seminars;
- (c) Discourage the commission of acts that are considered gender-based sexual harassment; and
- (d) Create an anti-sexual harassment hotline.

SECTION 9. IMPLEMENTING BODIES FOR GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES. – The Philippine National Police (PNP) and the Women and Children’s Protection Desk (WCPD) of the PNP shall have the authority to apprehend perpetrators and enforce the law and this Ordinance. Provided, That these law enforcement agents have undergone prior Gender Sensitivity Training (GST).

For gender-based streets and public spaces sexual harassment, the Provincial Police Office of the PNP shall deputize its enforcers to be Anti-Sexual Harassment Enforcers (ASHE). They shall be deputized to receive complaints on the street and immediately apprehend a perpetrator if caught in flagrante delicto. The perpetrator shall be immediately brought to the nearest PNP station to face charges of the offense committed. The ASHE unit together with the Women’s and Children’s Desk of PNP stations shall keep a ledger of perpetrators who have committed acts prohibited under this Act for purposes of determining if a perpetrator is a first-time, second-time or third-time offender. The DILG shall also ensure that all local government bodies expedite the receipt and processing of complaints by setting up an Anti-Sexual Harassment Desk in all barangay and city halls and to ensure the set-up of CCTVs in major roads, alleys and sidewalks in their respective areas to aid in the filing of cases and gathering of evidence. The DILG, the DSWD in coordination with the Department of Health (DOH) and the PCW shall coordinate if necessary to ensure that victims are provided the proper psychological counseling support services.

SECTION 10. SPECIFIC ACTS AND PENALTIES FOR GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES. – This Ordinance shall adopt the penalties and sanctions as provided for under Republic ACT 11313. The following acts are unlawful and shall be penalized as follows:

(A) For acts such as

1. Cursing,
2. Wolf-whistling and/or catcalling,
3. Leering
4. Intrusive gazing
5. Taunting,
6. Cursing

7. Unwanted invitations,
8. Misogynistic, transphobic, homophobic, and sexist slurs,
9. Persistent unwanted comments on one's appearance,
10. Relentless requests for one's personal details such as name, contact and social media details or destination,
11. The use of words, gestures or actions that ridicule on the basis of sex gender or sexual orientation, identity and/or expression including sexist, homophobic, and transphobic statements and slurs,
12. The persistent telling of sexual jokes, use of sexual names, comments and demands, and
13. Any statement that has made an invasion on a person's personal space or threatens the person's sense of personal safety –

(1) The first offense shall be punished by a fine of One thousand pesos (P1,000.00) and community service of twelve hours inclusive of attendance to a Gender Sensitivity Seminar to be conducted by the PNP in coordination with the LGU and the PCW;

(2) The second offense shall be punished by arresto menor (6 to 10 days) or a fine of Three thousand pesos (P3,000.00)

(3) The third offense shall be punished by arresto menor (11 to 30 days) and a fine of Ten thousand pesos (P10, 000.00).

(b) For acts such as making offensive body gestures at someone, and exposing private parts for the sexual gratification of the perpetrator with the effect of demeaning, harassing, threatening or intimidating the offended party including flashing of private parts, public masturbation, groping, and similar lewd sexual actions –

(1) The first offense shall be punished by a fine of Ten thousand pesos (P10,000.00) and community service of twelve hours inclusive of attendance to a Gender Sensitivity Seminar, to be conducted by the PNP in coordination with the LGU and the PCW;

(2) The second offense shall be punished by arresto menor (11 to 30 days) or a fine of Fifteen thousand pesos (P15,000.00);

(3) The third offense shall be punished by arresto mayor (1 month and 1 day to 6 months) and a fine of Twenty thousand pesos (P20,000.00).

(c) For acts such as stalking, and any of the acts mentioned in Section 11 paragraphs (a) and (b), when accompanied by touching, pinching or brushing against the body of the offended person; or any touching, pinching, or brushing against the genitalia, face, arms, anus, groin, breasts, inner thighs, face, buttocks or any part of the victim's

body even when not accompanied by acts mentioned in Section 11 paragraphs (a) and (b) –

(a) The first offense shall be punished by *arresto menor* (11 to 30 days) or a fine of Thirty thousand pesos (P30,000.00), provided that it includes attendance in a Gender Sensitivity Seminar, to be conducted by the PNP in coordination with the LGU and the PCW;

(b) The second offense shall be punished by *arresto mayor* (1 month and 1 day to 6 months) or a fine of Fifty thousand pesos (P50,000.00);

(c) The third offense shall be punished by *arresto mayor* in its maximum period or a fine of One hundred thousand pesos (P100,000.00).

SECTION 11. GENDER-BASED ONLINE SEXUAL HARASSMENT. – Gender-based online sexual harassment includes:

(A). Acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats,

(B) Unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages’

(C) Invasion of victim’s privacy through cyberstalking and incessant messaging,

(D) Uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content,

(E) Any unauthorized recording and sharing of any of the victim’s photos, videos, or any information online,

(F) Impersonating identities of victims online or posting lies about victims to harm their reputation, or

(G) Filing false abuse reports to online platforms to silence victims.

SECTION 12. IMPLEMENTING BODIES FOR GENDER-BASED ONLINE SEXUAL HARASSMENT. — The Police Provincial Office (PPO) of Cagayan shall refer all complaints of gender-based online sexual harassment to the PNP Anti-Cybercrime Group (PNPACG) as the National Operational Support Unit of the PNP is primarily responsible for the implementation of pertinent Philippine laws on cybercrime, shall receive complaints of gender-based online sexual harassment and develop an online mechanism for reporting real-time gender-based online sexual harassment acts and apprehend perpetrators. The Cybercrime Investigation and Coordinating Center (CICC) of the DICT shall also coordinate with the PNPACG to prepare appropriate and effective measures to monitor and penalize gender-based online sexual harassment.

SECTION 13. PENALTIES FOR GENDER-BASED ONLINE SEXUAL HARASSMENT – The penalties provided for under Section 14 of RA 11313 which

is prison correccional in its medium period or a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00), or both, at the discretion of the court shall be imposed upon any person found guilty of any gender-based online sexual harassment.

If the perpetrator is a juridical person, its license or franchise shall be automatically deemed revoked, and the persons liable shall be the officers thereof, including the editor or reporter in the case of print media, and the station manager, editor and broadcaster in the case of broadcast media. An alien who commits gender-based online sexual harassment shall be subject to deportation proceedings after serving sentence and payment of fines.

Exemption to acts constitutive and penalized as gender-based online sexual harassment are authorized written orders of the court for any peace officer to use online records or any copy thereof as evidence in any civil, criminal investigation or trial of the crime: Provided, That such written order shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses may produce, and upon showing that there are reasonable grounds to believe that gender-based online sexual harassment has been committed or is about to be committed, and that the evidence to be obtained is essential to the conviction of any person for, or to the solution or prevention of such crime.

Any record, photo or video, or copy thereof of any person that is in violation of the preceding sections shall not be admissible in evidence in any judicial, quasi-judicial, legislative or administrative hearing or investigation.

SECTION 14. QUALIFIED GENDER-BASED STREETS, PUBLIC SPACES AND ONLINE SEXUAL HARASSMENT—The penalty next higher in degree as provided in RA 11313 will be applied in the following cases:

- (a) If the act takes place in a common carrier or PUV, including, but not limited to buses, jeepneys, taxis, tricycles, or app-based transport network vehicle services or any other vehicle used to ferry fare-paying passengers including in some instances pedicabs and kuligligs, where the perpetrator is the driver of the vehicle and the offended party is a passenger;
- (b) If the offended party is a minor, a senior citizen, or a person with disability (PWD), or a breastfeeding mother nursing her child;
- (c) If the offended party is diagnosed with a mental problem tending to impair consent;
- (d) If the perpetrator is a member of the uniformed services, such as the PNP and the Armed Forces of the Philippines (AFP), and the act was perpetrated while the perpetrator was in uniform; and
- (e) If the act takes place in the premises of a government agency offering frontline services to the public and the perpetrator is a government employee.

SECTION 15. GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE. – The crime of gender-based sexual harassment in the workplace includes the following:

- (a) An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, and the acts has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities;
- (b) A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome, unreasonable, and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems;
- (c) A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient: Provided, That the crime of gender-based sexual harassment may also be committed between peers and those committed to a superior officer by a subordinate, or to a teacher by a student, or to a trainer by a trainee; and
- (d) Information and communication system refers to a system for generating, sending, receiving, storing or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.

SECTION 16. DUTIES OF EMPLOYERS. – Employers or other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts of gender-based sexual harassment in the workplace. Towards this end, the employer or person of authority, influence or moral ascendancy shall:

- (a) Disseminate or post in a conspicuous place a copy of Republic Act 11313 and this Ordinance to all persons in the workplace;
- (b) Provide measures to prevent gender-based sexual harassment in the workplace, such as the conduct of anti-sexual harassment seminars;
- (c) Create an independent internal mechanism or a committee on decorum and investigation to investigate and address complaints of gender-based sexual harassment which shall;

(1) Adequately represent the management, the employees from the supervisory rank, the rank-and-file employees, and the union, if any;

(2) Designate a woman as its head and not less than half of its members should be women;

(3) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;

(4) Investigate and decide on the complaints within ten days or less upon receipt thereof;

(5) Observe due process;

(6) Protect the complainant from retaliation; and

(7) Guarantee confidentiality to the greatest extent possible

(d) Provide and disseminate, in consultation with all persons in the workplace, a code of conduct or workplace policy which shall;

(1) Expressly reiterate the prohibition on gender-based sexual harassment;

(2) Describe the procedures of the internal mechanism pursuant to a Code of Conduct created under Section ____ of this Ordinance; and

(3) Set administrative penalties.

SECTION 17. DUTIES OF EMPLOYEES AND CO-WORKERS – Employees and co-workers shall have the duty to:

(a) Refrain from committing acts of gender-based sexual harassment;

(b) Discourage the conduct of gender-based sexual harassment in the workplace;

(c) Provide emotional or social support to fellow employees, co-workers, colleagues or peers who are victims of gender-based sexual harassment; and

(d) Report acts of gender-based sexual harassment witnessed in the workplace.

SECTION 18. LIABILITY OF EMPLOYERS. – In addition to liabilities for committing acts of gender-based sexual harassment, employers may also be held responsible for:

(a) Non-implementation of their duties under Section 16 of Republic Act 11313 where said law imposes a sanction of fine of not less than Five thousand pesos (P5,000.00) nor more than Ten thousand pesos (P10,000.00) upon conviction.

(b) Not taking action on reported acts of gender-based sexual harassment committed in the workplace, where the employer upon conviction, may be penalized with a fine of not less than Ten thousand pesos (P10,000.00) nor more than Fifteen thousand pesos (P 15,000.00) pursuant to RA 11313.

SECTION 19. GENDER BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS. —All schools, whether public or private, shall designate an officer-in-charge to receive complaints regarding violations of this Act, and shall ensure that the victims are provided with a gender-sensitive environment that is both respectful to the victims' needs and conducive to truth-telling.

Every school must adopt and publish grievance procedures to facilitate the filing of complaints by students and faculty members. Even if an individual does not want to file a complaint or does not request that the school take any action on behalf of a student or faculty member and school authorities have knowledge or reasonably know about a possible or impending act of gender -based sexual harassment or sexual violence, the school should promptly investigate to determine the veracity of such information or knowledge and the circumstances under which the act of gender-based sexual harassment or sexual violence were committed, and take appropriate steps to resolve the situation. If a school knows or reasonably should know about acts of gender-based sexual harassment or sexual violence being committed that creates a hostile environment, the school must take immediate action to eliminate the same acts, prevent their recurrence, and address their effects.

Once a perpetrator is found guilty, the educational institution may reserve the right to strip the diploma from the perpetrator or issue an expulsion order.

The Committee on Decorum and Investigation (CODI) of all educational institutions shall address gender-based sexual harassment and online sexual harassment in accordance with the rules and procedures contained in their CODI manual.

SECTION 20. DUTIES OF SCHOOL HEADS. – School heads shall have the following duties:

(a) Disseminate or post a copy of Republic Act 11313 or this Ordinance in a conspicuous place in the educational institution;

(b) Provide measures to prevent gender-based sexual harassment in educational institutions, like information campaigns;

(c) Create an independent internal mechanism or a CODI to investigate and address complaints of gender-based sexual harassment which shall:

(1) Adequately represent the school administration, the trainers, instructors, professors or coaches and students or trainees, students and parents, as the case may be;

(2) Designate a woman as its head and not less than half of its members should be women;

(3) Ensure equal representation of persons of diverse sexual orientation, identity and/or expression, in the CODI as far as practicable;

(4) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;

(5) Investigate and decide on complaints within ten (10) days or less upon receipt thereof;

(6) Observe due process;

(7) Protect the complainant from retaliation; and

(8) Guarantee confidentiality to the greatest extent possible

(d) Provide and disseminate, in consultation with all persons in the educational institution, a code of conduct or school policy which shall:

(1) Expressly reiterate the prohibition on gender-based sexual harassment;

(2) Prescribe the procedures of the internal mechanism created under this Ordinance and

(3) Set administrative penalties.

SECTION 21. LIABILITY OF SCHOOL HEADS. —In addition to liability for committing acts of gender-based sexual harassment, principals, school heads, teachers, instructors, professors, coaches, trainers, or any other person who has authority, influence or moral ascendancy over another in an educational or training institution may also be held responsible for:

(a) Non-implementation of their duties under the preceding Section and under Section 22 of Republic Act 11313 and upon conviction may be penalized with a fine of not less than Five thousand pesos (P5,000.00) nor more than Ten thousand pesos (P10,000.00) pursuant to RA 11313;

(b) Failure to act on reported acts of gender-based sexual harassment committed in the educational institution may be penalized, upon conviction, with a fine of not less than Ten thousand pesos (P10,000.00) nor more than Fifteen thousand pesos (P15,000.00) pursuant to RA 11313.

SECTION 22. LIABILITY OF STUDENTS. – Minor students who are found to have committed acts of gender-based sexual harassment shall only be held liable for administrative sanctions by the school as stated in their school handbook.

SECTION 23. ROUTINE INSPECTION. – The Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA) shall conduct regular spontaneous inspections to ensure compliance of school heads with their obligations under Republic Act 11313.

SECTION 24. CRAFTING OF A CODE OF CONDUCT. -All public as well as private agencies, offices, establishments and institutions with at least 10 personnel

as well as all educational and training institutions in the Province of Cagayan are mandated to create an internal mechanism on decorum and investigation to investigate and address complaints of gender-based sexual harassment. Such mechanism shall include the drafting of a Code of Conduct or Workplace Policy that shall reiterate the prohibition on gender-based sexual harassment, a list of prohibited sexual harassment acts, the remedies available to victims, the process to follow when complaint is filed and creation of a Committee on Decorum and Investigation defining its composition, its functions, spell out the period within which investigation shall be conducted and the decision to be rendered, and set the administrative penalties and sanctions.

It shall be the duty of employers or other persons of authority, influence or moral ascendancy in a workplace, the principal and heads of education and learning institutions to ensure compliance with the said Code of Conduct to prevent, deter or punish the performance of acts of gender based sexual harassment in the workplace and in educational and training institutions;

SECTION 25. INCLUSION OF THE ORDINANCE IN THE CURRICULUM. -

All public and private schools in Cagayan shall educate students from the elementary to tertiary level about the provisions of this Ordinance and how they can report cases of gender-based streets, public spaces and online sexual harassment committed against them. School courses shall include age -appropriate educational modules against gender-based streets, public spaces and online sexual harassment which shall be developed by the DepEd, the CHED, the TESDA and the Philippine Women Commission.

SECTION 26: DISSEMINATION OF THE LAW & ORDINANCE: All government agencies and other instrumentalities including public or private schools and other educational and training institutions are required to disseminate or post a copy of RA 11313 as well as this Ordinance in a conspicuous place within their premises.

SECTION 27: REGULAR TRAININGS AND SEMINARS : It shall be the duty of heads of office of all government agencies and other instrumentalities including public or private schools and other educational and training institutions government agencies to regularly conduct capacity-building and training activities to Implement Republic Act 11313 as well as this localized Ordinance. The said training and seminars shall be incorporated in each of their respective annual Gender and Development budget.

SECTION 28. CONFIDENTIALITY – At any stage of the investigation, prosecution and trial of an offense under this Ordinance, the rights of the victim and the accused who is a minor shall be recognized.

SECTION 29. RESTRAINING ORDER. – Where appropriate, the court, even before rendering a final decision, may issue an order directing the perpetrator to stay away from the offended person at a distance specified by the court, or to stay away from the residence, school, place of employment, or any specified place frequented by the offended person.

SECTION 30. REMEDIES AND PSYCHOLOGICAL COUNSELING. – A victim of gender- based street, public spaces or online sexual harassment may avail of appropriate remedies as provided for under the law as well as psychological counseling services with the aid of the LGU and the DSWD, in coordination with the DOH. Any fees to be charged in the course of a victim's availment of such remedies or psychological counselling services shall be borne by the perpetrator.

SECTION 31. PENAL SANCTIONS. - Other than the provisions imposing penal sanctions for violating specific Sections under this Ordinance, all other acts of Gender-based Sexual Harassment shall be penalized pursuant to the provisions of Republic Act 11313.

SECTION 32. ADMINISTRATIVE SANCTIONS. —The above penalties are without prejudice to any administrative sanctions that may be imposed for administrative cases to be instituted against a perpetrator who is a government employee. The Code of Conduct that may be created by each private office or establishments as well as private educational and training institutions in accordance with Section 24 may also define and impose reasonable and appropriate sanctions upon consultation with all officials, personnel and employees concerned in workplaces and with the students or trainees for educational and training institutions.

SECTION 33. EXEMPTIONS. —Acts that are legitimate expressions of indigenous culture and tradition, as well as breastfeeding in public shall not be penalized.

SECTION 34. PNP WOMEN AND CHILDREN'S DESKS. – The women and children's desks now existing in all police stations shall act on and attend to all complaints covered under Republic Act or this Ordinance. They shall coordinate with officers on the street, security guards in privately-owned spaces open to the public, and anti-sexual harassment officers in government and private offices or schools in the enforcement of the provisions of this Ordinance.

SECTION 35. SAFETY AUDITS. – LGUs are required to conduct safety audits every three (3) years to assess the efficiency and effectivity of the implementation of this Ordinance within their jurisdiction . Such audits shall be multi-sectoral and participatory, with consultations undertaken with schools, police officers, and civil society organizations.

SECTION 36. PRESCRIPTIVE PERIODS-

Any action arising from the violation of any of the provisions of this Ordinance shall prescribe as follows:

- (a) Offenses committed under Section 4B(1-6) of this Ordinance shall prescribe in one (1) year;
- (b) Offenses committed under Section 4B(7-8) of this Ordinance shall prescribe in three (3) years;

- (c) Offenses committed under Section 11 of this Ordinance shall be imprescriptible; and
- (d) Offenses committed under Sections 15 and 19 of this Ordinance shall prescribe in five (5) years.

SECTION 36. SEPARABILITY CLAUSE. - If, for any reason, any section or provision of this Ordinance or any part thereof, or the application of such section, provision or portion is declared invalid or unconstitutional, the remainder thereof shall not be affected by such declaration.

SECTION 37. REPEALING CLAUSE. - All ordinances and resolutions or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly; and,

SECTION 38. EFFECTIVITY. - This Ordinance shall take effect immediately after the required publication.

ENACTED by the Sangguniang Panlalawigan of the Province of Cagayan this _____ day of February _____, 2022 at the Session Hall of the Sangguniang Panlalawigan, Provincial Capitol, Tuguegarao City.

PROGRAMME

March 05, 2022 @3PM

- PRAYER** ----- **AVP**
- WELCOME REMARKS** ----- **ENGR. MA. HAIDEE MABBORANG**
Director For Academic Affairs
CSU-CARIG CAMPUS
- MESSAGE FROM THE PROJECT PROPONENT** - **ATTY. MILA CATABAY-LAUGAN**
3rd District Board Member
- INSPIRATIONAL MESSAGE** ----- **DR. URDUJAH G. ALVARADO, PhD, CESO II**
University President
Cagayan State University
- MESSAGE FROM STAKEHOLDERS** ----- **PD PCOL RENELL R. SABALDICA**
PNP-CAGAYAN
RD NERISSA B. CANGUILAN, Director IV
Civil Service Commission
RD JOEL M. GONZALES
DOLE-REGION 2
RD ATTY. MARCO CICERO F. DOMINGO
CHED-REGION 2
SDO ORLANDO E. MANUEL
DEPED-Cagayan
OIC SDS REYNANTE Z. CALIGUIRAN
DEPED-Tuguegarao City
JUDGE RACQUEL REYES AGLAUA
President, Zonta Club of Central Tuguegarao
DR. ARTHUR G. IBÁÑEZ
Campus Executive Officer, CSU-CARIG
- PRESENTATION** ----- **ANTI-BASTOS LAW (SHORT VIDEO)**
- PRESENTATION OF CRITERIA AND MECHANICS** - - **ENGR. MA. HAIDEE MABBORANG**
Director for Academic Affairs
CSU-CARIG CAMPUS
- PRESENTATION OF PRIZES** ----- **ATTY. MILA CATABAY-LAUGAN**
3rd District Board Member
- **END** -----

