



**EXECUTIVE ORDER NO. 18**

**Series of 2020**

**AN ORDER PROHIBITING ALL FORMS OF DISCRIMINATION IN THE  
MUNICIPALITY OF DUPAX DEL NORTE DUE TO COVID-19**

**WHEREAS**, the Department of Health (DOH) has condemned discrimination against persons suspected of COVID-19 exposure or infection, including PUIs, PUMs, health workers, emergency workers and members of their household;

**WHEREAS**, Article II, Section 11 of the 1987 Philippine Constitution mandates the State to value the dignity of every person and guarantee full respect for human rights;

**WHEREAS**, the reported acts of discrimination violate applicable provisions of Republic Act No. 11332 "The mandatory reporting of Notifiable Diseases and Health Events of Public Health Concerns Act," the revised Penal Code, the Data Privacy Act, and the Cybercrime Prevention Act.

**WHEREAS**, based on the Sec. 16 of the Local Government Code, the Municipality has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote general welfare promote health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

**WHEREAS**, under Sec. 455(b)(1)(vii) of the Local Government Code, the Mayor may carry out much emergency measures as may be necessary during times of calamity;

**NOW, THEREFORE, I, TIMOTHY JOSEPH E. CAYTON**, Municipal Mayor of Dupax del Norte, by virtue of the powers vested in me by law, do order:

**SECTION 1. DEFINITION OF TERMS.** For purposes of this Executive Order, Health Workers is hereby defined as:

**Health Workers** – all persons who are engaged in health and health-related work, and are deployed in hospitals and other public health facilities catering to COVID-19 patients, whether hired by the LGU or by the National Government. Health Workers include, among others, doctors, nurses, hospital and clinic aides, and laboratory technicians.

**Infected Person** - a person with COVID-19.

**PUI** – a Person Under Investigation for COVID-19 (i.e. a suspected case) due to the person's symptoms and/or other factors as may be determined by a physician.

**PUM**- a Person Under Monitoring due to his or her exposure or close contact to a suspected or confirmed COVID-19 case, and/or due to other factors as may be determined by a physician.

**Responders** – officers and members of the police, armed forces, municipal and barangay employees including members of the Department of Public Order and Safety, Disaster Risk Reduction and Management Office, Barangay Health Emergency Response Team and other government employees deployed directly or indirectly in the COVID-19 response, or who perform functions that may cause potential exposure to COVID-19.

**Service Workers** – persons that work in public and private establishments providing essential services, including but not limited to food, water, financial services, utilities, medicine, security maintenance and sanitation; as well as any person providing services under circumstances that increase risk of exposure to COVID-19, including administrative, security, maintenance and support staff of health and quarantine facilities.

## **SECTION 2. PROHIBITED ACTS OF DISCRIMINATION.**

a.) **Denial of Access.** No person may deny the following persons access to any place or services, including housing, food, and transportation, merely due to suspected infection or exposure to COVID-19:

- i.) Health Workers, Responders and Service Workers;
- ii.) Infected Persons, PUIs, and PUMs, provided that the concerned person complies with the quarantine regulations or instructions determined by the Municipal Health Office or other public health authorities; or
- iii.) Any person whose circumstances or employment gives rise to suspected or perceived exposure to COVID-19, or any of their households or close contacts.

The act of giving inferior accommodations, goods or services shall be considered a denial of access or use of such facility or service.

The foregoing prohibitions shall not prejudice or impair the Municipality's power to protect public health, including the Municipality's power to conduct and enforce disease surveillance and response system, epidemic/outbreak and epidemiologic investigations, and rapid containment, quarantine and isolation, disease prevention and control measures under Republic Act No. 11332.

b.) **Stigmatization.** No person shall disclose, offline or online, the identity or personal data of a PUI, PUM, or Infected Person, or any person suspected of exposure to COVID-19, under circumstances that would reasonably result in shame or stigma to the concerned person. As an exception, the identity and personal data of such person may be disclosed to the Municipal Health Office or other concerned government offices for purposes of disease surveillance, contact tracing, epidemiologic investigation, quarantine, containment and other public health measures.

Also, concerned government offices may judiciously disclose such data as may be necessary to protect public health, provided that (i) the concerned data shall be disclosed only to those that need to know the data to maintain quarantine or enforce public health measures and (ii) the data shall be anonymized to the greatest extent possible.

c.) **Harassment or Assault.** No person may verbally, physically, or psychologically harass, threaten or assault a PUI, PUM or Infected Person or any person suspected, Responders or Service Workers or any of their households or close contacts.

- d.) **Failure to Give Assistance.** No public officer shall refuse, fail, or neglect to give assistance to PUI, PUM or Infected Person or any person suspected of exposure to COVID-19, including but not limited to any Health Workers, Responders or Service Workers or any of their households or close contacts.

### SECTION 3. PENALTIES.

Any person that violates this Executive Order may be penalized as appropriate under any of the foregoing laws:

- a. **RA 11332**, in particular Sec. 9 (a) Unauthorized disclosure of private and confidential information pertaining to a patient's medical condition or treatment; Sec. 9 (d) Non-cooperation of persons and entities that should report and/or respond to notifiable diseases or health events of public concern; and Sec. 9 (e) Non-cooperation of the person or entities identified as having the notifiable disease, or affected by the health event of public concerns;
- b. **Data Privacy Act**; in particular Sec. 32, unauthorized disclosure of personal information.
- c. **Cybercrime Prevention Act**, in particular cyber-libel under Sec. 4 (c) (4) of the Act.
- d. **Revised Penal Code**, in particular grave coercion under Article 286; grave threats under Article 282; light threats under Article 283 and 285; slander under Articles 358 and 359, and unjust vexation under Article 287.

**SECTION 4. EFFECTIVITY.** This Executive Order shall take effect immediately upon signing hereof and shall remain effective until the Enhanced Community Quarantine in the entire Luzon has been lifted and/or revoked, whichever is earlier.

Done on the 20<sup>th</sup> of April 2020 in Dupax del Norte, Nueva Vizcaya, Philippines.

  
ATTY. TIMOTHY JOSEPH E. CAYTON  
Municipal Mayor