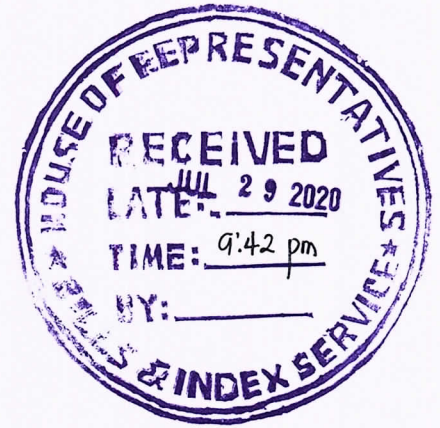




Republic of the Philippines
House of Representatives
Quezon City



EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7207

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

The fear and panic caused by the COVID-19 has incited discriminatory acts towards people who have been confirmed to contract the virus, probable cases, health workers, frontliners, and even COVID-19 survivors. These discriminatory acts can lead to a detrimental effect in battling the virus in our country. According to the World Health Organization (WHO), evidence shows that the stigma due to COVID-19 virus leads to reduction in people seeking medical care or testing and reduction in people adhering to interventions. As a result, discrimination can lead to cases not being reported, and more people being exposed which ultimately makes responding to the pandemic more difficult.

This Bill is aimed to protect all citizens from discriminatory acts brought about by the COVID-19 pandemic. This Bill defines the discriminatory acts that shall be punishable by a fine or imprisonment or both in accordance to the discretion of our honorable courts.

In a time of fear and uncertainty, everyone should be reminded that solidarity is our country's strongest weapon in battling the virus. Stigma and discrimination will not help us in fighting the pandemic and will be injurious to our country. In view of the foregoing, the passage of this Bill is earnestly sought.

Eric L. Olivarez
ERIC OLIVAREZ



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1
2 **"AN ACT PROHIBITING DISCRIMINATION AGAINST PERSONS WHO ARE**
3 **CONFIRMED, SUSPECT, AND PROBABLE CASES OF COVID-19 VIRUS,**
4 **REPATRIATED OVERSEAS FILIPINO WORKERS, HEALTH WORKERS,**
5 **RESPONDERS, AND SERVICE WORKERS"**

6 *Be it enacted in the Senate and the House of Representatives of the Republic of the*
7 *Philippines in Congress assembled:*

8 **SECTION 1. Short Title -** **SECTION 1. Short Title** - This Act shall be known
9 as the *"The COVID-19 Anti-Discrimination Act."*

10 **SECTION 2. Declaration of Policy** - It is hereby declared the policy of the State
11 to maintain peace and order, protect life, liberty and property, and promote the general
12 welfare of the people.

13 To this end, the State shall enact measures that shall protect the right of all people
14 to human dignity and reduce social, economic and political inequalities.

15 **SECTION 3. Definition of Terms. -**

- 16 a. **"Discrimination"** refers to any act of unjust distinction, exclusion or restriction
17 against persons who are confirmed, suspect and probable cases of COVID-19
18 virus or who are COVID-19 survivors, their families and members of their
19 households, essential and frontline workers, health workers, responders, service
20 workers and repatriated overseas Filipino workers (OFWs), whether land or sea-

1 based, which has the effect of impairing or nullifying the recognition, enjoyment,
2 exercise on an equal footing of the human rights and fundamental freedoms in the
3 political, economic, social, cultural, civil, or any field of public life of a person, or
4 which has or tends to have the effect of endangering the said person's life, safety,
5 and security;

6 b. **"Health Workers"** refer to those who deliver health-related service or care. These
7 include, but is not limited to, doctors, physicians, nurses, hospital and clinic aides,
8 barangay health workers, paramedics, emergency medical technicians,
9 ambulance drivers and staff, laboratory technicians, and those providing related or
10 support services in hospitals, clinics, quarantine centers, and other health facilities;

11 c. **"Confirmed cases"** refer to persons who have tested positive for COVID-19;

12 d. **"COVID Survivors"** refer to persons who have recovered from COVID-19 after
13 previously testing positive;

14 e. **"Essential and frontline workers"** refer to persons who are engaged in, or
15 employed by essential services, as defined in resolutions, rules, orders, laws;

16 f. **"Probable cases"** refer to persons with mild, severe, or critical symptoms of
17 COVID-19 but whose test results are inconclusive;

18 g. **"Repatriated Overseas Filipino Workers"** refer to returning OFWs, dead or
19 alive, from a job site overseas, the reasons for which range from completion of
20 employment, labor conflicts, medical causes, psychosocial problems, wars,
21 restrictive immigration policies, and others;

22 h. **"Responders"** refer to officers and members of the police, armed forces, city and
23 barangay employees including members of the Department of Public Order and
24 Safety, Disaster Risk Reduction and Management Office, Barangay Health
25 Emergency Response Team, Epidemiology and Disease Surveillance Unit, and
26 other government employees deployed directly or indirectly in the COVID-19
27 response, or who performs functions that may cause potential exposure to COVID-
28 19;

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

35 j. **"Suspect cases"** refer to individuals who show symptoms of influenza-like
36 illnesses such as fever and dry cough, those with travel history to areas with
37 confirmed local transmission of COVID-19, and people with exposure to a
38 confirmed case.

1 **SECTION 4. Discrimination Practices.** – It shall be unlawful for any person,
2 natural or juridical, to engage in discrimination as defined in this Act which shall include:

- 3 a. **Stigmatization.** No person shall publicly disclose, with the intent of exclusion,
4 harm and discrimination, offline or online, that a person is a confirmed or suspect
5 or is a probable case of COVID-19 or has recovered from COVID-19, whether or
6 not the same has been confirmed or validated from the list given by authorized
7 health officials;
- 8 b. **Harassment or Assault.** – No person may verbally, physically, or psychologically
9 harass, threaten or assault persons who have been confirmed or is a suspect or
10 probable case of COVID-19, a COVID-19 survivor, or any person suspected,
11 repatriated OFWs, responders or service workers or any of their households or
12 close contacts;
- 13 c. **Failure to Give Assistance.** – No public officer shall refuse, fail, or neglect to give
14 assistance to persons who have been confirmed or is a suspect or probable case
15 of COVID-19 or any person suspected of exposure to COVID-19 or a COVID-19
16 survivor;
- 17 d. **Unreasonable Refusal to Honor Valid and Existing Contracts.** – No person
18 may unreasonably refuse to honor valid and existing contracts on the basis of
19 COVID-19.

20 **SECTION 5. Penalties.** – A person who commits any discriminatory practice
21 described in Section 4 of this Act shall, upon conviction, be penalized of a fine or not
22 less than FIFTY THOUSAND PESOS (Php50,000.00) but not more than FIVE
23 HUNDRED THOUSAND PESOS (Php500,000.00) or imprisonment of not less than
24 six (6) months but not more than five (5) years or both, at the discretion of the court.

25 **SECTION 6. Separability Clause.** - If any provision of this Act is declared
26 unconstitutional or otherwise invalid, the validity of the other provisions shall not be
27 affected thereby.

28 **SECTION 7. Repealing Clause.** - All laws, decrees, orders, rules and
29 regulations or parts thereof inconsistent with this Act are hereby repealed or modified
30 accordingly.

31 **SECTION. 12. Effectivity.** - This Act shall take effect immediately after its
32 publication in at least two (2) national newspapers of general circulation.

33 **Approved.**