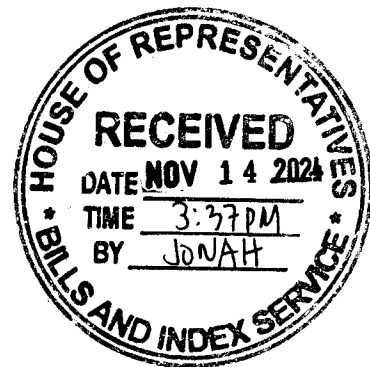


**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**NINETEENTH CONGRESS
Third Regular Session**

House Bill No. 11078



Introduced by AKBAYAN PARTYLIST REP. PERCIVAL CENDAÑA

EXPLANATORY NOTE

The Right to Equality and Nondiscrimination is enshrined in Article II of the Universal Declaration of Human Rights and in various international law documents the Philippines government subscribed to. Discrimination is defined in Article 1(1) ILO 111 as 'any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in the employment or occupation.' Hence, the right to equal treatment entails that all persons be treated equally before the law and that those in equal circumstances are dealt with equally in law and practice.

Meanwhile, our 1987 Constitution in Article XIII, Section 1 mandates the Congress to give the highest priority to the enactment of measures that protect and enhance the right of all people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities.

These mandates have been historically neglected by imposing discriminatory measures against marginalized sectors. Farmers, fisherfolks, urban poor, indigenous people, and other vulnerable groups have experienced being subjected to dress codes imposed by public offices. Frontline services which are supposed to be open and accessible to common Filipinos are open governed by strict rules which are often prohibitive.

Strict dress codes discriminate against the poorest Filipinos who cannot afford to comply or are culturally different with the stringent prescriptions of some government offices and institutions. These impositions prevent many ordinary citizens from accessing services that they should rightfully enjoy. These unjust requirements hinder public participation in government processes.

Unnecessary prescriptions in attire in government offices for citizens are hereby prohibited. Discrimination based on clothing has no place in public offices, the establishment and operations of which, all taxpayers paid for. The principles of equality and nondiscrimination must be observed and adhered to most especially by government institutions.

In view of the foregoing, the passage of this "Open Door Policy" is earnestly sought.



REP. PERCIVAL CENDAÑA
AKBAYAN PARTYLIST

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

House Bill No. **11378**

Introduced by AKBAYAN PARTYLIST REP. PERCIVAL CENDAÑA

AN ACT
PROHIBITING GOVERNMENT OFFICES AND AGENCIES FROM DENYING
CITIZENS ACCESS TO FRONTLINE SERVICES AND ATTENDANCE IN PUBLIC
MEETINGS ON THE BASIS OF ATTIRE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “*Open Door Policy Act.*”

SEC. 2. Declaration of Policy. – The State recognizes the need to value the dignity of every human person and the promotion of social justice in all phases of national development. Furthermore, the Constitution also mandates Congress to give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social and economic inequalities, and remove cultural inequities.

SEC. 3. Coverage. – This Act shall apply to all government offices and agencies including the national government and all its agencies, departments, bureaus, offices and instrumentalities, constitutional commissions and constitutionally mandated bodies, local governments and all their agencies including legislative bodies, government-owned or -controlled corporations, state universities and colleges, and all offices in the Congress of the Philippines including the offices of Senators and Representatives that provide frontline services and/or hold public meetings as defined in this Act. Dress codes for public officials and employees in the course of their duties in their respective government offices or agencies will not be affected or prohibited by this Act.

SEC. 4. Definition of Terms. – For the purposes of this Act, the following terms shall be defined as follows:

- a. *Frontline Service* refers to the process or transaction between citizens as clients and government offices or agencies involving applications for any privilege, right, permit, reward, license, concession, or for any modification, renewal, or extension of the enumerated applications and/or requests which are acted upon in the ordinary course of business of the office or agency concerned.
- b. *Simple Transactions* refer to requests or applications submitted by clients of a government office or agency which only require ministerial actions on the part of the public officer or employee, or that which present only inconsequential issues for the resolution by an officer or employee of said government office. Such requests or applications are acted upon by the assigned officer or employee during the period stated in the Citizen's Charter, as provided by Republic Act No. 9485 or the Anti-Red Tape Act of 2007, which shall not be longer than five (5) working days.
- c. *Public Meetings* refers to meetings, hearings, or sessions conducted by any government office or agency, including legislative bodies, that are open to the public, where citizens act as guests, observers, or participants, whichever the case may be.
- d. *Strict Dress Code* refers to rules and regulations that prescribe particular clothing and footwear that effectively prevent citizens from accessing frontline services from government offices and agencies or attending public meetings.
- e. *Marginalized Sectors* refer to vulnerable and disadvantaged groups of citizens in Philippine society including, but not limited to farmers, peasants, landless rural workers, fisherfolk, workers in the formal sector, workers in the informal sector, urban poor, rural poor, indigenous peoples and cultural communities, and disaster survivors.

SEC. 5. Prohibition of Strict Dress Codes in Government Frontline Service Offices. – All government institutions with frontline service offices shall be barred from implementing strict dress codes that prevent citizens, especially those belonging to marginalized sectors, from making inquiries or undertaking simple transactions. The said institutions shall not be allowed to prescribe the types of clothing and footwear that can or cannot be worn by citizens whom they are serving in their respective frontline service offices; *Provided*, That the attire of the citizen acting as a client is not integral or essential to the transactions being undertaken

SEC. 6. Prohibition of Strict Dress Codes in Public Meetings. – All government institutions, including legislative bodies, shall be barred from implementing strict dress codes that prevent citizens, especially those belonging to marginalized sectors, from attending public meetings as guests, observers, or participants.

SEC. 7. Administrative Liability. – Failure to comply with this Act shall be tantamount to gross neglect of duty and shall constitute grounds for administrative and disciplinary sanctions against any public officer or employee who deliberately and knowingly implements a strict dress code which shall prevent any citizen from accessing government frontline services or attending public meetings.

SEC. 8. Implementing Rules and Regulations. – The Civil Service Commission (CSC), in consultation with the Presidential Commission for the Urban Poor (PCUP) and the National Commission on Indigenous Peoples (NCIP), shall promulgate the necessary rules and regulations within ninety (90) days from the effectivity of this Act.

SEC. 9. Separability Clause. – If any section or part of this Act is held unconstitutional, no other section or provision shall be affected.

SEC. 10. Repealing Clause. – All provisions of existing laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

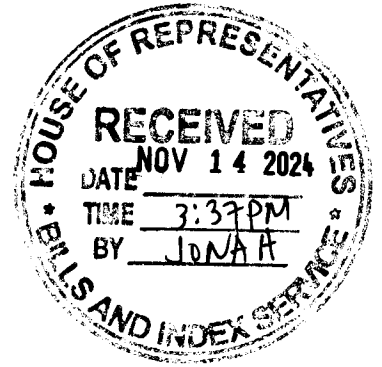
SEC. 11. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,

Republika ng Pilipinas
KAMARA DE REPRESENTANTES
Lungsod Quezon, Metro Manila

IKA-LABING SIYAM NA KONGRESO
Ikatlong Regular na Sesyon

Panukala ng Kapulungan Blg. 11078



Inihain ni **AKBAYAN PARTYLIST REP. PERCIVAL CENDAÑA**

ISANG BATAS
NA NAGBABAWAL SA MGA TANGGAPAN AT AHENSYA NG PAMAHALAAN NA
PIGILAN ANG MGA MAMAMAYAN NA MAABOT ANG FRONTLINE SERVICES AT
MAKADALO SA MGA PAMPUBLIKONG PULONG DAHIL SA KASUOTAN

Ipinagtitibay ng Senado at Kamara de Representantes ng Pilipinas bilang Kongresong nagtipon:

SEKSYON 1. Maiksing Pamagat. – Ang Batas na ito ay kikilalanin bilang “Open Door Policy Act.”

SEK. 2. Pagpapahayag ng Polisiya. – Kinikilala ng Estado ang pangangailangan para pahalagahan ang dignidad ng bawat tao at ang pagtataguyod ng katarungang panlipunan sa lahat ng antas ng pambansang pagpapaunlad. Karagdagan pa rito, itinatakda ng Saligang Batas na dapat pag-ukulan ng Kongreso ng pinakamataas na prioridad ang pagsasabatas ng mga hakbanging magtatanggol at magpapalawig sa karapatan ng lahat ng mamamayan sa dignidad na pantao at magtatanggal ng ‘di pagkakapantay-pantay na panlipunan, pang-ekonomiko, at kultural.

SEK. 3. Saklaw. – Ang Batas na ito ay sasaklaw sa lahat ng tanggapan at ahensya ng pamahalaan kasama ang pambansang pamahalaan at ang kanyang mga ahensya, kagawaran, kawanihan, tanggapan at instrumentalidad, komisyong konstitusyonal at lupong iniatas ng Saligang Batas, lokal na pamahalaan at lahat ng mga ahensya ng mga ito kasama ang mga lupong tagapagbatas o panlehislatibo, korporasyong pag-aari o kontrolado ng pamahalaan, pamantasan at kolehiyong pang-estado, at lahat ng mga tanggapan ng Kongreso ng Pilipinas kasama ang mga tanggapan ng mga Senador at Kinatawan na mayroong frontline services at/o nagsasagawa ng mga pampublikong pulong, base sa pagkakahulugan sa Batas na ito. Ang mga dress code para sa mga pampublikong opisyal at kawani sa daloy ng kanilang mga gawain sa

kanilang mga tanggapan o ahensyang ng pamahalaan ay hindi maaapektuhan o pagbabawalan ng Batas na ito.

SEK. 4. Kahulugan ng mga Termino. – Para sa mga layunin ng Batas na ito, ang mga sumusunod na salita ay tumutukoy sa mga sumusunod:

- a. Ang *Frontline Service* ay tumutukoy sa proseso o transaksyon sa pagitan ng mamamayan bilang kliyente at ng tanggapan o ahensya ng pamahalaan na may kinalaman sa mga aplikasyon para sa anumang pribilehiyo, karapatan, permiso, pabuya, lisensya, konsesyon, o para sa anumang pagbabago, pag-uulit (renewal), o pagpapatuloy (extension) ng mga nasabing aplikasyon at/o request na inaaksyunan sa karaniwang daloy ng gawain ng naturang opisina o tanggapan.
- b. Ang *Simpleng Transaksyon* ay tumutukoy sa mga request o aplikasyon na isinumite ng kliyente ng tanggapan o ahensya ng pamahalaan na nangangailangan lamang ng mga aksyong ministerial sa bahagi ng pampublikong opisyal o kawani, o iyong mga may kinalaman lamang sa mga hindi mabibigat na usapin para sa resolusyon ng opisyal o kawani ng naturang tanggapan ng pamahalaan. Ang mga nasabing request o aplikasyon ay aaksyunan ng nakatalagang opisyal o kawani sa loob ng panahong nakasaad sa Citizen's Charter, na nababanggit sa Republic Act No. 9485 o ang Anti-Red Tape Act of 2007, na hindi lalagpas sa limang (5) araw ng trabaho (working days).
- c. Ang *Pampublikong Pulong* ay tumutukoy sa mga pulong, pagdinig, o sesyong isinasagawa ng anumang tanggapan o ahensya ng pamahalaan, kabilang ang mga lupong tagapagbatas o panlehislato, na bukas sa publiko, kung saan ang mga mamamayan ay naroon bilang panauhin, taga-obserba, o kalahok, kung alin man ang kaso.
- d. Ang *Mahigpit na Dress Code* ay tumutukoy sa mga patakaran at regulasyong nagtatakda ng partikular na kasuotan na tiyak na pumipigil sa mga mamamayan upang maabot ang mga frontline service ng mga tanggapan at ahensya ng pamahalaan o makadalo sa mga pampublikong pulong.
- e. Ang *Mga Sektor na nasa Laylayan ng Lipunan* ay tumutukoy sa mga grupo ng mga mamamayan sa lipunang Pilipino na madaling nasasamantala at kulang sa oportunidad kabilang, ngunit hindi limitado sa mga magsasaka, pesante, manggagawa sa kanayunan na walang sariling lupa, mangingisda, manggagawa sa pormal na sektor, manggagawa sa impormal na sektor, maralitang tagalungsod, maralita sa kanayunan, katutubong mamamayan at kultural na pamayanan, at nakaligtas sa sakuna.

SEK. 5. *Pagbabawal sa Mahigpit na Dress Code sa mga Frontline Service Office ng Pamahalaan.* – Lahat ng institusyon ng pamahalaan na mayroong frontline service office ay pinagbabawalang magpatupad ng mahigpit na dress code na pipigil sa mga mamamayan, lalo na ang mga kabilang sa mga sektor na nasa laylayan ng lipunan, na pumasok para magtanong o magsagawa ng mga simpleng transaksyon. Ang mga nasabing institusyon ay hindi pahihintulutang magtakda ng mga uri ng kasuotan na maaari o hindi maaaring gamitin ng mga mamamayang kanilang pinaglilingkuran sa kanilang mga frontline service office; Sa kondisyong hindi mahalaga o lubhang kinakailangan ang uri ng kasuotan sa mga transaksyong isinasagawa.

SEK. 6. *Pagbabawal sa Mahigpit na Dress Code sa mga Pampublikong Pulong.* – Lahat ng institusyon ng pamahalaan, kasama ang mga lupong tagapagbatas o panlehislatibo, ay pinagbabawalang magpatupad ng mahigpit na dress code na pipigil sa mga mamamayan, lalo na ang mga kabilang sa mga sektor na nasa laylayan ng lipunan, na makadalo sa mga pampublikong pulong bilang panauhin, taga-observer, o kalahok.

SEK. 7. *Pananagutang Administratibo.* – Ang hindi pagsunod sa Batas na ito ay tutumbas bilang gross neglect of duty at bubuo sa batayan para sa mga parusang administratibo at pandisiplina laban sa sinumang pampublikong opisyal o kawani na sinasadya at kusang magpapatupad ng mahigpit na dress code na pipigil sa sinumang mamamayan na maabot ang mga frontline service ng pamahalaan o makadalo sa pampublikong pulong.

SEK. 8. *Nagpapatupad na Patakaran at Regulasyon.* – Ang Komisyon ng Serbisong Sibil [Civil Service Commission (CSC)], sa pakikipagtulungan sa Pampanguluhang Komisyon para sa Maralitang Tagalungsod [Presidential Commission for the Urban Poor (PCUP)] at Pambansang Komisyon sa mga Katutubong Mamamayan [National Commission on Indigenous Peoples (NCIP)], ay magpapalaganap ng kinakailangang mga patakaran at regulasyon sa loob ng siyamnapung (90) araw mula sa pagsasabisa ng Batas na ito.

SEK. 9. *Sugnay na Naghihiwalay.* – Kapag ang anumang seksyon o bahagi ng Batas na ito ay madeklara bilang labag sa Saligang Batas, hindi maaapektuhan ang iba pang mga seksyon o probisyon.

SEK. 10. *Sugnay na Nagpapawalang-Bisa.* – Lahat ng mga probisyon ng mga kasalukuyang batas, pampanguluhang atas, ehekutibong kautusan, liham ng tagubilin, administratibong kautusan, patakaran at regulasyong tumataliwas o hindi umaayon sa mga probisyon ng Batas na ito ay pinawawalang-bisa, inaamyendahan, o binabago.

SEK. 11. *Pagsasabisa.* – Ang Batas na ito ay mabibigyan ng bisa labinlimang (15) araw matapos ang kumpletong pagkakalathala sa Official Gazette o sa hindi bababa sa dalawang (2) pahayagan na may pangkalahatang sirkulasyon.

Inaprubahan,