

Republic of the Philippines
CITY OF ANTIPOLO
Province of Rizal
OFFICE OF THE SANGGUNIANG PANLUNGSOD
LEGISLATIVE TERM 2022-2025

PRESENT:

Hon. Josefina G. Gatlabayan, Ph.D City Vice Mayor/Presiding Officer

FIRST DISTRICT:

Hon. Susana G. Say City Councilor
Hon. Enrico C. De Guzman, M.D. FPOGS City Councilor
Hon. Charmaine Jill C. Tapales City Councilor
Hon. Agnes G. Oldan-Gratil City Councilor
Hon. Robert R. Altamirano, Sr. City Councilor
Hon. Jewel Anne G. Camacho City Councilor
Hon. Mariafe S. Pimentel City Councilor

SECOND DISTRICT:

Hon. Lorenzo Juan Y. Sumulong III City Councilor
Hon. Ronaldo L. Leyva City Councilor
Hon. Christian Edward O. Alarcon City Councilor
Hon. Angie Lou C. Tapales City Councilor
Hon. Christian A. Masangkay, DMD City Councilor
Hon. Alfred J. Zapanta, RN City Councilor
Hon. Edward R. O'Hara City Councilor

EX-OFFICIO MEMBERS:

Hon. Peter Arnold S. Papel, Jr. SK Federation Pres.
Hon. Gerardo S.J. Doroteo IPM- Representative

ABSENT:

Hon. Eileen Grace T. Zapanta, M.D. City Councilor
Hon. John Michael S. Leyva City Councilor
Hon. Jonathan C. Salen Liga ng mga Brgy. Pres.

Proposed Ordinance No. 686 series of 2023

CITY ORDINANCE NO. 2023-1076

“AN ORDINANCE MANDATING EVERY BARANGAY IN THE CITY OF ANTIPOLO TO ESTABLISH AND MAINTAIN KASAMBAHAY HELPDESK, PROVIDING FUNDS THEREOF AND FOR OTHER PURPOSES.”

(ADMINISTRATION MEASURE)

Introduced by: Hon. Angie Lou C. Tapales
Sponsored by: Committee on Labor and Employment

APPROVED:
C. B. S.
CASIMIRO A. YNARES III, M.D.
City Mayor

WHEREAS, the Philippine Constitution and laws guarantee protection to workers through promotion of humane working conditions and establishment of labor standards for domestic workers toward decent employment and income, enhanced coverage of social protection, respect for human rights and strengthened social dialogue;

WHEREAS, in furtherance of the objectives of the State, the Congress enacted on 18 January 2013, Republic Act No. 10361, otherwise known as "Domestic Workers Act" or "Batas Kasambahay";

WHEREAS, Section 1, Rule IX of the Implementing Rules and Regulations of R.A. No. 10361 in relation with Section 17, Article II of the Act provides that every employed *kasambahay* shall be registered in the barangay where his/her employer resides;

WHEREAS, DILG Memorandum Circular No. 2013-61 on Guidelines on the Barangay Registration of Kasambahay directs the City or Municipal Mayors to enjoin the Punong Barangays to set up their respective Kasambahay Desks which shall primarily facilitate the registry of *kasambahay*;

WHEREAS, in recognition of the vital roles of *kasambahay* as member of the primary labor force, the City Government of Antipolo remains committed to safeguard their welfare and fundamental rights and protect them against all kinds of abuses and economic exploitation and therefore, registry system of the *kasambahay* shall be made in order to advance the achievement of these commitments;

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD, IN SESSION ASSEMBLED, THAT:

ARTICLE I

TITLE, POLICY, COVERAGE AND DEFINITION OF TERMS

SECTION 1. Title. -This Ordinance shall be known as Antipolo City Kasambahay Helpdesk Ordinance.

SECTION 2. Declaration of Policy. -The City Government of Antipolo recognizes the vital role of domestic workers and their contribution to the primary social force of the City. It is committed to ensure their protection and safety from abuse, harassment, violence and economic exploitation. It promotes safe and healthful working conditions and enjoyment of benefits guaranteed by laws among domestic workers.

APPROVED:

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City Mayor

SECTION 3. Coverage. – This Ordinance applies to all domestic workers employed by or working with their respective employers who are residents of the City of Antipolo. For purposes of this Ordinance, the following are not covered: service providers, family drivers, children under foster family arrangement and any person who performs work occasionally or sporadically and not on an occupational basis.

SECTION 4. Definition of Terms. – For purposes of this Ordinance, the terms are defined as follow:

- (a) *Domestic work* refers to work performed in or for a household or households;
- (b) *Domestic worker* or “*Kasambahay*” refers to any person engaged in domestic work within an employment relationship such as, but not limited to, the following: general househelp, nursemaid or “yaya”, cook, gardener, or laundry person, or any person who performs daily domestic work in one household on an occupational basis;
- (c) *Employer* refers to any person who engages and controls the services of a domestic worker and is party to the employment contract;
- (d) *Household* refers to the immediate members of the family or the occupants of the house that are directly provided services by the domestic worker;
- (e) *Private Employment Agency (PEA)* refers to any individual, legitimate partnership, corporation or entity licensed to engage in the recruitment and placement of domestic workers for local employment;
- (f) *Working children* refers to domestic workers who are fifteen (15) years old and above but below eighteen (18) years old;

ARTICLE II

ESTABLISHMENT OF KASAMBAHAY HELPDESK IN EVERY BARANGAY

SECTION 5. Setting up the Kasambahay Helpdesk. – The Punong Barangay shall establish a Kasambahay Helpdesk by designating an area within the barangay hall for that purpose and shall designate an officer who shall be responsible for the registry of *kasambahay*. He/she shall provide for necessary furniture such as but not limited to chairs, tables, separate filing cabinet and logbook for record-keeping purposes. He/she shall establish an orderly system of registration of *kasambahay*.

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SECTION 6. Designation of Kasambahay Helpdesk Personnel/Officer. – The Punong Barangay shall designate a Kasambahay Helpdesk Officer/Personnel who is trained in handling kasambahay cases and records. In cases where there are no trained personnel, the Punong Barangay shall ensure that the person assigned shall undergo training and orientation on Kasambahay laws, cases and record.

SECTION 7. Functions of the Kasambahay Helpdesk. – The Kasambahay Helpdesk shall perform the following duties and responsibilities:

- a) Ensure that all *kasambahay* within the jurisdiction of barangay are properly registered through the use of DILG and DOLE registration system or through the barangay's official website or email;
- b) Coordinate with the representatives from Pag-IBIG, PhilHealth and SSS to organize a One-Stop Membership Application for *kasambahay*;
- c) Designate a special registration day on a Saturday or Sunday wherein representatives from PhilHealth, SSS, Pag-IBIG and other stakeholders may be invited;
- d) Keep copy of all the employment contracts of all domestic helpers within the barangay, whether the *kasambahay* is hired through a PEA or a third party;
- e) Ensure that the processing and disclosure of personal information or records of *kasambahay* is in compliance with the requirements of Republic Act No. 10173 or Data Privacy Act of 2012;
- f) Maintain and update the Kasambahay Masterlist in the barangay;
- g) Prepare and submit monthly report to the City Government of Antipolo, through the Public Employment Service Office (PESO) on data regarding registration of *kasambahay*;
- h) Exercise such other powers and perform such other duties and functions as may be prescribed by laws or rules.

SECTION 8. Monitoring and Reporting. All Punong Barangay through the Kasambahay Helpdesk Personnel/Officer shall ensure full compliance of the monthly kasambahay report to the City Government of Antipolo through the Public Employment Service Office (PESO) which shall include data regarding the registration of the *kasambahay*. The forms to be used shall be in accordance with what is prescribed by the DILG and/or DOLE.

APPROVED: 

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SECTION 9. *Funding*– The cost of the establishment and operations of the Barangay Kasambahay Helpdesk shall be charged under the respective barangay’s Gender Advocacy and Development (GAD) Budget, which shall be at least five percent (5%) of its budgetary allocation as such it shall be included in the annual GAD plans and programs of the barangay.

SECTION 10. *Penalty* – Any public official in charged with the submission of the required report, who failed to perform the same and found guilty thereof, shall suffer the penalty of imprisonment for a period of not exceeding one (1) year or a fine not exceeding Five thousand pesos (P5,000.00), or both in the discretion of the court, without prejudice to the filing of administrative action, in addition or in the alternative in accordance with the pertinent provisions of existing laws, rules and regulations.

**ARTICLE III
FINAL PROVISIONS**

SECTION 11. *Separability Clause*. – If any provision or part of this Ordinance is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

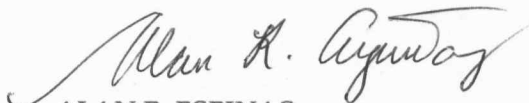
SECTION 12. *Repealing Clause*. – All ordinances, resolutions, local rules and regulations inconsistent with or contrary to the provisions of this Ordinance are hereby amended, repealed or modified accordingly.

SECTION 13. *Effectivity Clause*. – This Ordinance shall be posted in prominent public places and shall take effect fifteen days after its approval and publication at least once in a newspaper of local circulation.

ENACTED UNANIMOUSLY by all the members present, there being a quorum this 21st day of June 2023 during its Regular Session, Sangguniang Panlungsod, Session Hall, Antipolo City, Rizal.

CERTIFICATION

I hereby certify to the correctness of the foregoing Ordinance.


ALAN R. ESPINAS
Secretary to the SP I

APPROVED:
C. G. D.

CASIMIRO A. YNARES III, M.D.

City Mayor

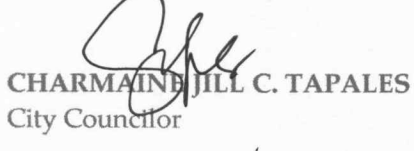
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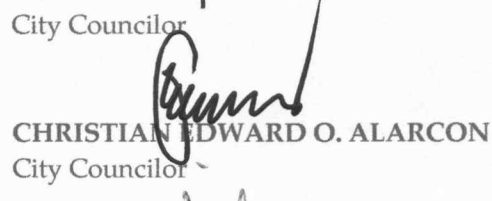

SUSANA G. SAY
City Councilor

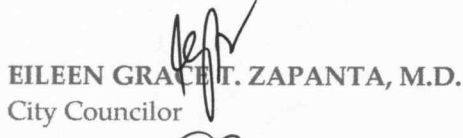

LORENZO JUAN Y. SUMULONG III
City Councilor


ENRICO C. DE GUZMAN, M.D., FPOGS
City Councilor


RONALDO L. LEYVA
City Councilor

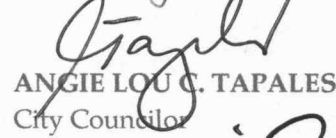

CHARMAINE JILL C. TAPALES
City Councilor

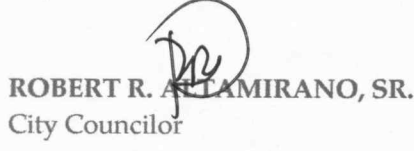

CHRISTIAN EDWARD O. ALARCON
City Councilor

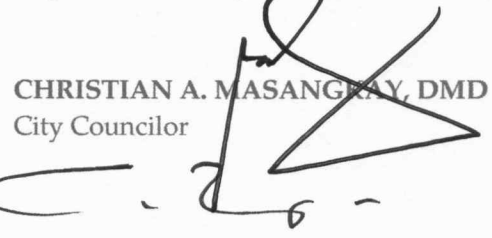

EILEEN GRACE T. ZAPANTA, M.D.
City Councilor

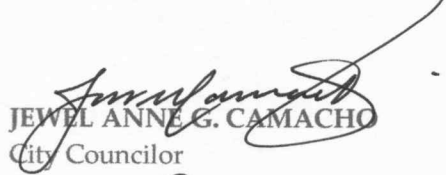

JOHN MICHAEL S. LEYVA
City Councilor

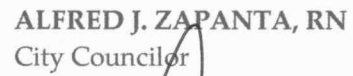

AGNES G. OLDAN-GRATIL
City Councilor

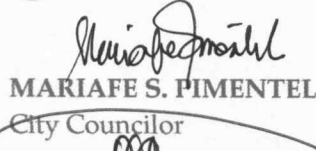

ANGIE LOU C. TAPALES
City Councilor


ROBERT R. ALTAMIRANO, SR.
City Councilor

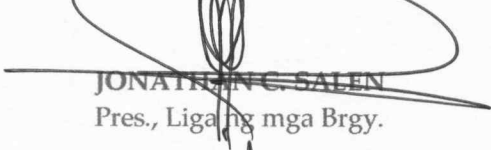

CHRISTIAN A. MASANGAY, DMD
City Councilor

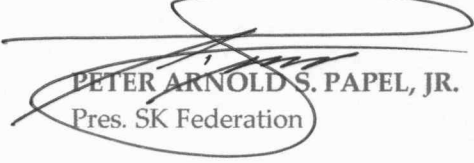

JEWEL ANNE G. CAMACHO
City Councilor

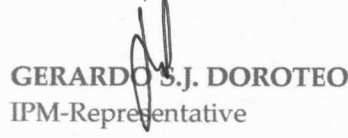

ALFRED J. ZAPANTA, RN
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