



Republic of the Philippines
Province of Bulacan
City of Malolos

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF MALOLOS HELD AT BULWAGANG DON RAMON G. DE LEON OF THE CITY OF MALOLOS ON JUNE 29, 2020.

MEMBERS PRESENT:

HON. NOEL G. PINEDA	City Vice Mayor
	Presiding Officer
HON. FRANCISCO J. CASTRO	City Councillor
HON. NIÑO CARLO C. BAUTISTA	"
HON. KIRK LOUIS NICOLAS	"
HON. MICHAEL M. AQUINO	"
HON. ENRICO C. CAPULE	"
HON. DENNIS D. SAN DIEGO	"
HON. EMMANUEL R. SACAY	"
HON. EDGARDO F. DOMINGO	"
HON. LUIS ALFONSO M. ARCEGA	"
HON. MIGUEL CARLOS B. SOTO	"
HON. PATRICK S. DELA CRUZ	SK President
HON. DIONISIO C. MENDOZA	ABC President

ALL MEMBERS PRESENT:

CITY ORDINANCE NO. 38-2020

AN ORDINANCE ON THE PROMOTION OF BREASTFEEDING AND MANDATES ALL COMMERCIAL ESTABLISHMENTS AND PUBLIC BUILDINGS AND OFFICES WITHIN THE CITY OF MALOLOS TO ESTABLISH A LACTATION STATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF".

Authored by: HON. NINO CARLO C. BAUTISTA,
Co-Authored by: HON. MICHAEL M. AQUINO, HON. ENRICO C. CAPULE,
HON. FRANCISCO J. CASTRO & HON. PATRICK S. DELA CRUZ

EXPLANATORY NOTE

WHEREAS, according to Section 16 of R.A 7160, otherwise known as Local Government Code of 1991, it is the duty of Local Government Unit to promote the GENERAL WELFARE of its constituents;

WHEREAS, the 1987 Constitution of the Republic of the Philippines mandates the State to protect and promote the right to health of the people and instill health awareness among them;

WHEREAS, Section 4 of Republic Act No. 10028 otherwise known as "An Act Expanding the Promotion of Breastfeeding" mandates all private enterprises as well as government agencies, including their subdivisions and instrumentalities, and government-owned and controlled corporations to establish a lactation station;

WHEREAS, the use of breast milk which is widely recognized as the best source of nutrition for babies promotes the development of emotional bonding between the mother and child, bestow upon the newborn infant protection against infection, provides the mother natural contraception after delivery and protect mother from closely spaced pregnancy;

NOW THEREFORE, on the motion of the Hon. Nino Carlo C. Bautista duly seconded by all Members present,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF MALOLOS IN A SESSION ASSEMBLED THE FOLLOWING, TO WIT;

SECTION 1. - TITLE - This local legislation shall be known as the "Breastfeeding Promotion and Establishment of Lactation Stations Ordinance in the City of Malolos and providing penalties thereof";

HON. FRANCISCO J. CASTRO
CITY COUNCILOR

HON. NINO CARLO C. BAUTISTA
CITY COUNCILOR

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HON. MICHAEL M. AQUINO
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HON. ENRICO C. CAPULE
CITY COUNCILOR

HON. NOEL G. PINEDA
CITY VICE MAYOR

HON. PATRICK S. DELA CRUZ
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HON. DIONISIO C. MENDOZA
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CITY COUNCILOR

HON. DENNIS D. SAN DIEGO
CITY COUNCILOR

SECTION 2. - THE CITY'S POLICY AND OBJECTIVE - the City of Malolos shall create an environment where the basic physical, emotional, and psychological needs of mothers and babies are fulfilled.

The City shall adopt the national policy of rooming-in and breastfeeding in order to encourage, protect and support practice of breastfeeding.

The City shall likewise protect working mothers by providing safe and healthy working conditions, taking into account the maternal functions, facilities and opportunities that will enable mothers to combine family obligations with work responsibilities.

SECTION 3. - DEFINITION OF TERMS - As used in this Ordinance:

- Breastfeeding** - is the method of feeding an infant directly from the human breast
- Expressed breast milk** - is the human milk which has been extracted from the breast by hand or by breast pump, which can be fed to an infant using dropper, a spoon, or a cup.
- Formula feeding** - is the feeding of new born with infant formula usually by bottle feeding. It is called artificial feeding.
- Lactation station** - private, clean, sanitary, and well-ventilated room or an area in the workplace or public place where nursing mothers can wash up, breastfeed or express their milk comfortably and store this afterward. Also known as breastfeeding room/area/station.
- Nursing Employee** - any female worker, regardless of employment status, who is lactating or breastfeeding her infant and/or young child.

SECTION 4. -SCOPE/APPLICABILITY - The provision of this Ordinance shall apply to all private agencies, government agencies, including their subdivisions and instrumentalities, and all government owned and controlled corporation in the City of Malolos.

SECTION 5. - ESTABLISHMENT OF LACTATION STATIONS:

The City of Malolos mandates all private agencies, government agencies, including their subdivisions and instrumentalities, and all government owned and controlled corporation in the City of Malolos to establish a lactation station with necessary equipment and facilities, such as lavatory for hand-washing, unless there is an easily accessible lavatory nearby; refrigeration or appropriate cooling facilities for storing expressed breast milk; a table; comfortable seats where the mother can hand express breast milk; electrical outlets for breast pumps and other items shall be provided, the standards of which shall be defined by the City Health Office. The lactation station shall be clean, well ventilated, comfortable and free from contaminants and hazardous substances, and shall ensure privacy for the women to express their milk and/or in appropriate cases, breastfeed their child. In no case, however, shall the lactation station be located in the toilet.

However, upon application and determination, establishment may be exempted when the establishment of lactation station is not necessary due to peculiar circumstances of the workplace or public place taking into consideration among others, the number of women employees, physical size of the establishment and the number of women who visit the establishment or office.

The right to privacy of every lactating women shall be protected at all times.

SECTION 6. - EXISTING CLINICS AND TOILETS OR OTHER FACILITIES - All establishments with existing clinics can serve as breastfeeding are where mother can breastfeed their baby provided that it has a separate room in the clinic and the facilities required in accordance with Section 5 of this ordinance.

SECTION 7. - LACTATION PERIODS - Nursing mother employees are entitled to break intervals in addition to the regular time-off for meals to breastfeed or express milk. The employees shall notify her immediate supervisor before leaving her station.

HON. NOEL G. PINEDA
CITY VICE MAYOR

HON. ENRIQUE C. CAPULE
CITY COUNCILOR

SECTION 8. - ACCESS TO BREASTFEEDING INFORMATION - Employers shall ensure that the staff and employees shall make aware of this Ordinance. That all pregnant employees shall be provided with information on how they can combine breastfeeding and work once they return to work. The employers shall coordinate with the City Health Office in order for them to avail of the breastfeeding program for working mother.

SECTION 9. - IMPLEMENTATION AND MONITORING - The City Health Office shall be the lead agency in the implementation and monitoring of the provision of this Ordinance for this purpose. The Chief Executive shall create a multi-sectoral monitoring team composed of the following persons or their duly authorized representative, but not limited to:

1. City Health Office - Chairman
2. City Nutrition Action Officer
3. City Social Welfare and Development Officer
4. Business and Licensing Permit Officer
5. Representative from NGO to be appointed by the City Mayor
6. City Engineering Officer
7. City School Division Superintendent, DepEd

SECTION 10. - PENALTIES:

- 1) For the first violation - a fine of One Thousand Pesos (P1,000.00) plus warning to be issued by City Health Office;
- 2) For the second violation - a fine of Three Thousand Pesos (P3,000.00) and non extension of sanitary permit;
- 3) For the third violation - a fine of Five Thousand Pesos (P5,000.00) and cancellation or revocation of business permits or licenses to operate.

SECTION 11. - SEPARABILITY CLAUSE - If any or part hereof of this Ordinance shall be held or declared invalid or unconstitutional shall in on way affect the other provisions not affected by said decision or judgment of unconstitutionality or invalidity.

SECTION 12. - EFFECTIVITY - This ordinance shall take effect immediately upon its approval.

APPROVED.

HON. FRANCISCO J. CASTRO
City Councilor

HON. NIÑO CARLO C. BARTISTA
City Councilor

HON. KIRK LOUIS NICOLAS
City Councilor

HON. MICHAEL M. AQUINO
City Councilor

HON. ENRICO C. CAPULE
City Councilor

HON. DENNIS D. SAN DIEGO
City Councilor

HON. NOEL G. PINEDA
CITY VICE MAYOR

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HON. MICHAEL M. AQUINO
CITY COUNCILOR

HON. ENRICO C. CAPULE
CITY COUNCILOR

HON. PASCAL C. DELA CRUZ
CITY COUNCILOR

HON. DIONISIO C. MENDOZA
CITY COUNCILOR

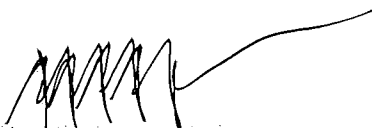
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CITY COUNCILOR

HON. LUIS ALFONSO M. ARCEGA
CITY COUNCILOR

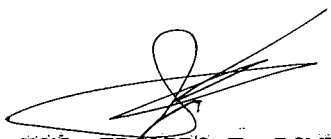
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CITY COUNCILOR

HON. EMANUEL R. RAGAY
CITY COUNCILOR

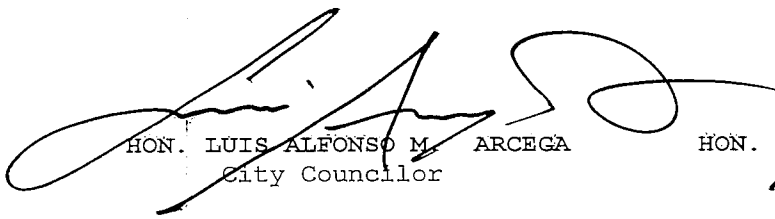
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CITY COUNCILOR



HON. EMMANUEL R. SACAY
City Councilor



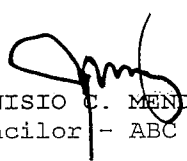
HON. EDGARDO F. DOMINGO
City Councilor



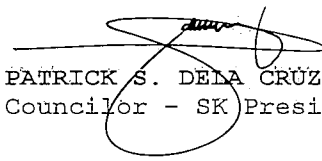
HON. LUIS ALFONSO M. ARCEGA
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City Councilor

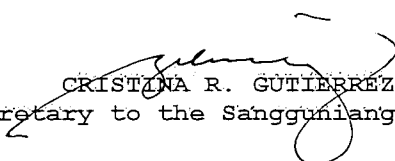


HON. DIONISIO C. MENDOZA
City Councilor - ABC President



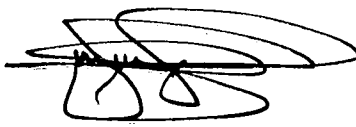
HON. PATRICK S. DELA CRUZ
City Councilor - SK President

I HEREBY CERTIFY that the aforementioned City Ordinance was duly approved by the Sangguniang Panlungsod of Malolos.



CRISTINA R. GUTIERREZ, EnP
Secretary to the Sangguniang Panlungsod

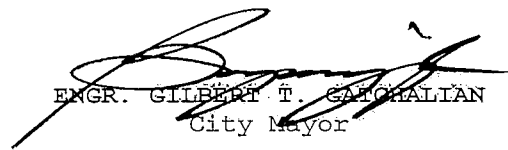
ATTESTED BY:



HON. NOEL G. PINEDA
City Vice Mayor - Presiding Officer

APPROVED/DISAPPROVED:

Date of Approval:



ENGR. GILBERT T. CACHOALLAN
City Mayor

*absent

*DhorieTrogo*06292020