

SECTION 40. Housing Program. The Municipal Government of Roxas shall take into consideration its shelter programs the special housing requirements of PWDs. Indigent families with dependent PWDs in their household shall be given priority as beneficiaries.

SECTION 41. Bedridden and Abandoned PWD Monthly Food Allowance. The Municipal Government shall provide a monthly food allowance of Five Hundred Pesos (P500.00) to all indigent bedridden PWDs and indigent abandoned PWDs who are registered with the PDAO. The PDAO shall therefore identify the PWDs in the Municipality who may avail of this benefit.

**TITLE THREE - PROHIBITION IN DISCRIMINATION AGAINST PERSONS
WITH DISABILITIES**

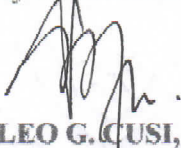
CHAPTER I. DISCRIMINATION ON EMPLOYMENT

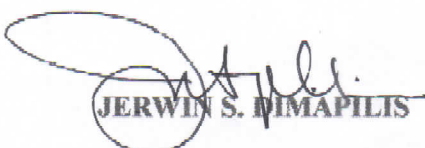
SECTION 42. Discrimination on Employment. No entity, whether public or private, shall discriminate against a qualified PWD by reason of disability in regard to job application procedures, the hiring, promotion, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. The following constitute acts of discrimination:

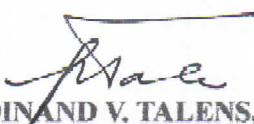
- a. Limiting, segregating, or classifying a PWD-job applicant in such manner that adversely affects his/her work opportunities;
- b. Using qualification standards, employment tests, or other selection criteria that screen out or tend to screen out PWD, unless such standards, tests, or other selection criteria are shown to be job-related for the position in question and are consistent with business necessity;
- c. Utilizing standards, criteria, or methods of administration that:
 1. have the effect of discrimination on the basis of disability; or
 2. perpetuate the discrimination of others who are subject to common administrative control;
- d. Providing less compensation, such as salary, wage, or other forms of remuneration and fringe benefits, to a qualified PWD-employee, by reason of his disability, than the amount to which an abled person performing the same work is entitled;
- e. Favoring an abled employee over qualified PWD employee with respect to promotion, training opportunities, study and scholarship grants, solely on account of the latter's disability;
- f. Re-assigning or transferring a PWD employee to a job or position he cannot perform by reason of his disability;
- g. Dismissing or terminating the services of a PWD employee by reason of his disability, unless the employer can prove that he/she impairs the satisfactory performance of the work involved to the prejudice of the business entity; Provided, however, That the employer first sought to provide reasonable accommodations for PWDs;
- h. Failing to select or administer in the effective manner employment tests which accurately reflect the skills, aptitude, or other factors of the PWD applicant or employee that such tests purport to measure, rather than the impaired sensory, manual, or speaking skills of such applicant or employee, if any; and
- i. Excluding PWDs from membership in labor unions or similar organizations.

CHAPTER II. DISCRIMINATION ON TRANSPORTATION

SECTION 43. Conveyance of PWDs with Assistive Devices. It shall be considered discrimination for the franchisees or operators and personnel of sea, land, and air transportation facilities to refuse to convey a passenger, his orthopedic devices, personal effects, and merchandise by reason of his disability.


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SECTION 44. Selective Conveyance. It shall be considered discrimination for the franchisees or operators and personnel of sea and land transportation facilities to deny conveyance of PWDs along their usual route.

SECTION 45. Posting of Stickers. It shall be considered discrimination for the franchisees or operators and personnel of sea and land transportation facilities to not display posters or stickers stating the designated priority seats for PWDs, as well as the rights of PWDs to discounted fare, in a conspicuous space in their units.

SECTION 46. Designated PWD Seats. It shall be considered discrimination for the franchisees or operators and personnel of sea and land transportation facilities to not allow PWDs to use the designated priority seats for them, or if an abled person is occupying them, to not assist PWDs in requesting said abled individual to vacate the same and yield them to PWDs.

SECTION 47. Fare Discounts. It shall be considered discrimination for the franchisees or operators and personnel of sea and land transportation facilities to refuse to provide PWDs discounted fare.

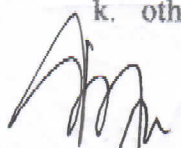
SECTION 48. Designated Parking Spaces for PWDs. It shall be considered discrimination for owners/lessees/heads of private and public establishments to refuse to allow vehicles driven by PWDs or those with PWD Parking Placard/Plate to use designated PWD parking spaces, or if vehicles of abled persons are occupying them, to not assist PWDs in requesting said abled individuals to vacate the same and yield them to PWDs.

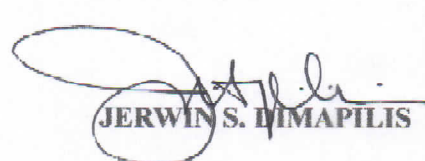
It shall also be considered discrimination on the part of an abled-person owning a vehicle to park in designated parking spaces for PWDs, or to secure a PWD Parking Placard/Plate without really devoting said vehicle for the exclusive use of transporting PWDs to circumvent the purpose and provisions of this Code.

CHAPTER III. NON-DISCRIMINATION ON THE USE OF PUBLIC ACCOMMODATIONS AND SERVICES

SECTION 49. Public Accommodations and Services. For purposes of this Chapter, public accommodations and services shall include the following:

- a. an inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five (5) rooms for rent or hire and that is actually occupied by the proprietor of such establishment as the residence of such proprietors;
- b. restaurant, bar, or other establishment serving food, or drink;
- c. an auditorium, convention center, lecture hall, or other place of public gathering;
- d. a bakery, grocery store, hardware store, shopping center, or other sales or rental establishment;
- e. a bank, barber-shop, beauty-shop, travel service, funeral parlor, gas station, office of a lawyer, pharmacy, insurance office, professional office of a health care provider, hospital or other service establishment;
- f. a terminal, depot, or other station used for specified public transportation;
- g. a museum, gallery, library or other place of public display or collection;
- h. a park, amusement park, or other place of recreation;
- i. a nursery, elementary, secondary, undergraduate, as post- graduate private school, or other place of education;
- j. a gymnasium, health spa; or
- k. other places of exercise or recreation.


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SECTION 50. Non-Discrimination on the Use of Public Accommodations. No PWDs shall be discriminated on the basis of disability and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases, or operates place of public accommodation. The following constitute acts of discrimination:

- a. denying a disabled person, directly through contractual, licensing, or other arrangement, the opportunity to participate in or benefit from the goods, services, facilities, privileges, advantages, or accommodation of an entity by reason of his disability;
- b. affording a disabled person, on the basis of his disability, directly through contractual, licensing, or other arrangement, with the opportunity to participate in or benefit from good, service, facility, privilege, advantage, or accommodation that is not equal to that afforded to other able-bodied persons; and
- c. providing disability, directly or through contractual, licensing, or other arrangement, with a good, service, facility, advantages, privilege, or accommodation that is different or separate from that provided to other able-bodied unless such action is necessary to provide the PWD with a good, service, facility, advantage, privilege, or accommodation, or other opportunity that is as effective as that provided to others.

For the purpose of this section, the term "individuals" or "class individuals" refers to the clients or customers of the covered public accommodation that enters into the contractual, licensing, or other arrangement.

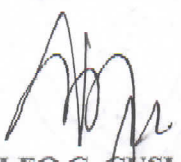
SECTION 51. Integrated Settings. Goods, services, facilities, advantages, and accommodations shall be afforded to an individual with a disability in the most integrated setting appropriate to the needs of the individual.

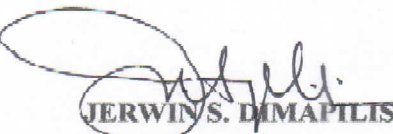
SECTION 52. Opportunity to Participate. Notwithstanding the existence of separate or different programs of activities provided in accordance with this Chapter, an individual with a disability shall not be denied the opportunity to participate in such programs or activities that are not separate or different.

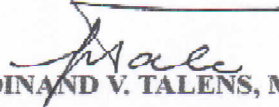
SECTION 53. Association. It shall be discriminatory to lude or otherwise deny equal goods, services, facilities, advantages, privileges, accommodations, or other opportunities to an entity because of the known disability of an individual with whom the individual or entity is known to have relationship or association.

SECTION 54. Other Prohibitions. For purposes of this chapter, the following shall be considered as discriminatory:

- a. The imposition or application of eligibility criteria that screen out or tend to screen out an individual with a disability or any class or individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, accommodations, unless such criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, or accommodations being offered;
- b. Failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modification would fundamentally alter the nature of the goods, facilities, services, privileges, advantages, or accommodations;


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- c. Failure to take steps as may be necessary to ensure that no individual with disability is excluded, denied services, segregated, or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless the entity can demonstrate that taking such steps would fundamentally alter the nature of the good, service, facility, privilege or would result in undue burden;;
- d. Failure to remove architectural barriers and communication barriers that are structural in nature, in existing facilities, where such removal is readily achievable; and
- e. Where an entity can demonstrate that the removal of a barrier is not readily achievable, failure to make such goods, services, facilities, privileges, advantages, or accommodations available through alternative methods if such methods are readily achievable.

CHAPTER IV. PROHIBITIONS ON VERBAL, NON-VERBAL RIDICULE, AND VILIFICATION AGAINST PERSONS WITH DISABILITY

SECTION 55. Public Ridicule. For purposes of this Chapter, public ridicule shall be defined as an act of making fun or contemptuous imitating or making mockery of PWDs whether in writing, or in words, or in action due to their impairment/s.

No individual, group, or community shall execute any of these acts of ridicule against PWDs in any time and place which could intimidate or result in loss of self-esteem of the latter.

SECTION 56. Vilification. For purposes of this chapter, vilification shall be defined as:

- a. The utterance of slanderous and abusive statements against a PWD; and/or
- b. An activity in public which incites hatred towards, serious contempt for, or severe ridicule of PWDs.

TITLE FOUR-OPERATIONALIZATION

CHAPTER I. PERSONS WITH DISABILITY AFFAIRS OFFICE

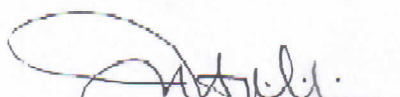
SECTION 57. The Persons with Disability Affairs Office (PDAO). In order to implement the policies, plans, and programs laid down in this code, the Persons with Disability Affairs Office (PDAO) is hereby established.

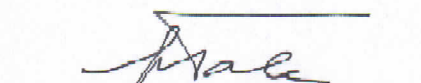
The PDAO is hereby empowered to design its organizational structure in consultation with the Roxas Council on Disability Affairs, the Roxas Federation of Persons with Disabilities, and concerned NGOs, and he may recommend to the Municipal Mayor the appointment of such number of PDAO personnel that are necessary to carry out the functions and objectives of the PDAO, subject to funding limitations.

SECTION 58. Functions of the PDAO. The PDAO shall carry out the following functions:

- a. Formulate and implement policies, plans, and programs for the promotion of the welfare of PWDs in coordination with concerned national and local government agencies;
- b. Coordinate the implementation of the provisions of this Code, Batas Pambansa Bilang 344 otherwise known as the Accessibility Law, R.A. No. 7277 otherwise known as the Magna Carta for Persons with Disabilities, as amended, and other relevant laws, and regulations;


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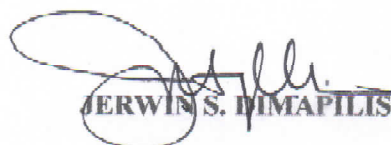
- c. Represent PWDs in meetings of local development councils and other special bodies;
- d. Recommend and enjoin the participation of NGOs and people's organizations (POs) in the implementation of all disability-related laws and policies;
- e. Gather and compile relevant data on PWDs in the locality;
- f. Disseminate information including, but not limited to, programs and activities for PWDs, statistics on PWDs, including children with disability, and training and employment for PWDs;
- g. Submit reports to the Office of the Municipal Mayor on the implementation of programs and services for the promotion of the welfare of PWDs in the municipality.
- h. Ensure that the policies, plans, and programs for the promotion of the welfare of PWDs are funded by both the national and local government:
- i. Monitor fundraising activities being conducted for the benefit of PWDs;
- j. Seek donations in cash or in kind from local or foreign donors to implement an approved work plan for PWDs, in accordance with existing laws and regulations; and
- k. Perform such other functions as may be necessary for the promotion and protection of the welfare of the PWDs.

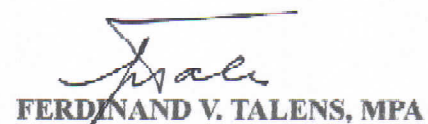
The Head of the PDAO shall be appointed by the Municipal Mayor pursuant to Republic Act 10070 "Establishing Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277, Otherwise Known as the Magna Carta for Disabled Persons, As Amended, And For Other Purposes"

The Head of the PDAO shall perform the following duties and responsibilities:

- a) Manage and oversee the efficient operations of the PDAO and general supervision of its personnel;
- b) Develop, promote, and monitor the implementation of policies, plans, programs, and services for the development of PWDs in coordination with the national and local government agencies;
- c) Ensure representation of PWDs in the Municipal Development Council, SB Committees, and other special bodies of the Municipal government;
- d) Build the capacity of NGOs and POs to participate in the implementation of all disability related laws and policies;
- e) Establish coordination with various executive departments and offices as well as with the Sangguniang Bayan and ensure the inclusion of disability concerns in all local government programs and services;
- f) Network with local, national, and international organizations and establish partnership on disability programs and resource mobilizations; and
- g) Develop and submit to the Municipal Mayor an Annual Work and Financial Plan and prepare an annual accomplishment report for inclusion in the State of Our Municipal Report.

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