Republic of the Philippines
Province of Laguna
Municipality of Los Baños
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
2/F, Municipal Building, National Highway, Brgy. Timugan, Los Baños, Laguna, 4030
Tel. Nos. : (049) 530 2981; 530 2952; 530 2953; 530 2818 Local: 2001

BAGONG PILIPINAS

EXCERPTS FROM THE MINUTES OF THE FIFTIETH (50TH) REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN HELD ON JULY 27, 2026 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

PRESENT:

Hon. Marlo PJ A. Alipon	Municipal Vice Mayor/Presiding Officer
Hon. Miko C. Pelegrina	S.B. Member
Hon. Aldous Amiel B. Perez	S.B. Member
Hon. Muriel Laisa B. Dizon	S.B. Member
Hon. Leren Mae M. Bautista	S.B. Member
Hon. Benedicto S. Alborida	S.B. Member
Hon. Rand Edouard R. De Jesus	S.B. Member
Hon. Myla E. Alinsunurin	S.B. Member
Hon. Jay G. Rolusta	S.B. Member
Hon. Gaudencio P. Macatangay	Ex-Officio Member/Liga President
Hon. Samantha Nicole A. Banasihan-Ortega	Ex-Officio Member/SK Federation President

ABSENT:

None

ORDINANCE NO. 2026-2517

AN ORDINANCE ESTABLISHING A LOCALIZED MECHANISM AGAINST DISCRIMINATORY HIRING ADVERTISEMENTS AND UNFAIR EMPLOYMENT PRACTICES IN THE MUNICIPALITY OF LOS BAÑOS, LAGUNA, PROVIDING GUIDELINES FOR RECRUITMENT, AND ESTABLISHING A LOCAL COMPLAINT AND MONITORING SYSTEM, AND FOR OTHER PURPOSES.

Author : Councilor Rand Edouard R. De Jesus

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers local government units to enact measures that promote the general welfare of their inhabitants;

WHEREAS, the 1987 Philippine Constitution and existing labor and anti-discrimination laws, including Republic Acts Nos. 10911, 9710, 7277, 8972, 11036, and 11313, guarantee equal employment opportunities and prohibit discrimination in hiring and employment on the basis of age, sex, disability, solo parent status, mental health condition, and other protected characteristics;

WHEREAS, the Labor Code of the Philippines recognizes both the right of workers to equal employment opportunities and the management prerogative of employers to prescribe lawful qualifications that are reasonably necessary for the position or constitute a bona fide occupational qualification;

WHEREAS, the Municipality of Los Baños recognizes the need to promote fair and inclusive recruitment practices, prevent discriminatory hiring advertisements and employment practices, provide an accessible complaint mechanism, and complement existing national laws while respecting the legitimate prerogatives of employers.

NOW THEREFORE, on motion of Councilor Rand Edouard R. De Jesus duly seconded by Councilor Miko C. Pelegrina and approved by all the Councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, **THAT:**

ARTICLE I
GENERAL PROVISIONS

SECTION 1. **TITLE.** This Ordinance shall be known as the **"Los Baños Fair Hiring and Equal Employment Opportunity Ordinance of 2026."**

SECTION 2. **DECLARATION OF POLICY.** It is hereby declared the policy of the Municipality of Los Baños to promote equal employment opportunities by fostering fair, transparent, objective, and merit-based recruitment and employment practices. The Municipality recognizes the right of every qualified individual to compete for employment free from unlawful discrimination, while likewise recognizing the lawful management prerogatives of employers to prescribe legitimate, job-related, and uniformly applied qualifications necessary for the efficient operation of their businesses or institutions.

This Ordinance shall supplement existing national labor, civil rights, and anti-discrimination laws and shall not be construed to diminish or impair rights, obligations, or remedies provided under existing laws.

SECTION 3. **OBJECTIVES.** This Ordinance aims to:

a) Promote equal employment opportunities within the Municipality of Los Baños;
b) Eliminate discriminatory hiring advertisements and discriminatory employment practices;
c) Encourage employers to adopt fair, transparent, objective, and merit-based recruitment and selection systems;
d) Establish an accessible mechanism for complaint reception, mediation, monitoring, and referral through the Public Employment Service Office (PESO);
e) Promote public awareness of lawful and non-discriminatory recruitment and employment practices;
f) Encourage voluntary compliance among employers, recruitment agencies, publishers, online employment platforms, and other stakeholders; and
g) Complement the implementation and enforcement of existing labor, civil rights, and anti-discrimination laws.

SECTION 4. **SCOPE AND COVERAGE.** This Ordinance shall apply to all employers, recruitment agencies, labor contractors, manpower agencies, publishers, online employment platforms, job fair organizers, and other persons or entities engaged in recruitment or employment activities within the territorial jurisdiction of the Municipality of Los Baños, whether in the public or private sector, consistent with applicable national laws.

Nothing in this Ordinance shall be construed to amend, supersede, limit, or diminish the jurisdiction of the Department of Labor and Employment (DOLE), Civil Service Commission (CSC), National Labor Relations Commission (NLRC), Commission on Human Rights (CHR), or any other government agency vested by law with authority over employment-related matters.

SECTION 5. **CONSTRUCTION AND INTERPRETATION.** This Ordinance shall be liberally construed to promote equal employment opportunities and eliminate unlawful discrimination while respecting the constitutional rights of employers to conduct lawful business and exercise legitimate management prerogatives.

Whenever possible, its provisions shall be interpreted in harmony with the Constitution, the Labor Code of the Philippines, Republic Act No. 7160, Republic Act No. 10911, Republic Act No. 7277, Republic Act No. 9710, Republic Act No. 8972, Republic Act No. 11036, Republic Act No. 11313, and other applicable laws.

In case of conflict between this Ordinance and any national law, administrative regulation, or final judicial decision, the latter shall prevail.

ARTICLE II
DEFINITION OF TERMS

SECTION 6. **DEFINITION OF TERMS.** For purposes of this Ordinance, the following term means:

a) Applicant – refers to any natural person who applies for employment by lawful means.
b) Employer – refers to any entity, public or private, employing workers in Los Baños.
c) Employee – refers to person engaged under lawful employment arrangements.
d) Employment – Includes recruitment, hiring, training, promotion, compensation, and separation.
e) Hiring Advertisement – refers to notice or posting inviting job applications.
f) Recruitment – Process of attracting and selecting applicants.
g) Recruitment Agency – Licensed entity engaged in recruitment activities.

h) Discriminatory Hiring Advertisement – Ads excluding or discouraging applicants based on protected traits, unless justified by law or BFOQ.
i) Discriminatory Employment Practice – Acts denying equal opportunity due to protected traits.
j) Protected Characteristics – Age, sex, gender, SOGIE, marital status, pregnancy, disability, religion, ethnicity, race, national origin, mental health, solo parent status, HIV status, indigenous membership, or other traits protected by law.
k) Bona Fide Occupational Qualification (BFOQ) – Lawful requirement essential to a job, not based on stereotypes or convenience.
l) Essential Job Function – Core duties intrinsic to a position.
m) Lawful Employment Qualification – Standards directly related to duties, required by law, or necessary for safety and efficiency.
n) Reasonable Accommodation – Adjustments enabling persons with disabilities to work, unless causing undue hardship.
o) Management Prerogative – Employer's lawful right to regulate employment consistent with labor laws.
p) PESO – Public Employment Service Office of Los Baños, implementing this Ordinance.
q) Publisher – Entity disseminating job ads.
r) Online Employment Platform – Websites or apps posting job opportunities.
s) Good Faith – Honest compliance without intent to discriminate.

ARTICLE III
EQUAL EMPLOYMENT OPPORTUNITY, PROHIBITED ACTS, AND LAWFUL EMPLOYMENT PRACTICES

SECTION 7. **GENERAL RULE.** All applicants and employees have the right to equal opportunity in employment. Decisions must be based on merit, competence, qualifications, and legitimate job requirements. No one shall be denied employment solely due to a protected characteristic, unless it is a lawful qualification or a valid BFOQ.

SECTION 8. **PROHIBITED HIRING ADVERTISEMENTS** It shall be unlawful to publish, print, post, broadcast, circulate, or otherwise disseminate any hiring advertisement that:

a) Exclude or discourage applicants based on protected traits without lawful basis.
b) Impose irrelevant qualifications.
c) Contain degrading or stereotypical language.
d) Indicate applicants with protected traits are unwelcome.
e) Require disclosure of unrelated personal information.
f) Violate labor or anti-discrimination laws.

SECTION 9. PROHIBITED EMPLOYMENT PRACTICES. No employer shall:

a) Refuse to hire, demote, terminate, or deny promotion due to protected traits.
b) Pay unequal compensation or deny benefits for discriminatory reasons.
c) Deny training or career opportunities based on protected traits.
d) Harass, retaliate, or intimidate applicants/employees for filing complaints.
e) Require waiver of rights under labor or anti-discrimination laws.
f) Adopt arbitrary or unreasonable recruitment standards.
g) Aid or conspire in discriminatory acts.

SECTION 10. LAWFUL HIRING AND EMPLOYMENT PRACTICES. Employers shall prescribe qualifications that are:

a) Required by law or regulation.
b) Directly related to essential job functions.
c) Necessary for public health, safety, or welfare.
d) Based on education, work experience, technical skills, or licenses.
e) Uniformly applied to similar positions.
f) Consistent with legitimate business operations.

SECTION 11. LAWFUL COLLECTION OF APPLICANT INFORMATION. An employer may require applicants to disclose or submit information reasonably necessary to determine their qualifications for employment, including but not limited to educational attainment, employment history, professional licenses, competency certifications, clearances, medical examinations, drug testing, physical fitness standards, and other lawful requirements.

The collection, processing, retention, and use of applicant information shall comply with Republic Act No. 10173 (Data Privacy Act of 2012), the Labor Code of the Philippines, and other applicable laws.

SECTION 12. BONA FIDE OCCUPATIONAL QUALIFICATION (BFOQ). A qualification based on age, sex, gender, physical capability, health condition, religion, civil status, or any other characteristic shall not constitute discrimination when the employer establishes that such qualification:

a) Is expressly required by law;
b) Is reasonably necessary for the normal operation of the business;
c) Is directly related to the essential functions of the position;
d) Cannot reasonably be substituted by another qualification; and
e) Is applied in good faith and not for the purpose of excluding qualified persons.

The employer shall bear the burden of proving that the qualification constitutes a valid Bona Fide Occupational Qualification.

SECTION 13. ILLUSTRATIVE EXAMPLES OF LAWFUL EMPLOYMENT QUALIFICATIONS. Examples of qualifications lawfully required when reasonably necessary, and their legal basis:

a) **Age requirements** – as expressly set by law (e.g., minimum age laws, retirement age statutes; cf. RA 10911, Anti-Age Discrimination in Employment Act, which allows age limits expressly prescribed by law);
b) **Professional licenses** – required under specific regulatory laws (e.g., RA 8981 for PRC-regulated professions, or sector-specific licensing statutes);
c) **Medical fitness** – grounded in public safety and health regulations (e.g., Labor Code provisions on occupational safety, DOH/DOLE health standards for food handlers, transport, and emergency personnel);
d) **Physical capability** – recognized under bona fide occupational qualification (BFOQ) doctrine and safety-based labor standards for physically demanding or hazardous roles (firefighting, law enforcement, rescue, security);
e) **Vision/hearing standards** – based on transportation and safety regulations (e.g., LTO/CAAP standards for drivers and pilots; DOLE occupational safety rules for machine operators);
f) **Religious qualifications** – protected under the Constitution (Art. III, Sec. 5, free exercise clause) and recognized ministerial exception doctrine for religious institutions;
g) **Sex/gender qualifications** – permitted as a BFOQ where privacy, decency, authenticity, or safety requires it, consistent with the Magna Carta of Women (RA 9710) and Safe Spaces Act (RA 11313), which do not prohibit legitimate sex-based distinctions;
h) **Security clearances** – authorized under national security and confidentiality laws (e.g., Human Security Act, Data Privacy Act exemptions for security-sensitive roles);
i) **Education, experience, language, technical/competency standards** – recognized under the general employer's prerogative to set job-related qualifications, consistent with Labor Code management prerogative doctrine;
j) **Other qualifications** – as expressly authorized by existing law or implementing regulations.

The foregoing enumeration is illustrative and shall not be construed as limiting other lawful qualifications recognized by law.

SECTION 14. DUTY TO ACT IN GOOD FAITH. EMPLOYERS, recruitment agencies, publishers, and applicants shall exercise honesty, fairness, and good faith in the recruitment and employment process.

Neither this Ordinance nor its implementing rules shall be used to prevent employers from enforcing lawful employment standards or to compel the hiring of persons who do not meet legitimate job qualifications.

ARTICLE IV
DUTIES AND RESPONSIBILITIES OF EMPLOYERS, RECRUITMENT AGENCIES, PUBLISHERS, JOB FAIR ORGANIZERS, BARANGAYS, AND THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO)

SECTION 15. DUTIES OF EMPLOYERS, RECRUITMENT AGENCIES, AND OTHER HIRING ENTITIES. All employers, recruitment agencies, labor contractors, manpower agencies, publishers, online employment platforms, and job fair organizers operating within the Municipality of Los Baños shall:

a) Conduct recruitment and employment practices in accordance with this Ordinance and applicable labor and anti-discrimination laws;
b) Ensure that hiring advertisements and employment requirements are based on lawful qualifications, merit, competence, and the essential requirements of the position;
c) Refrain from publishing, requiring, or enforcing discriminatory qualifications or practices not authorized by law or justified as a Bona Fide Occupational Qualification (BFOQ);
d) Cooperate with the Public Employment Service Office (PESO) in the implementation of this Ordinance; and
e) Maintain records and perform such other duties as may be required under existing laws.

Nothing in this Ordinance shall be construed to require an employer to hire or retain an applicant or employee who does not possess the lawful qualifications or competency required for the position.

SECTION 16. PROMOTION OF INCLUSIVE EMPLOYMENT. The Municipality of Los Baños shall actively promote the employment of qualified members of vulnerable and disadvantaged sectors, particularly senior citizens and persons with disabilities (PWDs), consistent with existing laws.

Employers participating in PESO-sponsored job fairs, employment facilitation programs, local recruitment activities, or Municipality-endorsed hiring events are strongly encouraged, whenever practicable, to:

a) identify positions suitable for qualified senior citizens and qualified persons with disabilities;
b) indicate in their vacancy announcements positions that may reasonably accommodate qualified senior citizen or PWD applicants;
c) designate recruitment personnel knowledgeable on inclusive hiring practices;

d) provide reasonable accommodation during recruitment and selection processes for qualified PWD applicants, where feasible;
e) coordinate with PESO, the Office for Senior Citizens Affairs (OSCA), and the Persons with Disability Affairs Office (PDAO) for employment referrals and job matching; and
f) participate in livelihood and employment initiatives of the Municipality intended for disadvantaged sectors.

PESO shall maintain and periodically publish a directory or registry of participating employers that voluntarily offer employment opportunities suitable for qualified senior citizens and persons with disabilities, for purposes of employment referral and public information.

SECTION 17. DUTIES OF THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO). The Public Employment Service Office (PESO), through its Head or duly authorized personnel, shall serve as the primary implementing office of this Ordinance and shall:

a) Receive and evaluate complaints arising under this Ordinance;
b) Facilitate conciliation or mediation, where appropriate;
c) Conduct information, education, and advocacy programs promoting fair recruitment and equal employment opportunity;
d) Monitor compliance and maintain records of complaints and actions taken;
e) Refer matters involving violations of national labor or other applicable laws to the appropriate government agency; and
f) Submit an annual implementation report to the Municipal Mayor and the Sangguniang Bayan.

PESO shall exercise only such powers as are authorized by law and shall not assume the jurisdiction of the Department of Labor and Employment (DOLE), National Labor Relations Commission (NLRC), Civil Service Commission (CSC), or the courts.

SECTION 18. ASSISTANCE OF BARANGAYS AND VOLUNTARY COMPLIANCE. The Barangays shall assist the Municipality by disseminating information on this Ordinance, referring complaints to PESO, and supporting information and education activities.

PESO may establish a voluntary compliance and recognition program for employers demonstrating fair and non-discriminatory recruitment practices. Participation in such program shall not exempt any employer from compliance with this Ordinance or other applicable laws.

ARTICLE V
COMPLAINT PROCEDURES, MEDIATION, COMPLIANCE, AND ADMINISTRATIVE ENFORCEMENT

SECTION 19. WHO MAY FILE A COMPLAINT. A complaint under this Ordinance may be filed by:

a) Any applicant or employee who believes that they have been subjected to a discriminatory hiring advertisement or discriminatory employment practice;
b) A duly authorized representative of the aggrieved person;
c) A parent or legal guardian, in the case of a minor or a person who is legally incapacitated;
d) The Public Employment Service Office (PESO), on its own initiative, when a violation is discovered during its monitoring activities; or
e) Any government agency that refers a matter to PESO for appropriate action.

SECTION 20. FILING OF COMPLAINTS. Complaints shall be filed with the Public Employment Service Office in writing or through such electronic means as may be prescribed under the Implementing Rules and Regulations.

The complaint shall contain, as far as practicable:

a) Name and address of the complainant;
b) Name and address of the respondent;
c) Facts constituting the alleged violation;
d) Supporting documents or evidence, if available; and
e) Relief sought.

No filing fee shall be required.

Failure to comply strictly with the form shall not be a ground for outright dismissal if the complaint substantially states a possible violation.

SECTION 21. PRELIMINARY EVALUATION. Within five (5) working days from receipt of the complaint, PESO shall determine whether the complaint falls within the coverage of this Ordinance. If appropriate, PESO shall notify the respondent, receive the parties' explanations, and facilitate voluntary mediation or conciliation. Complaints outside the Municipality's authority shall be referred to the appropriate government agency.

SECTION 22. INVESTIGATION AND REFERRAL. If mediation is unsuccessful or inappropriate, PESO may conduct an administrative investigation to determine compliance with this Ordinance, receive relevant evidence, and prepare its findings and recommendations.

Where the complaint involves matters within the jurisdiction of the Department of Labor and Employment (DOLE), National Labor Relations Commission (NLRC), Civil Service Commission (CSC), the courts, or any other competent agency, PESO shall immediately refer the complaint to the appropriate authority.

SECTION 23. **CONFIDENTIALITY AND PROTECTION AGAINST RETALIATION.** All complaints, mediation proceedings, investigations, and records shall be treated with confidentiality in accordance with applicable laws.

No person shall be subjected to intimidation, harassment, discrimination, or retaliation for filing a complaint, participating in an investigation, or exercising rights under this Ordinance. This shall not preclude employers from imposing lawful disciplinary measures for valid causes.

SECTION 24. **FALSE OR MALICIOUS COMPLAINTS.** Any person who knowingly files a false or malicious complaint shall be subject to appropriate action under existing laws. Complaints filed in good faith shall not give rise to liability.

SECTION 25. **RECORDKEEPING AND REPORTING.** PESO shall maintain records of complaints, mediation proceedings, investigations, referrals, and actions taken under this Ordinance, and shall submit an annual implementation report to the Municipal Mayor and the Sangguniang Bayan.

SECTION 26. **COMPLIANCE AND REFERRAL.** PESO may recommend the issuance of a Compliance Order directing the respondent to correct the violation within a specified period. Where the act also constitutes a violation of national law, PESO shall refer the matter to the appropriate government agency without prejudice to the enforcement of this Ordinance.

Voluntary compliance before the resolution of the complaint may be considered a mitigating circumstance.

SECTION 27. **EMPLOYER RECOGNITION PROGRAM.** The Municipality, through PESO, may establish an annual recognition program for employers, recruitment agencies, and organizations demonstrating exemplary compliance with this Ordinance and promoting inclusive, fair, and non-discriminatory employment practices.

SECTION 28. **RELATION TO EXISTING LAWS.** This Ordinance shall supplement existing national labor and anti-discrimination laws and shall be construed in harmony with the Constitution, the Local Government Code of 1991, the Labor Code of the Philippines, and other applicable laws. In case of conflict, the applicable national law shall prevail.

SECTION 29. **IMPLEMENTING RULES AND REGULATIONS (IRR).** Within sixty (60) days from the effectivity of this Ordinance, the Municipal Mayor, through the Public Employment Service Office (PESO), in coordination with the Municipal Legal Office, Human Resource Management Office, Business Permits and Licensing Office, and other concerned offices, shall promulgate the Implementing Rules and Regulations necessary for the effective implementation of this Ordinance.

SECTION 30. **FUNDING.** The implementation of this Ordinance shall be funded from the annual appropriations of the Municipality, subject to existing budgeting, accounting, and auditing laws, rules, and regulations including grants, donations, or other lawful funding sources that may be made available for employment promotion programs.

SECTION 31. **SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SECTION 32. **REPEALING CLAUSE.** All ordinances, resolutions, rules, and regulations, or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed or modified accordingly.

SECTION 33. **EFFECTIVITY.** This Ordinance shall take effect fifteen (15) days after its complete publication in a local newspaper of general circulation or by posting in at least three (3) conspicuous public places in the Municipality of Los Baños.

ENACTED : July 27, 2026

I HEREBY CERTIFY to the correctness of the above–quoted Ordinance.

DONNA T. ALBORIDA – DIZON
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:

HON. MARLO PJ A. ALIPON, MPA, REE, RMP
Municipal Vice Mayor/Presiding Officer

APPROVED:

HON. NEIL ANDREW N. NOCON
Municipal Mayor