ORDINANCE NO. 17- 127

AN ORDINANCE REQUIRING ALL OFFICES AND ESTABLISHMENTS WITHIN MUNTINLUPA CITY WITH FIFTY (50) OR MORE FEMALE EMPLOYEES OF REPRODUCTIVE AGE TO PROVIDE THEIR FEMALE EMPLOYEES WITH LACTATION STATIONS.

Sponsored by: Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Bal Nieves
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ringo A. Teves
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Alexander Diaz
Hon. Coun. Ivey Rhia Arciaga-Tadea
Hon. Coun. Christine May A. Abas
Hon. Coun. Marissa Cole-Rongavilla
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Lucio B. Constantino
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Victor L. Ulanday
Hon. Coun. Grace B. Gonzaga
Hon. Coun. Walter A. Arcilla – ABC

WHEREAS, because of the nutritional, immunological, emotional and psychological benefits of breastfeeding, mother and health care providers should encourage to breastfeed their new born children;

WHEREAS, breastfeeding is an effective intervention is reducing infant and child mortality. Optimal infant and young child feeding means that mothers should initiate breastfeeding within one hour of birth, breastfeed exclusively for the first six months, and continue to breastfeed for two years or more;

WHEREAS, Republic Act (RA) NO. 7600, The Rooming-in and Breastfeeding Act of 1992 as amended by RA No. 10028, adopts the practice of rooming-in as a national policy to encourage, protect, and support the practice of breastfeeding. It creates environmental where physical, emotional and psychological needs of mother and infants are fulfilled through practice of rooming-in or breastfeeding;

WHEREAS, RA No. 7600, otherwise known as Rooming-in and Breast-Feeding Act of 1992, as amended by RA No. 10028, mandates the establishment of Lactation Stations in all health and non-health facilities, establishments and institutions;
WHEREAS, Executive Order No. 51, National Code Of Marketing Of Breast Milk Substitutes, breast milk supplement and other related products commonly referred to as "The Milk Code" is the law that ensures safe and adequate nutrition for infants through promotion of breastfeeding;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 8th Sangguniang Panlungsod of Muntinlupa in Session Assembled that:

SECTION 1. General Coverage - All establishments having fifty (50) or more female employees in their branch location within Muntinlupa City of reproductive age, weather, contractual or project employees are mandatory required to provide their female employees with Lactation Station/s provided for under the provisions of RA No. 7590. The establishment with less than the required number is encouraged to comply and promote breast-feeding awareness among its female employees.

SECTION 2. Exemption – when an establishment of a lactation station is not feasible due to the peculiar circumstances of the work place or public place, taking into consideration the physical size of the establishment and other exemptions and circumstances as may be upheld by the City Health Office.

SECTION 3. Definition Of Terms:
1) Reproductive age – ages between 19 – 44 years old, or age wherein a woman can conceive and deliver a child with low risk.
2) Lactation Station – a private space where a nursing mother can express breast milk for her baby.

SECTION 4. The lactation shall be a sufficient space where the mother can have her privacy for that purpose. The lactation station shall be adequately ventilated and provided with the 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, electrical outlets for breast pumps, tables, comfortable seats, and other items, the standards of which shall be required by the Muntinlupa City Health Office. No lactation station shall be located in a toilet or comfort room.

SECTION 5. The Muntinlupa City Health Office (CHO) and Business Permits and Licensing Office (BPLO) are hereby jointly mandated to properly implement the provisions of this Ordinance.

SECTION 6. The Muntinlupa City Health Office shall recommend to the Business Permits and Licensing Office to hold the issuance of the business permit to any office and/or establishments which does not provide lactation room/s for its female employees as required under this Ordinance.
SECTION 7. The Business Permit and Licensing Office may issue the necessary business permits to any office and/or establishment which does not provide lactation station for its female employees as required under this ordinance provided that such office and/or establishment shall execute an undertaking to comply with this Ordinance during the first year of its implementation.

SECTION 8. The Muntinlupa City Health Office and Business Permit and Licensing Office shall formulate an Implementing Rules and Regulations (IRR) for the proper implementation of this Ordinance subject to the approval of the City Mayor.

SECTION 9. Separability Clause – If, for any reason or reasons, any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10. Repealing Clause. All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION 11. Effectivity Clause. This Ordinance shall take upon its approval.

ENACTED, by the 8th Sangguniang Panlungsod of Muntinlupa this 4th day of December, 2017, on its 58th Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAO, JR.  
Member

COUN. BAL NIEFES  
Member

COUN. ALLAN REY A. CAMILON  
Member

COUN. LOUISITO A. ARCIAGA  
Member

COUN. STEPHANIE G. TEVES  
Member

COUN. RINGO A. TEVES  
Member

COUN. ALEXANDER B. DIAZ  
Member
Sangguniang Panlungsod

Page 4
Ordinance No. 17-127

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT II:

COUN. MA. DHESIREE G. AREVALO
Member

COUN. MARISSA C. RONGAVILLA
Member

COUN. RAFAEL T. SEVILLA
Member

COUN. CHRISTINE MAY A. ABAS
Member

COUN. MARK LESTER M. BAES
Member

COUN. VICTOR L. ULANDAY
Member

COUN. GRACE B. GONZAGA
Member

COUN. WALTER A. ARCILLA
Sectoral Representative
League of Barangay Captains

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

COUN. LUCIO B. CONSTANTINO
Acting Presiding Officer

APPROVED:

ATTY. JAIME R. FRENMED
City Mayor

Date: 05 DEC 2017

Norie/8th SP