

MSU-IIT Committee on Decorum and Investigation (CODI)

The reconstituted Committee on Decorum and Investigation or CODI is also tasked to lead discussions on sexual harassment among faculty members, administrative/non-teaching personnel, and students to increase understanding and prevent incidents from occurring on campus.

The Mindanao State University – Iligan Institute of Technology (MSU-IIT), as a State University, is committed to adhering to and observing the laws, regulations, and policies set forth by the Philippine Government. This includes compliance with Republic Act 9710, also known as the Magna Carta of Women, and the comprehensive frameworks issued by the Civil Service Commission, such as the 2017 Omnibus Rules on Appointment and Other Human Resource Actions (2017 ORAOHRA) and the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS), among others.

In fulfilling its mission, MSU-IIT also adheres to principles of inclusivity, gender equality, and fair treatment of all employees, promoting an environment that fosters personal and professional growth. The institution recognises the importance of upholding the rights of women, persons with disabilities, and other marginalised groups, ensuring that they are given equal opportunities in employment, education, and participation in the various programmes and initiatives of the University.

The Magna Carta of Women (MCW) is a comprehensive human rights law for women that seeks to eliminate discrimination through the recognition, protection, fulfilment, and promotion of the rights of Filipino women, especially those belonging to the marginalised sectors of society.

Magna Carta of Women guaranteed women all rights in the Philippines Constitution, and those recognised under international instruments duly signed and ratified by the Philippines, in consonance with Philippine law, shall be the rights of women. These rights shall be enjoyed without discrimination since the law prohibits discrimination against women by public and private entities or individuals. To ensure the implementation of this law, the Philippine Commission on Women (PCW) was created and designated as the lead agency responsible for overseeing and ensuring the full implementation of the Magna Carta of Women.

Under the Magna Carta of Women, every woman has the right to:

1. Protection from all forms of violence, including those committed by the State. This includes the incremental increase in the recruitment and training of women in government services that cater to women victims of gender-related offences. It also ensures mandatory training on human rights and gender sensitivity to all government personnel involved in the protection and defence of women against gender-based violence and mandates local government units to establish a Violence Against Women Desk in every barangay to address violence against women cases;
2. Protection and security in times of disaster, calamities and other crisis situations, especially in all phases of relief, recovery, rehabilitation and construction efforts, including protection from sexual exploitation and other sexual and gender-based violence.
3. Participation and representation, including undertaking temporary special measures and affirmative actions to accelerate and ensure women's equitable participation and representation in the third-level civil service, development councils and planning bodies, as well as political parties and international bodies, including the private sector.
4. Equal treatment before the law, including the State's review and, when necessary, amendment or repeal of existing laws and regulations that are discriminatory to women;
5. Equal access and elimination of discrimination against women in education, scholarships and training. This includes revising educational materials and curricula to remove gender stereotypes and images, outlawing expulsion and non-readmission, prohibiting enrollment and other related discrimination against women students and faculty due to pregnancy outside of marriage;
6. Equal participation in sports. This includes measures to ensure that gender-based discrimination in competitive and non-competitive sports is removed so that women and girls can benefit from sports development;
7. Non-discrimination in employment in the field of military, police and other similar services. This includes the same promotional privileges and opportunities as their male counterparts, including pay increases, additional benefits, and awards based on competency and performance quality. The dignity of women in the military, police and other similar services shall always be respected; they shall be accorded the same capacity as men to act in and enter into contracts, including marriage, as well as be entitled to leave benefits for women such as maternity leave, as provided for in existing laws;
8. Non-discriminatory and non-derogatory portrayal of women in media and film to raise the consciousness of the general public in recognising the dignity of women and the role and

- contribution of women in family, community, and society through the strategic use of mass media;
9. Comprehensive health services and health information and education covering all stages of a woman's life cycle and address the major causes of women's mortality and morbidity, including access to, among others, maternal care, responsible, ethical, legal, safe and effective methods of family planning, and encouraging healthy lifestyle activities to prevent diseases;
 10. Leave benefits of two (2) months with full pay based on gross monthly compensation for women employees who undergo surgery caused by gynaecological disorders, provided that they have rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months;
 11. Equal rights in all matters relating to marriage and family relations. The State shall ensure the same rights of women and men to enter into and leave marriages, freely choose a spouse, decide on the number and spacing of their children, enjoy personal rights, including the choice of a profession, own, acquire, and administer their property, and acquire, change, or retain their nationality. It also states that the betrothal and marriage of a child shall have no legal effect.

Further, in 2017, the Civil Service Commission issued a comprehensive framework called the 2017 Omnibus Rules on Appointment and Other Human Resource Actions (ORAOHRA) to regulate human resource management within the government, including State Universities.

The 2017 Omnibus Rules on Appointments and Other Human Resource Actions, Rule XII Section 134, states that:

“No discrimination shall be exercised, threatened, or promised against or in favour of any person examined or to be examined or employed by reason of his/her political or religious opinions or affiliation, sex, sexual orientation and gender identity, civil status, age, disability, or ethnicity.”

On agency merit selection plan and human resource merit promotion and selection, 2017 ORAOHRA Rule IX Section 83 further states that:

"There shall be no discrimination in the selection of employees on account of age, sex, sexual orientation and gender identity, civil status, disability, religion, ethnicity, or political affiliation."

Upon the issuance of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions, the Mindanao State University – Iligan Institute of Technology reiterated its observance through Memorandum Order No. 2017-00142-OC.

Subsequently, upon the recommendation of the University President and the Executive Committee of the Board of Regents, the proposed Equity, Diversity, and Inclusivity (EDI) Policy of Mindanao State University - Iligan Institute of Technology was approved for system-wide application to all campuses under the Mindanao State University System, subject to contextualisation by each campus. This is the Board of Regents Resolution No. 359, Series of 2023.

Board of Regents Resolution No. 359, Series of 2023, Article XI, entitled Human Resource Management Practice, states that:

"Section 1. MSU-IIT advocates equal opportunity employment and does not discriminate based on race, colour, ethnicity, nationality, religion, gender, sexual orientation, gender identity, age, disability, veteran status, or any other legally protected characteristic."

"Section 2: All employment decisions, including recruitment, hiring, promotions, compensation, benefits, and termination, shall be made without regard to an individual's protected characteristics."

"Section 5: The University shall maintain a workplace environment that values and respects diversity. Discrimination, harassment, and retaliation against any employee or applicant for employment shall not be tolerated."

These sections collectively ensure that MSU-IIT addresses and promotes non-discrimination and inclusivity for women and transgender individuals in student admissions and employment practices.

Article V defines diversity as:

“Diversity encompasses a wide range of human differences, including but not limited to race, ethnicity, gender, sexual orientation, religion, age, disability, socio-economic status, national origin, and cultural background.”

Further, although the term “transgender” is not explicitly mentioned, the laws mentioned above, issuances, and policies are still applicable to cases of discrimination against transgender individuals. Gender and sexual orientation are expressly included within these legal frameworks. Consequently, the protections and measures designed to prevent discrimination and promote inclusivity extend to transgender individuals under the broader categories of gender and sexual orientation.

In addition to the rights of women and non-discrimination policies, maternity leave is also enjoyed by the faculty and administrative personnel of this University as it adheres to Republic Act No. 11210: 105 Day Expanded Maternity Law, the Philippine government grants maternity leave for female workers.

RA 11210, Section 3 or RA 11210 states that:

Section 3. Grant of Maternity Leave.— All covered female workers in government and the private sector, including those in the informal economy, regardless of civil status or the legitimacy of her child, shall be granted one hundred five (105) days maternity leave with full pay and an option to extend for an additional thirty (30) days without pay: Provided, That in case the worker qualifies as a solo parent under Republic Act No. 8972, or the "Solo Parents'

Welfare Act", the worker shall be granted an additional fifteen (15) days maternity leave with full pay.

Similarly, the University recognises the importance of paternity leave, ensuring that male employees are also supported during significant family events. Hence, it also adheres to Republic Act 8187: Paternity Leave Act of 1996, which states that

“The Philippines government grants paternity leave of seven (7) days with full pay to all married employees in the private and public sectors for the first four (4) deliveries of the legitimate spouse with whom he is cohabiting and for other purposes.”

In the unfortunate event of a discrimination complaint, the complainant may file a complaint following the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS). This complaint can be applied to any violation of laws, regulations, and policies set forth by the Philippine Government and frameworks issued by the Civil Service Commission as perceived by the complainant.

2017 RACCS Rule 3 Section 11 states that the complaint shall contain the following:

- Full name and address of the complainant;
- Full name and address of the person complained of, as well as their position and office;
- A narration of the relevant and material facts which show the act or omissions allegedly committed;
- Certified true copies of documentary evidence and affidavits of their witnesses, if any; and
- Certification or statement of non-forum shopping.

“The absence of any of the aforementioned requirements may cause the dismissal of the complaint without prejudice to its refiling upon compliance with the same.”

Additionally, Section 13 of the same policy states that:

“Except when otherwise provided for by law, an administrative complaint may be filed anytime with the Commission or any of its regional offices, head of departments, agencies, national government, local government units, state universities and colleges (SUCs) or local universities and colleges (LUCs), and government-owned or controlled corporation with original charters except as may be provided by law.”

In the case of Mindanao State University - Iligan Institute of Technology, the complainant may file the complaint with the Civil Service Commission or any of its regional offices or with the Human Resource Merit Promotion and Selection Board (HRMPSB) of the University. In MSU-IIT, and under the 2017 ORAOHRA Rule IX Section 85, the HRMPSB chairperson is the Vice Chancellor for Administration and Finance, of which the Human Resource Management Office of the University is under.

Mindanao State University Board of Regents Resolution No. 359, Series of 2023 states under Article XV Section 1 that:

“The University shall establish mechanisms for reporting incidents of discrimination, harassment, or any form of exclusion. These reports will be handled promptly, confidentially, and with sensitivity. Adequate measures shall be taken to address and prevent such incidents from recurring.”

This section ensures that there are clear procedures in place for individuals to report discrimination and that these reports are managed with care and confidentiality. The University commits to taking appropriate actions to address and prevent further incidents.

Annex 1: Attache MO No. 2017-00142-OC

Annex 2: Attache BOR No. 359 S 2023

References:

[2017 Omnibus Rules on Appointments and Other Human Resource Actions](#)

Link: <https://csc.gov.ph/downloads/2017-oraohra>

2017 Rules on Administrative Cases in the Civil Service (2017 RACCS)

Link: <https://www.csc.gov.ph/phocadownload/userupload/irmo/policy%20resolutions/2017/CSC%20Resolution%20No.%201701077.pdf>

Mindanao State University – Iligan Institute of Technology Memorandum Order No. 2017-00142-OC.

Mindanao State University Board of Regents Resolution No. 359, Series of 2023

Republic Act No. 11210: 105-Day Expanded Maternity Law

Link: https://lawphil.net/statutes/repacts/ra2019/ra_11210_2019.html

Republic Act 8187: Paternity Leave Act of 1996

Link: <https://pcw.gov.ph/republic-act-8187-paternity-leave-act-of-1996/>

Republic Act No. 9710: The Magna Carta of Women

LinkL <https://cws.up.edu.ph/wp-content/uploads/RA-9710-Magna-Carta-of-Women.pdf>