

SAFE SPACES ACT

PASSED IN 2019, THIS PROVIDES **PROTECTION FOR WOMEN AND THE LGBT+** AGAINST **GENDER-BASED SEXUAL HARASSMENT**.

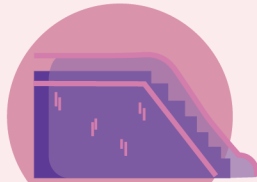


1 WHAT DOES THE SAFE SPACES ACT PROTECT AGAINST?

THE SAFE SPACES ACT PROTECTS AGAINST GENDER-BASED SEXUAL HARASSMENT IN THE FOLLOWING AREAS:



IN STREETS, ROADS, SIDEWALKS, AND ALLEYS



IN PUBLIC PARKS, MALLS, INTERNET SHOPS, CINEMAS, THEATERS, SPAS, AND OTHER RECREATIONAL SPACES



IN CHURCHES



IN TRANSPORT TERMINALS, PUVs, AND IN PRIVATE VEHICLES COVERED BY APP-BASED TRANSPORT NETWORK SERVICES



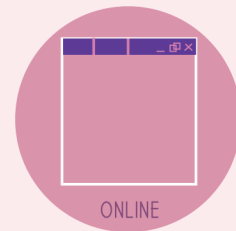
IN PUBLIC BUILDINGS, PUBLIC WASHROOMS AND IN SPACES USED AS EVACUATION CENTERS



IN GOVERNMENT OFFICES, PUBLIC AND PRIVATE, WORKPLACES, AND IN SCHOOLS



IN RESTAURANTS, BARS, OR PUBLIC MARKETS



ONLINE

ANYONE CAN COMMIT GENDER-BASED SEXUAL HARASSMENT. THIS INCLUDES:

2 WHO CAN COMMIT GENDER-BASED SEXUAL HARASSMENT?



PEOPLE ON THE STREET



THOSE WITH AUTHORITY, INFLUENCE, OR MORAL ASCENDANCY OVER OTHERS (SUCH AS TEACHERS, TRAINERS, SUPERIORS)



PEERS (SUCH AS CLASSMATES OR FRIENDS)



SUBORDINATES (SUCH AS EMPLOYEES, TRAINEES, OR STUDENTS)

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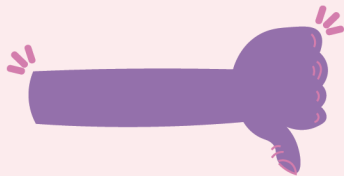
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WHAT ACTS COUNT AS GENDER-BASED SEXUAL HARASSMENT UNDER THE LAW?

IN PUBLIC SPACES, INCLUDING SCHOOLS, THE FOLLOWING ARE CONSIDERED GENDER-BASED SEXUAL HARASSMENT:



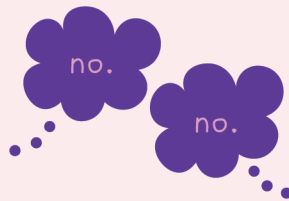
CATCALLING OR WOLF-WHISTLING



GROPING



PUBLIC MASTURBATION OR FLASHING OF PRIVATE PARTS



MISOGYNISTIC, TRANSPHOBIC, HOMOPHOBIC OR SEXIST SLURS, OR UNWANTED SEXUAL REMARKS, COMMENTS, AND SUGGESTIONS

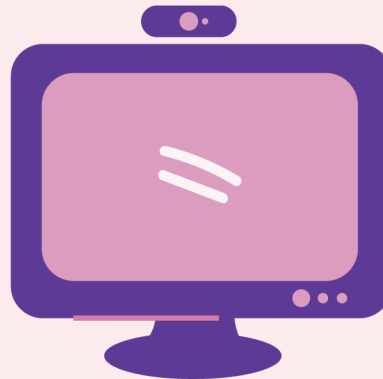


ANY OTHER PHYSICAL OR VERBAL ADVANCES



UNWANTED INVITATIONS, RELENTLESS REQUESTS FOR PERSONAL INFORMATION, AND PERSISTENT UNINVITED COMMENTS OR GESTURES ON A PERSON'S APPEARANCE

IN THE WORKPLACE, THE FOLLOWING ARE CONSIDERED GENDER-BASED SEXUAL HARASSMENT, WHETHER DONE VERBALLY, PHYSICALLY, OR THROUGH ANY COMMUNICATION TECHNOLOGY:

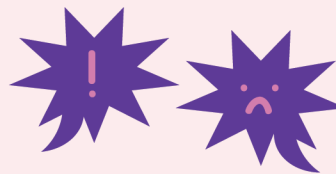


1. UNWELCOME SEXUAL ADVANCES, REQUESTS OR DEMANDS FOR SEXUAL FAVORS, ACTS OF A SEXUAL NATURE, OR OTHER SIMILAR ACTS THAT HAS OR COULD HAVE A DETRIMENTAL EFFECT ON AN INDIVIDUAL'S EMPLOYMENT OR EDUCATION, JOB PERFORMANCE, OR OPPORTUNITIES

2. CONDUCT OF A SEXUAL NATURE, OR OTHER CONDUCT BASED ON SEX AFFECTING A PERSON'S DIGNITY, WHICH IS UNWELCOME, UNREASONABLE, AND OFFENSIVE TO THE RECIPIENT;

3. UNWELCOME, PERVERSIVE CONDUCT CREATING AN INTIMIDATING, HOSTILE, OR HUMILIATING ENVIRONMENT FOR THE RECIPIENT.

ONLINE, OR USING INFORMATION AND COMMUNICATION TECHNOLOGY (ICT), THE FOLLOWING ARE CONSIDERED GENDER-BASED SEXUAL HARASSMENT:



TERRORIZING OR INTIMIDATING VICTIMS THROUGH PHYSICAL, PSYCHOLOGICAL, OR EMOTIONAL THREATS

PERSON COMMENTED:



TERRORIZING OR INTIMIDATING VICTIMS THROUGH PHYSICAL, PSYCHOLOGICAL, OR EMOTIONAL THREATS



FAKE ACCOUNT ALERT!

IMPERSONATING VICTIMS ONLINE, OR POSTING LIES ABOUT VICTIMS TO HARM THEIR REPUTATION



INVASION OF PRIVACY THROUGH CYBERSTALKING



INCESSANT MESSAGING



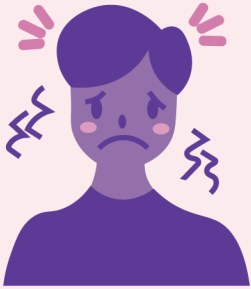
UPLOADING AND SHARING PHOTOS, VOICE MEMOS, VIDEOS, OR ANY OTHER INFORMATION WITHOUT THE VICTIM'S CONSENT, OR TAKEN WITHOUT THE VICTIM'S AUTHORIZATION



FILING FALSE ABUSE REPORTS TO ONLINE PLATFORMS TO SILENCE VICTIMS.

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IS AN ACT STILL CONSIDERED AS GENDER-BASED SEXUAL HARASSMENT IF THE PERPETRATOR SAYS THEY DID NOT MEAN IT?

YES, AN ACT IS CONSIDERED GENDER-BASED SEXUAL HARASSMENT REGARDLESS OF THE PERPETRATOR'S MOTIVE.



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IS AN ACT STILL CONSIDERED ONLINE GENDER-BASED SEXUAL HARASSMENT IF THE PERPETRATOR/S DO IT THROUGH PRIVATE MESSAGES?

YES, ONLINE GENDER-BASED SEXUAL HARASSMENT IS CONSIDERED SO REGARDLESS OF WHETHER IT IS DONE PUBLICLY OR PRIVATELY.

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ARE MINORS STILL LIABLE IF THEY COMMIT GENDER-BASED SEXUAL HARASSMENT?

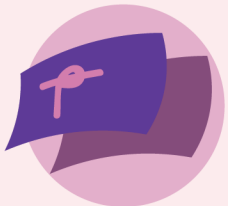
YES, MINORS ARE STILL LIABLE FOR COMMITTING GENDER-BASED SEXUAL HARASSMENT. THEY WILL BE GIVEN DISCIPLINARY MEASURES BY DSWD UNDER RA 9344, OR THE JUVENILE JUSTICE AND WELFARE ACT OF 2006



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ARE FOREIGNERS STILL LIABLE IF THEY COMMIT GENDER-BASED SEXUAL HARASSMENT?

YES, ALIENS ARE STILL LIABLE FOR COMMITTING GENDER-BASED SEXUAL HARASSMENT



FOREIGNERS WHO COMMIT GENDER-BASED SEXUAL HARASSMENT WILL HAVE TO PAY FINES,



SERVE THEIR SENTENCES,



AND THEN WILL BE SUBJECT TO DEPORTATION PROCEEDINGS



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WHAT CAN I DO IF I SEE SOMEONE COMMITTING GENDER-BASED SEXUAL HARASSMENT?

YOU CAN CONDUCT A CITIZEN'S ARREST WITHOUT A WARRANT IF YOU KNOW THE FACTS OF THE SITUATION AND IF THE PERPETRATOR HAS COMMITTED, IS COMMITTING, OR IS ATTEMPTING TO COMMIT GENDER-BASED SEXUAL HARASSMENT.

YOU CAN ALSO REPORT THE INCIDENT TO YOUR SCHOOL AUTHORITIES, WHEN APPLICABLE.



YOU CAN REPORT THE INCIDENT TO THE NEAREST SECURITY GUARD OR POLICE OFFICER, WHO CAN APPREHEND PERPETRATORS IN FLAGRANTE DELICTO, OR CAUGHT IN THE ACT.



SCHOOLS WHICH HAVE REASONABLE KNOWLEDGE ABOUT A POSSIBLE ACT OF GENDER-BASED SEXUAL HARASSMENT SHOULD CONDUCT AN INVESTIGATION AND TAKE APPROPRIATE STEPS TO RESOLVE THE SITUATION, ELIMINATE GENDER-BASED SEXUAL HARASSMENT, PREVENT THEIR RECURRENCE, AND ADDRESS THEIR EFFECTS

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WHAT ASSISTANCE AM I ENTITLED TO IF I REPORT A CASE OF GENDER-BASED SEXUAL HARASSMENT?



Co-workers should provide assistance by:

REFRAINING FROM AND DISCOURAGING OTHERS FROM COMMITTING GENDER-BASED SEXUAL HARASSMENT

REPORTING WITNESSED ACTS OF GENDER-BASED SEXUAL HARASSMENT;

PROVIDING EMOTIONAL OR SOCIAL SUPPORT TO FELLOW EMPLOYEES WHO HAVE EXPERIENCED GENDER-BASED SEXUAL HARASSMENT.



The **MMDA** and the **PNP** should provide assistance by:

ENFORCING ANTI-SEXUAL HARASSMENT LAWS, ORDINANCES, AND POLICIES

APPREHENDING PERPETRATORS CAUGHT IN FLAGRANTE DELICTO, OR IN THE ACT

KEEPING LEDGERS OF PERPETRATORS TO DETERMINE HOW MANY TIMES THE PERPETRATOR HAS COMMITTED GENDER-BASED SEXUAL



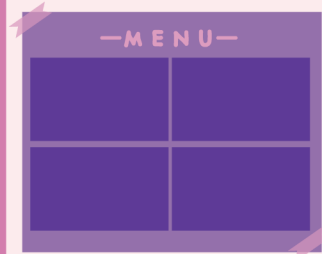
Schools should provide assistance by:

CREATING CODES OF CONDUCT OR WORKPLACE POLICIES EXPRESSLY PROHIBITING GENDER-BASED SEXUAL HARASSMENT

ADOPTING AND PUBLISHING CLEAR GRIEVANCE PROCEDURES AND DESCRIBING ADEQUATE ADMINISTRATIVE PENALTIES FOR GENDER-BASED SEXUAL HARASSMENT

REPORTING WITNESSED ACTS OF GENDER-BASED SEXUAL HARASSMENT; AND, CREATING A COMMITTEE ON DECORUM AND INVESTIGATION (CODI) WITH A WOMAN AS THE HEAD AND WOMEN COMPRISING AT LEAST HALF THE CODI, AND WHERE MEMBERS ARE IMPARTIAL

CONDUCTING AN INVESTIGATION ON CASES OF GENDER-BASED SEXUAL HARASSMENT WHICH THEY HAVE REASONABLE KNOWLEDGE ON, AND TAKING APPROPRIATE STEPS TO RESOLVE THE SITUATION, ELIMINATE GENDER-BASED SEXUAL HARASSMENT, PREVENT THEIR RECURRENCE, AND ADDRESS THEIR EFFECTS



Privately-owned places open to the public should provide assistance by:

ADOPTING A ZERO-TOLERANCE POLICY AGAINST GENDER-BASED SEXUAL HARASSMENT

APPREHENDING PERPETRATORS IN FLAGRANTE DELICTO, OR CAUGHT IN THE ACT

COORDINATING WITH LOCAL AUTHORITIES IMMEDIATELY AFTER GENDER-BASED SEXUAL HARASSMENT IS REPORTED

MAKING CCTV FOOTAGE AVAILABLE TO COURTS

≡ SAFE SPACES ACT ≡

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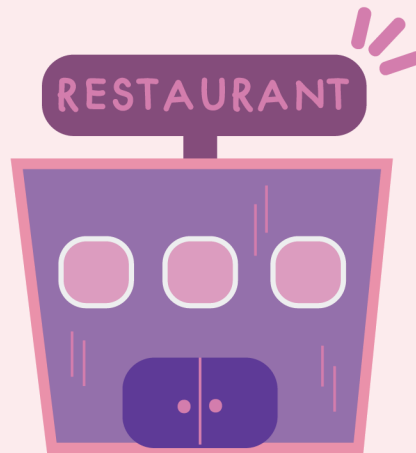
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ARE ESTABLISHMENTS, EMPLOYERS, SCHOOL HEADS, OR PUV OPERATORS LIABLE IF THEIR EMPLOYEES COMMIT GENDER-BASED SEXUAL HARASSMENT?

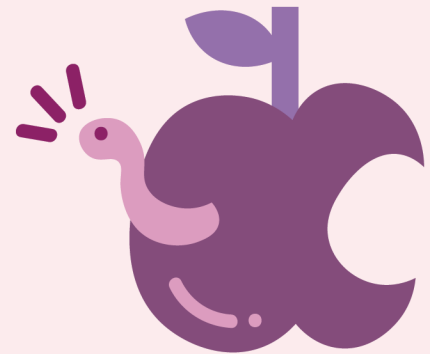
YES, ESTABLISHMENTS, EMPLOYERS, SCHOOL HEADS, OR PUV OPERATORS ARE LIABLE UNDER CERTAIN CONDITIONS



IF THE PERPETRATOR IS THE DRIVER OF A PUV OR OF A PRIVATE VEHICLE COVERED BY APP-BASED TRANSPORT NETWORK SERVICES, THE OWNER OR OPERATOR MAY BE LIABLE FOR THE OFFENSE OF THE EMPLOYEE THROUGH A PRESUMPTION OF NEGLIGENCE ON THEIR PART



IF THE PERPETRATOR IS AN ESTABLISHMENT, THE OFFICERS OF THE ESTABLISHMENT WILL BE HELD LIABLE FOR GENDER-BASED SEXUAL HARASSMENT. THE ESTABLISHMENT'S LICENSE AND FRANCHISE SHALL ALSO BE REVOKED



EMPLOYERS, PRINCIPALS, SCHOOL HEADS, TEACHERS, INSTRUCTORS, PROFESSORS, COACHES, TRAINERS, OR ANY PERSON WHO HAS AUTHORITY, INFLUENCE OR MORAL ASCENDANCY OVER ANOTHER IN AN EDUCATIONAL OR TRAINING INSTITUTION MAY ALSO BE HELD LIABLE FOR NON-IMPLEMENTATION OF THEIR DUTIES UNDER THE SAFE SPACES ACT, OR FOR FAILURE TO ACT ON REPORTED CASES OF GENDER-BASED SEXUAL HARASSMENT

THE SAFE SPACES LAW WAS PASSED IN RECOGNITION OF THE RIGHTS OF WOMEN AND THE LGBT+ TO FEEL SAFE WHEREVER THEY GO. AS AN INSTITUTION, IT IS NOW UP TO US TO FULLY IMPLEMENT THE LAW.