



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
OFFICE OF THE CHIEF MINISTER

Bangsamoro Government Center, Governor Gutierrez Avenue, Rosary Heights VII, Cotabato City 9600

ADMINISTRATIVE ORDER NO. 005 *JS*
Series of 2023

**CONSTITUTING THE COMMITTEE ON DECORUM AND INVESTIGATION (CODI)
OF SEXUAL HARASSMENT CASES IN THE OFFICE OF THE CHIEF MINISTER**

WHEREAS, Section 11, Article 2 of the 1987 Philippine Constitution provides that “the State values the dignity of every human person and guarantees full respect for human rights;”

WHEREAS, Moral Governance refers to the set of rules, practices, and processes completely devoid of all evils of graft and corruption, and explicitly driven by the moral principles of utmost dedication, devotion, honesty, justice, integrity, and excellence;

WHEREAS, Republic Act No. 7877, otherwise known as the Anti-Sexual Harassment Act of 1995, provides that “the State shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, and uphold the dignity of workers, employees, applicants for employment, students or those undergoing training, instruction or education. Towards this end, all forms of sexual harassment in the employment, education, or training environment are hereby declared unlawful.” The same act also mandates the creation of a Committee on Decorum and Investigation of Cases on Sexual Harassment;

WHEREAS, Section 17, Article 4 of the Republic Act No. 11313, otherwise known as An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefor, provides that “employers or other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts of gender-based sexual harassment in the workplace;”

WHEREAS, Item J of Article 170, Chapter I, Book 3, Bangsamoro Autonomy Act (BAA) No. 17, otherwise known as Bangsamoro Civil Service Code, provides that “public officials and employees shall be compassionate and approach anyone seeking the service of their agency in a courteous and professional manner. They shall discharge their duties in a manner that is caring and gender-sensitive. They shall ensure that the right to human dignity will be regarded with utmost respect at all times;”

WHEREAS, pursuant to Civil Service Commission (CSC) Resolution No. 01-0940 (Administrative Disciplinary Rules on Sexual Harassment Cases), and the above legal provisions, the Committee on Decorum and Investigation of Sexual Harassment Cases in the Office of the Chief Minister shall serve as body for all complaints relevant to sexual

harassment cases in the agency and shall investigate the commission of the same, in order to protect officials and employees in the career and non-career service, and Contract of Service Personnel, including those in the Attached Offices, applicants for employment, and student-interns;

WHEREAS, after issuance of this Order, the identified Committee members shall formulate a policy on sexual harassment cases in the OCM, including but not limited to, the scope of application, forms of sexual harassment, persons liable for sexual harassment, requirements, and procedures in filing sexual harassment complaints, classification of acts of sexual harassment, and administrative liabilities;

NOW, THEREFORE, I, AHOD B. EBRAHIM, the Chief Minister of the Bangsamoro Autonomous Region in Muslim Mindanao, by virtue of the power vested upon me by law, do hereby order the following:

Section 1. Creation. The Committee on Decorum and Investigation of Sexual Harassment Cases in the Office of the Chief Minister, which shall be referred to as OCM-CODI, is hereby created.

Section 2. Composition. The OCM-CODI shall be composed of the following:

Chairperson: Director of Finance Management Service
Vice-Chairperson: Head of Internal Audit Office

Members: Head of Legal and Legislative Liaison Office
Head of The Clinic
Representative from the Office of the Senior Minister
Second Level Employee Representative
First Level Employee Representative
Accredited Union, if any

The Administrative Management Service-Human Resource Management Division shall act as the *Secretariat* of the Committee.

A quorum shall be required for the transaction of business. However, in rendering or issuing its findings and recommendation, a majority of all the OCM-CODI members is required, except the Chairman, who shall vote only in case of a tie.

Section 3. Duties and Responsibilities. The Members of the CODI shall discharge the following:

- A. Formulate, adopt, and amend administrative disciplinary rules on sexual harassment cases;
- B. Receive complaints of sexual harassment and ensure all complaints are properly filed and acted upon as appropriate;

- C. Conduct investigation of sexual harassment complaints in accordance with the OCM-CODI prescribed procedure;
- D. Submit a report of its findings with corresponding recommendations to the disciplining authority involved;
- E. Conduct an orientation on Republic Act No. 7877 (Anti-Sexual Harassment Act of 1995) and Republic Act No. 11313 (An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefor) to all employees of the Office of the Chief Minister to enhance understanding on and prevent cases of sexual harassment in the agency; and
- F. Participate in the meetings and other relevant activities of the OCM-CODI.

When a member of the OCM-CODI is the complainant or the person complained of in the sexual harassment case, he/she shall inhibit from carrying out the performance of the member's duties and functions, until the final resolution of said case.

Section 4. Term. Members of the OCM-CODI shall continually discharge their functions and responsibilities unless removed or suspended by the Chief Minister, upon recommendation of the OCM-CODI Chairperson, for a justifiable cause. In case of resignation, retirement, separation, transfer, death, or removal from the committee, the Chief Minister shall designate a replacement.

Section 5. Separability Clause. If any portion or provision of this Order is declared inconsistent or invalid, other portions or provisions thereof not affected thereby shall remain in full force and effect.

Section 6. Effectivity Clause. This Order shall take effect immediately upon the approval thereof.

DONE in the City of Cotabato this 9th day of November 2023.



[Signature]
AHOD B. EBRAHIM
 Chief Minister

Bangsamoro Autonomous Region in Muslim Mindanao
 OFFICE OF THE CHIEF MINISTER
 Records Division - AMS
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