

Thursday, December 9, 2021

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IATF, high court sued over mandatory jobs



By Jomar Canlas December 8, 2021 4780

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A clerk of court in Las Piñas City filed a complaint against the Supreme Court and the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) in connection with the implementation of the mandatory vaccination against Covid-19 for onsite workers in areas where there is an ample supply of vaccines.

In a 70-page petition for declaratory relief (with urgent application for

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preliminary injunction), Kathryn Joy Hautea-Nuñez, clerk of court of the Regional Trial Court (RTC) Branch 198 in Las Piñas City, asked the Manila Regional Trial Court to declare as void IATF's recent

resolution on mandatory vaccination.

Named respondents were the IATF-EID, the Supreme Court represented by deputy clerk of court and chief administrative officer Atty. Maria Carina Cunanan and her immediate superior, Judge Pia Cristina Bersamin-Embuscado, presiding judge of the Las Piñas RTC Branch 198.



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Hautea-Nuñez asked the court to "enjoin the [OAS of the Supreme Court and Bersamin-Embuscado] from adopting and implementing [the IATF resolution]."

Under the IATF directive, employees who refuse to be immunized cannot be terminated, but they must undergo regular RT-PCR (reverse transcription polymerase chain reaction) testing

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The government has earlier announced that mandatory inoculation is meant "to increase demand for Covid-19 vaccination."

Establishments can also refuse entry and deny service to unvaccinated individuals, or those partially vaccinated despite being eligible for vaccination.

Local governments were strongly enjoined to issue orders or ordinances providing incentives for

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proof of inoculation.

Workers to be vaccinated during work hours will not be considered absent as long as they present proof of a confirmed vaccination date.

A medical clearance issued by a government health office, or birth certificate, will be sufficient and valid proof of ineligibility for vaccination.

The petitioner claimed that there is no administrative remedy available to her "considering that the official pronouncement sought to be enjoined and subsequently voided is of general application and not

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Hautea-Nuñez said that the IATF resolution placed her under pressure because "the other vaccinated court employees tried to encourage [her] to be vaccinated."

She explained that she is hesitant to get a jab because, "after weighing the information on the vaccines being used and the other means available to prevent the spread and severity of the Covid-19 infection, she came to the personal conclusion that vaccination is not for her and her family."

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