Item No.: 13

Date: 2 1 MAR 2023

Republic of the Philippines PROVINCE OF LEYTE

SP Records MAR 0 9 2023 Vi

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT February 27, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 16, S. 2022-2025 of the SB of Villaba, Leyte recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), in consonance with the authority under a Statute (R.A. 8972) mentioned in the ordinance.

> ATTY. JOSE RAYMUND A. ACOL Asst. Provincial Legal Officer

Republic of the Philippines PROVINCE OF LEYTE Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte
Legal Office
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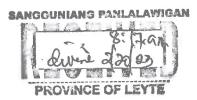
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 16, S. 2022-2025** of the **MUNICIPALITY OF VILLABA, LEYTE,** entitled: AN ORDINANCE ENACTED TO ESTABLISH THE WELFARE OF SOLO PARENTS AND THEIR CHILDREN IN THE MUNICIPALITY OF VILLABA AND SET ASIDE APPROPRIATE FUNDS THEREOF.

FLORINDA JULYS. UYVICO Provl. Govt. Dept. Head

February 20, 2023

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex Campetic, Palo, Leyte



Honorable Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

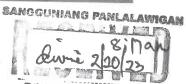
Municipal Ordinance No. 16, S-2022-2025 "AN ORDINANCE ENACTED TO ESTABLISH THE WELFARE OF SOLO PARENTS AND THEIR CHILDREN IN THE MUNICIPALITY OF VILLABA AND SET ASIDE APPROPRIATE FUNDS THEREOF" for your information and appropriate action.

God bless and more power.

Very truly yours,

Secretary to the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 16, S-2022-2025



AN ORDINANCE ENACTED TO ESTABLISH THE WELFARE OF SOLO PARE AND THEIR CHILDREN IN THE MUNICIPALITY OF VILLABA AND SET ASIDE APPROPRIATE FUNDS THEREOF

WHEREAS, under R.A. No. 8972, otherwise known as the Solo Parents Act of 2000, it is declared the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children;

WHEREAS, Section 3, (2), Article XV of the 1987 Constitution of the Philippines points out that "The State shall defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development;

WHEREAS, the Local Government Unit of Villaba recognizes the precarious situation of the solo parents in providing decent living condition for their children; and

WHEREAS, Section 447, (a) of the Local Government Code of 1991 (R.A. 7160) provides that "The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code",

NOW, THEREFORE, on motion by the Hon. Rogelio J. Baay, Chairman, SB Committee on Laws and Rules, duly seconded en masse, be it ORDAINED as the Sangguniang Bayan of Villaba, Leyte hereby ORDAINED, that:

ARTICLE I **GENERAL PROVISIONS**

Section 1. TITLE. - This enactment shall be known as the "Solo Parents and their Children Welfare Ordinance of the Municipality of Villaba."

Section 2. SCOPE. - This Ordinance shall be applicable within the territorial jurisdiction of Villaba, Leyte.

Section 3. DEFINITION OF TERMS. - For purposes of this Ordinance, the following terms shall mean:

DENNIE SY Vice Mayor/Presiding Officer MERIAM P. UMPAD Sangguniant Bayan Member Sangguniang Buyan Member

LACON-UI anggunian Baya Member NIEN ALHERT SUNDANCIONA Sangguniang Bayan Member FEDERICO ENSOR K Federation Vice President

VICLETAT. inggun avan Memb

MARIAND V. DE CLARO

ENGR/LARLOS G. VELOSO

Municipal Mayor

FELIE SAS, SR. ng Bayan Member MANY SEN mber

E PUMPAD the Sangguniang Bayan

- , a. SOLO PARENT refers to unmarried, separated, annulled, widower and widowed persons falling under the enumeration provided under Section 3 (a), RA No. 8972 and its implementing Rules and Regulation, who has taken the sole responsibility of parenthood;
- b. INDIGENT SOLO PARENT refers to one whose net income falls below the poverty threshold set by the National Economic Development Authority (NEDA) and is not receiving a monthly pension or allowance from a concerned public or private entity beyond such poverty threshold, as assessed and verified by the Municipal Social Welfare and Development Office (MSWDO) and/or Department of Social Welfare and Development (DSWD);

c. CHILDREN - refers to those living with and dependent upon the solo parent for support and sustenance, who are unmarried, unemployed, and not more than eighteen (18) years of age, or even over eighteen (18) years but are incapable of self-support because of mental and/or physical defect/disability;

- d. PARENTAL RESPONSIBILITY with respect to their minor child, shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines";
- e. MSWDO refers to the Municipal Social Welfare and Development Office of the Municipal Government of Villaba, Leyte;
- f. DSWD refers to the Department of Social Welfare and Development;
- g. PARENTAL LEAVE shall mean leave benefits granted to solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required;
- h. FLEXIBLE WORK SCHEDULE is the right granted to a solo parent/employee to vary his/her arrival and departure time without effecting the core work hours as defined by the employer;
- i. BASIC NECESSITIES are goods vital to the needs of consumers for their sustenance and existence;
- j. CONSULTATION AND LABORATORY DIAGNOSTIC any procedure conducted for diagnostic purposes. It shall include procedures such as X-rays, CT-scans, MRI scans, PET scans, blood chemistry exams, histopathology and immunopathology, hematology, urine analysis, parasitology and bacteriology tests, serology, blood banking and all other diagnostic radiology, clinical laboratory and other diagnostic examinations that are necessary for the diagnosis of the solo parents and/or their child/children.

ARTICLE II

SOLO PARENTS WELFARE PROGRAM

Section 4. WELFARE DEVELOPMENT. - This parents welfare development plan is based upon Republic Act 8972, the Solo Parents Act of 2000. The herein local legislation caters to the responsibilities and obligations of LGU - Villaba in offering sustainable services, benefits and special privileges to the solo parents and their children. For this reason, the pertinent provisions of the aforementioned Republic Act are hereby considered in this Ordinance.

or/Presiding Officer BAA ng Baran Member

NIEL ALBERT Sangguniang Bayan Memi FEDERICO ENSOY

VIOLETA T. SUL QUE M yan Member

DE CLARO

ENGR. ALOS G. VELOSO

Municipal Mayor

FELIP S g Bayan Member FILT DSEN

ME QUILLE P MAPAD to he Sangguniang Bayan

Section 5. FLEXIBLE WORK SCHEDULE. - The employer shall provide a flexible work schedule for solo parents: Provided, that the same shall not affect individual and company productivity: Provided, further, that any employer may request exemption from the above requirements from the Department of Labor and Employment.

Section 6. WORK DISCRIMINATION. - No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of

Section 7. PARENTAL LEAVE. - In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days per year shall be granted to any solo parent employee who has rendered service of at least one (1) year. The seven-day parental leave shall be non-cumulative.

Section 8. CONDITION FOR ENTITLEMENT OF PARENTAL LEAVE. - A solo parent shall be entitled to parental leave provided that:

- a. He/she has rendered at least one (1) year of service whether continuous or broken at the time of the effectivity of the Act.
- b. He/she has notified his/her employer of the availment thereof within a reasonable time period; and
- c. He/she has presented a Solo Parent Identification Card to his/her employer.

Section 9. NON-CONVERSION OF PARENTAL LEAVE. - In the event that the parental leave is not availed of, said leave shall not be convertible to cash unless specifically agreed upon previously. However, if said leave were denied an employee as a result of non-compliance with the provision of these Rules by an employer, the aforementioned leave may be used as a basis for the computation of damage.

Section 10. CREDITING EXISTING LEAVE. - If there is an existing or similar benefit under a company policy, or a collective bargaining agreement or collective negotiation agreement, the same shall be credited as such if the same is greater than the seven (7) days provided for in this Ordinance. In case it is lesser, the greater benefit shall prevail. Emergency or contingency leave provided under a company policy or a collective bargaining agreement shall not be credited as compliance with the parental leave provided for under this ordinance.

Section 11. ADDITIONAL SERVICE, PREVILEGES AND BENEFITS. - In addition to the welfare services, privileges and benefits provided by law, solo parents who are residents of the Municipality and/or their children shall be entitled to the following privileges and benefits, to wit:

A. Additional Benefits

- 1. Training Programs for Solo Parents and their Children at the Barangay
 - Training programs for solo parents shall be provided in coordination with the barangay after the determination of the number of solo parents per barangay by the MSWDO. The type of training to be conducted shall be based on the training needs of the solo parents and their children.
- 2. Barangay Solo Parents Assistance Desk and Other Services

DENNIS L. SY Vice Mayor/Presiding Officer FELIP ASAS, SR. iang Bayan Member ENE OLDSEN NIET ALBERT R TNOPIOUEZ gunlang Bayan Member Sangguniang Bayan Member ROGENO IL RAA TEDERICO ENSOP TRIE OMPAD ARIAN ngganiang Bayan Member ry the Sangguniang Bayan ENGR. CARLOS G. VILOSO Municipal Mayor

The Barangay Kagawad in charge of the Committee on Women and Family Welfare shall spearhead the Solo Parents Assistance Desk and the database of solo parents in their respective barangay.

3. Priority Lane - all retail and business establishment including banks and hospitals must include a priority lane for solo parents. Priority lane already intended for senior citizens and persons with disability can be used to accommodate solo parents.

4. Death Benefit - The child/children of a registered solo parent at the time of the latter's death, if the cause of death is natural or by an accident is entitled to receive financial assistance of at least Two Thousand Pesos (Php 2,000.00), without prejudice to increasing the same at the mayor's discretion when the municipal budget so permits.

5. Scholarship Assistance - Children of indigent solo parents are given priority in the granting of scholarship programs in the Municipality of Villaba.

- 6. Basic Educational Services Children of indigent solo parents are priority for inclusion in the municipal's basic educational programs in the preschool, elementary and secondary level, including the SPED (Special Education) Program;
- 7. Medical Assistance An indigent solo parent or his/her child shall be prioritized in all the medical assistance programs of the Municipal Government of Villaba;
- 8. Livelihood Assistance Solo parents shall have priority in the grant of livelihood assistance under any of the Municipal's applicable programs or projects, subject to the qualification requirements under existing ordinances, rules and regulations;
- 9. Employment Assistance Solo parents shall have priority in the employment programs of the local Government subject to job matching based on qualification and experience;

10. Other services, privilege and benefits that the municipality is currently giving or may subsequently offer.

ARTICLE III REGISTRATION AND AVAILMENT OF BENEFITS

Section 12. REGISTRATION. - The Solo Parent Office herein created shall undertake a municipality-wide registration of all solo parents and their children in thirty five (35) barangays of the Municipality for purposes of obtaining, among others, information on their names, ages, addresses, income including the source thereof, number of children per solo parent and the circumstances of being solo.

Section 13. SOLO PARENT ID REQUIREMENTS. - The MSWDO shall cause the issuance of a Solo Parent Identification Card which shall be considered as competent evidence of identity and membership in the sector as well as of the entitlement to the benefits under this ordinance and of R.A. No. 8972. The following are the requirements:

1. Voter's ID or Certification or any government issued ID that the applicant is a registered voter of the Municipal.

2. Barangay Certification – proof that the applicant is a resident of the barangay

3. PSA Birth Certificate of the child/children

100 DENNIS L. SY KATRINA L. CON-VI Vice Mayor/Presiding Officer Sangguniang Baran Memb FELLE CASAS, SR. MERIAM P. UMPAD Bayan Member Sangguniang Bayan Member NIEL ALBERT B. INOPIQUEZ M. ENEX DSEN Sangguniang Bayan Member ELLY Sangguniang Bayan Member ang Bayan Member ROSEIIO BAAY Sangganiang Bayan Member angunia FEDERICO ENSOY NO 4-DE CLARO RIE P UM AD ry tonne Sangguniang Bayan SK Federation Vice President OS G. VELOSO Municipal Mayor

- , 4. Certification from the Punong Barangay indicating the status of the applicant as a solo parent or supporting documents such as Declaration of Nullity of Marriage, Certification of No Marriage (CENOMAR), Death Certificate of spouse, Medical Certificate as proof of mental incapacity, if incapacitated.
- 5. Application Form provided by the MSWDO.
- 6. Certification from the Provincial Jail proof that a solo parent's husband or wife is detained (for at least 1 year)

Section 14. ASSESSMENT. - An applicant who manifests the need for assistance under this Ordinance is subject to assessment by a Social Worker at the Municipal Social Welfare and Development Office. The assessment shall cover, but not limited, to the following:

- a. Determination of the applicant's category as enumerated in Article II, Section 3, Paragraph (a) of this Ordinance and the provisions of RA 8972, including the provisions of its Implementing Rules and Regulations.
- b. Evaluation of the needs of the applicant and his/her children as basis for the provision of the appropriate service and intervention.
- c. Identification of the level of readiness of the applicant to receive a particular service/assistance, which shall serve as basis for the conduct of social preparation activities prior to the provision of such service/assistance; and
- d. Identification of existing and potentially available resources that may support the applicant and his/her children.

Section 15. AVAILMENT. - Proof of membership and entitlement shall be presented by the solo parent and/or his/her children to avail of the above benefits granted under this

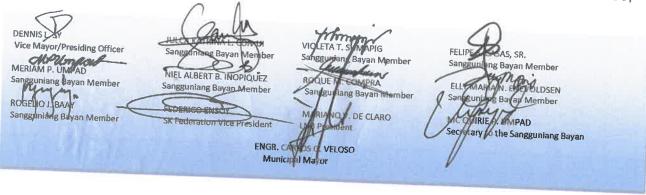
Section 16. DISQUALIFICATION. - A change in the status or circumstances of the parent claiming benefits under this Ordinance, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for benefits such as change in the status with marriage as MSWDO may deem proper.

ARTICLE IV OFFICE CREATION, SOLO PARENT ORGANIZATION

Section 17. SOLO PARENT'S DESK. - A Solo Parent's Desk is hereby created which shall be under the direct supervision of the Municipal Social Welfare and Development

Section 18. FUNCTIONS.

- a. Develop a comprehensive social development and welfare program for solo parents and their children which shall include those herein listed;
- b. Coordinate and work with appropriate offices and agencies of the government in providing such welfare services, privileges and benefits to the intended
- c. Assist in the organizational matters of the solo parent's organization/federation in coordination with Committee on Social Services, Women, Children, Family Relation, Elderly, Person with Disability & Indigenous People of the
- d. Exercise such other powers and perform such other duties and functions as may be assigned by the mayor or as may be prescribed by law or ordinance;



Section 19. PERSONNEL REQUIREMENT. - The Municipal Mayor shall appoint or assign personnel in the Solo Parent's Desk who shall be primarily responsible for the over-all management of the program and accomplishment of the law's objectives.

Section 20. RIGHT TO ORGANIZE. - The Municipality encourages and gives its full support to the solo parent's right to organize themselves for purposes beneficial to its members. The Solo Parents Organization/Federation shall assist the Municipality in the effective formulation and implementation of its program of services.

ARTICLE V PENALTY PROVISIONS

Section 21. PENALTY. Penalties for falsification of documents by a solo parent. -Any person found guilty of falsification of documents to avail of the above solo parent

First Offense Second Offense

P1,000.00

Third Offense

P1,500.00

P2,500.00 or one (1) month

imprisonment, or both, at the discretion of

the Court

ARTICLE VI APPROPRIATION

Section 22. This funding will be appropriated from the Gender and Development (GAD) funds of the Municipality of Villaba, Province of Leyte.

ARTICLE VII FINAL PROVISIONS

Section 23. PENALTY CLAUSE. - Any misrepresentation made to obtain a Solo Parent Identification Card or any improper use or abuse by any person to avail of the rights and privileges granted to solo parents and their children shall be subjected to criminal prosecution under the pertinent provision of the Revised Penal Code and shall be a ground for the automatic cancellation of the said ID and all services, benefits and

Section 24. REPEALING CLAUSE. - Any Municipal Ordinance, rules and regulations and/or parts thereof inconsistent with the provisions of this ordinance are hereby repealed

Section 25. SEPARABILITY CLAUSE. - In the event that any part or provision of this Ordinance shall be held unconstitutional or invalid, the other parts or provisions not affected thereby shall continue to be in full force and effect.

Section 26. EFFECTIVITY. - This Ordinance shall take effect upon its approval and fifteen (15) days after publication in a newspaper of local circulation.

APPROVED.

This Ordinance was approved by the Sangguniang Bayan on December 12, 2022.

DENNIS Vice Mayor/Presiding Officer Sangguniang Bayan Member ROSELID J. Sangganiane Bayan Member

NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member PEDENCO ENSOY

RIANG CLARO ENGR. CAROS G. Municipal May

CASAS, SR. iang Bayan Member

BSEN

MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan

ATTESTED:

DENNIS L. SY

Vice Mayor/Presiding Officer

JULCA KATRINA L. CON-UI Sanggunang Bayan Member

VIOLETA T. SUMAPIG
Sangguniang Bayan Member

FELIPE 8. CASAS, SR.
Sanggun ang Bayan Member

MERIAM P. UMPAD
Sangguniang Bayan Member

ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member

ROQUE M. COMPRA
Sangguniang Bayan Member

ROGELIO J. BAAY Sangguniang Bayan Member

MARIANO . DE CLARO LNB President

FEDERICO ENSOY

SK Federation President

APPROVED:

CARLO G. VELOSO

Municipal Mayor



Hermosilla Drive, District 28, Ormoc City Contact Nos. (053) 561-0809 & 09285549820 e-mail: easternyisayasmail@gmail.com

Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 16, S-2022-2025

AN ORDINANCE ENACTED TO ESTABLISH THE WELFARE OF SOLO PARENTS AND THEIR CHILDREN IN THE MUNICIPALITY OF VILLABA AND SET ASIDE APPROPRIATE FUNDS THEREOF

APPROVED: (SGD) ENGR. CARLOS G. VELOSO Municipal Mayor

was pu	blished in said newspaper for (/) 174 consecutive weeks in its EV Mail
sayeth 1	That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further naught.
Ormoc	IN WITNESS WHEREOF, I have hereunto affix my signature this day of, 20 in City.
	JIMA ZANDRA J. VERGARA Affiant
	Affiant

VERIFICATION

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