

10

28

Item No.: **10**  
Date: **05 2024 JAN**

DEC 13 2023

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

Province of Leyte  
Legal Office  
*[Signature]*  
12.19.23

**PROVINCIAL LEGAL OFFICE**

2<sup>nd</sup> INDORSEMENT  
December 12, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-26 and 2023-27 of the Sangguniang Bayan of Julita, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under section 447(1), (viii)<sup>i</sup> of the Code. Provided that the abolition of positions is done pursuant to the mandate of Section 325(d)<sup>ii</sup> of the Code.

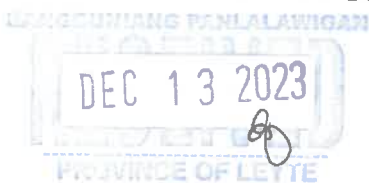
**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer *[Signature]*

<sup>i</sup> (viii) Determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

<sup>ii</sup> (d) In cases of abolition of positions and the creation of new ones resulting from the abolition of existing positions in the career service, such abolition or creation shall be made in accordance with pertinent provisions of this code and the civil service law, rules and regulations:

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**



**1<sup>ST</sup> INDORSEMENT**  
07 December 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2023-27** of the **MUNICIPALITY OF JULITA, LEYTE**, entitled: **AN ORDINANCE ABOLISHING THE POSITION OF SOCIAL WELFARE OFFICER III, ITEM NO. 01/34, SALARY GRADE 18 UNDER THE MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE, OF THE MUNICIPALITY OF JULITA, LEYTE.**

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF JULITA, LEYTE HELD AT THE **MUNICIPAL SESSION HALL OF JULITA, LEYTE ON NOVEMBER 13, 2023.**

**PRESENT:**

HON. GERMAN J. MACASO	<i>Presiding Officer/Municipal Vice Mayor</i>
HON. ALIANA MARIE R. TUBI	<i>Sangguniang Bayan Member</i>
HON. GERALDINE S. DAYA	<i>Sangguniang Bayan Member</i>
HON. IRVIN R. DY	<i>Sangguniang Bayan Member</i>
HON. RIA S. DUMDUMA	<i>Sangguniang Bayan Member</i>
HON. MARK JOY E. MACASO	<i>Sangguniang Bayan Member</i>
HON. JUDE ANDREI M. ROMUALDEZ	<i>Sangguniang Bayan Member</i>
HON. ROSILA L. ADVINCULA	<i>Sangguniang Bayan Member</i>
HON. RODRIGO J. MACASO	<i>Bise Pres. Ng Liga Ng Mga Barangay</i>
	<i>Ex-Officio Member</i>
HON. EARL IVAN V. PELENIO	<i>Pres. Ng Pambayang Pederasyon Ng</i>
	<i>Mga Sangguniang Kabataan/</i>
	<i>Ex-Officio Member</i>

**ABSENT:**

HON. ALLAN T. NOVALES	<i>Sangguniang Bayan Member</i>
	<b>(On-Leave)</b>

**NOW WHEREFORE**, on motion of the **Honorable Irvin R. Dy**, duly seconded by the **Honorable Jude Andrei M. Romualdez**, **Honorable Rosila L. Advincula** and the **Honorable Rodrigo J. Macaso**, be it;

**RESOLVED AS IT IS HEREBY RESOLVED**, to **ENACT** the herein **ORDINANCE**:

**MUNICIPAL ORDINANCE NO. 2023-27**

**AN ORDINANCE ABOLISHING THE POSITION OF SOCIAL WELFARE OFFICER III, ITEM NO. 01/34, SALARY GRADE 18 UNDER THE MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE, OF THE MUNICIPALITY OF JULITA, LEYTE.**

**WHEREAS**, Section 76 of Republic Act No. 7160 otherwise known as the Local Government Code of 1991 states that, "Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribe by the Civil Service Commission";

**WHEREAS**, Section 447 of the same Code empowers the Sangguniang Bayan to create positions and determine the powers and duties of officials and employees of the municipality subject to the provisions of pertinent laws and regulations;

**WHEREAS**, such power carries with it the power to abolish positions if it deems necessary;

**WHEREAS**, it has been the policy of the Municipal Government of Julita, Leyte to be responsive and accountable in the delivery of basic services and facilities;

*Aliana Marie R. Tubi*  
ALIANA MARIE R. TUBI  
SB Member

*Geraldine S. Daya*  
GERALDINE S. DAYA  
SB Member

*Irvin R. Dy*  
IRVIN R. DY  
SB Member

ALLAN T. NOVALES  
SB Member

*Ria S. Dumduma*  
RIA S. DUMDUMA  
SB Member

*Mark Joy E. Macaso*  
MARK JOY E. MACASO  
SB Member

*Jude Andrei M. Romualdez*  
JUDE ANDREI M. ROMUALDEZ  
SB Member

*Rosila L. Advincula*  
ROSILA L. ADVINCULA  
SB Member

*Rodrigo J. Macaso*  
RODRIGO J. MACASO  
*Bise-Pres. Ng Liga Ng*  
*Mga Barangay/*  
*Ex-Officio Member*

*Earl Ivan V. Pelenio*  
EARL IVAN V. PELENIO  
*Pres. Ng Pambayang*  
*Pederasyon Ng Mga*  
*Sangguniang Kabataan/*  
*Ex-Officio Member*

*Francis R. Avelino*  
FRANCIS R. AVELINO  
SB Secretary

*German J. Macaso*  
GERMAN J. MACASO  
Municipal Vice Mayor

**WHEREAS**, as certified to by the Administrative Officer V (HRMO III) of the municipality, the abolished position does not affect the rights of incumbent employees as the said position is already declared vacant;

**WHEREAS**, there is a need to abolish the above-mentioned position and eventually create positions responsive to the current needs of the municipality;

**NOW THEREFORE**, be it ordained by the Sangguniang Bayan of Julita, Leyte in session assembled that:

**Section 1.** The following Plantilla Position is hereby abolished.

**A. Social Welfare Officer III (Item No. 01/34, Salary Grade 18) under Municipal Social Welfare and Development Office.**

**Section 2. Separability Clause** – If for any reason, any section of this Ordinance is declared illegal or unconstitutional, other sections hereof which are not affected shall continue to be in full force and effect.

**Section 3. Repealing Clause** - All previous issuances, ordinance, rules and regulations, provisions or parts thereof, which are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed or modified accordingly.

**Section 4. Effectivity Clause** - This Ordinance shall take effect immediately upon approval.

Passed and enacted by the Sangguniang Bayan in session assembled on **November 13, 2023**, Municipality of Julita, Province of Leyte, Philippines.

**I HEREBY CERTIFY** to the correctness and adoption of the foregoing Ordinance.

**FRANCIS RAAGAS-AVELINO**  
*Sangguniang Bayan Secretary*


**ATTESTED:**


  
**HON. GERMAN J. MACASO**  
*Honorable Presiding Officer/Municipal Vice-Mayor*

**CONCURRED:**

  
**HON. ALIANA MARIE R. TUBI**  
*SB Member*

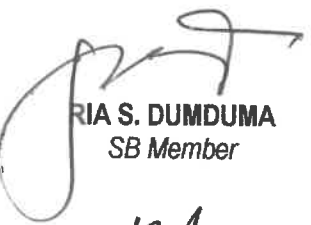
  
**HON. GERALDINE S. DAYA**  
*SB Member*


  
**ALIANA MARIE R. TUBI**  
*SB Member*

  
**GERALDINE S. DAYA**  
*SB Member*

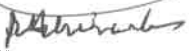
  
**IRVIN R. DY**  
*SB Member*


**ALLAN T. NOVALES**  
*SB Member*


  
**RIA S. DUMDUMA**  
*SB Member*

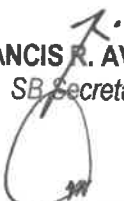
  
**MARK JOY E. MACASO**  
*SB Member*


**JUDE ANDREI M. ROMUALDEZ**  
*SB Member*

  
**ROSILA L. ADVINCULA**  
*SB Member*

  
**RODRIGO J. MACASO**  
*Bise-Pres. Ng Liga Ng Mga Barangay/ Ex-Officio Member*

  
**EARL IVAN Y. PELENIO**  
*Pres. Ng Pambayang Pederasyon Ng Mga Sangguniang Kabataan/*

  
**FRANCIS R. AVELINO**  
*SB Secretary*

  
**GERMAN J. MACASO**  
*Municipal Vice Mayor*



**IRVIN R. DY**  
SB Member

**HON. ALLAN T. NOVALES**  
SB Member  
(On-Leave)



**HON. RIA S. DUMDUMA**  
SB Member




**HON. MARK JOY E. MACASO**  
SB Member



**HON. JUDE ANDREI M. ROMUALDEZ**  
SB Member



**HON. ROSILA L. ADVINCULA**  
SB Member



**HON. RODRIGO J. MACASO**  
Bise-Pres. Ng Liga Ng Mga  
Barangay  
Ex-Officio Member



**HON. EARL IVAN V. PELENIO**  
Pres. Ng Pambayang Pederasyon Ng  
Mga Sangguniang Kabataan  
Ex-Officio Member

**APPROVED:**



**ATTY. PERCIVAL S. CAÑA**  
Municipal Mayor