

Item No.: 14

Date: 16 2024 JUL

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Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Palo, Leyte
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Province of Leyte
Legal Office
Refer to: [Signature]
Date: 7-11-24

PROVINCIAL LEGAL OFFICE

WANG PANLALAWIGAN
11 2024
PROVINCE OF LEYTE

2nd INDORSEMENT
July 5, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 04 S. of 2024 of the Sangguniang Bayan of Merida, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 04 S. of 2024 entitled: An Ordinance Creating the Position Items of Medical Officer III with Salary Grade 21 and Midwife I with Salary Grade 9 at the Merida Infirmery for Inclusion in the Plantilla Positions of the Local Government Unit of Merida, Leyte.

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under **Section 447 (viii)** of the Local Government Code of 1991 granting the legislative body of the municipality, to enact ordinances to 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, and **Section 76** thereof mandating every local government unit to 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 prescribed by the Civil Service Commission.

However, this office notices that Section 458 and Article 163 both of R.A. 7160 were made references in its whereas clauses. Article III covers Section 458 which refers to Sangguniang Panglusod and Article III, Section 447 applies to Sangguniang Bayan. Article 163 on the other hand does not seem to appear in the IRR, R.A. 7160 but the contents thereof are found in Section 76 of the same Code. Hence, it is recommended that references **must be corrected** to reflect those applicable to Sangguniang Bayan under R.A. 7160.

After proper corrections, this office recommends the declaration of its validity subject to the *CSC 2022 Guidelines and Standards in the Establishment of Organizational Structures and Staffing Patterns in the Local Government Units.*

We hope to have assisted you with this request.

Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities.

ATTY. JOSE RAYMUND A. ACOL

Asst. Provincial Legal Officer

BY:


Atty. RHEA LINA U. ENAGE

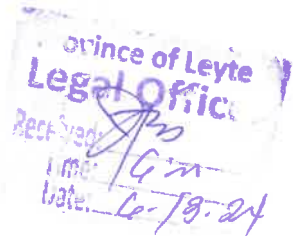
Attorney IV, ICO

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT

13 June 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 04, series of 2024 of the MUNICIPALITY OF MERIDA, LEYTE**, entitled: **An Ordinance Creating the Position Items of Medical Officer III with Salary Grade 21 and Midwife I with Salary Grade 9 at the Merida Infirmary for Inclusion in the Plantilla of Positions of the Local Government Unit of Merida, Leyte.**

FLORINDA JIL S. UYVICO
Secretary to the Board



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN,

JUN 13 2024
SPB

13 JUNE 2024

THE SANGGUNIANG PANLALAWIGAN OF LEYTE
CAPITOL BUILDING
PALO LEYTE

DEAR HONORABLE MEMBERS;

I have the honor to submit to the Sangguniang Panlalawigan of Leyte copies of **MUNICIPAL ORDINANCE NO. 04, SERIES OF 2024 – “AN ORDINANCE CREATING THE POSITION ITEMS OF MEDICAL OFFICER III WITH SALARY GRADE 21 AND MIDWIFE 1 WITH SALARY GRADE 9 AT THE MERIDA INFIRMARY FOR INCLUSION IN THE PLANTILLA OF POSITIONS OF THE LOCAL GOVERNMENT UNIT OF MERIDA, LEYTE”** enacted by the 18th Council of this Municipality, for review and consideration.

Hoping everything is in order.

Thank you.

Respectfully,


JOSEKITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan

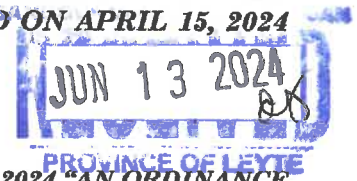


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 85TH REGULAR SESSION OF THE SANGGUNIANG BAYAN (18TH COUNCIL), MERIDA, LEYTE HELD ON APRIL 15, 2024 AT THE LEGISLATIVE BUILDING SESSION HALL.

-RESOLUTION NO. 18-24-054-



A RESOLUTION APPROVING MUNICIPAL ORDINANCE NO. 04, SERIES OF 2024 "AN ORDINANCE CREATING THE POSITION ITEMS OF MEDICAL OFFICER III WITH SALARY GRADE 21 AND MIDWIFE I WITH SALARY GRADE 9 AT THE MERIDA INFIRMARY FOR INCLUSION IN THE PLANTILLA OF POSITIONS OF THE LOCAL GOVERNMENT UNIT OF MERIDA, LEYTE."

WHEREAS, Section 458 of RA 7160 otherwise known as the Local Government Code of 1991, provides that the Sangguniang Bayan has the power to approve ordinances and pass resolutions necessary for an efficient and effective government and in this connection shall determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from city funds;

WHEREAS, Article 163 of the Rules and Regulations Implementing the Local Government Code of 1991, provides that, "the Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its priority, need service requirements and financial capabilities, consistent with the principles of simplicity, efficiency, economy, effectiveness, dynamism and public accountability subject to the minimum standards and guidelines prescribed by the Civil Service Commission (CSC)";

NOW, WHEREFORE, ON MOTION OF Hon. Stephanie M. Miralles, duly seconded by MASS, BE IT RESOLVED TO ENACT;

-MUNICIPAL ORDINANCE NO. 04-
-Series of 2024-

"AN ORDINANCE CREATING THE POSITION ITEMS OF MEDICAL OFFICER III WITH SALARY GRADE 21 AND MIDWIFE I WITH SALARY GRADE 9 AT THE MERIDA INFIRMARY FOR INCLUSION IN THE PLANTILLA OF POSITIONS OF THE LOCAL GOVERNMENT UNIT OF MERIDA, LEYTE."

SECTION 1. TITLE – This Ordinance shall be known as "An Ordinance Creating the position items of Medical Office III (SG 21) and Midwife I (SG 9) at the Merida Infirmary for inclusion in the Plantilla of Positions of the Local Government Unit of Merida, Leyte."

SECTION 2. DUTIES AND FUNCTIONS

➤ MEDICAL OFFICER

- Responsibilities include Emergency Room assessment of patients with appropriate initial diagnoses and initial treatment regimen until stable, continuing ward patient monitoring until discharge. Emergency Room and Operating Room management for patients requiring immediate surgical attention, ward management, until discharge and subsequent follow-up consultation.
- Pre-Operative & Post-Operative Conference Discussions presented on weekly basis to the training committee of the Department.
- Monthly Morbidity and Mortality, Clinico-Pathologic Conference, Tumor Board Conference, Audit involving interhospital department services and specialties.
- Attending conferences for advancement in training conducted both within and outside the locality by accredited societies/organizations.
- Yearly participation in academic events like conducting and presenting research studies, examinations, and surgical skill competency together with other training institutions.

➤ MIDWIFE

- Prepare clinic set-up and maintain cleanliness of the clinic
- Prepare reports and keep files of records
- Conduct multi-purpose clinic
- Implement all health programs and projects



(CONTINUATION MUNICIPAL ORDINANCE NO. 04, SERIES OF 2024, DATED APRIL 15, 2024
.....//PAGE 02)

- Antenatal Screening
- Handling Labor and Delivery
- Postpartum Support
- Overall Health Evaluation
- Prenatal Care
- Educate new mother about breastfeeding
- Breastfeeding Advice
- Neonatal Care

SECTION 3. The Executive Department, through the Human Resource and Management Office (HRMO) is authorized to effect the newly created MLGU items in the Plantilla of Positions of the Local Government Unit of Merida, Leyte;

SECTION 4. This Municipal Ordinance shall take effect upon its approval by the Sangguniang Panlalawigan ng Leyte and compliance of the posting requirements as provided for in the Local government Code of 1990 (RA No. 7160).

ENACTED BY THE SANGGUNIANG BAYAN OF MERIDA, LEYTE AT ITS REGULAR SESSION HELD ON THE 15TH DAY OF APRIL 2024.

APPROVED UNANIMOUSLY.

SANGGUNIANG BAYAN MEMBERS

CHENIL C. CALDERON
Municipal Councilor
Assistant Floor Leader
(Forced Leave)

JOEL A. MARSON
Municipal Councilor

JESUS ANTONIO R. MARTINEZ
Municipal Councilor
(Forced Leave)

EMARITO A. LUZARES
Municipal Councilor
Majority Floor Leader

CAMILLO L. DEJON
Municipal Councilor

FELIPE H. PEREZ, JR.
Municipal Councilor

NEMFA C. OYAO
Municipal Councilor

STEPHANIE M. MIRALLES
Municipal Councilor

RONILLO O. LABANG
Ex Officio (L&B President)

ASHLEY NOREEN J. DIAZ
Ex-Officio (Mun. Sk. Federation President)

APPROVED BY HIS HONOR, THE MUNICIPAL MAYOR ON APRIL 26, 2024.

APPROVED BY:

CERTIFIED BY:

ENGR. ROLANDO M. VILLASENCIO
Municipal Mayor

RODRIGO M. WENCESLAO
Municipal Vice Mayor / Presiding Officer

ATTESTED BY:

JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 04, SERIES OF 2024 – “AN ORDINANCE CREATING THE POSITION ITEMS OF MEDICAL OFFICER III WITH SALARY GRADE 21 AND MIDWIFE 1 WITH SALARY GRADE 9 AT THE MERIDA INFIRMARY FOR INCLUSION IN THE PLANTILLA OF POSITIONS OF THE LOCAL GOVERNMENT UNIT OF MERIDA, LEYTE”** had been posted in three (3) conspicuous places in the locality within three (3) consecutive weeks from APRIL 26, 2024 to MAY 10, 2024.

THIS CERTIFICATION has been issued in compliance to Section 511 (1), Title One, book IV of RA 7160, otherwise known as the Local Government Code of 1991.

DONE AND ISSUED this 22nd of May 2024 at Merida, Leyte, Philippines.


JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan