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Item No.: 17

Date: 25 2024 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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SANGGUNIANG PANLALAWIGAN

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT

September 17, 2024

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

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

- Ordinance No. 2024-04 entitled: **“An Ordinance Creating New Positions in the Local Government Unit of Hindang, Leyte and Determining its Functions, Duties and Responsibilities and Providing Funds Thereof.**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 76¹, Section 325(g)² and Section 447(1)(viii)³ of the Local Government Code of 1991 (R.A 7160). Hence, recommending for the declaration of its validity.

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 and/or the courts.

ATTY. JOSE RAYMUND A. ACOL

Asst. Provincial Legal Officer

¹ Section 76 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 prescribed by the Civil Service Commission.

² Section 325(g) The creation of new positions and salary increases or adjustment shall in no case be made retroactive;

³ Section 447(1)(viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of official 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.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte
Legal Office
Received: *[Signature]*
Time: *[Signature]*
Date: 9.12.24

1ST INDORSEMENT
12 September 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2024-04** of the **Municipality of Hindang, Leyte**, entitled: An Ordinance creating the new positions in the Local Government Unit of Hindang, Leyte and determining its functions, duties and responsibilities and providing funds thereof.



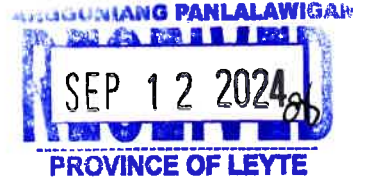
FLORINDA JULL S. UYVICO
Secretary to the Sanggunian

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Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG

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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SANGGUNIANG BAYAN OF
HINDANG, LEYTE, IN ITS REGULAR SESSION HELD ON JULY 29, 2024 AT THE
SB SESSION HALL

ORDINANCE No. 2024-04

Authored by: Hon. Mikhael Anne Gelo Aboyme
Co-authored by: Hon. Romulo D. Basanez

AN ORDINANCE CREATING NEW POSITIONS IN THE LOCAL GOVERNMENT UNIT
OF HINDANG, LEYTE AND DETERMINING ITS FUNCTIONS, DUTIES AND
RESPONSIBILITIES AND PROVIDING FUNDS THEREOF

EXPLANATORY NOTE

Section 76 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates that every local government unit (LGU) design and implement its own organizational structure and staffing pattern, considering its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission. Additionally, Section 447(a) (vii) of the same Code empowers the Sangguniang Bayan to determine the positions, salaries, allowances, and other emoluments and benefits of municipal government employees. To meet the priority needs and service requirements of its communities, Section 3(b) of the Local Government Code stipulates that an accountable, efficient, and dynamic organizational structure and operating mechanism must be established in every LGU.

Human resources are undeniably the most significant asset of LGUs and must be utilized to their fullest potential to continually fulfill their obligations in serving the people effectively, efficiently, and accountably. Furthermore, Section 18 of the Local Government Code grants LGUs the power and authority to establish an organization responsible for the efficient and effective implementation of their development plans, programs, objectives, and priorities.

In the case of the Local Government Unit of Hindang, there is a pressing need to create new positions to address the increasing demands for public services and to enhance the overall efficiency and effectiveness of its operations. By establishing these new positions, The Municipality of Hindang aims to ensure that it is equipped with the necessary human resources and organizational structure to deliver public services effectively, meet the evolving needs of its community, and uphold the principles of good governance. This ordinance is a critical step towards achieving these goals, fostering a responsive and well-equipped local government that can better serve its constituents.

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(ORDINANCE NO. 2024-04 of the Sangguniang Bayan of Hindang, Leyte, RE: "An Ordinance creating new positions in the Local Government Unit of Hindang, Leyte" ...continued)

BE IT ORDAINED by the Sangguniang Bayan of Hindang, Leyte, in its regular session assembled this date, that:

SECTION 1. TITLE. This Ordinance shall be known as an "Ordinance Creating New Positions in the Local Government Unit of Hindang, Leyte."

SECTION 2. PURPOSE. To meet the needs of the present demands of a very functional and responsive government institution. By establishing these new positions, the Municipality of Hindang aims to ensure that it is equipped with the necessary human resources and organizational structure to deliver public services effectively, meet the evolving needs of its community, and uphold the principles of good governance. This ordinance is a critical step towards achieving these goals, fostering a responsive and well-equipped local government that can better serve its constituents.

SECTION 3. CREATION OF NEW POSITIONS. The following additional positions are hereby created to effect the purpose of this ordinance:

Item No.	Position Title	Salary Grade	Office Assignment
81	Internal Auditor I	SG 11	Office of the Municipal Mayor
82	Engineer II (Agricultural & Biosystems)	SG 16	Office of the Municipal Mayor
83	Cooperative Development Specialist I	SG 11	Office of the Municipal Mayor
84	Youth Development Officer I	SG 10	Local Youth Development Office
85	Tourism Operations Officer I	SG 11	Municipal Tourism Office

Item No.	Position Title	Salary Grade	Office Assignment
7	Administrative Aide I	SG 1	Office of the Municipal Mayor
8	Administrative Aide I	SG 1	Office of the Municipal Treasurer
9	Administrative Aide I	SG 1	Office of the MPDC

SECTION 4. QUALIFICATIONS, POWERS AND DUTIES/RESPONSIBILITIES. The qualifications, powers, duties and responsibilities of the herein enumerated positions are stated below based on the provisions of the Local Government Code and Civil Service Commission (CSC) laws, rules and regulations:

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Arthur Q. Cabal

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a. Item 81- Internal Auditor I (SG 11)

Duties and Responsibilities:





1. Drafts audit plans and reports for the review of the immediate supervisor
2. Discusses research findings with the audit team leader
3. Follows-up actions to determine if audit recommendations have been carried out.
4. Performs comprehensive auditing work
5. Does related work
6. Prepares forms, orders and circulars embodying instructions on Internal Audit matters for the signature of the Local Chief Executive;
7. Assist the Internal Auditor V in the preparation of Internal Audit plans;
8. Discusses the Internal Audit plan with his/her supervisor;
9. Prepares Internal Audit Reports; and
10. Performs other works assigned by immediate supervisor.



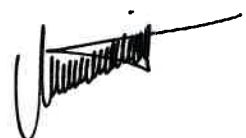

b. Item 82 – Engineer II (Agricultural & Biosystems) (SG 16)

Duties and Responsibilities:

1. As head of the Unit, spearheads and supervise the planning, coordination, implementation and monitoring of all programs, projects and activities of the Section;
2. Plan and supervise the enforcement of the PABES and other agricultural, fishery and bio-systems engineering regulatory activities in coordination and collaboration with RFO-RAED, concerned national government agencies and other offices of the LGUs;
3. Provide assistance to BAFE through the RFO-RAED on the validation of applications at the provincial level relative to the issuance of Permit to Operate to small and medium sized agricultural and fishery machinery and equipment of manufactures, fabricators, assemblers, distributors, dealers, importers, and exporters (MFADDIEs);
4. Supervise or conduct monitoring on the city-wide compliance on the provision of aftersales service and warranty of concerned agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers in the province in collaboration with BAFE through RAED;
5. Supervise or conduct inspection, performance and acceptance testing and evaluation of agricultural, fisheries and bio-systems machineries and equipment procured by the Municipal Government in coordination and collaboration with the RFO-RAED, AMTEC or BAFE;
6. Assist the Municipal Agricultural and Biosystems Engineer in the evaluation and processing of application permits and certificate of occupancy of agricultural, fishery and bio-systems buildings and structures to ensure the enforcement of PABES and RA No. 10915; and
7. Coordinate with BFAR on the city-wide registration of fish hatcheries, fish breeding facilities, private fishponds and post-harvest facilities for fishing communities.
8. Perform other related tasks as may be assigned from time to time by the immediate supervisor.

Atty. G. Cabal



c. Item 83 - Cooperative Development Specialist I (SG 11)

Duties and Responsibilities:

1. Under general supervision, provide assistance in the development and implementation of plans and programs especially on institutional development, strategic planning, diversification and designing of economic and development related programs and projects.
2. Conduct data profiling and analysis of cooperative related information and develop necessary tools essential for planning, implementation, monitoring and evaluation of cooperative programs and services.
3. Provide technical support to cooperatives and other related agencies in the submission of mandatory reportorial requirements for regulating agency.
4. Perform other related tasks as may be assigned from time to time by the immediate supervisor.

2. Item 84 – Youth Development Officer I (SG 10)

Duties and Responsibilities:

1. Register and verify youth and youth-serving organizations (Subject to the revitalized Youth Organizations Registration Program (YORP) guidelines)
2. Facilitate the election of the LYDC representatives;
3. Conduct the mandatory and continuing training of SK Officials and LYDC Members, in accordance with the programs jointly designed and implemented by the National Youth Commission (NYC) and DILG. The local youth development officer and or his or her staff shall apply for accreditation from NYC in order for them to conduct the mandatory and continuing training programs of SK Officials and LYDC members;
4. Provide technical assistance to the LYDC of the Municipality of Hindang in the formulation of the LYDP.
5. Perform such other functions as may be prescribed by Law, ordinance, or as the LCE, the Commission, or the DILG may require.

3. Item 85 – Tourism Operations Officer I (SG 11)

Duties and Responsibilities:

1. Initiate in close collaboration with the Local Tourism Council, Local Culture and Arts Council and the formulation of Local Plans, Local Culture and Arts plan that are consistent with Municipal Tourism Culture and Arts Plan.
2. Act as Liason between the Local Government and the Municipal Tourism council and Local Arts Council on matters pertaining to plan as well as in the implementation of plans, programs and other tourism, culture and arts activities.

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Ruthy G. Cabal

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3. Prepare the annual budget for tourism, culture and arts promotion activities, allocate festival assistance fund in the municipality.
4. Initiate the formulation of tourism marketing strategies and promotion programs for the municipality.
5. Maintain and information system that is linked with the Provincial Tourism Office and the Department of Tourism (DOT)
6. Study feasibility of granting incentives to potential investors in the tourism
7. Shall be responsible for preparing implementing and upgrading local tourism development plans and enforcing tourism laws, rules and regulations.
8. Perform other functions related to tourism development.



4. Item 7 – Administrative Aide I (SG 1) Municipal Mayor’s office

Duties and Responsibilities:

1. Provide clerical and administrative support to the Municipal Mayor, including scheduling meetings, managing the Mayor’s calendar, and organizing files.
2. Handle incoming and outgoing correspondence, sending letters and reports, answer phone calls and manage email communication.
3. Prepare and maintain records of official documents, including meeting minutes, resolutions, and executive orders. Ensure proper filing and retrieval.
4. Assist in organizing and coordinating events, public engagements, and official functions hosted by the Mayor.




5. Item 8 – Administrative Aide I (SG 1) Municipal Treasurer’s office

Duties and Responsibilities:

1. Support the Municipal Treasurer with daily administrative tasks, including managing schedules, organizing files, and preparing correspondence.
2. Assist taxpayers and other clients with inquiries regarding taxes, payments, and financial services. Provide necessary information and guidance.
3. Input financial data into accounting systems and spreadsheets. Ensure accuracy and timeliness in data entry and reporting.
4. Handle routine financial transactions, such as receipts, disbursements, and deposits. Prepare and process payment vouchers and invoices.
5. Prepare and file necessary financial documents and reports. Ensure compliance with financial regulations and municipal policies.
6. Assist in preparing for audits by organizing records and providing necessary documentation as required.



Betty A. Cabal



(ORDINANCE NO. 2024-04 of the Sangguniang Bayan of Hindang, Leyte, RE: "An Ordinance creating new positions in the Local Government Unit of Hindang, Leyte" ...continued)

6. Item 9 – Administrative Aide I (SG 1) Municipal Planning & Development Office

Duties and Responsibilities:

1. Assist in planning and coordinating municipal development projects. Prepare project documentation, including proposals, plans, and reports.
2. Collect, compile, and analyze data related to municipal development and planning. Maintain up-to-date records and databases.
3. Communicate with community members, stakeholders, and other agencies regarding development projects and planning activities. Assist in organizing public consultations and meetings.
4. Manage office supplies and equipment, maintain records, and handle correspondence related to planning and development activities.
5. Prepare reports, presentations, and documentation for planning and development projects. Ensure accuracy and adherence to deadlines.
6. Assist in organizing and coordinating workshops, seminars, and other events related to municipal planning and development.

SECTION 5. APPOINTMENTS. The appointments for those who will be occupying the herein mentioned positions shall be within the prescribed qualification standards and guidelines set forth by the Civil Service Commission (CSC) and other relevant laws.

SECTION 6. APPROPRIATION. Appropriate funds shall be incorporated in the LGU's annual budget for the effective and continuous implementation of this ordinance.

SECTION 7. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY CLAUSE. This ordinance shall effect take immediately upon its approval.

ENACTED this 29th day of July, 2024 by this Sanggunian in its regular session held for the purpose at the SB Session Hall, this Municipality, with the following votes:

Yes (9)

No (0)

Abstain (0)


MIKHAEL ANNE GEOL D. ABOYME
SB Member


JOSE NAPOLEON D. MONTERO
SB Member


LEONIDA A. CAVITE
SB Member


ROMULO D. BASAÑEZ
SB Member

(ORDINANCE NO. 2024-04 of the Sangguniang Bayan of Hindang, Leyte, RE: "An Ordinance creating new positions in the Local Government Unit of Hindang, Leyte" ...continued)



BENEDICTO L. YANOLA
SB Member


SERAFIN A. CAVERO
SB Member



SORIANO B. DELALAMON
SB Member

(On leave)
SALVADOR E. BAÑEZ, JR.
SB Member



JUN A. CABAL
LNB Pres-Ex Officio Member


ADRIAN PAUL G. ASTORGA
SK Federation Pres-Ex Officio Member

CERTIFIED CORRECT:


MYRNA C. ABASOLA
LLSA II - Acting
Secretary to the Sanggunian

ATTESTED TO BE DULY ADOPTED:


ELPIDIO B. CABAL, JR.
Municipal Vice Mayor
Presiding Officer

APPROVED:


BETTY A. CABAL
Municipal Mayor



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that* ORDINANCE NO. 2024-04 of the Sangguniang Bayan, Hindang, Leyte, "*An ordinance creating new positions in the Local Government Unit of Hindang, Leyte and determining its functions, duties and responsibilities and providing funds thereof*", had been correspondingly posted in three (3) conspicuous places of the municipality as prescribed under the Local Government Code of 1991 otherwise known as Republic Act 7160.

GIVEN this 2nd day of September, 2024 at Hindang, Leyte, Philippines.


ANNABEL A. MABALE
Secretary to the Sanggunian