

Item No.: 11
Date: 15 2024 OCT



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

Province of Leyte
Legal Office
Released
Date: 10.2.24

SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE
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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
October 4, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No.2024-07 of the Sangguniang Bayan of Bato, Leyte.

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

- Ordinance No. 2024-07 entitled: **“Creating Various Plantilla Positions in Various offices in the Municipality, Specifying the Qualifications, Duties, Functions, and Responsibilities, Appropriating Funds Therefor, and for Other Purposes.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447(1)(viii)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 76². 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(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;

² Section 76. Organizational Structure and Staffing Pattern. - 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.


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
03 October 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2024-07 of the Municipality of Bato, Leyte, entitled:** Creating Various Plantilla Positions in Various Offices in the Municipality, Specifying the Qualifications, Duties, Functions, and Responsibilities, Appropriating Funds Therefor, and For Other Purposes.


FLORINDA M. S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
SANGGUNIANG BAYAN
Bato, Leyte

October 2, 2024

**THE HONORABLE MEMBERS OF THE
SANGGUNIANG PANLALAWIGAN**

Province of Leyte
Tacloban City

Gentlemen and ladies:

Respectfully transmitting to the Sangguniang Panlalawigan of the Province of Leyte the herein **Ordinance No. 2024-06 re: KALAHI and Ordinance No. 2024-07 re: Plantilla Positions for Devolution Ordinance of 2024** of this municipality for perusal and review by the august body.

It is sincerely prayed that the Sangguniang Panlalawigan could pass a resolution stipulating its action on the matter and furnish this Sanggunian with the same.

I thank you in advance and look forward to your granting this request.

Respectfully,

PORFERIO M. PITOGO II
Secretary to the Sanggunian



Republic of the Philippines

SANGGUNIANG BAYAN

Bato, Leyte

Ordinance No. 2024-07

**CREATING VARIOUS PLANTILLA POSITIONS IN VARIOUS OFFICES IN THE MUNICIPALITY;
SPECIFYING THE QUALIFICATIONS, DUTIES, FUNCTIONS, AND RESPONSIBILITIES;
APPROPRIATING FUNDS THEREFOR; AND FOR OTHER PURPOSES**

Sponsored by:

HON. ARNULFO B. Taneo

Committee Chair on Laws

HON. DANILO A. PITOGO

Committee Chair on Human Resources

WHEREAS, the Sanggunian is empowered to determine the positions, salaries, wages, and other emoluments and benefits of officials and employees for the proper conduct of programs, projects, activities, and services of the municipal government;

WHEREAS, LGUs are empowered to design and implement their organizational structure and staffing pattern subject to the minimum standards and guidelines prescribed by the Civil Service Commission;

WHEREAS, pursuant to the principle of full devolution of certain functions of the executive branch to LGUs, the Civil Service Commission issued Resolution No. 2200373 and promulgated CSC MC No. 12, s. 2022 setting forth therein the guidelines and standards for the establishment of organizational structures and staffing patterns in LGUs, and stipulating therein certain mandatory positions that LGUs need to create;

WHEREFORE, BE IT ENACTED by the Sangguniang Bayan in session assembled, on joint motion of Hon. Arnulfo B. Taneo and Hon. Danilo A. Pitogo with mass second, that:

Section 1. Title. – This Ordinance shall be known as the “**Plantilla Positions for Devolution Ordinance of 2024.**”

Section 2. Purpose. – The State and the municipality recognize the importance of guaranteeing the efficient delivery of basic services throughout the municipality through personnel complementation and welfare.

Section 3. New Plantilla Positions. – The following plantilla positions are hereby created and the HR unit is directed to effect and reflect these in the Plantilla of Positions, viz:

- a. One (1) **Municipal Government Department Head I (Municipal Environment and Natural Resources Officer I), SG-24**, at the Mayor’s Office (Municipal Environment and Natural Resources Office);

- b. One (1) **Security Agent I, SG-8 (Coterminous)**, at the Mayor's Office; and
- c. One (1) **Administrative Assistant I (Reproduction Machine Operator III), SG-7**, at the Municipal Budget Office).

Section 4. Qualifications, Duties and Responsibilities, and Functions. – The appointees must be natural born and residents of the Philippines and of the municipality, must be of legal age, must not have been convicted by final judgment of any crime, and must not have any pending case. Additionally, the following shall be the qualifications, duties and responsibilities, and functions of the appointees respective to their positions, viz:

- a. The **Municipal Government Department Head I (Municipal Environment and Natural Resources Officer I)** shall possess the following qualifications and perform the following duties and responsibilities:
 - (1) Qualifications – The appointee shall have a Bachelor's degree relevant to the job (such as Environmental Science, Forestry, Biology, or related fields) from a recognized institution; Must possess Career Service Professional Eligibility or its equivalent under the Philippine Civil Service Commission standards; must have at least 24 hours of relevant training in environmental management, policy, conservation, or related fields; must have at least 4 years of relevant experience in environmental management, natural resources protection, or related fields.
 - (2) Duties and responsibilities – The appointee shall have the following duties and responsibilities:
 - (a) Environmental management – Implement and enforce local environmental laws, regulations, and policies; Oversee solid waste management programs, including waste segregation, collection, and disposal; Promote sustainable development and environmentally sound practices within the municipality.
 - (b) Natural resources protection – Ensure the protection and conservation of natural resources, including forests, watersheds, and biodiversity; Coordinate with national and local agencies on projects related to reforestation, soil and water conservation, and other environmental initiatives; Monitor illegal activities such as logging, mining, and other resource exploitation.
 - (c) Pollution control – Monitor and regulate air, water, and land pollution within the municipality; Implement pollution control programs to mitigate the impact of industrial, agricultural, and household pollutants.
 - (d) Disaster risk reduction – Develop and implement environmental plans that support climate change mitigation and adaptation; Work with disaster risk reduction management offices to create and enforce environmental risk assessments and emergency preparedness plans.
 - (e) Public education and advocacy – Conduct public information campaigns to raise awareness of environmental protection, climate change, and natural resource conservation; Organize workshops, training, and seminars for local communities on environmental sustainability and disaster preparedness.

- (f) Coordination and partnership – Coordinate with other municipal offices, NGOs, and government agencies on environment-related projects; Seek partnerships and funding opportunities for environmental conservation and resource management projects.
 - (g) Administrative and supervisory duties – Supervise staff in the MENRO office and ensure the proper implementation of environmental programs and projects; Prepare reports and provide recommendations to local government officials regarding environmental issues and policies.
 - (h) Policy development and implementation – Develop and recommend environmental policies to the local government; Ensure that these policies are aligned with national laws such as the Clean Air Act, Clean Water Act, and Solid Waste Management Act; and
 - (i) Performs other related tasks as may be assigned to him/her.
- (3) Functions – The appointee shall have the following functions:
- (a) Implementation of environmental laws – Enforce national and local environmental regulations, such as the Clean Air Act, Clean Water Act, and Ecological Solid Waste Management Act, ensuring compliance within the municipality.
 - (b) Natural resources conservation – Develop and implement programs to protect and sustainably manage the municipality's natural resources, including forests, watersheds, and biodiversity, ensuring their preservation for future generations.
 - (c) Waste and pollution management – Oversee the municipality's solid waste management system, and implement strategies to control pollution, ensuring proper waste disposal, reducing pollutants, and maintaining a clean and healthy environment.
- b. The **Security Agent I** shall possess the following qualifications and perform the following duties and responsibilities:
- (1) Qualifications – Appointees to primarily confidential/personal staff positions are exempt from the qualification requirements (Section 38 of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions).
 - (2) Duties and responsibilities – The appointee shall have the following duties and responsibilities:
 - (a) Personal protection – Ensure the safety and security of the mayor at all times during public and private activities, staying close to the mayor to prevent any potential harm or threats.
 - (b) Threat detection and risk assessment – Continuously assess potential risks, identifying and responding to suspicious activities, individuals, or situations that may endanger the mayor.

- (c) Advance security planning – Participate in planning for the mayor's public appearances and engagements, securing venues and travel routes to minimize risks and ensure safe movement.
 - (d) Crowd control and public interaction – Manage crowd control during public events, ensuring the mayor can safely interact with the public while preventing unauthorized access or close contact from individuals.
 - (e) Emergency response and evacuation – Be prepared to respond to emergencies such as security threats or accidents, executing evacuation protocols to swiftly move the mayor to safety if necessary.
 - (f) Performs other related tasks as may be assigned to him/her.
- c. The **Administrative Assistant I (Reproduction Machine Operator III)** shall possess the following qualifications and perform the following duties and responsibilities:
- (1) Qualifications – The appointee must have graduated elementary and be able to read and write in English, Filipino, and the local language or dialect (*pursuant to MC 17, s. 96 – Cat. III*).
 - (2) Duties and responsibilities – The appointee shall have the following duties and responsibilities:
 - (a) Operates a variety of duplicating machines, peripheral equipment and application software to produce photocopies, documents, correspondence, information books, mailings, faxes, scanning of documents for use in the office;
 - (b) Receives office orders or memoranda to produce specified number of copies within the designated deadline including duplicating features of sorting, folding, binding, as needed;
 - (c) Maintains a satisfactory inventory of supplies on hand at all times including preparation of purchase orders for cartridges, toner, and paper for reproduction purposes;
 - (d) Performs other clerical duties when workload permits, such as sorting mails, reports, and other related documents, as may be assigned;
 - (e) Maintains and cleans machines and make minor adjustments;
 - (f) Performs other related tasks as may be assigned to him/her.

Section 5. Funding Support, Salary, and Other Benefits. – The newly-created positions shall be funded by available funds through annual budget or supplemental budgets duly authorized by appropriation ordinances. The salaries, benefits, and other emoluments shall be based on existing and applicable laws, regulations, orders, and issuances.

Section 6. Repealing Clause. – All ordinances, rules or regulations in conflict with the provisions of the Ordinance are hereby repealed; *Provided*, that the rights already vested under those ordinances, rules or regulations shall not be impaired.

Section 7. Separability Clause. – If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

Section 8. Effectivity. – This ordinance shall take effect upon its approval and compliance with the necessary requirements set by law.

ENACTED this 23rd day of September 2024 during the regular session of the Sangguniang Bayan held at the SB Session Hall, Bato, Leyte with the following voting turnout:

Voting for : Echevarre, Pitogo, Diao, Acenas, Aureo,
Salvatierra, Salazar, Taneo, M. Gertos, Adlawon
Voting against : None

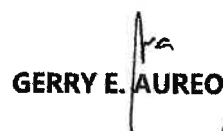
CONCURRED: **The Honorable Members of the Sangguniang Bayan**


ANTHONY S. ECHEVARRE


DANILO A. PITOGO



PEPE B. DIAO


RAUL M. ACENAS


GERRY E. AUREO


MARK S. SALVATIERRA


HERBERT B. SALAZAR


ARNULFO B. Taneo


MARISSA C. GERTOS


JIA MARIE L. ADLAWON

CERTIFIED CORRECT:


PORFERIO M. PITOGO II
Secretary to the Sanggunian

ATTESTED TO BE DULY ADOPTED:


HON. BRYAN NILE A. GERTOS
Presiding Officer /Municipal Vice Mayor

APPROVED:


HON. NATHANIEL B. GERTOS
Municipal Mayor