Item No.: 21

Date: 2 1 2025 JAN

ANGGUNIANG



Republic of the Philippines PROVINCE OF LEYTE Provincial Capitol Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENTDecember 26, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 18 series of 2024 of the Sangguniang Bayan of Abuyog, Leyte.

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

• Ordinance No. 18 series of 2024 entitled: "An Ordinance creating new plantilla positions and provide the corresponding funding for each position, etc."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)(viii) ¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 76 ² thereof provided that the same does not run in contrary with the provisions provided for in Sections 325 (a) and (g)³ of the same Code. Hence, we recommend for the declaration of its validity.

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

³ (a) The total appropriations, whether annual or supplemental, for personal services of a local government unit for one (1) fiscal year shall not exceed forty-five percent (45%) in the case of first to third class provinces, cities and municipalities, and fifty-five percent (55%) in the case of fourth class or lower, of the total annual income from regular sources realized in the next preceding fiscal year. The appropriations for salaries, wages, representation and transportation allowances of officials and employees of the public utilities and economic enterprises owned, operated, and maintained by the local government unit concerned shall not be included in the annual budget or in the computation of the maximum amount for personal services. The appropriations for the personal services of such economic enterprises shall be charged to their respective budgets;

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

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the 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

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st INDORSEMENT 19 December 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed Ordinance No. 18, series of 2024 of the Municipality of Abuyog, Leyte, entitled: An Ordinance creating new plantilla positions and provide the corresponding funding for each created position in the Municipal Government of Abuyog, Leyte.

FLORINDA JILI S. VYVICO Secretary to the Sanggunian , sovince of Leyto



Republic of the Philippines MUNICIPALITY OF ABUYOG Province of Leyte



Office of the Sangguniang Bayan Secretary

December 18, 2024

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Legislative Building
Capitol Grounds
Tacloban City



Ma'am:

Respectfully transmitting herewith as attached Ordinance No. 18, series 2024 of the Sangguniang Bayan of Abuyog, Leyte RE: "AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE" for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte.

Thank you and more power.

Very respectfully yours,

ARSENIO VILLOTE
Sanggupiang Bayan Secretary





Republic of the Philippines MUNICIPALITY OF ABUYOG Province of Leyte



EXCERPT FROM THE MINUTES OF THE 42ND REGULAR SESSION OF THE 19th HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON NOVEMBER 26, 2024

PRESENT:

Hon. James L. Bohol Municipal Vice-Mayor, Prsdg. Officer Hon. Jeannette A. Valida SB Member, Prsdg. Pro-tempore SB Member

Hon. Antonio C. Almendra, Jr.

Hon. Arnold R. Allera

Hon. Patrocinio A. Risos, Jr.

SB Member

SB Member

SB Member

Hon. Editha C. Deloy SB Member Hon. Edmundo P. Saño SB Member

Hon. Francisco B. Landia SB Member, Floor Leader

Hon. Erwin V. Belleza SB Member

Hon. Melliza Jane C. Traya SB Member, SK Ped. Pres.

ABSENT:

Hon. Dario P. Lleve SB Member, ABC President – O.B.

ORDINANCE NO. 18, S. 2024

AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE

BE IT ORDAINED BY THE 19TH SANGGUNIANG BAYAN OF ABUYOG, LEYTE IN A REGULAR SESSION ASSEMBLED; that:

SECTION 1. TITLE - this ordinance shall be known and referred to as AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE

SECTION 2. SCOPE AND COVERAGE, SOURCE OF AUTHORITY/PURPOSE – the said creation of positions including each corresponding funding is for the smooth operation of the concerned department and/or agency in the Municipal Government of Abuyog, Leyte so as to give effective and efficient delivery of services to the clientele particularly in the following offices mentioned below.

The approved creation of new positions and the provision of corresponding funding are as follows; to wit:

POSITIONS

SALARY GRADE

I. MAYOR'S OFFICE

A. One (1) SENIOR COOPERATIVES DEVELOPMENT SPECIALIST

SG-18

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apply apply

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	B. One (1) ENGINEER II (AGRICULTURAL AND BIOSYSTEMS ENGINEER)C. One (1) LICENSING INSPECTOR IID. One (1) ADMINISTRATIVE AIDE VI (LABOR FOREMAN)	SG-16 SG-8 SG-6
ł	I. MUNICIPAL TOURISM, CULTURE AND SPORTS DEVELOPMENT OFFICE	
	A. One (1) SENIOR TOURISM OPERATIONS OFFICER	SG-18
III	. MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
	A. One (1) ADMINISTRATIVE AIDE VI (LABOR FOREMAN)	SG-6
IV.	MUNICIPAL PLANNING AND DEVELOPMENT OFFICE	
	A. One (1) ADMINISTRATIVE AIDE VI (LABOR FOREMAN)	SG-6
V.	MUNICIPAL ACCOUNTANT'S OFFICE	
	A. One (1) ADMINISTRATIVE ASSISTANT III (SENIOR BOOKKEEPER)	SG-9
	B. One (1) ADMINISTRATIVE AIDE VI (LABOR FOREMAN)	SG-6
VI.	MUNICIPAL BUDGET OFFICE	
	A. One (1) ADMINISTRATIVE ASSISTANT I (BOOKBINDER III)	SG-7
	B. One (1) ADMINISTRATIVE AIDE VI (LABOR FOREMAN)	SG-6
VII.	. MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE	
	A. One (1) SOCIAL WELFARE OFFICER IV B. One (1) SOCIAL WELFARE OFFICER II C. One (1) DISABILITY AFFAIRS OFFICER II D. One (1) LABOR AND EMPLOYMENT OFFICER I E. One (1) ADMINISTRATIVE AIDE III (DRIVER I)	SG-22 SG-15 SG-15 SG-11 SG-3
VIII.	MUNICIPAL HEALTH OFFICE	
	A. Two (2) MIDWIFE III B. One (1) ADMINISTRATIVE AIDE III (UTILITY WORKER II)	SG-13 SG-3
IX.	MUNICIPAL GENERAL SERVICES OFFICE	
	A. One (1) ENGINEER I B. One (1) ADMINISTRATIVE ASSISTANT III (STOREKEEPER III)	SG-12 SG-9
X.	MUNICIPAL RISK REDUCTION AND MANAGEMENT OFFICE	
	A. MUNICIPAL GOVERNMENT DEPARTMENT HEAD I (LOCAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICER	SG-24

SECTION 3. SEPERABILITY CLAUSE. If any part of this ordinance is held unconstitutional or invalid by any court or tribunal or competent authority, no other sections or provisions hereof shall be affected thereby

SECTION 4. EFFECTIVITY. This ordinance shall take effect upon approval

APPROVED: November 26, 2024

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I HEREBY CERTIFY to the correctness of the foregoing resolution.

ARSENIO F. VILLOTE Sangguniang Bayan Secretary

ATTESTED:

HON. JAMES L. BOHOL

Municipal Vice Mayor, Prsdg. Officer

HON. JEANNETTE A. VALIDA SB Member, Prsdg. Pro-tempore

HON. ARNOLD'R. ALLERA **SB Member**

HON. EDITHA C. DELOY **SB Member**

HON. FRANCISCO & LANDIA SB Member, Floor Leader

HON. DARIO P. LLEVE SB Member/ ABC Fed. President - O.B. HON. ANTONIO C. ALMENDRA, JR. SB Member

HON. PATROCINIO A. RISOS

SB Member

ÉDMUNDO P. SAÑO

SB Member

HON. ERWIN V. BELLEZA

SB Member

HON. MELLIZA JANE C. TRAYA SB Member/ SK Ped. Pres.

APPROVED:

HON. LEMUEL GIN W. TRAYA Municipal Mayor