

HON. JULIUS G. JAMERO
SB Member

HON. JO VINCENT J. MORPOS
SB Member

HON. DEAN KAISER C. TANGALIN
SB Member

HON. FRANCIS JOERAY T. GUMBAN
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HON. DOMINGO M. GINGCO
Ex-Officio Member

HON. KIRBY TRACY V. ESTILLORE
Ex-Officio Member

JESSYL B. PALON
Secretary to the Sangguniang

HON. EDGARDO G. JAMERO
Municipal Vice Mayor

HON. GERRY T. PAGLINAWAN
Municipal Mayor

Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
-oOo-



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 80th REGULAR SESSION OF THE 11th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON JULY 22, 2024.

OFFICERS/MEMBERS:	POSITION	PRESENT	ABSENT	OB	OL
Hon. Edgardo G. Jamero	Municipal Vice Mayor	___/___	___	___	___
Hon. Julius G. Jamero	SB Member	___/___	___	___	___
Hon. Jo Vincent J. Morpos	SB Member	___/___	___	___	___
Hon. Dean Kaiser C. Tangalin	SB Member	___/___	___	___	___
Hon. Francis Joeray T. Gumban	SB Member	___/___	___	___	___
Hon. Jerson L. Cabahug	SB Member	___/___	___	___	___
Hon. Julito C. Mandac	SB Member	___/___	___	___	___
Hon. Percalixia Y. Bazar	SB Member	___/___	___	___	___
Hon. Efren A. Costanilla	SB Member	___/___	___	___	___
Hon. Domingo M. Gingco	Ex - Officio Member, LnB	___/___	___	___	___
Hon. Kirby Tracy V. Estillore	Ex - Officio Member, SK	___/___	___	___	___

Municipal Ordinance No. 11th-12-2024

AN ORDINANCE INSTITUTIONALIZING THE PROGRAMS, SERVICES, PRIVILEGES AND BENEFITS FOR SOLO PARENTS AND THEIR CHILDREN IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR.

Be it ordained by the 11th Sangguniang Bayan of Dumingag, Zamboanga del Sur, in session assembled, that:

ARTICLE I GENERAL PROVISIONS

SECTION 1. TITLE

This Ordinance shall be known as the "Solo Parent Welfare Ordinance" of the municipality of Dumingag, Zamboanga del Sur.

SECTION 2. RATIONALE

The Solo Parent Act (R.A. No. 8972), as amended, underscores the importance of family as the foundation of the nation and mandates the development of a comprehensive support system for solo parents and their children. Recognizing the unique challenges faced by solo parents, this Ordinance seeks to provide the necessary assistance to ensure their social and economic well-being. The LGU of Dumingag acknowledges the significant responsibilities borne by solo parents, who single-handedly strive to provide their children with a better future amidst financial and social hardships. This recognition forms the basis for Dumingag's commitment to implementing measures that align with the objectives of the Solo Parents Welfare Act of 2000 and its amendments.

In accordance with the Local Government Code of 1991 (R.A. No. 7160), particularly Section 447 (a), which empowers local legislative bodies to enact ordinances and appropriate funds for the welfare of their constituents, the LGU of Dumingag is poised to take proactive steps to support solo parents. This initiative reflects Dumingag's dedication to enhancing the quality of life for solo parents and their children by ensuring that essential services and resources are accessible. By addressing the specific needs of solo parents, the LGU of Dumingag aims to foster a supportive community environment that enables these families

to thrive, thereby contributing to the overall development and solidarity of the municipality.

SECTION 3. LEGAL BASES

Article II, Sections 10 and 12 of the 1987 Philippine Constitution mandate the recognition of the sanctity of family life and require the State to protect and strengthen the family as a fundamental and autonomous social institution. Additionally, the Constitution obliges the State to promote social justice in all aspects of national development.

Local Government Code of 1991 (R.A. No. 7160), particularly Section 447 (a), which empowers local legislative bodies to enact ordinances and appropriate funds for the welfare of their constituents.

Republic Act No. 8972, commonly referred to as the "Solo Parents' Welfare Act of 2000," An act providing for benefits and privileges to solo parents and their children, appropriating funds therefor and for other purposes." and its amendment, serve as the legal foundation for the provision of rights and benefits to solo parents in the country.

SECTION 4. DEFINITION OF TERMS

For purposes of this Ordinance, the following terms shall mean:

- a. **BASIC NECESSITIES** - are goods vital to the needs of consumers for their sustenance and existence
- b. **CHILDREN** - refers to those living with and dependent upon the solo parent for support and sustenance, who are unmarried, unemployed, and not more than eighteen (18) years of age, or even over eighteen (18) years but are incapable of self-support because of mental and/or physical defect/disability
- c. **DSWD** - refers to the Department of Social Welfare and Development
- d. **FLEXIBLE WORK SCHEDULE** - is the right granted to a solo parent/employee to vary his/her arrival and departure time without effecting the core work hours as defined by the employer
- e. **INDIGENT SOLO PARENT** - refers to one whose net income falls below the poverty threshold set by the Philippine Statistics Authority (PSA) and is not receiving a monthly pension or allowance from a concerned public or private entity beyond such poverty threshold, as assessed and verified by the Municipal Social Welfare and Development Office (MSWDO) and/or Department of Social Welfare and Development (DSWD)
- f. **IRR** - means the Implementing Rules and Regulations
- g. **MSWDO** - refers to the Municipal Social Welfare and Development Office of the municipal government of Dumingag, Zamboanga del Sur
- h. **PARENTAL LEAVE** - shall mean leave benefits granted to solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required
- i. **PARENTAL RESPONSIBILITY** - with respect to their minor child, shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines"
- j. **PSA** - refers to the Philippine Statistics Authority
- k. **SOLO PARENT** - refers to unmarried, separated, annulled, widower and widowed persons falling under the enumeration provided under Section 3 (a), RA No. 8972

and its Implementing Rules and Regulations, who has taken the sole responsibility of parenthood

- I. **SOLO PARENT IDENTIFICATION CARD** - refers to the Solo Parent Identification Card (SPIC) issued to the solo parent as his/her competent proof of identification and the primary evidence of his/her status as a solo parent to enable him/her to avail of the benefits

ARTICLE II

CRITERIA, QUALIFICATIONS AND CATEGORIES OF SOLO PARENTS

SECTION 5. CRITERIA FOR ASSISTANCE

Any solo parent whose income in the place of residence is equal to or below the poverty threshold as set by the Philippine Statistics Authority (PSA) and subject to the assessment of the duly appointed or designated social worker in the municipality shall be eligible for assistance: Provided, however, that any solo parent whose income is above the poverty threshold shall also enjoy the benefits mentioned in Republic Act 11861 and its IRR.

SECTION 6. QUALIFICATIONS OF A SOLO PARENT

A solo parent seeking benefits other than those provided for under Article V of Revised IRR of RA 11861 shall be qualified based on the following:

- a. A resident of the barangay within the municipality of Dumingag, as certified by the barangay chairperson, or his/her duly authorized representative: Provided, that if the solo parent is a transferee from another barangay, he/she shall secure a clearance from his/her previous barangay, indicating whether he/she has availed of any benefits for solo parents, and the nature of such benefits.
- b. With an income level equal to or below the poverty threshold as determined by the PSA and assessed by a social worker.
- c. The applicant is not receiving a monthly pension or allowance from a concerned public or private entity.

SECTION 7. ELIGIBILITY ASSESSMENT

An applicant who demonstrates the need for assistance is subject to the objective and thorough assessment by the Municipal Social Welfare and Development Office. The assessment, based on the comprehensive package of social protection services for solo parents and their families, shall cover, but not limited to, the following, to wit;

Determination of the applicant's category.

- a. Evaluation of the needs of the applicant and his/her children as the bases for the provision of the appropriate services and interventions.
- b. Identification of the level of readiness of the applicant to receive a particular service/assistance, which shall serve as basis for the conduct of social preparation activities prior to the provision of such service/assistance.
- c. Identification of existing and potentially available resources that may support the applicant and his/her children.

SECTION 8. SOLO PARENT IDENTIFICATION CARD (SPIC) AND BOOKLET

The MSWDO shall review and verify the documents submitted by the applicant and shall issue the SPIC and booklet, within seven (7) working days from receipt of the complete documents as enumerated in RA 11861 and its IRR.

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The SPIC and booklet shall be valid for one (1) year, subject to renewal conditioned upon the assessment and evaluation of the solo parent by the MSWDO.

SECTION 9. SOLO PARENT ID REQUIREMENTS

The MSWDO shall cause the issuance of a Solo Parent Identification Card which shall be considered as competent evidence of identity and membership in the sector as well as of the entitlement to the benefits under this ordinance, R.A. No. 8972 and its amendment. The following are the requirements, to wit;

Application Form provided by the MSWDO.

- Voter's ID or Certification or any government issued ID that the applicant is a registered voter of the municipality.
- Barangay Certification - proof that the applicant is a resident of the barangay for at least one (1) year.
- Philippine Statistics Authority (PSA) issued Birth Certificate of the child/children
- Certification from the Barangay Captain indicating the status of the applicant as a solo parent or supporting documents such as Declaration of Nullity of Marriage, Certification of No Marriage (CENOMAR), Death Certificate of spouse, Medical Certificate as proof of mental incapacity, if incapacitated.
- Certification from the Provincial Jail - proof that a solo parent's husband or wife is detained (for at least 1 year).

SECTION 10. CATEGORIES OF SOLO PARENT

A solo parent refers to any individual who falls under any of the following categories:

- A parent who provides solo parental care and support of the child or children due to:
 - Birth of a child or children as a consequence of rape, even without a final conviction of the offender; Provided, that the mother has the sole parental custody, care and is the sole support of the child or children: Provided, further, that the mother under this category may still be considered a solo parent under any of the categories in this section.
 - Death of his/her spouse.
 - Detention of his/her spouse for at least three (3) months or service of sentence for a criminal conviction.
 - Physical or mental incapacity of his/her spouse as certified by a public or private medical practitioner: Provided that, the physical or mental incapacity of the spouse prevents him/her from performing his/her parental duty.
 - Legal separation or de facto separation from his/her spouse for at least six (6) months and the solo parent is entrusted with the solo parental care and support of the child or children.
 - Declaration of nullity or annulment of marriage as decreed by a court recognized by law, or due to divorce, subject to existing laws, and the solo parent is entrusted with the solo parent is entrusted with solo parental care and support of the child or children.
 - Abandonment by the spouse for at least six (6) months.
- A spouse or any family member of an OFW, as defined in item (e) of this Section, of an Overseas Filipino Worker (OFW), or the guardian of the child or children of

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an OFW: Provided, that the said OFW belongs to the low or semi-skilled worker category, and is away from the Philippines for an uninterrupted period of twelve (12) months: Provided, further, that the OFW, his/her spouse, family member or guardian of the child, or children of an OFW, belongs to low or semi-skilled worker category, subject to the assessment of the duly appointed or designated social worker.

- c. An unmarried mother or father who keeps and rears his/her child or children.
- d. Any legal guardian, adoptive or foster parent who solely provides parental care and support to a child or children.
- e. Any relative within the fourth (4th) civil degree of consanguinity or affinity of the parent or legal guardian whose death, or disappearance, absence or abandonment of the child or children, for at least six (6) months, led to the said relative assuming solo parental care and support of the child or children: Provided, that in case of solo grandparents who are senior citizens and who have the sole parental care and support over their grandchild or grandchildren who are unmarried, or unemployed, and twenty-two (22) years old or below, or those twenty-two (22) or over but who are unable to fully take care or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical or mental disability or condition, Provided, further, that the child or children entitled to be supported beyond the age of majority shall be limited to those who are in school or in training for some profession, trade or vocation, consistent with and as provided in Article 194 of Executive Order No. 209 (E.O. No. 209), or The Family Code of the Philippines; The solo grandparents shall be entitled to the benefits of this Ordinance in addition to the benefits granted to them by Republic Act No. 9994 (R.A. No. 9994) or the "Expanded Senior Citizens Act of 2003".
- f. A pregnant woman who provides sole parental care and support for her unborn child or children.

ARTICLE III REGISTRATION AND DISQUALIFICATION

SECTION 11. REGISTRATION

The Municipal Social Welfare and Development Office (MSWDO) shall undertake a municipality-wide registration of all solo parents and their children in forty-four (44) barangays of the municipality for purposes of obtaining, among others, information on their names, ages, addresses, income including the source thereof, number of children per solo parent and the circumstances of being solo.

SECTION 12. DISQUALIFICATION

A change in the status or circumstances of the parent claiming benefits under this Ordinance, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for benefits such as change in the status with marriage as MSWDO may deem proper.

SECTION 13. PROCEDURES FOR THE TERMINATION OF BENEFITS

The following procedures shall be observed for the termination of benefits of the solo parent, to wit;

- a. A solo parent shall manifest to the MSWDO the intention to withdraw the availment of the benefits under RA 8972, as amended by RA 11861.
- b. Suppose the solo parent does not voluntarily manifest the intention to withdraw before the lapse of one (1) year from the issuance of the solo parent I.D., the

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MSWDO, based on the report of the employer or any interested person shall conduct the necessary assessment/evaluation to ascertain if grounds for termination and withdrawal of benefits exists. The identification Card shall cease to be valid upon the lapse of one (1) year from the issuance unless renewed based on a new assessment and evaluation. Failure to renew means disqualification from being a solo parent.

- c. The solo parent shall be informed of the result of the assessment/evaluation and termination of services/benefits as a solo parent through a written notice. The termination shall take effect thirty (30) days from the receipt of the notice of termination. In cases when the service cannot be immediately terminated in one (1) month, e.g., schooling, the service shall be completed until its due time.
- d. The solo parent and his/her child or children shall undergo psychosocial counseling with the social worker to prepare them for independent living.
- e. In the event a solo parent decides to relocate his/her family to another city or municipality, he/she shall inform the MSWDO. The said office shall transmit to the city or municipality SWDO of the place of relocation.

ARTICLE IV

WELFARE SERVICES, PRIVILEGES AND BENEFITS

SECTION 14. DUTIES AND RESPONSIBILITIES OF THE MUNICIPAL GOVERNMENT OF DUMINGAG AND THE BARANGAY LOCAL GOVERNMENTS

To ensure the effective implementation of this Ordinance, the municipal government of Dumingag and its Sangguniang Barangays shall perform the following duties and responsibilities;

- a. The municipal government of Dumingag through its relevant municipal government offices shall perform the following duties and responsibilities, to wit;
 1. The LGU of Dumingag shall continue all exiting programs and/or projects that benefits the solo parents.
 2. Endeavor to ensure that the municipal government of Dumingag responds to the mandate of RA 8972 as amended by RA 11861 and its IRR.
 3. Create and maintain a database of all individuals categorized as solo parent, conduct annual updating and reassessment.
 4. Create a mechanism and methods for identifying targeted solo parents or those that can be tagged as indigent and qualified to receive financial assistance.
 5. Other mechanisms and initiatives deemed necessary or vital for the full implementation of this Ordinance.
- b. The Sangguniang Barangays shall perform the following duties and responsibilities, to wit;
 1. Assist the municipal government in identifying and informing the beneficiaries in their territorial jurisdiction about the provisions of RA 8972 as amended by RA 11861 and its IRR.
 2. Other mechanisms and initiatives deemed necessary or vital for the full implementation of this Ordinance.

SECTION 15. INCORPORATION OF WELFARE SERVICES, PRIVILEGES AND BENEFITS

Notwithstanding that the mandate under Republic Act No. 8972 is unto the national government, its agencies and instrumentalities, by this local legislation, the municipality of Dumingag formally imposes upon itself the obligation to provide the solo parents and their children the welfare services, special privileges and benefits that the law has enumerated such as livelihood assistance, counseling, parent effectiveness, critical incidence stress debriefing, among others. Accordingly, the pertinent provisions of Republic Act No. 8972, as amended by Republic Act No. 11861 and its IRR, are hereby considered written in this Ordinance.

SECTION 16. FLEXIBLE WORK SCHEDULE

The employer shall provide a flexible work schedule for solo parents: Provided, that the same shall not affect individual and company productivity: Provided, further, that any employer may request exemption from the above requirements from the Department of Labor and Employment.

SECTION 17. WORK DISCRIMINATION

No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his/her status.

SECTION 18. PARENTAL LEAVE

In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days per year shall be granted to any solo parent employee who has rendered service of at least one (1) year. The seven-day parental leave shall be non-cumulative.

SECTION 19. CONDITION FOR ENTITLEMENT OF PARENTAL LEAVE

A solo parent shall be entitled to parental leave provided that:

- He/she has rendered at least one (1) year of service whether continuous or broken at the time of the effectivity of the Ordinance.
- He/she has notified his/her employer of the availment thereof within a reasonable time period.
- He/she has presented a Solo Parent Identification Card to his/her employer.

SECTION 20. NON-CONVERSION OF PARENTAL LEAVE

In the event that the parental leave is not availed of, said leave shall not be convertible to cash unless specifically agreed upon previously. However, if said leave were denied an employee as a result of non-compliance with the provision of these Rules by an employer, the aforementioned leave may be used as a basis for the computation of damages.

SECTION 21. CREDITING EXISTING LEAVE

If there is an existing or similar benefit under a company policy, or a collective bargaining agreement or collective negotiation agreement, the same shall be credited as such if the same is greater than the seven (7) days provided for in this Ordinance. In case it is lesser, the greater benefit shall prevail. Emergency or contingency leave provided under a company policy or a collective bargaining agreement shall not be credited as compliance with the parental leave provided for under this Ordinance.

SECTION 22. ADDITIONAL SERVICES, PRIVILEGES AND BENEFITS

In addition to the welfare services, privileges and benefits provided by the national law, solo parents who are residents of the municipality and/or their children shall be entitled to the following privileges and benefits provided by the municipal government of Dumingag, to wit:

a. Training Programs for Solo Parents and their Children at the barangay level

- Training programs for solo parents shall be provided in coordination with the barangay after the determination of the number of solo parents per barangay by the MSWDO. The type of training to be conducted shall be based on the training needs of the solo parents and their children.

b. Barangay Solo Parent Assistance Desk and Other Services

- The Barangay Kagawad in charge of the Committee on Women and Family Welfare shall spearhead the Solo Parents Assistance Desk and the database of solo parents in their respective barangay.

c. Priority Lane - All retail and business establishments including banks and hospitals must include a priority lane for solo parents. Priority lane already intended for senior citizens and persons with disability can be used to accommodate solo parents.

d. Cash Subsidy - A cash subsidy of Five Hundred Pesos (P 500.00) will be provided every three months (the five hundred pesos cash subsidy will cover the entire three-month period) to each solo parent earning a minimum wage or less. A beneficiary who is also a senior citizen or a person with disability (PWD) may continue receiving senior citizen or PWD benefits without forfeiting the benefits under this Ordinance.

e. Death Benefit - The child/children of a registered solo parent at the time of the latter's death, if the cause of death is natural or by an accident is entitled to receive financial assistance of Two Thousand Pesos (P 2,000.00).

f. Scholarship Assistance - Children of indigent solo parents are given priority in the granting of scholarship programs in the municipality of Dumingag.

g. Basic Educational Services - Children of indigent solo parents are priority for inclusion in the municipal's basic educational programs in the pre-school, elementary and secondary level, including the SPED (Special Education) Program.

h. Medical Assistance - An indigent solo parent or his/her child shall be prioritized in all the medical assistance programs of the municipal government of Dumingag.

i. Livelihood Assistance - Solo parents shall have priority in the grant of livelihood assistance under any of the Municipal's applicable programs or projects, subject to the qualification requirements under existing ordinances, rules and regulations.

j. Employment Assistance - Solo parents shall have priority in the employment programs of the Local Government subject to job matching based on qualifications and experience.

k. Other services, privileges and benefits that the municipality is currently giving or may subsequently offer.

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ARTICLE V
SOLO PARENT ORGANIZATION

SECTION 23. RIGHT TO ORGANIZE

The LGU of Dumingag encourages and gives its full support to the solo parent's right to organize themselves for purposes beneficial to its members. The Solo Parents Organization/Federation shall assist the municipality in the effective formulation and implementation of its program of services and benefits.

ARTICLE VI
APPROPRIATION

SECTION 24. BUDGETARY REQUIREMENTS

The budgetary requirements necessary for the implementation of this Ordinance shall be taken from the Gender and Development (GAD) funds and shall be incorporated into the Annual Investment Plan of the municipal government of Dumingag, Zamboanga del Sur.

ARTICLE VII
PENALTY PROVISIONS

SECTION 25. PENALTY

Any person, natural or juridical, public or private, who violate, disobey, refuse, omit or neglect to comply with the provisions of this Ordinance shall be meted with the following penalties:

- First Offense - a fine of one thousand pesos (₱ 1,000.00)
- Second Offense - a fine of one thousand five hundred pesos (₱ 1,500.00)
- Third and Succeeding Offenses - a fine of two thousand five hundred pesos (P2,500.00) or imprisonment for a period of more than three (3) months but not exceeding six (6) months or both at the discretion of a competent court

Additionally, any misrepresentation made to obtain a Solo Parent Identification Card or any improper use or abuse by any person to avail of the rights and privileges granted to solo parents and their children shall be a ground for the automatic cancellation of the said ID and all services, benefits and privileges thereof.

ARTICLE VIII
FINAL PROVISIONS

SECTION 26. REPEALING CLAUSE

All ordinances, other orders and issuances, as well as pertinent rules and regulations thereof, which are inconsistent with any of the provisions in this Ordinance are hereby repealed or amended accordingly.

SECTION 27. SEPARABILITY CLAUSE

If for any reason, any section of this Ordinance shall be held unconstitutional or invalid. Other sections which are not affected thereby shall continue to be in full force and effect.

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SECTION 28. EFFECTIVITY CLAUSE

This ordinance shall take effect after fifteen (15) days following the completion of the posting requirements in three (3) conspicuous places in the municipality of Dumingag and its publication in any newspaper of general circulation or posting of copies in all the municipalities and one (1) city within the province of Zamboanga del Sur.

Enacted: July 22, 2024

CONCURRED:

SANGGUNIANG BAYAN MEMBERS:

Hon. Julius G. Jamero

Hon. Dean Kaiser C. Tangalin

Hon. Jerson L. Cabahug

Hon. Percalixia Y. Bazar

Hon. Domingo M. Gingco

Hon. Jo Vincent J. Morpos

Hon. Francis Joeray T. Gumban

Hon. Julito C. Mandac

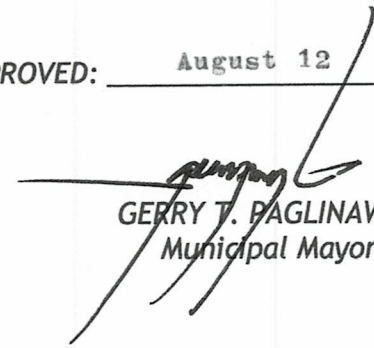
Hon. Efren A. Costanilla

Hon. Kirby Tracy V. Estillore

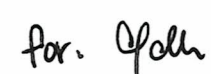
ATTESTED AND CERTIFIED
TO BE DULY ADOPTED


EDGARDO G. JAMERO
Presiding Officer / Municipal Vice Mayor

APPROVED: August 12, 2024


GERRY T. PAGLINAWAN
Municipal Mayor

I hereby certify that the foregoing Ordinance is true and correct.


JESSYL B. PALON
Secretary to the Sanggunian