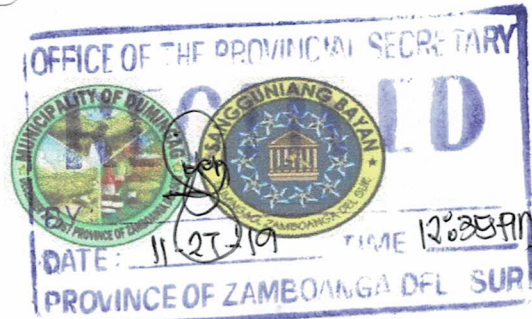


Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 13th REGULAR SESSION OF THE 10th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON October 22, 2019.

OFFICERS/MEMBERS	POSITION	PRESENT	ABSENT	OB	OL
Hon. Mydell G. Pacalioga	Mun. Vice Mayor	_____	_____	/	_____
Hon. Julius G. Jamero	SB Member	___/___	_____	_____	_____
Hon. Lars Christian C. Tangalin	SB Member	___/___	_____	_____	_____
Hon. Irish J. Mandao	SB Member	___/___	_____	_____	_____
Hon. Tracy E. Morpos	SB Member	___/___	_____	_____	_____
Hon. Paquito P. Duerme, Jr.	SB Member	_____	_____	_____	/
Hon. Nilo B. Ledesma	SB Member	___/___	_____	_____	_____
Hon. Jenny T. Arbitrario	SB Member	___/___	_____	_____	_____
Hon. Francis Joeray T. Gumban	SB Member	___/___	_____	_____	_____
Hon. Jerson L. Cabahug	Ex- Officio Member	_____	_____	/	_____
Hon. Leonel C. Dinawanao	Ex- Officio Member	___/___	_____	_____	_____

Municipal Ordinance No. 21, s. 2019

AN ORDINANCE CREATING THE PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) AND APPROPRIATING FUNDS THEREFOR IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR.

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

SECTION 1. TITLE.

This ordinance shall be entitled “Persons with Disability Affairs Office (PDAO)” in the municipality of Dumingag, Zamboanga del Sur.

SECTION 2. RATIONALE.

The Persons with Disabilities (PWDs), due to various kind of restrictions in their abilities, are arguably the most disadvantaged sector in the society. Most of them even lacked the educational attainment necessary for self-advancement.

The Philippine Constitution, in the Declaration of Principles and State Policies, mandates that the State shall promote social justice in all phases of national development and that it includes disabled persons as one of the priority sectors to be given access to essential goods and services at affordable cost and further provides that the State shall establish a special agency for disabled persons for their rehabilitation, self-development and self-reliance and their integration into the mainstream of the society.

(Signatures of officials)

National and Local Government agencies are directed to implement programs and services to ensure the full participation of PWDs in all aspects of community life thru Republic Act 7277, otherwise known as the Magna Carta for Disabled Persons, and later or amended thru House Bill No. 1214 which provides other privileges and incentives to PWDs.

Pursuant to Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991 states that "government units, shall ensure and support among other things, the preservation and enrichment of culture, promote health and safety, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order and preserve the comfort and convenience of the inhabitants".

SECTION 3. DEFINITION OF TERMS.

As used in this ordinance the following terms shall mean:

- a) **"Persons with Disabilities"** include those who have long - term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society in equal basis with others; and
- b) **"Persons with Disabilities Affairs Office or PDAO"** refers to an office created pursuant to Republic Act No. 10070 to ensure the implementation of programs and services for persons with disabilities in this locality.

SECTION 4. DECLARATION OF POLICY.

In order to sustain and continuously carry out the task of monitoring, evaluation, data gathering, needs assessment, planning, establishment of production center, creation of job opportunities and advocacy, the need for establishing a Persons With Disability Affairs (PDAO) to serve as its structural organization for the implementation of the abovementioned purposes is hereto recommended. Therefore, it is hereby declared the policy of the Municipal Government of Dumingag to provide for the promotion and welfare of PWDs. Including children with disabilities.

SECTION 5. CREATION OF PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO).

- There shall be established a Persons with Disability Affairs Office (PDAO) in the Municipality of Dumingag which shall be attached to the Municipal Social Development Office. The office shall be manned by sufficient number of employees to ensure delivery of services to the sector. Preference must be given to qualified persons with disabilities. There shall be no discrimination against a qualified disabled person by means of disability in regard to job application procedures; the hiring, promotion, or discharge of employees, employees' compensation, job training; and other terms and conditions of employment.
- Enforcement of Sections 325 (a) and 331 (b) of RA 7160 shall be waived to enable the Municipal Government of Dumingag to fund the initial year requirements for newly created mandatory positions, as confirmed by the Department of Budget and Management (DBM) based on the general provision of the annual GAA on the enforcement of Personnel Services limitations, for the initial year of creation of mandatory offices.

- Appointment to the position of the Head of PDAO shall be subject to the qualification requirements as approved the by Civil Service Commission.
- The Municipal Mayor shall appoint a PWD Affairs Officer who shall manage and oversee the operations of PDAO, pursuant to the mandate under RA No. 10070. The locality may appoint such number of PDAO personnel as are necessary to carry out the functions and objectives of PDAO, subject to fund limitation. For reasons of economy and expediency, interim appointments may be resorted to, and may be drawn from any department or office now existing within the Municipal Hall.

SECTION 6. FUNCTIONS OF THE OFFICE.

The Functions of the Office shall be of the following:

- Formulate and implement policies, plans and programs for the promotion of the welfare of the PWDs coordination with concerned national and local government agencies;
- Coordinate the implementation of the provisions of RA 10070, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the local level;
- Represent PWDs in the meeting of the Municipal Development Council and other special bodies;
- Recommend and enjoin the participation of Non-government Organizations (NGOs) and People's Organization (POs) in the implementation of all disability related laws and policies;
- Gather and compile relevant data of PWDs in their localities;
- Disseminate information including, but not limited to programs and activities for PWDs, statistic of PWDs, including children with disability, and training and employment opportunities for PWDs; and
- Submits reports to the office of the Local Chief Executive on the implementation of programs and services for the promotion of the welfare of PWDs in their respective area of jurisdiction.

SECTION 7. ORGANIZATION AND COMPOSITION.

Section 15, Rule VI of IRR of RA No. 10070 provides that if an LGU is financially capable and has not exceeded the personnel services (PS) limitation, the local Sanggunian may elevate the organization and staffing of the PDAO. The LGUs shall be guided by the following standards on position titles and salary grades of Department Heads (DH), Assistant Department Heads (ADH) and highest position below the ADH, as appropriate per Memorandum Circular No. 07, s. 2018:

LOCAL GOVERNMENT UNIT (LGU)	POSITION TITLE AND SALARY GRADE	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
1 st - 3 rd Class Municipalities (The Head of the PDAO shall have his/her staff, lower level positions, as appropriate, using the following series of DAO positions with the corresponding qualification standards.)	Municipal Government Department Head I (PDAO) (SG 24)	Bachelor's Degree	4 years in position/s involving management and supervision, 1 year of which is relevant to disability affairs	24 hours of training in management and supervision on disability affairs	Career Service Professional/ Second Level Eligibility
	Municipal Government Assistant Department Head I (Assistant PDAO) (SG 22)	Bachelor's Degree	3 years of relevant experience on disability affairs	16 hours of relevant training on disability affairs	Career Service Professional/ Second Level Eligibility
	Highest Position below the ADH: Disability Affairs Officer III (SG 18)	Bachelor's Degree	2 years of relevant experience on disability affairs	8 hours of relevant training on disability affairs	Career Service Professional/ Second Level Eligibility
	Disability Affairs Officer II (SG 15)	Bachelor's Degree	1 years of relevant experience on disability affairs	8 hours of relevant training on disability affairs	Career Service Professional/ Second Level Eligibility
	Disability Affairs Officer I (SG 11)	Bachelor's Degree	None Required	None Required	Career Service Professional/ Second Level Eligibility
	Disability Affairs Assistant (SG 8)	Completion of 2 years of College	1 years of relevant experience on disability affairs	4 hours of relevant training	Career Service Professional/ Second Level Eligibility

SECTION 8. BENEFITS AND PRIVILEGES OF PERSONS WITH DISABILITIES.

It is the declared policy of the State to give full support to the improvement of well-being and integration into mainstream society of persons with disability. It is the objective of Republic Act No. 10754 to provide persons with disability the opportunity to participate fully into the mainstream of society by granting them at least twenty (20%) discount and exemption from the value added tax on the sale of certain goods and services identified under Republic Act No. 9442 for the exclusive use, enjoyment or availment of persons with disability.

The benefits and privileges indicated in this ordinance are available to persons with disability who are Filipino citizens, upon submission of any identification card issued by the Persons with Disability Affairs Office (PDAO) or the Municipal Social Welfare and Development Office (MSWDO) of the place where the person with disability resides as a proof.

SECTION 9. IMPLEMENTING AGENCY.

The provisions of this ordinance shall be enforced by the Office of the Municipal Mayor through the Municipal Social Welfare and Development Office.

SECTION 10. BUDGETARY AND FINANCIAL REQUIREMENT.

Salaries and wages of personnel, and maintenance and other operating expenses (MOOE) for PDAO shall be drawn from the General Fund. The municipal government shall ensure that the necessary fund from any available local revenues is allocated for the implementation of this Ordinance for the benefit of PWDs in this locality.

Section 4 of RA 10070 mandates that LGUs shall ensure that the necessary fund from any available local revenues is allocated for the implementation of the PDAO activities for the benefit of PWDs in their jurisdictions. For the succeeding years of implementation, PDAO funding shall be included in the City's Annual Plans and Budget. The fund shall be used exclusively for the Persons with Disability Affairs Office (PDAO), including but not limited to its operational costs, implementation of programs that will promote and alleviate the welfare of the PWDs, and the provision of basic services.

SECTIONS 11. SEPARABILITY CLAUSE.

If for whatever reason, any provision of the Ordinance is declared to be unconstitutional or invalid, the other provisions hereof not so affected shall continue in full force and effect.

SECTION 12. REPEALING CLAUSE.

Any portion of an ordinance order or memorandum of local effect inconsistent with the provision/s of this ordinance is hereby repealed or modified accordingly.

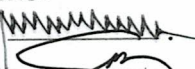
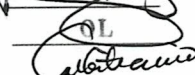
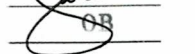
SECTION 13. EFFECTIVITY CLAUSE.

This ordinance shall take effect within fifteen (15) days after its approval and the posting of the full text of this ordinance in two (2) conspicuous places in the Poblacion and further published in a local newspaper of general circulation once a week for 3 consecutive weeks.

Date Enacted: October 22, 2019

SANGGUNIANG BAYAN MEMBERS:

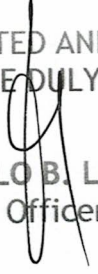
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Hon. Nilo B. Ledesma
Hon. Francis Joeray T. Gumban
Hon. Leonel C. Dinawanao



ATTESTED AND CERTIFIED
TO BE DULY ADOPTED


NILO B. LEDESMA
Presiding Officer/SB Member

NOTED:


MYDELL G. PACALIOGA
Municipal Vice Mayor

APPROVED: November 08, 2019


JESSY B. PALON
Secretary to the Sanggunian


JOAN P. ABEJUELA
Municipal Mayor
Not valid without Sanggunian seal