

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL  
ON NOVEMBER 19, 2019

PRESENT:

Leo Carmelo L. Locsin, Jr.  
Benjamin S. Pongos, Jr.,  
Roiland H. Villasencio,  
Nolito M. Quilang,  
Eusebio Gerardo S. Penserga,  
Jasper M. Lucero,  
Peter M. Rodriguez,  
Vincent L. Rama,  
Gregorio G. Yrastorza III,  
Lalaine A. Marcos,  
Esteban V. Laurente,

City Vice Mayor & Presiding Officer  
SP Member, Majority Floor Leader  
SP Member, 1<sup>st</sup> Asst. Majority Floor Leader  
SP Member, 2<sup>nd</sup> Asst. Majority Floor Leader  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
Ex-Officio SP Member, Chapter President,  
Liga ng mga Barangay ng Ormoc  
Ex-Officio SP Member, Chapter President,  
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

Joan Marbie C. Simbajon,  
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON LEAVE:

Tomas R. Serafica,

SP Member, Presiding Officer "Pro-Tempore"

**EXPLANATORY STATEMENT**

"Start by doing what's necessary, then do what's possible, and suddenly you are doing the impossible."

-Francis of Assisi

These words of Saint Francis of Assisi apply to everyone especially those persons with disabilities. If understood profoundly, it would change our perspective about them.

"Disability need not be an obstacle to success", Stephen Hawking wrote this in his first ever Word Disability Report back in 2011 at the World Economic Forum. As one of the most influential scientist of modern times, the wheelchair-bound physicist is certainly proof of that.

But public views said that disabled people are not as productive as others. It is this attitude rather than any mental and physical impairment that create barriers for people with disabilities.

It's about time we change those outdated beliefs. From the words of then President Gloria Macapagal Arroyo, disabled people are partners in Nation building.

The convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on December 13, 2006 at the United Nations Headquarters in New York, and was opened for signature in March 30, 2004. There were 82 signatories to the convention in which the Philippines is one of the signatories thereof.

The purpose of the Convention is to promote, protect and ensure the full and equal environment of all human rights and fundamental freedom by all persons with disabilities and to promote respect for their inherent dignity.



Article XIII, Section 11 of the 1987 Constitution provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost and that there shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children;

Article XIII, Section 13 of the 1987 Constitution provides that the State shall establish a special agency for persons with disabilities for their rehabilitation, and self-reliance and their integration into the mainstream of society;

Section 40 (b) (1) of Republic Act No. 7277 known as the Magna Carta for Disabled Persons, as amended by Republic Act No. 10070 known as An Act Establishing an Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in every Province, City and Municipality, requires the organization and establishment of Persons with Disability Affairs Office in all local government units which shall be the lead office in the enhancement of the health, physical fitness and economic and social well-being of persons with disabilities (PWDs) within the territorial jurisdiction of the establishing local government;

Given that Section 40 (b) (1) of Republic Act No. 7277, as amended, is not self-executory, the localization thereof is required to create the Ormoc City Persons with Disability Affairs Office (OCPDAO);

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 in all cities and municipalities as the case maybe; the need for establishing an Ormoc City Persons With Disability Affairs Office (OCPDAO) to serve as its structural organization for the implementation of the above mentioned purposes is hereto recommended.

NOW THEREFORE, on motion of SP Member Jasper M. Lucero, Chairman on Committee of Good Government and Oversight, severally seconded by SP Members Rolland H. Villasencio, Peter M. Rodriguez, Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos and Esteban V. Laurente; be it

RESOLVED, to enact:

**ORDINANCE NO. 009**  
**(Series of 2019)**

**AN ORDINANCE CREATING/ESTABLISHING THE ORMOC  
CITY PERSONS WITH DISABILITY AFFAIRS OFFICE  
(OCPDAO) AND APPROPRIATING FUNDS THEREOF.**

BE IT ORDAINED by the Sangguniang Panlungsod of Ormoc City in Regular Session assembled, that:

**SECTION 1. TITLE**– This Ordinance shall be known as the “ORDINANCE CREATING/ESTABLISHING THE ORMOC CITY PERSONS WITH DISABILITY AFFAIRS OFFICE (OCPDAO) AND APPROPRIATING FUNDS THEREOF”.

**SECTION 2. DECLARATION OF POLICY**– It is the policy of the City of Ormoc to give full support to the total well-being of persons with disabilities and their integration into the mainstream of the society. They have the same rights as other people to take their proper places in the society.



**SECTION 3. DEFINITION OF TERMS**– For purposes of this Ordinance, the following terms shall mean:

- a. **OCPDAO** – shall refer to the ORMOC CITY Persons with Disability Affairs Office.
- b. **Person with Disabilities** – include those who have physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and affective participation in society on an equal basis with others, and/or people suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.
- c. **Impairment** – any loss, diminution or aberration of psychological, physiological, or anatomical structure of function.
- d. **Disability** – a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function or activities of such individual; a record and/or being regarded as having such an impairment.
- e. **Handicap** – a disadvantage for a given individual resulting from an impairment or a disability, that limits or prevents the functions or activity, that is considered normal given the age and sex of the individual.

For clarity in coverage, the term —Persons with Disabilities (PWDs) does not distinguish age, gender, race, creed or religious belief, political affiliation, economic and social status.

**SECTION 4. CREATION OF ORMOC CITY PERSONS WITH DISABILITY AFFAIRS COUNCIL**– Pursuant to the herein declared policy and objectives, the Ormoc City Persons with Disability Affairs Council shall be created to serve as policy recommending, program planning, project monitoring and coordinating body for all programs and activities on persons with disabilities within the jurisdiction of Ormoc City. It shall hereinafter referred to as The Council. It shall be composed of the following:

Chairperson : City Mayor  
Co-chairperson : City Vice Mayor  
Members : Chairperson, SP Committee on Social Welfare, Senior Citizens and Persons with Disability  
Chairperson, SP Committee on Good Government and Oversight  
President, Liga ng mga Barangay  
City Social Welfare and Development Officer (CSWDO)  
City Health Officer (CHO)  
Federation President of the Persons with Disability  
Representative from DILG  
At least three (3) representatives from city accredited NGOs or private sector with programs for PWD duly accredited by the Sangguniang Panlungsod

Secretariat : Ormoc City Persons with Disability Affairs Office (OCPDAO)

The term of the three representatives from city accredited NGOs or private sector with programs for PWD shall be coterminous with the City Mayor, who is the appointing authority.



**SECTION 5. DUTIES AND FUNCTIONS OF THE ORMOC CITY PERSONS WITH DISABILITY AFFAIRS COUNCIL**– The City Council for Persons with Disability should perform the following functions:

- a. Formulate and approve the implementing rules and regulations of the provisions of this ordinance;
- b. Review and endorse the OCPDAO plans and programs for the development and welfare of the PWDs of Ormoc City to the appropriate office;
- c. Recommend policies and legislations that are important for the empowerment of PWDs;
- d. Establish connection with the National Council on Disability Affairs and other government agencies for complementation and alignment of programs and projects;
- e. Review the mandated task per RA 7277 and other related laws on the course of action to be taken; and
- f. Review the City's annual accomplishments on PWD programs and development.

**SECTION 6. CREATING/ESTABLISHING OF ORMOC CITY PERSONS WITH DISABILITY AFFAIRS OFFICE (OCPDAO)**– There is hereby created an Ormoc City Persons with Disability Affairs Office (OCPDAO) under the office of the City Mayor pursuant to the mandate of the IRR of Republic Act 10070.

**SECTION 7. FUNCTIONS OF THE ORMOC CITY PERSONS WITH DISABILITY AFFAIRS OFFICE (OCPDAO)**– The OCPDAO shall perform the following functions as stated in Republic Act 10070:

- a. Formulate and implement policies, plans and programs for the promotion of the welfare of persons with disabilities in the City in coordination with the City government and with other appropriate government agencies;
- b. Coordinate and implement the provisions of RA No. 10070, Batas Pambansa Blg. 344 otherwise known as the Accessibility Law, and other relevant laws at the local level;
- c. Represent persons with disabilities in meetings of local development councils and other special bodies in the City;
- d. 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;
- e. Gather and compile relevant data on persons with disabilities in the city;
- f. Disseminate information including, but not limited to programs and activities for persons with disability, and training employment opportunities for persons with disabilities;
- g. Submit reports to the Office of the City Mayor for the implementation of programs and services for the promotion of the welfare of persons with disabilities;
- h. Ensure that policies, plans and programs for the promotion and welfare of persons with disabilities are funded by the city government;
- i. Monitor fund raising activities being conducted for the benefit of persons with disabilities;
- j. Seek donations in cash or in kind from the local or foreign donors to implement an approved work plan for persons with disabilities in accordance with existing laws and regulations; and
- k. Perform such other functions as maybe necessary for the promotion and protection of the welfare of persons with disabilities.



**SECTION 8. COMPOSITION OF THE ORMOC CITY PERSONS WITH DISABILITY AFFAIRS OFFICE (OCPDAO)**– The Ormoc City Persons with Disability Affairs Office shall be composed of ONE (1) regular employee who will serve as the Disability Affairs Officer and TWO (2) casual employees, as follows:

- a. One (1) "Disability Affairs Officer I" with SG11
- b. Two (2) "Administrative Aide I" with SG 1

The City Mayor may augment the staffing of OCPDAO through any or combination of the following options:

- a. Designation of existing personnel of the CSWDO to the OCPDAO in concurrent capacities;
- b. Re-assignment of existing personnel of the City Government from other offices/designations to the OCPDAO;
- c. Hiring of additional manpower through casual and job order engagement.

**SECTION 9. SCRAPPING OF EXISTING POSITION**– The unfilled position shall be abolished to fund the creation of one (1) Disability Affairs Officer I with SG 11.

NO. OF ITEMS	POSITION	SG	ITEM NO. (2019)	SOURCE
1	Medical Technologist I	11	533	City Hospital

**SECTION 10. QUALIFICATIONS OF THE DISABILITY AFFAIRS OFFICER I–**

- a. A resident of the City of Ormoc and of good moral character;
- b. A holder of Bachelor's Degree from a CHED recognized College or University;
- c. Preferably a Person with Disability who possesses a Career Service Professional or Second Level Eligibility.
- d. Preferably has at least one (1) year of diversified and relevant experience.

**SECTION 11. DUTIES AND RESPONSIBILITES OF DISABILITY AFFAIRS OFFICER I AND THE TWO ADMIN AIDE I.**

1. The Disability Affairs Officer I shall have the following duties and responsibilities:
  - a. Manage and oversee the efficient operations of the Ormoc City Persons with Disability Affairs Office and general supervision of its personnel;
  - b. Develop, promote and monitor the implementation of policies, plans, programs and services for the development of persons with disabilities in coordination with national and local government agencies;
  - c. Ensure representation of persons with disabilities in the local development councils and other special bodies;
  - d. Build the capacity of non-government organizations and people's organizations to participate in the implementation of all disability related laws and policies;
  - e. Establish coordination with the city and ensure the inclusion of disability concerns in all local government programs and services;
  - f. Network with local, national and international organizations and establish partnership on disability programs and resource mobilizations;
  - g. Develop and submit to the city mayor an annual work and financial plan;



- h. To execute the policies, rules and regulations promulgated by the Council;
  - i. To spearhead the implementation of all plans of the Council;
  - j. To serve as the Secretary of the Council and perform the following duties:
    - c.1 To prepare the agenda and records of the minutes of the meetings of the Council;
    - c.2 To submit a Quarterly Report to the Council;
    - c.3 To submit an Annual Report to the Council furnishing a copy to the City Planning within 30 days after the close of each Calendar Year;
    - c.4 To keep and be responsible of all the records of the Council;
    - c.5 To carry out and implement the agreements of the Council; and
  - k. To perform such other functions as maybe assigned by law, ordinance, by the City Mayor or the Persons with Disability Affairs Council.
2. The Administrative Aide I shall have the following functions and duties:
- a. Perform such other functions as maybe assigned by the Disability Affairs Officer I and are necessary for the implementation of the programs and services, as well as, promotion and protection of the welfare of persons with disabilities.
  - b. Assist in the day to day operation and maintain updated database on disability and ensure its availability.

**SECTION 12. PROCESS OF NOMINATION FOR DISABILITY AFFAIRS**

**OFFICER I-** Upon publication of the position for Disability Affairs Officer I, the City Mayor shall instruct the Convenors namely, the City Local Government Officer (DILG), City Social Welfare Development Officer and the President of the Ormoc City Persons with Disabilities Federation, to prepare for the general assembly for the persons with disabilities, which shall be conducted on the last day of the posting period.

- 1. The general assembly shall nominate at least three (3) qualified applicants for consideration of the Local Selection Board and the Local Chief Executive.
- 2. The Human Resource Management Officer shall document the proceedings of the general assembly.
- 3. The general assembly shall be open to all persons with disabilities, with or without organizational membership, representatives of civil society organizations working on disability within the LGU, and parents or representative of children with disabilities.
- 4. The General Assembly shall be guided by pro-forma program as follows:
  - a. Registration and Final Acceptance of Applications – HRMO
  - b. Invocation/National Anthem
  - c. Roll Call
  - d. Opening the Assembly
  - e. Orientation about RA 10070 and the Appointment of the Head of Office/ Focal Person
  - f. Presentation of Qualified Applicants
  - g. Open Forum
  - h. Nomination Process-thru secret ballots
  - i. Announcement of Nominees
  - j. Closing of the Assembly



5. The Convenors shall submit the names of the nominees to the Local Personnel Board (PSB) to comply with the usual hiring and recruitment process such as submission of requirements, interview and shortlisting of the nominees.
6. Persons with Disabilities shall be presented within the PSB by an employee with a disability to be part of the deliberation. In case there is no employee with disability, the assembly may include nominating a member of the PWD organization as an observer to the deliberations. In shortlisting or ranking of nominees for appointment, gender balance must be observed.
7. Upon completion of the requirements and process set by the PSB, the names of shortlisted nominee with ranking shall be submitted to the concerned city mayor for consideration.
8. The city mayor shall appoint the Disability Affairs Officer I as head of the Ormoc City Persons with Disability Affairs Office (OCPDAO) within 30 days upon submission of the recommended nominees of the Local Personnel Selection Board.
9. A temporary appointment may be issued by the city mayor, in case the nominees do not possess the appropriate career service eligibility, subject to Civil Service Law and Rules.
10. The Human Resource Management Officer shall post a notice announcing the appointment issued by the city mayor in three (3) conspicuous places in Ormoc City within fifteen (15) days from signing.

**SECTION 13. ROLE OF BARANGAYS WITHIN ORMOC CITY-** The Barangays within the jurisdiction of Ormoc City shall have the following roles, to wit:

- a. Identify and create databank of Persons with Disabilities residing in their respective Barangay for at least one year;
- b. Create and implement a program for PWD in their Barangay in consonance with the annual plan of the city of Ormoc to be part of their annual plan and budget; and
- c. Submit the annual plan for PWD to Ormoc City Persons with Disabilities Affairs Office (OCPDAO).

**SECTION 14. BUDGETARY AND FINANCIAL REQUIREMENT-** The appropriation necessary to cover the cost for the newly created positions shall be charged to the abolished position of the City Hospital as provided under Section 9 of this Ordinance and the amount necessary to cover the cost of the operations of the OCPDAO shall be taken from the current funds of the City Social Welfare Development Office (CSWDO). For the succeeding years, the Appropriation for the newly created positions and operations of the OCPDAO shall be included in the Annual Budget of the said office.

**SECTION 15. SEPARABILITY CLAUSE-** If, for any reason, any part or provision of this Ordinance be declared unconstitutional or invalid, the other parts or provisions hereof not affected shall continue to be in full force and effect.

**SECTION 16. REPEALING CLAUSE-** All ordinances, resolutions, executive orders, laws and regulations inconsistent with the provisions of this ordinance are hereby amended, repealed or modified accordingly.

**SECTION 17. EFFECTIVITY-** This Ordinance shall take effect 15 days after its publication.

ENACTED, November 19, 2019.

RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; the City Budget Officer; the City Accountant; the OIC-City Treasurer; the City Auditor; the Human Resource Management Officer; the City Health Officer; the CSWDO; the Liga ng mga Barangay; the City Local Government Operations Officer-DILG; -all other offices concerned;

CARRIED UNANIMOUSLY.

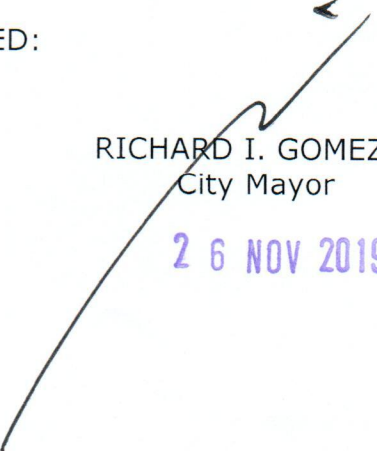
I HEREBY CERTIFY to the correctness of the above ordinance.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
City Vice Mayor & Presiding Officer

APPROVED:

  
RICHARD I. GOMEZ  
City Mayor

26 NOV 2019