

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 DECEMBER 06, 2019 IN LIEU OF
DECEMBER 03, 2019

PRESENT:

Tomas R. Serafica,	(Acting City Vice-Mayor), SP Member, Presiding Officer "Pro-Tempore"
Nolito M. Quilang,	SP Member, 2 nd Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Roiland H. Villasencio,	(Acting City Mayor), SP Member, 1 st Asst. Majority Floor Leader
Lalaine A. Marcos,	(O.B -Taiwan), SP Member

ON LEAVE:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member, Majority Floor Leader
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member

RESOLUTION NO. 2019-149

A RESOLUTION GRANTING AUTHORITY TO CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR/OIC MAYOR IN HIS ABSENCE TO ENTER INTO AND SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT REGION VIII (DOLE-RO 08) FOR THE IMPLEMENTATION OF THE GOVERNMENT INTERNSHIP PROGRAM OF THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE).

WHEREAS, this august Body was in receipt of an Endorsement from the City Mayor's Office dated November 20, 2019, requesting for the issuance of an authority allowing the City Mayor (or Acting Mayor or OIC Mayor in his absence), to execute the attached Memorandum of Understanding with DOLE - RO 08 in relation to the Government Internship Program (GIP) of DOLE. A copy of the Memorandum of Understanding is hereto attached as Annex "A";

WHEREAS, the DOLE through DOLE - RO 08 and the GIP Partner/Employer have agreed to enter into an understanding for the purpose of achieving the goals of the GIP of DOLE, that is, provides opportunities for young workers to serve the general public in government agencies' projects or programs either at the national level or at the local level;

WHEREAS, the DOLE through DOLE-RO 08, as the implementor of the GIP shall facilitate and supervise the implementation of the GIP at the regional/provincial level and undertakes to assist and coordinate with the proponent partner agencies and provide and assign the interns-beneficiaries to the GIP Partner Agency's office to perform tasks and duties within those prescribed under Administrative Order No. 39, series of 2014;

WHEREAS, Section 22 (c) of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides, that:

"Sec. 22. Corporate Powers – (a) Every local government unit, as a corporation, shall have the following powers:

XXX

(c) Unless otherwise provided in this code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the sanggunian concerned."

WHEREAS, the City Mayor is empowered by the same Code to enter into contracts on behalf of the City, pursuant to Section 455(b) (1)(vi) thereof which provides:

"Sec. 455. Chief Executive: Powers, Duties and Compensation. – XXX

(b) For efficient, effective and economical governance the purpose of which is the general welfare of the city and its inhabitants pursuant to Section 16 of this Code, the city mayor shall:

(vi) Represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the sangguniang panlungsod or pursuant to law or ordinance."

WHEREAS, the Office of the City Legal Officer has reviewed the MOU and finds nothing legally objectionable to the basis, substance and purpose thereof and that it is not detrimental to the interests of the City, not contrary to law, morals, good customs, public policy and public order. The City Legal Officer recommends approval of the MOU and further recommends that an SP Resolution be secured for the authority of the Mayor to sign the same;

WHEREAS, upon close and thorough examination of the MOU appended as Annex "A" and made an integral part of this Resolution, this Sanggunian finds that it is not contrary to law, contract, public policy and morals, and that its aims are advantageous to LGU-Ormoc considering that the GIP strengthens the capacity of the LGU and improves the delivery of services and at the same time beneficial to the Ormocanon young workers;

WHEREFORE, on joint motion of SP Member Nolito M. Quilang, Chairman of the Committee on Employment, Livelihood, and Manpower Development, and SP Member Esteban V. Laurente, Member, Committee on Laws and Ordinances; severally seconded by SP Members Vincent L. Rama, Gregorio G. Yrastorza III and Joan Marbie C. Simbajon; be it:

RESOLVED, AS IT IS HEREBY RESOLVED, A RESOLUTION GRANTING AUTHORITY TO CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR/OIC MAYOR IN HIS ABSENCE TO ENTER INTO AND SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT REGION VIII (DOLE-RO 08) FOR THE IMPLEMENTATION OF THE GOVERNMENT INTERNSHIP PROGRAM OF THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE);

RESOLVED, FURTHER, that a copy of the final and notarized MOU be furnished to this Sanggunian for its information and files;

ADOPTED, December 06, 2019.

RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine A. Mejia- Romero, the OIC-City Treasurer; the City Accountant; the City Auditor; Department of Labor and Employment (DOLE) Region VIII; Public Employment Service Office (PESO); the CLGOO-DILG; and all other offices concerned.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


TOMAS R. SERAFICA
(Acting City Vice Mayor)
SP Member
Presiding Officer "Pro-Tempore"

Annex "A"

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the Memorandum) made this 8th day of November 2019, by and between the Department of Labor and Employment through DOLE-RO 08, and Director YAHYA A. CENTI, hereinafter referred to as DOLE-RO 08, LGU-Ormoc City, hereinafter referred to as the Government Internship Program (GIP) Partner Agency.

WHEREAS, the DOLE through RO 08 and GIP Partner Agency have agreed to enter into an understanding for the purpose of achieving the goals of the Government Internship Program of the DOLE, that is, to provide opportunities and engage young workers to serve the general public in government agencies/entities at the national and local level;

WHEREAS, the DOLE through RO 08, as the implementor of the GIP undertakes to provide and assign the interns-beneficiaries to the GIP Partner Agency's office to perform tasks and duties within those prescribed under Administrative Order No. 39, series of 2014;

NOW, THEREFORE, this Memorandum of Understanding is executed to set forth the duties and obligations of the parties hereto, including the terms and conditions of the MOU with respect to the implementation of the DOLE-GIP.

PURPOSE:

1. To implement the DOLE-GIP in cooperation and partnership with other government agencies, and instrumentalities to promote the youth's exposure to public service.

OBLIGATIONS OF DOLE-RO:

1. To provide a number of intern/s available to handle the required tasks and duties as requested by the GIP Partner Agency; and
2. To process and pay the stipend/allowance of the intern equivalent to 75% of the existing minimum wage for the services rendered to the GIP Partner Agency;
3. To process and remit the one-time payment of contribution/premium of the intern to the GSIS;
4. To adopt a scheme/method in processing the payment of the intern's stipend/allowance using any mode/form of payment most efficient and/or expeditious for the intern's benefit; and
5. Issue and transmit to the GIP Partner Agency the identification card/ID of the intern indicating that he/she is an avalee/beneficiary of the DOLE-GIP

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OBLIGATIONS OF GIP PARTNER/EMPLOYER:

In addition to applicable labor rules and regulations, the GIP-Partner/Employer shall:

1. Ensure that the intern will not be exposed to any hazardous undertaking/s specifically provided under the Anti-Child Labor Law and other pertinent laws relevant thereto;
2. Submit to the DOLE-RO the time record of the intern at least two (2) days before the 15th and 30th of the month for the processing of payment of the intern's allowance;
3. Submit a report to the DOLE-RO, a complete and/or updated record of all the interns assigned in their office/department. A special report shall be submitted to the DOLE-RO, in case of termination of the intern prior to the completion of the November 11, 2019 – December 20, 2019 internship agreement, same with the intern's voluntary termination of the same, specifically stating the reasons of such termination. The report shall be duly signed by the immediate supervisor of the intern/s.

This MEMORANDUM OF UNDERSTANDING shall take effect on the date signed by the parties herein until the completion of all the interns assigned to the GIP Partner Agency of their November 11, 2019 – December 20, 2019 Internship Agreement with the Department of Labor and Employment Regional Office No.08 through Regional Director YAHYA A. CENTI.

Signed this 8th day of November 2019, in Ormoc City Leyte.

YAHYA A. CENTI
Regional Director
DOLE-RO 08

RICHARD I. GOMEZ
City Mayor
Ormoc City

By Authority of the Regional Director:

EDGAR B. TABUYAN
Supervising LEO/OIC-Head WLFO