



Pamahalaang Bayan ng Taytay

TANGGAPAN NG SANGGUNIAN BAYAN

EXCERPT FROM THE MINUTES OF THE 55TH REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN HELD ON SEPTEMBER 14, 2017 AT THE SESSION HALL OF THE MUNICIPAL BUILDING TAYTAY, RIZAL

PRESENT:

Hon. Jan Victor B. Cabitac	-	Temp./Presiding Officer
		Councilor
Hon. Archie L. Calderon	-	"
Hon. Michell B. Bermundo	-	"
Hon. Ceferino R. Resurreccion, Jr.	-	"
Hon. Ma. Jeca B. Villanueva	-	"
Hon. Joseph Z. Valera	-	LnB President

ABSENT:

Hon. Carlito G. Gonzaga	-	Vice Mayor/Presiding Officer
Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Sharon DL. Macabebe	-	" - (B.L.)
Hon. Philip Jeison J. Cruz	-	" - (O.L.)

Authored and Sponsored by:	Coun. Philip Jeison J. Cruz
Co-Sponsored by:	Vice Mayor Carlito G. Gonzaga
	Coun. Jan Victor B. Cabitac
	Coun. Sophia Priscilla L. Cabral
	Coun. Sharon DL. Macabebe
	Coun. Archie L. Calderon
	Coun. Michell B. Bermundo
	Coun. Ceferino R. Resurreccion, Jr.
	Coun. Ma. Jeca B. Villanueva
	LnB Joseph Z. Valera

ORDINANCE NO. 6 s. 2017

AN ORDINANCE MANDATING ALL BUSINESS ESTABLISHMENTS, EMPLOYMENT AGENCIES, CONTRACTORS, INVESTORS AND THE LIKES, OPERATING IN TAYTAY, RIZAL TO HIRE A MINIMUM OF SIXTY PERCENT (60%) OF THEIR WORK FORCE FROM QUALIFIED AND BONAFIDE RESIDENTS OF THE MUNICIPALITY OF TAYTAY

WHEREAS, the Basic Policy of Labor Code of the Philippines declares that the State shall afford protection to labor, promote full employment, ensure equal work opportunities regardless of sex, race or creed, and regulate the relations between workers and employers. The State shall assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work;

WHEREAS, it is a declared policy of the Municipality of Taytay to promote the welfare of its constituents thru employment programs that aim to generate jobs for the qualified work force from Taytay;

WHEREAS, it is the commitment of the Municipal Government of Taytay to promote and provide equal employment opportunities regardless of age, gender and physical handicap to all qualified and abled Taytayaños;

By virtue of the power vested upon the Sangguniang Bayan by Republic Act 7160 otherwise known as the Local Government Code of 1991, the Sangguniang Bayan of Taytay Rizal in session duly assembled hereby ordained that;

SECTION 1. TITLE

This Ordinance shall be known and cited as:

“AN ORDINANCE MANDATING ALL BUSINESS ESTABLISHMENTS, EMPLOYMENT AGENCIES, CONTRACTORS, INVESTORS AND THE LIKES, OPERATING IN TAYTAY, RIZAL TO HIRE A MINIMUM OF SIXTY PERCENT (60%) OF THEIR WORK FORCE FROM QUALIFIED AND BONAFIDE RESIDENTS OF THE MUNICIPALITY OF TAYTAY.”

Hereinafter referred to as the **“SIXTY PERCENT (60%) GUARANTEED EMPLOYMENT FOR THE PEOPLE OF TAYTAY, RIZAL ORDINANCE”**

SECTION 2. RATIONALE

This Ordinance is enacted for the following purposes:

2.1 To further abridge Taytay’s unemployment rate and provide advantageous opportunity to all the capable residents of the Municipality looking for work in our locality.

2.2 To provide greater employment opportunities to all qualified and able-bodied bonafide residents of the Municipality of Taytay.

SECTION 3. DEFINITION OF TERMS

As used in this ordinance the following term shall mean:

3.1 BUSINESS ESTABLISHMENTS – are organizations regardless of capital or size classification engaged in any regular activity as a means of livelihood or with view of generating profits or income. These include, but are not limited to, manufacturing, processing or assembly operations, warehousing and/or distribution of goods, wholesale supplier, buy and sell merchants etc.

3.2 EMPLOYMENT AGENCIES – are organizations set up for purposes of matching business establishment employee requirements with the skills and qualification of persons for possible deployment in the business establishments.

3.3 CONTRACTORS – include persons, natural or judicial, whose activities essentially consists of providing services for a fee. Contractors as used shall include, but is not limited to, barber shops, beauty parlors, security and watchman agencies, dress shops, greasing and washing of motor vehicles, lodging house operators, massage, sauna, body building and similar salons, general building, general engineering and specialty contractors, house and sign painters, etc.

Ristr

3.4 INVESTOR – are persons who allocate capital with the expectation of a financial return. The types of investments include: gambling, equity, debt securities, real estate, currency, commodity, etc. That is, someone who provides a business with capital and someone who buys a stock are both investors. An investor who owns a stock is known as a shareholder.

3.5 PESO – Public Employment Services Office of the Municipality of Taytay, Rizal

SECTION 4. COVERAGE

This Ordinance shall be applicable to the following:

4.1 All Business Establishments, Employment Agencies, Contractors and Investors engaged in activities as defined in this ordinance.

4.2 All Business Establishments, Employment Agencies, Contractors and Investors deploying non – supervisory and non – management level employees with the jurisdiction of the Municipality of Taytay.

4.3 All Business Establishments, Employment Agencies, Contractors and Investors with employees hired whether as casual, contractual, probationary, or regular employment status.

All Business Establishments, Employment Agencies, Contractors and Investors whose operations and activities are conducted and undertaken by persons in the Municipality within the territorial jurisdiction of the Municipality of Taytay, shall be required to hire and maintain a minimum of sixty (60%) of its rank and file manpower required from qualified residents of the Municipality of Taytay subject to the prospective employees' compliance with the pre-employment requirements of the employer.

The Baseline for the 60% employed in the company shall come from the rank and file but the total number of Taytay residents to be counted shall include the managerial and top ranked positions.

All establishments are encouraged to hire Persons with disabilities (PWDs) that can function in a non-competitive environment. PWDs who are employed in the company shall be considered as equivalent to two (2) persons when computing for the compliance in this Ordinance.

SECTION 5. PROOF OF RESIDENCE

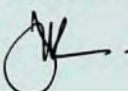
The applicant shall present the original copy of any of the following:

Voter's Identification Card, Valid Driver's License, Proof of Billing under the applicant's name showing the address, Tax Return filed; or in the absence of any valid ID, a written statement under oath showing the complete address of residence as a requirement in accepting a person for employment, provided that the applicant is a resident of the Municipality of Taytay as certified by the Punong Barangay concerned thru a Barangay Certificate stating that the applicant has been residing in Taytay, Rizal for at least six(6) months upon the application for employment.

SECTION 6. REPORTORIAL REQUIREMENTS

6.1 Business establishments that already exist and have been established prior to the enactment of this Ordinance are required to submit to the PESO a complete list of names, addresses, contact numbers and positions occupied by their workers who are residents of Taytay. The said report shall indicate the percentage of workers from Taytay based on the establishment's total work force. The report shall be submitted not later than 3 months after the effectivity of this Ordinance.

Mistr



6.2 Within two (2) months upon the effectivity of this Ordinance, the PESO shall prepare for the Municipality a roster of unskilled and skilled workers, per barangay, who are bonafide residents of the same from where the Business Establishments, Employment Agencies, Contractors, Investors and Companies could derive their work force. The PESO shall update the roster on a regular basis.

All existing Business Establishments, Employment Agencies, Contractors and Investors shall declare to the PESO the percentage of their employed residents from Taytay upon their application for renewal of their business permits.

SECTION 7. IMPLEMENTATION

The PESO shall ensure the proper implementation of this Ordinance and issue the appropriate recommendation for applicants in the roster of unskilled workers it has prepared.

The PESO or any department deemed appropriate by the Municipal Mayor shall check from time to time the percentage of the rank and file manpower of establishments to make sure that the provisions of this Ordinance is being complied with.

The Municipal Government, upon the recommendation of the PESO may reward incentives to companies and commend, thru a Sangguniang Bayan Resolution, business establishments that are highly exceeding the 60% mandated employment of residents of Taytay.

The PESO, BPLO, PIO and other departments deemed necessary by the administration shall inform all business establishments operating in Taytay regarding this Ordinance immediately after its enactment.

SECTION 8. PENALTY CLAUSE

Existing establishments subject to the mandatory requirements of this Ordinance shall have six (6) months from its effectivity date to comply with the regulation set forth in this Ordinance.

Any violation of the provision of this Ordinance by any owner or principal operator of establishments subject to this Ordinance shall result in a notice to regularize from the PESO.

The PESO is authorized to investigate all alleged violations. Violators shall have thirty (30) days after receipt of the notice to provide proof of compliance to the PESO. If the non-compliance continues after the thirty (30) day period, the PESO shall issue a citation addressed to the non-compliant.

Violator/s shall be penalized as follows:

8.1 First Offense. Be reprimanded and be required to submit an explanation Under Oath and the planned activities for their immediate compliance to this Ordinance.

8.2 Second Offense. A fine of Two Thousand Five Hundred (Php 2,500.00) Pesos and a stern warning from the PESO.

8.3 Third Offense. A fine of Two Thousand Five Hundred (Php 2,500.00) Pesos and temporary suspension of the business permit until such time the violators have complied with the requirements of this Ordinance.

SECTION 9. SEPARABILITY CLAUSE

If for any reason/s any provision of this Ordinance is declared unconstitutional and/or illegal, other provisions hereof shall not be affected and shall therefore be in full force and effect.

Rictr

[Signature]

SECTION 10. REPEALING CLAUSE

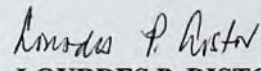
Local Ordinances, Resolutions, Orders, Rules and Regulations that are inconsistent with this Ordinance are hereby repealed, modified or amended accordingly.

SECTION 11. EFFECTIVITY CLAUSE

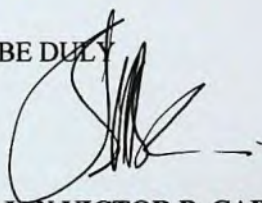
This Ordinance shall take effect 30 days after the enactment by the Sangguniang Bayan and its publication in a newspaper of local circulation and the posting in conspicuous places within the Municipality of Taytay.

ENACTED on the 14th day of September, 2017 at the Session Hall of the Sangguniang Bayan of Taytay, Rizal.

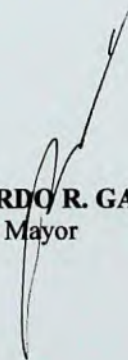
I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly adopted by the Sangguniang Bayan of Taytay during 55th Regular Session held on the 14th day of September 2017.


LOURDES P. DISTOR
Sec. to the Sanggunian

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HIS HONOR


HON. JAN VICTOR B. CABITAC
Councilor/Temporary Presiding Officer

APPROVED BY HIS HONOR
THE MUNICIPAL MAYOR


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor