



PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE 104th REGULAR SESSION OF THE 11th
SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON AUGUST 31, 2021, 1:19 PM AT
THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL**

PRESENT:

Hon. Michell B. Bermundo	-	Vice Mayor/Presiding Officer
Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Ma. Jeca B. Villanueva	-	"
Hon. Patrick John P. Alcantara	-	"
Hon. Joanne Marie P. Calderon	-	"
Hon. Ceferino R. Resurreccion Jr.	-	"
Hon. Kyle Georic Y. Gacula	-	"
Hon. Ma. Elaine T. Leonardo	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Frank Luster L. Santos	-	LnB President
Hon. Roda May A. Diño	-	SK Federation President

Authored & Sponsored by:	Coun. Joanne Marie P. Calderon
Co-Authored by:	Vice Mayor Michell B. Bermundo
Co-Sponsored by:	Coun. Sophia Priscilla L. Cabral
	Coun. Ma. Jeca B. Villanueva
	Coun. Patrick John P. Alcantara
	Coun. Ceferino R. Resurreccion Jr.
	Coun. Kyle Georic Y. Gacula
	Coun. Ma. Elaine T. Leonardo
	Coun. Philip Jeison J. Cruz
	LnB Pres. Frank Luster L. Santos
	SK Fed. Pres. Roda May A. Diño

ORDINANCE NO. 717 series of 2021

**AN ORDINANCE ESTABLISHING AND INSTITUTIONALIZING MECHANISM
TO ENSURE THE IMPLEMENTATION OF PROGRAMS AND SERVICES FOR
PERSONS WITH DISABILITIES AND THE CREATION OF PERSON WITH
DISABILITY AFFAIRS OFFICE (PDAO) ITS ORGANIZATIONAL STRUCTURE,
STAFFING PATTERN AND ITS ANNUAL APPROPRIATION IN THE
MUNICIPALITY OF TAYTAY RIZAL**

WHEREAS, Article 4.3 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) mandates the Philippine Government to Closely consult with and actively involve persons with disabilities through their representative organizations in the development and implementation of legislation and policies to implement international commitment, said Convention was ratified by the Philippine Government in April 2008 and call all local government and active participation of person with disability in local governance;

WHEREAS, Article XIII, Section 11 of the 1987 Constitution provides that the State shall adopt an integrated and comprehensive approach to health, a 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 a priority for the needs of the underprivileged, marginalized, vulnerable, sick, elderly, disabled, women and children;

WHEREAS, Article XIII, Section 13 of 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;

WHEREAS, Section 458 (1) (vii) and (viii) of Republic Act 7160, otherwise known as the "Local Government Code of 1991" grants upon the Sanggunian the power to approve ordinances and pass resolutions necessary for an efficient and effective local government, including the authority the authority to determine the powers and duties of officials and employees and to determine the positions and the salaries, wages, allowances and other benefits of officials and employees paid wholly or mainly from the municipal funds and provide for expenditures necessary for the proper conducts of programs, projects, and activities of the municipality;

WHEREAS, Section 16 of Republic Act 7160 mandates that local government units shall ensure and support the promotion of health and safety, enhance economic prosperity and social justice and preserve the comfort and convenience of their inhabitants;

WHEREAS, Republic Act No. 10070 entitled "An Act Establishing an Institutional Mechanism to Ensure the Implementation of Program and Services for Persons with Disability in Every Province, City and Municipalities";

WHEREAS, Section 1 of RA No. 10070, mandates the creation of a Person with Disability Affairs Office (PDAO) in every province, city and municipality to ensure the implementation of all laws including but not limited to Batas Pambansa 344, otherwise known as the Accessibility Law, program and services for persons with disability in their respective communities;

WHEREAS, Section 6, Rule IV of RA No. 10070 implementing rules and regulation, the Sangguniang Bayan is mandated to pass an Ordinance creating the PDAO Organization Structure, staffing pattern and its annual appropriation to carry out its functions;

WHEREAS, this Municipality passed Ordinance No. 6 on March 12, 2012 entitled "Creating the Persons with Disability Affairs Office (PDAO) and its Officer under the Office of the Mayor";

WHEREAS, there is a need to have an updated ordinance to address the current issues and concerns of the said sector through the whole of government approach;

WHEREAS, without a viable body to advocate and address their concerns, persons with disabilities shall remain in the fringe of the society, neither respected nor discriminated upon, but perhaps, worse, conveniently forgotten;

NOW THEREFORE, BE IT ORDAINED by the 11th Sangguniang Bayan of Taytay, Rizal, duly assembled, that:

Section 1. Title - This ordinance shall be known and cited as "AN ORDINANCE ESTABLISHING AND INSTITUTIONALIZING MECHANISM TO ENSURE THE IMPLEMENTATION OF PROGRAMS AND SERVICES FOR PERSONS WITH DISABILITY AND FOR THE CREATION OF PERSON WITH DISABILITY AFFAIRS OFFICE (PDAO) ITS ORGANIZATIONAL STRUCTURE, STAFFING PATTERN AND ITS ANNUAL APPROPRIATION IN THE MUNICIPALITY OF TAYTAY RIZAL, referred to as "Taytay, Rizal PWD ORDINANCE".

Section 2. Purpose - It shall be the purpose of this ordinance to establish and institutionalize mechanisms to ensure the implementation of programs and services for persons with disabilities and the creation of Person with Disability Affairs Office (PDAO), its organizational structure, staffing patterns and its annual appropriation.

Section 3. Declaration of policy - The Municipality of Taytay Rizal hereby adopts the policy of RA No. 10070, as amended, as reduced to the following principles:

- a) PWDs are part of the Philippine Society, thus the Municipality of Taytay shall give full support to the improvement of the total well-being of PWDs and their integration into the mainstream of the society. Towards this end, the Municipality of Taytay Rizal shall adopt policies ensuring the rehabilitation, response, recovery, self-development, and self-reliance of the PWDs. It shall develop their skills and potentials to enable them to compete favorably for available opportunities.
- b) PWDs have the same right as other people to take their proper place in society. They should be able to live freely and as independently as possible. This must be the concern of everyone – the family, community, private sector, civil society organizations and the government. PWD's rights must never be perceived as welfare services by the government.
- c) The rehabilitation, response and recovery of the PWDs shall be the concern of the Municipality of Taytay, in order to foster their capacity to attain a more meaningful, productive, satisfying life and livable community. To reach out to a greater number of PWDs, the services and benefits shall be expanded beyond the traditional urban-based centers to community programs that will ensure full participation of different sectors as supported by national and local government agencies.
- d) The Municipality also recognizes the role of the private sector in promoting the welfare of PWDs and shall encourage partnership in programs, projects and activities that address their needs and concerns and extending their corporate social responsibility.
- e) To facilitate the integration into the mainstream of society, the Municipality shall advocate for and encourage respect for PWDs, and shall exert all efforts to remove all social, cultural, economic, environmental and attitudinal barriers that are prejudicial to the PWDs, and socially be protected from any harm towards achieving social protection.

Section 4. Definition of terms – As used in the ordinance, the following terms, words and phrases shall be defined as follows:

- 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 on an equal basis with others (UNCRPD Article 1); and any other handicap condition which includes but not limited to: visual, hearing, learning, mental and psychosocial and or multi disability, visually, hearing and speech impaired, orthopedically handicapped, mentally challenged, attention deficit hyperactive disorder, persons with autism, emotionally disturbed person, chronic illness, congenital diseases and other handicap disorders that may give rise to disadvantages such as a problem with cleft palate, harelip, etc.
- b) **Federation of Persons With Disabilities** – refers to a group composed of organizations of and for persons with disabilities from the national, regional, provincial and local levels.

- c) **Disabled People's Organization** - refers to an organization organized and controlled by a person with disabilities.
- d) **Civil Society Organization (CSO)** – refers to a non-state and non-profit association that works to improve society and the human condition. Basic types of CSOs include non-government organizations, civic organizations, community-based organizations, faith-based organizations, cooperatives, social movements, professional groups, business groups and basic sectors (RA 8425).
- e) **Private Sector** – refers to any segment of the economy that is not directly controlled or operated by the Government or any government-run or controlled organization.
- f) **PWD Identification Cards** – shall refer to the localized identification cards to be issued by the Municipality through PDAO, which shall be required by persons, entities and agencies before benefits made available to PWDs by virtue of law may be extended.
- g) **Personnel Local Selection Board** – refers to a body established in the Municipality to assist the Local Chief Executive in the judicious and objective selection of personnel for employment, as well as for the promotion and in the formulation of such policies that would promote the merit and fitness principles

For clarity in coverage, the term “Persons with Disability/ies” does not distinguish age, race, creed or religious belief, political affiliation, economic and social status. In addition, PWDs who are also Senior Citizens can have the identification card, however, they shall invoke the rights to avail the benefits, privileges and incentives provided by law, using only one of IDs at the time of availment.

Section 5. Creation of the Persons With Disability Affairs Office (PDAO) and its Functions, Duties And Responsibilities - The PDAO is hereby created, organized and established under the direct supervision of the Municipal Mayor and carry the following functions:

- a) Formulate and implement policies, plans and programs for the promotion of the welfare of PWDs in coordination with the Municipal Social Welfare and Development Office, concerned national and local government agencies;
- b) Coordinate the implementation of the provisions of this Ordinance, Republic Act 7277 “Magna Carta of PWD” as amended by Republic Act No. 10070, Batas Pambansa No. 344, otherwise known as the “Accessibility Law”, other relevant laws/policies at the national and local level and including international binding instruments;
- c) Represents PWDs in meetings of local development councils, other special bodies and other institutions at the national and local level;
- d) Recommend and enjoin the participation of civil society organizations in the implementation of all disability-related laws and policies;
- e) Gather and compile a sex-disaggregated database and relevant data on PWDs in their localities;
- f) Disseminate information including, but not limited to programs and activities for persons with disabilities, statistics on PWDs, including children with disability, and training and employment opportunities to PWDs;
- g) Submit reports to the office of the local chief executive on the implementation of programs and services for the promotion of the welfare and protection of PWDs in their respective areas of jurisdiction;

- h) Ensure that the policies, plans and programs for the protection and promotion of the welfare of PWDs are gender-fair and gender-responsive and funded by both national and local government;
- i) **Monitor fundraising activities being conducted for the benefit of PWDs;**
- j) Seek donations in cash or in-kind from local or foreign donors to implement an approved work plan for PWDs, in accordance with existing laws and regulations;
- k) Assist civil society organizations for the PWD sector in obtaining donations in cash or in-kind from local and foreign donors for the purpose of implementing work plans for PWDs in accordance with existing laws and regulations;
- l) Create a working network with the civil society organization of the Municipality of Taytay involved in the enhancement of the health, physical fitness, economic and social well-being of PWDs in order to optimize utilization of resources, manpower and know-how; and
- m) Perform such other functions as may be necessary for the promotion and protection of the welfare of persons with disabilities.

Section 6. Publication and Posting Requirements – The PDAO positions shall be subject to the publication and posting requirements under Republic Act 7041 otherwise known as “An Act Requiring Regular Publication of Existing Vacant Positions in Government Offices, Appropriating Funds Thereof, and For Other Purposes”. All vacant positions shall be posted and announced in three (3) conspicuous and published in the Bulletin of Vacant Positions and official website of the Municipality of Taytay for at least fifteen (15) days. The announcements should indicate full details about the vacancy (position, title, item number, the full qualification standards required and the workstation).

Compliance with RA 10524, An Expanding the Positions Reserved for PWD shall be observed and included in the publication, Qualified Women with Disabilities shall be encouraged to apply.

Section 7. Nomination of Head of PDAO / Officer - Upon publication of the position, the Municipal Mayor shall instruct the Municipal Local Government Operations Office (MLGOO), the Municipal Social Welfare and Development Officer and the President of the Local Federation/ Association of Persons With Disabilities to prepare for and act as the CONVENORS of the general assembly of PWDs, which shall be conducted on the last day of the posting period. The general assembly shall nominate at least three (3) qualified applicants with gender balance for consideration of the Municipal Selection Board and the Municipal Mayor. The Human Resource Management Officer (HRMO) shall document the proceeding of the General Assembly.

Section 8. The Purpose of the General Assembly - Ensure the participation of persons with disabilities, especially women with disabilities in the recruitment process in compliance with Article 4.3 of the UN Convention on the Rights of Persons with Disabilities, and to express the local government unit's recognition of the importance of Persons with Disability Affairs Office in the development of the disability sector.

The General Assembly shall be guided by a Pro-forma program as follows:

- a) **Registration and Final Acceptance of Applicants – HRMO**
- b) **Invocation / National Anthem**
- c) **Roll Call**

- d) Opening the Assembly
- e) Orientation about RA 10070 and Local Ordinance
- f) Presentation of qualified applicants
- g) Open Forum
- h) Nomination Process – thru secret ballots
- i) Announcement of Nominees
- j) Closing of the Assembly

Section 9. The Convenors - Shall submit the names of the nominees to the Municipal Personnel Selection Board (MPSB) to comply with the usual hiring and recruitment process such as submission of requirements, interview and shortlisting in case the nominees exceeded the least number. PWDs should be represented within the MPSB by an employee with a disability to be a part of the deliberations. In case there is no employee with a 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 an appointment, gender balance must be observed.

Upon completion of the requirements and processes set by the MPSB, the names of the shortlisted nominee with ranking shall be submitted to the Municipal Mayor for consideration.

The Municipal Mayor shall appoint the head of PDAO within 30 days upon submission of the recommended nominees of the Municipal Personnel Selection Board.

A temporary appointment may be issued by the Municipal Mayor in case the nominees do not possess the appropriate career service eligibility, subject to Civil Service Law and Rules.

The Human Resource Management Officer shall post a notice announcing the appointment issued by the Municipal Mayor in three (3) conspicuous places in the agency within fifteen (15) days from signing.

Section 10. Nature of Employment, Composition and Functions of PDAO Personnel - The Persons with Disability Affairs Office shall have at least four (4) personnel in a permanent position. The four (4) permanent positions shall perform the following functions:

a) Head of PDAO / Officer

- Who shall be responsible for overseeing the management and operations of Persons with Disabilities Affairs Office (PDAO);
- Represents PWDs in meetings of local development councils, other special bodies and other institutions at the national and local level;
- Submit reports to the office of the local chief executive on the implementation of program and services for the promotion of the welfare and protection of PWDs in their respective areas of jurisdiction; and
- Perform such other functions as may be necessary for the promotion and protection of the welfare of persons with disabilities.

b) **Three (3) technical/administrative staff who will perform the following tasks:**

- Planning and formulation/development of programs concerning mainstreaming the disability perspective in the Municipality of Taytay projects and activities and development of disability-specific programs;
- Monitoring and implementation of the provisions of this Ordinance, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the national and local level; and
- Perform such other functions as may be necessary for the promotion and protection of the welfare of persons with disabilities.
- Technical and administrative staff may be appointed by phases or according to plan.

Section 11. Organization and Composition – The Disability Affairs Head/Officer and staffing of the Municipality of Taytay, shall have the following position titles and corresponding minimum qualifications standards, as appropriate.

Position Title & Salary Grade	Education	Experience	Training	Eligibility
DAO 111 (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
DAO 11 (SG 15)	Bachelor's Degree	1 year of relevant experience on disability affairs	4 hours of relevant training on disability affairs	Career Service Professional/ Second Level Eligibility
DAO 1 (SG11)	Bachelor's Degree	None required	None required	Career Service Professional/ Second Level Eligibility
Disability Affairs Assistant (SG 8)	Completion of two (2) years in college	1 year of relevant experience on disability affairs	4 hours of relevant training on disability affairs	Career Service Sub Professional/First Level Eligibility

Section 12. Persons With Disabilities Affairs Officer – shall be appointed by the Municipal Mayor and that priority shall be given to a qualified Person with Disability with experience in providing services to PWDs, with the following qualifications:

- A Filipino citizen and resident of the Municipality of Taytay for at least one (1) year;
- A registered voter of the Municipality of Taytay;
- Must be able to read and write;
- Must be a bonafide member and duly accredited PWD organization with a track record of three (3) years;
- Elected or representative from each barangay PWDs formation within Taytay Municipality; and
- Must pass the requirements under Section 11 of this Ordinance.

Section 13. Term of Office of the Person With Disability Affairs Officer - The Head of the PDAO / Officer shall have a term of office of three (3) years and shall be reappointed for another term. In case of death, the remaining term shall be served by the new appointee who has undergone the selection process.

Section 14. Local Committee on Disability Affairs – is hereby created to serve as the policy and program planning committee and review and guide the direction and operation of the Office. This Board shall be composed, but not limited to the following:

- Local Chief Executive - who shall act as the Chairperson
- SB Committee Chairperson of Social Service – who shall act as the Co-Chairperson
- Municipal Social Welfare and Development Officer
- Municipal Health Officer
- Municipal Legal Officer
- Municipal Engineer
- Municipal Budget Officer
- Municipal Planning and Development Officer
- Municipal Public Information Officer
- The Head, Management Information System (MIS)
- President, Liga ng mga Barangay
- President, Sangguniang Kabataan Federation
- Municipal Local Government Operations Officer (MLGOO)
- School Division Superintendent, Department of Education (DepEd)
- President, Philippines Chamber of Commerce and Industry (PCCI) – Taytay Chapter
- President, Federation of PWDs

Section 15. Office Space and Other Facilities – The Office of the Municipal Mayor shall ensure that the PDAO shall have access to suitable office space and other necessary facilities for effective operations. The office space to be provided shall be constructed in a manner to allow ready access by PWDs.

Section 16. Registration of PWDs – The PDAO should maintain and compile sex-disaggregated data / master lists thru the conduct of mapping and profiling of PWDs. A profiling tool will be developed in the conduct of the database. The MSWDO shall provide necessary technical support for the completion of the database/master listings.

Section 17. Issuance of Identification Cards to PWDs – Utilizing the master lists from the profiling conducted as provided in Section 14 of this Ordinance, the PDAO will issue ID Cards to all PWDs in a manner ensuring maximum distribution coverage in an orderly manner. The IDs shall be made in a manner that would minimize cost, reduce the period of production and maximize the durability of each card. Each card must indicate the full name, address, date of birth of the holder and control number to be assigned and must be manufactured in a manner that would ensure

authenticity. The PWDs identification cards shall not be transferrable and shall have a space on which the PWD affixes their signature. No PWD shall be charged any fee for the issuance of the PWD identification cards.

The Municipality of Taytay PDAO shall ensure that the Taytay PWD Identification cardholders shall be allowed to avail of the privileges as mandated issuances, policies and national laws,

Section 18. The Role of the Barangays – It shall be the responsibility of the Barangay Councils, through their respective Barangay Health Workers (BHWs) and Social Welfare Volunteers (SWVs) to assist the Municipal PDAO in making comprehensive listings and profiles of all Persons with Disabilities in their respective barangays, including its regular updating, moreover to allocate and facilitate the release of funds accruable to the PWDs in accordance with DSWD Administrative Order No. 13, Series of 2008 in support of barangay PWD association’s plans and objectives and furthermore to assist PWDs in accessing the benefits, privileges and incentives provided by law.

Section 19. The Role of the Civil Society Organization (CSO), Private Sector and Individuals – The CSO and private sector and individuals are hereby encouraged to help and support the plans and objectives for PWDs.

Section 20. Funding and Budgetary Requirements – Salaries and wages of personnel, maintenance and other operating expenses (MOOE) for PDAO shall be drawn from the General Fund and shall be included in the Municipality’s Annual Plans and Budget. The Municipality shall ensure that the necessary fund from any available local revenues is allocated for the implementation of this Ordinance, including but not limited to its operational costs implementation of programs that will promote and alleviate the welfare and the provision of the basic services for the benefit of the PWDs in the Municipality of Taytay.

Section 21. Penal Clause – Any persons who violate any provision of this Ordinance shall be subjected to administrative sanctions that may be imposed by the Municipality of Taytay subject on the recommendation of the Municipal Mayor.

Section 22. Repealing Clause – All existing ordinances, resolutions, executive orders, rules and regulations inconsistent herewith are hereby repealed and superseded or modified accordingly.

Section 23. Separability Clause – Should any provision of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction; the provisions not affected thereby shall continue to be in full force and effect.

Section 24. Effectivity - This ordinance shall take effect immediately upon its approval.

ENACTED, this 31st day of August, 2021, 2:55 PM at the Session Hall of the Municipal Building, Taytay, Rizal.


I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay on second reading on August 24, 2021 and was passed on third and final reading on August 31, 2021, during the 104th Regular Session held on the 31st day of August, 2021.

SONIA C. SAMSON
Secretary to the Sanggunian
Officer-in-Charge

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. MICHELL B. BERMUNDO
Municipal Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR
DATE 07 SEP 2021


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor

