



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 43
Series of 2020

AN ORDINANCE ADOPTING REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE "SOLO PARENTS' WELFARE ACT OF 2020, AND PROVIDING FOR EXPANDED BENEFITS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Sponsored By: Councilor Mario C. Concepcion, Jr.
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WHEREAS, Section 1, Article XV of the 1987 Constitution states that "The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development;

WHEREAS, Republic Act No. 8972, otherwise known as the Solo Parents' Welfare Act of 2020 and its Implementing Rules and Regulations provided for the benefits and privileges to solo parents and their children;

WHEREAS, the law further provides that the various national agencies in coordination with the concerned **local government units** shall develop a comprehensive package of social development and welfare services for solo parents and their families in providing services;

WHEREAS, among others, the comprehensive package of social development and welfare services for solo parents and their families includes, such as, but not limited to, livelihood development services, counseling services, parent effectiveness services, flexible work schedule, work discrimination, parental leave, educational benefits, housing benefits, and medical assistance;

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as the powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, while the City Government of Pasig acknowledges the significant role that solo parents are taking part in our society, it recognizes the difficulty of being one and it deems it necessary to adopt and/or localize the implementation of the Solo Parents' Welfare Act and provide for the expanded benefits for the solo parents and their children residing in the City Pasig.



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NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF PASIG IN SESSION DULY ASSEMBLED, THAT:

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the Solo Parents' Ordinance of Pasig City.

SECTION 2. DEFINITION OF TERMS. – The following terms shall be construed as follows:

- (a) "Act" — the Solo Parents' Welfare Act of 2000;
- (b) "Solo Parent" — any individual who falls under any of the following categories:
 - (1) A woman who gives birth as a result of rape or crimes against chastity, even without a final conviction of the offender: Provided, that the mother keeps and raises the child;
 - (2) Parent left solo or alone with the responsibility of parenthood due to death of spouse;
 - (3) Parent left solo or alone with the responsibility of parenthood while the spouse is detained, or is serving sentence for a criminal conviction for at least one (1) year; The law applies to the spouses of prisoners, whether or not a final judgment has been rendered, provided they are in detention for a minimum period of one (1) year;
 - (4) Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
 - (5) Parent left solo or alone with the responsibility of parenthood due to legal separation or de facto separation from spouse for at least one (1) year: Provided, that he or she is entrusted with the custody of the children;
 - (6) Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church: Provided, that he or she is entrusted with the custody of the children;
 - (7) Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;
 - (8) Unmarried mother/father who has preferred to keep and rear his/her child/children instead of having others care for them or give them up to a welfare institution;
 - (9) Any other person who solely provides parental care and support to a child or children provided he/she is duly licensed as a foster parent by the DSWD or duly appointed legal guardian by the court;
 - (10) Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent: Provided, that such abandonment, disappearance, or absence lasts for at least one (1) year.

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A change in the status or circumstance of the parent claiming benefits under the Act, such that he or she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for these benefits;

(c) "Family" — shall refer to the Solo Parent and his/her child/children; Provided, however, that the family member shall include any relative by consanguinity up to the fourth civil degree. These persons shall include, but are not limited to, any uncle, aunt, grandfather, grandmother, niece, nephew, or cousin;

(d) "Social Worker" — a person who is a graduate of Social Work and duly registered pursuant to Republic Act 4373 and employed with the Social Welfare and Development Office of the local government unit where the solo parent resides;

(e) "Children" — refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and below eighteen (18) years of age, or even eighteen (18) years and above but are incapable of self-support and/or mentally and/or physically challenged;

(f) "Parental responsibility" — with respect to their minor children shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines," and hereunder enumerated as follows

(1) To keep them in their company, to support, educate and instruct them by right precept and good example and to provide for their upbringing in keeping with their means;

(2) To give them love and affection, advice and counsel, companionship and understanding,

(3) To provide them with moral and spiritual guidance, inculcate in them honesty, integrity, self-discipline, self-reliance, industry and thrift, stimulate their interest in civic affairs, and inspire in them compliance with the duties of citizenship;

(4) To furnish them with good and wholesome educational materials, supervise their activities, recreation and association with others, protect them from bad company, and prevent them from acquiring habits detrimental to their health, studies and morals;

(5) To represent them in all matters affecting their interest;

(6) To demand from them respect and obedience;

(7) To impose discipline on them as may be required under the circumstances; and

(8) To perform such other duties as are imposed by law and upon parents and guardians;

(g) "Parental leave" — shall mean leave benefits granted to a solo parent to enable him or her to perform parental duties and responsibilities where physical presence is required;



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(h) "Flexible work schedule" — the right granted to a solo parent employee to vary his or her arrival and departure time without affecting the core work hours as defined by the employer.

SECTION 3. RELATED ORDINANCE. —The provisions of Ordinance No. 11, Series of 2013, entitled: "ORDINANCE PROVIDING FOR THE ISSUANCE OF IDENTIFICATION CARDS TO QUALIFIED SOLO PARENTS OF PASIG CITY FOR THE AVAILMENT OF ASSISTANCE UNDER REPUBLIC ACT 8972, OTHERWISE KNOWN AS THE "SOLO PARENTS WELFARE ACT OF 2000" is hereby adopted in this Ordinance.

Such provisions are Criteria for Support, Qualifications of Solo Parents, Assessment, Procedure in Accessing Services for the Solo Parent, Procedure for Application of Benefits, Procedure of Termination of Benefits and Relocation of the Family.

SECTION 4. FLEXIBLE WORK SCHEDULE. — The employer shall provide for a flexible work schedule for solo parents: Provided, that the same shall not affect individual and company productivity: Provided, further, that any employer may request exemption from the above requirements from the Department of Labor and Employment on certain meritorious grounds.

In the case of employees in the government service, flexible working hours will be subject to the discretion of the head of the agency. In no case shall the weekly working hours be reduced in the event the agency adopts the flexible working hours schedule format (flexitime). In the adoption of flexi-time, the core working hours shall be prescribed taking into consideration the needs of the service.

SECTION 5. WORK DISCRIMINATION. — No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his or her status.

SECTION 6. PARENTAL LEAVE. — In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least one (1) year. The seven-day parental leave shall be non-cumulative.

SECTION 7. CONDITIONS FOR ENTITLEMENT OF PARENTAL LEAVE.
—A solo parent shall be entitled to parental leave provided that:

- (a) He or she has rendered at least one (1) year of service whether continuous or broken at the time of the effectivity of the Act;
- (b) He or she has notified his or her employer of the availment thereof within a reasonable time period; and



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(c) He or she has presented a Solo Parent Identification Card to his or her employer.

SECTION 8. NON-CONVERSION OF PARENTAL LEAVE. -In the event that the parental leave is not availed of, said leave shall not be convertible to cash unless specifically agreed upon previously. However, if said leave were denied an employee as a result of non-compliance with the provisions of the Act by an employer, the aforementioned leave may be used as a basis for the computation of damages.

SECTION 9. CREDITING OF EXISTING LEAVE. -If there is an existing or similar benefit under a company policy, or a collective bargaining agreement or collective negotiation agreement the same shall be credited as such. If the same is greater than the seven (7) days provided for in the Act, the greater benefit shall prevail.

Emergency or contingency leave provided under a company policy or a collective bargaining agreement shall not be credited as compliance with the parental leave provided for under the Act.

SECTION 10. ADDITIONAL BENEFITS AND PRIVILEGES.

(a) **Educational Benefits** -The Pasig City Institute of Science and Technology, Pasig City Science High School, Pasig City Scholarship Program and the CHIP-IN Program and other educational programs of the city government shall prioritize in giving benefits and privileges to the solo parents and their children.

(b) **Medical Benefits** -The Pasig City Health Department shall develop a comprehensive health care program for solo parents and their children. The program shall also be implemented through the Pasig City General Hospital and Pasig City Childrens' Hospital and all the *barangay* health centers.

Further, the City Health Department shall provide free services to the solo parents and their children, such as, but not limited to, infant immunization, anti-rabies vaccination, anti-tetanus vaccination, pre-natal, natal, and post-natal care, oral and injectable contraceptives to acceptors, tubal ligation, non-scalped vasectomy, IUD insertion, family planning, responsible parenthood, and safe motherhood counselling.



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(c) **Livelihood Program** –The Pasig City Cooperative Development Office, together with the Livelihood Office, shall provide livelihood development services which include training on livelihood skills, basic business management, value orientation and the provision of seed capital through its micro-credit. The offices concerned shall also assist solo parents that would like to establish their own micro and small business and/or to join existing or to form new cooperatives.

The Pasig City Public Employment Services Office shall prioritize solo parents in its job placements activities. It shall further ensure that no solo parent shall be discriminated in their job placements activities.

SECTION 11. SOLO PARENTS'AFFAIRS UNIT. – A Solo Parents'Affairs Unit under the Pasig Social Welfare Development Office will be strengthened for the purpose of this *Ordinance*. It shall be the duty of the Head of the Pasig Social Welfare Development Office to assign social workers and other staff to this *Unit* to monitor the status of the solo parents applying for the benefits and privileges herein granted. Moreover, it shall also coordinate with concerned offices of any change in the status of the solo parents receiving benefits from the aforementioned programs and/or offices.

This *Unit* shall be responsible for the monitoring of the benefits and privileges granted to the solo parents and their children. It shall ensure the full implementation of the mandate of this *Ordinance*. Further, the Solo Parents' Affairs Unit shall evaluate, monitor, assess, and ensure that the beneficiaries of the programs aforementioned shall be in accordance with the qualifications and disqualifications as provided by this *Ordinance* and the Act.

SECTION 12. PENALTIES. – Any person who abuses the benefits and privileges granted herein shall be punished with one thousand pesos (P1,000.00) but not more than five thousand pesos (P5,000) or imprisonment of not less than six (6) months or both at the discretion of the court.

If the violator is a juridical person, the officials thereof shall be held liable. Upon filing of complaint and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise, and other similar privileges granted to any business entity that fails to abide by the provisions of this *Ordinance*.



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SECTION 13. IMPLEMENTING RULES AND REGULATIONS. -The following offices shall, within six (6) months from the approval of this *Ordinance*, formulate an implementing rules and regulations for the proper guidelines and implementation of this Ordinance and the Act, to wit:

1. Office of the City Mayor
2. Pasig City Social Welfare and Development Office
3. Pasig City Institute of Science and Technology
4. Pasig City Scholarship Program Office
5. Pasig City Science High School
6. Education Unit
7. Pasig City Health Department
8. Pasig City General Hospital
9. Pasig City Childrens' Hospital
10. Pasig City Cooperative Development Office
11. Livelihood Office
12. Office of the City Budget Officer
13. And those offices which may be assigned by the City Mayor for proper issuance of guidelines both for this Ordinance and the Act.

SECTION 14. APPROPRIATIONS. - The amount necessary to carry out the provisions of this *Ordinance* shall be included in the Executive Budget of concerned offices in the General Fund of the year following the approval of this *Ordinance* and every year thereafter.

SECTION 15. REPEALING CLAUSE. - All ordinances, resolutions, circulars, memoranda, orders and other issuances inconsistent herewith are hereby repealed or modified accordingly.

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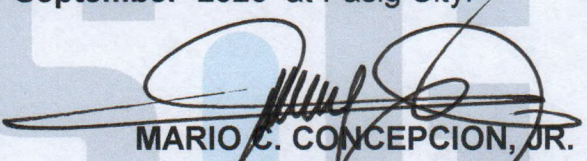
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SECTION 16. SEPARABILITY CLAUSE. – Should any provision of this Ordinance or any portion hereof be declared invalid or unconstitutional, the other provisions or portions hereof not affected by invalidity or unconstitutionality shall continue to be in full force and effect.

SECTION 17. EFFECTIVITY. – This ordinance shall take effect immediately.

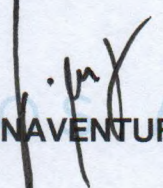
APPROVED, this 24th day of **September 2020** at Pasig City.


FERDINAND A. AVIS
Councilor

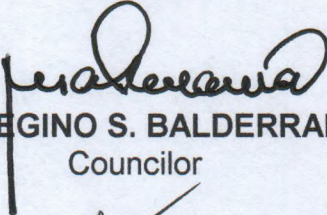

MARIO C. CONCEPCION, JR.
Councilor

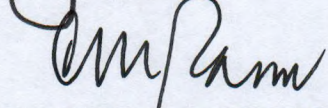

GREGORIO P. RUPISAN JR.
Councilor



ORLANDO R. BENITO
Councilor


REYNALDO R. SAN BUENAVENTURA III
Councilor


RODRIGO B. ASILO
Councilor

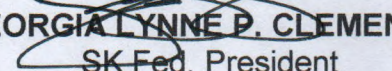

REGINO S. BALDERRAMA
Councilor


CORAZON M. RAYMUNDO
Councilor


EDITHA C. SANTIAGO
Councilor


WILFREDO F. SITYAR
Councilor


RIGOR J. ENRIQUEZ
LIGA President


GEORGIA LYNNE P. CLEMENTE
SK Fed. President



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Am/Ann

Rhichie Gerard T. Brown
RHICHIE GERARD T. BROWN
Counselor
Minority Floor Leader

Rosalio D. Martires
ROSALIO D. MARTIRES
Counselor
Majority Floor Leader

Attested by:

Iyo Christian C. Bernardo
IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:

Victor Ma. Regis N. Sotto
VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

Loida U. Villanueva
LOIDA U. VILLANUEVA
Acting City Council Secretary

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