

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BACOLOD
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CITY ORDINANCE NO. 296
March 21, 2002

AN ORDINANCE ESTABLISHING A PERSONS WITH DISABILITIES (PWD) DESK IN THE DEPARTMENT OF SOCIAL SERVICES AND DEVELOPMENT OFFICE OF THE CITY GOVERNMENT OF BACOLOD.

Be it ordained by the Sangguniang Panlungsod of the City of Bacolod in regular session assembled, that:

Article I. TITLE

This Ordinance shall be known as the "ORDINANCE ESTABLISHING A PERSONS WITH DISABILITIES (PWD) DESK IN THE DEPARTMENT OF SOCIAL SERVICES AND DEVELOPMENT OFFICE OF THE CITY GOVERNMENT OF BACOLOD".

Article II. STATEMENT OF POLICY

1. It is a national policy, as well as of the City of Bacolod, to give full support to the improvement of the total well-being of disabled persons and their integration into the mainstream of society, and to foster their capacity to attain a more meaningful, productive and satisfying life.

2. Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons, provides for the rehabilitation, self-development and self-reliance of disabled persons and their integration into the mainstream of society, and calls upon the support and participation of all national agencies, local government units, and the private sector in the implementation of said Act.

3. The said Magna Carta for Disabled Persons likewise provides for rights and privileges, the availment of certain privileges of which, require the accreditation of the disabled person with either the Department of Labor and Employment, the Department of Health, the Department of Social Welfare and Development Office of the local government unit concerned.

4. The Department of Social Welfare and Development, under said Act, shall develop and implement programs on auxiliary social services that will respond to the needs of marginalized disabled persons and restore their social functioning and participation in community affairs.

5. The enactment into law of the Local Government Code of 1991 (R.A. 7160) devolved the implementation of programs and services of the Department of Social Welfare and Development to the local government units.

6. The City's Department of Social Services and Development serves the persons with disabilities through its Disabled Welfare Program.

Article III. DEFINITION OF TERMS

1. **Disabled Persons (PWDs)** are those suffering from restriction or different disabilities, 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;
2. **Impairment** is any loss, diminution or aberration of psychological, physiological, or anatomical structure or function.
3. **Disability** shall mean (a) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities or such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.
4. **Handicap** refers to a disadvantage for a given individual resulting from an impairment or disability, that limits or prevents the function or activity, that is considered normal given the age and sex of the individual.
5. **Rehabilitation** is an integral approach to physical, social, cultural, spiritual, educational and vocational measures that create conditions for the individual to attain the higher possible level of functional ability.
6. **Auxiliary Social Services** are the supportive activities in the delivery of social services to the marginalized sectors of society.
7. **Marginalized Disabled Persons** refer to disabled persons who lack access to rehabilitative services and opportunities to be able to participate fully in socio-economic activities and who have no means of livelihood or whose incomes fall below the poverty threshold.
8. **Accreditation** is a process whereby a person with disability is listed in the Roster of PWDs maintained by the City Government of Bacolod thru its Department of Social Services and Development Office, after having been certified by local or national agencies concerned as to his disability, skills and qualifications.

Article IV. THE PERSONS WITH DISABILITIES (PWD) DESK

Section 1. CREATION OF THE PWD DESK. A Persons with Disabilities (PWD) Desk is hereby established in the Department of Social Services and Development (DSSD) Office of the City Government of Bacolod to assist the City Government in the effective and efficient delivery and implementation of services and programs for the upliftment of the well-being of disabled persons.

Section 2. POWERS AND FUNCTIONS

1. To accredit PWDs residing and/or working in Bacolod City after presentation of certification from the City Health Officer as to his/her disability, and the Department of Labor and Employment or thru its authorized agencies, as to the PWDs skills and qualifications. A Certificate of Accreditation shall be issued by the DSSD Head and co-signed by the City Mayor to this effect.

2. To maintain a directory and/or data bank of accredited Persons With Disabilities (PWDs) residing and/or working in Bacolod City and their profiles, such as, but not limited to, their disability, skills and qualifications and family/social, economic and educational profiles.

3. To maintain a directory of accredited Non-Government Organizations engaged in providing services and programs for the upliftment of disabled persons and to establish close coordination with them as far as implementation of PWD programs are concerned.

4. To coordinate with the Bacolod City Council for the Welfare of Disabled Persons as far as implementation of programs and policies are concerned.

5. To furnish copies of the Roster of duly accredited PWDs to the Department of Health, the Department of Social Welfare and Development and the Department of Labor and Employment for their information, and possible job placements and availment of programs or benefits affecting PWDs from these national agencies;

6. To coordinate with the PAAD and PESO thru the Office of the City Mayor, in the conduct of surveys, be it barangay or city-wide, of Persons with Disabilities residing and/or working in the City of Bacolod; Thereafter, to collate and analyze the data and information gathered from the surveys for possible establishment of new PWD programs or for better implementation of existing ones.

7. To assist, free of charge, PWDs, in coordination with the City Legal Office, or the Bacolod Philippine National Police, or the City Prosecutor's Office and/or the Public Attorneys Office of the Department of Justice, as the case or situation may warrant, in the protection and promotion of the rights and privileges of PWDs under R.A. 7277 and its Implementing Rules and Regulations and such other pertinent laws, as well as prosecution for violation or non-compliance of said rights or privileges.

8. To assist, free of charge, PWDs who may have meritorious and/or valid requests for assistance, claims, complaints, or applications for employment or availment of benefits under R.A. 7277, with local and national agencies, non-government organizations (NGOs), and other private or business entities, thru proper referrals, follow-ups or queries to be made by the DSSD Head, to the local or national agencies, NGOs, and private or business entities concerned.

9. To submit quarterly performance reports and lists of accredited PWDs with their profiles, to the City Mayor and the Sangguniang Panlungsod for their information and guidance, in the implementation and formulation of policies and programs for the Disabled Persons.

10. To do such other functions as the need may arise and as authorized by the City Mayor and the Sangguniang Panlungsod.

Section 3. PERSONNEL COMPLEMENT OF THE PWD DESK

3.1 A PWD Desk Officer for purposes of immediate implementation of this Ordinance shall be appointed by the City Mayor, upon the recommendation of the DSSD Head, to take charge of the PWD Desk and ensure performance of its prescribed functions.

3.2 The PWD Desk Officer may be taken from the DSSD's existing work force of regular employees. For this purpose, the City Mayor shall, and is hereby authorized, to issue, via an executive order or memorandum appointing

and/or designating the PWD Desk Officer with its corresponding prescribed functions, in addition to the regular duties and functions of such designated employee.

- 3.3 The PWD Desk and/or the PWD Desk Officer may be complemented or assisted by the plantilla social worker casuals of the DSSD.

If the number of plantilla casuals as appearing in the Annual Budget for the DSSD is not enough, the City Mayor upon the recommendation of the DSSD Head, may hire additional plantilla social worker casuals for the purpose of implementing this Ordinance and other programs for the welfare of PWDs.

- 3.4 The wages for the casual workers so hired for these purposes shall be taken from the general fund or annual budget allocation for plantilla casuals, or from any available project fund from whatever source. Preference may be given to qualified accredited PWDs in the hiring of the same.
- 3.5 In the event that the circumstances and available funds of the City would so warrant in the future, a permanent position of the PWD Desk Officer in the DSSD may be created, thru an Ordinance enacted for the purpose, with preference given to qualified accredited PWDs, subject to Civil Service laws and regulations.

Article V. MISCELLANEOUS PROVISIONS

Section 1. IMPLEMENTING RULES AND GUIDELINES. The City Mayor may prescribe such other rules and guidelines for the efficient and effective implementation of this Ordinance and/or attainment of its purposes subject to the ratification of the Sangguniang Panlungsod.

Section 2. SEPARABILITY CLAUSE. If for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereto which are not affected thereby shall continue to be in full force and effect.

Section 3. EFFECTIVITY. This Ordinance shall take effect upon its approval.

CARRIED BY THE VOTE OF:

Affirmative:

Councillors: Roberto M. Rojas, Jude Thaddeus A. Sayson, Ana Marie V. Palermo, Celia Matea R. Flor, Jose H. Gabuat, Eimer T. Sy, Bobbie S. Lucasan, Greg G. Gasataya, Reynold I. Iledan, Sonya M. Verdeflor, Pepito T. Malapitan, Christine Angelie M. Espinosa.

Negative : None.

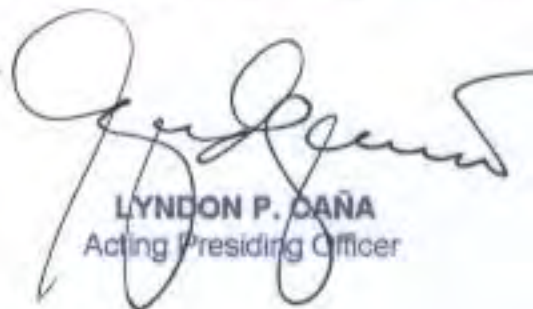
Author : Councillor Ana Marie V. Palermo

Absent : None.

Official Leave : Vice Mayor Ramiro L. Garcia, Jr.

Passed : March 21, 2002 (39th Regular Session)

Comments: Passed.
Councillor Archie S. Baribar was out of the Session Hall when this ordinance was passed.

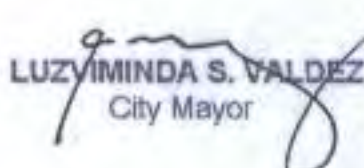


LYNDON P. DAÑA
Acting Presiding Officer

ATTESTED:

ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: April 4 2002



LUZVIMINDA S. VALDEZ
City Mayor

NTA/CLC/ongl

