

**REPUBLIKA NG PILIPINAS**  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
**LUNGSOD NG BACOLOD**  
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**CITY ORDINANCE NO. 347**  
November 20, 2003

**AN ORDINANCE STRENGTHENING AND INSTITUTIONALIZING THE DAY CARE SERVICE AND EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD) PROGRAMS AND SERVICES OF THE CITY OF BACOLOD, AND PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.**

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

**ARTICLE I. TITLE**

This Ordinance shall be entitled AN ORDINANCE STRENGTHENING AND INSTITUTIONALIZING THE DAY CARE SERVICE AND EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD) PROGRAMS AND SERVICES OF THE CITY OF BACOLOD, AND PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

**SECTION 1. SHORT TITLE**

This Ordinance shall likewise be known as the "Day Care and ECCD Ordinance of Bacolod City"


**ARTICLE II. STATEMENT OF POLICY**

1. The Constitution upholds the vital role of the youth in nation building, hence, the State, and the City of Bacolod, shall promote their physical, intellectual and social well-being.

2. The State, and the City of Bacolod, recognize that the Child is one of its most important assets, and every effort should therefore be exerted to promote his welfare and enhance his opportunities for a useful and happy life.

3. The State, and the City of Bacolod, shall defend the right of children to assistance, including proper care and nutrition and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their environment.

4. The Philippines, being a party to the Convention on the Rights of the Child, reaffirms the fact that children, because of their vulnerability, needs special care and protection, and it places special emphasis on the primary caring and protective responsibility of the family.



5. There is a need to strengthen the implementation of national laws which promotes and protects the rights and welfare of the child, among which are, Presidential Decree No. 603, as amended, (Child and Youth Welfare Code), R.A. 6972 (Barangay Level-Total Development And Protection of Children Act), R.A. 8980 (The Early Childhood Care and Development (ECCD) Act), among others, in order to attain the purposes for which these laws were enacted.

6. The City of Bacolod is of the belief that healthy children - physically, mentally and emotionally - are indicators of a developed community, and giving priority to sustainable human development, like the setting up and operation of day care services and other early childhood development programs and services in the long run will be a cost-effective strategy in supporting the human resources development of the City.

7. The Day Care Service is a flagship DSSD program of the City of Bacolod, being one of the top cities with the most number of 5-star rated accredited public day care centers and workers. However, the day care workers, despite the work load and responsibility handled are being paid of their salaries or honorariums out of project funds or supplemental budgets.

8. There is a need to systematize and institutionalize the Day Care Service and other ECCD programs, including programs for children with disability, and the workers responsible for its effective and efficient implementation, and the proper monitoring and supervision of their work and various activities.

### **ARTICLE III. DEFINITION OF TERMS**

1. ECCD System refers to the comprehensive, integrative and sustainable programs, policies and implementation structures and mechanisms designed to ensure the well-being, optimum growth and development of children.

2. Child/Children - refers to a person(s) from conception to age six (below 7 years old).

3. ECCD Programs - refer to the full range of health, nutrition, early education, psycho-social and other services that provide for the holistic needs of children as defined and implemented at national and local levels which include center-based and home-based programs;

4. Center-based Programs - refer to services at the community level undertaken in a center, school or workplace such as the Day Care Service established under R.A. 6972, and other public or private child-care and education programs, child-minding centers, and health centers and stations.

5. Day-Care Services - is the provision of supplemental parental care to 0-3 and 3-6 year old children (whether abled or with disability), of parents who find it difficult to fully take care of their children during part of the day because of work or some other reason. It has the following objectives for the child, to wit: (1) Physical Development, (2) Development of Personal Abilities, (3) Ability to Handle Human Relations.

(4) Development of Creative and Analytical Ability, (5) Development of Spiritual and Social Values, and (6) Provision of Comfort and Safety, (7) Early Detection, Prevention and Intervention of Children With Disability.

1. Day Care Center Worker - provides supplemental parental care to 3-6 year old children.
2. Community Development Worker - provides supplemental parental care to 0-3 year old children.

6 Home-based Programs - refer to services at the family level undertaken at home or in the neighborhood such as neighborhood-based play groups, Parent Effectiveness Service (PES), family day care programs or child-minding homes, parent education and home visiting programs;

7 ECCD Service Providers - refer to various professionals, paraprofessionals, volunteer caregivers and organizers who are directly responsible for the care and education of young children through the various center and home-based ECCD programs. They include but are not limited to social workers, teachers, physicians, nurses, nutritionist-dieticians, psychologists, day care workers, teacher-aids, rural health midwives, community organizers, community health workers, barangay nutrition scholars, PES volunteers, child development workers and family day care providers;

8. Parent Education - refers to the various formal and alternative means of providing parents with information, skills, values formations and support systems to assist them in their roles as their children's primary caregivers and educators. These include public and private parent education programs linked to center, home and media-based child care and education programs.

9. User Fees - refer to payments whether monetary or non-monetary for the participation of a child in public and private ECCD programs.

## **ARTICLE IV. ROLE AND RESPONSIBILITIES**

### **SECTION 1. CITY GOVERNMENT**

Pursuant to R.A. 8980, its Implementing Rules and Regulations, and this Ordinance, the City Government of Bacolod shall:

1. Implement the national ECCD program by providing basic public ECCD services;

2. Support the organization of parent cooperatives to initiate the establishment of ECCD programs;

3. Ensure that service providers of public ECCD programs under the City's supervision shall be justly compensated, that adequate funds are made available, and their working conditions are conducive to fulfill national quality standards;



4. Provide counterpart funds for the training and continuing education of City ECCD service providers, and supporting the operations of the Local Council for the Protection of Children.

5. Ensure the active participation of various stakeholders at all levels in the planning, implementation, monitoring and evaluation of ECCD projects and programs.

## **SECTION 2. FAMILIES AND COMMUNITIES**

Families and communities shall support the City ECCD / Day Care programs by participating in various projects for the overall development of their children. Specifically, Families and communities shall:

1. Subject to the provisions of Article IX hereof, contribute monthly to subsidize recurrent costs in the maintenance and operations of City Day Care Center facilities and programs;

2. Volunteer time and services especially in cases where parents cannot afford to shoulder the regular contributions or user fees;

3. Mobilize and generate resources in coordination with the City or Barangay Councils for the Protection of Children for the maintenance of ECCD/Day Care facilities and sustainability of ECCD/Day Care programs;

4. Participate in the planning, implementation, monitoring, and valuation of ECCD/Day Care projects in their respective communities.

## **ARTICLE V. COUNCIL FOR THE PROTECTION OF CHILDREN**

### **SECTION 1. BACOLOD CITY**

The Bacolod City Council For the Protection of Children shall be created in accordance with Presidential Decree No. 603, (Child and Youth Welfare Code) as amended, and Republic Act No. 8980 (The Early Childhood Care and Development (ECCD) Act), and its Implementing Rules and Regulations, and shall perform the functions provided therein. The SP Committee Chair on Social Services shall sit as Vice-Chairman thereof.

The City Mayor, who shall be the Chairman, shall within one (1) month from the passage of this Ordinance, convene the said Council and/or ensure that it is established and functioning in accordance with law.

### **SECTION 1.1. FUNCTIONS**

In addition to the functions provided by the laws mentioned in Section 1 of this Article, the City Council for the Protection of Children shall draw up an Annual Development Plan, in coordination with the Department of Social Services and Development (DSSD) and the Barangay Councils for the Protection of Children, to be submitted to the City Development Council thru the City Mayor for inclusion and funding in the City's Annual Investment Plan under the 20% IRA Development Fund.



The said Annual Development Plan shall include the number of Day Care or ECCD Centers to be established, and the location thereof, as well as other ECCD programs to be implemented within the year.

The City Council for the Protection of Children shall also look into the ownership of the lands where the City-assisted day care / ECCD centers are located and/or to be established and to work out for its donation to the City or barangay if the same has not yet been done.

It shall likewise perform such other functions as may be mandated by other pertinent laws and ordinance.

## **SECTION 2. BARANGAY**

The Barangay Council for the Protection of Children (BCPC) shall be created in all barangays in accordance with said Presidential Decree 603, as amended, and Republic Act No. 8980 and its Implementing Rules and Regulations.

It shall assist and recommend policies or strategies to the Punong Barangay and the City Government on the efficient and effective delivery of ECCD/Day Care Programs and such other programs and services for the protection and promotion of children's rights and welfare.

## **ARTICLE VI. DAY CARE SERVICE PROGRAM**

### **SECTION 1. DAY CARE SERVICE PROGRAM**

In order to maintain and sustain the continuity of the Day Care Program and ensure quality service by our Day Care Center (DCC) Workers, the City Mayor shall see to it that there shall be an amount to be set aside in the Annual Budget of the Department of Social Services & Development for the Day Care Center Program to cover the salaries, wages, and honorariums, and training of Day Care Center (DCC) Workers as provided in this Ordinance.

### **SECTION 2. LADDERIZED SCHEME OF COMPENSATION AND WORK APPOINTMENT FOR DCC WORKERS**

Considering the budgetary constraints vis-à-vis the increasing number of day care centers being established by the City, a ladderized scheme of compensation and work appointment provided hereunder shall be followed so as to effectively maximize and utilize the financial and human resources of the City.

#### **SECTION 2.1 REGULAR DCC WORKERS**

There shall be created, filled, and maintained at least one (1) regular position for Day Care Center (DCC) Worker that shall be reflected and funded in each and every Annual Budget of the City of Bacolod starting 2004 and every year thereafter.

The qualifications and requirements for regular appointment are provided in Section 4 of this Article.

### **SECTION 2.2. CASUAL PLANTILLA DCC WORKERS**

Subject to the qualifications set forth in Section 3 of this Article, at least eighty (80) casual plantilla positions shall be created, filled, and maintained under the Department of Social Services and Development (DSSD) for its Day Care Center Workers, and may increase each year depending upon availability of funds and number of day care centers established for that year. Provided however, that in no case shall the number of day care center workers with casual plantilla appointments be less than half the total number of City-assisted day care centers established in Bacolod City

### **SECTION 2.3. HONORARIUM - PAID DCC WORKERS**

Day care center workers not covered by casual plantilla positions pursuant to the preceding Section shall receive a monthly Honorarium of P 3,000.00.

Said amount may be increased at any time in the future depending upon availability of funds and upon approval of the City Mayor and the Sangguniang Panlungsod.

### **SECTION 3. QUALIFICATIONS FOR A DAY CARE CENTER (DCC) WORKER**

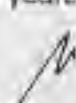
In addition to the qualifications set by the Department of Social Welfare & Development (DSWD) the following additional requirements are hereby set:

1. must be a resident of the barangay where the day care center is situated.
2. must be highly recommended by the Barangay Council supported by a Barangay Resolution
3. must be a college graduate or teacher's board passer

The additional qualifications shall not affect day care workers already serving as such prior to the enactment of this Ordinance.

### **SECTION 4. QUALIFICATIONS FOR REGULAR EMPLOYMENT**

In order to ensure quality and continuing delivery and implementation of Day Care and ECCD Programs in the City of Bacolod, the following qualifications and requirements are set:

1. Must be a Five-Star DSWD-licensed Day Care Center Worker
  2. Must have rendered service as Day Care Center Worker for at least ten (10) years or more;
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3. Must possess a Very Satisfactory rating as recorded in the DCC Worker's Performance Evaluation System (PES) reports for the last three (3) consecutive years immediately prior to the year of appointment
4. Must have been a DSSD Awardee for Best Day Care Center Worker or Best Day Care Center Award.

## **ARTICLE VII. OTHER ECCD PROGRAMS**

### **SECTION 1. OTHER ECCD PROGRAMS**

Other City assisted Early Childhood Care & Development ((ECCD) Programs or which the City Government may hereafter establish pursuant to this Ordinance shall be supported continuously in the form of basic infrastructure, provision of facilities, materials and equipment, and compensation for its service providers.

### **SECTION 2. COMPENSATION FOR CHILD DEVELOPMENT WORKERS AND OTHER ECCD WORKERS**

DSSD Child Development Workers (CDWs) and other DSSD ECCD Workers performing services or implementing City ECCD programs other than the Day Care Service Program in the barangays shall receive a monthly honorarium of P3,000.00.

Said amount may be increased at any time in the future depending upon availability of funds and upon approval thereof by the City Mayor and the Sangguniang Panglungsod.

## **ARTICLE VIII. FUNDING**

### **SECTION 1. DAY-CARE SERVICE PROGRAMS**

The City Mayor and the City Budget Officer shall allocate annually an amount necessary to cover for the wages and honorariums of Day Care Center (DCC) Workers, as well as for the salaries of newly created regular DCC Worker position(s). The said annual amount which shall be no less than P 7.2 Million Pesos shall be taken from the General Fund, or any other available source of fund.

In addition, an amount of at least P 2.5 Million Pesos for the establishment or maintenance of day care centers/facilities, and materials and equipment, and another amount of at least P 300 Thousand Pesos for work - enhancement trainings of Day Care Center (DCC) Workers shall likewise be allocated annually to be taken from the City's Development Fund and/or any other source of fund.

### **SECTION 2. OTHER ECCD PROGRAMS**

The City Mayor and the City Budget Officer shall likewise allocate annually the amount of at least P 1.5 Million Pesos necessary for the delivery or implementation of

other City ECCD Programs, including payment of honorariums to the DSSD Community Development Workers (CDWs) and other DSSD ECCD Workers. Said annual amounts shall be taken from the Development Fund, or General Fund, and/or any other source of fund.

The amount of P 500 Thousand Pesos shall likewise be allocated annually for the DSSD's institutional activities such as, but not limited to the following: (A) Day Care Center and Worker Recognition Program, (B) The Children's Month Celebration, (C) Family Week Celebration, (D) ECCD Week Celebration, (E) Most Child-Friendly Barangay or Government Agency / Business Establishment Recognition Program, (F) Nutrition Month Celebration, and such other DSSD annual programs or activities that may hereafter be established pursuant to this Ordinance and national laws. Said amount shall be taken from the City's IRA Development Fund or any other available source of fund.

### **SECTION 3. BARANGAY OR COMMUNITY SUPPORT**

This Ordinance shall not in any way prevent or diminish the support of the barangays, or the community, or private organizations by way of infrastructure, provision of facilities, materials and equipment, and granting of additional allowances for the City Day Care Center Workers and other City ECCD Workers.

## **ARTICLE IX. USER FEES**

### **SECTION 1. CONTRIBUTION OF PARENTS**

Parents' contribution for the participation of their children in the City's Day Care Service Program must not be more than P 30.00 Pesos monthly which shall be paid for the purpose of subsidizing the cost of program materials, maintenance of Day Care centers or facilities, and other Day Care activities.

Parents who cannot afford the said monthly contributions are encouraged to contribute their time and services in the management of ECCD programs.

### **SECTION 2. CITY TRUST FUND FOR USER FEES**

The parents' contribution or user fees mentioned in the preceding Section shall be paid to the City Treasurer of Bacolod City wherein said payment shall be properly receipted with the City's Official Receipt with the annotation of "Payment of User Fees" and the name of the Day Care Center, and the Purok and Barangay where it is situated.

The amounts so paid by the parents to the City Treasurer shall be deposited in the "DCC/ECCD Trust Fund" which shall be established and maintained by the City for this purpose.



## **SECTION 2.1 DISBURSEMENT OR WITHDRAWAL FROM THE TRUST FUND**

The City Treasurer, City Budget Officer and the DSSD shall devise a payment and disbursement scheme whereby the monthly user fee payments of parents for their children's participation in the City's Day Care Service Program are given back to the concerned Day Care Center within one (1) month following the month of payment.

The Day Care Center worker shall keep a photocopy of the said Official Receipts of the parents whose children are under their care for their recording and accounting purposes, and shall withdraw such exact amounts as paid by the parents from the City's Trust Fund, thru the Department of Social Services and Development (DSSD) upon the submission of a Program of Works duly recommended by the DSSD Branch Supervisor and DSSD Head and approved by the City Mayor.

## **ARTICLE X. BENEFITS**

### **SECTION 1. PREFERENCE IN CITY SCHOLARSHIP PROGRAMS**

All factors considered, a child of a DSSD Day Care Center Worker or other DSSD ECCD worker serving in the barangays for more than six (6) months shall be given preference in the selection of beneficiaries for the scholarship programs undertaken, now and thereafter, by the City under the auspices of the City Mayor's Office, or PESO and/or the Bacolod City College Provided however that all qualifications and requirements of such City Program are complied with and that each qualified ECCD Worker / Day Care Center Worker is entitled to only one child.

### **SECTION 2. PREFERENCE IN CITY INSURANCE AND INCENTIVE PROGRAMS**

All non-regular DSSD Day Care Center Workers and other City ECCD Workers serving in the barangays for more than six (6) months shall be given priority in the inclusion and coverage of any PhilHealth Insurance Program of the City of Bacolod or in any special protection or incentive program for barangay workers which may be established by the City Government.

Any insurance coverage or benefit that the said ECCD Worker or Day Care Center Worker may avail under the preceding paragraph shall be in addition to the insurance coverage granted by their National Federation of Day Care or ECCD Workers, or of the barangay unit, if any.



### **SECTION 3. NON-DIMINUTION OF BENEFITS**

This Ordinance shall not diminish or be a cause for the suspension or revocation of the grant of allowances, honorariums and other benefits given at present or in the future, or any increase thereof, to the ECCD Workers and Day Care Center Workers based in the barangays from the Barangay Units served, or from other public and private entities.

## **ARTICLE XI. MISCELLANEOUS PROVISIONS**

### **SECTION 1. APPLICABILITY OF NATIONAL LAWS & GUIDELINES**

In all other matters on the Day Care Service and ECCD Programs or its Workers not specifically provided herein, the provisions of R.A. No. 8972 (Barangay Level Total Development and Protection of Children Act) and R.A. No. 8980 (The Early Childhood Care and Development (ECCD) Act), and the Guidelines and Manuals for Day Care Centers and Workers issued by the Department of Social Welfare & Development shall govern.

### **SECTION 2. AWARDS / INCENTIVES**

The City of Bacolod, thru the City Council for the Protection of Children shall establish an award or incentives system/program to promote and encourage national government agencies and government owned and controlled corporations to provide Day Care Services for under-five children of their employees pursuant to Executive Order No. 340, and for private establishments to provide a nursery in the workplace pursuant to Title III, Chapter I, Article 132 of the Labor Code.

### **SECTION 3. 2004 ANNUAL BUDGET**

Upon the passage of this Ordinance, the City Mayor, Budget Officer, the DSSD Head shall see to it that the provisions of this Ordinance shall already be reflected and given the corresponding budgetary amounts in the 2004 Annual Budget of the City of Bacolod and every year thereafter.

### **SECTION 4. 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 hereof which are not affected thereby shall continue to be in full force and effect.

### **Section 5. EFFECTIVITY CLAUSE**

This Ordinance shall take effect immediately upon passage and approval thereof.

CARRIED BY THE VOTE OF

Affirmative:

Councilors: Archie S. Baribar, Roberto M. Rojas, Jude Thaddeus A. Sayson,  
Ana Marie V. Palermo, Jose H. Gabuat, Lyndon P. Caña, Elmer T.  
Sy, Bobbie S. Lucasan, Greg G. Gasataya, Reynold I. Iledan,  
Sonya M. Verdeflor, Arturo V. Parroño, Marx Louie S. de la Rosa.

Negative : None

Author : Councilor Ana Marie V. Palermo

Absent : None

Passed : November 20, 2003 (124<sup>th</sup> Regular Session)

Comments: Passed.  
Councilor Celia Matea R. Flor was out of the Session Hall when  
this ordinance was passed

**RAMIRO L. GARCIA, JR.**  
Vice Mayor  
Presiding Officer

*J* 12/1/03

ATTESTED:

**ATTY. NILO T. ALEJANDRINO**  
Secretary to the Sanggunian

APPROVED: December 2003

**LUZVIMINDA S. VALDEZ**  
City Mayor

NTA/HPLH:nyl **10 DAYS LAPSED**  
**AS OF 12/12/03**