



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 26TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN ON JANUARY 16, 2023 HELD AT THE SANGGUNIANG BAYAN SESSION HALL, HERMOSA, BATAAN

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

SANGGUNIANG PANLALAWIGAN
CAPITOL BATAAN

FIRST DISTRICT:

Hon. Antonino B. Roman III, J.D., LL.M., Board Member

Hon. Benjamin C. Serrano, Jr., Board Member

Hon. Jomar L. Gaza J.D., Board Member

RELEASED
RECORDS DIVISION
JAN 23 2023

SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member

Hon. Manuel N. Beltran, Board Member

Hon. Noel Joseph L. Valdecañas, Board Member

THIRD DISTRICT:

Hon. Romano L. Del Rosario, Board Member

Hon. Jorge S. Estanislao, M.D., Board Member

Hon. Angelito M. Sunga, Board Member

Hon. Roman Harold R. Espeleta, Board Member

Hon. Jovy Z. Banzon, Board Member (PCL President)

Hon. Doroteo M. Austria, Board Member (FABC President)

Hon. Precious D. Manuel, Board Member (SKF President)

ABSENT:

None

PROVINCIAL ORDINANCE NO. 01

Series of 2023

ORDINANCE INTEGRATING RESIDENT SENIOR CITIZENS AND PERSONS WITH DISABILITIES IN THE WORKFORCE OF THE PROVINCE OF BATAAN THROUGH CAPACITY-BUILDING, AND PROVISION OF INCENTIVES FOR EMPLOYERS.

AUTHORED AND SPONSORED BY:

HON. JOMAR L. GAZA J.D.

HON. NOEL JOSEPH L. VALDECAÑAS

WHEREAS, under the Philippine Constitution it is the policy of the State to promote a just and dynamic social order for the improvement of the total well-being of the elderly and their full participation in society;

WHEREAS, Republic Act No. 7432 (The Senior Citizens Act) and Republic Act No. 9994 (Expanded Senior Citizens Act of 2010) recognize the contributions of Senior Citizens to nation-building, and grant them benefits and special privileges;

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Provincial Governor

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WHEREAS, Republic Act No. 9994 provides that Senior Citizens, who have the capacity and desire to work or be re-employed, shall be provided information and matching services to enable them to be productive members of society;

WHEREAS, Republic Act No. 10911 (Anti-age Discrimination in Employment Act) prohibits discrimination on account of age;

WHEREAS, Republic Act No. 7277 (Magna Carta for Persons with Disability) and Republic Act No. 9442, which amends the same, provide for the rehabilitation, self-development and self-reliance of disabled persons and their integration into the mainstream of society;

WHEREAS, Republic Act No. 10754 (Act Expanding The Benefits and Privileges of Persons With Disability) provides Persons with Disability with expanded benefits and privileges;

WHEREAS, the integration of Senior Citizens and Persons with Disability into the workforce of the Province will not only benefit them, but will also improve the lives of their family and community;

NOW THEREFORE, be it ordained, as it is hereby ordained, by the Sangguniang Panlalawigan in session assembled that:

Section 1. Title - This ordinance shall be known as the "Bataan Senior Citizens and PWDs Workforce Integration Ordinance".

Section 2. Declaration of Policy and Objective - It is the policy of the Province of Bataan to provide full support for the improvement of the total well-being of Senior Citizens and Persons with Disability (PWD), and their full participation in society. In accordance with this policy, it is the objective of this ordinance to maximize and strengthen their job opportunities by penalizing discrimination, implementing capacity-building programs, and providing incentives for compliant employers.

Section 3. Definition of Terms - For the purpose of this Ordinance, these terms are defined as follows:

- a. Senior Citizen - refers to any Filipino citizen who is a resident of the Philippines, and who is at least sixty (60) years old;
- b. Person with Disability (PWD) - refers to those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full effective participation in society on an equal basis with others.

Section 4. Coverage - This Ordinance shall cover all Senior Citizens and PWDs who are residents of the Province of Bataan, and all private business establishments and government agencies within the Province.

Section 5. Prohibition - It shall be unlawful for private business establishments and government agencies to refuse employment to Senior Citizens and PWDs who are possessed with mental and/or physical fitness necessary for the nature of work being applied for, solely on account of their being a senior citizen or PWD.

Section 6. Proof of Mental or Physical Fitness - For purposes of the immediately preceding provision, Senior Citizens and PWDs shall submit, along with the other documents being required by a potential employer, a valid Senior


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Citizen or PWD Identification (ID) Card. If the nature of the job applied for would require, a medical certificate showing mental or physical fitness as to the work being applied for may also be submitted.

Section 7. Trainings and Capacity Building - The Provincial Government of Bataan (PGB), through the Public Employment Service Office (PESO) and other relevant offices, shall come up with trainings and other capacity-building programs and activities for Senior Citizens and PWDs which would enhance and strengthen their capacity and qualifications for employment. PESO shall seek the assistance of relevant National Government Agencies for this purpose, and shall likewise explore tie-ups and collaborations with non-governmental organizations and private companies.

Section 8. Recognition and incentives - The Provincial Government of Bataan shall formally recognize private business establishments and government agencies fully complying with the provisions of this Ordinance and related laws. Incentives shall also be given to private business establishments and government agencies which will engage Senior Citizens and PWDs. The implementing offices, as herein below identified, shall come up with the mechanics for the determination of recipients, incentives to be given, and the other details regarding the grant thereof.

Section 9. Implementing Offices - The Office for the Senior Citizens Affairs, Social Welfare and Development Office, and PESO, shall monitor the implementation of this Ordinance in accordance with their respective office mandates. The said offices, in coordination with the Provincial Legal Office, shall come up with Implementing Rules and Regulations for this Ordinance, especially as to the implementation of Sections 7 and 8 of this Ordinance.

Section 10. Penalties - The following penalties shall be imposed for any violation of the provisions of this Ordinance:

First Offense	PhP 2,000.00 fine
Second Offense	PhP 3,000.00 fine
Third and Succeeding Offenses	PhP 5,000.00 fine

The above penalties shall be without prejudice to the government's option to file other actions, in addition or in the alternative, in accordance with other existing laws, rules and regulations.


Section 11. Repealing Clause - All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 12. Separability Clause - If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions thereof.

Section 13. Effectivity Clause - This Ordinance shall take effect immediately upon compliance with the requirements of the relevant provision of Republic Act No. 7160.

UNANIMOUSLY ENACTED this 16th day of January 2023.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


JOSE ENRIQUE S. GARCIA III
Provincial Governor



ATTY. MARK LORENZ C. QUEZON
Secretary to the Sangguniang Panlalawigan



ANTONINO B. ROMAN III, J.D., LL.M
Board Member



MARIA MARGARITA R. ROQUE
Board Member



BENJAMIN C. SERRANO, JR.
Board Member



MANUEL N. BELTRAN
Board Member



JOMAR L. GAZA J.D.
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NOEL JOSEPH L. VALDECAÑAS
Board Member



ROMANO L. DEL ROSARIO
Board Member



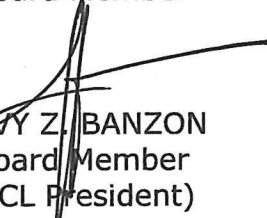
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Board Member



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Board Member



ROMAN HAROLD R. ESPELETA
Board Member



JOVY Z. BANZON
Board Member
(PCL President)



DOROTEO M. AUSTRIA
Board Member
(FABC President)



PRECIOUS D. MANUEL
Board Member
(SKF President)

ATTESTED:



MA. CRISTINA M. GARCIA
Vice Governor & Presiding Officer

APPROVED:



JOSE ENRIQUE S. GARCIA III
Provincial Governor
Date: 01-23-2023

