ORDINANCE NO. 2020.125

AN ORDINANCE APPROPRIATING THE AMOUNT OF SIXTY-ONE MILLION EIGHT HUNDRED SEVENTY-NINE THOUSAND THREE HUNDRED SEVENTY PESOS 96/100 (P61,879,370.96) AS SUPPLEMENTARY BUDGET FOR THE PERSONAL SERVICE OF ENTRY LEVEL NURSE IN THE CITY GOVERNMENT OF MUNTINLUPA IN VIEW OF BUDGET CIRCULAR NO. 2020-4 DATED JULY 17, 2020

WHEREAS, the City Government of Muntinlupa has already allocated the amount of Two Hundred Thirty-Seven Million Six Hundred Twenty-Three Thousand Nine Hundred Eighty-One Pesos 74/100 (P237,623,981.74) for its Nurse I position incorporated in the Personal Service (PS) for 2020 Budget, including that of the Local Economic Enterprise;

WHEREAS, the Department of Budget and Management (DBM) has issued Budget Circular No. 2020 – 4, dated 17th July 2020 the subject of which is the Upgrading of the Entry Level of Nurse Positions, in compliance to Section 32 of Republic Act (R.A) No. 9173 or the Philippine Nursing Act of 2002, which provides a minimum base pay of not lower than Salary Grade (SG) – 15 for nurses working in the public health institutions;

WHEREAS, Budget Circular No. 2020 – 4, dated 17th July 2020 was in response/compliance of the DBM to the Decision of the Supreme Court of the Philippines in “Ang NARS Party-List, et.al. vs The Executive Secretary, et.al.” (G.R No. 215746) which upheld the validity of Section 32 or R.A No. 9173, which decision has become final and executory on December 13, 2019;

WHEREAS, the City Government of Muntinlupa still apply SG-11 for its Nurse I position, entry level;
Ordinance No. 2020-125

WHEREAS, the City Government of Muntinlupa have employed nurses and designated to the following:

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>NUMBER OF NURSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Health Office</td>
<td>20</td>
</tr>
<tr>
<td>Field</td>
<td>11</td>
</tr>
<tr>
<td>Different Schools</td>
<td>24</td>
</tr>
<tr>
<td>Ospital ng Muntinlupa</td>
<td>212</td>
</tr>
</tbody>
</table>

WHEREAS, it is imperative in view of the DBM Budget Circular No. 2020 – 4, dated 17th July 2020, for the City Government of Muntinlupa to implement the necessary budgetary allocation for the entry level of nurse position in its plantilla items—and consequently to supplement the existing budgetary provisions for the said position that would reflect in its Personnel Service;

WHEREAS, there is need to approved the supplementary budget amounting to Sixty-One Million Eight Hundred Seventy-Nine Thousand, Three Hundred Seventy Pesos and 96/100 (P61,879,370.96), chargeable to the Personnel Service, in its 2020 Budget in order for the City Government of Muntinlupa to comply with the aforesaid Budget Circular:

NOW THEREFORE BE IT ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa in Session assembled that:

SECTION 1. Short Title – This ordinance shall be known as the Supplementary Budget for the Personal Service of entry level Nurse in the city government of Muntinlupa in view of Budget Circular No. 2020-4 dated July 17, 2020.

SECTION 2. The Nurse I with entry of Salary Grade – 11 (Php22,316.00/month) shall be adjusted to Salary Grade – 15 (Php32,053.00/month) as entry level for any nurse position in the City Government of Muntinlupa, except nurses hired without employee-employer relationship and funded from non-Personnel Services appropriations/budgets, to take effect beginning January of this year.

SECTION 3. The salaries of the incumbent Nurse I (Php22,316.00/month) positions shall be adjusted at the same salary steps as those of the previous SG allocation of their positions.

SECTION 4. The new salary rates shall be in accordance with the applicable Salary Schedule adopted by the City Government of Muntinlupa pursuant to the provisions of Item 6.5 of Local Budget Circular No. 121 (Implementation of the First Tranche of the Modified Salary Schedule for Local Government Personnel Pursuant to R.A No. 11466) dated January 24, 2020.

SECTION 5. The subject upgrading of positions is not within the purview of Section 325 (f) of R.A No. 7160 which provides that: “No changes in designation or nomenclature of positions resulting in a promotion or demotion in rank of increase or decrease in compensation shall be allowed, except when the position is actually vacant x x x.”
SECTION 6. The City Human Resources Management Department (CHRMD) thru its Head of Office, shall prepare the Notices of Position Allocation and Salary Adjustment (NPASA) and issue it to each employee concerned. The Government Service Insurance System shall be furnished a copy of the NPASA if the employee is a member thereof. Other administrative procedures shall be performed by the CHRMD in compliance with the Budget Circular No. 2020 – 4, dated 17th July 2020.

SECTION 7. The salary adjustments herein shall be subject to review and post audit, and to appropriate re-adjustment if found not in order. The recipient employees shall refund any overpayments received.

SECTION 8. Separability Clause. If for any reason or reasons any part or provisions 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 9. Repealing Clause. All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION 10. Effectivity Clause. This ordinance shall take effect after its approval.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 1st day of September 2020, on its 60th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEVES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member
DISTRICT 2

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(COLSENT)
COUN. MA. DHERISREE G. AREVALO
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. WALTER A. ARCILLA
Member

COUN. CORNELIO M. MARTINEZ
Member

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA O. LAZARTE
Secretary to the Sangguniang

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 02 SEP 2020

Norie/9th SP