



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 45

11TH CITY COUNCIL

Begun and held in the City Council on Monday,
the first day of July, Two Thousand Nineteen

ORDINANCE NO. 8598

AN ORDINANCE MANDATING FAST FOOD CORPORATIONS TO PROVIDE TEMPORARY EMPLOYMENT TO QUALIFIED SENIOR CITIZENS, DIFFERENTLY ABLED AND PERSONS WITH DISABILITY RESIDENTS OF THE CITY OF MANILA, AS PART OF THE SOCIAL AMELIORATION PROGRAM OF THE CITY

PRINCIPAL AUTHORS: **HON. JOEL R. CHUA**, Majority Floor Leader, HON. PRISCILLA MARIE T. ABANTE-BARQUIA, HON. JOEL "JTV" VILLANUEVA, HON. IRMA C. ALFONSO-JUSON, HON. ERICK IAN O. NIEVA, HON. NUMERO G. LIM, HON. MOISES T. LIM, HON. MACARIO M. LACSON, HON. DARWIN B. SIA, HON. EDWARD M. TAN, HON. ROMA PAULA S. ROBLES-DALUZ, HON. MA. THERESA F. BUENAVENTURA-QUIMPO, HON. TERRENCE F. ALIBARBAR, HON. PAMELA "FA" G. FUGOSO-PASCUAL, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. MANUEL M. ZARCAL, HON. LOUISITO N. CHUA, HON. WARDEE P. QUINTOS XIV, HON. SCIENCE A. REYES, HON. JOEY S. HIZON III, HON. SALVADOR PHILIP H. LACUNA, HON. JOEL M. PAR, HON. LEILANI MARIE H. LACUNA and HON. ERNESTO C. ISIP, JR., President Pro-Tempore



PREAMBLE

WHEREAS, the 1987 Philippine Constitution under Article XIII, Section 11, thereof, provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable costs and prioritizing the elderly, disabled, women and children;

WHEREAS, the aforesaid provision of the Constitution treats the elderly and disabled as similarly situated in terms of being afforded essential goods, health and other social services in accordance with their needs;

WHEREAS, the City of Manila, likewise, recognizes the invaluable role of the senior citizens, differently abled and persons with disability in the development of the City given the opportunity to be productive members of the society;

WHEREAS, there is a need to provide equal job opportunities to our senior citizens, differently abled and persons with disability to be able to be a productive members of the society;

WHEREAS, in Section 458(a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Panlungsod is empowered to approve legislation that shall provide for general care of its inhabitants, particularly the senior citizens, the differently abled and persons with disability;

WHEREAS, the same Code empowers the City Government to adopt measures that will ensure the protection of the social, moral, intellectual welfare of its inhabitants:
NOW, THEREFORE,

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. TITLE OF THE ORDINANCE. – This Ordinance shall be known as **“AN ORDINANCE MANDATING FAST FOOD CORPORATIONS TO PROVIDE TEMPORARY EMPLOYMENT TO QUALIFIED SENIOR CITIZENS, DIFFERENTLY ABLED AND PERSONS WITH DISABILITY (PWD) RESIDENTS OF THE CITY OF MANILA, AS PART OF THE AMELIORATION PROGRAM OF THE CITY”**.

SEC. 2. DEFINITION. – As used in this Ordinance, the following words, terms and phrases shall be defined as follows:

- a. **FAST FOOD** – refers to types of food that can be prepared and served very quickly. They are characterized as easy to prepare, accessible and cheap alternatives to home-cooked meals.
- b. **FAST FOOD CORPORATIONS** – also known as Quick Service Restaurants, serve fast food as defined above to customers packaged for immediate consumption, either on or off the eating premises. Fast food customers normally order at the counter and pay before eating. For purposes of this Ordinance, Food Corporations included in this Ordinance are those Fast Food Corporation operating within the City of Manila that has at least ten (10) branches.
- c. **SENIOR CITIZEN OR ELDERLY** – refers to any resident of the City of Manila who are at least sixty (60) years of age who are still able to perform tasks without harm to others or themselves.

P

J

- d. DIFFERENTLY ABLED PERSON – proposed as a substitute for “disabled” or “handicapped” and it emphasizes the fact that many people with disabilities are quite capable of accomplishing or performing a particular task and function only in a different manner or taking more time and effort than people without the disability in question.
- e. PERSONS WITH DISABILITY (PWD) – are those suffering from restriction or different abilities as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for human being.
- f. CSWDO – refers to the City Social Welfare and Development Office and headed by the City Social Welfare Officer.

SEC. 3. BENEFICIARY OF THIS ORDINANCE. – The following persons are entitled to be considered for temporary employment under this Ordinances, to wit:

- a. Senior Citizens
- b. Differently abled persons
- c. Persons with Disability

SEC. 4. EMPLOYMENT. – The Fast Food Corporations included in this Ordinance shall be mandated to provide for temporary employment of not more than six (6) months to qualified senior citizens, differently abled persons and persons with disability (PWD). Each branch of the Fast Food Corporations under this Ordinance shall give temporary employment to at least two (2) Senior Citizens and one (1) PWD with a salary of at least the minimum wage provided under the Labor Code and with a minimum four (4) hours work for at least four (4) days each working week.

PROVIDED, that the senior citizens, differently abled persons and persons with disability will not be assigned to perform tasks that are hazardous to their health or beyond their physical limitations or capabilities.

PROVIDED FURTHER, that their employment will not be covered by the provisions and benefits provided by the Labor Code.

SEC. 5. OTHER PROVISIONS. – Upon approval of this Ordinance, a Technical Working Group shall be formed to come up with the Implementing Rules and Regulations for the implementation of this Ordinance.

SEC. 6. SEPARABILITY CLAUSE. – If any provision of this Ordinance or the application of such provision to other persons or circumstances is declared invalid, the provisions thereof not affected thereby shall remain in full force and effect.

SEC. 7. REPEALING CLAUSE. – All ordinances, resolutions, executive orders, rules and regulations, and other issuances or parts thereof found to be inconsistent with the provisions of this Ordinance are hereby repealed, modified or amended accordingly.


SEC. 8. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon its approval and after publication in a newspaper of general circulation.

This Ordinance was finally enacted by the City Council of Manila on February 3, 2020.


N

J

PRESIDED BY:



MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:



LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON _____

FEB 27 2020


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITO C. ANG
City Government Department Head III
(Secretary to the Mayor)

RNF: jhb/acl/rmd/jmt/jrp