



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 103

11TH CITY COUNCIL

Begun and held in the City Council on Monday,
the fourth day of January, Two Thousand Twenty-One

ORDINANCE NO. 8718

AN ORDINANCE AUTHORIZING THE GRANT OF GRATUITY PAY TO CONTRACT OF SERVICE AND JOB ORDER WORKERS OF THE CITY GOVERNMENT PURSUANT TO ADMINISTRATIVE ORDER NO. 38 FOR CALENDAR YEAR 2020 AND PROVIDING FUNDS THEREFOR IN THE AMOUNT OF TWENTY-NINE MILLION EIGHT HUNDRED EIGHTY-THREE THOUSAND PESOS (PHP. 29,883,000.00) AND FOR OTHER PURPOSES

SPONSORED BY:

HON. JOEL R. CHUA
Majority Floor Leader

10



PREAMBLE

WHEREAS, on 28 December 2020, President Rodrigo Roa Duterte issued Administrative Order (AO) No. 38, Series of 2020, authorizing the grant of gratuity pay to contract of service and job order workers of the government for Fiscal Year (FY) 2020,

WHEREAS, as mentioned in AO No. 38, Contract of Service (COS) and Job Order (JO) "workers in the government are paid salaries/wages equivalent to the daily salaries/wages of comparable positions in government and a premium of up to 20% of such salary/wage. However, they do not enjoy benefits accorded to government employees such as the Personnel Economic Relief Allowance, Mid-Year and Year-End Bonuses and Performance-Based Bonus among others, considering that they have no employer-employee relationship with the government";

WHEREAS, with the aforesaid situation and in the midst of a global pandemic, the grant of a year-end Gratuity Pay to COS and JO workers is a well-deserved recognition of their hard work and dedication to the City;

WHEREAS, Section 5 of AO No. 38 states that "LGUs are encouraged to adopt in their respective offices the grant of Gratuity Pay to workers whose services are engaged through COS and JO, utilizing appropriate and available funding sources from their respective local government funds";

WHEREAS, Section 336 of the Local Government Code, provides that: "Funds shall be available exclusively for the specific purpose for which they have been appropriated. No ordinance shall be passed authorizing any transfer of appropriations from one item to another. However, the local chief executive or the presiding officer of the sanggunian concerned may, by ordinance, be authorized to augment any item in the approved annual budget for their respective offices from savings in other items within the same expense class of their respective appropriations";

WHEREAS, earlier today, the local legislative body approved Resolution No. 36 Series of 2020, adopted by the Executive Committee of the City Development Council on 29 December 2020, entitled: A RESOLUTION APPROVING THE AMENDMENT OF THE ANNUAL INVESTMENT PROGRAM AND THE ISSUANCE OF A SUPPLEMENTAL INVESTMENT PROGRAM FOR FY 2020 FOR THE GRANT OF GRATUITY PAY TO CONTRACT OF SERVICE AND JOB ORDER WORKERS OF THE CITY GOVERNMENT OF MANILA PURSUANT TO ADMINISTRATIVE ORDER NO. 38 FOR CALENDAR YEAR 2020. NOW, THEREFORE,

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


SECTION 1. Gratuity Pay. – The grant of the one-time gratuity pay for FY 2020 not exceeding Three Thousand Pesos (PhP 3,000.00) to job order and contract of service personnel of the City Government is hereby authorized subject to the conditions under AO No. 38 s. 2020.

SEC. 2. Fund Source. – The Gratuity Pay in the total amount of Twenty-Nine Million Eight Hundred Eighty-Three Thousand Pesos (PhP. 29,883,000.00) shall be funded by augmenting the Special Activities Fund - Maintenance and Other Operating Expenses (MOOE) from available savings under the FY 2020 Annual Appropriations Ordinance, detailed under Annex "A", for Statement of Funding Sources (LBP Form No. 8), and Annex "B", for Statement of Budgetary Requirement (LBP Form No. 9), which are attached and made an integral part hereof.


SEC. 3. Effectivity Clause. – This Ordinance shall have a retroactive effect as of December 29, 2020 to immediately implement AO No. 38 issued on December 28, 2020

This Ordinance was finally enacted by the City Council of Manila on January 4, 2021.


PRESIDED BY


MARIA SHEILAH "Honey" LAQUINA-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 JAN 06 2021


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


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

RNF rrb/rmd/jmt/yp