

BEFORE THE 4th CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 95th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD AT THE SP SESSION HALL ON MAY 25, 2009.

PRESENT:

HON. ALLAN L. RELLON, MPA,	City Vice Mayor	(Presiding Officer)
HON. ROBERT L. SO,	Member	
HON. DE CARLO L. UY,	Member	
HON. RAYMOND JOEY D. MILLAN,	Member	
HON. VICENTE C. ELIOT, SR.,	Member	
HON. ALAN D. ZULUETA,	Member	
HON. NICANDRO T. SUAYBAGUIO, JR.	Member	
HON. REYNALDO T. SALVE,	Member	
HON. FRANCISCO C. REMITAR,	Member	
HON. ALFREDO R. PAGDILAO,	Member	(ABC Representative)
HON. CYRIL LEONARD L. MURING	Member	(SKF Representative)

ON LEAVE:

HON. MARIA LINA F. BAURA, CPA	Member
HON. JOEDEL T. CAASI,	Member

CITY ORDINANCE NO. 355, s-2009

AN ORDINANCE GRANTING FINANCIAL AND/OR BURIAL ASSISTANCE TO EMPLOYEES OF THE CITY GOVERNMENT OF TAGUM IN CASES OF HOSPITALIZATION AND DEATH.

BE IT ENACTED by the Sangguniang Panlungsod of Tagum City in session assembled, that:

SECTION 1. POLICY. It is the policy of the City Government of Tagum to ensure that the employees' welfare and benefits are always upheld and safeguarded; hence, the City is extending not only moral but also financial and burial assistance during unforeseen and unavoidable events, such as sickness, injury, accident and death.

SECTION 2. OBJECTIVES. This Ordinance aims to give financial assistance to city government employees in cases of hospitalization and/or to the immediate family in the event of death of an employee.

SECTION 3. DEFINITION OF TERMS:

- a. "**CITY**" shall refer to the CITY GOVERNMENT OF TAGUM;
- b. "**HRMO**" shall refer to the Human Resource Management Office of the City Government of Tagum;
- c. "**EMPLOYEE**" shall refer to a person holding a Regular or Casual appointment and hired by the City Government of Tagum. The term shall also include persons hired by the City on a Contract of Service or Job Order basis;
- d. "**INJURY**" means bodily injured which:
 - (i) is sustained while employed in the City Government of Tagum;
 - (ii) is caused solely by external, violent and accidental means and independent of any other cause including internal injuries as a result of the external injury.
- e. "**SICKNESS**" refers to the health disorder or unsound physical condition due to specific disease/symptom as certified by a physician and results to Hospital Confinement
- f. "**ACCIDENT**" means any unintentional act or unforeseen, unusual or unexpected event which directly causes an injury;
- g. "**DEATH**" means the cessation of life;
- h. "**HOSPITAL**" means any public or private institution license by the Department of Health as a hospital.

"Hospital" does not include any institution or that section of any institution which is operated as a convalescent or nursing home, rest home for the aged, a place for custodial care, or for any similar purpose;

- i. "**HOSPITAL CONFINEMENT**" means confinement in a Hospital as a patient for the treatment of injury or sickness and which is recommended by a Physician;
- j. "**PHYSICIAN**" means a person who is legally licensed to practice medicine and/or surgery;
- k. "**BENEFICIARY**" refers to the Employee's legal surviving spouse, his legitimate and/or illegitimate children, parents, brothers or sisters, IN THE ORDER PROVIDED.

In the absence of all the foregoing, "Beneficiary" shall refer to the Employee's nearest of kin.

SECTION 4. COVERAGE

1. FINANCIAL ASSISTANCE. Regardless of whether work-related or not in the event that an Employee shall become incapacitated for work and be confined in a hospital due to sickness/injury or accident and is in need of medical attendance, the CITY shall extend financial assistance to help cover the amount of medicines prescribed by the physician and other incidental costs thereto.

The amount of financial assistance shall depend on the incapacity suffered by the employee or the medical attendance required and shall be in accordance with the following rules:

- i. The CITY shall extend financial assistance in the amount of TEN THOUSAND PESOS (P 10,000.00), Philippine Currency, if the employee shall have lost an eye, a hand, a foot, an arm, or a leg or shall have lost the use of any such member, or shall have become incapacitated for the work in which he has therefore habitually engaged; or shall have become deformed, or shall have lost any part of his body, or shall have lost the use thereof, or shall have been ill or incapacitated for the performance of the work in which he was habitually engaged for a period of thirty (30) days or more;
- ii. The CITY shall extend financial assistance in the amount of FIVE THOUSAND PESOS (P 5,000.00), Philippine Currency, if the employee shall become incapacitated for labor/work for fifteen (15) days or more, or shall require medical attendance for the same period;
- iii. The CITY shall extend financial assistance in the amount of THREE THOUSAND PESOS (P 3,000.00), Philippine Currency, if the employee shall become incapacitated for labor/work from five (5) to fourteen (14) days or shall require medical attendance during the same period;
- iv. The CITY shall not extend financial assistance to an employee covered under the **Civil Service Commission and Department of Budget and Management's Joint Circular No. 01, series of 2006 regarding Guidelines for Availing of the Rehabilitation Privilege.**

The FINANCIAL ASSISTANCE mentioned above shall be availed only once a year per Hospital Confinement due to the same sickness/injury or accident. Proper recording and control shall be done by the Human Resource Management Office (HRMO).

2. BURIAL ASSISTANCE. Regardless of whether the cause of death is work-related or not, in the event of death of an employee, the legitimate beneficiary/ies shall be entitled to receive TEN THOUSAND PESOS (P 10,000.00) as Burial Assistance from the CITY;

SECTION 5. PROCESSING OF CLAIMS. In the event of Hospital Confinement or Death of an Employee, the Head of Department concerned shall immediately notify the Human Resource Management Office regarding such circumstance.

The HRMO shall thereafter assist the Department Head concerned, the employee's immediate family and/or beneficiary on processing of the Claim.

A. In the case of CLAIMS FOR FINANCIAL ASSISTANCE, the following are required:

1. Proofs of Hospitalization such as the original copy or certified true copy of the Medical Certificate or Certificate of Confinement completely accomplished by the attending Physician. In the event that the attending physician is a private doctor, a certification/recommendation from a government Physician must be obtained;
2. Certification by the Department Head concerned stating that the person confined is an employee of the CITY and is rendering services under the said Department/Office. The said certification must include therein the cause of confinement and/or the time and place of accident, and what the employee was doing at the place and time of accident;
3. Police Report regarding the alleged accident, if confinement was due to an accident; and,
4. Such other documents that may be deemed necessary.

B. In the case of CLAIMS FOR BURIAL ASSISTANCE, the following are required:

1. Certification by the Department Head concerned that the deceased is employed by the CITY and is assigned in his Office at the time of death;
2. Certified True Copy of the Death Certificate of the deceased;
3. Sufficient identification and proof of relationship of the claimant and/or beneficiary and the Marriage Contract shall be presented by the surviving spouse, if the deceased is married; and,
4. Such other documents that may be deemed necessary.

SECTION 6. TO WHOM PAYABLE. The assistance, if any, shall be payable to the employee, if alive. Otherwise, it shall be given to the latter's Beneficiary, in the order of preference enumerated in SECTION 3, paragraph k hereof, but only after presentment of satisfactory proof, such as, but not limited to the Certificate of Live Birth of the deceased, Identification of the Beneficiary or the Marriage Contract if applicable.

SECTION 7. EXCLUSIONS. The CITY shall not render any Assistance for Injury, Hospital Confinement or Death caused or resulting from, whether directly or indirectly, wholly or partly:

- a. by intentionally self-inflicted injury, suicide or attempt thereof;
- b. while under the influence of prohibited drugs;
- c. while in any attempted commission of, or willful participation by the Employee in any crime punishable by any prevailing law or ordinance EXCEPT crimes of Reckless Imprudence as defined in Article 365 of the Revised Penal Code.

SECTION 8. SOURCE OF FUNDS. For the implementation of this Ordinance, a budget of at least **THREE HUNDRED THOUSAND PESOS (P 300,000.00)** from the Human resource Management Office shall be appropriated annually under the Financial/Medical Fund.

Such budget may be increased or augmented as may be necessary, subject to an appropriation ordinance.

SECTION 9. SEPARABILITY CLAUSE. Should any provision of this Ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, those parts that are not so declared shall remain in full force and effect.

SECTION 10. REPEALING CLAUSE. Any previous Ordinance/s or parts thereof, which are inconsistent with this Ordinance are hereby Repealed or superseded accordingly.

SECTION 11. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon approval.

CARRIED AND APPROVED

ENACTED AND PASSED this 25th day of May, 2009.

I HEREBY CERTIFY to the correctness of the foregoing.

(Sgd) **REY A. BUHION**
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**

(Sgd) **ALLAN L. RELLON, MPA**
City Vice Mayor
(Presiding Officer)

APPROVED:

(Sgd) **REY T. UY**
City Mayor

fname:CO35509
*ffm****