

EXCERPT FROM THE MINUTES OF THE 113TH REGULAR SESSION OF THE 4TH SANGGUNIANG PANLUNGSOD (SP) HELD AT SP SESSION HALL, LEGISLATIVE BUILDING, EAST POBLACION, CITY OF NAGA, CEBU ON SEPTEMBER 29, 2021.

PRESENT:

HON. VIRGILIO M. CHIONG	- Vice Mayor /Presiding Officer
HON. JUSTINO L. DAKAY	- Majority Floor Leader
HON. SCOTT JUVENAL A. CHIONG	- Assistant Majority Floor Leader/Liga ng mga Barangay President
HON. AURELIO B. ALINSONORIN	- Sangguniang Panlungsod Member
HON. AFSHIN MARK K. SEÑOR	- Sangguniang Panlungsod Member
HON. CHARMAINE R. NAVARRO	- Sangguniang Panlungsod Member
HON. PORFERIO V. RESABA, JR.	- Sangguniang Panlungsod Member
HON. DOMINADOR A. LIBOR	- Sangguniang Panlungsod Member
HON. LUZMINDA R. LAPITAN	- Sangguniang Panlungsod Member
HON. LETECIA F. ABANGAN	- Sangguniang Panlungsod Member
HON. RAY A. MANABAT	- Sangguniang Panlungsod Member
HON. CLINT ISIDRO A. CHIONG	- Sangguniang Panlungsod Member
HON. JHUN MARK T. SISMAR	- SK Federation President

ORDINANCE NO. 2021-78

Hon. Luzminda R. Lapitan - Sponsor
Chairperson, Committee on Public Health and Sanitation

ADOPTING THE MODIFICATION OF NURSE POSITIONS PURSUANT TO DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) BUDGET CIRCULAR NO. 2021-2

EXPLANATORY NOTE

DBM Budget Circular (BC) No. 2020-4 dated July 17, 2020 sets the rules and regulations on the upgrading of the entry-level of Nurse Positions, pursuant to Section 32 of Republic Act (RA) No. 9173 or the Philippine Nursing Act of 2002, which provides the minimum base pay of not lower than Salary Grade (SG) -15 for nurses working in the public health institutions..

The issuance of BC No. 2020-4 was DBM's response 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 RA No. 9173 and deemed it final and executory on December 13, 2019.

On June 01, 2021, the Office of the President (OP), per Memorandum of the Executive Secretary, directed the DBM to upgrade the SG of Nurse II from SG 15 to SG 16 as well as the retention of the position title of Nurse III to Nurse IV with their corresponding SG assignments.

A separate Memorandum from the OP dated August 12, 2021 clarifies that the upgrading of the former Nurse II positions shall apply to those covered under item 3.0 of BC No. 2020-4, and shall be effective June 1, 2021.

Meanwhile, BC No. 2021-2 likewise prescribes the rules and regulations of the entry-level of Nurse Positions and highlights the administrative procedures relative to the consequential modification in the position attributes of the Nurse items

In view of this DBM circular, it is incumbent upon this August Body to enact an ordinance adopting and implementing the adjustments of the positions and corresponding salaries of the abovementioned Nurse items.

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in a session duly assembled, that:

(Handwritten signatures and initials are present at the bottom of the page, including a large signature on the left and several smaller ones on the right.)

SECTION 1. TITLE. This Ordinance shall be known as **“ADOPTING THE MODIFICATION OF NURSE POSITIONS PURSUANT TO DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) BUDGET CIRCULAR NO. 2021-2.”**

SECTION 2. ADOPTION. In accordance with the DBM Budget Circular No 2021-2 dated August 25, 2021, the position attributes of the following classes of Nurse Positions are hereby adopted:

PRIOR TO BC NO. 2020-4		BC NO. 2020-4 JANUARY 1, 2020		PER OP DIRECTIVE DATED JUNE 1, 2021		REMARKS
Position Title	SG	Position Title	SG	Position Title	SG	
Nurse I	11	Nurse I	15	Nurse I	15	Upgrading the SG allocation of the former Nurse II-SG-15 position by one (1) SG higher
Nurse II	15	Nurse I	15	Nurse II	16	
Nurse II	17	Nurse II	15	Nurse III	17	

SECTION 3. COVERAGE. The upgrading of the salary covers all Nurse Positions, whether regular, casual, or contractual in nature, full time or part time, now existing or hereafter created in the national government agencies (NGAs), including SUCs and GOCCs, and in local government units (LGUs), as provided under RA No. 6758 or the “Compensation and Position Classification Act of 1989,” as amended.

SECTION 4. SALARY ADJUSTMENT. The amount required to implement the salary adjustment in view of the upgrading of the abovementioned Nurse Positions shall be charged exclusively to the funds of this LGU, subject to the personal services (PS) limitation pursuant to Section 325(a) of RA 7160 otherwise known as the Local Government Code of 1991

SECTION 5. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Ordinance is declared invalid or unconstitutional, the other sections or provisions not affected thereby shall remain valid and subsisting.

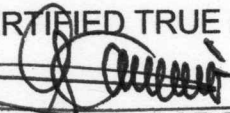
SECTION 6. REPEALING CLAUSE. All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 7. EFFECTIVITY. This Ordinance shall take effect upon approval and compliance with all the pertinent requirements as mandated by law.


ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU, in its Regular Session held on the 29th day of September 2021.

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CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
 Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
 Vice Mayor/Presiding Officer

APPROVED BY:


KRISTINE VANESSA T. CHIONG
 City Mayor