

ORDINANCE NO. 22-001 S. 2025

**AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION
AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH
DISABILITY IN THE CITY OF BATANGAS**

AUTHOR: SP MEMBER HAMILTON G. BLANCO
CO-AUTHOR: SP MEMBER NESTOR DIMACUHA

First Reading : August 16, 2022 - Resolution No. 22-220 S. 2022

Concerned Committees: Joint Committees on Senior Citizens and Persons with Disabilities and on Labor and Employment

Committee Hearing: September 20, 2022

Committee Report: December 12, 2024 – Resolution No. 22 – 709 S. 2024

Second Reading: _____

Final Reading: January 6, 2025 – Resolution No. 22 – 002 S. 2025

Ordinance No. Ordinance No. 22-001 S. 2025

Date Enacted: January 06, 2025

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Sangguniang Panlalawigan January 17, 2025

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JAYVEE V. ESPERRA
LOCAL LEGISLATIVE STAFF
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Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304



ORDINANCE NO. 22-001 S. 2025

AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS

AUTHOR : SP MEMBER HAMILTON G. BLANCO
CO-AUTHOR : SP MEMBER NESTOR E. DIMACUHA

WHEREAS, it is declared in the 1987 Constitution that the State must promote a just program for the improvement of the total well-being of the elderly and their participation in society, considering that the Senior Citizens are an integral part of Philippine society;

WHEREAS, to support the fundamental law of the land, the Philippine Congress enacted Republic Act No. 9994 or the Expanded Senior Citizens Act which provides that Senior Citizens (SCs), who have the capacity and desire to work or be re-employed, shall be provided information and matching services to enable them to be productive members of society;

WHEREAS, the Philippine Congress enacted Republic Act No. 7277, as amended by Republic Act No. 9442, otherwise known as the Magna Carta for Disabled Persons is an Act Providing Rehabilitation, Self-Development, and Self-Reliance for Disabled Persons and their Integration into the Mainstream of Society and for Other Purposes;

WHEREAS, both the Expanded Senior Citizen Act and the Magna Carta for Disabled Persons recognize the important role of the private sector in the improvement of the well-being of senior citizens to actively seek their partnership, and promoting the welfare of disabled persons, which shall encourage partnerships in programs that address their needs and concerns, respectively;

WHEREAS, an important part of maintaining the active participation of Senior Citizens (SCs) and Persons with Disability (PWDs) in the development of society is through their continued involvement and participation in the workforce. After retirement, Senior Citizens should be able to continue with income-generating work for as long as they want and for as long as they can do so productively, while Persons with Disability should be given equal opportunities for suitable employment;

WHEREAS, employers should recognize the inherent social and economic benefits of Senior Citizens and Persons with Disability, and efforts should be made to eliminate age and physical barriers in the labor market by promoting the recruitment of Senior Citizens and Persons with Disability;

WHEREAS, studies show that reemployment after retirement, or working longer, whether in paid employment or volunteering in the community, can improve older persons' health, particularly their mental health;

WHEREAS, the purpose of this legislation is to promote the employment of capable, qualified, and willing Senior Citizens and Persons with Disability by offering tax incentives to employers who hire them, along with training programs and skill development initiatives to prepare them for the workforce;

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARAIG

HON. KARLOS B. MANJUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

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HON. MICHAEL C. VILLENA

HON. LORINZO A. GAMBOA JR.

HON. ISORA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-001 S. 2025

AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS

NOW, THEREFORE, the Sangguniang Panlungsod in session duly assembled ordains and decrees:

SECTION 1. SHORT TITLE. - This ordinance shall be known and cited as the "BATANGAS CITY WORKFORCE INTEGRATION AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH DISABILITY ORDINANCE."

SECTION 2. COVERAGE. - This ordinance shall cover all Senior Citizens (SCs) and Persons with Disability (PWDs) who are residents of Batangas City, and business establishments, within the jurisdiction of Batangas City.

SECTION 3. DECLARATION OF POLICY. - Following the constitutional mandate provided in Article XIII of the 1987 Constitution, the City of Batangas shall afford full protection to labor, promote full employment and equality of employment opportunities, and endeavor to provide Senior Citizens as well as Persons with Disability with the opportunity to participate in mainstream society by granting them job opportunities which match their skill set and/or educational attainment.

SECTION 4. DEFINITION OF TERMS. - For this Ordinance, the following terms are defined as follows:

- Persons with Disability (PWD)** - refers to disabled persons or those suffering from restrictions or different abilities, as a result of mental, physical, or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.
- Senior Citizen or Elderly** - refers to any resident citizen of the Philippines who is at least sixty (60) years old.

SECTION 5. - QUALIFIED SENIOR CITIZEN (SC) AND PERSONS WITH DISABILITIES (PWD). - Senior Citizens (SCs) and Persons with Disabilities (PWDs) who can perform the essential functions of the employment position that such individuals hold or desire are qualified for the benefit granted under this Ordinance.

Senior Citizens who are Social Security System (SSS) pensioners are qualified for re-integrating into the workforce. However, the monthly pension received by retirees below 65 years old, may be suspended by SSS, when the Senior Citizen becomes gainfully re-employed or resumes self-employment, upon which he or she is again subject to mandatory coverage until his or her compulsory retirement. The pension will resume once the Senior Citizen stops working, or upon reaching the age of 65 years old, whichever comes first.

Provided further, upon reaching 65 years old, Senior Citizens can continue working without affecting their pension, as the suspension rule no longer applies.

HON. NELSON J. CHAVEZ

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HON. JOSE TOMAS REYES P. TOLENTINO



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SECTION 6. EQUAL EMPLOYMENT OPPORTUNITY. - Opportunities for suitable employment shall be open to all qualified Senior Citizens and Persons with Disability in Batangas City. However, the selection process shall be based on the qualification standards and requirements set by employers in private business establishments, provided that no Senior Citizens or Persons with Disability shall be denied access to opportunities for suitable employment.

Provided further, that no Persons with Disability shall be denied access to opportunities for suitable employment. A qualified Persons with Disability shall be subject to the same terms and conditions of employment, as well as the same compensation, privileges, benefits, fringe benefits, incentives, or allowances as a qualified able-bodied person.

SECTION 7. EMPLOYMENT REQUIREMENTS OF SENIOR CITIZEN AND PERSONS WITH DISABILITIES. - For purposes of employment, Senior Citizens and Persons with Disability may be required by the employing establishment to present the following:

- a. Senior Citizen ID/ Persons with Disability ID as issued by the Office of the Senior Citizen Affairs (OSCA), Person with Disability Office (PDAO), or the City Social Welfare & Development Office (CSWDO);
- b. Barangay Clearance as issued by their respective Barangay; and
- c. Medical Certificate or Recommendation indicating that he or she is mentally and physically fit for employment from the City Health Office (CHO).

SECTION 8. EMPLOYER INCENTIVE. - Private establishments that employ Senior Citizens or Persons with Disabilities shall be entitled to an allowable deduction of FIVE PERCENT (5%) of the total amount paid as salaries and wages to Senior Citizens and/or Persons with Disabilities from its gross sales or receipts in the computation of its annual business tax. Provided, that the total amount of deduction shall not exceed the amount of FIFTY THOUSAND PESOS (Php 50,000.00). Provided further, that the employer shall comply with the requirements under Section 9 of this Ordinance.

In calculating the base of the annual business tax for the current year, the City Government shall assess the taxpayer based on the gross revenue as reported in the taxpayer's financial statements for the previous year, and the allowable deduction shall be based on 5% of the total amount of salaries and wages paid to Senior Citizens and Persons with Disability for the previous year, not exceeding Php 50,000.00.

(eg. Previous Year (PY) Gross Income: 5,000,000.00; PY Salaries and Wages to Ten Senior Citizens: Php 200,000 Annual Salary x 10 = 2,000,000.00 x 5% = Php 100,000, since the maximum deduction is up to 50,000 only, the allowable deduction shall be Php 50,000, not Php 100,000. Thus, the base for computation of Current Year (CY) Annual Business Tax shall be Php 4, 950,000.00 from Php 5, 000,000.00 less 50,000)

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OMBERZ. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDRES RUISE F. MACABAIG

HON. KARLOS ENMANJUEL A. BUTED

HON. HAMILTON G. BLANCO

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Continuation of Ordinance No. 22-001 S. 2025

AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS

SECTION 9. QUALIFICATIONS FOR DEDUCTION OF BUSINESS TAX. - The deduction provided by this Ordinance from the gross sales or receipts is subject to certain qualifications, which include:

- a. The business entity must employ at least one (1) Senior Citizen or one (1) Persons with Disability;
- b. The employment shall continue for at least six (6) months;
- c. The salary or wage of the Senior Citizen or Persons with Disability must be commensurate with the job performed and must not be lower than the minimum wage;
- d. The business entity shall submit proof verifying the salary, wage, or compensation paid to the Senior Citizen or Persons with Disability, as determined by the City Treasurer's Office. This proof may include, but is not limited to the following:

- 1. Bureau of Internal Revenue (BIR) Sworn Declaration (Annex "C") under Revenue Regulations (RR) No. 2-2015;
- 2. Certification of the List of Employees Qualified for Substituted Filing of their Income Tax Return (Annex "F") under RR No. 11-2018; and
- 3. BIR Form No. 2316 with the signature of the employee.

- e. The senior citizen or person with disability employed by the business entity must be registered with the OSCA, PDAO, or the CSWDO.

SECTION 10. EMPLOYER'S REPORT. - Employers availing of incentives under this ordinance shall be required to submit periodic reports to the Business Permits and Licensing Office (BPLO) and CSWDO, detailing the employment status of Senior Citizens and Persons with Disabilities, as well as any changes or updates to their workforce, with the following details:

- a. Name of Senior Citizen / Persons with Disability;
- b. Senior Citizen/ Persons with Disability Identification Card;
- c. Birth Date;
- d. Date of Employment;
- e. Date of Termination;
- f. Salary;
- g. Position; and
- h. Other details as may be required by the BPLO/CSWDO

SECTION 11. TRAINING PROGRAMS AND SKILL DEVELOPMENT FOR SENIOR CITIZENS AND PERSONS WITH DISABILITIES. - The OSCA, PDAO, or the CSWDO will evaluate and organize training programs aimed at enhancing the skills of their members to the current demands in the business sector. These programs may include but are not limited to, computer literacy and vocational skills. Additionally, these offices are authorized to offer free skill training and seminars to eligible business entities under this ordinance.

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AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS

SECTION 12. IMPLEMENTATION AND MONITORING. - The Office for Senior Citizen Affairs (OSCA), Person with Disability Office (PDAO), City Social Welfare and Development Office (CSWDO), Public Employment Services Office (PESO), and Business Permits and Licensing Office (BPLO) are hereby tasked to implement this ordinance.

In addition, to safeguard the rights of Senior Citizens and Persons with Disabilities, the Office for Senior Citizen Affairs (OSCA), Person with Disability Office (PDAO), City Social Welfare and Development Office (CSWDO), and Public Employment Services Office (PESO) will conduct regular monitoring and inspections of their work conditions within business establishments. This oversight aims to ensure that their rights under labor laws, as well as other relevant laws, ordinances, and regulations on their well-being, are upheld and not violated. In the event of a breach of their rights, these offices will assist affected members in pursuing appropriate legal actions or availing themselves of remedies. This proactive approach underscores the commitment of the government to protect the dignity and rights of Senior Citizens and Persons with Disability in the workplace.

SECTION 13. IMPLEMENTING RULES AND REGULATION. - The City Mayor may promulgate necessary Implementing Rules and Regulation to effectively implement the provisions of this Ordinance.

SECTION 14. PENALTY CLAUSE. - Any person found guilty of violating any of the provisions of this Ordinance shall be penalized by a fine of five thousand pesos (Php 5,000.00) or imprisonment of not less than thirty (30) days nor more than six (6) months or both, at the discretion of the Honorable Court. If the violator is a corporation, partnership, or association, the penalty shall likewise be imposed on its president or manager.

The City Mayor may preventively suspend, revoke, or cancel business permits or licenses to operate of any person for violation of this Ordinance.

SECTION 15. REPEALING CLAUSE. - All provisions of the Ordinance, executive orders, or resolutions inconsistent herewith are hereby repealed or modified accordingly.

SECTION 16. SEPARABILITY CLAUSE. - If, for any reason, any part of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 17. EFFECTIVITY. - This Ordinance shall take effect 10 days after approval by the City Mayor and publication in a newspaper of general circulation in the province and cities of Batangas.

HON. NELSON J. CHAVEZ
HON. ARMANDO C. MACARTE
HON. WEN Z. MACATANGAY
HON. NESTOR E. DIMACUHA
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Continuation of Ordinance No. 22-001 S. 2025

AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS

ENACTED by the Sangguniang Panlungsod this 6th day of January, 2025.


ATTY. OLIVA D. TELEGATOS
 Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
 Presiding Officer

APPROVED:

BEVERLEY ROSE F. DIMACUHA
 City Mayor
 Date Approved: JAN 15 2025


 HON. NELSON J. CHAVEZ

 HON. ARMANDO C. AZARTE

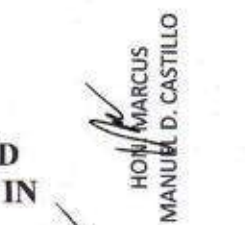


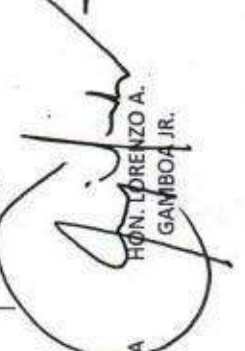


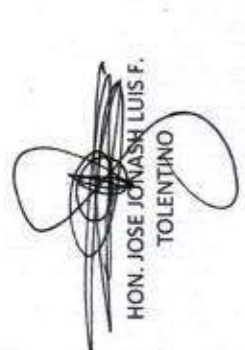
 HON. OLIVA D. TELEGATOS

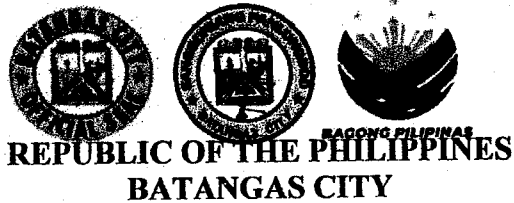
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 HON. JOSE JONASH LUIS F. TOLENTINO



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY ON JANUARY 6, 2025 AT THE SANGGUNIANG SESSION HALL

PRESENT:

Hon. Alyssa Renee A. Cruz,	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Andrea Loise F. Macaraig,	"
Hon. Nestor E. Dimacuha,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Nelson J. Chavez,	"
Hon. Jose Jonash Luis F. Tolentino,	"
Hon. Zester Carlo M. Hernandez,	"
Hon. Isidra "Ched" M. Atienza,	"
Hon. Lorenzo A. Gamboa, Jr.,	"
Hon. Macario L. Macalalad,	Liga ng mga Barangay President
Hon. Marcus Manuel D. Castillo,	SK Pederasyon President
Hon. Michael C. Villena,	Sangguniang Panlungsod Member

"On motion of SP Member Blanco duly seconded, the following Resolution was Adopted:

RESOLUTION NO. 22-002 S. 2025

APPROVING ON SECOND AND FINAL READING THE PROPOSED ORDINANCE ENTITLED: "AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF THE SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS"

RESOLVED, to approve on Second and Final Reading the proposed ordinance entitled: "An Ordinance Providing for the Workforce Integration and Participation of the Senior Citizens and Persons with Disability in the City of Batangas" .

UNANIMOUSLY APPROVED."

I hereby certify that the foregoing Resolution No. 22-002 S. 2025 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on January 6, 2025.

GERARDO M. DIMAANO
Board Secretary III

NOTED:

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

COMMITTEE REPORT

TO : THE HONORABLE PRESIDING OFFICER AND MEMBERS OF THE SANGGUNIANG PANLUNGSOD

FROM : JOINT COMMITTEE ON SENIOR CITIZENS AND PERSONS WITH DISABILITIES AND COMMITTEE ON LABOR AND EMPLOYMENT

SUBJECT : AN ORDINANCE PROVIDING FOR THE WORKFORCE INTEGRATION AND PARTICIPATION OF THE SENIOR CITIZENS AND PERSONS WITH DISABILITY IN THE CITY OF BATANGAS

BACKGROUND

The aforementioned subject was referred to the Joint Committees on Senior Citizens and Persons with Disabilities and Committee on Labor and Employment.

The Committee Hearing was held September 20, 2022 at Sangguniang Panlungsod Session Hall, Batangas City and in attendance were the following:

SANGGUNIANG PANLUNGSOD MEMBERS

Hon. Alyssa Renee A. Cruz	-	Vice Mayor
Hon. Nestor E. Dimacuja	-	Chairman – Committee on Senior Citizens and Persons with Disabilities
Hon. Hamilton G. Blanco	-	Chairman - Committee on Labor and Employment
Hon. Lorenzo A. Gamboa Jr.	-	Committee Member
Hon. Jose Jonash Luis F. Tolentino	-	Committee Member
Hon. Isidra “Ched” M. Atienza	-	Committee Member
Hon. Karlos Emmanjuel A. Buted	-	SP Member
Hon. Armando C. Lazarte	-	SP Member
Hon. Nelson J. Chavez	-	SP Member

The following resource persons were also in attendance:

Mr. Welson Barte	-	Person with Disability Federation President
Mrs. Josefina M. Dangal	-	Office of Senior Citizen Affairs President
Mrs. Nicanora Marasigan	-	City Social Welfare and Development Office (CSWDO)
Ms. Wilma Mandigma	-	City Social Welfare and Development Office (CSWDO)
Mr. Marlo T. Almarez	-	Business Permits and Licensing Office (BPLO) (Representative)
Mr. Noel Silang	-	Public Employment Service Office (PESO)
Engr. Roma Rori Mae Magtaas-	-	Department of Labor and Employment
Mr. Willy Wong	-	Batangas Filipino Chinese Chambers of Commerce (BFCCC)
Mr. Jimmy Almerino	-	Batangas Filipino Chinese Chambers of Commerce (BFCCC)
Ms. Maricia Lualhati	-	Public Information Office (PIO)

DISCUSSION AND OBSERVATIONS

During the hearing, the aforementioned subject was meticulously discussed by the Joint Committees emphasizing the importance of the Ordinance. Questions by the Members of the Committees and by the Sangguniang Panlungsod Members ensured that all points of view are clarified and answered. Likewise, comments and suggestions from the other stakeholders present were acknowledged by the Committees. These include the inclusion of a provision that the Senior Citizen below 65 years old and are Social Security System (SSS) pensioners may be suspended from receiving their pension from the SSS when the said Senior Citizen becomes gainfully re-employed or resumes self-employment. The said pension will resume once the senior Citizens stops working, or upon reaching the age of 65 years old, whichever comes first. It was further provided that, upon reaching 65 years old, Senior Citizens can continue working without affecting their pension, as the suspension rule no longer applies. In addition, it was also suggested to include a supplementary provision or section for the creation of a Technical Working Committee to take charge of the formulation of the Implementing Rules and Regulations of the Ordinance.

Further, the invited resource persons present, manifest their support to the good cause of the proposed ordinance and ardently request for its immediate enactment and approval by the Local Chief Executive.

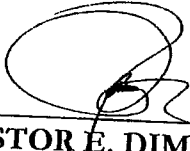
RECOMMENDATIONS:

Considering the foregoing, the committee recommends the following:

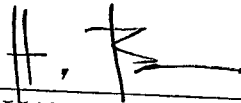
1. The proposed Ordinance Providing for the Workforce Integration and Participation of Senior Citizens and Persons with Disability in the City of Batangas be scheduled for Second and Final reading comes next session.
2. The Adoption of this Committee Report.

Respectfully submitted, December 12, 2024.

**JOINT COMMITTEES ON COMMITTEE ON LABOR AND EMPLOYMENT AND
COMMITTEE ON SENIOR CITIZENS AND PERSONS WITH DISABILITIES**

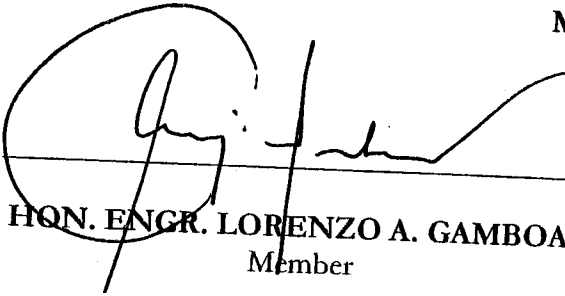


NESTOR E. DIMACUHA
Committee on Senior Citizens and
Persons with Disabilities

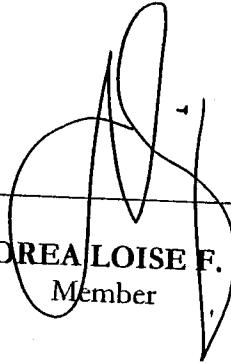


HAMILTON G. BLANCO
Committee on Labor and Employment

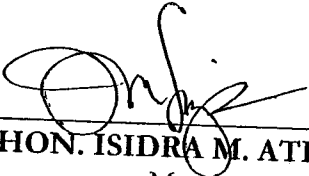
MEMBERS



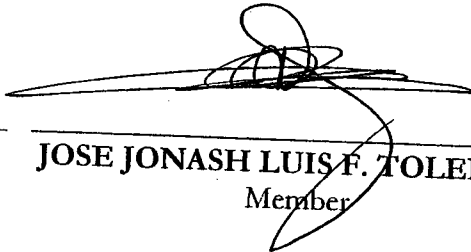
HON. ENGR. LORENZO A. GAMBOA JR.
Member



HON. ANDREA LOISE F. MACARAIG
Member



HON. ISIDRA M. ATIENZA
Member



JOSE JONASH LUIS F. TOLENTINO
Member



HON. SK. PRES. MARCUS MANUEL D. CASTILLO
Member