



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

PO2002-181

67th Regular Session

ORDINANCE NO. SP- **1267**, S-2003

AN ORDINANCE GRANTING HAZARD PAY TO ALL BARANGAY SECURITY AND DEVELOPMENT OFFICERS (BSDOs) IN CASE OF SICKNESS AND ACCIDENTS RESULTING IN INJURIES AND/OR DEATH INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES, PROVIDING FUNDS THEREFOR, AND FOR OTHER RELATED PURPOSES.

Introduced by Councilors JESUS MANUEL C. SUNTAY, BERNADETTE HERRERA-DY, ELIZABETH A. DELARMENTE, VICTOR V. FERRER, JR., JULIAN M.L. COSETENG, WENCEROM BENEDICT C. LAGUMBAY, FRANZ S. PUMAREN, JANET M. MALAYA, VINCENT P. CRISOLOGO, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ERIC Z. MEDINA, MARY ANN L. SUSANO, JORGE L. BANAL, DANTE M. DE GUZMAN, ALMA F. MONTILLA, RESTITUTO B. MALAÑGEN and XYRUS L. LANOT.

WHEREAS, Section 458 (a) of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that, "The sangguniang panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code, x x x";

WHEREAS, the City Council is vested with the power to enact ordinances that shall provide for group insurance or additional insurance coverage for all barangay officials, including members of barangay tanod brigades and other service units, with public or private insurance companies, when the finances of the city government allow said coverage [Section 458 (a)(1)(xiii), R.A. 7160];

WHEREAS, the primary duty of the Barangay Security and Development Officers (BSDOs) is to promote and maintain peace and order and public safety in their respective barangays, which entails much responsibilities as well as risks;

WHEREAS, in the course of performing their official duties, the lives and

WHEREAS, it is incumbent upon the City government to approve measures that will provide benefits to our deserving public servants such as our BSDOs;

WHEREAS, the Local Government Code under Section 393 (d) provides that "all duly appointed members of the barangay tanod brigades, or their equivalent, which shall number not more than twenty (20) in each barangay, shall be granted insurance or other benefits during their incumbency, chargeable to the barangay or the city or municipal government to which the barangay belongs".

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. TITLE. - This Ordinance shall be known as the "BSDO Hazard Pay Ordinance".

SECTION 2. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following terms shall mean:

- a. MINOR DEPENDENT CHILD - An offspring or sibling of the claimant or deceased, less than eighteen (18) years of age, wholly dependent on said claimant or deceased for support, including and up to relatives by consanguinity within the third civil degree who are similarly situated;
- b. HAZARD PAY shall mean all compensation made for disability or death resulting from injuries or diseases incurred in the performance of official duties;
- c. INJURY shall mean any harmful change in the human organism from any accident arising out of and in the course of the employment;
- d. DEATH shall mean loss of life resulting from injury or disease as defined herein.

SECTION 3. PRESCRIBED ACTS. - Every barangay of the City shall allocate five percent (5%) of their annual barangay budget to constitute a hazard fund for all BSDOs. The City government shall have its share of Fifty Thousand Pesos (P50,000.00) in each barangay as a hazard buffer fund to be charged to the discretionary fund of the Office of the Mayor.

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SECTION 4. COVERAGE. - All BSDOs shall be entitled to the hazard pay the moment they suffer a contingency; Provided, that the evidentiary details of his sickness, injury, or death are clearly established through duly issued medical certifications on said sickness, injury, or death by the attending physician or the duly authorized representatives of the hospital or clinic where he is brought for medical treatment, and such other documents as may be required by the Quezon City Health Department.

SECTION 5. COMPENSATION. - All BSDOs shall be compensated depending upon the degree of disability incurred while in the performance of official duty.

- a. **Temporary Total Disability** - A BSDO who sustains an injury or contracts sickness resulting in temporary disability shall, for each day of such disability or a fraction thereof, be paid a hazard pay equivalent to ninety percent (90%) of his average daily salary.
- b. **Permanent Total Disability** - A BSDO who contracts sickness or sustains an injury resulting in his permanent total disability shall be paid an amount equivalent to the monthly income, plus ten percent (10%) for each minor dependent child but not exceeding five (5), beginning with the youngest and without substitution.

The monthly income benefit shall be paid for a maximum of two (2) years, and shall be subject to suspension should the beneficiary recover from the permanent total disability or fail to present himself for examination twice a year.

The following disabilities shall be considered total and permanent:

1. Temporary total disability lasting continuously for more than one hundred (120) days;
2. Complete loss of sight of both eyes;
3. Loss of two limbs at or above the ankle or wrist;
4. Permanent complete paralysis of two limbs;
5. Brain injury resulting in incurable imbecility or insanity; and
6. Such other cases as may be determined by the Quezon City Health Department.

- c. **Permanent Partial Disability** - A BSDO who contracts sickness or sustains an injury resulting in permanent partial disability shall for each month not exceeding the period designated herein be paid an amount equivalent to the income benefit for permanent total disability. The benefit shall be paid for not more than the period designated in the following schedules:

Complete and permanent
loss of the use of

No. of
Months

One thumb	5
One index finger	4
One middle finger	3
One ring finger	3
One little finger	2
One big toe	3
Any toe	2
One arm	18
One hand	16
One foot	12
One leg	16
One ear	5
Both ears	10
Hearing of one ear	5
Hearing of both ears	18
Sight of one eye	12

SECTION 6. WHO MAY CLAIM. - (a) In case of death, only the heirs of the deceased may claim, in the following order:

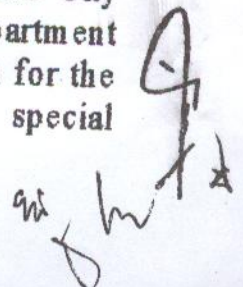
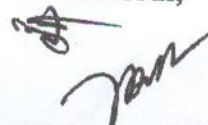
1. the legal surviving spouse;
2. the legitimate, legitimated and adopted children;
3. the illegitimate children;
4. the surviving ascendants; or
5. other collateral relatives within the third civil degree of consanguinity.

(b) Relationships must be evidenced by any of the following, as applicable:

1. birth certificate;
2. marriage certificate; or
3. any other public document clearly showing the alleged relationship of the claimant to the deceased BSDO.

(c) In case of disability, only the BSDO concerned may file the claim.

SECTION 7. REFERRAL TO HEALTH DEPARTMENT. - Should the ground for the claim constitutes a disability, whether temporary, permanent partial or permanent total, the claimant shall be referred to the Quezon City Health Department for the appropriate medical examination. Said Department shall then certify as to the veracity and extent of the disability relied on for the claim within thirty (30) days from the date of referral, unless special circumstances require a longer period of time.



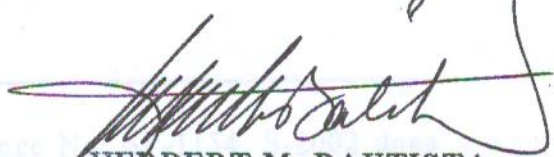
SECTION 8. PRESCRIPTIVE PERIOD. - No claim for compensation shall be entertained unless the same is filed with the Office of the Punong Barangay concerned within six (6) months from the time of death, injury or sickness.

SECTION 9. SEPARABILITY CLAUSE. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the ordinance or the provision not otherwise affected shall remain valid and subsisting.


SECTION 10. REPEALING CLAUSE. - All provisions of local legislative measures inconsistent herewith are hereby repealed or modified accordingly.

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


ENACTED: June 3, 2003.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

APPROVED: July 31, 2003


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on June 03, 2003 was finally PASSED on Third Reading by the City Council on July 1, 2003.


EUGENIO V. JURILLA
City Council Secretary



Republic of the Philippines

CITY COUNCIL

Quezon City

15th City Council

67th Regular Session

PO2003-01

ORDINANCE NO. SP-**1266**, S-2003

AN ORDINANCE AMENDING SECTION 3 OF CITY ORDINANCE NO. SP-1154, S-2002, OTHERWISE KNOWN AS AN ORDINANCE PROHIBITING THE DETENTION OF CADAVER OF DECEASED INDIGENT PATIENTS IN QUEZON CITY.

Introduced by Councilors BERNADETTE HERRERA-DY, WILMA AMORANTO-SARINO, ELIZABETH A. DELARMENTE, JORGE L. BANAL, WENCEROM BENEDICT C. LAGUMBAY, JESUS MANUEL C. SUNTAY, JANET M. MALAYA, RESTITUTO B. MALAÑGEN, JUNIE MARIE L. CASTELO, ALMA F. MONTILLA, VINCENT P. CRISOLOGO, AIKO MELENDEZ-YLLANA, RAMON P. MEDALLA, ERIC Z. MEDINA, JULIAN M.L. COSETENG and DANTE M. DE GUZMAN.

WHEREAS, Section 3 of City Ordinance No. SP-1154, S-2002 does not include the prohibition against the withholding or refusal for the issuance of proper death certificate;

WHEREAS, the immediate approval of this amendment by addition is extremely necessary to make City Ordinance No. SP-1154, S-2002 complete and applicable.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. Section 3 of Ordinance No. SP-1154, S-2002 is hereby amended, to read as follows:

"SECTION 3. PENALIZED ACT. - IT SHALL BE UNLAWFUL FOR ANY HOSPITAL, CLINIC, FUNERAL PARLOR, AND/OR ANY OTHER HEALTH CARE FACILITY OR ESTABLISHMENT TO CAUSE, DIRECTLY OR INDIRECTLY, THE DETENTION OF CADAVER INCLUDING THE WITHHOLDING OF PROPER DEATH CERTIFICATE OF THE DECEASED INDIGENT PATIENT FOR NON-PAYMENT OF HOSPITAL/MEDICAL BILLS OR EXPENSES INCURRED WHILE BEING TREATED".

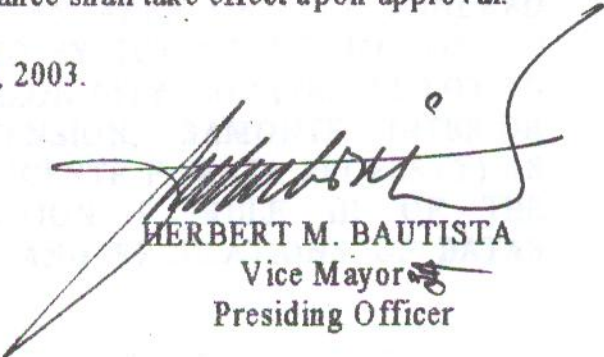
mm *[Signature]*

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SECTION 2. All other provisions of City Ordinance No. SP-1154, S-2002, not specifically amended shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect upon approval.

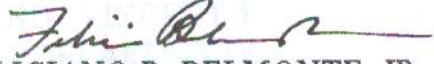
ENACTED: June 03, 2003.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

APPROVED: July 21, 2003


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on June 03, 2003, was finally PASSED on Third Reading by the City Council on July 1, 2003.


EUGENIO V. JURILLA
City Council Secretary