Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PO19CC-081

46th Regular Session

ORDINANCE NO. SP- 2374 *, S-2014*

AN ORDINANCE PROVIDING FOR EXPANDED BENEFITS TO SOLO PARENTS AND THEIR CHILDREN, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES, AMENDING ORDINANCE NO. SP-2041, S-2011 ALSO KNOWN AS "AN ORDINANCE ADOPTING AND/OR LOCALIZING, THE IMPLEMENTATION OF REPUBLIC ACT NO. 8972, ALSO KNOWN AS THE "SOLO PARENTS' WELFARE ACT OF 2000" IN QUEZON CITY.

Introduced by Councilors ALEXIS R. HERRERA, JULIENNE ALYSON RAE V. MEDALLA, RAQUEL S. MALAÑGEN, LENA MARIE P. JUICO, CANDY A. MEDINA and ALLAN BENEDICT S. REYES.

Co-Introduced by Councilors Estrella C. Valmocina, Anthony Peter D. Crisologo, Ramon P. Medalla, Allan Benedict S. Reyes, Franz S. Pumaren, Jaime F. Borres, Jesus Manuel C. Suntay, Bayani V. Hipol, Jose A. Visaya, Godofredo T. Liban II, Karl Edgar C. Castelo, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, the State, under the parens patriae doctrine, shall look after the welfare of its constituents;

WHEREAS, Section 1, Article XV of the 1987 Philippine Constitution clearly states that "The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.";

WHEREAS, the Philippine Congress enacted Republic Act No. 8972, also known as the "Solo Parent's Welfare Act of 2000", that recognizes the legal concept of "Parents" from the traditional definition to that of the present which also contemplates a parent constituted by a single individual;

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WHEREAS, as defined by Ordinance No. SP-2041, S-2011, all solo parents and their children shall be accorded the following assistance, benefits and privileges:

"Section 3. Criteria for Support. - Any solo parent whose income in the place of domicile which must be within the territorial jurisdiction of Quezon City falls below the poverty threshold as set by the National Economic and Development Authority (NEDA) and subject to the assessment of the Quezon City Social Services Department (QC SSDD) shall be eligible for assistance. Provided, however, that any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in Sections 5, 6, and 7 of this Ordinance.

Section 5. Flexible Work Schedule. - The employer, whose office where the solo parent is employed is within the territorial jurisdiction of this City, shall provide for a flexible working schedule for solo parents: Provided, that the same shall not affect individual and company productivity; Provided, further, that any employer may request exemption from the above requirements from the DOLE on certain meritorious grounds.

Section 6. Work Discrimination. - No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his/her status.

Section 7. Parental Leave. - In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least one (1) year.

Section 8. Educational Benefits. - The QC SSDD shall provide the following benefits and privileges:
Scholarship programs for qualified solo parents and their children in institutions of basic, tertiary and technical/skills education; a[illegible]
Non-formal education progra[illegible]s appropriate for solo parents and their children.

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Section 9. Medical Assistance. - The QC Health Department shall develop a comprehensive health care program for solo parents and their children. The program shall be implemented by the QC Health Department through their retained hospitals and medical centers."

WHEREAS, Republic Act No. 8972 or the Solo Parents Welfare Act of 2000 further provided the following benefits and privileges to all solo parents and their children:

"Sec. 10. Housing Benefits. - Solo parents shall be given allocation in housing projects and shall be provided with liberal terms of payment on said government low-cost housing projects in accordance with housing law provisions prioritizing applicants below the poverty line as declared by the NEDA."

WHEREAS, the Local Government of Quezon City has instituted several programs in education, housing, social welfare, among others, that could be re-focused towards the providing additional benefits and privileges to solo parents and their children;

WHEREAS, the intent of this ordinance is not only to lessen the burden of solo parenting but to also ensure that their children will have a better future.

NOW, THEREFORE,

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

SECTION 1. TITLE – This Ordinance shall be known as the "QUEZON CITY EXPANDED BENEFITS OF SOLO PARENTS AND THEIR CHILDREN ORDINANCE".

SECTION 2. DEFINITION OF TERMS – Pursuant to Republic Act No. 8972 and its Implementing Rules and Regulation, and Ordinance No. SP-[illegible]41, S-2011, the following terms shall mean as follows whenever used in this ordinance:

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(a) "Solo Parent" – any individual who falls under any of the following categories:

(1) A woman who gives birth as a result of rape even without a final conviction of the offender: Provided, that the mother keeps and raises the child;

(2) Parent left solo or alone with the responsibility of parenthood due to death of spouse;

(3) Parent left solo or alone with the responsibility of parenthood while the spouse is detained, or is serving sentence for a criminal conviction for at least one (1) year;

The law applies to the spouses of prisoners, whether or not a final judgment has been rendered, provided they are in detention for a minimum period of one (1) year;

(4) Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;

(5) Parent left solo or alone with the responsibility of parenthood due to legal separation or de facto separation from spouse for at least one (1) year: Provided, that he or she is entrusted with the custody of the children;

(6) Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church: Provided, that he/she is entrusted with custody of the child/children;

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(7) *Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;*

(8) *Unmarried mother/father who has preferred to keep and rear his/her child/children instead of having others care for them, or to give them up to a welfare institution;*

(9) *Any other person who solely provides parental care and support to a child or children provided he/she is duly licensed as a foster parent by the DSWD, or duly appointed legal guardian by the court;*

(10) *Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance, or absence that lasts for at least one (1) year.*

A change in the status or circumstance of the parent claiming benefits under the Act, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for these benefits;

(b) *"Family" – shall refer to the Solo Parent and his/her child/children; Provided, however, that the family member referred to in these ordinance shall include any relative by consanguinity up to the fourth civil degree. These persons shall include, but are not limited to, any uncle, aunt, grandfather, grandmother, niece, nephew, or cou*

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(c) *"Social Worker" – a person who is a graduate of Social Work and duly registered pursuant to Republic Act No. 4373, and employed with the Social Welfare and Development Office of the local government unit where the solo parent resides;*

(d) *"Children" – refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and below eighteen (18) years of age, or even eighteen (18) years and above but are incapable of self-support and/or mentally and/or physically challenged;*

(e) *"Parental responsibility" – with respect to their minor children shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines," and hereunder enumerated as follows:*

(1) *To keep them in their company, to support, educate and instruct them by right precept and good example and to provide for their upbringing in keeping with their means;*

(2) *To give them love and affection, advice and counsel, companionship and understanding;*

(3) *To provide them with moral and spiritual guidance, inculcate in them honesty, integrity, self-discipline, self-reliance, industry and thrift, stimulate their interest in civic affairs, and inspire in them compliance with the duties of citizenship;*

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(4) To furnish them with good and wholesome educational materials, supervise their activities, recreation and association with others, protect them from bad company, and prevent them from acquiring habits detrimental to their health, studies and morals;

(5) To represent them in all matters affecting their interest;

(6) To demand from them respect and obedience;

(7) To Impose discipline on them as may be required under the circumstances; and

(8) To perform such other duties as are imposed by law and upon parents and guardians;

(f) "Parental leave" – shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required;

(g) "Flexible work schedule" – is the right granted to a solo parent employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer;

SECTION 3. IDENTIFICATION OF SOLO PARENT – A solo parent seeking benefits under this ordinance shall be qualified and identified on the basis of the following:

(a) Must fall within the definition of solo parent as provided for in Section 2 of this Ordinance;

(b) Must be a resident of Quezon City, as certified by the barangay captain;

(c) Must have applied for and have been issued a valid Solo Parent Identification Card duly signed by the City Social Welfare Officer and the City Mayor.

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The Quezon City Social Services Development Department (SSDD), upon submission of application and proof of residency and a favorable evaluation of a social worker, shall issue a SOLO PARENT IDENTIFICATION CARD within 30 days of filing.

SECTION 4. CRITERIA FOR SUPPORT – Pursuant to Section 4 of Republic Act No. 8972: "Any solo parent whose income in the place of domicile falls below the poverty threshold as set by the National Economic and Development Authority (NEDA) and subject to the assessment of the DSWD worker in the area shall be eligible for assistance.

Provided, however, that any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in Sections 6, 7 and 8 of this Act.[1]"

SECTION 5. ADDITIONAL BENEFITS AND PRIVILEGES.

a. Expansion Comprehensive Package of Social Development

(1) The Sikap Buhay Entrepreneurship and Cooperative Office (SBECO) shall provide livelihood development services which include trainings on livelihood skills, basic business management, value orientation and the provision of seed capital through its micro-credit program. SBECO shall also assist solo parents; for individuals and organizations that would like to establish their own micro and small business and/or to join existing or to form new cooperatives.

(2) The QC Public Employment Services Office (PESO) shall include solo parents in its priority group for job placement. It shall further ensure that NO SOLO PARENTS SHALL BE DISCRIMINATED in job placement and/or during their employment pursuant to Section 7 of R.A. No. 8972.

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