



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
18th City Council

PO2010-82

15th Regular Session

ORDINANCE NO. SP- 2041, S-2011

AN ORDINANCE ADOPTING AND/OR LOCALIZING THE IMPLEMENTATION OF REPUBLIC ACT NO. 8972, ALSO KNOWN AS THE "SOLO PARENT'S WELFARE ACT OF 2000" IN QUEZON CITY.

Introduced by Councilor RAQUEL S. MALANGEN.

Co-Introduced by Councilors Dorothy A. Delarmente, Anthony Peter D. Crisologo, Eden "Candy" A. Medina, Julienne Alyson Rae V. Medalla, Roderick M. Paulate, Godofredo T. Liban II, Julian ML. Coseteng, Allan Benedict S. Reyes, Jaime F. Borres, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Edcel B. Lagman, Jr., Jesus Manuel C. Suntay, Jessica Castelo Daza, Ranulfo Z. Ludovica and John Ansell R. De Guzman.

WHEREAS, under the 1987 Philippine Constitution it has been the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its local development;

WHEREAS, Section 2 of Republic Act No. 8972, otherwise known as the "Solo Parents' Act of 2000" provides that "it is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of the Education, Culture and Sports (DECS), the Department of Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor and Employment (DOLE) and other related government and non-government agencies";

WHEREAS, Section 16 of Republic Act No. 7160 or the Local Government Code of 1991 further empowered the local government units to exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents and preserve the comfort and convenience of their inhabitants;

WHEREAS, as per the provisions of the aforementioned Solo Parents Act of 2000, this Ordinance hereby aims to implement and adopt the same to conform with the localization of the said Act and further strengthen the rights of the solo parents living within the territorial jurisdiction of Quezon City.

NOW, THEREFORE,

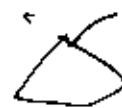
BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. This Ordinance shall be known as the "Ordinance Adopting and/or Localizing the Implementation of Republic Act No. 8972, also known as the Solo Parents' Welfare Act of 2000".

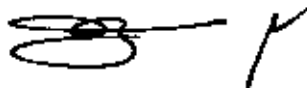
SECTION 2. Definition of Terms - Whenever used in this Ordinance, the following terms shall mean as follows:

(a) "Solo Parent" - any individual who falls under any of the following categories and registered with the Social Services Development Department of Quezon City:

- (1) A woman who gives birth as a result of rape and other crimes against chastity 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;
- (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, as long as he/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 as long as he/she is entrusted with the custody of the children;
- (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 her/his child/children instead of having others care for them or give them up to a welfare institution;
- (9) Any other person who solely provides parental care and support to a child or children;

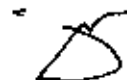


(10) Any family member who assumes the responsibility of head of family as a result of the death abandonment, disappearance or prolonged absence of the parents or solo parent.

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

- (b) "Children" - refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and not more than eighteen (18) years of age, or even over eighteen (18) years but are incapable of self-support because of mental and/or physical defect/disability.
- (c) "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".
- (d) "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.
- (e) "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. 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 Development 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 4. Comprehensive Package of Social Development and Welfare Services – A comprehensive package of social development and welfare services for solo parents and their families will be develop by the QC SSDD and a non-governmental organization with proven track record in providing services for solo parents.

The QC SSDD shall coordinate with concerned agencies for the implementation of the comprehensive package of social development and welfare services for solo parent and their families. The package will initially include:

- (a) Livelihood development services which include trainings on livelihood skills, basic business management, value orientation and the provision of seed capital or job placement.
- (b) Counseling services which include individual, peer group or family counseling. This will focus on the resolution of personal relationship and role conflicts.
- (c) Parent effectiveness services which include the provision and expansion of knowledge and skills of the solo parent on early childhood development, behavior management, health care, rights and duties of parents and children.
- (d) Critical incidence stress debriefing which includes preventive stress management strategy designed to assist solo parent in coping with crisis situation and case of abuse.
- (e) Special projects for individuals in need of protection which include temporary shelter, counseling, legal assistance, medical care, self-concept or ego-building, crisis management and spiritual enrichment.

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:

- (1) Scholarship programs for qualified solo parents and their children in institutions of basic, tertiary and technical/skills education; and*
- (2) Non-formal education programs appropriate for solo parent and their children.*

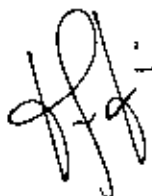
Section 9. Medical Assistance - The QC Health Department shall develop a comprehensive health care for solo parents and their children. The program shall be implemented by the QC Health Department through their retained hospital and medical centers.

Section 10. Repealing Clause - All laws, decrees, executive orders, or parts thereof inconsistent with the provision of this Ordinance are hereby repealed, amended or modified accordingly.

Section 11. Separability Clause - If any provision of this Ordinance is held invalid or unconstitutional, other provision not affected thereby shall continue to be in full force and effect.


Section 12. Appropriations - The funds necessary to effectively carry out the provision of this Ordinance shall be allocated to the General Fund Budget of the year following the approval of this Ordinance and every year thereafter.

Section 13. Implementing Rules and Regulations. - The QC Social Services Development Department shall promulgate rules and regulations for the proper implementation of this Ordinance.



Section 14. Effectivity - This Ordinance shall take effect upon its approval.

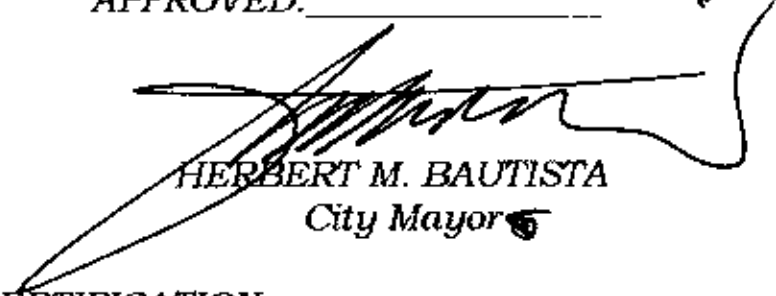
ENACTED: January 31, 2011.


JOSEPH P. JUICO
President Pro Tempore
Acting Presiding Officer

ATTESTED:


DOROTHY D. LAGRADA, DPA
City Secretary

APPROVED: _____


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on January 31, 2011 and was finally PASSED on Third/Final Reading on February 7, 2011.


DOROTHY D. LAGRADA, DPA
City Secretary