



Republic of the Philippines
Provincial Government of Palawan
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
City of Puerto Princesa

**EXCERPT FROM THE MINUTES OF THE 50TH REGULAR SESSION OF THE
44TH SANGGUNIANG PANLALAWIGAN HELD ON JUNE 27, 2023
AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL,
CITY OF PUERTO PRINCESA**

PRESENT:

Hon. Leoncio N. Ola,	<i>Vice Governor and Presiding Officer</i>
Hon. Winston G. Arzaga,	<i>Sangguniang Panlalawigan Pro-Tempore</i>
Hon. Roseller S. Pineda,	<i>Floor Leader</i>
Hon. Marivic H. Roxas,	<i>Assistant Floor Leader- 2nd District</i>
Hon. Juan Antonio E. Alvarez,	<i>S.P. Member – 1st District</i>
Hon. Ryan D. Maminta,	<i>S.P. Member – 2nd District</i>
Hon. Al-Nashier M. Ibba,	<i>S.P. Member – 2nd District</i>
Hon. Ariston D. Arzaga,	<i>S.P. Member – 2nd District</i>
Hon. Al-Shariff W. Ibba	<i>S.P. Member – PCL Federation President</i>

ABSENT:

Hon. Rafael V. Ortega Jr.,	<i>Assistant Floor Leader – 3rd District</i>
Hon. Maria Angela V. Sabando,	<i>S.P. Member – 1st District</i>
Hon. Nieves C. Rosento,	<i>S.P. Member – 1st District</i>
Hon. Ferdinand P. Zaballa,	<i>S.P. Member – ABC Federation President</i>
Hon. Anyatika R. Rodriguez,	<i>S.P. Member – SK Federation President</i>

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PROVINCIAL ORDINANCE NO. 3237
Series of 2023

**MAINSTREAMING CAPABILITY BUILDING FOR THE SENIOR CITIZENS AND
PERSONS WITH DISABILITIES AS LABOR FORCE OF PALAWAN PROVINCE,
AND PROVISION OF INCENTIVES TO PARTICIPATING BUSINESS
ESTABLISHMENTS**

Authored by:

HON. ROSELLER S. PINEDA

WHEREAS, based on national economic and Development Authority: “The Philippine Development Plan (PDP) 2023-2028 is a plan for deep economic and social transformation to reinvigorate job creation and accelerate poverty reduction by steering the economy back on a high-growth path. This growth must be inclusive, building an environment that provides equal opportunities to all Filipinos, and equipping them with skills to participate fully in an innovative and globally competitive economy;”

WHEREAS, Section 4 of the Implementing Rules and Regulations (IRR) of Republic Act No. 10911 or the Anti-Age Discrimination in Employment Act states that “employers are prohibited from discriminating the employment of an applicant and a worker in terms of age through any forms of publication or advertisement relating to employment, or decline employment application, promotion, or training opportunities due to the individual’s age;”

WHEREAS, Republic Act No. 9994, otherwise known as the Expanded Senior Citizens Act of 2010, essentially provides that “Senior Citizens, 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;”

NOW THEREFORE, on motion of Honorable Roseller S. Pineda duly seconded

BE IT ENACTED BY THE SANGGUNIANG PANLALAWIGAN IN SESSION THAT:

SECTION 1. TITLE. This ordinance shall be known as the "Palawan Ordinance Incorporating Senior Citizens and Persons With Disabilities as Workforce And Incentives".

SECTION 2. DECLARATION OF POLICY AND OBJECTIVE - It is the policy of the Provincial Government of Palawan to further promote workplace diversity and create a more welcoming environment, where employees and employers should understand the laws that protect the senior citizens and Persons with disabilities as member of the labor force. In this context, the PGP shall maximize and strengthen job opportunities for the senior citizens and Persons with disabilities thru capability building programs and projects while encouraging private establishments as partner for economic growth and providing appropriate incentives for compliant employers/ private business entities.

SECTION 3. DEFINITION OF TERMS – As used in this Ordinance, these terms are defined as follows:

- a. Bonafide- “in good faith” in Latin
- b. Capability-building refers to the act, process, or method to an organized activity, whether online or face to face, primarily upgrading the skills and knowledge required for a particular task conducted by a juridical/natural persons.
- c. Labor Force/ Workforce - refers to, the population, 15 years old and over that includes the senior citizens, persons with disabilities ,who contribute to the production of goods and services in the province.
- d. Person with Disability (PWD) - refers to those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full effective participation in society on an equal basis with others.
- e. PESO- The Public Employment Service Office (PESO) is a non-fee charging multi-employment service facility where people could seek assistance for employment.
- f. Senior Citizen - refers to any Filipino citizen who is a resident of the Philippines particularly in the province of Palawan and who is at least sixty (60) years old;

SECTION 4. COVERAGE - This Ordinance shall cover Senior Citizens and PWDs who are residents of the Province of Palawan and all private business establishments and government agencies within the Province.

SECTION 5. PROOF OF MENTAL AND PHYSICAL FITNESS- Senior Citizens and PWDs shall submit, along with the other documents being required by a potential employer, a valid Senior Citizen or PWD Identification (ID) Card.


SECTION 6. APPROPRIATE TESTING IF NEEDED. Should the nature of the work applied for require a medical certificate showing mental or physical fitness, the senior citizens and persons with disabilities, particularly anyone overweight or with a history of high blood pressure and heart disease, should consult a physician before undertaking any vigorous and appropriate testing such as but not limited to:

1. Testing lower body strength(Chair Stand Test).
2. a manual dexterity test or coordination test of fine motor abilities (Block Transfer)
3. a simple manual dexterity test or coordination test of fine motor abilities, which involves turning over cans. (Soda Pop Test).
4. The 30-second *arm curl test* is a good predictor of arm flexor strength as well as overall upper body strength (Arm Curl Test).
5. **Sit-and-reach** and other similar tests that require a person to flex the hip to touch the toes are the most common field tests of flexibility. Such tests are designed to assess low-back and upper hamstring (complex of three posterior thigh muscles) flexibility (Chair Sit and Reach Test).

SECTION 7. PROHIBITION. It shall be unlawful for private business establishments and government agencies to refuse employment to Senior Citizens and PWDs, who are mentally and/or physically fit for the nature of work being applied for, solely on account of their being a senior citizen or PWD.

SECTION 8. CAPACITY BUILDING - The Provincial Government of Palawan (PGP), through the Public Employment Service Office (PESO) and other relevant offices, shall come up with Training Needs Assessment as one of the basis in formulating the capacity-building programs and activities for Senior Citizens and PWDs. PESO shall seek the assistance of relevant National Government Agencies for this purpose, and shall likewise explore networking or partnering and collaborating with non-governmental organizations and private companies.

Any activity intended for skills upgrading should include the following :

- 1) Orientation and Manual for specific jobs appropriate to the Senior Citizens and Persons with Disabilities
 - 2) How to manage Life and work stress;
 - 3) The roles, rights, privileges and benefits of the senior citizens and persons with disabilities
 - 4) How to live a healthy life in a toxic world;
 - 5) Lifestyle medicine and importance of nutrition;
 - 6) Physical, mental, psychological, and social well-being of senior citizens;
 - 7) Importance of healthy juices for our body and demonstrate its preparation.
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SECTION 9. RECOGNITION AND INCENTIVES - The Provincial Government of Palawan shall formally recognize private business establishments and government agencies that employ Senior Citizens and PWDs either as regular employee, apprentice or learner. The implementing offices, as herein below identified, shall come up with the mechanics for the determination of recipients, incentives to be given, and the other details regarding the grant thereof.

SECTION 10. EXEMPTIONS. Government or Business Establishment are exempted to set age limitations during job hiring in a certain situation, such as acceptance of workers with a younger age if the job skills are bonafide for the occupation or if it can have a detrimental effect on the health of the said workers..

SECTION 11. IMPLEMENTING OFFICES AND IMPLEMENTING RULES AND REGULATIONS - The Office for the Senior Citizens Affairs, Social Welfare and Development Office, and PESO, shall monitor the implementation of this Ordinance in accordance with their respective office mandates. The said offices, in coordination with the Provincial Legal Office, shall up with Implementing Rules and Regulations for this Ordinance, especially as to the implementation of

SECTION 12. PENALTIES - The following penalties shall be imposed for any violation of the provisions of this Ordinance:

First Offense- Php 2,000.00 fine

Second Offense- Php 3,000.00 fine

Third Offense and succeeding offenses: Php 5,000.00 fine

The above penalties shall be without prejudice to the government's option to file other actions, in addition or in the alternative, in accordance with other existing laws, rules and regulations.

SECTION 13. REPEALING CLAUSE - All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 14. SEPARABILITY CLAUSE - If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions thereof.

SECTION 15. EFFECTIVITY CLAUSE - This Ordinance shall take effect immediately upon compliance with the requirements of the relevant provision of Republic Act No. 7160.

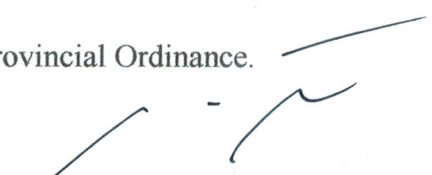
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I CERTIFY to the correctness of the above-quoted Provincial Ordinance.



ANGELA RODRIGUEZ-PEÑA
Secretary to the Sanggunian

ATTESTED


LEONCIO N. OLA
Vice Governor and Presiding Officer

APPROVED:


V. DENNIS M. SOCRATES

 Governor

July 14, 2023
Date

This document is not valid without Sangguniang Panlalawigan Seal

VDMS/LNO/ARP/epp - 7/6/23

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