



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 22ND REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2007-2010) HELD AT THE SB SESSION HALL ON DECEMBER 19, 2007.

Present:

- SB Member Esel L. Flores, Presiding Officer Pro-Tempore
- SB Member Wilbec M. Gelito
- SB Member Gideon T. Siñel
- SB Member Rowen T. Aguirre
- SB Member Cristina C. Prado
- SB Member Charlie D. Villanueva
- SB Member Dante C. Pagsugiron
- SB Member Mateo A. Tayco
- SB Member Roldan M. Casidsid, Liga President
- SB Member Niño Elpe D. De Sullan, SK Federation President

Absent:

- Hon. John P. Yap, Municipal Vice Mayor (on leave)

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MUNICIPAL ORDINANCE NO. 254

Series of 2007

AN ORDINANCE REQUIRING PROJECT PROPONENTS, CONTRACTORS, HOTEL OR RESORT OR BUSINESS ESTABLISHMENT PROPRIETORS AND/OR OPERATORS WITHIN THE MUNICIPAL JURISDICTION OF MALAY TO GIVE PREFERENCE IN THE EMPLOYMENT OF LOCAL APPLICANTS FOR LABOR, MANPOWER, RESORT AND/OR BUSINESS PERSONNEL AND/OR STAFF IN THEIR RESPECTIVE ESTABLISHMENTS FIXING THE REQUIRED QUOTA FOR LOCAL EMPLOYMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

SECTION 1. - **RATIONALE.** Observable is the fact that employment of local labor and professionals are greatly affected by the influx of job seekers coming from different parts of the country to Malay. Compounding this slim chance of employment for the local is the fact that compensation in Malay, particularly Boracay, becomes less attractive and competitive by reason of this big volume of transient job seekers, hence this piece of legislation.

SECTION 2. - **EMPLOYMENT PREFERENCE. LOCAL APPLICANTS.** It shall be required of any project proponents, contractors, hotels, resorts and business establishment proprietors and/or operators, within the municipal jurisdiction of Malay, to give preference in the employment of local applicants for labor, manpower, resort and/or business personnel and/or staff in their respective establishment. For purposes of this ordinance, local applicants refer to persons of age who are residents of Malay or married to a resident of Malay or those who have resided in Malay at least six (6) months before filing their respective application for employment. Length of residency must be duly certified by the Punong Barangays of the place where the applicants reside.

SECTION 3. - **PRESCRIBED EMPLOYMENT QUOTAS. LOCAL APPLICANTS.** The employment quotas prescribed below shall be strictly observed by the following:

- A) Project proponents and/or Contractors of Civil and Structural Works shall employ at least sixty percent (60%) of unskilled labor and/or manpower and at least forty percent (40%) of the skilled labor and/or manpower locally.
- B) Hotel, resort and business establishment proprietors and/or operators shall employ at least forty percent (40%) of their respective personnel and/or staff from the local applicants.

SECTION 4. - **CERTIFICATION. MUNICIPAL PUBLIC EMPLOYMENT SERVICE OFFICE. INVENTORY INSPECTION.** It shall be required of all project proponents, contractors, hotel or resort or business establishment proprietors and/or operators to secure a certification from the Municipal Public Employment Service Office of LGU-Malay certifying to the effect that provisions of this ordinance has been complied. This certification shall form part of the requisites that must be complied and submitted before a building permit or a mayor's permit to operate business, as the case may be, shall be issued.

In the event that the number of local applicants is not adequate to meet the employment needs of the project proponents, contractors, hotels, resorts, and/or business establishments, certification to this effect shall likewise be secured from the Municipal Public Employment Service Office of LGU-Malay.

The Municipal Public Employment Service Office shall conduct on the spot inventory inspection, as the need arises, to determine compliance to this ordinance.

SECTION 5. - **PENALTIES.** Project proponents, contractors, hotels, resorts and/or business establishments hiring labor, manpower, personnel and staff in contravention of any provisions of this ordinance shall be burdened by the following penalties:

FIRST OFFENSE - Stern warning and a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00).

Continued defiance of notices of compliance to the provision of this ordinance, cancellation of business permit and/or building permit, as the case may be, shall be issued after the third notice has been officially served.

SECTION 5. - **AMENDMENT.** Any ordinance, rules and regulations, or parts thereof, provisions of which are in conflict with, or contrary to the provisions of this ordinance are hereby repealed, amended and modified accordingly.

SECTION 6. - **EFFECTIVITY.** This ordinance shall take effect upon its approval and proper publication.

ENACTED. SEPTEMBER 21, 2007.

APPROVED. DECEMBER 19, 2007.

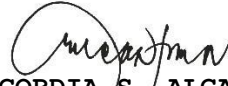
APPROVED: SP RESOLUTION NO. 2008-312, dtd. 9-25-2008

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I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.



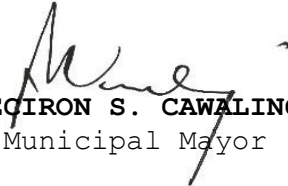
CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

ATTESTED:



ESEL L. FLORES
SB Member
Presiding Officer Pro-Tempore

APPROVED:



CECIRON S. CAWALING
Municipal Mayor