



Republic of the Philippines
 Region IX
 Province of Zamboanga del Sur
MUNICIPALITY OF DUMALINAO
OFFICE OF THE SANGGUNIANG BAYAN



EXCERPTS FROM THE MINUTES OF THE 31ST REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR, HELD AT SB SESSION HALL ON APRIL 17, 2023.

Present:

- | | |
|-----------------------------------|------------------------|
| HON. LORENZO S. ALCANTARA | - Municipal Vice Mayor |
| HON. RONALDO D. ENCABO | - SB Member |
| HON. ARNOLD L. FLORES | - SB Member |
| HON. FREDERICK R. BALANDRA | - SB Member |
| HON. HERMES B. CABALES | - SB Member |
| HON. MA. GEMMA C. ALBISO | - SB Member |
| HON. RHOLLY A. LABANG | - SB Member |
| HON. ROMEO G. LIGAN | - SB Member |
| HON. JELITO R. PEÑONAL | - SB Member |
| HON. JESSIE NIEL C. PAULO | - ABC President |
| HON. JEZIEL R. DAGUPAN | - SKF President |
| HON. ROMEO D. PARILA | - IPMR |

Absent:

NONE

ORDINANCE NO. 2023-04-477

AN ORDINANCE INSTITUTIONALIZING A DRUG-FREE WORK PLACE IN THE LOCAL GOVERNMENT UNIT OF DUMALINAO, ZAMBOANGA DEL SUR AND PROVIDING FUNDS AND SANCTION THEREOF AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Executive Order No. 66, Series of 2018, issued by President Rodrigo Roa Duterte, calls for the institutionalization of the Philippine Anti-Illegal Drugs Strategy, which outlines the balanced efforts of the government to strengthen the campaign against illegal drugs and contribute to international efforts to counter the worldwide illegal drug problem;

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR

(Handwritten signatures of Sangguniang Bayan members)



WHEREAS, under Section 4 of the same E.O, provides that all local government units shall adopt their respective Drug – Free Workplace Programs and conduct authorized drug testing among their respective officials and personnel in accordance with the provisions of Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended;

WHEREAS, the Civil Service Commission (CSC) issued Resolution No. 101359 which prescribes the conduct of mandatory drug test as a requirement for pre-employment to ensure that only those qualified shall be screened and recruited in the government service;

WHEREAS, the same resolution mandates the heads of agencies to ensure that the drug-free workplace program on the prevention and control of dangerous drugs, including drug-testing, shall be disseminated to all officials and employees;

WHEREAS, public office is a public trust, henceforth, public officers must at all times be accountable to the people, serve them with utmost degree of responsibility, integrity, loyalty, and efficiency;

WHEREAS, it is the best interest of the LGU-Dumalinao to create a drug-free workplace since drug abuse problem, if there is any, can have adverse and far reaching effects on the government, like reduced productivity, poor decision making, client relationship mishap and physically dangerous situations;

NOW THEREFORE, on motion by **HON. JESSIE NIEL C. PAULO** and severally seconded by all members present during the session;

BE IT ORDAINED by the 12th Sangguniang Bayan of Dumalinao, Zamboanga del Sur, in session assembled that:

SECTION I. TITLE – This ordinance shall be known as **“DRUG-FREE WORKPLACE IN THE MUNICIPALITY OF DUMALINAO, ZAMBOANGA DEL SUR”**.

SECTION II. OBJECTIVE – This ordinance aims to ensure that all public officers and personnel of the municipality both elective and appointive, remain drug free in order to continuously provide effective and efficient service to the people.

SECTION III. SCOPE - This ordinance covers all elective and appointive public officers and personnel of the Municipality of Dumalinao, Province of Zamboanga del Sur. Barangay Officials and Personnel, Contract of Service

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR

2



[Handwritten signatures of the Sangguniang Bayan members]

(COS), and Job Order (JO) workers are also covered by the provisions of this ordinance.

SECTION IV. DEFINITION OF TERMS – For the purposes of this ordinance, the following terms are defined:

1. Employees – shall include all local and national officials, barangay officials and personnel, regular, casual, job order personnel, contractual, and temporary employees in the Local Government Unit of Dumalinao, Zamboanga del Sur.

2. Random Drug Testing – subjection of personnel for drug testing as selected following no specific pattern and without prior notice/information.

3. Authorized Drug Testing – the testing done by any government forensic laboratory or a drug testing laboratory accredited by the Department of Health (DOH). It shall employ, among others, two (2) testing methods, the screening test, which will determine the positive test result as well as the type of drug used, and the confirmatory test, which shall confirm a positive screening test.

4. Challenge Test - a drug test conducted as a result of a challenge filed by a public officer who tested positive for drug use in a confirmatory test in an authorized drug testing activity.

5. Screening Test – a rapid drug test performed to establish potential or presumptive positive result. It refers to the immunoassay test to eliminate a "negative" specimen, i.e. one without the presence of dangerous drugs, from further consideration and to identify the presumptively positive specimen that requires confirmatory test.

6. Confirmatory Test – an analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test.

7. Dangerous Drugs – include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex which is an integral part of Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended.

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR

3



[Handwritten signatures and initials of the Sangguniang Bayan members]

8. Drug Dependency Examination – refers to the examination conducted by a physician accredited by the DOH to evaluate the extent of drug use of a person and to determine whether he/she is a drug dependent or not, which includes history taking, intake interview, determination of criteria for drug dependency, mental and physical status, and the detection of dangerous drugs in body specimens through laboratory procedures.

9. Refusal – Physically evading, escaping, refusing or making self-unavailable.

10. Employee Assistance Program – a program that offers assistance to government officials or employees who have alcohol or drug-related issues and problems that may affect work performance. It shall be jointly implemented by the agency, the employees, and employees' union.

11. Mandatory Drug Testing – compulsory submission of a public officer or prospective employee to drug testing as mandated by this ordinance.

SECTION V. GENERAL GUIDELINES IN THE CONDUCT OF AUTHORIZED RANDOM DRUG TESTING AS GOVERNMENT POLICY AND AS PART OF EMPLOYEES' RULES, AND REGULATIONS – This ordinance shall be applicable to the random drug testing of all municipal and barangay officials and personnel, and local employees of the Local Government Unit of Dumalinao, Zamboanga del Sur;

1. The random drug testing shall be implemented as a collaborative undertaking of the government, its municipal and barangay officials and personnel, and local employees and national officials.

2. Random drug testing shall be implemented primarily for the purpose of this ordinance.

3. The Local Chief Executive, in consultation with the Drug Free Workplace Committee, shall determine the frequency and dates for the conduct of an authorized drug testing activity. Information relating to frequency and dates relating to drug testing shall be treated with utmost confidentiality unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the person in question.

4. The Barangay Local Government Unit shall allocate funds and shall shoulder the conduct of drug testing thereof.

5. Personnel selected to undergo drug testing shall immediately report to the Local Chief Executive, the Drug Free Workplace Committee, and/or the

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR

[Handwritten signatures]

[Handwritten signature]

[Handwritten signature]



Assessment Team, personnel who, without any justifiable reason, fail to report for drug testing shall be sanctioned.

6. Upon discovery that a urine sample tested positive for use of dangerous drugs after confirmatory testing, the result shall immediately be made known to the Local Chief Executive, who shall notify the public officer concerned. The public officer shall have fifteen (15) days from receipt of notice to challenge the result of the confirmatory test. Using the same specimen, a challenge test shall be conducted by a drug testing laboratory accredited by the Department of Health (DOH). All expenses incurred in the conduct of the challenge test shall be borne by the concerned public officer.

7. A positive drug test result from the challenge test is deemed final and the public officer shall be subjected to administrative proceedings. Failure to file a challenge within the prescribed period shall make the positive drug test result from the confirmatory drug test final. The Agency shall then take the appropriate action.

SECTION VI. ESTABLISHMENT OF THE DRUG – FREE WORKPLACE COMMITTEE –

There shall be a Drug-Free Workplace Committee which shall ensure the proper implementation and dissemination of this ordinance. The Committee shall be composed of the following:

Chairperson – Municipal Mayor/Local Chief Executive

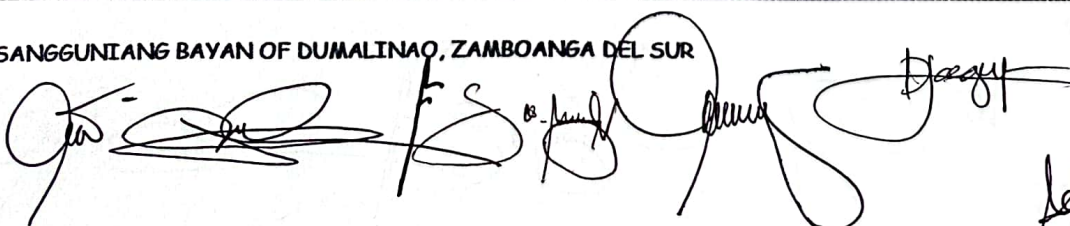
Vice Chairperson – Municipal Vice-Mayor

Members:

1. Chairperson on Committee on Peace and Order;
2. Human Resource Management Officer;
3. Municipal Health Officer;
4. Municipal Legal Officer;
5. The president of Dumalinao Local Employee Organization (DumLEO) or his/her representative; and
6. Focal Person on the Municipal Anti – Drug Abuse Council (MADAC).

SECTION VII. ESTABLISHMENT OF AN ASSESSMENT TEAM – There shall be an Assessment Team to be created by the Local Chief Executive which shall assist

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR



in the conduct of substance abuse awareness and prevention programs and implement the Employee Assistance Program for personnel who wish to undergo drug use intervention. It shall be composed of personnel with educational and training background on medicine, psychology, social work, and human resources administration.

SECTION VIII. ASPECTS OF THE DRUG – FREE WORKPLACE POLICY.

1. Pre – Employment Drug Testing – Mandatory drug testing shall remain an essential requirement for entry into government service. Any applicant found positive for drug use shall be denied entry to government service.

2. Substance Abuse Awareness and Prevention Programs – The Assessment Team shall initiate and implement these programs to ensure that personnel are properly informed on the evils of drug use, including its physical, mental, social, and legal implications.

3. Authorized Drug Testing – The Drug Free Workplace Committee and/ or the Assessment Team shall implement a random selection procedure in order to determine personnel who shall undergo drug testing.

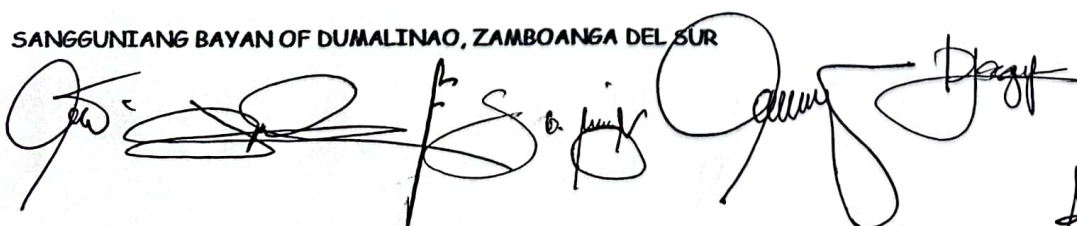
4. Employee Assistance Program – Any personnel, prior to the conduct of Authorized Drug Testing, may seek intervention through the Employee Assistance Program, which shall provide referrals and additional services to the personnel concerned. A drug dependency examination shall be conducted in order to determine the level of Substance Use Disorder and the applicable intervention. This Program shall not apply to personnel who are found to be positive for drug use after the conduct of confirmatory drug test in an Authorized Drug Testing activity.

SECTION IX. FUNDS - The amount necessary to carry out provisions of this ordinance following its enactment shall be included in the ensuing Appropriation Ordinance embodying annual or supplemental budget, and every year thereafter, and/or the same be taken from the Intelligence fund of the Municipal Mayor. The Barangay Local Government Unit shall allocate funds and shall shoulder the conduct of drug testing thereof.

SECTION X. SANCTIONS.

1. An appointive public officer who refuses, without any valid reason, to submit himself/herself to authorized drug testing, or is found positive for drug use after the conduct of a confirmatory test in an authorized drug testing activity shall be charged with the administrative offense of Grave Misconduct.

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR



2. Any elective public officer who refuses, without any valid reason, to submit himself/herself to authorized drug testing, or is found positive for drug use after the conduct of a confirmatory test in an authorized drug testing activity shall be subject to disciplinary action for misconduct in office pursuant to Section 60 of the Local Government Code and Article 124 (3) of the Implementing Rules and Regulations of the Local Government Code.

3. Any public officer found to have tampered the result of a drug test, interfered with the conduct of the drug test or in the release of drug test results, or violated rules of confidentiality of records shall be charged with the administrative offense of Grave Misconduct without prejudice to the filing of a case for violation of Section 32, Article II of the Act.

4. Any public officer who violated the provisions of Article II of the Act shall be charged with the administrative offense of Grave Misconduct or face disciplinary sanction under Section 60 of the Local Government Code, as the case may be, without prejudice to the filing of criminal charges under the Act and other relevant laws.

SECTION XI. REPORTORIAL – The Local Chief Executive shall ensure that a copy of this ordinance shall be communicated to the Dangerous Drugs Board and the Department of the Interior and Local Government for information.

Thereafter, the Local Chief Executive shall also report to said agencies the conduct of authorized drug testing and provide data as to the number of persons who were subjected to drug testing, the number of persons found positive for drug use, and the action undertaken by the Local Chief Executive on persons found positive for drug use.

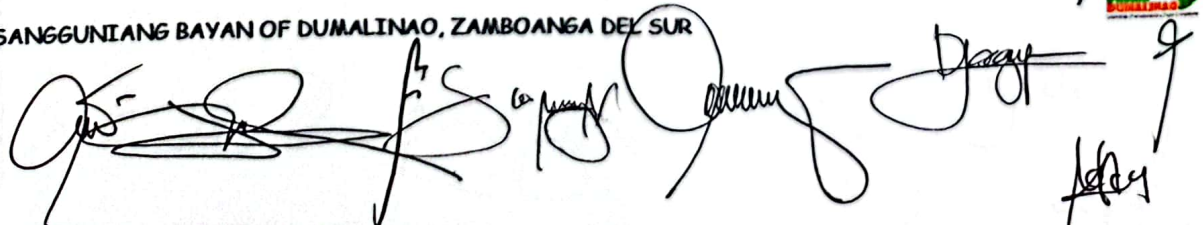
SECTION XII. SEPARABILITY CLAUSE - If any part or provision of this ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.

SECTION XIII. REPEALING CLAUSE – All previous ordinances and provisions inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION XIV. EFFECTIVITY. This Ordinance shall take effect immediately upon review and approval.

ENACTED this 17th day of APRIL 2023, at Dumalinao, Zamboanga del Sur.

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR






I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


ATTY. MAYUS RYAN D. ANDO

SB Secretary

Attested by:


LORENZO S. ALCANTARA

Vice Mayor - Presiding Officer

Approved by:

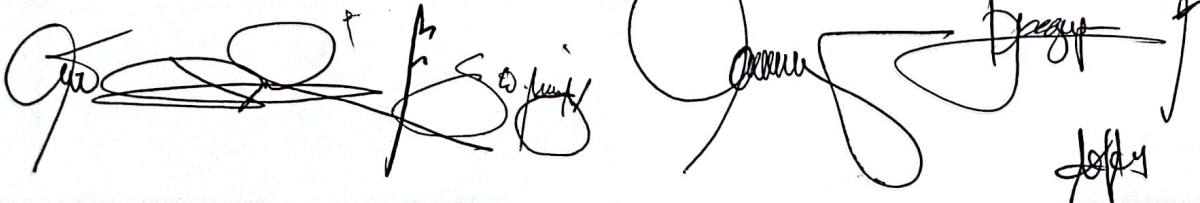

JUNAFIOR S. CERILLES, RMT, MAGD

Municipal Mayor

SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR

8







Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
SANGGUNIANG PANLALAWIGAN
OFFICE OF THE SECRETARY TO THE SANGGUNIANG PANLALAWIGAN
 Pagadian City



EXCERPT FROM THE MINUTES OF THE 38TH REGULAR SESSION OF THE 11TH PROVINCIAL BOARD, SANGGUNIANG PANLALAWIGAN OF ZAMBOANGA DEL SUR, HELD AT THE SP LEGISLATIVE BUILDING, PROVINCIAL GOVERNMENT CENTER, BARANGAY DAO, PAGADIAN CITY ON MAY 18, 2023 AT 9:15 IN THE MORNING.

OFFICERS/MEMBERS		PRESENT	ABSENT	REMARKS
HON. ROSELLER L. ARIOSA	Vice Governor			OIG-Governor
HON. CESAR C. DACAL, JR.	Chairman Pro Tempore	√		
HON. FRANCISVIC S. VILLAMERO	Majority Floor Leader	√		
HON. JUAN C. REGALA	Assistant Majority Floor Leader	√		
HON. BIENVENIDO L. EBARLE, JR.	Minority Floor Leader	√		
HON. ROGELIO J. SANIEL	SP Member	√		
HON. MAPHILINDO Q. OBAOB	SP Member	√		
HON. JENIFER B. DIN-MARIANO	SP Member	√		
HON. RONALDO C. POLOYAPOY	SP Member	√		
HON. MARILOU VIDAD-ABRENICA	SP Member	√		
HON. HERNAN P. DELA CRUZ	SP Member	√		
HON. MONIQUE SHAIRA Y. TO	Ex-Officio Member, PCL			OB
HON. ALVIN M. LAMOSA	Ex-Officio Member, PCL			OB
HON. VERGEL B. PILAR	Ex-Officio Member, SKF	√		

"RESOLUTION NO. 821-2023

DECLARING VALID ORDINANCE NO. 2023-04-477, "AN ORDINANCE INSTITUTIONALIZING A DRUG-FREE WORK PLACE IN THE LOCAL GOVERNMENT UNIT OF DUMALINAO, ZAMBOANGA DEL SUR AND PROVIDING FUNDS AND SANCTION THEREOF AND FOR OTHER PURPOSES."

WHEREAS, in order to continuously provide effective and efficient service to the people, the Sangguniang Bayan institutionalizes a drug-free work place in the local government unit of Dumalinao, Zamboanga del Sur and provides funds and sanctions thereof and for other purposes under its Ordinance No. 2023-04-477 which was submitted to this Body for its favorable action;

WHEREAS, after a review and evaluation on the said Ordinance, the Committee on Fire, Public Safety, Peace and Order to which it was referred for further study recommended for the declaration of the same as valid on the following grounds as cited hereunder:

- 1) The 1987 Constitution mandates that public office is a public trust, thus public employees must at all times, serve people with utmost degree of efficiency. Drug abuse problem, if there is any, can have adverse and far reaching effects on the government, like reduced productivity, poor decision;
- 2) The Executive Order No. 66, series of 2028, issued by the President Rodrigo Roa Duterte, calls for the institutionalization of the Philippine Anti-Illegal Drugs Strategy, which outlines the balanced efforts of the government to strengthen the campaign against drugs contribute to international efforts to counter the worldwide illegal drug problem;
- 3) Republic Act No. 9165 known as the Comprehensive Dangerous Drug Act of 2022, mandates active cooperation and participation of the LGU in the programs of the government against drug abuse and addiction to provide the people with peaceful and healthy communities, hence the enactment of the said Ordinance;

NOW, THEREFORE, on motion of Hon. Juan C. Regala and duly seconded, be it

RESOLVED to declare valid, as it hereby declares valid Ordinance No. 2023-04-477 of Dumalinao, Zamboanga del Sur, as abovesited;

APPROVED UNANIMOUSLY.

VERIFIED:

FRANCISVIC S. VILLAMERO
Floor Leader

ATTESTED:

CESAR C. DACAL, JR.
Acting Presiding Officer

I HEREBY CERTIFY that the foregoing is accurate and a true excerpt of the Minutes of the Session per available records of this Office.

Annalyn Obate-Absin
ANNALYN OBATE-ABSIN, RN, CESE
 Secretary to the Sangguniang Panlalawigan