



Republic of the Philippines
PROVINCE OF NUEVA ECIJA
Provincial Capitol Bldg.
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE 40th REGULAR SESSION OF THE SANGGUNIANG
PANLALAWIGAN OF NUEVA ECIJA HELD AT THE SIERRA MADRE SUITES,
PALAYAN CITY, NUEVA ECIJA

NOVEMBER 10, 2020

PRESENT :

VG. EMMANUEL ANTONIO M. UMALI	- Presiding Officer
BM. RAFAEL ANDREW R. VILLANUEVA	- Member
BM. EMARY JOY D. PASCUAL	- Member
BM. JO-MARIO ANGELO E. MATIAS	- Member
BM. NAPOLEON P. INTERIOR, JR.	- Member
BM. EDUARDO JOSE B. JOSON, VII	- Member
BM. TERESITA A. PATIAG	- Member
BM. ERIC DANIEL F. SALAZAR	- Member
BM. ESMERALDO B. ABALOS	- Member
BM. ROSELLER T. DE GUZMAN	- Member
BM. JOSEPH R. ORTIZ	- Member
BM. ARIEL L. MATIAS	- Member (President-LnB)
BM. MARY SWEET LIBERTY N. CRUZ	- Member (SK President)

ABSENT :

BM. BELINDA E. PALILIO	- Member (President-PCL)
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ORDINANCE NO. 76-S-2020

**AN ORDINANCE UPGRADING THE ENTRY LEVEL OF NURSE
POSITIONS FROM SALARY GRADE 11 TO SALARY GRADE 15 IN
THE PROVINCIAL GOVERNMENT OF NUEVA ECIJA, EFFECTIVE
JANUARY 1, 2021, PURSUANT TO DBM CIRCULAR NO. 2020-4**

WHEREAS, on November 15, 2020 the Sangguniang Panlalawigan received a communication dated November 3, 2020 from Governor Aurelio M. Umali, regarding DBM Circular No. 2020-4 dated July 17, 2020 - *Upgrading the Entry Level of Nurse Positions from salary grade 11 to salary grade 15.*

WHEREAS, based on the above communication, the Governor informed the Sangguniang Panlalawigan that the Provincial Government of Nueva Ecija does not have the capacity to implement DBM Circular No. 2020-4 this year due to funding issues, but clarified that implementation of the same shall be effected by the next budget year as he sought the enactment of an ordinance for the implementation of DBM Circular No. 2020-4 beginning January 01, 2021, upon the approval of the budget for Personal Services for the said year.

WHEREAS, Section 32 of R.A. 9173 or the Philippine Nursing Act of 2002 provides a minimum base pay of not lower than Salary Grade 15 for nurses working in the public health institutions. Relatedly, the Supreme Court of the Philippines, in Ang NARS Party List, ,

et.al., vs. the Executive Secretary, et.al. (G.R. No. 215746) upheld the validity of Section 32 of RA No. 9173. Said SC En Banc Decision has become final and executory on December 13, 2019;

WHEREAS, Section 76 of R.A. 7160, otherwise known as the Local Government Code of 1991, provides that. – *Every Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and **financial capability***, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

WHEREAS, Section 81 of the same Code, provides that – *The compensation of the local officials and personnel shall be determined by the sanggunian concerned . **Provided**, that the increase in compensation of elective local officials shall take effect only after the terms of office of those approving such increase shall have expired. **Provided, further**, that the increase in compensation of the appointive official and employees shall take effect as provided in the ordinance authorizing such increase . **Provided, however**, that said increases shall not exceed the limitations on budgetary allocations for personal services provided under Title Five Book II of this Code. **Provided, finally**, that such compensation may be based upon the pertinent provisions of Republic Act Numbered 6758, otherwise known as the “Compensation and Position Classification Act of 1989.”*

WHEREAS, the Sangguniang Panlalawigan welcomed the government’s decision to finally implement Section 2 of the Philippine Nursing Act of 2002, which seeks to raise the monthly base pay of government nurses.

NOW THEREFORE, under the suspended rules, and on motion of Board Member Napoleon R. Interior, Jr., duly seconded by all Members present;

BE IT ORDAINED AND ENACTED, by the Sangguniang Panlalawigan in session assembled :

ORDINANCE NO. 76-S-2020

AN ORDINANCE UPGRADING THE ENTRY LEVEL OF NURSE POSITIONS FROM SALARY GRADE 11 TO SALARY GRADE 15 IN THE PROVINCIAL GOVERNMENT OF NUEVA ECIJA, EFFECTIVE JANUARY 1, 2021, PURSUANT TO DBM CIRCULAR NO. 2020-4

SECTION I. Upgrading of Nurse I Position. The Salary Grade allocation of Nurse I position is hereby upgraded by four (4) Salary Grades (SG) effective January 1, 2020.

SECTION II. Rules for Adjusting Salaries. The salaries of incumbents of Nurse I positions shall be adjusted at the same salary steps as those of the previous Salary Grade of their positions. The new salary rates shall be in accordance with the applicable Salary Schedule adopted by the Provincial Government of Nueva Ecija (PGNE) pursuant to the provisions of Item 6.5 of Local Budget Circular No. 121, dated January 4, 2020. The subject upgrading of positions is not within the provisions of Section 325 (a) of RA 7160.

SECTION III. Modification in the Position Attributes of the Nurse Positions. Pursuant to DBM Circular No. 2020-4, the position attributes of the following classes of Nurse position in the Provincial Government of Nueva Ecija (PGNE) are hereby modified :

FROM	Salary Grade	TO	Salary Grade
Nurse II	15	Nurse I	15
Nurse III	17	Nurse II	17
Nurse IV	19	Nurse III	19
Nurse V	20	Nurse IV	20
Nurse VI	22	Nurse V	22
Nurse VII	24	Nurse VI	24

SECTION IV. Preparation of Notices Allocation. The Provincial Governor shall issue a Notice of Position Allocation to each nurse concerned, and copy furnish the Government Service Insurance System (GSIS), if the nurse is a member thereof.

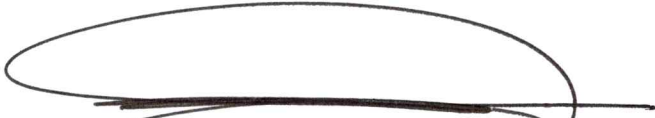
SECTION V. Fund Sources. The amounts required to implement the salary upgrading shall be charged to the funds of the Provincial Government of Nueva Ecija (PGNE), subject to Personnel Services Limitation in the province’s budget pursuant to Section 325 (a) of RA 7160 and Section 331 (d) of RA 7160. Such amount shall be provided for in an appropriation ordinance to be enacted by the Sangguniang Panlalawigan, starting January 1, 2021.

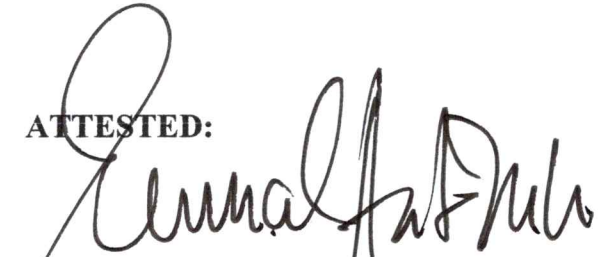
SECTION VI. Effectivity. This ordinance shall take effect upon its approval.

SECTION VII. Let copy of this ordinance be forwarded to the Governors Office, the Provincial Budget Office, the Provincial Accounting Office, the Provincial Human Resource Management Office, the Civil Service Commission (CSC) and the Government Service Insurance System (GSIS) for their information and guidance.

APPROVED, November 10, 2020.

I HEREBY certify to the correctness of the foregoing resolution.


ATTY. NORBERTO D. CORONEL
Secretary to the Sangguniang Panlalawigan

ATTESTED:

EMMANUEL ANTONIO M. UMALI
Vice Governor/Presiding Officer

APPROVED: 

AURELIO M. UMALI
Governor
NOV 19 2020
Date