



WHEREAS, Section 375 of the Local Government Code of 1991 states that, each head of department or office of a province, city, municipality, or barangay shall be primarily accountable for all government property assigned or issued to his department or office, and that the person or persons entrusted with the possession or custody of government property under the accountability of any head of department or office shall be immediately accountable to such officer. Section 376 of the same Code mandates that, the person in actual physical possession of government property or entrusted with its custody and control shall be responsible for its proper use and care and shall exercise due diligence in the utilization and safekeeping thereof;

WHEREAS, the operations and processes of any local government unit must not be hampered, adversely affected, suspended, or discontinued by the permanent or temporary separation from service of those who worked or work for it, hence, policies must be instituted, implemented, and sustained;

Be it ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

**Section 1. Statement of Policy.** It is the policy of the Local Government Unit of Bulalacao (LGU of Bulalacao) to ensure that its resources and assets are properly managed, maintained, utilized, kept, protected, and valued; accountability and responsibility are observed and upheld; and protective mechanism against abuse, malfeasance, and misfeasance is in place.

**Section 2. Definition of Terms.** As used in this ordinance, the following terms shall mean:

- Employees - the employees of the LGU of Bulalacao holding plantilla positions in permanent, temporary, contractual, casual, or co-terminous status.
- Officials - the elected officials of the LGU of Bulalacao including those who are holding ex-officio positions
- Workers - the workers hired by the LGU of Bulalacao thru job order or contract of service basis

**Section 3. Mandated Acts.** All officials or employees who signified intention to retire, transfer, resign, to be detailed, or to be separated from service, or who applied for terminal leave benefits (TLB) or transfer of leave credits, and travel abroad and other forms of leave of absence for more than 30 days, shall be required to clear themselves from any accountability and responsibility by doing the following acts as may be applicable, not shorter than fifteen (15) days before the start of covered period and before the payment of last salary or TLB:

- a. Liquidation or refund of cash advance;
- b. Payment of outstanding financial obligation or amortization for the covered period to agency-accredited union/cooperative and to financing institutions having an agreement with the Local Government Unit of Bulalacao (LGU of Bulalacao) on loans for officials and employees;
- c. Complying or providing explanation on audit memorandum observations concerning the official or employee;

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- d. Returning or replacing if lost, the borrowed books or references from the Municipal Library and/or Municipal Legal Office ;
- e. Returning or turning-over to the designated General Service Officer, Property Custodian or Inventory Officer all vehicle, equipment, tools, materials, gadgets, and properties entrusted by the agency during the employment or term of office. Lost or damaged property due to force majeure shall be supported with documents and/or testimonies that the loss or damage was not due to negligence, otherwise, the lost or damaged property shall be paid in cash or deducted from the last salary or TLB based on book value;
- f. Serving the penalty imposed in connection with violation of civil service laws and rules as ordered by the disciplining authority;
- g. Payment of outstanding bills and taxes;
- h. Serving necessary service requirement in connection with the scholarship granted to the applicant; and
- i. Turn-over of work-related accountabilities.

This Section shall be also applicable to job jorder or contract of service workers prior to the payment of their last wage and approval of their resignation or prior to issuance of service record, certificate of employment, or work referral/recommendation in case of service termination or end of contract. The Municipal Legal Office or the Office of the Municipal Administrator shall initiate a civil case against the non-compliant worker or erstwhile worker for violating this Ordinance.

To provide clear reference, the job order or contract of service shall state the terms of service, period of employment, and wage rate duly supported with certificate of availability of funds. The Human Resource Management Officer (HRMO) shall ensure that stipulations pertaining to the obligation of workers to clear themselves from any accountability and responsibility prior to their resignation, termination of service, or end of contract shall be included in the job order or contract of service.

Resignation letters and applications for maternity leave, study leave, or travel abroad and other forms of leave of absence for more than 30 days, shall be submitted at least ninety (90) days before the covered period, while applications for retirement, detail, transfer to another agency, TLB claims, and transfer of leave credits shall be submitted at least one (1) year before the covered period. However, exemptions shall be given to applications for TLB claims in case of separation from service because of death or disability. All resignation letters and applications as mentioned herein shall be submitted thru the HRMO for immediate processing.

**Section 4. Turn-Over of Work-Related Accountabilities.** Thorough, detailed, documented, physical, and written turnover of documents and transactions such as but not limited to those mentioned in Department of Interior and Local Government Memorandum Circular No. 2019-39 shall be made by the officials and employees applying for resignation, retirement, detail, transfer, maternity leave, study leave, travel abroad and other forms of leave of absence for more than 30 days, TLB claims, or transfer of leave credits, or by officials who shall be separated from service because of term limits, or by workers who shall stop rendering service soon because of termination of job order or end of contract of service, to the highest ranking permanent employee in the concerned office. The turn-over shall be witnessed by at least more than two (2) employees in the office. Such highest ranking permanent employee shall certify the actual conduct of turn-over and shall receive the documents, list of pending or on-going transactions, and status of programs, projects, and services. The witnesses shall attest to such turn-over.

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HON. GERMAN S. ARCOSTA  
HON. NIA JONIE ELCO E. CANTOS

HON. EDEZER ACERON  
HON. ENRICO C. VILLAS

HON. DENNIS M. FANER  
HON. EDWIN C. ACERON

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HON. EDILDO N. CONTRERAS, JR.

HON. RAFAEL M. GABANUA  
HON. ERNILDO C. VILLAS

**Section 5. Prohibited Acts.** The following acts shall be prohibited:

- a. Hiding or taking away vital official documents such as but not limited to land titles, deeds of donation, approved development and investment plans, and vehicle registration papers from the office or responsible officers;
- b. Deletion of electronic files and softwares from the LGU of Bulalacao – owned computers and gadgets; and
- c. Refusal to turn-over all properties and documents owned, maintained, acquired, donated to, and solicited by the LGU of Bulalacao.

**Section 6. Clearance Form.** The applicable acts listed in Section 1 shall have been performed by the concerned official, employee, or worker, prior to the signing of CS Form 7 (revised in 2018 and as may be further revised), by the incumbents or designees or in-charge of the following positions, according to this order:

Work-related accountabilities  
Books and references

Supply and property procurement and management services  
Agency-accredited union or cooperative  
any Legal affairs services

Payroll and remittance services  
Financial services  
Transaction, processing, and billing services  
Scholarship services  
Human resource welfare and assistance

Head of the concerned office  
Municipal Legal Officer and/or  
Municipal Librarian, if there is any

Municipal Treasurer  
President/Manager, if there is  
Municipal Legal Officer or  
Municipal Administrator  
Payroll Officer  
Municipal Accountant  
Municipal Treasurer  
HRMO  
HRMO

If the officials, employees, or workers appear to have uncleared accountability/ies, the clearing officer shall attach to the clearance form the pertinent document/s that shall prove that they have remaining obligation or accountability indicating the necessary action/s they must undertake in order to be cleared. Once done, the clearing officer shall then sign the clearance form.

The Municipal Mayor shall sign the clearance if all applicable signatories already affixed their signatures opposite their names, otherwise the clearance shall be considered void. The HRMO shall prepare the clearance form after the applicant paid the corresponding secretary's fee to the Municipal Treasury Office.

It shall be the duty of the HRMO to make sure that all officials, employees, or workers who resigned, retired, transferred, was detailed to another agency, was dropped from the roll, or separated from service due to end of term, end of contract, or end of work, shall have secured approved clearance form before being issued with certificate of employment, service record, referral, or recommendation.

The clearance form and the certificate of actual turn-over and receipt of documents and transactions shall become requirements in addition to acts and documents required by the Civil Service Commission, Commission on Audit, Municipal Accounting Office, and by related laws and issuances, prior to the release of last salary, other money, and/or terminal leave benefits (TLB), if any. Without such, the Municipal Accountant shall not certify to the completeness of documents and the Municipal Treasurer shall not release the check pertinent to the last salary, other money, and/or TLB claim.

HON. JESSA V. SAMPAGAN  
PELITA PAZ

HON. KEVENE C. CANTOS  
HON. TUDY M. SARING

HON. GERARDO S. ACOSTA  
HON. RONALDO E. CANTOS

HON. EDZER F. ACERON  
HON. ENRICO C. VILLAS

HON. DENNIS M. FANER  
HON. EDWIN C. ACERON

HON. DELEA C. SONZALES  
HON. ELPIDIO N. CONTRERAS, JR.

HON. MARICEL M. MARGANIA  
HON. ERNILE C. VILLAS

... The fund needed for the implementation of this Ordinance shall be charged against the related accounts under the Maintenance and Other Operating Expenses of the Office of the Municipal Administrator for the current year and for years thereafter.

Disbursement shall only be allowed upon presentation of necessary documents as may be required by the Municipal Accounting Office.

**Section 8. Administrative Provision.** Any officer, employee, or worker of the LGU of Bulalacao who shall disregard or neglect the implementation of this Ordinance shall be administratively dealt with and such shall be a ground for suspension or dismissal subject to pertinent provisions of the Civil Service laws and rules and applicable policies.

**Section 9. Penalty Clause.** The violation of this Ordinance shall be penalized with one (1) month imprisonment or by equivalent community service.

**Section 10. Repealing Clause.** Any ordinance inconsistent with the provisions of this Ordinance is hereby repealed or modified accordingly.

**Section 11. Separability Clause.** If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect. Higher laws or policies inconsistent with the provisions of this Ordinance shall prevail.

**Section 12. Effectivity.** This Ordinance shall take effect immediately after fifteen (15) days of posting in bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

ENACTED this 10<sup>th</sup> day of February 2020 Bulalacao, Oriental Mindoro.

Hon. DEXTER R. GONZALES  
Sangguniang Bayan Member

Hon. EDEZER F. ACERON  
Sangguniang Bayan Member

Hon. KEVEN E. CANTOS  
Sangguniang Bayan Member

Hon. ELPIDIO N. CONTRERAS, JR.  
Sangguniang Bayan Member

Hon. ENRICO C. VILLAS  
Pangulo, Liga ng mga Barangay

Hon. TULAY M. CARING  
IPM-Representative

Hon. DENNES M. FANER  
Sangguniang Bayan Member

Hon. GERMAN S. ACOSTA  
Sangguniang Bayan Member

Hon. JESS V. SAPUNGAN  
Sangguniang Bayan Member

Hon. EDWIN C. ACERON  
Sangguniang Bayan Member

Hon. KIM JONH ELCO E. CANTOS  
SK Federation President

CERTIFIED TRUE AND CORRECT:

PERLITA L. PAZ  
Secretary to the Sanggunian

ATTESTED:

Hon. RAMON G. MAGBANUA  
Municipal Vice Mayor/Presiding Officer

APPROVED:

Hon. ERNILO C. VILLAS  
Municipal Mayor

Date Signed: March 6, 2020