



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 16TH DAY OF DECEMBER 2025

PRESENT:

Hon. Jose Benito A. Alonso	Vice-Governor/Presiding Officer
Hon. Laurence Marxlen J. de la Cruz	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Arthur Christopher D. Marañon	Member - 2 nd District
Hon. Hope Marey B. Depasucat	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Nicholas M. Yulo	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Hadji P. Trojillo	Member - 5 th District
Hon. Genaro G. Alvarez, IV	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member - SKF Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

ON OFFICIAL BUSINESS:

Hon. Julius Martin D. Asistio	Member - PCL Rep
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RESOLUTION NO. 1350
Series of 2025

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 448, SERIES OF 2025 OF THE MUNICIPALITY OF MURCIA, NEGROS OCCIDENTAL, ENJOINING ALL BUSINESS ESTABLISHMENTS, CONTRACTORS OF ANY PUBLIC WORKS PROJECTS, AND THE LIKE TO HIRE AT LEAST FIFTY PERCENT (50%) OF UNSKILLED AND AT LEAST THIRTY PERCENT (30%) OF THEIR SKILLED WORKFORCE FROM THE UNEMPLOYED BUT QUALIFIED RESIDENTS OF THE MUNICIPALITY OF MURCIA, AND PROVIDING PENALTY FOR VIOLATION THEREOF AS A VALID ENACTED ORDINANCE.

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance or Resolution valid if it is consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, Municipal Ordinance No. 448, Series of 2025 of the Municipality of Murcia, Negros Occidental, entitled: "AN ORDINANCE ENJOINING ALL BUSINESS ESTABLISHMENTS, CONTRACTORS OF ANY PUBLIC WORKS PROJECTS, AND THE LIKE TO HIRE AT LEAST FIFTY PERCENT (50%) OF UNSKILLED AND AT LEAST THIRTY PERCENT (30%) OF THEIR SKILLED WORKFORCE FROM THE UNEMPLOYED BUT QUALIFIED RESIDENTS OF THE MUNICIPALITY OF MURCIA, AND PROVIDING



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PENALTY FOR VIOLATION THEREOF" was submitted for review by the Municipality of Murcia to the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the subject Ordinance is within the conferred power of the Sangguniang Pambayan of Murcia to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the Local Government Unit is mandated by law to promote and protect the general welfare of its constituents within its territorial jurisdiction through enacting ordinances necessary for the promotion of the general welfare, including social justice and economic prosperity. Corollarily, the Constitution mandates the State to promote social justice and ensure dignity, welfare, and security of all people, to wit:

"Section 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

WHEREAS, a local hiring preference ordinance may be justified as a social justice measure aimed at uplifting unemployed residents. Moreover, the Ordinance is grounded on the practical and policy driven need to ensure that economic activities undertaken within the Municipality of Murcia redound directly to the benefit of its own constituents. By mandating that at least 50% of unskilled labor and 30% of skilled labor be sourced from among qualified residents, the Ordinance seeks to improve household income, stimulate local consumption, and circulate economic benefits within the community. This promotes stronger local economic linkages and enables the municipality's residents to share in the fruits of development occurring within their own locality;

WHEREAS, in addition, the preference accorded to "unemployed but qualified" residents does not amount to an arbitrary or absolute exclusion of non-residents, but merely establishes a reasonable classification germane to the legitimate governmental objective of reducing local unemployment. Such a standard was laid down in the case of *People vs. Cayat*, to wit:

"The classification must, as an indispensable requisite, not be arbitrary. To be valid, it must conform to the following requirements:

- 1) It must be based on substantial distinctions.
- 2) It must be germane to the purposes of the law.
- 3) It must not be limited to existing conditions only.
- 4) It must apply equally to all members of the class"

WHEREAS, here, the LGU's mandate to enjoin business establishments and contractors to hire a percentage of its workers from the unemployed but qualified residents of Murcia is a valid exercise of its police power. The measure is anchored on substantial distinctions, as unemployed



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residents stand to benefit directly from employment generated within their own locality, and the hiring preference is clearly aligned with the Ordinance's objective of alleviating local unemployment and fostering inclusive economic growth. The requirement is not confined to a particular group of employers or to present conditions, but applies prospectively and uniformly to all establishments and contractors operating within the municipality, thereby satisfying the constitutional requisites for valid classification;

WHEREAS, Municipal Ordinance No. 448, Series of 2025, constitutes a valid exercise of the municipality's police power and legislative authority, the classifications it creates being reasonable, germane to its objective, and consistent with the constitutional mandate to promote social justice and local economic welfare;

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental, which are:

1. It must not contravene the Constitution or any statute.
2. It must not be unfair or oppressive.
3. It must not be partial or discriminatory.
4. It must not prohibit but may regulate trade.
5. It must be general and consistent with public policy.
6. It must not be unreasonable.

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

NOW THEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., unanimously seconded by all the members present,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to pass and approve this resolution, to wit:

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 448, SERIES OF 2025 OF THE MUNICIPALITY OF MURCIA, NEGROS OCCIDENTAL, ENJOINING ALL BUSINESS ESTABLISHMENTS, CONTRACTORS OF ANY PUBLIC WORKS PROJECTS, AND THE LIKE TO HIRE AT LEAST FIFTY PERCENT (50%) OF UNSKILLED AND AT LEAST THIRTY PERCENT (30%) OF THEIR SKILLED WORKFORCE FROM THE UNEMPLOYED BUT QUALIFIED RESIDENTS OF THE MUNICIPALITY OF MURCIA, AND PROVIDING PENALTY FOR VIOLATION THEREOF AS A VALID ENACTED ORDINANCE.

ADOPTED UNANIMOUSLY.


This resolution shall take effect immediately upon approval.



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CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Vice Governor/Presiding Officer

ATTESTED:


ATTY. MARK ANGEL O. ASCALON
Provincial Secretary

Copy for all concerned
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