

IMPLEMENTING GUIDELINES FOR R.A. 7160 ON THE DEVOLUTION OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT PROGRAMS, SERVICES, PERSONNEL, ASSETS INCLUDING LIABILITIES TO THE LO...

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I. PURPOSE

The objective of this Department Order is to provide the Central, Regional, Provincial and City Branch and Municipal Unit offices the implementing guidelines to operationalize the transfer of DSWD programs, services, personnel, assets and liabilities as provided by R.A. 7160.

II. GENERAL POLICY

Since the enactment of R.A. 7160, otherwise known as the Local Government Code is expected to bring about long term benefits for the disadvantaged population the policy of the Department of Social Welfare and Development is to give its full support to its implementation. On the other hand DSWD also recognizes the need to balance these benefits with the need to ensure security of tenure, compensation and career development for the DSWD personnel who will be devolved. The DSWD also recognizes the need to fully support capability building of LGUs in order to attain the fullest benefits from the implementation of the Local Government Code.

III. SPECIFIC POLICIES

A. DEVOLVED DSWD PROGRAMS AND SERVICES

1. Provincial: Disaster relief assistance shall be devolved to the Provincial level. However, relief assistance for disasters which are localized in scope can be handled by cities and municipalities.

a. Disaster relief assistance shall include provision of food, temporary shelter, clothing and domestic items as well as assistance to facilitate rescue and evacuation including comfort-giving through clarificatory session.

b. The Department of Social Welfare shall be empowered to mobilize direct service workers from unaffected areas to directly undertake disaster relief assistance in the case of disasters massively affecting a province or several provinces. It shall design the program and mechanisms to institutionalize this objective as part of its national disaster preparedness plan.

2. City/Municipality: The following programs and services shall be devolved to the City/Municipal level:

a. Self Employment Assistance

b. Family and Community Welfare Program

1. Parent Effectiveness

2. Marriage Counseling
3. Responsible Parenthood
4. Family Casework/Counselling
5. Social Preparation for People's Participation
6. Community Volunteer Resource Development
7. Social Welfare Structure Development
- c. Women Welfare Program
 1. Self-enhancement Skills Development
 2. Maternal and Child Care Skills Development
 3. Productivity Skills/Livelihood Development
 4. Community Participation Skills Development
- d. Child and Youth Welfare Program
 1. Peer Group Service (PYM)
 2. Community-Based Services for Street Children
 3. Community-Based Services for delinquent Youth
- e. Emergency Assistance Program
 1. Supplemental Feeding
 2. Food for Work
 3. Emergency Shelter Assistance
 4. Balik Probinsiya
 5. Crisis Intervention
 6. Disaster Management Capability Building
- f. Program for Disabled Persons and Elderly:
 1. Information Dissemination on Disability Prevention
 2. Assistance for Physical Restoration of Disabled Persons and Elderly
 3. Self/Social Enhancement Service for Disabled Persons
 4. Social/Vocational Preparation for Employment Services
 5. After Care and Follow-up Services
 6. Special Social Services for the Elderly
 7. Social and Vocational Preparation for Job Placement
3. Barangay: The Day Care Service shall be devolved to the Barangay level. Honoraria over and above the

remuneration received by barangay day care workers shall be devolved to either the Barangay or to the Municipality which is augmenting the resources of the barangay concerned.

4. Foreign donation of food commodities for supplemental feeding shall be distributed based on assessment of LGU performance.

5. The collection of parents equity contribution for supplemental feeding and day care centers shall cease. This shall take effect upon of the transfer of DSWD worker.

6. The collection of SEA Roll-back shall be devolved to LGUs who can use it as seed-capital for their own SEA Trust Fund. This will also take effect on the effectivity of transfer of the DSWD workers.

7. To ensure compliance of standards in the delivery and implementation of devolved DSWD programs and services, mechanisms for reporting, monitoring, evaluation and technical assistance should be negotiated with LGUs.

B. RETAINED PROGRAMS AND SERVICES

1. Retention of programs and services is guided by the following policy:

a) Center based programs and services whose venue for delivery serves two or more provinces/cities shall remain under the administration and technical supervision of DSWD;

b) All other special and pilot projects not funded under the regular budget shall be retained.

c) Regular programs involving special social services shall not be devolved.

2. The following DSWD Programs and Services shall be retained:

a. All center-based programs and services given in institutions, centers, facilities, resettlement areas utilized by two or more provinces/cities;

b. All pilot and special projects with local or foreign funding such as:

1. SEA Kaunlaran

2. Tindahang Bigay-Buhay

3. Countrywide Development Fund

4. Special Project for Scavengers in Smokey Mountain and Payatas

5. Productivity Skills Capability Building for Disadvantaged Women

6. Social Communication Skills Development

7. Project for Sexually Exploited Children

8. Special Social Services for Children in Situations of Armed Conflict

9. Core Shelter

10. RTEF Production

11. Early Detection and Intervention of Disabilities among Children 0-6

c. Special Social Services for Children in Especially difficult circumstances such as:

1. Child Care and Placement
2. Child Protection Services
3. Special Social Services for Youth Offenders

10. A two way referral mechanism should be established with LGUs to ensure referral of community based after care for DSWD clients from centers and institutions as well as to ensure LGU referral of cases to programs and services in DSWD Centers/Institutions.

C. TRANSFER OF PERSONNEL

1. Coverage of mandatory devolution of technical and administrative personnel

- a) Municipal level: SWO III, I, Social Welfare Assistant, Social Welfare Aide. Priority should be given to the devolution of SWO III at the municipal level.
- b) City level: SWO V, Statistical Aide, Clerk, Driver, Utility/Janitor, SWO III, SWO I, Social Welfare Assistant, Social Welfare Aide, MDA and MDO I.
- c) Provincial Level: SWO V, Statistical Aide, Clerk, Driver, Utility/Janitor. In Provinces where there are two SWO V, only one may be devolved, the other one will be retained by DSWD.

2. Specific policies vis a vis devolved personnel

- a) Mandatory devolution of DSWD personnel to the LGU shall be formalized through a Memo of Agreement. The LGUs shall create the equivalent positions of the affected personnel except when it is not administratively viable.
- b) Absorption is not administratively viable when there is duplication of functions unless the LGU opts to absorb the personnel concerned. The mandatory limit to total appropriations for personal services set by Section 325 of R.A. 7160 should not be exceeded.
- c) The DSWD personnel who are not absorbed by the LGUs for reasons of administrative non-viability shall be retained by DSWD subject to civil service law, rules and regulations, i.e., their security of tenure shall be fully protected. The Regional Office is tasked with defining their functions under the reorganized structure of the Field Monitoring Office (FMO).
- d) There shall be no involuntary separation, termination or lay-off of DSWD Personnel affected by devolution;
- e) Devolved permanent personnel shall enjoy security of tenure in accordance with existing Civil Service laws, rules and regulations;
- f) Any reorganization that will be implemented by the LGUs after the devolution of functions shall be governed by the provisions of R.A. No. 6656 and the Civil Service laws, rules and regulations;
- g) Casual emergency, or daily-wage DSWD personnel assigned in the field units affected by devolution who are performing duties and responsibilities relative to the delivery of basic services shall be absorbed by the LGUs concerned;
- h) Temporary personnel shall be absorbed by the LGUs, subject to Civil Service laws, rules and regulations;
- i) After the execution of a Memo of Agreement on the transfer of DSWD personnel their automatic reappointment by the receiving LGU shall be affected immediately;
- j) There shall be no diminution in pay or benefits of DSWD devolved personnel;

k) DSWD personnel subject to devolution who are retirable in 1992 shall not be devolved. Upon retirement their vacant positions can be devolved to the receiving LGUs.

3. Criteria for devolution

a) Those assigned in City Branch Office or municipal unit offices shall be absorbed by the city or municipality where they are assigned;

b) Those personnel assigned in Provincial Branch Office shall be absorbed by the province;

c) Those personnel assigned in the Regional Offices shall be retained to form part of the DSWD Field Office to be established as a result of the redefined functions of the Department for purposes of monitoring and coordinating the devolved basic services and providing technical assistance to LGUs;

4. Clearance of Personnel to be devolved:

a) DSWD Personnel to be devolved shall secure prior clearance from financial and property accountabilities as well as from those accountabilities related to the compliance of their job functions as a prerequisite to their devolution.

b) The COA rules and regulations that shall apply with respect to clearance from financial accountability are the following:

b.1) Relief of accountability for amounts below P20,000 shall be determined by the Regional Auditor;

b.2) Relief of accountability for amounts below P100,000 shall be determined by the Office of the President;

c) All SWO V who are administratively supervising a processing center shall be cleared of the accountabilities related to their job assignments through the following guidelines:

c.1 By June 30, 1992 all bank accounts handled by the processing center should be closed and the balances remitted to the Regional Office.

c.2 The Regional Accountant should prepare a bank reconciliation for each bank account to determine the bank balance as of June 30, 1992.

c.3 Complete financial reports reflecting the reconciled bank balances as of June 30, 1992, submitted to the Regional Accountant will sufficiently clear the SWO V of their job accountabilities.

d) Clearance of DSWD personnel at the Unit level should be guided by the following:

d.1) Turn over of all SEA Roll-back Collections for which he/she is accountable as reflected in the Receipt Book he/she is holding;

d.2) Turn over of all collections of parents equity contribution (for those which children in the day care centers and children availing of supplemental feeding).

e) The DSWD is not estopped from filing administrative charges against devolved personnel when the need arises. However, the receiving LGUs shall be properly informed of those who have pending administrative cases.

f) DSWD devolved personnel shall be cleared of property accountabilities according to established procedures.

g) After completing their clearance from the Regional Office devolved DSWD personnel should obtain Central Office clearance from accountabilities.

5. Policies governing DSWD vacant positions

- a) Vacant positions shall be filled up by DSWD within the first six months of 1992.
- b) Thereafter, appointments to any vacancies shall be made by the LGUs should be based on DSWD qualification standards and in accordance with Civil Service laws, rules and regulations;

6. Exemption from the Rules on Nepotism, Residency and Election Ban

- a) The rule on nepotism as provided under the Code shall not apply to devolved DSWD personnel.
- b) The residency requirement and prior concurrence of the local sanggunian as prescribed under the Code for the appointment of local appointive officials shall not apply to the DSWD devolved personnel.
- c) Transfer of devolved personnel within the six-month transition period from January 1 to June 30, 1992, shall be exempted from the election ban subject to the approval of the Commission on Elections.

7. Separation and Retirement Benefits

- a) When the devolved DSWD personnel opt for voluntary separation or retirement from the service, they shall be entitled, if qualified under existing laws, to receive the retirement gratuities and other benefits accruing thereunder.
- b) Devolved DSWD official or employee not eligible for retirement shall be entitled to separation pay equivalent to one (1) month salary for every year of service, plus a proportionate amount for any fraction thereof over and above the monetary value of their accumulated credits pursuant to existing laws.
- c) Payment of retirement benefits of the DSWD personnel devolved to the LGUs shall be proportionately shared by DSWD and the LGU concerned based on the length of service of the personnel concerned in both agencies.

8. Budgetary policies on DSWD personnel devolution

- a) Transfer of DSWD personnel is subject to verification of administrative viability of the LGU taking into consideration the limits on budgetary appropriation for personal services mandated under R.A. 7160.
- b) The amount equivalent to the cost of devolved DSWD personnel services shall be remitted to the LGUs concerned in addition to their respective IRA for the year 1992. The amount shall depend on the terms agreed upon by DSWD and the LGU regarding the plantilla positions, number of persons and phasing of devolution.
- c) The remittance of the amount to the LGU shall be done through a negative sub-allotment of DSWD 1992 Appropriation for Personnel Services by DBM and the sub-allotment of the same amount to the LGU in question.
- d) The timing of the remittance of the cost of DSWD devolved personnel depends on the date of their appointment by the receiving LGUs.
- e) For 1992, the first year of the effectivity of the R. A. 7160 the thirty percent (30%) IRA due to the LGUs shall include the cost of devolved functions. Since the DSWD MOOE budget for program implementation shall not be devolved, the LGUs should provide the MOOE budget for implementation of devolved programs and services.

9. Policies for retention of DSWD personnel

- a) DSWD personnel performing specialized functions shall not be devolved. Thus SWO II shall not be devolved. They shall be part of the plantilla of the Regional Office but their official work stations will continue to be in the City/Province to which they are presently deployed.
- b) DSWD personnel performing functions not devolved to LGUs where they are deployed shall not be devolved. Thus PEO II, MDO I, II and MDA shall not be devolved. They shall form part of the plantilla of the Regional

Office but they will be assigned to special projects.

c) Retained personnel shall enjoy security of tenure in accordance with Civil Service laws, rules and regulations. There shall be no involuntary separation, termination or lay-off of retained personnel.

d) Retained personnel may be allowed to transfer to LGUs subject to existing Civil Service Laws, rules and regulations governing transfer of personnel.

e) Community-based plantilla positions currently detailed to the Regional Office or Institutions/Centers/facilities shall be retained.

f) Personnel assigned to processing centers shall be retained. Other administrative personnel not absorbed by LGUs can be deployed to centers/institutions or special projects that are retained.

g) The DSWD community based direct service workers not absorbed by LGUs for reasons of financial non-viability may either be deployed to augment the resources of the LGUs or may be assigned as direct service implementors for the special programs and services retained by DSWD.

h) Retention of personnel who were not devolved shall be fully justified through their assignment to specific functions related to the implementation of retained programs, services and projects. This justification should support the 1993 budget proposal.

i) Reorganization of DSWD mandated by the Local Government Code shall involve identification of a new mandate. Retained personnel shall be trained to perform new functions aligned to the new mandate of DSWD.

C. POLICIES ON TRANSFER OF ASSETS

1. All processing centers shall be closed by June 30, 1992. All bank accounts servicing the disbursements of these processing centers shall also be closed and the funds transferred to the Regional Office. The books, equipment, etc. utilized by the processing centers shall be transferred to the Regional Office.

2. However, depository bank accounts for the SEA Trust Fund may be kept open until the transfer of DSWD personnel takes effect. Upon closing this bank account the balance should be entirely remitted to the Regional Office.

3. Provincial/City Branches and Municipal Unit offices which are located in the seat of LGUs which do not belong to DSWD and therefore are not subject to devolution.

4. The following policies shall be followed for Land and Building Improvements which are utilized as Provincial/City Branch and Municipal Unit offices of DSWD:

a) Branches and Unit Offices which have been donated by LGUs to DSWD will be devolved to LGUs which donated them if the DSWD personnel in that Branch or Unit Office are going to be absorbed by that LGU.

b) In cases where DSWD personnel are not absorbed by specific LGUs and continue to be deployed in the area in order to augment the resources of the LGU, the Branch and Unit Offices donated by LGUs will not be devolved to ensure continued use of these premises by DSWD.

c) Branch and Unit Offices properties which belong to DSWD (acquired through sources other than donation by an LGU) shall not be devolved to the LGU.

d) Bayanihan Centers located in the premises of the Regional Offices shall be not be devolved.

e) Land/Building improvements used for national/regional projects shall no be devolved even if the land and

building were donated by LGUs.

5. All equipments, supplies and other related materials in the provincial and unit offices at the time of transfer shall be devolved to LGU which will absorb the DSWD personnel.

6. All vehicles shall be devolved to LGUs, provided they are not utilized to serve the requirements of implementation of programs and projects retained by DSWD, as determined by the Regional Office.

III.

SCHEDULE OF DEVOLUTION

Since E. O. 503 Section 6 paragraph d) provides that the deadline for devolution of personnel is December 31, 1992 the policy guidelines governing the schedule of the transfer of DSWD personnel shall be the following:

1. To ensure adequate preparation and orientation of DSWD devolved personnel special training will be conducted beginning 2nd quarter of 1992.

2. Starting March, 1992 the Regional Office shall orient and provide LGUs with a list of DSWD programs and services to be devolved together with a fact sheet for each service.

3. Starting April, 1992 the Regional Office shall negotiate with LGUs the terms of the Memorandum of Agreement governing the transfer of programs, services, personnel, assets and liabilities. The Regional Office shall submit to the Central Office by April 6, 1992 the following schedules using the forms herein provided:

a) Schedule of Devolution of Personnel (Form 1)

b) Schedule of Devolution of DSWD Assets (Form 3 A-D)

c) Schedule of DSWD Retained Personnel (Form 2)

4. The Memorandum of Agreement shall be signed not later than August 15, 1992.

IV.

TERMS OF DEVOLUTION

1. The Regional Offices shall negotiate with the LGUs the terms of the devolution which shall be contained in a Memorandum of Agreement. The MOA should cover the following terms:

A) PROGRAM MATTERS

Commitment of DSWD

Commitment of LGU

1. Provision of implementing procedures, standards for DSWD devolved Programs and Services.

1. Compliance with DSWD standards and guidelines for implementation of devolved programs and provision of MOOE budget for devolved functions.

2. Distribution of foreign donated commodities for supplemental feeding subject to compliance of LGU with DSWD guidelines and standards for supplemental feeding.

2. Compliance with implementing guidelines for supplemental feeding through proper use of food commodities.

3. Devolution of honoraria of day-care workers.
3. Provide budget for payment of salaries/honoraria of day care workers.
4. Turn-over SEA Roll-back collectible balances of active SEA cases.
4. Sustain collection of SEA roll-back to be used as seed capital for the local SEA Trust Fund.
5. Provide standards to regulate issuance of solicitation permits.
5. Comply with standards for regulating issuance of solicitation permits.
6. Link Special Social Services for Children and Youth in Difficult Circumstances (court-related cases) with LGUs.
6. Provide support for SWO II handling court-related cases.

B) SUPPORT SYSTEMS/SERVICES

Commitment of DSWD

Commitment of LGU

1. Provision of Case Management System
 1. Sustained use of Case Management System
2. Provision of a Reporting System
 2. Submission of reports on devolved programs and services to DSWD;
 3. Provision of Synchronized Planning, Budgeting and Targeting.
 3. Institutionalization of Synchronized Planning.
 4. Provision of Technical Assistance.
 4. Set up regular mechanisms for consultation;
 5. Agree to a referral system for:
 5. Agree to a referral system for:
 - a) after care of DSWD clients in centers/ institutions; a) after care of DSWD clients in centers/institutions;
 - b) clients from communities requiring institutional care or participation in special projects. b) to refer clients requiring DSWD institutional care, participation in special projects etc.
6. Provision of training to LGU workers. 6. Availment of training opportunities for LGU workers provided by DSWD.
7. Provide mechanism for accessing devolved DSWD workers to scholarship opportunities. 7. Permit LGU workers to avail of scholarship opportunities provided by DSWD.
8. Devolve all records of pertinent to active cases. 8. Agree to sustained service delivery to active cases.

C) PERSONNEL

Commitment of DSWD

Commitment of LGU

1. Complete the clearance of all personnel subject to devolution.
1. Complete the implementation of salary standardization for locally paid workers with plantilla positions similar to devolved DSWD personnel.
2. Provide plantilla positions of DSWD administrative, technical and community-based workers deployed with LGUs.
2. Determine plantilla positions that are administratively viable;
3. Agree on number and persons to devolve;
3. Agree with DSWD on number and persons to absorb;
4. Agree with LGU on timing of devolution of personnel.
4. Agree with DSWD on timing of devolution of personnel.
5. Request DBM to remit to the LGU the cost of devolved personnel services;
5. Create plantilla position for DSWD devolved personnel;
6. Devolve DSWD personnel with corresponding personnel records.
6. Absorb DSWD personnel by appointing them to the created positions

D) ASSETS

Commitment of DSWD

Commitment of LGU

1. Provide inventory of land and improvements, vehicles, equipment, furniture and fixtures, non-consumable and consumable supplies to be devolved.
 1. Agree to provide MOOE budget for maintenance and operation of assets and equipments to be devolved.
 2. Identify and negotiate with LGUs for the separation of titles, etc. whenever devolved land and improvements are venues for retained special projects, centers/institutions.
 2. Define and agree with DSWD on terms of separation of titles or joint use of land and improvements where separation is not possible.
 3. Provide inventory of vehicles, equipment, furniture and fixtures, non-consumable and consumable supplies to be devolved.
 3. Acknowledge receipt and be accountable for all assets transferred.
2. The Memorandum of Agreement shall have the following annexes:

- a) Manual for Devolved Programs and Services;
- b) Schedule of Devolution of Personnel (Form 1);
- c) Schedule of Personnel Benefits (Form 1-A);
- d) Inventory of Assets Devolved (Form 3 A-D);
- e) List of SEA clients with Collectible Rollback;
- f) List of Devolved Personnel with pending Administrative cases;

3. The Memorandum of Agreement should specify the date devolution takes effect or the period of time and the schedule of transfer of DSWD programs and services, personnel and assets.

4. When the LGU is not administratively viable to absorb DSWD personnel to be devolved this shall be formalized through a Waiver. Augmentation by DSWD is possible only if the next, higher LGU is unable to augment the resources of the LGU in question for it to absorb DSWD personnel and implement social welfare programs.

V.

TRAINING OF DEVOLVED DSWD WORKERS

To ensure technical capability of devolved DSWD workers the orientation/training that will be conducted by the Regional Office as part of the pre-devolution activities shall cover the following areas:

1. Review of capsulized manual for DSWD devolved programs and services;
2. Review of synchronized planning, budgeting and targeting.
3. Institutionalization of post-devolution reporting procedures and mechanisms for monitoring, evaluation and technical assistance.
4. Mobilization of active participation of local NGOs in the social sector in the Local Special Bodies.

This orientation will also include specific guidelines on how devolved personnel will relate with the LGUs; a two-way referral mechanism for linking community based after care and referral of clients who require institutional care; a two-way channel for technical assistance;

VI.

IMPLEMENTING GUIDELINES

Unless otherwise indicated these guidelines are directed to the Regional Office.

A. PRE-DEVOLUTION ACTIVITIES

A.1 Devolution of DSWD Programs and Services

1. The Central Office shall prepare program materials on DSWD devolved programs and services and orient the Regional Office on the training and orientation of devolved DSWD workers on devolved programs and services. The Regional Office is tasked with the conduct of this training.
2. By March 1, the Regional Office shall provide the LGU with a list of DSWD programs and services to be devolved. The Regional Office shall prepare the fact sheet on DSWD Programs and Services to be devolved containing basic information on program/service beneficiaries, objective, output, cost of assistance, standards of

service delivery, etc. This should also include program/service outreach for the past three years, and budgetary requirements.

3. Systems and strategies that would ensure a two way referral system with the LGUs as well as mechanisms for undertaking consultations and regular technical assistance should be designed.

4. At the Branch and Unit level all pertinent case records of beneficiaries of programs and projects to be retained by DSWD should be compiled for transfer to the Regional Office.

5. The Unit level should prepare an inventory of all SEA active cases with the corresponding collectible balances and the monthly SEA rollback. This information will serve as an Annex to the MOA.

A.2 Devolution of DSWD Personnel

1. A listing of plantilla positions to be devolved with the corresponding salary grade, monthly salary and PERA, names of incumbents, receiving LGU should be prepared.

2. The following copies of personnel records to be turned over to the receiving LGU:

- a) Personnel Service Record;
- b) Certification of Leave Credits;
- c) Copies of latest approved appointments;
- d) Notices of salary adjustments;
- e) Job description;
- f) Latest statement of Assets, Liabilities & Networth;
- g) Bio-data (Form 212);
- h) Clearance certificate

3. Following the policy guidelines herein indicated all DSWD employees, subject to devolution, should be cleared of:

- a) Financial Accountability
- b) Property Accountabilities
- c) Job-related Accountabilities

4. The Regional AG-AC Committee should prepare a list of personnel who have pending administrative cases for submission to the receiving LGU.

5. Upon completion of Regional Office clearance devolved DSWD personnel shall secure clearance from Central Office accountabilities.

A.3 Devolution of DSWD Assets

1. An inventory of land and improvements to be devolved should be made. Those which require separation of titles or require agreements on the joint use of land and improvements and those which are venues of programs/special projects, centers/institutions that are not subject to devolution should be identified.

2. Prepare an inventory of all other assets: furnitures, equipment, consumable supplies, vehicles, etc. in the Day

Care Centers, Provincial/City Branch and Municipal Unit offices that are subject to devolution to the LGUs.

3. These inventory should be appropriately valued at acquisition cost.

B. DEVOLUTION NEGOTIATION

1. To ensure the security of tenure of DSWD devolved personnel the Regional Offices should verify the administrative viability of the LGU to absorb these workers using the following criteria:

a) If there are filled plantilla positions in the LGU for personnel performing the same function, the LGU should so indicate that there is no duplication since the DSWD personnel is required to serve the needs of the LGU's constituency.

b) That the LGU is financially viable to meet the 1993 salary requirements of the DSWD devolved personnel, that is, it is within the mandatory limits for appropriations for personal services in Section 325, R. A. 7160.

2. Once administrative viability is established the Regional Office shall conduct negotiations with the LGU on the terms of the devolution preliminary to the formulation of a Memo of Agreement by going over the checklist provided in IV) of this Department Order.

3. It shall negotiate with the LGU for the creation of a Devolution Task Force that shall be made up of at least 1-2 representatives of the LGU and 2 representatives from the Regional Office.

4. The Devolution Task Force shall be convened to formulate the Memorandum of Agreement listed in Section 4 of this Department Order. The Devolution Task Force should be authorized to supervise the implementation of the MOA.

5. The outcome of these preliminary negotiations shall be summarized for submission to the Central Office as indicated in Section III, n. 3.

6. Upon completion a copy of all the Memoranda of Agreement entered into with the Local Government Units should be submitted to the Central Office by no later than July 30, 1992 (copies for Oversight Committee).

C. DEVOLUTION ACTIVITIES

1. Devolution takes effect according to the date and the schedule indicated in the Memorandum of Agreement.

2. The Task Force shall supervise the actual execution of the Devolution Plan and submit monitoring reports of the same to the Central Office.

3. Actual devolution of personnel shall be guided by the following:

a) Until the LGUs complete the process of creating plantilla positions and appointing devolved DSWD personnel to these positions the latter shall continue to receive their salaries from the DSWD Regional Office.

b) Once the appointment of DSWD personnel have been approved by the LGUs the Regional Office will establish a cut-off date (two months from approval of appointment) for DBM to negatively sub-allot from the DSWD 1992 budget the remaining cost for devolved personnel. The said amount will then be sub-allotted to the receiving LGU.

c) Upon payment of the last salary the Regional Office shall issue the Statement of last salary received from DSWD noted by the Resident Auditor. This shall be the basis for the processing of the first salary to be received from the receiving LGU.

4. The devolution of programs and services to the LGU will commence upon the devolution of DSWD personnel takes place.
5. Devolution of land and improvements should be documented through the execution of a Deed of Transfer. This can be formalized after the devolution of DSWD personnel is completed.
6. Devolution of all other assets will likewise take place after the devolution of DSWD personnel is completed.
7. All office equipment, furnitures and fixtures will also be transferred when the DSWD personnel are devolved. Case records of all closed and those pertinent to retained programs and services should be transferred to the Regional Office.

D. POST DEVOLUTION ACTIVITIES

1. The Regional Office shall submit to the Central Office periodic reports on the implementation of the devolution agreed upon with the LGUs.
2. The Regional Office shall justify retention of personnel not devolved through submission of proposed staffing pattern for FMO, centers/institutions and retained programs and services.
3. Once the LGUs requiring augmentation from DSWD have been determined the Regional Office can then deploy workers to these areas. The direct service workers will be organized to operate in clusters under the technical and administrative supervision of the FMO.
4. The official work stations of direct service implementors deployed to special programs and services will depend on the area coverage of these special programs and services.
5. The Regional Office should reprogram the remaining MOOE appropriations in the DSWD 1992 Budget for the implementation of retained programs and services and submit the same to the Central Office no later than September 1992.
6. The Regional Office shall propose the mechanisms in the FMO for the administrative and technical supervision of the DSWD workers who are retained and deployed to augment resources of specific LGUs. It shall also propose the structure for monitoring implementation of retained programs and projects.

For immediate compliance.

Adopted: 13 Mar. 1992

(SGD.) MITA PARDO DE TAVERA, M.D.

M.D. Secretary

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