

**RESOLUTION NO. 2014-102**

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**RESOLUTION CREATING A TASK FORCE TO STUDY THE ILLEGAL AND EXCESSIVE DEDUCTION OF WITHHOLDING TAXES CHARGED AGAINST JOB ORDER AND CONTRACTUAL EMPLOYEES IN THE CITY GOVERNMENT OF NAGA:-**

Sponsors: Hon. Mila SD. Raquid-Arroyo  
Hon. Maria Elizabeth Q. Lavadia  
Hon. Ray-An Cydrick G. Rentoy  
Hon. David Casper Nathan A. Sergio

**WHEREAS**, the City Accounting Office charged 13% withholding tax on the salaries and wages of job order and contractual employees of the City Government of Naga;

**WHEREAS**, the Bureau of Internal Revenue (BIR) clarified that the correct and legal percentage charge for withholding tax should be only 3%;

**WHEREAS**, as early as Sept. 2013, the City Budget Officer has called the attention of the City Accountant on the excessive taxation, asking for the basis, but his letter was largely ignored, necessitating for another letter, which eventually reached the Office of the Sangguniang Panlungsod, for appropriate action;

**WHEREAS**, the Sangguniang Panlungsod, considering the act of deducting excessive withholding tax from employees as unconscionable, is keen on looking into the magnitude of the problem, the options available for the affected employees, and the corrective/disciplinary measures to be undertaken on the situation and prevent future similar occurrence;

**WHEREAS**, to this end, an Ad Hoc Committee was created by the Sangguniang Panlungsod in its regular session dated April 8, 2014 to craft the necessary legislation;

**NOW, THEREFORE**, on joint and collective motion by the members of the Ad Hoc Committee, seconded by Hon. Gabriel H. Bordado Jr., Hon. Cecilia Veluz-de Asis, Hon. Esteban Greg R. Abonal III, , Hon. Joaquin F. Perez, Jr., Hon. Elmer S. Baldemoro, Hon. Jose A. Tuason, and Hon. Vida P. Castillo ;

**BE IT RESOLVED**, as it is hereby resolved, to create a Task Force on the illegal and excessive deduction of withholding tax charged against job order and contractual employees in the City Government of Naga, to be composed of The City Legal Officer, as TF chairman, and with the NACILGUEA President, the Budget Officer, the HRMO Department Head, the MNDC Executive Officer, the NCPC President/Chairman, the CPDO Department Head, the City Assessor, and the OIC-City Treasurer, as members.

**RESOLVED FURTHER,** to give the Task Force the following duties and responsibilities: 1) determine the magnitude of the problem (i.e. when deduction actually started, who were the employees affected); 2) determine the total excess payment to the BIR per employee; 3) devise ways to refund these excess payment in favor of the affected employees; 4) determine who is/are accountable for the illegal and excessive deduction; 5) know specific rules and regulations that was/were violated; 6) recommend corresponding disciplinary or administrative sanction/s against the erring employee/s; and to submit final report to the Sangguniang Panlungsod within thirty (30) days from receipt of this Resolution.

**RESOLVED FINALLY,** to grant this Task Force the following powers: 1) call on or summon employees for purposes of getting information, data and/or documents; 2) make their internal rules and procedures and look for source of fund to be used in the performance of their duties; and 3) such other powers as are necessary to perform and complete the tasks herein stated.

**LET COPIES** of this resolution be furnished the City Mayor for his concurrence, and each of the aforesaid members of the Task Force, their information and appropriate action.

APPROVED.

Adopted. April 15, 2014.

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**WE HEREBY** to the correctness of the foregoing resolution.

**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

**NELSON S. LEGACION**  
City Vice Mayor  
& Presiding Officer

APPROVED:

**JOHN G. BONGAT**  
City Mayor