

**BASIC : LETTER DATED DECEMBER 10, 2007, FROM VICE MAYOR
DOROTEO M. SALAZAR OF MADRIDEJOS, CEBU**

2nd Indorsement

January 2, 2008

Respectfully returned to Mr. Edmundo J. Jamisola, Provincial Director, DILG Cebu Provincial Office, the herein basic communication from Vice Mayor Doroteo M. Salazar of Madridejos, Cebu on the appointment of employees of the sangguniang bayan.

The power to appoint officials and employees of the sanggunian including casual/contractual appointments thereof rests with the Vice Mayor (DILG Legal Opinion Nos. 22-1192, 286-1992, 341-1992 & 96-1995; CSC En Banc Resolution No. 93-3193, August 17, 1993). This is so provided in Section 445(2) of the Local Government Code of 1991. However, casual employees may not be appointed if there are no available local funds therefor.

As reported by Vice Mayor Salazar, the municipal treasurer is withholding the salaries of two sanggunian employees to whom he has issued appointments and have correspondingly rendered their services. To bring about immediate resolution of the issue for the benefit of the unpaid employees, it is suggested that assistance be sought from the Office of the Ombudsman (Visayas).

PEDRO A. NOVAL, JR.
Regional Director

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