

4 GCA PUBLIC OFFICERS & EMPLOYEES
CH. 6 COMPENSATION OF PUBLIC EMPLOYEES

CHAPTER 6
COMPENSATION OF PUBLIC EMPLOYEES

SOURCE: The compensation of public employees was addressed in the original Government Code, Title V, Chapter II, enacted by P.L. 1-088 (Nov. 29, 1952), specifically, GC §§ 4100 - 4130. During the Fifteenth Guam Legislature, the Compiler announced that Title 4 – Public Officers and Employees had been added to the new, permanent Guam Code Annotated. *See* 5 Guam Sess. L. Introduction (April 1983). This chapter was created as part of the codification into the GCA.

- Article 1. General Provisions.
- Article 2. Pay Plan.
- Article 3. Standards for Classifying Positions.
- Article 4. Elected Officials' Compensation Commission.
[Repealed]
- Article 5. Miscellaneous Personnel Laws.

ARTICLE 1
GENERAL PROVISIONS

- § 6101. Title.
- § 6102. Purpose.
- § 6103. Scope.

§ 6101. Title.

This Chapter may be cited or referred to as the Uniform Position Classification and Salary Administration Act of 1991.

SOURCE: GC § 4100. Repealed and reenacted by P.L. 21-059:7 (Sept. 27, 1991).

§ 6102. Purpose.

The purpose of this Chapter is to provide a uniform and unified system of position classification and compensation for the Executive and Judicial Branches of the Government of Guam. The only exception is for academic personnel of the Guam Community College and the University of Guam which as institutions of higher education, must adhere to accreditation standards established by the appropriate accrediting bodies. The term academic personnel refers to the definitions provided in 17 GCA

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§ 31106 and § 16112, governing academic personnel of Guam Community College and the University of Guam.

SOURCE: GC § 4101. Repealed and reenacted by P.L. 21-059:6 (Sept. 27, 1991). Amended by P.L. 23-026:6 (June 6, 1995).

§ 6103. Scope.

Unless otherwise specified, this Chapter shall apply to all positions, officers, and employees, classified and unclassified, as the case may be, inclusive of the Executive and Judicial Branches, autonomous and semi-autonomous agencies, public corporations, and other public instrumentalities of the government of Guam. The provisions of this Chapter do not apply to academic personnel of the Guam Community College and the University of Guam. The employment and terms and conditions of employment of academic personnel shall be exclusively governed by provisions of the enabling laws of Guam Community College and the University of Guam pertaining to academic personnel, as set forth in Title 17, Guam Code Annotated

SOURCE: GC § 4102. Repealed and reenacted by P.L. 21-059:7 (Sept. 27, 1991). Amended by P.L. 23-026:7 (June 6, 1995).

ARTICLE 2
PAY PLAN

- § 6201. Compensation Schedule.
- § 6202. Salary Increments.
- § 6203. Merit Bonus.
- § 6204. Cost of Living Adjustments.
- § 6205. Recruitment Above-Step.
- § 6205.1. Recruitment Above-Step for the Department of Education.
- § 6205.2. No Recruitment or Compensation Above Step 10.
- § 6206. Step to Step Upon Promotion.
- § 6206.1. Limitation on Salaries of Directors and Deputy Directors.
- § 6207. Positions in Governor's Office.
- § 6207.1. Positions in Lieutenant Governor's Office.

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- § 6208. Salaries of Attorney General, Chief Deputy and Deputy Attorneys General, and Assistant Attorneys General.
- § 6208.1. Recruitment of Assistant Attorneys General
- § 6209. Professionals of DPH&SS.
- § 6210. Public Hearing for Salary Changes for Elected Officials May Not be Waived.
- § 6210.1. Effective Date for Salary changes for Elected Officials.
- § 6211. Reassignments. [Repealed.]
- § 6212. Hourly Rates of Pay.
- § 6213. [Vacant]
- § 6213.1. [Vacant]
- § 6214. [Vacant]
- § 6215. [Vacant]
- § 6216. [Vacant]
- § 6216.1. [Vacant]
- § 6217. Night Differential Pay.
- § 6218. Conditions.
- § 6218.1. Prohibition on Retroactive Pay Raises.
- § 6218.2. Prohibition on Bonus Pay for Unclassified Employees.
- § 6218.3. Processing of Pay Adjustments for Unclassified Employees.
- § 6219. Firemen: Compensation: Annual and Sick Leave.
- § 6220. Customs and Quarantine Officers: Compensation.
- § 6221. Interest on Late Overtime Payments.
- § 6221.1. Cause of Action for Overtime.
- § 6222. Corrections Officers - Hazardous Pay.
- § 6223. Firefighters - EMT-A Duty.
- § 6224. Police Officers - Hazardous Pay.
- § 6225. Hazardous Duty Positions Identified.
- § 6225.1. Hazardous Pay Differential for Employees of Guam Behavioral Health and Wellness Center.
- § 6226. Employees: compensation During Typhoons: Exceptions.
- § 6227. Police Officers/Recruits - GPD FTE Positions.
- § 6228. Reimbursement of Cadet Training Costs.
- § 6229. Definition.
- § 6229.1. Nursing Recruitment and Retention Incentives.

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- § 6229.2. Salary Schedule Three (3) Year Review.
- § 6229.3. Class Specifications Three (3) Year Review.
- § 6229.4. Recognition of the Guam Nurses Association Commission on Nursing Leadership.
- § 6229.5. Compensation for Education and Experience.
- § 6229.6. Certification Pay Differential.
- § 6229.7. Work Compensation.
- § 6229.8. Flex-time.
- § 6229.9. Job Sharing.
- § 6229.10. Job Incentives.
- § 6229.11. Classified Full-time Nursing Positions.
- § 6229.12. Graduate Nurse Classification.
- § 6229.13. Developmental Promotions ('KPP') Designation.
- § 6229.14. Recruitment Process.
- § 6229.15. Implementation.
- § 6230. Prohibition Against Salary Increases for Unclassified Employees Following the Defeat of an Incumbent in an Election.
- § 6231. Prohibition Against Salary Increases for Unclassified Employees Employed by Incumbents Not Seeking Re-election.
- § 6232. [Untitled].
- § 6233. Establishment of the Environmental Public Health Officer Series.
- § 6234. Department of Revenue and Taxation Examiner.
- § 6235. Certification Pay Differential for Certified Public Accountant, Certified Government Financial Manager, Certified Fraud Examiner, and Certified Internal Auditor.

§ 6201. Compensation Schedule.

There is hereby established a unified pay schedule for positions identified in Volume III, Table II of the Hay Report, dated September 1990, and other such positions as may be subsequently determined, consisting of 19 Pay Grades A through V with Steps 1 through 10 per Pay Grade, and Pay Grades L6 through L1, an increment schedule consisting of at least Steps 11 through 20. The unified pay schedule identified as Attachment 1

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to the Executive Branch Budget Act of 1992 is hereby incorporated herein.

GOVGUAM UNIFIED PAY SCHEDULE

	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
<u>GRADE</u>	1	2	3	4	5	6	7	8	9	10
A	13990	14865	15739	16614	17488	18188	18887	19587	20286	20986
B	14534	15443	16351	17260	18168	18895	19621	20348	21075	21802
C	15133	16079	17024	17970	18916	19673	20429	21186	21943	22699
D	15840	16830	17820	18810	19800	20592	21384	22176	22968	23760
E	16656	17697	18738	19779	20820	21653	22488	23318	24151	24984
F	17635	18737	19840	20942	22044	22926	23808	24689	25571	26453
G	18723	19893	21064	22234	23404	24340	25276	26212	27149	28085
H	19974	21223	22471	23720	24968	25967	26965	27964	28963	29962
I	21389	22726	24062	25399	26736	27805	28875	29944	31014	32083
J	22942	24376	25810	27244	28678	29825	30972	32119	33266	34414
K	24656	26197	27738	29279	30820	32053	33286	34518	35751	36984
L	26520	28178	29835	31493	33150	34476	35802	37128	38454	39780
M	28678	30471	32263	34056	35848	37282	38716	40150	41584	43018
N	31064	33006	34947	36889	38830	40383	41936	43490	45043	46596
O	33811	35924	38038	40151	42264	43955	45645	47336	49026	50717
P	36850	39153	41456	43759	46062	47904	49747	51589	53432	55274
Q	40352	42874	45396	47918	50440	52458	54475	56493	58510	60528
R	44242	47008	49773	52538	55303	57515	59727	61939	64151	66364
S	48680	51723	54765	57808	60850	63284	65718	68152	70586	73020
T	53720	57078	60435	63793	67150	69836	72522	75208	77894	80580
U	59277	62982	66686	70391	74096	77060	80024	82988	85951	88915
V	65620	69721	73823	77924	82025	85306	88587	91868	95149	98430

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	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
<u>GRADE</u>	11	12	13	14	15	16	17	18	19	20
A	21721	22481	23268	24082	24925	25797	26700	27635	28602	29603
B	22565	23355	24172	25018	25894	26800	27738	28709	29714	30754
C	23493	24316	25167	26048	26959	27903	28879	29890	30936	32019
D	24592	25452	26343	27265	28219	29207	30229	31287	32382	33516
E	25858	26763	27700	28670	29673	30712	31787	32899	34051	35242
F	27379	28337	29329	30355	31418	32517	33656	34834	36053	37315
G	29068	30085	31138	32228	33356	34524	35732	36983	38277	39617
H	31011	32096	33219	34382	35585	36831	38120	39454	40835	42264
I	33206	34368	35571	36816	38105	39438	40819	42247	43726	45256
J	35618	36865	38155	39491	40873	42304	43784	45317	46903	48544
K	38278	39618	41005	42440	43925	45463	47054	48701	50405	52170
L	41172	42613	44105	45648	47246	48900	50611	52383	54216	56114
M	44524	46082	47695	49364	51092	52880	54731	56646	58629	60681
N	48227	49915	51662	53470	55341	57278	59283	61358	63506	65728
O	52492	54329	56231	58199	60236	62344	64526	66785	69122	71541
P	57209	59211	61283	63428	65648	67946	70324	72785	75333	77969
Q	62646	64839	67108	69457	71888	74404	77009	79704	82493	85381
R	68687	71091	73579	76154	78820	81578	84434	87389	90447	93613
S	75576	78221	80959	83792	86725	89760	92902	96153	99519	103002
T	83400	86319	89340	92467	95704	99053	102520	106108	109822	113666
U	92027	95248	98582	102032	105603	109299	113125	117084	121182	125423
V	101875	105441	109131	112951	116904	120996	125230	129614	134150	138845

SOURCE: GC § 4103. Amended by P.L. 15-136:2 (Aug. 22, 1980). Amended by P.L. 18-029:7 (Jan. 10, 1986). Subsections (c) and (d) added by P.L. 18-042:13 (Aug. 29, 1986). Repealed and reenacted by P.L. 21-059:7 (Sept. 27, 1991).

NOTE: P.L. 21-059:7 (Sept. 27, 1991) effectuated a complete reenactment of the “Hay Study.”

2014 NOTE: P.L. 32-068:XI:2 (Sept. 11, 2013) (FY2014 Annual Appropriations Act), Government of Guam Competitive Wage Act of 2014, provided for funding and implementation of the Government-wide Position Classification, Compensation and Benefits Study, and required transmittal of a final, implementable plan to the Guam Legislature. The Department of Administration (DOA) submitted a plan on January 15,

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2014, which included exhibits setting forth a General Pay Plan, Nurse Pay Plan, Educator Pay Plan, Attorney Pay Plan, and Executive Pay Plan. The Guam Legislature passed Bill 268-32 (COR) which amended the plan submitted by DOA. The Governor vetoed this bill and proceeded with implementation of the DOA plan, for employees in executive branch line agencies, effective January 26, 2014. At the time of implementation by DOA, none of the existing statutes in this chapter had been amended or repealed. The Judicial Council of Guam implemented the new pay plans for Judiciary of Guam employees pursuant to Judicial Council Resolution JC14-016 (July 17, 2014), subsequent to the the amendment to Judicial Council authority effectuated by P.L. 32-166 (June 24, 2014).

The DOA plan was designated by the Guam Legislature as Doc 32GL-14-1170, and is available on the Guam Legislature website. The pay plans included in the DOA plan are reproduced below:

Exhibit 1. General Pay Plan (GPP)

GENERAL PAY PLAN									
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
X	\$96,175	\$99,819	\$103,602	\$107,527	\$111,601	\$115,830	\$120,219	\$124,033	\$127,969
W	\$91,595	\$95,066	\$98,668	\$102,407	\$106,287	\$110,314	\$114,494	\$118,127	\$121,875
V	\$86,820	\$90,110	\$93,524	\$97,068	\$100,746	\$104,563	\$108,525	\$111,968	\$115,521
U	\$81,522	\$84,611	\$87,816	\$91,144	\$94,597	\$98,182	\$101,902	\$105,135	\$108,471
T	\$76,188	\$79,075	\$82,071	\$85,181	\$88,408	\$91,758	\$95,235	\$98,257	\$101,374
S	\$70,873	\$73,558	\$76,345	\$79,238	\$82,241	\$85,357	\$88,591	\$91,402	\$94,302
R	\$65,623	\$68,110	\$70,690	\$73,369	\$76,149	\$79,034	\$82,029	\$84,632	\$87,317
Q	\$60,482	\$62,773	\$65,152	\$67,620	\$70,183	\$72,842	\$75,602	\$78,001	\$80,476
P	\$55,488	\$57,590	\$59,773	\$62,037	\$64,388	\$66,828	\$69,360	\$71,561	\$73,831
O	\$49,897	\$51,787	\$53,750	\$55,786	\$57,900	\$60,094	\$62,371	\$64,350	\$66,392
N	\$45,014	\$46,720	\$48,490	\$50,328	\$52,235	\$54,214	\$56,268	\$58,053	\$59,895
M	\$40,762	\$42,307	\$43,910	\$45,574	\$47,301	\$49,093	\$50,953	\$52,570	\$54,238
L	\$37,100	\$38,506	\$39,965	\$41,479	\$43,051	\$44,682	\$46,375	\$47,846	\$49,364
K	\$33,911	\$35,196	\$36,530	\$37,914	\$39,350	\$40,841	\$42,389	\$43,734	\$45,122
J	\$31,076	\$32,253	\$33,476	\$34,744	\$36,061	\$37,427	\$38,845	\$40,077	\$41,349
I	\$28,595	\$29,679	\$30,803	\$31,970	\$33,182	\$34,439	\$35,744	\$36,878	\$38,048
H	\$26,520	\$27,525	\$28,568	\$29,650	\$30,774	\$31,940	\$33,150	\$34,202	\$35,287
G	\$24,729	\$25,666	\$26,638	\$27,648	\$28,695	\$29,783	\$30,911	\$31,892	\$32,904
F	\$23,171	\$24,049	\$24,960	\$25,906	\$26,888	\$27,907	\$28,964	\$29,883	\$30,831
E	\$21,095	\$21,895	\$22,724	\$23,585	\$24,479	\$25,406	\$26,369	\$27,206	\$28,069
D	\$19,040	\$19,761	\$20,510	\$21,287	\$22,094	\$22,931	\$23,800	\$24,555	\$25,334
C	\$17,769	\$18,442	\$19,141	\$19,866	\$20,619	\$21,400	\$22,211	\$22,916	\$23,643
B	\$16,694	\$17,326	\$17,983	\$18,664	\$19,371	\$20,105	\$20,867	\$21,529	\$22,212
A	\$15,715	\$16,311	\$16,929	\$17,570	\$18,236	\$18,927	\$19,644	\$20,267	\$20,910

Note: The table above contains steps one (1) through nine (9) of the GPP. This pay plan covers all positions not included in the Nurse Pay Plan (NPP), Education Pay Plan (EDU), Attorney Pay Plan (ATTY), and Executive Pay Plan (EXEC).

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GENERAL PAY PLAN									
Grade	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18
X	\$132,029	\$136,218	\$140,540	\$144,999	\$149,600	\$154,346	\$159,243	\$164,296	\$169,509
W	\$125,742	\$129,731	\$133,847	\$138,094	\$142,476	\$146,996	\$151,660	\$156,472	\$161,437
V	\$119,186	\$122,968	\$126,869	\$130,895	\$135,048	\$139,333	\$143,753	\$148,314	\$153,020
U	\$111,913	\$115,463	\$119,127	\$122,907	\$126,806	\$130,830	\$134,981	\$139,263	\$143,682
T	\$104,591	\$107,909	\$111,333	\$114,865	\$118,510	\$122,270	\$126,149	\$130,152	\$134,281
S	\$97,294	\$100,381	\$103,566	\$106,852	\$110,242	\$113,740	\$117,349	\$121,072	\$124,913
R	\$90,087	\$92,946	\$95,895	\$98,937	\$102,076	\$105,315	\$108,657	\$112,104	\$115,661
Q	\$83,029	\$85,663	\$88,381	\$91,185	\$94,079	\$97,064	\$100,143	\$103,321	\$106,599
P	\$76,174	\$78,591	\$81,084	\$83,657	\$86,311	\$89,050	\$91,875	\$94,790	\$97,798
O	\$68,498	\$70,671	\$72,914	\$75,227	\$77,614	\$80,077	\$82,617	\$85,239	\$87,943
N	\$61,796	\$63,756	\$65,779	\$67,866	\$70,020	\$72,241	\$74,533	\$76,898	\$79,338
M	\$55,958	\$57,734	\$59,566	\$61,456	\$63,406	\$65,417	\$67,493	\$69,634	\$71,844
L	\$50,931	\$52,547	\$54,214	\$55,934	\$57,709	\$59,540	\$61,429	\$63,378	\$65,389
K	\$46,553	\$48,030	\$49,554	\$51,126	\$52,749	\$54,422	\$56,149	\$57,930	\$59,768
J	\$42,661	\$44,015	\$45,411	\$46,852	\$48,338	\$49,872	\$51,455	\$53,087	\$54,771
I	\$39,255	\$40,501	\$41,786	\$43,112	\$44,480	\$45,891	\$47,347	\$48,849	\$50,399
H	\$36,407	\$37,562	\$38,753	\$39,983	\$41,252	\$42,560	\$43,911	\$45,304	\$46,742
G	\$33,948	\$35,025	\$36,136	\$37,283	\$38,465	\$39,686	\$40,945	\$42,244	\$43,585
F	\$31,809	\$32,819	\$33,860	\$34,934	\$36,043	\$37,186	\$38,366	\$39,583	\$40,839
E	\$28,959	\$29,878	\$30,826	\$31,804	\$32,813	\$33,855	\$34,929	\$36,037	\$37,180
D	\$26,138	\$26,967	\$27,823	\$28,706	\$29,617	\$30,556	\$31,526	\$32,526	\$33,558
C	\$24,393	\$25,167	\$25,965	\$26,789	\$27,639	\$28,516	\$29,421	\$30,354	\$31,318
B	\$22,917	\$23,644	\$24,394	\$25,168	\$25,967	\$26,791	\$27,641	\$28,518	\$29,422
A	\$21,574	\$22,258	\$22,964	\$23,693	\$24,445	\$25,220	\$26,021	\$26,846	\$27,698

Note: The table above contains steps ten (10) through eighteen (18) of the GPP. This pay plan covers all positions not included in the Nurse Pay Plan (NPP), Education Pay Plan (EDU), Attorney Pay Plan (ATTY), and Executive Pay Plan (EXEC).

Exhibit 2. Nurse Pay Plan (NPP)

NURSE PAY PLAN									
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
N-U	\$86,317	\$89,587	\$92,982	\$96,505	\$100,162	\$103,957	\$107,896	\$111,247	\$114,703
N-T	\$80,670	\$83,726	\$86,899	\$90,191	\$93,609	\$97,156	\$100,837	\$103,969	\$107,198
N-S	\$75,042	\$77,885	\$80,836	\$83,899	\$87,078	\$90,378	\$93,802	\$96,716	\$99,720
N-R	\$69,483	\$72,116	\$74,849	\$77,685	\$80,628	\$83,683	\$86,854	\$89,552	\$92,333
N-Q	\$64,040	\$66,467	\$68,985	\$71,599	\$74,312	\$77,128	\$80,050	\$82,536	\$85,100
N-P	\$58,752	\$60,978	\$63,289	\$65,687	\$68,176	\$70,759	\$73,440	\$75,721	\$78,073
N-O	\$53,072	\$55,083	\$57,170	\$59,336	\$61,585	\$63,918	\$66,340	\$68,401	\$70,525
N-N	\$48,112	\$49,935	\$51,827	\$53,791	\$55,829	\$57,944	\$60,140	\$62,008	\$63,934
N-M	\$43,792	\$45,451	\$47,174	\$48,961	\$50,816	\$52,742	\$54,740	\$56,440	\$58,193
N-L	\$39,650	\$41,153	\$42,712	\$44,330	\$46,010	\$47,754	\$49,563	\$51,102	\$52,690
N-K	\$36,129	\$37,498	\$38,919	\$40,393	\$41,924	\$43,512	\$45,161	\$46,564	\$48,010
N-J	\$33,172	\$34,429	\$35,733	\$37,087	\$38,493	\$39,951	\$41,465	\$42,753	\$44,081
N-I	\$30,259	\$31,406	\$32,596	\$33,831	\$35,113	\$36,443	\$37,824	\$38,999	\$40,210
N-H	\$27,911	\$28,969	\$30,066	\$31,206	\$32,388	\$33,615	\$34,889	\$35,973	\$37,090
N-G	\$25,911	\$26,893	\$27,912	\$28,970	\$30,067	\$31,207	\$32,389	\$33,395	\$34,432
N-F	\$24,172	\$25,088	\$26,038	\$27,025	\$28,049	\$29,112	\$30,215	\$31,154	\$32,121

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NURSE PAY PLAN									
Grade	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18
N-U	\$118,266	\$121,939	\$125,727	\$129,632	\$133,658	\$137,810	\$142,090	\$146,504	\$151,054
N-T	\$110,528	\$113,961	\$117,501	\$121,151	\$124,914	\$128,794	\$132,794	\$136,919	\$141,172
N-S	\$102,817	\$106,011	\$109,303	\$112,699	\$116,199	\$119,808	\$123,530	\$127,367	\$131,323
N-R	\$95,201	\$98,158	\$101,207	\$104,351	\$107,592	\$110,934	\$114,380	\$117,932	\$121,596
N-Q	\$87,743	\$90,469	\$93,279	\$96,176	\$99,164	\$102,244	\$105,419	\$108,694	\$112,070
N-P	\$80,498	\$82,998	\$85,576	\$88,235	\$90,975	\$93,801	\$96,715	\$99,719	\$102,816
N-O	\$72,716	\$74,974	\$77,303	\$79,704	\$82,180	\$84,733	\$87,364	\$90,078	\$92,876
N-N	\$65,920	\$67,967	\$70,079	\$72,255	\$74,500	\$76,814	\$79,200	\$81,660	\$84,196
N-M	\$60,001	\$61,865	\$63,786	\$65,767	\$67,810	\$69,917	\$72,088	\$74,327	\$76,636
N-L	\$54,326	\$56,014	\$57,754	\$59,548	\$61,397	\$63,304	\$65,270	\$67,298	\$69,388
N-K	\$49,501	\$51,039	\$52,624	\$54,259	\$55,944	\$57,682	\$59,473	\$61,321	\$63,225
N-J	\$45,450	\$46,862	\$48,317	\$49,818	\$51,366	\$52,961	\$54,606	\$56,302	\$58,051
N-I	\$41,459	\$42,747	\$44,075	\$45,444	\$46,855	\$48,311	\$49,811	\$51,358	\$52,954
N-H	\$38,242	\$39,430	\$40,655	\$41,917	\$43,219	\$44,562	\$45,946	\$47,373	\$48,845
N-G	\$35,502	\$36,605	\$37,742	\$38,914	\$40,123	\$41,369	\$42,654	\$43,979	\$45,345
N-F	\$33,119	\$34,148	\$35,208	\$36,302	\$37,429	\$38,592	\$39,791	\$41,027	\$42,301

POSITIONS COVERED BY THE NURSE PAY PLAN (NPP)	
Community Health & Nursing Services Administrator	Infection Control Practitioner
Community Health & Nursing Services Assistant Administrator	Licensed Practical Nurse I
Community Health Nurse I	Licensed Practical Nurse II
Community Health Nurse II	Nurse Anesthetist (CRNA)
Community Health Nurse Supervisor I	Nurse Midwife
Community Health Nurse Supervisor II	Nurse Practitioner
Hospital Assistant Nurse Administrator (Deputy Assistant)	Psychiatric Nurse I
Hospital Charge Nurse	Psychiatric Nurse II
Hospital Licensed Practical Nurse I	Psychiatric Nurse III
Hospital Licensed Practical Nurse II	Psychiatric Nurse Supervisor
Hospital Nurse Administrator	Psychiatric Nursing Administrator
Hospital Nurse Quality Improvement Specialist	School Health Counselor I
Hospital Nurse Risk Management Program Officer	School Health Counselor II
Hospital Nurse Supervisor I	School Health Counselor III
Hospital Nurse Supervisor II	School Health Program Coordinator
Hospital Nurse Utilization Review Specialist	Staff Nurse I
Hospital Nursing Supervisor	Staff Nurse II
Hospital Unit Supervisor	Staff Nurse Training Officer
Hospital Unit Supervisor	
Head Start Health Coordinator	

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Exhibit 3. Educator Pay Plan (EDU)

EDUCATOR PAY PLAN (EDU)									
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
ED-12	\$74,669	\$77,498	\$80,435	\$83,482	\$86,645	\$89,929	\$93,336	\$96,297	\$99,353
ED-11	\$67,881	\$70,453	\$73,122	\$75,893	\$78,769	\$81,753	\$84,851	\$87,543	\$90,321
ED10	\$61,710	\$64,049	\$66,476	\$68,994	\$71,609	\$74,322	\$77,138	\$79,585	\$82,111
ED-9	\$56,100	\$58,226	\$60,432	\$62,722	\$65,098	\$67,565	\$70,125	\$72,350	\$74,645
ED-8	\$51,000	\$52,932	\$54,938	\$57,020	\$59,180	\$61,423	\$63,750	\$65,773	\$67,860
ED-7	\$45,939	\$47,680	\$49,487	\$51,362	\$53,308	\$55,328	\$57,424	\$59,246	\$61,126
ED-6	\$43,752	\$45,410	\$47,130	\$48,916	\$50,770	\$52,693	\$54,690	\$56,425	\$58,216
ED-5	\$40,699	\$42,241	\$43,842	\$45,503	\$47,227	\$49,017	\$50,874	\$52,488	\$54,154
ED-4	\$38,762	\$40,230	\$41,755	\$43,337	\$44,979	\$46,683	\$48,452	\$49,989	\$51,575
ED-3	\$36,057	\$37,423	\$38,841	\$40,313	\$41,840	\$43,426	\$45,071	\$46,501	\$47,976
ED-2	\$34,383	\$35,686	\$37,038	\$38,442	\$39,898	\$41,410	\$42,979	\$44,343	\$45,750
ED-1D	\$32,855	\$34,100	\$35,392	\$36,733	\$38,125	\$39,570	\$41,069	\$42,372	\$43,716
ED-1C	\$31,395	\$32,585	\$33,819	\$35,101	\$36,431	\$37,811	\$39,244	\$40,489	\$41,774
ED-1B	\$30,000	\$31,137	\$32,317	\$33,541	\$34,812	\$36,131	\$37,500	\$38,690	\$39,917
ED-1A	\$28,667	\$29,753	\$30,881	\$32,051	\$33,265	\$34,526	\$35,834	\$36,971	\$38,144

EDUCATOR PAY PLAN (EDU)									
Grade	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18
ED-12	\$102,505	\$105,757	\$109,113	\$112,575	\$116,147	\$119,832	\$123,634	\$127,557	\$131,604
ED-11	\$93,187	\$96,143	\$99,194	\$102,341	\$105,588	\$108,938	\$112,395	\$115,961	\$119,640
ED10	\$84,716	\$87,404	\$90,177	\$93,038	\$95,990	\$99,036	\$102,178	\$105,420	\$108,765
ED-9	\$77,014	\$79,457	\$81,978	\$84,580	\$87,263	\$90,032	\$92,888	\$95,836	\$98,876
ED-8	\$70,013	\$72,234	\$74,526	\$76,890	\$79,330	\$81,847	\$84,444	\$87,123	\$89,888
ED-7	\$63,065	\$65,066	\$67,131	\$69,261	\$71,458	\$73,725	\$76,064	\$78,478	\$80,968
ED-6	\$60,063	\$61,968	\$63,934	\$65,963	\$68,056	\$70,215	\$72,443	\$74,741	\$77,113
ED-5	\$55,872	\$57,644	\$59,473	\$61,360	\$63,307	\$65,316	\$67,388	\$69,526	\$71,732
ED-4	\$53,212	\$54,900	\$56,642	\$58,439	\$60,293	\$62,206	\$64,180	\$66,216	\$68,317
ED-3	\$49,499	\$51,069	\$52,689	\$54,361	\$56,086	\$57,866	\$59,702	\$61,596	\$63,550
ED-2	\$47,201	\$48,699	\$50,244	\$51,838	\$53,483	\$55,180	\$56,930	\$58,737	\$60,600
ED-1D	\$45,104	\$46,535	\$48,011	\$49,534	\$51,106	\$52,727	\$54,400	\$56,126	\$57,907
ED-1C	\$43,099	\$44,467	\$45,878	\$47,333	\$48,835	\$50,384	\$51,983	\$53,632	\$55,334
ED-1B	\$41,184	\$42,491	\$43,839	\$45,230	\$46,665	\$48,145	\$49,673	\$51,249	\$52,875
ED-1A	\$39,354	\$40,603	\$41,891	\$43,220	\$44,592	\$46,006	\$47,466	\$48,972	\$50,526

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POSITIONS COVERED BY THE EDUCATOR PAY PLAN (EDU)
School Principal (Elementary and Secondary) - High
School Principal (Elementary and Secondary) – Middle
School Principal (Elementary and Secondary) – Elementary
Assistant School Principal (Elementary and Secondary)
School Program Consultant
Teacher VI
Teacher V
Teacher IV
Teacher III
Teacher II
Teacher I – D
Teacher I – C
Teacher I – B
Teacher I – A
Vocational Instructor
Headstart Teacher
Head Start Program Director
Head Start Program Assistant Director
Chamorro Studies Administrator
<p>Note: Teacher I – D through Teacher VI can be reclassified up to two (2) times a year based on meeting the Minimum Qualifications of the next level of Teacher within a given school year. This means that movement through the different pay grades can be done so in an expedited manner.</p>

Exhibit 5. Executive Pay Plan (EXEC)

EXECUTIVE PAY PLAN							
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E-X	\$96,175	\$99,819	\$103,602	\$107,527	\$111,601	\$115,830	\$120,219
E-W	\$91,595	\$95,066	\$98,668	\$102,407	\$106,287	\$110,314	\$114,494
E-V	\$86,820	\$90,110	\$93,524	\$97,068	\$100,746	\$104,563	\$108,525
E-U	\$81,522	\$84,611	\$87,816	\$91,144	\$94,597	\$98,182	\$101,902
E-T	\$76,188	\$79,075	\$82,071	\$85,181	\$88,408	\$91,758	\$95,235
E-S	\$70,873	\$73,558	\$76,345	\$79,238	\$82,241	\$85,357	\$88,591
E-R	\$65,623	\$68,110	\$70,690	\$73,369	\$76,149	\$79,034	\$82,029
E-Q	\$60,482	\$62,773	\$65,152	\$67,620	\$70,183	\$72,842	\$75,602
E-P	\$55,488	\$57,590	\$59,773	\$62,037	\$64,388	\$66,828	\$69,360
E-O	\$49,897	\$51,787	\$53,750	\$55,786	\$57,900	\$60,094	\$62,371
E-N	\$45,014	\$46,720	\$48,490	\$50,328	\$52,235	\$54,214	\$56,268
E-M	\$40,762	\$42,307	\$43,910	\$45,574	\$47,301	\$49,093	\$50,953

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EXECUTIVE PAY PLAN						
Grade	Step8	Step9	Step10	Step11	Step12	Step13
E-X	\$124,033	\$127,969	\$132,029	\$136,218	\$140,540	\$144,999
E-W	\$118,127	\$121,875	\$125,742	\$129,731	\$133,847	\$138,094
E-V	\$111,968	\$115,521	\$119,186	\$122,968	\$126,869	\$130,895
E-U	\$105,135	\$108,471	\$111,913	\$115,463	\$119,127	\$122,907
E-T	\$98,257	\$101,374	\$104,591	\$107,909	\$111,333	\$114,865
E-S	\$91,402	\$94,302	\$97,294	\$100,381	\$103,566	\$106,852
E-R	\$84,632	\$87,317	\$90,087	\$92,946	\$95,895	\$98,937
E-Q	\$78,001	\$80,476	\$83,029	\$85,663	\$88,381	\$91,185
E-P	\$71,561	\$73,831	\$76,174	\$78,591	\$81,084	\$83,657
E-O	\$64,350	\$66,392	\$68,498	\$70,671	\$72,914	\$75,227
E-N	\$58,053	\$59,895	\$61,796	\$63,756	\$65,779	\$67,866
E-M	\$52,570	\$54,238	\$55,958	\$57,734	\$59,566	\$61,456

POSITIONS COVERED BY THE EXECUTIVE PAY PLAN (EXEC)		
Adjutant General	Deputy Director (Library)	Director (Labor)
Administrative Director of the Courts	Deputy Director (GBHWC)	Director (Library)
Administrator (GMHA)	Deputy Director (Parks and Recreation)	Director (GBHWC)
Administrator (GEPA)	Deputy Director (DPHSS)	Director (Parks and Recreation)
Administrator (GEDA)	Deputy Director (Retirement)	Director (PHSS)
Administrative Director (Public Defender)	Deputy Director (Revenue & Taxation)	Director (Retirement)
Assistant General Manager (KGTF)	Deputy Fire Chief	Director (Revenue & Taxation)
Assistant General Manager (GRTA)	Deputy General Manager (GVB)	Education Suruhanu
Associate Administrator (GMHA)	Deputy Superintendent – Assessment and Accountability	Executive Director (Bureau of Women’s Affairs)
Chief Medical Examiner	Deputy Superintendent – Curriculum and Instructional Improvement	Executive Director (CSC)
Chief of Police	Deputy Superintendent – Educational Support and Community Learning	Executive Director (Guåhan Commission for Educator Certification)
Commissioner of Banking and Insurance	Deputy Superintendent – Finance and Administrative Services	Executive Director (GHURA)
Deputy Administrative Director of the Courts	Director (GDDC)	Executive Director (Public Defender Corp.)
Deputy Administrator (GEPA)	Director (Agriculture)	Executive Director (Hagatna Restoration)
Deputy Chief of Police (GPD)	Director (AHRD)	Executive Director (Mayor’s Council)
Deputy Director (Agriculture)	Director (Ancestral Lands Commission)	Executive Manager (GRTA)
Deputy Director (AHRD)	Director (BBMR)	Executive Secretary Registrar (CLB)
Deputy Director (Ancestral Lands Commission)	Director (BOSP)	Fire Chief (GFD)
Deputy Director (BBMR)	Director (CAHA)	General Manager (GVB)
Deputy Director (CAHA)	Director (Chamorro Land Trust)	General Manager (KGTF)

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Administrative Director (Chamorro Land Trust)	Director (Commission on Persons with Disabilities)	Manager (GHC)
Deputy Director (Corrections)	Director (Corrections)	President (GHC)
Deputy Director (DLM)	Director (Customs)	President (Kumision I Fino Chamorro)
Deputy Director (DOA)	Director (DISID)	Superintendent of Education
Deputy Director (DPW)	Director (DLM)	Vice President (Kumision I Fino Chamorro)
Deputy Director (DYA)	Director (DOA)	
Deputy Director (GHURA)	Director (DPW)	
Deputy Director (DEC)	Director (DYA)	
Deputy Director (Guam Energy Office)	Executive Director (Guam Election Commission)	
Deputy Director (Labor)	Director (Guam Energy Office)	

P.L. 32-136:2 (Mar. 5, 2014) addresses the positions covered by the Executive Pay Plan, and states in its entirety:

Section 2. Notwithstanding any other provision of law, rule, regulation, policy, or procedure, the salaries of all employees in the attached Exhibit A, which shall include, but not be limited to, *I Maga'lahen Guåhan's* appointed cabinet members, shall be set at their respective salary rates that were effective on October 1, 2013. No appropriation or authorization from Fiscal Years 2014 and prior shall be authorized for the payment of salaries to the positions in Exhibit A at a salary rate above the salary rates that were effective on October 1, 2013.

The reference to “Exhibit A” in P.L. 32-136:2 is to the list entitled “Positions Covered by the Executive Pay Plan (EXEC)” which was included in the DOA plan; however, Exhibit A to P.L. 32-136 excludes the positions of Administrative Director of the Courts and Deputy Administrative Director of the Courts.

2015 NOTE: P.L. 32-208 (Nov. 21, 2014) effectuated several changes to P.L. 32-136: it repealed and reenacted Section 1, which addressed salaries of the Governor, Lieutenant Governor, Senators of the Guam Legislature, and the Public Auditor; and Section 2, which addressed the positions covered by the Executive Pay Plan. In addition, P.L. 32-208:3 repealed Section 3 of P.L. 32-136, which amended 2 GCA § 1106(a) regarding legislative salaries. *See* 2 GCA § 1106, 2014 Comment.

2017 NOTE: P.L. 34-009:1 (May 23, 2017) amended Section 1 of P.L. 32-208 (Nov. 21, 2014), and provided that the salary of the Attorney General would be the rate set pursuant to the Competitive Wage Act of 2014; however, it did not repeal 5 GCA § 30116. This amendment also stated that the salary of the Public Auditor and the staff of the Office of Public Accountability were set pursuant to 1 GCA § 1907. In addition, P.L. 34-009 addressed compensation of the governor, lieutenant governor, and senators: Section 2 addressed senatorial salaries by adding 2 GCA § 1106.1; Section 3 addressed the governor’s salary by adding 5 GCA § 1103 (which was renumbered by the Compiler to 5 GCA § 1517), and Section 4 addressed the lieutenant governor’s salary by adding 5 GCA § 2100.1 (which was renumbered by the Compiler to 5 GCA § 2106).

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§ 6202. Salary Increments.

Every classified employee in Pay Grades A through V shall be entitled to one step salary increment for satisfactory performance. Employees at Steps 1 through 6 shall be entitled to an increment after twelve (12) months of satisfactory performance. Employees at Steps 7 through 9 shall be entitled to an increment after eighteen (18) months of satisfactory performance. Employees at Step 10 shall be entitled to an increment equivalent to 3.5% of an employee's based salary after twenty-four (24) months of satisfactory performance; the Director of Administration shall prepare an increment schedule consisting of at least Steps 11 to 20 to implement the 3.5% increment policy.

SOURCE: GC § 4103.1 added by P.L. 16-111:II:25 (Oct. 7, 1982). Amended by P.L. 16-114:6 (Oct. 19, 1982). Repealed and reenacted by P.L. 21-059:7 (Sept. 27, 1991). Amended by P.L. 28-068:IV:42 (Sept. 30, 2005), effective January 1, 2006.

NOTE: Effective January 1, 2006, reference to the "Civil Service Commission" amended to "Director of Administration" pursuant to P.L. 28-68:IV:45 (Sept. 30, 2005).

§ 6203. Merit Bonus.

Superior performance by a classified employee in Grades A through V shall be rewarded by a lump sum bonus based on an amount equivalent to 3.5% of the employee's based salary. The merit bonus shall be automatic upon a superior rating evaluation conducted for increment purposes. The merit bonus is in addition to the increment provided under § 6102 and is limited to the fiscal year in which superior performance is rendered.

SOURCE: GC § 4103.2 added by P.L. 16-111:II:20 (Oct. 7, 1982). Repealed and reenacted by P.L. 21-059:7(Sept. 27, 1991).

§ 6204. Cost of Living Adjustments.

The Governor may institute a cost of living adjustment (COLA). The COLA shall not be a part of the employee's base salary and shall be non-taxable; provided, however, that the COLA shall be considered as part of the base pay for retirement purposes. The Governor may defer, uniformly reduce, or uniformly increase the COLA adjustments according to economic conditions. The Director of Administration shall consult with the

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Department of Commerce in determining the appropriate methodology to be applied. The feasibility of adopting the federal COLA system, in whole or in part, shall be considered by the Director of Administration.

SOURCE: GC § 4104. Amended by P.L. 13-071:1 (Oct. 22, 1975). Repealed and reenacted by P.L. 21-059:7 (Sept. 27, 1991). Amended by P.L. 28-068:IV:42 (Sept. 30, 2005), effective January 1, 2006.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6205. Recruitment Above-Step.

Step 1 of the Pay Grade assigned to a classified position shall be the regular rate for initial employment in any department or agency. The appointing authority, or the head of an agency, department or public corporation listed in 4 GCA § 4105(a) may petition the Director of Administration, the Judicial Council (as to Judicial Branch employment) or the agency, department or public corporation’s governing board or commission (as to an agency, department or public corporation listed in 4 GCA § 4105(a)) for recruitment at a higher step not to exceed Step 10, because of documented recruitment difficulty or exceptional qualifications. The petition shall be posted on the agency’s website for ten (10) days (Saturdays, Sundays and government of Guam holidays excepted). This petition shall be made before an applicant is hired. Every petition shall be scrutinized and amply justified before being approved. The Director of Administration, the Judicial Council and the governing board or commission (as to an agency, department or public corporation listed in 4 GCA § 4105(a)) may establish policies to administer this section. Increment schedule consisting of Steps 11 through 20 shall not be used for recruitment above step.

NOTE: GC § 4101.1 added by P.L. 14-052:1 (July 14, 1977). Amended by P.L. 18-029:6 (Jan. 10, 1986). Repealed and reenacted by P.L. 21-059:7 (Sept. 27, 1991). Amended by P.L. 28-068:IV:42 (Sept. 30, 2005), and P.L. 28-112:5 (April 14, 2006).

§ 6205.1 Recruitment Above-Step for the Department of Education.

Notwithstanding the provisions of Title 4 GCA § 6205, Step

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1 of the Pay Grade assigned to a classified position shall be the regular rate for initial employment in Department of Education. The Superintendent of Education may petition the Guam Educational Policy Board for recruitment at a higher step not to exceed Step 10, because of recruitment difficulty or exceptional qualifications for professional education positions. This petition shall be made before an applicant is hired. Every petition shall be scrutinized and amply justified before being approved. The Guam Educational Policy Board may establish policies to administer this Section. Increment schedule consisting of Steps 11 through 20 shall not be used for recruitment above-step. Such professional education positions may include, but not be limited to the following:

- (a) Teacher II – VI, in any Special Education Program, Mathematics, Science and Language Arts
- (b) Program Coordinator II – IV, Autism Program
- (c) Program Coordinator II – IV, Assistive Technology Program
- (d) Program Coordinator II – IV, Transition Program
- (e) Program Coordinator II – IV, State Compliance Monitoring Program
- (f) Psychologist, Emotional Disabilities Program
- (g) Psychologist, Psychological Services Program
- (h) Speech Language Pathologist
- (i) Speech Language Clinician
- (j) Speech Language Pathology Supervisor
- (k) Audiologist
- (l) Occupational Therapist I – II
- (m) Physical Therapist I – II
- (n) Nutritionist
- (o) Assistant Superintendent, Special Education
- (p) Associate Superintendent, Special Education.

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SOURCE: Added by P.L. 28-068:IV:100 (Sept. 30, 2005).

NOTES: Pursuant to the authority granted by 1 GCA § 1606, subsection/subitem designations were altered to adhere to the Compiler's alpha-numeric scheme.

P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education.

§ 6205.2. No Recruitment or Compensation Above-Step 10.

(a) No agency, department, autonomous agency, public corporation, or other instrumentality of the government of Guam shall authorize compensation above Step 10 for the initial appointment, hiring or recruitment of an employee. This Section shall not apply to the Office of *I Maga'lahaen Guåhan*, Office of *I Segundu Na Maga'lahaen Guåhan*, Guam State Clearinghouse, *I Liheslaturan Guåhan*, to any agency whose governing board has exclusive authority over compensation, or to any positions specifically exempted by law.

(b) Notwithstanding any other provision of law, the Director of Administration shall adjust to Step 10 the compensation of an unclassified employee who was hired above Step 10 before enactment hereof effective the date of this enactment. Failure to comply with this Section shall result in the deappropriation of the total amount of compensation paid in violation hereof from the budget of the non-compliant agency.

(c) An employee hired by the Office of the Public Auditor prior to October 2007 shall not be personally liable for repayment of any salary received in good faith prior to December 2008.

(d) (1) The Department of Public Works (DPW) is authorized to recruit and compensate above step one (1) professional engineer in the unclassified service to fill the vacant position of Chief Engineer for DPW's Highway Division and one (1) professional engineer in the unclassified service to fill the vacant position of Chief Engineer for DPW's Capital Improvement Projects (CIP) Division. In addition to meeting the qualifications and requirements for the position as established by the Department of Administration, the candidate shall be registered as a

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professional civil engineer in Guam, or shall become registered in Guam within two (2) years after beginning employment. Additionally, when hiring above step per this Subsection, the candidate for Chief Engineer of DPW's Highway Division shall have a minimum of ten (10) years of relevant highway engineering experience; and the candidate for Chief Engineer of DPW's CIP Division *shall* have a minimum of ten (10) years of relevant civil engineering experience.

(2) The Department of Administration *shall* review and confirm that the person(s) recruited for the position of Chief Engineer for DPW's Highway Division and Chief Engineer for DPW's CIP Division are registered professional engineers in any U.S. jurisdiction and have a minimum of ten (10) years of highway engineering and civil engineering experience, respectively. If the person filling either position is *not* a Guam registered professional engineer, and fails to attain professional engineer status on Guam within the two (2) year period after beginning employment, the position(s) *shall* be vacated immediately. The Department of Administration *shall* also recommend the step in Pay Grade S that the selected applicant is entitled to as a result of a review of his or her education, experience, and professional licensure.

SOURCE: Added by P.L. 29-019:VI:63 (Sept. 29, 2007). Amended by P.L. 30-126:2 (Apr. 2, 2010). Subsection (d) added by P.L. 31-077:XII:25 (Sept. 20, 2011), and amended by P.L. 34-011 (June 7, 2017).

2017 NOTE: Subitem designations added to subsection (d) pursuant to authority of 1 GCA § 1606.

§ 6206. Step to Step Upon Promotion.

Classified employees in Grades A through V who are promoted competitively or by reclassification, or temporarily, to a higher Pay Grade shall receive a salary increase closest to a one (1) step increase in the pay grade held prior to promotion.

SOURCE: GC § 4106. Subsection A amended by P.L. 15-066:23 (Sept. 30, 1979), P.L.15-147:23 (Dec. 31, 1980), P.L. 19-34:38:26 (Dec. 19, 1988) and P.L. 19-052:17 (Jan. 16, 1989). Subsection B amended by P.L. 15-066:26 (Sept. 30, 1979). Repealed and reenacted by P.L. 15-147:26 (Dec. 31, 1980). Amended by P.L. 16-059:6 (Jan. 9, 1982), P.L. 16-122:1

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Dec. 23, 1982), P.L. 17-021:5 (Aug. 18, 1983), P.L. 17-078:11 (Dec. 12, 1984), P.L. 18-030:58 (Feb. 19, 1986), P.L. 18-030:59 (Feb. 19, 1986), P.L. 18-032:21 (Apr. 24, 1986), P.L. 18-032:23 (Apr. 24, 1986), P.L. 18-37:20 (May 30, 1986), P.L. 19-034:34 (Dec. 19, 1988), P.L. 19-034:39 (Dec. 19, 1988), P.L. 19-052:15 (Jan. 16, 1989) P.L. 19-052:18 (Jan. 16, 1989); Subsection C amended by P.L. 15-147 (Dec. 31, 1980) and P.L. 19-034:37 (Dec. 19, 1988); Subsection D added by P.L. 15-039; repealed and reenacted by P.L. 21-059:7.

§ 6206.1. Limitation on Salaries of Directors and Deputy Directors.

(a) If the salary level of a Director or Deputy Director, by whatever title denominated, is not specifically set out in law but is set by a Board, Commission or other administrative body, that Board, Commission or other administrative body shall not set the salary level of a Director to exceed the current salary level of the Governor, and shall not set the salary level of a Deputy Director to exceed the current salary level of the Lieutenant Governor. This Section shall apply to all departments, agencies, corporations expending funds appropriated by the government of Guam or instrumentalities of the government of Guam, and whether or not the agency is a line, autonomous, or semi-autonomous agency.

(b) Title 4 GCA § 6206.1 shall not apply to persons occupying Director or Deputy Director positions under the terms of a contract in effect on the effective date of this Act, however 4 GCA § 6206.1 shall be effective for any subsequent contract or renewal of a current contract when salary is negotiable.

SOURCE: Added by P.L. 18-032:24 (Apr. 24, 1986).

§ 6207. Positions in I Maga'låhi's (the Governor's) Office.

I Maga'låhi (the Governor) is authorized to establish such positions as may be necessary for the operation of the Office of *I Maga'låhi* (the Governor), including off-island offices and Government House; provided, however, that no person shall be appointed to fill such a position in the absence of an appropriation to pay the salary set for such position. *I Maga'låhi* (the Governor) shall set the salaries for positions for which salaries are not set by law, which shall be paid in twenty-six (26) biweekly equal installments from the date when such salary was set.

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SOURCE: GC § 4116.2. Amended by P.L. 11-202:1 (Dec. 12, 1972), repealed and reenacted by P.L. 21-017:4 (May 8, 1991), amended by P.L. 28-145:3 (August 15, 2006), and P.L. 33-123:1 (Feb. 16, 2016).

§ 6207.1. Positions in I Segundu Na Maga'lâhi's (the Lieutenant Governor's) Office.

I Segundu Na Maga'lâhi (the Lieutenant Governor) is authorized to establish such positions as may be necessary for the operation of the Office of *I Segundu Na Maga'lâhi* (the Lieutenant Governor), the Guam State Clearinghouse, and other offices that are established and placed under the purview or direction of *I Segundu Na Maga'lâhen Guâhan* (the Lieutenant Governor of Guam); provided, however, that no person shall be appointed to fill such a position in the absence of an appropriation to pay the salary set for such position. *I Segundu Na Maga'lâhi* (the Lieutenant Governor) shall set the salaries for positions for which salaries are not set by law, which shall be paid in twenty-six (26) biweekly equal installments from the date when such salary was set.

SOURCE: Added by P.L. 28-145:4 (August 15, 2006), amended by P.L. 33-123:2 (Feb. 16, 2016).

§ 6208. Government Attorneys Salaries.

It is the intent of *I Liheslatura* that all full-time attorneys working for the government of Guam, its agencies and instrumentalities (including autonomous agencies and instrumentalities), the Judiciary, and the Public Defender Service Corporation be paid according to the following schedule in order to make the pay received by full-time attorneys working for different departments and agencies more or less uniform. Therefore, all full-time attorneys now working for or later hired after the effective date of this Section by the government of Guam, its agencies and instrumentalities (including autonomous agencies and instrumentalities), the Judiciary, and the Public Defender Service Corporation including classified, unclassified, and contract hire shall be paid according to the following schedule. However, no attorney working for the government of Guam on the effective date of this Act shall have his or her salary reduced by this schedule below.

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ATTORNEY I

(a) An attorney with zero (0) to three (3) years experience as an attorney, working under the supervision of a senior attorney or judge. The pay scale and steps shall be as follows:

Step 1 -- under one (1) year as an attorney, \$40,352;

Step 2 -- more than one (1) year but less than two (2) years as an attorney, \$42,874; and

Step 3 -- more than two (2) years but less than three (3) years as an attorney, \$45,396.

ATTORNEY II

(b) An attorney with three (3) years experience but less than five (5) years experience as an attorney, working under the supervision of a senior attorney. The pay scale and steps shall be as follows:

Step 1 -- more than three (3) years but less than four (4) years experience as an attorney, \$47,008;

Step 2 -- more than four (4) years but less than five (5) years experience as an attorney, \$49,773.

ATTORNEY III

(c) A senior attorney with over five (5) years but less than eight (8) years experience as an attorney, working with minimal supervision, who may supervise and direct other attorneys. The hiring authority may allow up to two (2) years of attorney experience credit or seniority credit for special skills, training, or excellence as an attorney. The pay scale and steps shall be as follows:

Step 1 -- more than five (5) years but less than six (6) years experience as an attorney, \$51,723;

Step 2 -- more than six (6) years but less than seven (7) years experience as an attorney, \$54,765; and

Step 3 -- more than seven (7) years but less than eight (8) years experience as an attorney, \$59,329.

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ATTORNEY IV

(d) An Attorney IV includes all non-supervisory and program-supervisor senior attorneys, to include, the Chief Deputy Attorney General, and the Public Defender. A senior attorney with over eight (8) years as an attorney, working with minimal supervision, with possible supervisory duties over other attorneys. The hiring authority may allow up to three (3) years of attorney experience credit or seniority credit for special skills, trial experience, training, or excellence as an attorney, to the extent the attorney has less than eleven (11) years of experience as an attorney. The pay scale and steps shall be as follows:

Step 1 -- over eight (8) years but less than nine (9) years of experience as an attorney, \$62,114;

Step 2 -- over nine (9) years but less than ten (10) years of experience as an attorney, \$68,493;

Step 3 -- over ten (10) years but less than eleven (11) years of experience as an attorney, \$72,522;

Step 4 -- over eleven (11) years but less than twelve (12) years of experience as an attorney, \$75,208;

Step 5 -- over twelve (12) years but less than fifteen (15) years of experience as an attorney, \$77,894; and

Step 6 -- over fifteen (15) years experience as an attorney, \$80,580.

Any attorney who has sixteen (16) years or more of total experience as an attorney, and who has reached the level of Attorney IV, Step 6, shall thereafter receive a pay increase of 3.5% every two (2) years of service as a government of Guam attorney.

In the case of attorneys working for the government of Guam as of the effective date of this Section, the Department of Administration shall review the current attorney's salaries and slot the attorneys into the appropriate step and grade of the previous salary structure without regard to any freeze on salaries that may have occurred. After placing the attorneys at the appropriate step and grade, the attorneys shall then be slotted in accordance with the above schedule closest to, but not below the step and grade established by the Department of Administration and to receive

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pay increases established by the new salary structure on their anniversary of hire. The slotting into the appropriate steps closest to, but not below their current salaries shall include all experience and seniority credits.

The salary schedules contained in Subsections (a) through (d) above may be modified upwards from time to time by the Director of Administration pursuant to the Administrative Adjudication Act public notice requirements without further legislation.

SOURCE: GC § 4106.1. Added by P.L. 13-117:5 (Dec 27, 1975). Amended by P.L. 15-147:25 (Dec 31, 1980). Repealed and reenacted by P.L. 16-072:11 (Mar 5, 1982), 16-080:7 (May 4, 1982), 17-006:30 (May 5, 1983) and 19-052:8 (Jan 16, 1989). Amended by P.L. 27-106:VI:20 (Sept. 30, 2004).

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-68:IV:45 (Sept. 30, 2005).

2014 NOTE: P.L. 32-068:XI:2 (Sept. 11, 2013) (FY2014 Annual Appropriations Act), Government of Guam Competitive Wage Act of 2014, provided for funding and implementation of the Government-wide Position Classification, Compensation and Benefits Study, and required transmittal of a final, implementable plan to the Guam Legislature. The Department of Administration (DOA) submitted a plan on January 15, 2014, which included an Attorney Pay Plan. The Guam Legislature passed Bill 268-32 (COR) which amended the plan submitted by DOA. The Governor vetoed this bill and proceeded with implementation of the DOA plan, for employees in executive branch line agencies, effective January 26, 2014. At the time of implementation by DOA, none of the existing statutes in this chapter had been amended or repealed. The Judicial Council of Guam did not implement the new pay plans for Judiciary of Guam attorneys.

The Attorney Pay Plan found in the DOA implementation plan is reproduced below:

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Exhibit 4. Attorney Pay Plan (ATTY)

ATTORNEY PAY PLAN (ATTY)					
	Step 1	Step 2	Step 3	Step 4	Step 5
Chief Deputy Attorney General	\$ 97,470	\$ 100,954	\$ 104,563	\$ 108,300	\$ 114,547
Attorney Level 5 (Managing)	\$ 85,950	\$ 89,022	\$ 92,204	\$ 95,500	\$ 101,009
Attorney Level 4	\$ 75,780	\$ 78,489	\$ 81,294	\$ 84,200	\$ 89,057
Attorney Level 3	\$ 66,600	\$ 68,981	\$ 71,446	\$ 74,000	\$ 78,268
Attorney Level 2	\$ 57,375	\$ 59,426	\$ 61,550	\$ 63,750	\$ 67,427
Attorney Level 1	\$ 50,825	-	-	\$ 53,500	-

ATTORNEY PAY PLAN (ATTY)					
	Step 6	Step 7	Step 8	Step 9	Step 10
Chief Deputy Attorney General	\$ 121,154	\$ 128,142	\$ 135,534	\$ 143,351	\$ 151,620
Attorney Level 5 (Managing)	\$ 106,835	\$ 112,997	\$ 119,515	\$ 126,409	\$ 133,700
Attorney Level 4	\$ 94,194	\$ 99,627	\$ 105,373	\$ 111,451	\$ 117,880
Attorney Level 3	\$ 82,783	\$ 87,558	\$ 92,608	\$ 97,950	\$ 103,600
Attorney Level 2	\$ 71,316	\$ 75,430	\$ 79,781	\$ 84,383	\$ 89,250
Attorney Level 1	-	-	-	-	-

POSITIONS COVERED BY THE EDUCATOR PAY PLAN (EDU)
Administrative Counsel (CSC)
Assistant Principal Tax Attorney
Attorney I
Attorney II
Attorney III
Attorney IV
Attorney V
Chief Deputy Attorney General
Legal Advisor
Staff Attorney (Judicial)
Territorial Principal Tax Attorney
Compiler of Laws
Chief Assistant to Compiler of Laws
Public Guardian
Ethics Prosecutor
Note: Attorney General of Guam salary is recommended in the "Rate of Pay" positions. Attorney Level 1 only includes two steps with the expectation of moving to the Attorney Level 2 upon meeting the minimum requirements.

2017 NOTE: The Judicial Council of Guam implemented the Attorney Pay Plan for Judiciary of Guam employees pursuant to Judicial Council Resolution No. JC14-016 (July 17, 2014), subsequent to the the amendment to Judicial Council authority effectuated by P.L. 32-166 (June 24, 2014).

§ 6208.1. Recruitment of Assistant Attorneys General.

Notwithstanding any other provision of law, the Attorney General may hire Assistant Attorneys General necessary for the

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operation of the department. Attorneys shall be hired for an initial two-year probationary period in the unclassified service, which shall by the term of the appointment expire two years from the date of the appointment if not sooner terminated by the appointing authority. Attorneys reappointed after completion of their probationary period shall be employed in the unclassified service as provided under Section 4102(16) of Chapter 4 of this Title and may be removed only for cause. Attorneys presently in the classified service shall remain classified.

SOURCE: GC § 6208.1 added by P.L. 17-053:17 (Jun 4, 1984). Repealed and reenacted by P.L. 19-052:7 (Jan 16, 1989).

COURT DECISIONS: This section was declared contrary to the Organic Act of Guam by the Ninth Circuit Court of Appeals. *Haeuser v. Dept. of Law*, (CA9 1996) 97 F.3d 1152; for limitation on damages see *Haeuser v. Dept. of Law*, (Supreme Court Guam 1999) 1999 Guam 12.

§ 6209. Professionals of Public Health and Social Services.

(a) Within the Department of Public Health and Social Services the following classified positions are created and given annual compensation as follows:

POSITION	COMPENSATION
Physician Specialist (Board Certified)	\$80,618 - \$94,418
Physician Specialist (Board Eligible)	\$75,098 - \$88,898
General Practitioner	\$52,862 - \$62,862
Chief Public Health Dental Officer	\$54,531 - \$66,528
Dental Officer II	\$48,300 - \$58,926
Dental Officer I	\$44,850 - \$54,717

(b) The Director of Administration is hereby directed to assign an appropriate pay range for the position of Nurse Practitioner under the Option 1 Salary Schedule; provided, however, that persons presently occupying the position shall not have their present salary reduced. Once an appropriate salary level is assigned by the Director of Administration, persons employed as Nurse Practitioners shall be compensated at such level retroactive to October 1, 1987.

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(c) The Director of Administration shall review the salaries of staff dentist and physician positions in the Department of Public Health and Social Services every two (2) years from the date of enactment of this Act to make salary adjustments as needed. The Director of Administration shall consider the income levels of private practitioners and government dentists and physicians on Guam and nationwide, and increases in salary given other government of Guam employees.

SOURCE: GC § 4106.2 added by P.L. 14-052:2 (Jul 17, 1977). Amended by P.L. 16-111:13 (Oct 7, 1982), 18-033:15 (May 9, 1986) and 19-034:33 (Dec 19, 1988). Subsection (a) repealed and reenacted by P.L. 20-207:12 (Aug. 20, 1990). Subsection (c) added as uncodified law by P.L. 20-207:16 (Aug. 20, 1990), and codified by the Compiler.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

2015 NOTE: P.L. 20-207 (Aug. 20, 1990) amended § 6209(a), by adding positions that had been addressed in § 6209.1 and by instituting salary reassignments that had been approved by the Civil Service Commission during its May 24, 1990 meeting. Section 6209.1 was added by P.L. 18-033:13 (May 9, 1986) and before its repeal by P.L. 20-207:14, stated in its entirety:

6209.1 Same.

Within the Department of Public Health and Social Services the following classified positions are given annual compensation as follows:

Position	Compensation
Dental Officer I	\$32,000 - \$39,000
Dental Officer II	\$35,000 - \$42,000
Chief Public Health Dental Officer	\$39,000 - \$47,000

§ 6210. Public Hearing for Salary Changes for Elected Officials May Not Be Waived.

The public hearing required under § 2103(a) of Chapter 2, Title 2, Guam Code Annotated, may *not* be waived for any reason for a bill introduced in the Guam Legislature to vary the compensation of the Governor, Lieutenant Governor, or Senators of the Guam Legislature.

SOURCE: Added by P.L. 33-003:1 (Feb. 25, 2015) as § 6215,

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renumbered § 6210 by the Compiler pursuant to 1 GCA § 1606.

2015 NOTE: This section was originally codified from GC § 4107, entitled "*New Positions and Classes: Creation.*" Repealed by P.L. 21-059:7:(d) (Sept. 27, 1991).

§ 6210.1. Effective Date for Salary Changes for Elected Officials.

No law varying the compensation for the services of the Governor of Guam, the Lieutenant Governor of Guam, and/or Senators of the Guam Legislature shall take effect, until a General Election for the Guam Legislature shall have intervened.

SOURCE: Added by P.L. 33-003:2 (Feb. 25, 2015) as § 6215.1, renumbered § 6210.1 by the Compiler pursuant to 1 GCA § 1606.

2015 NOTE: This section was originally codified from GC § 4108, entitled "*Reassignments.*" Repealed by P.L. 9-023 (Mar 2, 1972).

§ 6211. Reassignments.

[Repealed.]

SOURCE: Repealed by P.L. 9-023 (Mar 2, 1972).

§ 6212. Hourly Rates of Pay.

In the event it is desirable to establish hourly rates of pay for temporary, seasonal, intermittent, project or part-time employment in any class of position in the classified service the Director of Administration shall determine such hourly rates by dividing by 2080 the annual pay rates in the range of pay established for the class by or under this Chapter. Normally, Step 1 in the appropriate pay range shall be used in making this calculation, but the Director of Administration, however, may authorize as compensation for such employment, hourly rates based on higher steps in the pay range if recruitment conditions or other circumstances warrant such action.

SOURCE: GC § 4109. Amended by P.L. 28-068:IV:42 (Sept. 30, 2005), effective January 1, 2006, pursuant to P.L. 28-068:IV:47.

COMMENT: Pursuant to P.L. 28-068:IV:42 (Sept. 30, 2005), the duty of the Civil Service Commission was transferred to the Director of Administration. Therefore, reference to Civil Service Commission in the second sentence of the section was removed.

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§ 6213 - § 6216.1.

2013 NOTE: P.L. 21-059:7(e) (Sept. 27, 1991) added a new Article 4 to Chapter 6, Title 4 and transferred §§ 6213-6216.1 to the newly created article. However, because of a pre-existing Article 4 covering another topic, the Compiler created a new Article 5. The provisions transferred by P.L. 21-059:7 were codified under the new Article 5 and renumbered accordingly.

§ 6217. Night Differential Pay.

All employees of the government of Guam, except the department or agency heads and the Deputy Directors, shall be entitled to night differential pay, calculated at the rate of their regular wage plus ten percent (10%), for all periods worked between the hours of 6:00 p.m. and 6:00 a.m.

SOURCE: § 4110.4. Renumbered by P.L. 13-081:1 (Oct 27, 1975). Amended by P.L. 14-130:3 (Jun 17, 1978); P.L. 27-029:V:6 (Sep 19, 2003); P.L. 28-068:V:5 (Sept. 30, 2005); P.L. 30-105:2 (Mar. 11, 2010).

§ 6218. Conditions.

The application of the pay ranges set forth in this Chapter shall be subject to the following conditions:

(a) The rates and ranges of pay shall be considered to be gross compensation for full time service and the value of maintenance in the form of meals, lodging and the like shall be deducted from the established rates of pay. The Director of Administration shall determine the values to be placed upon such maintenance, taking into consideration the costs of the maintenance provided and the convenience of the government served thereby. Maintenance shall not be considered to include the costs of travel incurred in connection with official duties.

(b) The minimum rate of each pay range shall be the normal rate for initial employment in the employment in the positions and classes assigned thereto. The Director of Administration, however, may authorize initial employment in the class at a higher rate in the pay range if such action is warranted by recruitment difficulties or by special or unusual qualifications of the individual employed.

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(c) Advancement of employees within the pay ranges established for their positions shall be based upon quality of work and length of service in a manner to be determined by the personnel rules.

(d) Any classified employee of the government of Guam, who terminates such employment for the sole purpose of entering active duty in the Armed Forces of the United States, shall be entitled to limited military leave for such periods and under such conditions as may be from time to time be determined by the Director of Administration and upon termination under honorable conditions of such active duty, be entitled to reinstatement in his previous position or its equivalent, in the step within his former pay range, to which such employee would have been entitled but for his military service, provided that such employee makes application for such reinstatement within ninety (90) days after discharge, and provided further that at the time of such application he shall be on military leave status with the government of Guam.

(e) Notwithstanding any other provision of law, when an Assistant Commissioner has been serving as such at a rate of pay higher than Step 1 of the salary range of a Commissioner and automatically receive compensation as provided in that step of the Commissioner's pay range which will not represent a reduction in the compensation he was theretofore receiving as Assistant Commissioner.

SOURCE: GC § 4111.

NOTE: Personnel Board changed to Civil Service Commission by authority of P.L. 16-009. Effective January 1, 2006, reference to the "Civil Service Commission" removed from subsection (b) and amended to "Director of Administration" in subsection (d) pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6218.1. Prohibition on Retroactive Pay Raise.

Whenever a classified or unclassified employee of the Government of Guam, including all departments, agencies and instrumentalities, whether or not autonomous, receives an increase in pay resulting from step increase, pay range increase, promotion or any other cause, such increase in pay shall not be

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retroactive from the date of its authorization, unless so specified by law. Any person who authorizes a pay raise which is retroactive in violation of this Section shall be guilty of a misdemeanor.

SOURCE: Added by P.L. 18-040:24 (Nov. 6, 1986).

§ 6218.2. Prohibition on Bonus Pay for Unclassified Employees.

No bonuses shall be authorized and/or paid in lump-sum, or otherwise, to unclassified employees of the government of Guam unless so specified by law. Any person who authorizes a bonus payment in violation of this Section shall be guilty of a misdemeanor. For the purposes of this Section, bonuses or bonus payments shall mean sums authorized and/or paid to an unclassified employee that is separate and apart from and/or added to the base pay of such unclassified employee for any purpose.

SOURCE: Added by P.L. 33-123:3 (Feb. 16, 2016).

§ 6218.3. Processing of Pay Adjustments for Unclassified Employees.

Pay adjustments that increase base pay that are authorized pursuant to §§ 6207 and 6207.1 of this Chapter shall be paid in twenty-six (26) biweekly equal installments from the date when such pay adjustment was authorized. If, after such pay adjustments that increase base pay for such unclassified employees that are authorized pursuant to §§ 6207 and 6207.1 of this Chapter, a pay adjustment is authorized to decrease base pay within two (2) pay periods, the amount of such pay adjustment that previously increased base pay shall be repaid by the unclassified employee no later than the following pay period subsequent to the date from when the pay adjustment decrease was authorized.

SOURCE: Added by P.L. 33-123:4 (Feb. 16, 2016).

§ 6219. Firemen: Compensation: Annual and Sick Leave.

(a) Notwithstanding any other law, rule, or regulation, firefighters within the Guam Fire Department, except the Fire Chief, shall be compensated at the regular hourly rate of pay at one hundred six (106) hours, and shall be compensated at one and one-half (1½) times the regular hourly rate for hours worked in excess of one hundred six (106) hours per pay period. Firefighters

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who are working administrative duty shall work eighty (80) hours per pay period at their regular rate of pay in the same manner as other government of Guam employees and at one and one-half (1½) times their regular hourly rate only in the event that they work in excess of one hundred six (106) hours in a pay period.

(b) All hours of work performed by firefighters during a legal holiday shall be compensated at double the regular hourly rate, irrespective of work shifts, provided, however, that work performed on such a holiday in excess of nine (9) hours shall be compensated at the regular hourly rate.

(c) Firefighters shall be charged no more than nine (9) hours annual leave or sick leave for any given day on which such leave is taken.

(d) All other laws, rules, regulations applicable to firefighters not consistent with this Section shall remain in full force and effect.

SOURCE: GC § 4111.1, as added by P.L. 12-183. Subsection (a) as amended by P.L. 17-087:7 (Jan. 18, 1985); repealed and reenacted by P.L. 20-172:1 (May 17, 1990); amended by P.L. 26-035:11 (Sept. 28, 2001); repealed by P.L. 26-036:35 (Oct. 1, 2001); reenacted by P.L. 26-049:7 (Oct. 12, 2001), retroactive to Oct. 1, 2001. Amended by P.L. 28-068:II:II:21 (Sept. 30, 2005). Subsection (b),(c) & (d) added by P.L. 28-072:1 (Nov. 15, 2005), effective October 1, 2005.

2016 NOTE: Public Law 26-049:7(c), which reenacted this provision, includes considerable legislative history.

§ 6220. Customs and Quarantine Agency Officer and Plant Protection and Quarantine Officer: Compensation.

Any Officer who has performed carrier off-duty services pursuant to this Act shall be compensated at the rate of three (3.0) times the officer's hourly wage rate for the first hour of service provided, and one and a half times (1½) the officer's hourly wage rate after the first hour of said service; provided, that the officer shall perform no less than fifteen (15) minutes of service for the second hour, or each hour thereafter, before receiving credit and compensation for the full hour.

SOURCE: GC § 5111.2, as added by P.L. 16-111; Repealed and reenacted by P.L. 19-010:XI:41(a), and P.L. 25-138:3.

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§ 6221. Interest On Late Overtime Payments.

Any overtime not paid an employee within fifteen working days after a request for payment is submitted shall earn interest at the rate of ten percent (10%) per annum from the date due until the date paid the employee at the same time he receives his payment for overtime.

SOURCE: Added by P.L. 17-027:8.

§ 6221.1. Cause of Action for Overtime.

(a) It is the intent of the Legislature that all overtime which has been approved be promptly paid. Therefore: any employee who is entitled to overtime may bring action in the Superior Court against the government of Guam for payment of all back pay due as a result of overtime, in addition to all other remedies allowed at law or equity. In any such case, the Court may order pendente lite and permanently that the appropriate officer of officers of the Government pay such sums to the employee as may become due in the future on such terms as the Court deems just.

(b) In any such case, ten (10) or more employees similarly situated may initiate and bring a class action on behalf of all employees similarly situated. In such case, the Court shall set reasonable attorney's fees upon conclusion of the case in an amount not to exceed ten percent (10%) of the recovery, to be paid by the government of Guam if the employees prevail.

SOURCE: Added by P.L. 18-044:34.

2016 NOTE: Subsection designations added to adhere to the Compiler's codification and alpha-numeric schemes pursuant to authority granted by 1 GCA § 1606.

§ 6222. Corrections Officers--Hazardous Pay.

(a) (1) A corrections officer or a parole officer or any employee of the government who performs the duty of guarding prisoners or supervising or counseling parolees, shall be entitled to hazardous pay, calculated at the rate of his or her regular wage, plus ten percent (10%), for all periods he or she is on such duty. The differential shall be applicable only during time of exposure.

(2) A corrections officer or a parole officer who

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performs a duty outside of the direct supervision of the Department of Corrections, that if performed by another law enforcement or public safety officer would entitle such officer to hazardous pay, shall be entitled to hazardous pay, calculated at the rate of his or her regular wage, plus ten percent (10%), for all periods he or she is on such duty. The differential shall be applicable only during time of exposure.

(b) Any marshal, probation officer, or alternative sentencing officer of the Judiciary is eligible to receive hazardous pay for any duty considered to be under hazardous conditions as specified by the Superior Court of Guam's Personnel Rules and Regulations, provided that "hazardous conditions" shall not include the customary, ordinary, or routine duties of marshals, probation officers and alternative sentencing officers, except for the following:

(1) providing security for a Justice, Judge or Referee so long as such Justice, Judge or Referee and the Administrator of the Courts certify that such duty exposed the employee to potentially dangerous circumstances;

(2) providing security at a Family Visitation Center; or

(3) performing work-related duties involving exigent circumstances resulting in

(A) imminent danger of bodily injury to the employee or others; or

(B) exposure to potentially dangerous circumstances.

The existence of such circumstances must be certified by the Marshal of the Courts and the Administrator of the Courts as to Marshals or by the Chief Probation Officer and the Administrator of the Courts as to Probation Officers and Alternative Sentencing Officers.

SOURCE: Added by P.L. 17-053:24 as § 6221; renumbered by Compiler; amended by P.L. 20-132:2, and P.L. 28-068:V:6 (Sept. 30, 2005). Subsection (b) amended by P.L. 28-150 V:24 (Sept. 30, 2006). Subsection (a) amended by P.L. 30-071:2 (Nov. 27, 2009).

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2016 NOTE: Subitem designations added in Subsection (a) to adhere to the Compiler's codification and alpha-numeric schemes pursuant to authority granted by 1 GCA § 1606.

§ 6223. Firefighters - EMT-A Duty.

Notwithstanding any law to the contrary, a Firefighter in the Guam Fire Department who performs work as an Emergency Medical Technician-Ambulance (EMT-A) and is a certified EMT-A shall be entitled to differential pay calculated at the rate of his or her regular wage plus fifteen percent (15%) for all periods he or she is assigned as an EMT-A and is a certified EMT-A.

SOURCE: Added by P.L. 19-052:10 as an uncodified section; codified by Compiler. Repealed by P.L. 28-062:5 (June 30, 2005). Restored by P.L. 28-068:II:2:18 (Sept. 30, 2005).

2016 NOTE: P.L. 28-068:II:2:18 expressly stated that this provision was "restored in the form and language existing prior to the enactment of Section 5 of Public Law 28-062."

§ 6224. Police and Customs Officers--Hazardous Pay.

A police and customs officer assigned to a hazardous duty position is entitled to hazardous duty pay calculated at the rate of such officer's wage plus ten percent (10%).

SOURCE: Added by P.L. 20-132:5 as § 6223, renumbered § 6224 by the Compiler pursuant to the authority of 1 GCA § 1606. Amended and renamed by P.L. 36-054:XII:45 (Sept. 11, 2021).

2021 NOTE: Prior to being amended by P.L. 36-054:XII:45 (Sept. 11, 2021), this provision was originally entitled "Police Officers—Hazardous Pay."

§ 6225. Hazardous Duty Positions Identified.

(a) The Chief of Police shall, by general order, adopt a Table of Organization and Equipment (TOE) for the uniform positions within the Police Department. The TOE shall follow generally the organizational structure established by the reorganization plan for the Police Department which became effective September 11, 1989. The TOE shall identify by rank and duty the positions within the various units, sections, branches, divisions and commands in the Police Department. Hazardous duty positions shall be identified in the TOE.

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(b) The Director of Customs shall, by general order, adopt a Table of Organization and Equipment (TOE) for the uniform positions within the Customs and Quarantine Agency. The TOE shall follow generally the organizational structure established by the creation of the Customs and Quarantine Agency which became effective on October 1, 1994. The TOE shall identify by rank and duty the positions within the various units, sections, branches, divisions, and commands in the Customs and Quarantine Agency. Hazardous duty positions shall be identified in the TOE.

(c) (1) Notwithstanding § 6304 of Article 3, Chapter 6, Title 4, Guam Code Annotated, the Civil Service Commission Hazardous/Environmental Pay Policy and Procedures, or any other provision of law, rule, regulation, and Executive Order, and for the purposes of this Act, Hazardous duty positions shall be identified as follows:

(A) all sworn Officers of the Guam Airport Police;

(B) all sworn Conservation Officers of the Division of Aquatic and Wildlife Resources of the Department of Agriculture;

(C) all sworn Guam Park Patrol Officers of the Department of Parks and Recreation;

(D) those employed by the Department of Youth Affairs, or who are assigned to the Department of Youth Affairs, and who are engaged in juvenile detention and rehabilitation work at the Department of Youth Affairs;

(F) those employed by the Office of the Attorney General whom he or she specifically designates; and

(G) all sworn Officers of the Guam Fire Department.

(2) The appointing authorities of the Antonio B. Won Pat International Airport Authority, Guam the Department of Agriculture, the Department of Parks and Recreation, the Department of Youth Affairs, the Office of the Attorney General, the Guam Fire Department, and the Department of Administration shall identify the direct exposure personnel,

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and upon exposure, shall be entitled to the ten percent (10%) hazardous pay differential.

SOURCE: Added by P.L. 20-132:6 as § 6224, renumbered § 6225 by the Compiler pursuant to the authority of 1 GCA § 1606. Amended by P.L. 33-195 (Dec. 15, 2016), and P.L. 36-054:XII:46 (Sept. 11, 2021).

2022 NOTE: Reference corrected to “Antonio B. Won Pat International Airport Authority, Guam” pursuant to 12 GCA § 1102(b).

2017 NOTE: Subsection/subitem designations added/alterd pursuant to the authority of 1 GCA § 1606.

§ 6225.1. Hazardous Pay Differential for Employees of Guam Behavioral Health and Wellness Center.

(a) Notwithstanding § 6304 of Article 3, Chapter 6, Title 4, Guam Code Annotated, the Civil Service Hazardous/Environmental Pay Policy and Procedures, or any other provision of law, rule, regulation and Executive Order, the personnel of the Guam Behavioral Health and Wellness Center working in what are deemed unsafe or dangerous hazardous duty working conditions in close proximity with mentally ill or emotionally disturbed or psychotic substance use disorder patients who are unpredictable, combative or volatile *shall* be entitled to a ten percent (10%) hazardous pay differential.

(b) The Director of the Guam Behavioral Health and Wellness Center and the Director of the Department of Administration *shall* identify the direct-exposure personnel and ensure that all affected personnel receive the hazardous pay differential. The two Directors *shall* additionally develop a protocol for personnel not normally in direct-exposure situations for those times when they are in unusual and dangerous direct contact situations, at which time they *shall* then be entitled to a hazardous pay differential for that specific incident in which they were exposed.

SOURCE: Added by P.L. 33-015:2 (Apr. 2, 2015).

2016 NOTE: Subsection designations were added to adhere to the Compiler’s codification and alpha-numeric schemes pursuant to authority granted by 1 GCA § 1606.

2015 NOTE: Effective Oct. 1, 2015 pursuant to P.L. 33-015:3.

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§ 6226. Employees: Compensation During Typhoons: Exceptions.

Employees who work during typhoon emergency periods, defined as Typhoon Conditions I and II, as declared by the Governor of Guam, shall be compensated in the following manner:

(a) Employees occupying permanent positions in the classified service or the unclassified service except for agency heads and their first assistants, by whatever title called, whose regularly scheduled hours of work fall within such an emergency period, but whose presence is not required at work, shall be granted administrative leave. Employees not occupying permanent positions are not eligible for administrative leave.

(b) Employees not occupying permanent positions in the classified service, who were required to report to and did work during such an emergency period shall be entitled to overtime pay for all such hours worked.

(c) Employees occupying permanent positions in the classified service or the unclassified service except for agency heads and their first assistants, by whatever title called, whose regularly scheduled hours of work fall within such an emergency period and who are required to report for and be on duty during such emergency period shall be entitled to overtime pay for all such hours worked including overtime, in addition to full compensation for any administrative leave taken.

(d) Employees occupying permanent positions in the classified service or the unclassified service except for agency heads and their first assistants, by whatever title called, whose regularly scheduled hours of work do not fall within such an emergency period, but who are required to report for and be on duty shall be entitled to overtime pay for all such hours worked including overtime, but not for administrative leave.

(e) In the event that a typhoon emergency period includes a legal holiday, then such employees required to

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report for and be on duty shall be entitled to overtime pay for all such hours worked including overtime, in addition to full compensation for holiday leave.

SOURCE: Added by P.L. 22-011:2.

§ 6227. Police Officers/Recruits- GPD FTE Positions.

Notwithstanding any other provision of law, only police officers or police recruits may fill police officer FTE positions in the Guam Police Department.

SOURCE: Added by P.L. 23-045:IV:26.

§ 6228. Reimbursement of Cadet Training Costs.

Any cadet who successfully completes on-the-job training, and who is hired by the agency into an entry level position, may be reimbursed the cost of administrative and instructional fees paid to the Guam Community College for completion of the academic portion of his or her training, provided the individual has not otherwise received a grant or other reimbursement of costs for the fees paid, and further provided that the individual remains employed with the initial hiring agency for two (2) years from date of initial hire.

SOURCE: Added by P.L. 24-043:1 (June 20, 1997) as § 6227, renumbered § 6228 by the Compiler pursuant to the authority of 1 GCA § 1606.

§ 6229. Definition.

As used in this Act the following words and phrases are defined to mean:

(a) Board means the Guam Boards under the Healing Arts.

(b) Class Specification means official document which describes the general characteristics of a class, including the title; nature of work; summary statement of examples of typical duties performed; a statement of minimum qualifications; and the minimum knowledge, abilities and skills needed to perform the work which provides the criteria for placing each position in its proper class.

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(c) HealthCare professional(s) means any employee in the government agencies who is essential to the delivery of patient/client care services, and as defined in § 10101 of Title 10 of the Guam Code Annotated, and § 5 of Public Law Number 22-87.

(d) Known-Promotion-Potential (KPP) means an upward career mobility in a series of positions within an organization without competition, and where at an earlier date an employee was selected under a competitive examination.

(e) Nurse(s) means any person who is licensed by the Guam Board of Nurse Examiners to practice as a licensed practical nurse, registered professional nurse, or as an advanced practice registered professional nurse on Guam.

SOURCE: Added by P.L. 24-235:3 (Dec. 30, 1998) as § 6228, renumbered § 6229 by the Compiler pursuant to the authority of 1 GCA § 1606. Subsection (e) amended by P.L.27-156:3 (Dec. 30, 2004).

§ 6229.1. Nursing Recruitment and Retention Incentives.

The Director of Administration shall provide recruitment and retention incentives for nurses in the government of Guam.

SOURCE: Added by P.L. 24-235:4 (Dec. 30, 1998) as § 6228.1, renumbered § 6229.1 by the Compiler pursuant to the authority of 1 GCA § 1606.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6229.2. Salary Schedule Three (3) Year Review.

The Director of Administration shall meet annually with the Guam Nurses Association Commission on Nursing Leadership to address recruitment and retention incentives for nurses. The salary schedules of the nurses shall be reviewed by the Director of Administration every three (3) years, and upgraded as needed. The salary for each of the nursing classifications under the government of Guam shall be competitive with the National average.

SOURCE: Added by P.L. 24-325:5 (Dec. 30, 1998) as § 6228.2, renumbered § 6229.2 by the Compiler pursuant to the authority of 1 GCA § 1606.

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NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6229.3. Class Specifications Three (3) Year Review.

The Director of Administration, in collaboration with the government of Guam agencies’ nursing administrators, shall update the class specifications pertaining to duties, requirements and experience of all nursing classifications. The class specifications shall be re-evaluated every three (3) years, and changes shall be made as indicated.

SOURCE: Added by P.L. 24-325:6 (Dec. 30, 1998) as § 6228.3, renumbered § 6229.3 by the Compiler pursuant to the authority of 1 GCA § 1606.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6229.4. Recognition of the Guam Nurses Association Commission on Nursing Leadership.

The Guam Nurses Association Commission on Nursing Leadership shall be recognized by *I Maga’lahen Guåhan* and *I Liheslaturan Guåhan* as the collective voice and advocate for nursing and the professional experts to address nursing shortage, health and nursing issues, recruitment and retention strategies, common problems in health and areas of concern.

SOURCE: Added by by P.L. 24-325:7 (Dec. 30, 1998) as § 6228.4, renumbered § 6229.4 by the Compiler pursuant to the authority of 1 GCA § 1606.

§ 6229.5. Compensation for Education and Experience.

Nurses and other healthcare professionals in the government of Guam shall be given above-step compensation commensurate to the education and experience that exceed the minimum requirements. The Director of Administration shall establish the pay adjustment schedule specific to this Section to be used by the nurse and other healthcare administrators during recruitment. The nurse and other healthcare administrators shall implement the above-step compensation, using the Director of Administration education/experience pay adjustment schedule. Any deviation from the established education/experience pay adjustment

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schedule not having prior approval by the Director of Administration shall be deemed invalid. The Department of Administration shall review the documents of all applicants and the compensation as assigned by the nurses and other healthcare administrators to ensure the education/experience pay adjustment schedule is being properly implemented. Any errors shall be rectified by the Department of Administration.

SOURCE: Added as § 6228.5 by P.L. 24-325:8 (Dec. 30, 1998), renumbered § 6229.5 by the Compiler pursuant to the authority of 1 GCA § 1606.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6229.6. Certification Pay Differential.

The Director of Administration shall implement a certification pay differential for all nursing and other healthcare professional positions in the government of Guam. Nurses and other healthcare professionals who have a national or Guam Board certification, and are practicing in their area of certification, shall be entitled to a minimum certification pay differential, calculated at the rate of their regular wage plus fifteen percent (15%) to rectify an inequity in certification pay.

SOURCE: Added as § 6228.6 by P.L. 24-325:9 (Dec. 30, 1998), renumbered § 6229.6 by the Compiler pursuant to the authority of 1 GCA § 1606.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6229.7. Work Compensation.

The following work compensation shall apply to all nursing and other healthcare professionals essential to the delivery of patient care services:

- (a) The workweek shall consist of any combination of straight time, overtime and holiday time to a total of forty (40) hours. All nursing and other healthcare professionals essential to the delivery of patient care services are hereby exempted from those provisions of the government of Guam

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compensation laws covering accumulated straight time hours required prior to compensation at overtime rates.

(b) All work performed between the hours of 12:00 midnight on any Friday and 12:00 midnight of the following Sunday night shall be compensated at the rate of one and one-half (1-1/2) times the regular straight time rate of the nurse or any employee who is responsible for direct delivery of patient services.

(c) All work performed on any legal holiday, in addition to the regular holiday pay, shall be compensated at a rate of one and one-half (1^{1/2}) times the nurse's and other healthcare professional's regular straight time rate.

(d) After a nurse and other healthcare professional have worked a complete shift in any given twenty-four (24) hour period, the next four (4) hours worked shall be at a rate of one and one-half (1^{1/2}) times the nurse's and other healthcare professional's regular straight time hourly rate. Any work in excess of the additional four (4) hours in the same twenty-four (24) hour period shall be compensated at two (2) times or double time the nurse's and other healthcare professional's regular straight time hourly rate.

(e) For the purpose of computing annual leave and sick leave for nurses and other healthcare professionals, any combination of eighty (80) hours of work, inclusive of work at overtime or double time compensation, shall accrue sick leave at a rate of four (4) hours per pay period and annual leave at the rate the nurse and the other healthcare professional are entitled to because of time in service.

(f) Nurses and other healthcare professionals who are not allowed leave time due to shortage of staff shall be given monetary compensation at the end of each fiscal year.

SOURCE: Added by P.L. 24-325:10 (Dec. 30, 1998) as § 6228.7, renumbered § 6229.7 by the Compiler pursuant to the authority of 1 GCA § 1606. Subsection (b) amended by P.L.27-106:VI:25, and P.L. 27-156:2.

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§ 6229.8. Flex-Time.

Nursing and other healthcare administrators shall be allowed the option to schedule nurses and other healthcare professionals on flex-time, which includes, but is not limited to, ten (10) hour shifts.

SOURCE: Added by P.L. 24-325:11 (Dec. 30, 1998) as § 6228.8, renumbered § 6229.8 by the Compiler pursuant to the authority of 1 GCA § 1606.

§ 6229.9. Job Sharing.

Nursing and other healthcare administrators shall be allowed the flexibility to hire any number of nurses and other healthcare professionals, as long as the approved budget is not exceeded.

SOURCE: Added as § 6228.9 by P.L. 24-325:12. Recodified by the Compiler of Laws as § 6229.9 pursuant to the authority of 1 GCA § 1606.

§ 6229.10. Job Incentives.

Whenever possible, nursing and other healthcare professionals shall be given job incentives, including, but not limited to, educational opportunities and improved work environment.

SOURCE: Added as § 6228.10 by P.L. 24-325:13. Recodified by the Compiler of Laws as § 6229.10.

§ 6229.11. Classified Full-Time Nursing Positions.

No classified full-time nursing and other healthcare professional positions in the government of Guam shall be recruited as Temporary Appointments (TA) or Limited-Term Appointments (LTA), except as provided under Public Law Number 20-218, § 11.

SOURCE: Added by P.L. 24-325:14 (Dec. 30, 1998) as § 6228.11, renumbered § 6229.11 by the Compiler pursuant to the authority of 1 GCA § 1606.

§ 6229.12. Graduate Nurse Classification.

A graduate nurse of a Board-approved Guam or U.S. nursing program may be recruited by the government agencies as a graduate nurse. The graduate nurse must be a recent graduate with verification from the Board that he/she has submitted an

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application to take the national examination within six (6) months after graduation. The graduate nurse classification may be included in the 'known-promotion-potential,' Nursing Series I and II classifications.

SOURCE: Added by P.L. 24-325:15 (Dec. 30, 1998) as § 6228.12, renumbered § 6229.12 by the Compiler pursuant to the authority of 1 GCA § 1606.

§ 6229.13. Developmental Promotions ('KPP') Designation.

Government of Guam agencies who recruit nurses shall be authorized to hire nurses and graduate nurses as 'known-promotion potential' on nursing classification series, as provided in the Government of Guam Personnel Rules and Regulations and Operations Procedure Manual.

SOURCE: Added by P.L. 24-325:16 (Dec. 30, 1998) as § 6228.13, renumbered § 6229.13 by the Compiler pursuant to the authority of 1 GCA § 1606.

§ 6229.14. Recruitment Process.

All government of Guam agencies *shall* be exempted from the government of Guam Department of Administration recruitment process for the hiring of nurses and other healthcare professional positions. All nursing and other healthcare professional applicants, who have a license to practice on Guam *or* who qualify for a waiver of examination requirements and licensure by endorsement under Title 10 GCA, Chapter 12, relative to the healthcare professional position for which they are applying, and meet the minimum requirements of the class specifications, may be scheduled for an interview and may be recruited, using the Director of Administration education/experience pay adjustment schedule. Any action taken to recruit an applicant who is *not* licensed or qualified to be licensed by endorsement, does *not* meet the minimum requirements, and/or did *not* comply with the Director of Administration education/experience pay adjustment schedule, *shall* be declined and/or voided by the Department of Administration.

SOURCE: Added by P.L. 24-325:17 (Dec. 30, 1998) as § 6228.14, renumbered § 6229.14 by the Compiler pursuant to the authority of 1 GCA § 1606. Amended by P.L. 32-088:2 (Nov. 27, 2013).

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NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6229.15. Implementation.

The provisions of this Act shall be implemented in Fiscal Year 2002. The Director of Administration shall transmit a status report three (2) months after the enactment of this Act, and upon implementation of the provisions. The Administrator, Bureau of Family Health and Nursing Services, at the Department of Public Health and Social Services, shall submit copies of the GNA Commission on Nursing Leadership meeting minutes to *I Maga’lahen Guåhan* and *I Liheslaturan Guåhan* on a quarterly basis.

SOURCE: Added § 6228.15 by P.L. 24-325.18 (Dec. 30, 1998). Repealed and reenacted as § 6228.15 by P.L. 25-072:IV:10, renumbered § 6229.15 by the Compiler pursuant to the authority of 1 GCA § 1606.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6230. Prohibition Against Salary Increases for Unclassified Employees Following the Defeat of an Incumbent in an Election.

No unclassified employees employed in the Executive Branch of government may receive a pay increase following the defeat of a sitting *Maga’lahen Guåhan* in a primary election or general election until after such date that such *Maga’lahen Guåhan* leaves office. No unclassified employees employed in any Legislative Office of a sitting Senator may receive a pay increase following the defeat of such Senator in a primary or general election. No unclassified employees employed in any Mayoral Office of a sitting Mayor may receive a pay increase following the defeat of such Mayor in a primary or general election. No contract workers or unclassified employees employed in the Department of Law or the Office of Public Accountability may receive a pay increase following the defeat of Attorney General or Public Auditor, respectively, in a primary or general election until that Attorney General or Public Auditor leaves office.

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SOURCE: Added as § 6227 by P.L. 25-026:4 (June 3, 1999), renumbered § 6230 by the Compiler pursuant to the authority of 1 GCA § 1606. Amended by P.L. 29-016:3 (Sept. 7, 2007).

2009 NOTE: Reference to Office of Public Auditor changed to Office of Public Accountability pursuant to P.L. 30-027:2 (June 16, 2009).

§ 6231. Prohibition Against Salary Increases for Unclassified Employees Employed by Incumbents Not Seeking Re-election.

No unclassified employees employed in the Executive Branch of government may receive a pay increase after October 1st of the last year of office of a sitting *Maga'lahaen Guåhan* who is not seeking re-election until after such date that such *Maga'lahaen Guåhan* leaves office. No unclassified employees employed in any Legislative Office of a sitting Senator, opting not to seek re-election, may receive a pay increase after October 1st of the last year in office of such Senator. No unclassified employees employed in any Mayoral Office of a sitting Mayor, opting not to seek re-election, may receive a pay increase after October 1st of the last year in office of such Mayor. If an incumbent Attorney General or Public Auditor decides not to seek re-election, no contract workers or unclassified employees employed in the Department of Law or the Office of Public Accountability, respectively, may receive a pay increase after October 1st of the respective official's last year in office.

SOURCE: Added by P.L. 28-062:4 (June 30, 2006). Amended by P.L. 29-016:4 (Sept. 7, 2007).

2009 NOTE: Reference to Office of Public Auditor changed to Office of Public Accountability pursuant to P.L. 30-027:2 (June 16, 2009).

§ 6232. [Untitled].

The Director of Administration shall triennially review all positions requiring certification as either EMT-B, EMT-I, or an EMT-P and recommend salary adjustments based on such qualifications to be competitive with national salary schedules.

SOURCE: Added by P.L. 28-062:4 (June 30, 2005) as § 6231, renumbered § 6232 by the Compiler pursuant to the authority of 1 GCA § 1606..

NOTE: Effective January 1, 2006, reference to the "Civil Service Commission" amended to "Director of Administration" pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

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§ 6233. Establishment of the Environmental Public Health Officer Series.

(a) The Director of Administration in collaboration with the Department of Public Health and Social Services shall establish a new series of positions, called Environmental Public Health Officers, within the Division of Environmental Health to replace the Division's Environmental Health Specialist, Engineer, and Public Health Inspector positions.

(b) The new specifications shall be based on the following criteria and then implemented as stated:

(1) The nature of work; summary statement of examples of duties performed; a statement of minimum qualifications; and the minimum knowledge, abilities, and skills needed to perform the work of the Environmental Public Health Officer positions, which shall be the various combination of the class specifications of Public Health Inspectors, Environmental Health Specialists, and Engineers that are specific to the mission and mandates of the Division of Environmental Health of the Department of Public Health and Social Services;

(2) Hierarchical position levels of the Environmental Public Health Officer series shall begin with the Environmental Public Health Officer I, followed by Environmental Public Health Officer II, Environmental Public Health Officer III, Environmental Public Health Officer Supervisor, Environmental Health Officer Administrator, and concluding with the Chief Environmental Public Health Officer;

(3) The minimum education requirements of all positions within the Environmental Public Health Officer series shall be of the following three (3) standards: a bachelor's degree in any field of study from any accredited college or university; a college algebra course of higher level math; and basic science courses of thirty (30) semester or forty-five (45) quarter hours;

(4) The Director of Administration shall reclassify existing Environmental Health Specialists, Engineers and

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Public Inspectors of the Division of Environmental Health in the Environmental Public Health Officer series in the following manner:

(A) Environmental Health Specialist I and all Public Health Inspectors shall be reclassified as an Environmental Public Health Officer I;

(B) Environmental Health Specialist II and Engineer I shall be reclassified as an Environmental Public Health Officer II;

(C) Environmental Health Specialist III shall be reclassified as an Environmental Public Health Officer III;

(D) Environmental Health Specialist Supervisor shall be reclassified as an Environmental Public Health Administrator; and

(E) Environmental Health Specialist Administrator shall be reclassified as a Chief Environmental Public Health Officer;

(5) Existing Division of Environmental Health employee reclassified pursuant to § 6233(b)(4) shall possess the minimum education standards of § 6233(b)(3,) except that the basic science course requirements may be substituted for a minimum of ten (10) semester or fifteen (15) quarter hours; however, the full education requirements of § 6233(b)(3) shall be met to qualify for any other future position within the Environmental Public Health Officer series;

(6) Existing Division of Environmental Health employees who do not possess the minimum education standards of § 6233(b)(3), or the substitute standards of § 6233(b)(5), shall remain in his/her current position until such time the Department of Public Health and Social Services and the Department of Administration complete an evaluation of the employee in determining whether he/she possesses the capabilities to perform the duties and

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responsibilities of an Environmental Public Health Officer,
and

(A) If such employee is deemed capable, the employee shall be reclassified into the new position that best reflects his abilities, but shall be required to meet the full minimum education qualification standards of § 6233(b)(3) for any other future position within the Environmental Public Health Officer series; and

(B) If an employee is deemed unable to perform the duties and capabilities of an Environmental Public Health Officer, he/she shall be transferred to another position in the government of Guam in accordance to established laws and rules and regulations;

(7) The Chief Environmental Public Health Officer of the Environmental Public Health Officer series must possess a master's degree in the field of environmental health, environmental science, environmental engineering, biology, chemistry, public health, physical science, or natural sciences; and

(8) A pay structure consistent with a government-wide pay plan, shall be implemented for the new position series to provide competitive salaries and compensation to the employees.

(9) An incentive pay shall be provided to employees holding the Environmental Public Health Officer positions who obtain and maintain professional certification based on the following:

(A) The professional certification that allows the employee to receive the incentive pay shall be the Registered Environmental Health Specialist (REHS), the Registered Sanitarian (RS), or its equivalent, issued by the National Environmental Health Association, or its succeeding association.

(B) Provided it is reasonable, justified, and relevant to their duties and responsibilities, the Department of Public Health and Social Services

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(DPHSS) may at its discretion include one (1) or more additional certifications, in addition to the REHS, RS, or its equivalent, for the Environmental Public Health Officer to receive the incentive pay.

(C) The incentive pay amount for Environmental Public Health Officers shall be fifteen percent (15%) of the employee's base salary, which shall be calculated and paid each pay period for every pay period that the employee possesses the required certification(s).

(D) DPHSS shall be responsible for maintaining and monitoring the current list of Environmental Public Health Officers qualified to obtain the incentive pay, and shall keep the Department of Administration apprised of these employees' statuses.

(E) The employee must possess a valid and current required certification(s) to receive the incentive pay, and any lapse in time that the certification(s) is not current or valid shall prohibit the employee from receiving the incentive pay for that period; however, upon re-obtaining a valid and current certification(s), the incentive pay shall be instituted again for the employee but not for any period while the employee did not possess a valid and current certification(s).

(F) The incentive pay shall be retroactive to Fiscal Year 2014, provided the employee had held such title while employed in the Division of Environmental Health of DPHSS and obtained and possessed the required certification(s) as established pursuant to the criteria in this Subsection.

(10) Basic sciences referred to in § 6233(c) of this Article shall mean any of the courses in Biological Science, Natural Science, Physical Science, and Health Science, as established by the National Environmental Health Association, or its successor.

(11) The incentive pay for Environmental Health Officers within the Division of Environmental Health, Department of Public Health and Social Services, shall be

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funded from the Environmental Health Fund, and/or the DPHSS Sanitary Inspection Revolving Fund and subject to the availability of funds.

SOURCE: Added by P.L. 30-138:3 (May 17, 2010). Amended by P.L. 31-233:XII:37(b) (Sept. 9, 2012). P.L. 33-185:XII:24 (Sept. 10, 2016) added subsections (i), (j), and (k), renumbered by the Compiler as (b) (9), (10), and (11).

2016 NOTE: Subsection/subitem designations added/alterd to adhere to the Compiler's codification and alpha-numeric schemes pursuant to authority granted by 1 GCA § 1606. Internal references were amended to correspond to the additions/alterations.

§ 6234. Department of Revenue and Taxation Examiner.

Compensation. Any Examiner who has performed off-duty Services pursuant to this Act shall be compensated at the rate of three (3) times the Examiner's hourly wage rate for the first hour of service provided, and one and a half times (1½) the Examiner's hourly wage rate after the first hour of said service; provided, that the Examiner shall perform no less than fifteen (15) minutes of service for the second hour, or each hour thereafter, before receiving credit and compensation for the full hour.

SOURCE: Added by P.L. 30-140:4 (May 17, 2010) as § 6233. Renumbered by Compiler.

§ 6235. Certification Pay Differential for Certified Public Accountant, Certified Government Financial Manager, Certified Fraud Examiner, and Certified Internal Auditor.

(a) The Director of the Department of Administration *shall* ensure the following classified and/or unclassified accounting, auditing, budgeting, and management professional positions within government of Guam line agencies, the Office of Public Accountability, the University of Guam, the Guam Community College, the Guam Memorial Hospital Authority, and the Guam Department of Education *shall* be given a one-time incentive pay compensation as provided pursuant to this Section, to include, as follows:

POSITION COMPENSATION

Certified Public Accountant (CPA)

Certified Government Financial Manager (CGFM),

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Certified Fraud Examiner (CFE)

Certified Internal Auditor (CIA)

(b) Definitions. As used in this Section:

(1) *Board* means the Guam Board of Accountancy.

(2) *Accounting, Auditing, Budgeting, and Management Professional* means any employee in the government of Guam line agencies, the Office of Public Accountability, the University of Guam, the Guam Community College, the Guam Memorial Hospital Authority, or the Guam Department of Education who are essential for the delivery, maintenance, and preparation of the financial statements and fiscal management of the government of Guam.

(3) *Known-Promotional-Potential (KPP)* means an upward career mobility in a series of positions within an organization without competition, and where at an earlier date an employee was selected under a competitive examination.

(4) *Certified Public Accountant (CPA)* means anyone who has passed the United States of America's national CPA exam and is licensed on Guam, or who has reciprocity with the Guam Board of Accountancy.

(5) *Certified Professional* means anyone who:

(A) has passed a nationally recognized exam;

(B) is duly certified to practice in their related field;

(C) is required to comply with the authorizing board in regards to continuing professional education; and

(D) is required to comply with ethical and other professional standards.

(c) Recognition of the Professional Accounting Associations on Accounting Certification and Leadership. The following are the nationally recognized professional certification organizations for the respective professions:

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(1) The American Institute of Certified Public Accountants (AICPA) is the world's largest association representing the accounting profession. The AICPA sets forth the Certified Public Accountant (CPA) examination requirements and monitoring, ethical standards, and auditing standards for the CPAs licensed to practice within the United States and its territories;

(2) The Association of Government Accountants (AGA) is the organization that establishes the criteria for the Certified Government Financial Manager (CGFM) exam and the ethical standards that CGFMs must adhere to;

(3) The Association of Certified Fraud Examiners (ACFE) is the largest anti-fraud organization, and the organization that establishes the requirements of the Certified Fraud Examiners (CFE) examination; and

(4) (A) The Institute of Internal Auditors (IIA) is the largest global association of internal auditors, and sets the examination requirements for the Certified Internal Auditor (CIA) designation.

(B) The AICPA, AGA, ACFE, and IIA are the premier accounting and auditing organizations and *shall* be recognized by *I Maga'lahen Guåhan* and *I Liheslaturan Guåhan* as the professional organizations that establish the rigorous examination requirements of their respective certifications for the accounting, government finance, anti-fraud, and internal audit fields.

(d) Certification Pay Differential, Established.

(1) All government of Guam line employees, the Office of Public Accountability, the University of Guam, the Guam Community College, the Guam Memorial Hospital Authority, and the Guam Department of Education employees who have obtained a nationally recognized certification as a Certified Public Accountant (CPA), Certified Government Financial Manager (CGFM), Certified Fraud Examiner (CFE), or Certified Internal Auditor (CIA) shall be entitled to receive a single certification pay

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differential.

(2) The pay differential shall be applicable only to a single certification accomplished by the employee, whichever is higher, and will be processed based on only one (1) of the following, depending on the highest certification accomplished:

(A) a Guam licensed CPA shall be eligible to receive a fifteen percent (15%) increase; or

(B) the CGFM, CFE, and CIA, which are nationally recognized but not required to be Guam licensed, shall be eligible to receive a ten percent (10%) increase; or

(C) if the employee is a Guam licensed CPA prior to the enactment of this Act, Subsection (2)(A) of this Subsection shall be applicable only.

(3) The pay differential shall apply and is limited to a single certification, and shall not be used in any calculation of the rate of pay with respect to overtime, and shall not be considered pay or compensation in any calculation of enhanced compensation otherwise provided by law.

(4) The employee salary must be commensurate with the currently approved government of Guam pay/wage scale. Any deviation from the currently approved government of Guam pay plan shall not qualify for the differential pursuant to this Subsection (d).

(5) The Director of Administration, the President of the Guam Community College, and the President of the University of Guam shall implement a single certification pay differential for all the CPA, CGFM, CFE, and CIA who are active in their area of certification. Accounting, auditing, budgeting, and management professionals who have a national or Guam board certification shall be entitled to the certification pay differential provided in Item (1) of this Subsection, calculated at the rates above, added to the base pay to rectify an inequity in certification pay.

(e) Developmental Promotions (KPP) Designation.

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Government of Guam line agencies, the Office of Public Accountability, the University of Guam, the Guam Community College, the Guam Memorial Hospital Authority, and the Guam Department of Education who recruit professionals in accounting, auditing, budgeting, or management *shall* be authorized to hire such professionals as ‘known-promotional-potential’ on the basis of CPA, CGFM, CIA, or CFE certifications, as provided in the Government of Guam Personnel Rules and Regulations and Operations Procedure Manual. A KPP qualified employee *shall* be entitled to the pay differential provided in one (1) initial certification pay increase based on Subsection (c).

(f) Implementation. The Director of Administration, the President of the Guam Community College, and the President of the University of Guam shall transmit a status report to the Speaker of *I Liheslaturan Guåhan* every quarter after the enactment of this Act, and upon the implementation of the provisions within this Act.

SOURCE: Added by P.L. 33-018:2 (Apr. 4, 2015). Subsection (d) repealed and reenacted by P.L. 33-222 (Jan. 9, 2017). Subsections (a), (b)(2), (d)(1) and (5), (e) and (f) amended by P.L. 36-054:XII:44 (Sept. 11, 2021). Subsections (a), (b)(2), (d)(1), (e) amended by P.L. 36-107:XII:31 (Sept. 12, 2022).

2022 NOTE: Although P.L. 36-107:XII:31 (Sept. 12, 2022) stated that subsections (d)(5) and (f) were amended, there was no change the language of these provisions.

2016 NOTE: Subitems in (c)(4) altered to adhere to the Compiler’s alpha-numeric codification scheme pursuant to authority granted by 1 GCA § 1606.

2015 NOTE: P.L. 33-018:3 stated the following:

Section 3. Effective Date. The provisions of this Act *shall* be effective on October 1, 2015, and subject to the availability of funds of the employee’s agency or department budget.

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**ARTICLE 3
STANDARDS FOR CLASSIFYING POSITIONS**

- § 6301. Compensation Policy.
- § 6302. Administration.
- § 6303. Creation of Positions.
- § 6304. Differential Pay.

2016 NOTE: The following sections were repealed by P.L. 21-059:7 (Sept. 27, 1991):

- § 6305. Preparation and Publication of Classification Standards.
- § 6306. Maintenance of Classification Standards.
- § 6307. Publication of Reclassifications and New Classifications.
- § 6308. Ceiling on Salaries.
- § 6309. Reassignment of Classes.
- § 6310. Conflicts: Article 3 Controls.

The Compiler has removed these sections from the Chapter pursuant to authority granted by 1 GCA § 1606. These provisions may be found in past print publications of the GCA.

2013 NOTE: P.L. 21-059:7(e) (Sept. 27, 1991) added a new Article 4 to Chapter 6, Title 4 and transferred §§ 6311-6312 to the newly created article. However, Article 4 had been previously codified by another subject; therefore, the Compiler designated a new Article 5 and recodified these provisions to the new article, renumbered accordingly.

§ 6301. Compensation Policy.

- (a) Employee compensation shall be based on internal equity and external competitiveness.
- (b) To the extent practical, compensation will be targeted at the U.S. National Average levels compared to the appropriate labor markets and account taken of the relevant economic factors.
- (c) Internal equity should be reviewed annually and external competitiveness at least every three (3) years.
- (d) Compensation structures and administrative policies should also recognize and reward individual employees commensurate with performance.
- (e) All aspects of compensation (base salaries, benefits, pay differentials, and other factors) will be considered as a total

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reward and incentive package for employees and shall be consistent and uniformly administered through the government.

(f) A program of ongoing communications and training shall be a critical component of compensation administration.

SOURCE: GC § 4112; Repealed and reenacted by P.L. 21-059:7.

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with “Numbers” to “Lowercase Letters” in this section.

§ 6302. Administration.

(a) The Director of Administration shall adopt and apply the currently used unified pay schedule based on the Hay methodology or any other classification methods and salary administration to the extent he deems appropriate. The unified pay schedule, either by the Hay Group or any other experts in classification and pay, shall be administered by the Director of Administration, by the Judicial Council for the Judicial Branch, and by the Board of Trustees for the Public Defender Service Corporation.

(b) The Director of Administration, the Judicial Council, and the Board of Trustees of the Public Defender Service Corporation may reassign pay grades as they deem necessary. Reassignment shall be based upon the calculation of Hay points or points established by other experts and shall be performed by technical staff trained in the classification and compensation evaluation system for the sake of consistency and uniformity of results. The technical staffs of the Human Resources Division in the Executive Branch, the Judiciary Human Resources Office, and the Public Defender Service Corporation Human Resources Office shall coordinate their efforts in implementing the Hay methodology or any other classification and pay system.

(c) The Director of Administration, the Judicial Council, and the Board of Trustees of the Public Defender Service Corporation shall establish appropriate policies and procedures for implementing the provisions of this Article for their respective jurisdictions.

SOURCE: GC § 4113. Repealed and reenacted by P.L. 21-059:7. Amended by P.L. 28-068:IV:45 (Sept. 30, 2005). Repealed and reenacted

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by P.L. 28-112:6 (April 14, 2006). Amended by P.L. 36-107:XII:33 (Sept. 12, 2022).

§ 6303. Creation of Positions.

(a) Creation of Positions in the Judiciary. New positions may be created by the Administrator of the Courts for the Judicial Branch, when necessary for the efficient performance of the duties and functions of the Judiciary.

(1) The Administrator of the Courts shall submit to the Judicial Council the position descriptions for the positions within thirty (30) calendar days after creation and post the position descriptions on the Judiciary website.

(2) The positions shall be terminated unless approved by the Judicial Council within ninety (90) days after submission.

(3) No newly created position shall be filled in the absence of appropriations to pay the salary of the proposed position.

(b) This Section shall not apply to positions required by law to be filled by persons confirmed by *I Liheslaturan Guåhan*.

(c) (1) The petition of the head (Department Head) of a line agency or department to create a position shall include:

(A) the justification for the new position;

(B) the essential details concerning the creation of the position;

(C) an analysis of the similarities and differences between the position to be created and positions listed pursuant to 4 GCA § 4101.1(d);

(D) the position description;

(E) the proposed pay range and demonstration of compliance with § 6301 of this Title;

(F) a fiscal note as that term is described in 2 GCA § 9101 *et seq.*; and any other pertinent information.

(2) The Department Head and the Director of Administration shall post the petition on their respective

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websites for ten (10) days (Saturdays, Sundays and government of Guam holidays excepted). After the posting, the Director of Administration shall forward the petition with his recommendation to *I Maga'lahi* who, if he approves the same, shall so indicate and file it for record with the Director of Administration and the Legislative Secretary.

(3) No new position may be filled until after compliance with the provisions of 4 GCA § 6303.1 and this Section and thirty (30) days have elapsed from the date of filing with the Legislative Secretary.

(d) Creation of Positions in the Autonomous Agencies and Public Corporations.

(1) The petition of the head of an agency, department or public corporation listed in § 4105(a) of this Title to create a position shall include:

(A) the justification for the new position;

(B) the essential details concerning the creation of the position;

(C) an analysis of the similarities and differences between the position to be created and positions listed pursuant to 4 GCA § 4101.1(d);

(D) the position description;

(E) the proposed pay range and demonstration of compliance with § 6301 of this Title;

(F) a fiscal note as that term is described in 2 GCA § 9101 *et seq.*; and any other pertinent information.

(2) The petition shall be posted on the agency, department or public corporation's website for ten (10) days (Saturdays, Sundays and government of Guam holidays excepted). After the posting, the head shall forward the petition, along with evidence of his compliance with 5 GCA § 6303.1(a), to the governing board or commission who, if they approve the same, shall approve the petition by resolution and file the petition and resolution for record with the Director of Administration and the Legislative Secretary.

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(3) No new position may be filled until after compliance with the provisions of this Section and thirty (30) days have elapsed from the date of filing with the Legislative Secretary.

(e) (1) If a position created pursuant to § 6303 is amended in pay range, position description, or qualifications, the amendment shall be subject to a petition of the head of a line agency, department, autonomous agency, or public corporation (or, in the case of the Judiciary, the Administrator of the Courts) listed in 4 GCA § 4105(a). Said petition shall include:

(A) the justification for the amendment of the position;

(B) the essential details concerning the amendment of the position;

(C) the amended pay range and position description; and

(D) any other pertinent information.

(2) The petition for the amendment shall be posted on the line agency, department, autonomous agency, or public corporation's website (or, in the case of the Judiciary, the Judiciary's website) for ten (10) days (Saturdays, Sundays, and government of Guam holidays excepted), and must comply with § 6303.1(a) of this Article.

(A) The Judiciary.

(i) The Administrator of the Courts shall submit to the Judicial Council the petition, who, if it approves the petition, shall do so by resolution.

(ii) The Judicial Council shall file the approved petition and resolution for record with the Legislative Secretary.

(B) Line Agencies and Departments.

(i) The petition of the head of a line agency or department (department head) and the Director of Administration shall post the petition on their

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respective websites for ten (10) days (Saturdays, Sundays, and government of Guam holidays excepted).

(ii) After the posting, the Director of Administration shall forward the petition with his recommendation to *I Maga'låhi* who, if he approves the same, shall so indicate and file it for record with the Director of Administration and the Legislative Secretary.

(C) Autonomous Agencies and Public Corporations. The head of an autonomous agency or public corporation shall forward the petition, along with evidence of his compliance with § 6303.1(a), to the governing board or commission, who, if it approves the same, shall approve the petition by resolution and file the petition and resolution for record with the Director of Administration and the Legislative Secretary.

(3) No amended position may be filled until after compliance with the provisions of this Section, and one hundred eighty (180) days have elapsed from the date of filing with the Legislative Secretary.

(4) If a position's qualifications were amended and the position must be filled prior to the one hundred eighty (180) day period, the last approved position qualification shall be used for selection. No penalty shall be applied to any applicant who does not meet requirements from an amended position description that did not complete the one hundred eighty (180) day period.

SOURCE: GC § 4114. Repealed and reenacted by P.L. 21-059:7. Amended by P.L. 22-144:5 (12/27/94), P.L. 24-327:16, P.L. 28-068:IV:45 (Sept. 30, 2005). Subsection (a) amended by P.L. 28-112:7 (April 14, 2006). Subsections (c) added by P.L. 28-112:8 (April 14, 2006). Subsection (d) added by P.L. 28-112:9 (April 14, 2006). Subsection (e) added by P.L. 34-131:2 (Oct. 17, 2018).

2018 NOTE: Subsection designations have been added/alterd pursuant to authority granted by 1 GCA § 1606.

§ 6303.1. Transparency and Disclosure.

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(a) Prompt notice of the postings required by 4 GCA §§ 6205 and 6303 shall be provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.

(b) The petitions required by 4 GCA §§ 6205 and 6303 are public documents for the purposes of 5 GCA, Ch.10, Art 1. (The Sunshine Law.)

(c) Any attempted creation of a position or above-step recruitment not in compliance with the provisions of 4 GCA §§ 6205, 6303, and 6303.1(a) is void.

SOURCE: Added by P.L. 28-112:10 (April 14, 2006).

§ 6304. Differential Pay.

The Director of Administration and the Judicial Council shall establish and implement uniform differential pay policies. All statutes, rules, regulations, and policies which are not covered by or inconsistent with the policies set forth herein, are hereby repealed upon establishment of uniform pay policies.

SOURCE: GC § 4115; Repealed and reenacted by P.L. 21-059:7.

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-68:IV:45 (Sept. 30, 2005).

ARTICLE 4
ELECTED OFFICIALS’ COMPENSATION COMMISSION

SOURCE: Added by P.L. 21-058:1. Repealed by P.L. 28-068:IV:41 (Sept. 30, 2005), effective January 1, 2006.

ARTICLE 5
MISCELLANEOUS PERSONNEL LAWS

2013 NOTE: P.L. 21-059:7(e) (Sept. 27, 1991) added a new Article 4 to Chapter 6, Title 4 and transferred §§ 6213-6216.1 and §§ 6311-6312 to the newly created article. However, Article 4 had been previously codified by another subject; therefore, the Compiler

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designated a new Article 5 and recodified these provisions to the new article, renumbered accordingly.

- § 6501. Off-Island Employees, Transportation of.
- § 6501.1. Off-Island Employees: Return Transportation.
- § 6502. Education and Employment of Resident Citizens: Transportation Allowances.
- § 6503. Uniform.
- § 6504. Prohibition.
- § 6504.1 Dual Employment Prohibited.
- § 6505. Absence for Jury Service: Continuation of Compensation: Jury Fee: Payable to Government of Guam.
- § 6506. Retirement Option for Government of Guam Employees.

§ 6501. Off-Island Employees, Transportation of.

Upon a finding of necessity made in accordance with § 6504 of this Chapter, the Governor may employ a person recruited from without Guam upon a contractual basis. The contract for such a person may provide that the Government shall pay for the transportation one way from point of hire to Guam of the person recruited and his spouse and dependent children and for not more than Two Thousand Five Hundred (2,500) pounds of household effects. The transportation allowance for individuals shall be calculated at the lowest prevailing air fare. No portion of the household effects allowance shall be used for the transportation of a motor vehicle. The Government shall not enter into any contract for the employment of any person for a term of less than two (2) years. No person shall be granted more than one (1) contract providing transportation benefits of any kind. It is the specific purpose and intent of this Section that no person shall be the beneficiary of multiple employment contracts providing for transportation allowances.

SOURCE: GC § 4110, as amended by P.L. 16-111:11. Codified as § 6213, transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler.

§ 6501.1. Off-Island Employees: Return Transportation.

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Notwithstanding any other provision of law to the contrary, the Governor may authorize, upon a certification of need from the Director of the hiring agency, the inclusion of return transportation benefits as part of an off-island employment contract; however, no person shall be granted more than one (1) contract providing transportation benefits of any kind unless there has been a lapse of at least one (1) year since the expiration of the prior contract.

SOURCE: Added as § 6213.1 by P.L. 17-065:2 (Sept. 7, 1984). Transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler.

§ 6502. Education and Employment of Resident Citizens: Transportation Allowances.

(a) It is declared to be the policy of the government of Guam to encourage the professional, technical and skilled-trade education and training of resident citizens and to effect the maximum use of qualified resident citizens in filling positions in the government service whether by appointment or promotion.

(b) When a resident citizen or former resident citizen who is in the continental United States or abroad for educational purposes completes a course of study leading to qualification in a profession, technical field or skilled trade, he shall be furnished travel and transportation for himself, his dependents and his personal and household effects from the place at which he completed his course of study to Guam, at the cost of the government of Guam, provided he is recruited for employment by the government of Guam and contracts to serve the government of Guam for a minimum of two (2) years, or for such other period as may be required by law, provided, however, that such contract of employment may be terminated by mutual agreement between the employee and the government of Guam.

SOURCE: GC § 4110.1. Codified as § 6214, transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler.

§ 6503. Uniform.

Whenever employees of the government of Guam are required to wear uniforms in the performance of their duties, such uniforms shall be furnished by the Government upon request of

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the department concerned, in accordance with regulations of such department.

SOURCE: GC § 4110.2. Codified as § 6215, transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler.

2017 NOTE: Past publications of the GCA have included § 6503.1 entitled “Uniform Allowance,” an uncodified provision added by P.L. 29-019:VI:58 (Sept. 29, 2007) which was codified by the previous Compiler. Since its codification, the applicability and the amount of the uniform allowance was amended by subsequent annual appropriations acts. Public Law 30-055:XIII:18 (Sept. 4, 2009) seemingly expanded the applicability of the uniform allowance beyond law enforcement and public safety uniformed personnel, as follows: “Uniform allowance authorized in this Act shall not be less than Three Hundred Fifty Dollars (\$350) for the Fiscal Year and shall be issued to the employees no later than the end of the first quarter of FY 2010.” This language and amount applied to the uniform allowance for FY2011 pursuant to P.L. 30-196:XIII:17 (Sept. 1, 2010). Starting with FY2012, the amount of the uniform allowance was reduced to \$150 for each fiscal year. See P.L. 31-077:XIII:17 (Sept. 20, 2011) (FY2012); P.L. 31-233:XIII:18 (Sept. 7, 2012) (FY2013); P.L. 32-068:XIII:15 (Sept. 11, 2013); P.L. 32-068:XIII:15 (Sept. 11, 2013) (FY2014); 32-181:XIII:10 (Sept. 5, 2014) (FY2015); P.L. 33-066:XIII:11 (Sept. 5, 2015) (FY2016); and P.L. 33-185:XIII:11 (Sept. 10, 2016) (FY2017); P.L. 34-042:XIII:11 (Sept. 17, 2018) (FY2018); P.L. 34-116:XIII:10 (Aug. 24, 2018) (FY2019).

Because § 6503.1 is essentially an annual appropriation amount, it is inappropriate for codification, and will be removed from future publications of the GCA pursuant to the authority granted to the Compiler by 1 GCA § 1606. Determining the amount of the uniform allowance, if any, requires consulting the annual appropriations act for the relevant fiscal year.

§ 6504. Prohibition.

No contract for the hiring of officers or employees for the government of Guam from the continental United States or elsewhere, pursuant to § 6501 of this Chapter, may be executed after March 1, 1964, with any person who does not have either unique skills or other qualifications not available among the residents of Guam. Prior to the execution of any such contract after March 1, 1964, the Director of the Department of Administration or the Board of Directors of the Guam Telephone Authority or the Board of Directors of Guam Power Authority must certify to the Director of Administration that the person to be employed by the respective agency or department within its

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jurisdiction by such contract possesses either skills or qualifications not possessed by any resident of Guam available for hire for the position to be filled by said contract.

SOURCE: GC § 4110.3, as amended by P.L. 13-081. Codified as § 6216, transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler.

2016 NOTE: The Guam Telephone Authority was privatized pursuant to P.L. 27-110 (Nov. 1, 2004).

NOTE: Effective January 1, 2006, reference to the “Civil Service Commission,” amended to “Director of Administration” pursuant to P.L. 28-068:IV:45 (Sept. 30, 2005).

§ 6504.1. Dual Employment Prohibited.

(a) No Officer or employee of the government of Guam may be employed on a full-time, part-time or contractual basis or hold an appointment to more than one (1) position in the classified or unclassified service in any department or agency or by more than one (1) department, agency or branch of the government of Guam at any time, except for:

(1) persons serving as part-time teachers, part-time school health counselors and University of Guam instructors for the Guam Community College, and instructors for the University of Guam who may be employed during the summer and at any other time not in conflict with their primary employment if they are employed elsewhere in the government of Guam as their primary employer;

(2) persons employed by the Youth Congress;

(3) persons employed on a part-time basis by boards or commissions;

(4) persons employed as nurses, physicians, and as ancillary/allied health professionals in the government of Guam;

(5) attorneys engaging in the active practice of law, or part-time judges or part-time court referees;

(6) persons employed on a part-time or contractual basis who are individual and family counselors or chemical dependency specialists; or

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(7) any employee of the government of Guam whose primary employment is not in any of the agencies or professions listed in items (1), (2), (3), (4), (5) and (6) herein, but has training and experience to qualify to be employed in the professions listed in items (1), (2), (3), (4), (5) and (6) herein, may be employed in secondary jobs in such professions within the government of Guam; provided, that such secondary job is not in conflict with that person's primary job and there are no other qualified applicants not within the employ of the government of Guam.

(b) Effective upon confirmation, no official who occupies a position requiring the consent of *I Liheslatura*, may be paid salary for or fill a classified position. Certifying officers shall not certify funds for the classified position in contravention of this Section and shall be liable under 4 GCA Chapter 14.

SOURCE: GC § 4110.4, added by P.L. 14-132; amended by P.L. 17-013; amended by P.L. 21-048:8. Codified as § 6216.1, transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler. Repealed and reenacted by P.L. 24-059:IV:16. Amended by P.L. 26-143:1. Amended by P.L. 27-106:VI:42.

§ 6505. Absence for Jury Service: Continuation of Compensation: Jury Fees: Payable to Government of Guam.

The compensation of any employee of the government of Guam who may be called upon for jury service in any court of Guam, shall not be diminished during the term of such jury service by reason of such absence, nor shall such period of service be deducted from the time allowed for any leave of absence authorized by law, provided that all compensation earned by such employee, but not allowance for travel, for such jury service is paid to the government of Guam except compensation for jury service that is:

- (a) rendered on days the employee is not required to report to work;
- (b) rendered when the employee is sequestered and unable to return to his or her home after normal working hours; and/or
- (c) rendered during the employee's normal working

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hours but that the employee's employer requires that employee to make up work before or after normal working hours, including work on weekends and government of Guam holidays.

SOURCE: GC § 4119. Codified as § 6311. transferred by P.L. 21-059:7(e) (Sept. 27, 1991) and recodified to this section by the Compiler. Amended by P.L. 27-112:1 (Dec. 2, 2004).

§ 6506. Retirement Option for Government of Guam Employees.

(a) A member of the Government of Guam Retirement Fund who is eligible for retirement may retire upon the complete remittance of his outstanding individual contributions to the Fund, including the employee and employer retirement contributions. Any and all fees, interest at actuarial rates, and penalties required by the Government of Guam Retirement Fund shall be paid by the Government.

(b) This Section shall not restrict the continuing remittance of existing Retirement Fund contributions as required by law or by the Government of Guam Retirement Fund. By the fifteenth (15th) day of each month, the Director of the Government of Guam Retirement Fund shall provide a detailed report to the Speaker of *I Liheslaturan Guåhan* regarding said remittances and the number of retirements pursuant to this Section during the previous month. Nothing herein shall be construed to abrogate any provision of § 8137(h) of Chapter 8, Title 4 GCA.

SOURCE: Added as uncodified law by P.L. 32-068:XI:1 (Sept. 11, 2013), the FY2014 Annual Appropriations Act. Codified by the Compiler.

2016 NOTE: Subsection designations added to adhere to the Compiler's codification and alpha-numeric schemes pursuant to authority granted by 1 GCA § 1606.

NOTE: This section was originally codified from GC § 4130, entitled "Student Employment; Annual Plan." Codified as 4 GCA § 6506. The enactment of P.L. 14-110 (March 2, 1978), which created the Department of Youth Affairs, implicitly repealed this provision.
