

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
TWENTY-EIGHTH GUAM LEGISLATURE  
2006 (SECOND) Regular Session

Bill No. 281 (EC)

Introduced by:

A. B. Palacios, Sr. 

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AN ACT TO AMEND SECTION 6222(a), CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS TO BE ELIGIBLE FOR HAZARDOUS DUTY PAY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
2 finds that Public Law 28-68, Chapter V, Section 6 attempted to ensure that  
3 employees of the Department of Corrections are entitled to receive hazardous  
4 pay when working under hazardous conditions. After the implementation of  
5 the law, administrators noted that in some instances employees of the  
6 Department, who are not correctional officers, i.e. parole officers, infirmary  
7 attendants, although working under the same hazardous conditions for which  
8 correctional officers are eligible for hazardous pay, are not eligible for  
9 hazardous pay simply because they are not correctional officers. It is believed

1 that the intent for hazardous pay provision is to pay for the exposure to the  
2 hazardous condition, notwithstanding position title.

3 It is therefore the intent of *I Liheslaturan Guåhan* to ensure that all  
4 employees, not just correctional officers, of the department are eligible for  
5 hazardous pay when working under hazardous conditions by amending  
6 Section 6222(a), Chapter 6, Title 4 Guam Code Annotated.

7 **Section 2.** Subsection (a) of §6222, Chapter 6, Title 4, Guam Code  
8 Annotated is hereby amended to read:

9 “(a) A corrections officer or any employee of the  
10 government who performs the duty of guarding, supervising,  
11 counseling, evaluating, or examining prisoners, or perform a duty  
12 which is considered to be under hazardous conditions as specified  
13 by the Director of Corrections in written policy, shall be entitled to  
14 hazardous pay calculated at the rate of his or her regular wage  
15 plus ten percent (10%) for all periods he or she is on such duty.  
16 The differential shall be applicable only during time of exposure.”

17 **Section 3. Severability.** *If* any provision of this Law or its application  
18 to any person or circumstance is found to be invalid or contrary to law, such  
19 invalidity shall *not* affect other provisions or applications of this Law which  
20 can be given effect without the invalid provisions or application, and to this  
21 end the provisions of this Law are severable.