

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
2007 (FIRST) REGULAR SESSION

BILL NO. 141 (EC)

Introduced by: 

Committee on Calendar
by request of *I Maga'lahaen Guåhan*,
the Governor of Guam, in accordance
with the Organic Act of Guam.

2007 JUN 22 PM 4:54
MCM

AN ACT RELATIVE TO AUTHORIZATION AND
IMPLEMENTATION OF A THIRTY-FIVE (35) HOUR
WORK-WEEK FOR GOVERNMENT OF GUAM
EMPLOYEES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan*
3 *Guåhan* finds that the government of Guam is experiencing a crisis in
4 funding the operations of its government services. Immediate action
5 is necessary in order to protect the general welfare and well-being of
6 our Island. To do so, all three (3) branches of government must work
7 together to reduce its cost of operations. Therefore, it is important
8 that *I Liheslaturan Guåhan* enact and *I Maga'lahaen Guåhan* implement
9 legislation to facilitate the reduction of costs government-wide.

1 Accordingly, it is the intent of *I Liheslaturan Guåhan*, by enacting
2 this legislation, to authorize *I Maga'lahren Guåhan* to proceed with
3 necessary cost-cutting measures while protecting the education,
4 health, safety and welfare of our Island. By virtue of the passage of
5 this Act, *I Mina' Bente Nuebe Na Liheslaturan Guåhan* recognizes the
6 need to provide ultimate authorities and flexibilities to *I Maga'lahren*
7 *Guåhan* to reduce the personnel expenditures of the government of
8 Guam and to ensure equity in treatment of all employees.
9 Recognizing the impracticability of modifying the merit system in
10 such emergent circumstances to deal with this crisis, passage of this
11 Act is necessary to provide *I Maga'Lahren Guahån* with the legal
12 authority for the full implementation of the reduced work-week of all
13 government of Guam employees from forty (40) hours to thirty-five
14 (35) hours with the exception of the most critical positions. *I*
15 *Maga'lahren Guåhan* has concluded that it is impracticable to delay the
16 implementation of a reduced work-week, and intends to begin
17 furlough July 15, 2007, in order to avert payless paydays for

1 government employees. *I Liheslaturan Guåhan* finds that it is
2 impracticable not to permit such a reduction, as a matter of local
3 statutory law.

4 **Section 2. Authorization to Reduce Work-Week Hours.**

5 Notwithstanding any other provision of law, *I Maga'lahaen Guåhan* is
6 authorized for the remainder of Fiscal Year 2007 from the effective
7 date of this Act to implement a reduction of work-week hours for
8 employees within the Executive Branch departments and agencies
9 subject to the following conditions:

10 (a) Such reduction of hours shall not exceed five (5) hours
11 per week.

12 (b) Nothing herein shall be interpreted to allow a reduction
13 in a classified employee's rate of compensation; however,
14 weekly earnings shall decrease in direct correlation to a
15 decrease in work-week hours.

1 (c) No full-time employee whose hours are reduced will lose
2 any benefits the employee received prior to the implementation
3 of the reduction of the work-week hours.

4 (d) The change shall not affect the employee's accrual of
5 years of service for the purposes of retirement.

6 (e) This section does not apply to uniformed public safety
7 personnel or to federally funded positions which Fifty Percent
8 (50%) or more of the salary is federally funded.

9 **Section 3. Severability.** If any of the provisions of this Act or
10 the application thereof to any person or circumstance is held invalid,
11 such invalidity shall not affect any other provision or application of
12 this Act which can be given effect without the invalid provision or
13 application, and to this end the provisions of this Act are severable.