


I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2007 (FIRST) Regular Session


Bill No. 196 (EC)

Introduced by:

Dr. David L.G. Shimizu 

Rory Respicio 

Tina Rose Muna Barnes 

Dr. Judith P. Guthertz 

AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) TO THE DEPARTMENT OF ADMINISTRATION TO CONTRACT FOR A GOVERNMENT OF GUAM WIDE CLASSIFICATION AND COMPENSATION STUDY OF ALL POSITIONS IN THE GOVERNMENT OF GUAM TO UPDATE THE "HAY STUDY", TO SUSPEND IMPLEMENTATION OF OTHER CLASSIFICATION AND COMPENSATION REVIEWS BY OTHER AGENCIES AND BRANCHES OF THE GOVERNMENT.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

- 1 Section 1. Legislative findings and intent. I Mina Bente Nuebe na
- 2 Liheslaturan Guahan finds that the current unified pay schedule, commonly
- 3 known as the "Hay Study", is now 26 years old. The Hay Study was first

1 implemented on September 15, 1991 pursuant to Public Law No. 21-42, and  
2 amended on September 27, 1991 by Public Law No. 21-59.

3 Because of the delay in updating the Hay Study, due to various  
4 circumstances piecemeal legislation has been passed whereby certain  
5 positions in the government have had the opportunity to be reviewed and  
6 reclassified with increased compensation awarded based on national  
7 averages. These new pay policies have been put into effect for critical  
8 positions such as nurses; pharmacists; medical personnel at the Guam  
9 Memorial Hospital, Department of Public Health and Social Services, and  
10 Department of Mental Health and Substance Abuse; teaching administrators;  
11 teachers; and certified, technical and professional personnel at the Guam  
12 Power Authority and the Guam Waterworks Authority.

13 I Liheslaturan Guahan also finds that the anticipated transfer of  
14 approximately 8,000 U.S. Marines and other personnel from Okinawa to  
15 Guam will impact heavily on the cargo and number of passengers who enter  
16 Guam through the Leon Guerrero Commercial Port of Guam and the A.B.  
17 Won Pat Guam International Airport, thereby impacting the workforce at  
18 those agencies. Additionally, the Guam workforce in a variety of agencies will  
19 be also impacted by the importation to Guam of approximately 20,000 skilled  
20 workers from the United States, Asia, and the Micronesian regions who will  
21 be employed by contractors. This additional activity and personnel will  
22 impact on current personnel employed throughout the agencies and will  
23 affect services throughout the government of Guam.

24 It is the intention of I Liheslaturan Guahan to safeguard the Unified Pay  
25 Schedule for all employees of the government of Guam, regardless of their

1 agency of employment, to properly implement the mandate that the  
2 government of Guam “establish a Merit System” as provided in the Organic  
3 Act of Guam, and to further ensure internal equity and external  
4 competitiveness for the workforce. It is the intention of I Liheslaturan Guahan  
5 that employees, wherever located throughout the government, receive  
6 compensation uniformly based on their position classification and to be at  
7 parity with the national average as far as practicable. I Liheslaturan Guahan is  
8 committed to providing fiscal control, financial stability, administrative  
9 efficiency, and equity among the various position classifications, inclusive of  
10 all public instrumentalities.

11 **Section 2. Appropriation.** Five Hundred Thousand Dollars (\$500,000)  
12 is appropriated from the General Fund to the Department of  
13 Administration to contract with a consulting expert on classification and  
14 compensation in public employment to conduct a study of all government  
15 of Guam positions, including those in autonomous, semi-autonomous and  
16 non-autonomous agencies, public corporations and all instrumentalities,  
17 and the judiciary to update the Unified Pay Schedule. The contract shall  
18 include the conduct of compensation training to the Human Resources staff  
19 throughout the government.

20 **Section 3. Timetable.** The classification and compensation study  
21 provided for in Section 2 above shall commence no later than February  
22 2008 and shall be completed no later than August 2008.

23 **Section 4. Promulgation and adoption.** The Department of  
24 Administration shall file the finished classification and compensation study  
25 with I Maga’Lahi Guahan and I Liheslaturan Guahan within Ten (10) days

1 after the study is completed and received by the Department of  
2 Administration. I Maga'Lahan Guahan shall approve the classification and  
3 compensation study and the study shall be implemented by law by I  
4 Liheslaturan Guahan.

5  
6 **Section 5. Moratorium on new salary schedules.** No new salary  
7 schedules shall be implemented throughout all government of Guam  
8 positions, including those in autonomous and non-autonomous agencies,  
9 public corporations and instrumentalities, and the judiciary, until the  
10 completion and implementation of the government-wide classification and  
11 compensation study authorized by this legislation is implemented.

12 **Section 6. Application.** This legislation applies to all positions,  
13 officers, and employees, classified and unclassified, within the Executive  
14 and Judicial Branches of the government of Guam, autonomous and semi-  
15 autonomous and non-autonomous agencies, public corporations, and any  
16 instrumentality of the government of Guam however designated and not  
17 located within I Liheslaturan Guahan.

18 **Section 6. Severability.** If any provision of this legislation or its  
19 application to any person or circumstance is found to be invalid or contrary  
20 to law, such invalidity shall not affect the other provisions or applications  
21 of this legislation which can be given effect without the invalid provision  
22 or application, and to this end, the provisions of this legislation are  
23 severable.

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