

I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN  
2011 (FIRST) Regular Session

2011 APR 27 AM 8:21

Bill No. 169-31(COR)

Introduced by:

ADOLPHO B. PALACIOS, SR.

AN ACT RELATIVE TO PROVIDING GOVERNMENT OF GUAM EMPLOYEES AN OPPORTUNITY FOR WORK SITE ASSIGNMENT PREFERENCE, IN AN EFFORT TO MINIMIZE THE IMPACT OF THE INCREASING COSTS OF GASOLINE PRICES, TO REDUCE TRAVEL TIME TO AND FROM WORK, AND TO ENCOURAGE CAR POOLING; THROUGH ADDING A NEW SUBSECTION §4117.1 TO ARTICLE 1, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PERSONNEL POLICY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1           **Section 1. Legislative Findings and Intent.**

2           I Liheslaturan Guahan finds that over the course of the past few  
3 years, gasoline prices have continued to increase, presenting  
4 additional financial hardship on the pockets of many of Guam's  
5 residents. In just the past month alone, the people of Guam have  
6 realized at least three separate increases in the cost of gasoline prices,  
7 causing people to revisit their expenditure habits and to implement  
8 necessary cost reduction measures. It is anticipated that the cost of

1 gasoline and fuel in the next few years, due to global economic  
2 conditions, will continue to increase.

3       Furthermore, these increases in the fuel and gasoline prices are  
4 directly affecting the government of Guam's overall operational  
5 costs. These cost increases are making it more difficult for many  
6 government agencies to remain within their budget for fuel costs,  
7 thus making it necessary for government of Guam entities to  
8 aggressively review and identify ways to realize operational cost  
9 reduction or savings. Several government entities have already  
10 required the implementation of cost reduction measures, to include:  
11 the procurement of fuel efficient vehicles and equipment, restricting  
12 unnecessary use of government vehicles, and implementing other  
13 means for reducing fuel consumption or effectuating increased fuel  
14 efficiency.

15       Therefore, it is critical that the government of Guam, as the  
16 island's largest employer, take the lead in implementing measures  
17 and taking necessary actions that will result in lower costs for the  
18 government of Guam and, just as importantly, for its employees.  
19 One approach to realizing some cost reduction for the employees of  
20 the government of Guam would be the assignment of personnel to  
21 work sites, whenever applicable and practical, which are closest to  
22 their respective homes. This approach alone would result in lowering  
23 the amount of gasoline consumption by the employees, minimize the

1 distance required for the employees to travel to their respective work  
2 sites, reduce the overall travel time of these vehicles on Guam’s  
3 roads, serve as an incentive to encourage car pooling, and it would  
4 provide a certain level of convenience for employees.

5 Therefore, it is the intent of I Liheslaturan Guahan to encourage  
6 the heads of government of Guam agencies and departments to work  
7 with their employees and allow for greater flexibility in providing the  
8 employees the opportunity to work closer to their respective homes,  
9 thus assisting in their personal expenses associated with the purchase  
10 of gasoline, particularly with the continuous increase in gasoline  
11 prices on island.

12 **Section 2. Work Site Assignment of Government of Guam**  
13 **Personnel.**

14 A new §4117.1 is here added to Article 1, Chapter 4, Title 4,  
15 Guam Code Annotated, relative to Work Site Assignment of  
16 Government of Guam Personnel to read as follows:

17 **“§4117.1. Work Site Assignment of Government of Guam**  
18 **Personnel.**

19 All government of Guam agencies, departments,  
20 instrumentalities, public corporations and/or commissions with  
21 several work sites, if requested by an employee, shall assign such  
22 employee to the work site located closest to the employee’s residence,  
23 or in the alternative, to the place of employment of the employee’s

1 spouse. Such work site assignment shall be made, to the extent  
2 possible, practical and without adversely affecting the operations of  
3 the agency, department, instrumentality, public corporation or  
4 commission. Preference for work site transfers shall be based on job  
5 seniority should more requests be received than positions existing at  
6 a particular work site.

7       Applicable government of Guam agencies or entities shall  
8 formulate internal rules and guidelines for the effective  
9 implementation and compliance of the provisions herein. Said rules  
10 and guidelines shall be formalized in writing and approved by the  
11 primary agency or entity head within 45 Forty Five (45) days of the  
12 enactment of this Act. A copy of said rules and guidelines shall  
13 thereafter be disseminated to each employee of the agency or entity  
14 no later than Fifteen (15) days following its formal approval by the  
15 primary agency head.

16       In carrying out the provisions contained in this Act, agency  
17 heads shall ensure that any decision or action taken in compliance  
18 with the provisions contained herein is voluntary in nature and is  
19 mutually agreed upon by both the employee and the employer.”

20       **Section 3. Effective Date.**

21       The provisions contained in this Act shall be effective  
22 immediately upon enactment.

23       **Section 4. Severability.**

1           If any provision of this Act or its application to any person or  
2   circumstance is found to be invalid or contrary to law, such invalidity  
3   shall not affect other provisions or applications of this Act which can  
4   be given effect without the invalid provisions application, and to this  
5   end the provisions of this Act are severable.