

I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012(Second) Regular Session

2012 MAY 29
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Bill No. *466-31 (LS)*

Introduced by:

Sam Mabini, Ph.D. *Sam*

AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative findings and intent.** *I Mina'Trentai Unu Na Liheslaturan* finds
2 that with the current financial state of the Government of Guam, there needs to be a mechanism
3 to ensure that the most qualified employees are considered for employment to maximize limited
4 resources of the Government of Guam.

5 *I Liheslaturan* finds that with the rise in technology, the demand for skills in an
6 occupation will increase.

7 *I Liheslaturan* finds that with over 18,000 job titles, The American College Testing
8 Program, also known as ACT, has one of the most “robust” Occupational Profile Databases
9 available. The ACT Occupational Profile Databases is comprised of Occupational profiles that
10 represent the required skills for a specific occupation. The “WorkKeys” Skills Assessment “is a
11 job skills assessment system that helps employers select, hire, train, develop, and retain a high-
12 performance workforce.” “WorkKeys enables you to match the work requirements important on
13 the job to the skill levels in the pool of candidates.” This not only maximizing the candidates to
14 their fullest potential, but also ensuring that the best candidate is chosen for the the position.

15 *I Liheslaturan* finds that there needs to be a requirement for the assessment of job related
16 skills to ensure that Government of Guam has the most qualified and proficient professionals to
17 meet the needs of our public sector.

1 **Section 2:**§4101 of Chapter 4 (C), Title 4 of the Guam Code Annotated is amended to
2 read as follows:

3 “(c) All new employment in the service of the government of Guam shall have, as a reasonable
4 measure of job performance, minimum requirement of high school diploma or a successful
5 completion of General Education Development (GED) test or any equivalent of a general
6 education high school program, apprenticeship program or successful completion of certification
7 program, from a recognized, accredited or certified vocational technical institution, in
8 specialized field required for the job. For entry-level positions, a formal nationally recognized
9 foundational skills assessment shall be required for consideration for employment. For
10 Government of Guam positions in which basic employment requirements are set forth by the
11 U.S. Federal Government, a formal nationally recognized foundational skills assessment is
12 preferred. Positions in which a formal nationally recognized foundational skills assessment is
13 preferred include, but are not limited to, all entry level positions, law enforcement positions,
14 positions that deal with public safety, and other new employment positions identified and
15 deemed necessary by the Director. The Director shall implement rules and regulations that are
16 aligned with local and federal employment laws.”

17 **Section 3: Effective Date.** Upon enactment of this act, the Director shall have no more
18 than 365 days to implement provisions in this act.

19 **Section 4: Severability.** If any provision of this Law or its application to any person or
20 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other
21 provisions or applications of this Law which can be given effect without the invalid provisions
22 or applications, and to this end the provisions of this Law are severable.