

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

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Bill No. 495-31(corr)

Introduced By:

T.R. MUÑA BARNES

**AN ACT TO AMEND §4109 (g) of CHAPTER 4 OF TITLE 4
GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING
ADMINISTRATIVE LEAVE FOR ATHLETIC COMPETITION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that over the years, various Guam Athletic Teams are invited to participate in regional, national or international tournaments, games and other sporting events. *I Liheslaturan Guåhan* further finds that in most cases, our Guam Teams are comprised of government of Guam employees participating either as an athlete, coach or management of the team delegation. *I Liheslaturan Guåhan* further finds that as our Guam Teams participate in these regional, national or international tournaments, not only are our teams participating as an athletic contingent, they are representing Guam as Ambassadors of goodwill with the ultimate goal to promote sports tourism and instill good health, good sportsmanship-like conduct and camaraderie amongst every participating team. As athletic ambassadors representing Guam, *I Liheslaturan Guåhan* wants to ensure that when our government employees participate in these sports competitions, their participation is not hindered due to administrative processes relative to their absence from their place of work.

1 It is therefore the intent of *I Liheslaturan Guåhan* to authorize department
2 directors or the appointing authority to grant administrative leave to those
3 government of Guam employees participating as a member of the athletic
4 contingent representing Guam by invitation in any regional, national or
5 international tournament, game or other sporting event sanctioned by the Guam
6 National Olympic Committee (GNOC).

7 **Section 2. Subsection (g) of §4109 of Chapter 4 of Title 4 Guam Code**
8 **Annotated is hereby amended to read:**

9 **“§4109. Annual Leave.**

10 (g) Any employee of the government of Guam, public
11 corporation, or other public entity of the government of Guam who is
12 a participating athlete or coach or administrator in an athletic
13 contingent, recognized by the Guam National Olympic Committee
14 (‘GNOC’), representing Guam by invitation in any regional, national
15 or international tournament, game or other sporting event sanctioned
16 by the GNOC, shall be granted administrative leave by his or her
17 respective department director or appointing authority for the time it
18 takes to complete both competition and any necessary travel, not to
19 exceed fifteen (15) working days; provided, that his or her
20 accumulated [~~annual leave or~~] compensatory time off (‘CTO’) is
21 charged with the number of hours he or she is absent from duty,
22 before being granting administrative leave and further provided, that
23 the employee requests such leave in writing thirty (30) calendar days
24 prior to the first day of leave. [~~If said employee has exhausted his or~~
25 ~~her annual leave, or chooses not to use such, he or she shall be granted~~
26 ~~leave without pay.] Under no circumstances shall any employee of~~

1 the government of Guam be granted said leave for competition more
2 than three (3) times in one (1) calendar year under this Subsection.”

3 **Section 3. Effective Date.** The provisions contained herein shall take
4 effect immediately upon the enactment of this Act.

5 **Section 4. Severability.** If any provisions of this Act or the application
6 thereof to any person or circumstance is held invalid, such invalidity *shall* not
7 affect any other provision or application of this Act which can be given effect
8 without the invalid provision or application, and to this end the provisions of this
9 Act are severable.