


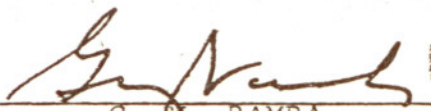
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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 806, "An Act to add a new Section 4010.1 to the Government Code of Guam to provide notice for government of Guam employees in the event of removal for lack of funds, and to provide severance pay for such employees who are dismissed, demoted or laid off without cause", was on the 1st day of November, 1972, duly and regularly passed.


F. T. RAMIREZ
Speaker


ATTESTED:


G. A. BAMBA
Legislative Secretary

This Act was received by the Governor this 3rd day
of November, 1972 at 10:11 o'clock a.M.


VINCENT T. PEREZ
Attorney General of Guam

APPROVED:


CARLOS G. SAMACHO
Governor of Guam

DATED: NOV 14 1972
4:25 p.m.

Public Law
4-186

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ELEVENTH GUAM LEGISLATURE
1972 (SECOND) Regular Session

Bill No. 806
Substitute

Introduced by

J. B. Butler
A. A. Sekt
G. M. Bamba
P. J. Bordallo
T. C. Charfauros
A. L. Cristobal
O. L. Delfin
J. R. Duenas
W. D. L. Flores
F. G. Lujan
L. S. N. Paulino
J. A. Perez
F. T. Ramirez
A. C. Sanchez
F. R. Santos

AN ACT TO ADD A NEW SECTION 4010.1 TO THE
GOVERNMENT CODE OF GUAM TO PROVIDE NOTICE
FOR GOVERNMENT OF GUAM EMPLOYEES IN THE
EVENT OF REMOVAL FOR LACK OF FUNDS, AND
TO PROVIDE SEVERANCE PAY FOR SUCH EMPLOYEES
WHO ARE DISMISSED, DEMOTED OR LAID OFF
WITHOUT CAUSE.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. A new Section 4010.1 is hereby added to the
3 Government Code of Guam to read as follows:

4 "Section 4010.1. Same: lack of funds: notice.

5 Notwithstanding any other provision, law, rule or regula-
6 tion to the contrary, all employees, including casual
7 employees, of the government of Guam who have been employed
8 for a period of not less than two hundred and sixty (260)
9 working days shall be entitled to written notice of at
10 least sixty (60) days prior to their removal or layoff for
11 lack of funds."

12 Section 2. Notwithstanding any provision of Title V of the
13 Government Code of Guam, any person occupying a permanent
14 position in the classified service of the government of Guam
15 on the effective date of this Act, shall be entitled to severance
16 pay if separated from service by dismissal or layoff for any

1 reason, including layoffs due to reorganization, lack of
2 work or funds or for any other reason beyond the control of the
3 employee; provided, however, that this section shall not apply
4 to any dismissal or layoff of an employee for any action for
5 which the employee would be subject to disciplinary action under
6 the Personnel Rules and Regulations of the government of Guam.

7 Section 3. For the purpose of Section 2 of this Act, an
8 employee shall be considered to have been dismissed if said
9 employee is demoted for any reason other than an action for
10 which he would be subject to disciplinary action under the
11 Personnel Rules and Regulations of the government of Guam,
12 if said employee resigns from service within seven (7) days
13 after being notified of the demotion.

14 Section 4. The severance pay for all employees entitled
15 thereto under the provisions of Section 2 of this Act shall be
16 paid in amounts equal to the employee's salary upon separation
17 from service, shall be paid at the same interval as his former
18 salary and shall continue until June 30, 1973 or until said
19 employee accepts new employment, whichever first occurs; Pro-
20 vided, however, that any such employee who is separated from
21 service between March 30, 1973 and June 30, 1973 shall be en-
22 titled to such severance pay for a period of ninety (90) days or
23 until said employee accepts new employment, whichever first
24 occurs.

25 Section 5. The Civil Service Commission shall adopt such
26 rules and regulations as may be necessary to implement the
27 provisions of this Act.

28 Section 6. All laws unavoidably inconsistent with this Act
29 are repealed only to the extent of such unavoidable inconsisten-
30 tency, and all executive actions which are unavoidably
31 inconsistent with this Act are superseded only to the extent
32 of such unavoidable inconsistency.