



CIVIL SERVICE COMMISSION
GOVERNMENT OF GUAM
AGANA, GUAM 96910

OCT. 30 1975

Memorandum

To: All Department and Agency Heads
From: Executive Director, Civil Service
Commission
Subject: Public Law 13-81

Attached herewith is a copy of Public Law 13-81 for
your information and guidance.


JOSE M. DYDASCO

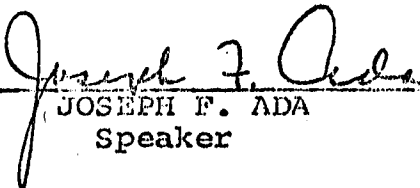
Attachment

RECEIVED
OCTOBER 20 1975
CIVIL SERVICE COMMISSION


THIRTEENTH GUAM LEGISLATURE
1975 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 439, "An Act to renumber Section 4110.3 to add a new Section 4004(e) to amend Sections 4110.3, 21512(a) and 21612(a) all of the Government Code relative to off-island contract hiring", was on the 10th day of October, 1975, duly and regularly passed.


JOSEPH F. ADA
Speaker

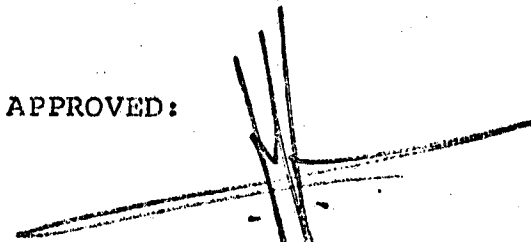
ATTESTED:


ERNESTO M. ESPALDON
Acting Legislative Secretary

This Act was received by the Governor this 21st day of October, 1975 at 10:55 o'clock A.M.


RUTH F. WON PAT
Assistant Staff Officer
Governor's Office

APPROVED:


RICARDO J. BORDABILLO
Governor of Guam

DATED: October 27, 1975
1:00 PM

P.L. 13-81

THIRTEENTH GUAM LEGISLATURE
1975 (FIRST) Regular Session

Bill No. 439

Introduced by B. M. Palomo

AN ACT TO RENUMBER SECTION 4110.3 TO
ADD A NEW SECTION 4004(e) TO AMEND
SECTIONS 4110.3, 21512(a) and 21612(a)
ALL OF THE GOVERNMENT CODE RELATIVE
TO OFF-ISLAND CONTRACT HIRING.

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

2 Section 1. Legislative findings. Legislature finds that
3 Section 4110.4 of the Government Code regarding Night Differen-
4 tial Pay was improperly and inadvertently renumbered as Section
5 4110.3 of the Government Code when amended by Public Law 10-15.
6 As the result there are now two (2) Sections 4110.3 of the
7 Government Code, but on two different subjects. To correct this
8 error Section 2 of this Act will renumber Section 4110.3 re-
9 garding Night Differential Pay in the 1973 supplement to the
10 Government Code as Section 4110.4 in said supplement. In
11 Section 4 of this Act Section 4110.3 regarding Prohibition as
12 it now appears in Volume One of the 1970 Government Code shall
13 be amended to be consistent with other provisions of this Act.

14 Section 2. Section 4110.3 regarding Night Differential
15 Pay (1973 Supplement) is renumbered as Section 4110.4 of the
16 Government Code.

17 Section 3. A new Section 4004 (e) is added to the Govern-
18 ment Code to read:

19 "Section 4004(e). Notwithstanding any provisions of
20 this Section to the contrary all contracts for the hiring
21 of off-island employees shall conform to the provisions
22 of Section 4110.3 of the Government Code."

1 Section 4. Section 4110.3 of the Government Code is
2 amended to read:

3 "Section 4110.3 Prohibition. No contract for the
4 hiring of officers or employees for the Government of
5 Guam from the continental United States or elsewhere,
6 pursuant to Section 4110 of this Title, may be executed
7 after March 1, 1964, with any person who does not have
8 either unique skills or other qualifications not
9 available among the residents of Guam. Prior to the
10 execution of any such contract after March 1, 1964, the
11 Director of the Department of Administration or the Board
12 of Directors of the Guam Telephone Authority or the Board
13 of Directors of Guam Power Authority must certify to the
14 Civil Service Commission that the person to be employed
15 by the respective agency or department within its
16 jurisdiction by such contract possesses either skills or
17 qualifications not possessed by any resident of Guam
18 available for hire for the position to be filled by
19 said contract."

20 Section 5. Section 21512(a) of the Government Code is
21 amended to read:

22 "Section 21512(a). Employment. Pursuant to the pro-
23 vision of Section 4004 of this Code, the Board shall
24 establish rules and regulations regarding selection,
25 promotion, performance evaluation, demotion, suspension,
26 and other disciplinary action for the employees of the
27 Authority; provided, however that all contract for the
28 hiring of off-island employees shall conform to the
29 provisions of Section 4110.3 of the Government Code."

1 Section 6. Section 21612(a) of the Government Code is
2 amended to read:

3 "Section 21612(a). Employment. Pursuant to the
4 provisions of Section 4004 of this Code, the Board shall
5 establish rules and regulations governing selection,
6 promotion, performance evaluation, demotion, suspension,
7 and other disciplinary action for the employees of the
8 Authority; provided, however, that all contract for the
9 hiring of off-island shall conform to the provisions of
10 Section 4110.3 of the Government Code."

11 Section 7. Section 4010.1 of the Government Code is
12 hereby amended to read:

13 "Section 4010.1. Layoffs: notice. Notwithstanding
14 any other provision of law, rule or regulation
15 to the contrary, all employees, including casual employees,
16 of the Government of Guam who have been employed for a
17 period of not less than two hundred and sixty (260) work-
18 ing days shall be entitled to written notice of at least
19 sixty (60) days prior to their layoff for any reason,
20 including layoffs due to reorganization, lack of work
21 or funds or for any other reason beyond the control of
22 the employee. In the absence of the written notice
23 provided for herein, any attempt to layoff any employee
24 shall be void and the employee shall be continued in pay
25 status until sixty (60) days after he has been given
26 written notice of his layoff. This Section shall not
27 apply to removal from employment for cause."