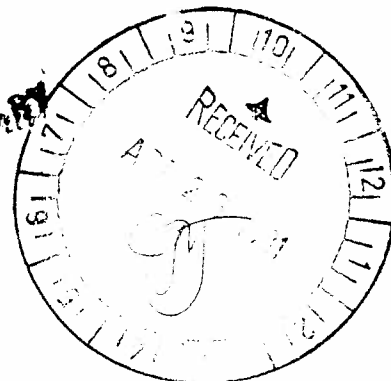


Territory of Guam
Territorio de Guam

APR 25 1991

The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler Street
Agana, Guam 96910

REFER TO
LEGISLATIVE SECRETARY



Dear Mr. Speaker:

Transmitted herewith is Bill No. 84, which I have signed into
Law as Public Law 21-16.

Sincerely,

FRANK F. BLAS
Governor of Guam
Acting

Attachment

210216

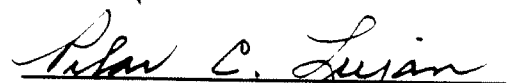


Commonwealth Now!


TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

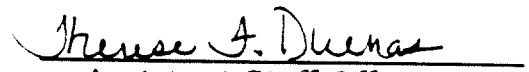
This is to certify that Substitute Bill No. 84 (COR), "AN ACT TO ADD §5124 TO TITLE 17, GUAM CODE ANNOTATED, TO ESTABLISH A JOB-SHARING PILOT PROJECT WITHIN THE DEPARTMENT OF EDUCATION," was on the 4th day of April, 1991, duly and regularly passed.


PILAR C. LUJAN
Acting Speaker


Attested:


HERMINIA D. DIERKING
Senator and
Acting Legislative Secretary

This Act was received by the Governor this 15th day of April, 1991, at 3:15 o'clock P.m.


Theresita A. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:


FRANK F. BLAS
Governor of Guam, Acting

Date: April 25, 1991

Public Law No. 21-16

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 84 (COR)
As substituted by the
Committee on Education

Introduced by:

A. R. Unpingco
T. V. C. Tanaka
M. C. Ruth
J. G. Bamba
E. R. Duenas
D. L. G. Shimizu
M. J. Reidy
J. P. Aguon
E. P. Arriola
A. C. Blaz
D. F. Brooks
H. D. Dierking
C. T. C. Gutierrez
M. D. A. Manibusan
J. T. San Agustin
E. M. Espaldon
P. C. Lujan
G. Mailloux
D. Parkinson
F. R. Santos

AN ACT TO ADD §5124 TO TITLE 17, GUAM CODE ANNOTATED,
TO ESTABLISH A JOB-SHARING PILOT PROJECT WITHIN THE
DEPARTMENT OF EDUCATION.

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

2 **Section 1.** §5124 is added to Title 17, Guam Code Annotated, to read:

3 **"§5124. (a) Job-Sharing Pilot Project.** There is
4 hereby established a two- (2-) year job-sharing pilot project (the
5 "Project") to be conducted by the Department of Education (the
6 "Department") for the academic years 1991-92 and 1992-93;
7 **provided**, however, that the Department shall not implement the
8 Project without first carefully developing appropriate plans,

1 procedures and guidelines and shall initiate the Project to the
2 extent practicable during the 1991-92 academic year. The
3 Department shall devote no more than one hundred (100) full-
4 time, permanent positions to job-sharing, pursuant to this
5 section.

6 **(b) Definition.** As used in this section, "job-sharing"
7 means the voluntary sharing of jobs by two (2) or more full-time,
8 permanent teaching employees of the Department with each
9 teacher working one-half (1/2) of another job-sharing teacher's
10 total number of hours required per week.

11 **(c) Monitoring and status reports.** The Department
12 shall monitor and evaluate the Project, with particular regard to
13 the efficacy of the job-sharing concept, and shall evaluate
14 factors such as turnover rates, absenteeism, productivity,
15 morale, and demographic factors, including ethnic, sex, and age
16 composition of participants, and other pertinent data. The
17 Director of Education (the "Director") shall also identify those
18 factors which facilitated or made more difficult the
19 implementation of this section. The Director shall submit status
20 reports on the Department's findings to the Legislature in 1991
21 and 1992, and may report on its findings and recommendations to
22 the Legislature in 1993.

6

Bill No. 84

Resolution No. _____

Date: 4-4-91

Question: _____

| | Ayes | Noes | NOT Voting | Absent |
|---------------------------------|------|------|------------|--------|
| 1. AGUON, John Perez | ✓ | | | |
| 2. ARRIOLA, Elizabeth Perez | ✓ | | | |
| 3. BAMBA, J. George | ✓ | | | |
| 4. BLAZ, Anthony Crisostomo | ✓ | | | |
| 5. BROOKS, Doris Flores | ✓ | | | |
| 6. DIERKING, Herminia Duenas | ✓ | | | |
| 7. DUENAS, Edward Ramirez | | | | ✓ |
| 8. ESPALDON, Ernesto M. (M.D.) | ✓ | | | |
| 9. GUTIERREZ, Carl T. C. | ✓ | | | |
| 10. LUJAN, Pilar Cruz | ✓ | | | |
| 11. MAILLOUX, Gordon | ✓ | | | |
| 12. MANIBUSAN, Marilyn D. A. | ✓ | | | |
| 13. PARKINSON, Don | ✓ | | ✗ | |
| 14. REIDY, Michael | ✓ | | | |
| 15. RUTH, Martha Cruz | ✓ | | | |
| 16. SAN AGUSTIN, Joe Taitano | ✓ | | | |
| 17. SANTOS, Francisco Rivera | ✓ | | | |
| 18. SHIMIZU, David L. G. (M.D.) | ✓ | | | |
| 19. TANAKA, Thomas V. C. | ✓ | | | |
| 20. UNPINGCO, Antonio Reyes | ✓ | | | |

18
19

✗ 1



JOE T. SAN AGUSTIN
SPEAKER

Office of the Speaker

TWENTY-FIRST GUAM LEGISLATURE

155 Hesler St.

Agana, Guam U.S.A. 96910

Tel: (671) 477-8527/9120 • Fax: (671) 477-5570

April 3, 1991

Honorable Joe T. San Agustin
Speaker
Twenty-First Guam Legislature
155 Hesler Street
Agana, Guam 96910

VIA: Chairperson, Committee on Rules

Dear Mr. Speaker:

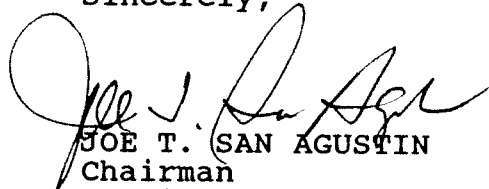
The Committee on Education, to which Bill No. 84 was referred, wishes to report its findings and recommendations.

The Committee voting record is as follows:

| | |
|---------------|-----------|
| To do pass | <u>12</u> |
| To not pass | <u>2</u> |
| To report out | <u>2</u> |
| Off-Island | <u>2</u> |

A copy of the report and all other pertinent documents are attached for your information.

Sincerely,

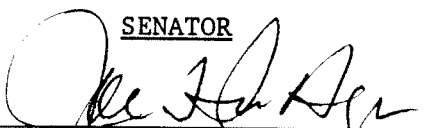
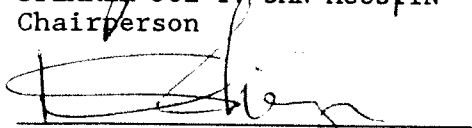
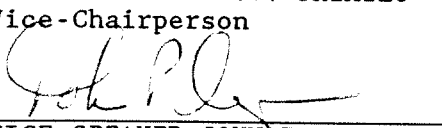
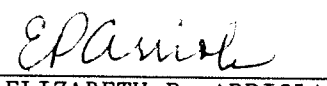

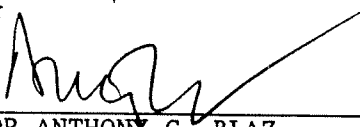
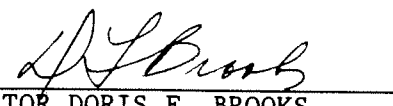
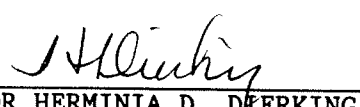
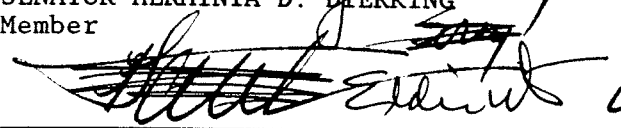


JOE T. SAN AGUSTIN
Chairman
Committee on Education

attachments

VOTE SHEET
 COMMITTEE ON EDUCATION

BILL NO. 84
 "AN ACT TO ESTABLISH A JOB SHARING PILOT PROJECT
 WITHIN THE DEPARTMENT OF EDUCATION."

| <u>SENATOR</u> | <u>TO DO PASS</u> | <u>TO NOT PASS</u> | <u>TO REPORT OUT</u> | <u>COMMENTS</u> |
|--|-----------------------|------------------------|--------------------------|-----------------|
|  SPEAKER JOE T. SAN AGUSTIN Chairperson | ✓ | | | |
|  SENATOR DAVID L.G. SHIMIZU Vice-Chairperson | ✓ | | | |
|  VICE-SPEAKER JOHN P. AGUON Member | ✓ | | | |
|  SENATOR ELIZABETH P. ARRIOLA Member | ✓ | | | |
|  SENATOR J. GEORGE BAMBA Member | ✓ | | | |
|  SENATOR ANTHONY C. BLAZ Member | ✓ | | | |
|  SENATOR DORIS F. BROOKS Member | ✓ | | | |
|  SENATOR HERMINIA D. DEERING Member | ✓ | | | |
|  SENATOR EDWARD R. DUENAS Member | ✓ | | | |

VOTE SHEET
COMMITTEE ON EDUCATION
BILL NO. 84

| <u>SENATOR</u> | <u>TO DO PASS</u> | <u>TO NOT PASS</u> | <u>TO REPORT OUT</u> | <u>COMMENTS</u> |
|---|-----------------------|------------------------|--------------------------|-----------------|
| <u><i>CG</i></u> SENATOR CARL T.C. GUTIERREZ Member | <u>✓</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |
| <u><i>Marilyn Manibusan</i></u> SENATOR MARILYN D.A. MANIBUSAN Member | <u>✓</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |
| <u><i>Tanaka</i></u> SENATOR THOMAS V.C. TANAKA Member | <u>✓</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |

COMMITTEE REPORT ON BILL NO. 84: AN ACT
TO ESTABLISH A JOB SHARING PILOT PROJECT
WITHIN THE DEPARTMENT OF EDUCATION

The Committee on Education publicly heard Bill No. 84 (See Exhibit "B") on February 8, 1991, in the Public Hearing Room of the Guam Legislature Temporary Building. In attendance at that time were Senators David L.G. Shimizu, Elizabeth P. Arriola, J. George Bamba, Anthony Blaz, Herminia Dierking, Thomas V.C. Tanaka and the Chairman, Speaker Joe T. San Agustin.

BACKGROUND

Bill No. 84 would establish a two-year job sharing pilot project to be conducted by the Department of Education for the academic years 1990-91 and 1991-92. According to the bill the pilot project would be limited to personnel who are engaged in classroom teaching and may be interested in participating in the project. The bill further mandates the Department to develop plans, procedures, and guidelines for the program.

As defined in the bill, job sharing would constitute the voluntary sharing of a full-time permanent position by two persons with each working one half of the total number of hours per week required. Sick leave and annual leave benefits, as well as Retirement service credit, would be equally divided between the two employees filling the full-time position. Each job sharing employee would though be entitled to health, dental, and life insurance benefits equivalent to that of a full time employee. This pilot program would be limited to a maximum of 100 full time positions with no more than 5% of the eligible personnel at any school being allowed to participate.

A fiscal note was received from the Bureau of Budget and Management Research on the measure (See Exhibit "C"). The fiscal note stated that the cost of implementing the program "cannot be determined at this time."

TESTIMONY

The Committee received written testimony from Jeff Shafer, Acting Director of the Department of Education (See Exhibit "D"). In his testimony, Mr. Shafer indicates that the Department is not in favor of the bill in its present form. DOE is though receptive to the concept of job sharing and recommends that the bill be revised to give the Department the authority to pilot the concept of job sharing as needed.

The Department also notes in its testimony that job sharing is a concept that is generally adopted when the labor

supply is greater than the demand. Currently DOE is experiencing a teacher shortage.

Also received was written testimony from Mr. Conrad Stinson (See Exhibit "E"). Mr. Stinson testified in favor of the measure with the recommendation for amendment of Section 5125 (2) of the bill. The recommended amendment would mandate the Department of Education to "negotiate" the guidelines for this program with the recognized employee bargaining units rather than "consult."

COMMITTEE FINDINGS

The Committee finds that due consideration should be given to the concept of job sharing within the Department of Education. It is the further finding of the Committee though that such a proposal will involve additional costs due to the doubling of expense for health, dental, and life insurance. It may also have attendant administrative difficulties for the Department and may compound the shortage of qualified teachers at DOE. Despite these possible shortcomings, the Department of Education has expressed a willingness to explore the use of job sharing. To facilitate this process, the Committee finds that the Department of Education should be given the mandate and flexibility to pilot a job sharing program within the Department for teaching positions.

COMMITTEE RECOMMENDATION

The Committee hereby recommends approval of Bill No. 84 as substituted (See Exhibit "A")

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Exh. b. 1
"A"

Bill No. 84
As substituted by the
Committee on Education

Introduced by:

A.R. Unpingco
T.V.C. Tanaka
M.C. Ruth
J.G. Bamba
E.R. Duenas
D.L.G. Shimizu
M.J. Reidy
J.P. Aguon
E.P. Arriola
A.C. Blaz
D.F. Brooks
H.D. Dierking
C.T.C. Gutierrez
M.D.A. Manibusan
J.T. San Agustin

AN ACT TO ESTABLISH A JOB SHARING
PILOT PROJECT WITHIN THE DEPARTMENT
OF EDUCATION.

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

Section 5124. Job Sharing Pilot Project. There is established a two-year job sharing pilot project to be conducted by the Department of Education for the academic years 1991-92 and 1992-93; provided however, that the Department of Education shall not implement the pilot project without first carefully developing its plans, procedures and guidelines and shall initiate the project to the extent practicable during the 1991-92 academic year. The Department of Education shall devote no more than one hundred (100) full-time, permanent positions to job sharing, pursuant to this Act.

Section 5125. As used in this Act, "Job-Sharing" means the voluntary sharing of a full-time, permanent employee's teaching position with each working one-half (1/2) of the total number of hours required per week.

Section 5126. The Department of Education shall monitor and evaluate the pilot project, with particular regard to the efficacy of the job sharing concept, and shall evaluate factors such as turnover rates, absenteeism, productivity, morale, and demographic factors such as ethnic, sex, and age composition of participants, and other pertinent data. The Director shall also among other analysis identify factors which facilitated or made more difficult the implementation of this Act. The Director shall submit status reports on its findings to the regular legislative sessions of 1991 and 1992, and may report on its findings and recommendations to the legislative session of 1993.

Exh. b. t
"B"

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 82

Introduced by:

A.R. Unpingco

M. G. RUTH

of bill

AN ACT TO ESTABLISH A JOB SHARING PILOT PROJECT WITHIN THE DEPARTMENT OF EDUCATION.

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

2 Section 5124. Job Sharing Pilot Project. There is
3 established a two-year job sharing pilot project to be
4 conducted by the Department of Education for the academic
5 years 1990-91 and 1991-92; provided however, that the
6 Department of Education shall not implement the pilot
7 project without first carefully developing its plans,
8 procedures and guidelines and shall initiate the project to
9 the extent practicable during the 1990-91 academic year.

10 The Department of Education shall devote no more than one
11 hundred (100) full-time, permanent positions to job sharing,
12 pursuant to this Act.

13 Section 5125. Job Sharing General Requirements. The
14 following shall constitute general requirements of the pilot
15 project, and shall be followed in the implementation of Act;

16 (1) The Director of Education shall announce the pilot
17 project to all full-time, tenured, certificated personnel of
18 the Department excluding educational officers and persons
19 not actually engaged in classroom teaching, and shall
20 solicit the voluntary request of such personnel who may be

1 interested in participating in the job sharing pilot
2 project.

3 (2) The Director shall, in consultation with the
4 recognized employee bargaining units, formulate and adopt
5 guidelines for the implementation of this Act. Employees
6 who respond to the announcement and others who may request
7 information shall receive a full written description of the
8 terms of the pilot project when the guidelines are finalized
9 and those desiring to participate may apply to participate
10 in the project. The employee who apply for participation
11 shall obtain the concurrence of their immediate supervisor.
12 Those who qualify shall then be interviewed by a personnel
13 officer of the Department. Participation shall be for
14 school year 1990-91 or 1991-92 except as provided in
15 paragraph (6) of this Section. No more than five percent 16
16 (5%) of the eligible personnel at any school shall be
17 accepted to participate in the project.

18 (3) Upon the selection of a permanent, full-time
19 employee for job sharing under this Act, the Director shall
20 for the purposes of this Act, convert the position of the
21 employee into two (2) job sharing positions.

22 (4) If a person is hired to fill job sharing position
23 he or she shall possess the minimum requirements of the
24 full-time position which was converted to job sharing
25 positions under this Act.

26 (5) As used in this Act, "Job-sharing" means the
27 voluntary sharing of a full-time, permanent employee's

1 position with another employee, with each working one-half
2 (1/2) of the total number of hours required per week and
3 with each receiving half of the salary to which each is
4 respectively entitled and at least half of each employee
5 benefit afforded to full-time employees. Benefits that can
6 be divided in half, such as the number of days of sick leave
7 and are considered to be an equitable share when divided,
8 shall be computed on that basis. Benefits that cannot be so
9 divided, such as eligibility for membership in the public
10 employees health plan shall be given to the job-sharers,
11 without such division, notwithstanding any contrary
12 provision of law.

13 The government's contribution to a job sharer's prepaid
14 health, prepaid dental, and group life insurance plans shall
15 be the same as for full-time employees, any other provision
16 of the law to the contrary notwithstanding.

17 Retirement service credit for teachers participating in
18 the pilot project under this Act shall be one-half (1/2) of
19 the time worked but the salary for purposes of the
20 Retirement Act shall be the same as for a full-time
21 employment. Nothing in this Act shall be construed,
22 however, to vest any person with any rights to permanent
23 employment status, under personnel rules which did not exist
24 prior to the participation of the person in the job sharing
25 pilot project. No full-time position shall be abolished or
26 reduced to a half-time position as a result of this Act, 27
except for the purpose of job-sharing, and only for the time

1 allowed for the project by this Act. In a
2 reduction-in-force procedure, consideration of a
3 job-sharer's tenure rights shall be on the same basis as
4 that of a full-time employee. Nothing in this Act shall
5 impair the employment or employment rights or benefits of
6 any employee.

7 (6) Participation in the pilot project shall require
8 the commitment on the part of the job sharers to a
9 contractual agreement provided that the employee shall be
10 given the option to contract for one (1) or two (2) years.

11 (7) No job sharing position created under this Act and
12 committed to a specified period of time under the terms of
13 the contractual agreement shall be converted to full-time
14 status before the termination of the contractual agreement.

15 (8) Upon the termination of contractual agreements
16 under this Act, all job sharing positions shall be
17 reconverted to full-time positions, and the employees who
18 held the full-time positions prior to their participation in
19 the pilot project shall be entitled to resume their
20 positions without loss of previous tenure, or other employee
21 rights.

22 Section 5126. The Department of Education shall monitor
23 and evaluate the pilot project, with particular regard to
24 the efficacy of the job sharing concept, and shall evaluate
25 factors such as turnover rates, absenteeism, productivity,
26 morale, and demographic factors such as ethnic, sex, and age
27 composition of participants, and other pertinent data. The

28 Director shall also among other analysis identify factors
29 which facilitated or made more difficult the implementation
30 of this Act. The Director shall submit status reports on
31 its findings to the regular legislative sessions of 1991 and
32 1992, and may report on its findings and recommendations to
33 the legislative session of 1993.

**FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

*Exhibit
11C4*
BBMR-F7

Bill No. 84
Amendatory Bill YES NO

Date Received 2/1/91
Date Reviewed 2/6/91

Department/Agency Affected: Department of Education
Department/Agency Head: Anita Sukola
Total FY Appropriation to Date: \$120,531,073

Bill Title (preamble) : AN ACT TO ESTABLISH A JOB SHARING PILOT PROJECT WITHIN THE DEPARTMENT OF EDUCATION.

Change in Law: N/A

Bill's Impact on Present Program Funding:
 Increase Decrease Reallocation No Change

Bill is for: Operations Capital Improvement Other ()

FINANCIAL/PROGRAM IMPACT

| PROGRAM CATEGORY | ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill) | | TOTAL |
|------------------|--|-------|-----------|
| | GENERAL FUND | OTHER | |
| EDUCATION | | | <u>1/</u> |

| FUND | ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill) | | | | | | TOTAL |
|--------------|---|-----|-----|-----|-----|--|-------|
| | 1st | 2nd | 3rd | 4th | 5th | | |
| GENERAL FUND | N/A | | | | | | |
| OTHER | | | | | | | |
| TOTAL | | | | | | | |

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$ 1/
AGENCY/PERSON/DATE CONTACTED: _____

| FUND | ESTIMATED POTENTIAL MULTI-YEAR REVENUES | | | | | | TOTAL |
|--------------|---|-----|-----|-----|-----|--|-------|
| | 1st | 2nd | 3rd | 4th | 5th | | |
| GENERAL FUND | N/A | | | | | | |
| OTHER | | | | | | | |
| TOTAL | | | | | | | |

ANALYST JOSE S. CALVO DATE 2/6/91 DIRECTOR GIOVANNI T. SGAMBELLURI DATE 2/7/91
Acting

FOOTNOTES: 1/ Section 1 of the Bill requires plans & procedures to be established. The cost to implement this section cannot be determined at this time.



OFFICE OF THE DIRECTOR

DEPARTMENT OF EDUCATION
GOVERNMENT OF GUAM
P.O. BOX DE
AGANA, GUAM 96910
TEL: (671) 472-8901/2/3/4

Exhibit
"D"

ANITA A. SUKOLA
Director of Education

February 7, 1991

Deputy Director

Senator Joe T. San Agustin
Chairperson, Committee on Education
Twenty-First Guam Legislature
162 Chalan Santo Papa
Agana, Guam 96910

Dear Senator San Agustin:

Thank you for allowing us to testify on Bill No. 84, AN ACT TO ESTABLISH A JOB SHARING PILOT PROJECT WITHIN THE DEPARTMENT OF EDUCATION.

The Department of Education does not support Bill No. 84 in its present form, although it is receptive to the concept of job sharing. The Department believes that the implementation of the job sharing concept for classroom teachers would be more effective if the Department of Education were to be given the authority, albeit within given parameters, to utilize the concept only as needed.

The Department of Education views job sharing to be a concept that is generally adopted when the labor supply is greater than the demand. Currently and for many years past, teacher demand has been greater than teacher supply on our island. Even with maximum recruitment efforts locally and abroad, the Department continues to experience difficulty in staffing the classroom both at the commencement of each school year and throughout each school year as teachers separate from the system for various personal reasons.

The Department recommends that Bill No. 84 be revised to give the Department the authority to pilot the concept of job sharing; it urges this body NOT to mandate the Department of Education to implement the Job-Sharing concept even on a pilot basis.

Sincerely,

**JEFF SHAFER, Acting
Director of Education**

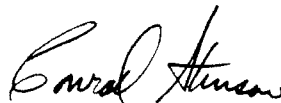
Exh. 6.1
"E"

Mr. Chairman and Members:

Feb. 8, 1991

This Bill, #84, is a good bill. It may be quite helpful in putting qualified people in the class rooms.

I would recommend, however, that on line 3, (2) that the words "and negotiation" be added. The word consultation has many interpretations; but the word negotiation does not.


Conrad Stinson
Teacher - JFK

Introduced

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

JAN 23 '91

Bill No. 84 (LS)

Introduced by:

A.R. Unpingco

AN ACT TO ESTABLISH A JOB SHARING PILOT PROJECT WITHIN THE DEPARTMENT OF EDUCATION.

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

2 Section 5124. Job Sharing Pilot Project. There is

3 established a two-year job sharing pilot project to be

4 conducted by the Department of Education for the academic

5 years 1990-91 and 1991-92; provided however, that the

6 Department of Education shall not implement the pilot

7 project without first carefully developing its plans,

8 procedures and guidelines and shall initiate the project to

9 the extent practicable during the 1990-91 academic year.

10 The Department of Education shall devote no more than one

11 hundred (100) full-time, permanent positions to job sharing,

12 pursuant to this Act.

13 Section 5125. Job Sharing General Requirements. The

14 following shall constitute general requirements of the pilot

15 project, and shall be followed in the implementation of Act;

16 (1) The Director of Education shall announce the pilot

17 project to all full-time, tenured, certificated personnel of

18 the Department excluding educational officers and persons

19 not actually engaged in classroom teaching, and shall

20 solicit the voluntary request of such personnel who may be

1 interested in participating in the job sharing pilot
2 project.

3 (2) The Director shall, in consultation with the
4 recognized employee bargaining units, formulate and adopt
5 guidelines for the implementation of this Act. Employees
6 who respond to the announcement and others who may request
7 information shall receive a full written description of the
8 terms of the pilot project when the guidelines are finalized
9 and those desiring to participate may apply to participate
10 in the project. The employee who apply for participation
11 shall obtain the concurrence of their immediate supervisor.
12 Those who qualify shall then be interviewed by a personnel
13 officer of the Department. Participation shall be for
14 school year 1990-91 or 1991-92 except as provided in
15 paragraph (6) of this Section. No more than five percent 16
16 (5%) of the eligible personnel at any school shall be
17 accepted to participate in the project.

18 (3) Upon the selection of a permanent, full-time
19 employee for job sharing under this Act, the Director shall
20 for the purposes of this Act, convert the position of the
21 employee into two (2) job sharing positions.

22 (4) If a person is hired to fill job sharing position
23 he or she shall possess the minimum requirements of the
24 full-time position which was converted to job sharing
25 positions under this Act.

26 (5) As used in this Act, "Job-sharing" means the
27 voluntary sharing of a full-time, permanent employee's

1 position with another employee, with each working one-half
2 (1/2) of the total number of hours required per week and
3 with each receiving half of the salary to which each is
4 respectively entitled and at least half of each employee
5 benefit afforded to full-time employees. Benefits that can
6 be divided in half, such as the number of days of sick leave
7 and are considered to be an equitable share when divided,
8 shall be computed on that basis. Benefits that cannot be so
9 divided, such as eligibility for membership in the public
10 employees health plan shall be given to the job-sharers,
11 without such division, notwithstanding any contrary
12 provision of law.

13 The government's contribution to a job sharer's prepaid
14 health, prepaid dental, and group life insurance plans shall
15 be the same as for full-time employees, any other provision
16 of the law to the contrary notwithstanding.

17 Retirement service credit for teachers participating in
18 the pilot project under this Act shall be one-half (1/2) of
19 the time worked but the salary for purposes of the
20 Retirement Act shall be the same as for a full-time
21 employment. Nothing in this Act shall be construed,
22 however, to vest any person with any rights to permanent
23 employment status, under personnel rules which did not exist
24 prior to the participation of the person in the job sharing
25 pilot project. No full-time position shall be abolished or
26 reduced to a half-time position as a result of this Act, 27
except for the purpose of job-sharing, and only for the time

1 allowed for the project by this Act. In a
2 reduction-in-force procedure, consideration of a
3 job-sharer's tenure rights shall be on the same basis as
4 that of a full-time employee. Nothing in this Act shall
5 impair the employment or employment rights or benefits of
6 any employee.

7 (6) Participation in the pilot project shall require
8 the commitment on the part of the job sharers to a
9 contractual agreement provided that the employee shall be
10 given the option to contract for one (1) or two (2) years.

11 (7) No job sharing position created under this Act and
12 committed to a specified period of time under the terms of
13 the contractual agreement shall be converted to full-time
14 status before the termination of the contractual agreement.

15 (8) Upon the termination of contractual agreements
16 under this Act, all job sharing positions shall be
17 reconverted to full-time positions, and the employees who
18 held the full-time positions prior to their participation in
19 the pilot project shall be entitled to resume their
20 positions without loss of previous tenure, or other employee
21 rights.

22 Section 5126. The Department of Education shall monitor
23 and evaluate the pilot project, with particular regard to
24 the efficacy of the job sharing concept, and shall evaluate
25 factors such as turnover rates, absenteeism, productivity,
26 morale, and demographic factors such as ethnic, sex, and age
27 composition of participants, and other pertinent data. The

28 Director shall also among other analysis identify factors
29 which facilitated or made more difficult the implementation
30 of this Act. The Director shall submit status reports on
31 its findings to the regular legislative sessions of 1991 and
32 1992, and may report on its findings and recommendations to
33 the legislative session of 1993.