

MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN  
2014 (SECOND) Regular Session

Bill No. 409 -32 (oor )

Introduced by:

D.G. RODRIGUEZ, JR. 

AN ACT TO PROVIDE FOR A HAZARDOUS PAY  
DIFFERENTIAL FOR EMPLOYEES OF THE GUAM  
BEHAVIORAL HEALTH AND WELLNESS CENTER IN  
UNSAFE OR DANGEROUS HAZARDOUS DUTY  
WORKING CONDITIONS, BY ADDING A NEW §86112 TO  
CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.

2014 OCT -9 PM 3:14 

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent: *I Liheslaturan Guåhan*  
3 finds that the personnel, as referenced in the Hazardous/Environmental  
4 Pay Policy and Procedures, of the Guam Behavioral Health and Wellness  
5 Center are often placed in personal jeopardy when working in what are  
6 deemed unsafe or dangerous hazardous duty working conditions in close  
7 proximity with mentally ill or emotionally disturbed or psychotic  
8 substance use disorder patients who are unpredictable, combative or  
9 volatile.

10 *I Liheslaturan Guåhan* further finds that the GBHWC policy and  
11 practice of allowing hazardous pay was in effect from February 2000 to  
12 February 2012, at which time it was abruptly administratively  
13 discontinued. The twelve year precedent of their receiving this

1 compensation for the hazardous circumstances they often work within  
2 speaks to the validity of their claims that the policy should be reinstated.

3 It is, therefore, the *intent* of *I Liheslaturan Guåhan* to reinstate the  
4 policy and practice of providing a hazardous pay differential for Guam  
5 Behavioral Health and Wellness Center personnel in unsafe or dangerous  
6 hazardous duty working conditions.

7 **Section 2.** A NEW §86112 is hereby *ADDED* to Chapter 86, Title 10,  
8 Guam Code Annotated, to read:

9 **“§86112. Hazardous Pay Differential.** Notwithstanding §6304 of  
10 Article 3, Chapter 6 Title 4, Guam Code Annotated, the Civil Service  
11 Hazardous/Environmental Pay Policy and Procedures, or any other  
12 provision of law, rule, regulation and Executive Order, the personnel  
13 working in what are deemed unsafe or dangerous hazardous duty working  
14 conditions in close proximity with mentally ill or emotionally disturbed or  
15 psychotic substance use disorder patients who are unpredictable,  
16 combative or volatile *shall* be entitled to a ten percent (10%) hazardous pay  
17 differential.

18 The Director of the Guam Behavioral Health and Wellness Center and  
19 the Director of the Department of Administration *shall* identify the direct-  
20 exposure personnel and ensure all affected personnel receive the  
21 hazardous pay differential. The department shall additionally develop a

1 protocol for personnel not normally in direct-exposure situations for those  
2 times when they are in unusual and dangerous direct contact situations, at  
3 which time they *shall* then be entitled to a hazardous pay differential for  
4 that specific incident in which they were exposed.

5       **Section 4. Effective Date.** This Act shall become immediately  
6 effective upon enactment.