

***MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN***  
**2015 (FIRST) Regular Session**

Bill No. 7-33 (COR)

Introduced by:

**D.G. RODRIGUEZ, JR.** *DR*

**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.**

2015 JAN -5 PM 2:26

*DR*

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

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

9 *I Liheslaturan Guåhan* further finds that the GBHWC policy and practice of  
10 allowing hazardous pay was in effect from February 2000 to February 2012, at  
11 which time it was abruptly administratively discontinued. The twelve year  
12 precedent of their receiving this compensation for the hazardous circumstances  
13 they often work within speaks to the validity of their claims that the policy should  
14 be reinstated.

15 It is, therefore, the *intent* of *I Liheslaturan Guåhan* to reinstate the policy  
16 and practice of providing a hazardous pay differential for Guam Behavioral Health

1 and Wellness Center personnel in unsafe or dangerous hazardous duty working  
2 conditions.

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

5 **“§86112. Hazardous Pay Differential.** Notwithstanding §6304 of Article  
6 3, Chapter 6 Title 4, Guam Code Annotated, the Civil Service  
7 Hazardous/Environmental Pay Policy and Procedures, or any other provision of  
8 law, rule, regulation and Executive Order, the personnel working in what are  
9 deemed unsafe or dangerous hazardous duty working conditions in close proximity  
10 with mentally ill or emotionally disturbed or psychotic substance use disorder  
11 patients who are unpredictable, combative or volatile *shall* be entitled to a ten  
12 percent (10%) hazardous pay differential.

13 The Director of the Guam Behavioral Health and Wellness Center and the  
14 Director of the Department of Administration *shall* identify the direct-exposure  
15 personnel and ensure all affected personnel receive the hazardous pay differential.  
16 The department shall additionally develop a protocol for personnel not normally in  
17 direct-exposure situations for those times when they are in unusual and dangerous  
18 direct contact situations, at which time they *shall* then be entitled to a hazardous  
19 pay differential for that specific incident in which they were exposed.

20 **Section 4. Effective Date.** This Act shall become immediately effective  
21 upon enactment.