

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
326-35 (COR)	Telena Cruz Nelson Amanda L. Shelton	AN ACT TO ADD A NEW SECTION 32120.1 DIVISION 2 CHAPTER 32 OF TITLE 10, GUAM CODE ANNOTATED, and ADD A NEW SECTION 63507 ARTICLE 5 CHAPTER 63 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SPECIFYING HAZARD PAY RECIPIENTS IN LIGHT OF THE COVID-19 PANDEMIC.	3/30/20 2:43 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 326-35 (COR)

Introduced by:

Telena Cruz Nelson
Amanda L. Shelton



**AN ACT TO *ADD* A NEW SECTION 32120.1 DIVISION 2
CHAPTER 32 OF TITLE 10, GUAM CODE
ANNOTATED, and *ADD* A NEW SECTION 63507
ARTICLE 5 CHAPTER 63 OF TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO SPECIFYING HAZARD
PAY RECIPIENTS IN LIGHT OF THE COVID-19
PANDEMIC.**

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

2 **Section 1. Legislative Finding and Intent.**

3 *I Liheslaturan Guåhan* finds that the COVID-19 pandemic has become an
4 overwhelming Public Health Emergency impacting disaster relief workers and
5 civilians that are needed and required to assist in providing essential goods and
6 services during a time of need.

7 It is the intent of *I Liheslaturan Guåhan* to provide uniformed guidelines
8 within the law and make provisions for the extension and specification of
9 hazardous duty pay differential for employees who perform work that involves
10 exposure to hazardous conditions during the COVID-19 pandemic.

11 **Section 2.** A new § 32120.1 of Chapter 32 of Title 10, Guam Code
12 Annotated, is *added* to read:

1 **§ 32120.1. Hazardous Pay In Support of State of Emergency in**
2 **Response to Novel Coronavirus (COVID-19).**

3 (1) Any government of Guam or private sector employee who, in the line and
4 scope of his or her employment:

5 (a) Is required to enter a site where a case of COVID-19 has been suspected
6 or confirmed, either to make inspection, investigation or assist in
7 securing the area; or

8 (b) Is required to assist a person or persons suspected of having been
9 exposed to COVID-19; or

10 (c) Is required to medically test a person or persons suspected or confirmed
11 of having been exposed to COVID-19;

12 (d) Is in immediate or direct contact with the community or people with
13 potential exposure to COVID-19 and during a Public Health Emergency,
14 to include: nurses, customs officers, firefighters, paramedics, hospital
15 staff that include, but not limited to janitors, security guards, first
16 responders, private sector employees overseeing quarantine in hotels and
17 at the airport;

18 Regardless of whether the site is owned or operated by the government of
19 Guam, shall not be eligible for compensation as provided in § 32114 of this
20 Chapter. However, said employee is entitled to and shall receive, hazardous
21 pay in the amount of ten percent (10%) of the employee's hourly wage rate
22 till the State of Emergency is lifted. Nothing in this Section shall preclude
23 said employee from applying to the Commission for compensation where
24 medical injury, disability or death has been determined.

25 (2) Any member of the Guam National Guard activated under State Active Duty
26 in support of State of Emergency in response to COVID-19 who, in the line
27 and scope of his or her activation who's duties and or responsibilities meets

1 the criteria described in § 32120.1(1) (a, b, or c) of this Chapter shall be
2 entitled to Incentive Pay (Hazardous Duty) at the amount of One-hundred
3 Fifty Dollars (\$150) a month and all other pay and allowances prescribed in
4 §§ 63500, 63502, and 63507 of Article 5 of Chapter 63 of Title 10, Guam
5 Code Annotated.

6 Hazardous pay shall be retroactive to the date of *I Maga'hågan Guåhan's*
7 Executive Order No. 2020-03, relative to Declaring a State of Emergency.

8 **Section 3.** A new § 63507 of Article 5 of Chapter 63 of Title 10, Guam
9 Code Annotated, is *added* to read:

10 **§ 63507. Hazardous Pay Applicable to the Support of State Active Duty**
11 **in Response to COVID-19.**

12 The service of all officers and enlisted persons of the Guam National Guard,
13 while on territorial duty and lawfully performing the same, shall be entitled to
14 hazardous pay within the terms set forth in § 32120.1(2) of Chapter 32 of Title 10,
15 GCA and all other pay and allowances prescribed in § 63502 of this chapter.

16 **Section 4. Severability.** If any provision of this Act or its application to
17 any person or circumstance is found to be invalid or contrary to law, such
18 invalidity *shall not* affect other provisions or applications of this Act that can be
19 given effect without the invalid provision or application, and to this end the
20 provisions of this Act are severable.

21 **Section 5.** This act *shall* be effective upon enactment.