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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN

THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910


March 23, 2015

The Honorable Edward J.B. Calvo
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam


Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill Nos. 3-33(LS), 7-33(COR), 11-33(COR), 23-33(COR), 24-33(COR), 38-33(LS), 39-33(LS) and 43-33(COR); and Substitute Bill Nos. 42-33(COR) and 46-33(COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on March 20, 2015.

Sincerely,


RORY J. RESPICIO
Acting Legislative Secretary

Enclosure (10)

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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

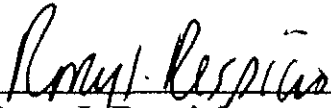
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 7-33 (COR)**, "AN ACT TO ADD A NEW § 6225.1 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS," was on the 20th day of March, 2015, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



Rory J. Respicio
Acting Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 23 day of March,
2015, at 5:05 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 7-33 (COR)

As amended by the Committee on Finance & Taxation,
General Government Operations, and Youth Development;
and further amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreddie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW § 6225.1 TO ARTICLE 2 OF
CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED,
RELATIVE TO PROVIDING FOR A HAZARDOUS PAY
DIFFERENTIAL FOR EMPLOYEES OF THE GUAM
BEHAVIORAL HEALTH AND WELLNESS CENTER IN
UNSAFE OR DANGEROUS HAZARDOUS DUTY
WORKING CONDITIONS.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**
2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the personnel of the Guam Behavioral Health and Wellness Center (GBHWC),

1 as referenced in the Hazardous/Environmental Pay Policy and Procedures, are
2 often placed in personal jeopardy when they are working in what are deemed
3 unsafe or dangerous hazardous duty working conditions - being in close proximity
4 with mentally ill or emotionally disturbed or psychotic substance use disorder
5 patients who are unpredictable, combative or volatile.

6 *I Liheslaturan Guåhan* further finds that the GBHWC policy and practice of
7 allowing hazardous pay was in effect from February 2000 to February 2012, at
8 which time it was administratively discontinued. The twelve (12) year precedent of
9 receiving this compensation for the hazardous work conditions speaks to the
10 validity of their claims that the policy should be reinstated.

11 It is, therefore, the intent of *I Liheslaturan Guåhan* to reinstate the policy
12 and practice of providing a hazardous pay differential for Guam Behavioral Health
13 and Wellness Center personnel who are in unsafe, dangerous, or hazardous duty
14 working conditions.

15 **Section 2. Hazardous Pay Differential.** A new §6225.1 is hereby *added*
16 to Article 2 of Chapter 6, Title 4, Guam Code Annotated, to read:

17 **“§ 6225.1. Hazardous Pay Differential for Employees of Guam**
18 **Behavioral Health and Wellness Center.** Notwithstanding §6304 of
19 Article 3, Chapter 6, Title 4, Guam Code Annotated, the Civil Service
20 Hazardous/Environmental Pay Policy and Procedures, or any other provision
21 of law, rule, regulation and Executive Order, the personnel of the Guam
22 Behavioral Health and Wellness Center working in what are deemed unsafe
23 or dangerous hazardous duty working conditions in close proximity with
24 mentally ill or emotionally disturbed or psychotic substance use disorder
25 patients who are unpredictable, combative or volatile *shall* be entitled to a
26 ten percent (10%) hazardous pay differential.

1 The Director of the Guam Behavioral Health and Wellness Center and
2 the Director of the Department of Administration *shall* identify the direct-
3 exposure personnel and ensure that all affected personnel receive the
4 hazardous pay differential. The two Directors *shall* additionally develop a
5 protocol for personnel not normally in direct-exposure situations for those
6 times when they are in unusual and dangerous direct contact situations, at
7 which time they *shall* then be entitled to a hazardous pay differential for that
8 specific incident in which they were exposed.”

9 **Section 3. Effective Date.** This Act *shall* take effect on October 1, 2015.