



GOVERNMENT OF GUAM
RETIREMENT FUND
 STABILITY · SECURITY · REWARDS

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Ray Tenorio
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Paula M. Blas
 Director

GL# 34-16-2003
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May 15, 2018

Peter John D. Camacho
 Hospital Administrator, Guam Memorial Hospital Authority
 850 Governor Carlos Camacho Road
 Tamuning, Guam 96913

JUN 20 2018
 Time: 3:55 (1) AM (1) PM File No. _____
 Received By: [Signature]

Re: Delinquent Contributions – Pay Periods Ending 03-17-18, 03-31-18, 04-14-18

Dear Mr. Camacho:

As a follow-up to our March 29, 2018 letter (copy enclosed), the Guam Memorial Hospital Authority (GMHA) continues to remain delinquent in the remittance of member, employer, and unfunded liability, contributions for the Defined Benefit (DB) and Defined Contribution (DC) Plans.

Please be advised that at its discretion, the Retirement Fund Board of Trustees *in accordance with their fiduciary responsibility, may file a Writ of Mandate if payment of the amounts now currently due (as summarized below), are not paid immediately.*

Pay Period Ending	Date Due	DB Gov't Share	DB 1.75 Gov't Share	Unfunded Liability	Interest & Penalty (As of 05-14-18)	TOTAL
03-17-2018	04-06-2018	\$61,953.85	\$0.00	\$17,494.49	\$232.73	\$79,681.07
03-31-2018	04-20-2018	74,573.90	62,317.31	245,648.25	1,019.17	383,558.63
04-14-2018	05-04-2018	73,967.02	125,148.50	245,671.22	4,295.63	449,082.37
TOTAL		\$210,494.77	\$187,465.81	\$508,813.96	\$5,547.53	\$912,322.07

So that no further action on our part will be necessary, we shall expect:

- 1) Immediate remittance of outstanding contributions, plus interest and penalties, and
- 2) Remittance of current contributions as they become due, noting *Contributions for pay period ending April 28, 2018* are due as follows:
 - a. *DB Contributions, on May 18, 2018;*
 - b. *DB1.75 Contributions, on May 18, 2018; and*
 - c. *Unfunded Liability on May 18, 2018.*

Not only does GMHA's failure to pay have a negative effect on the Retirement Fund (the "Fund"), but also on GMHA and its employees as noted below:

- In accordance with Public Law 28-38, the full remittance of DB and DC employee and employer contributions, including interest and penalties, for the current fiscal year is required before the Fund can accept retirement applications from employees of your department. Thus, the delinquency prevents GMHA employees from retiring.

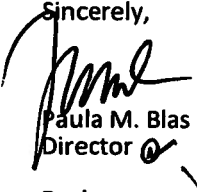
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- DB, DB1.75, and Unfunded Liability contributions not paid within 10 working days after the issuance of the payroll checks are assessed a 1% penalty, in addition to the delinquent contributions and applicable interest.
- Failure to timely deposit such contributions may result in harm to the member's account. In addition to liability for causing this harm and responsibility to make the account whole, GMHA exposes itself to civil and criminal liability.
- GMHA employees can seek enforcement assistance through the Guam Department of Labor and through U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Civil and Criminal penalties can also be assessed against GMHA.

Your immediate remittance of amounts due will promptly resolve this matter. We look forward to receipt of your payment.

Sincerely,



Paula M. Blas
Director

Enclosures

cc: Governor of Guam
Chief Financial Officer, GMHA
Chairman, GGRF Board of Trustees

Chairman, GMHA Board of Trustees
Attorney General of Guam
Office of the U.S. Department of Labor