

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
409-32 (COR)	Dennis 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.	10/9/14 3:14 p.m.	10/10/14	Committee on General Governmental Operations and Cultural Affairs			



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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October 10, 2014

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 409-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 409-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

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

Bill No. 409 -32 (*agr*)

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.