


I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
38-34 (LS)	Michael F.Q. San Nicolas	AN ACT TO <i>AMEND</i> §§ 6229.2 AND 6229.3 OF ARTICLE 2 AND § 6301 OF ARTICLE 3, EACH OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED; RELATIVE TO REQUIRING THAT ALL SALARY AND/OR CLASS SPECIFICATION APPEALS BE ADMINISTRATIVELY ADJUDICATED BEFORE A THREE- (3-) YEAR REVIEW OF SALARY AND/OR CLASS SPECIFICATION FOR NURSES AND OTHER PUBLIC EMPLOYEES BE CONDUCTED.	03/09/17 12:26 p.m.						

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Bill No. 38-3A(LS)

Introduced by:

Michael F.Q. San Nicolas 

AN ACT TO AMEND §§ 6229.2 AND 6229.3 OF ARTICLE 2 AND § 6301 OF ARTICLE 3, EACH OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED; RELATIVE TO REQUIRING THAT ALL SALARY AND/OR CLASS SPECIFICATION APPEALS BE ADMINISTRATIVELY ADJUDICATED BEFORE A THREE- (3-) YEAR REVIEW OF SALARY AND/OR CLASS SPECIFICATION FOR NURSES AND OTHER PUBLIC EMPLOYEES BE CONDUCTED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Short Title. This Act *shall* be cited as the “Responsible Salary Adjudication Act.”

Section 2. Legislative Findings and Intent. *I Liheslaturan Guáhan* finds that *I Liheslatura* required the submission of an implementable plan under Public Law 32-68 to adjust compensation, classification, and benefits to cover either classified personnel only or classified and unclassified personnel by January 15, 2014. On January 15, the Governor of Guam transmitted a plan which adjusted compensation, classifications, and benefits to cover both classified and unclassified personnel.

I Liheslaturan Guáhan finds following the implementation of the Competitive Wage Act of 2014, hundreds of employees have filed grievances addressed to specific issues with its implementation. Many of these appeals with the Department of Administration have not been administratively adjudicated.

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1 *I Liheslaturan Guåhan* finds that *I Maga'láhen Guåhan* has publicly
2 discussed conducting a new compensation study, even though many Government
3 employees remain in limbo with respect to their grievances with how the previous
4 study was implemented.

5 *I Liheslatura* further finds that failing to bring a final resolution to these
6 grievances could leave those employees behind, potentially widening the
7 disparities caused by an improperly implemented compensation study.

8 *I Liheslatura* further finds that until these grievances are resolved, their costs
9 to Guam's taxpayers remain unknown, as would their impact on the affordability
10 of the implementation of the next compensation study.

11 *I Liheslatura* further finds that conducting a compensation, classification,
12 and benefits study before addressing the flaws of the existing compensation plan
13 could end up compounding the problems relating to employee classification and
14 compensation.

15 Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that, in the
16 interest of affected employees and the taxpayers of Guam, the triennial wage study
17 be conducted only after the administrative adjudication of all the salary appeals
18 from the implementation of the previous compensation study, by amending §§
19 6229.2 and 6229.3 of Article 2, and § 6301 of Article 3, each of Chapter 6, Title 4,
20 Guam Code Annotated.

21 **Section 3. Salary Schedule Three (3) Year Review.** §6229.2 of Article
22 2, Chapter 6, Title 4, Guam Code Annotated, is hereby amended, to read:

23 **“§ 6229.2. Salary Schedule Three (3) Year Review.**

24 The Director of Administration shall meet annually with the Guam
25 Nurses Association Commission on Nursing Leadership to address
26 recruitment and retention incentives for nurses. Upon administrative
27 adjudication of all salary appeals, tThe salary schedules of the nurses shall

1 be reviewed by the Director of Administration every three (3) years, and
2 upgraded as needed. The salary for each of the nursing classifications under
3 the government of Guam shall be competitive with the National average.”

4 **Section 4. Class Specifications Three (3) Year Review.** §6229.3 of
5 Article 2, Chapter 6, Title 4, Guam Code Annotated, is hereby amended, to read:

6 **“§ 6229.3. Class Specifications Three (3) Year Review.**

7 The Director of Administration, in collaboration with the government
8 of Guam agencies’ nursing administrators, shall update the class
9 specifications pertaining to duties, requirements and experience of all
10 nursing classifications. Upon administrative adjudication of all class
11 specification appeals, tThe class specifications shall be re-evaluated every
12 three (3) years, and changes shall be made as indicated.”

13 **Section 5. Compensation Policy.** §6301 of Article 3, Chapter 6, Title 4,
14 Guam Code Annotated, is hereby amended, to read:

15 **“§ 6301. Compensation Policy.**

16 (a) Employee compensation shall be based on internal equity and
17 external competitiveness.

18 (b) To the extent practical, compensation will be targeted at the U.S.
19 National Average levels compared to the appropriate labor markets and
20 account taken of the relevant economic factors.

21 (c) Upon administrative adjudication of all salary appeals, iInternal
22 equity should be reviewed annually and external competitiveness at least
23 every three (3) years.

24 (d) Compensation structures and administrative policies should also
25 recognize and reward individual employees commensurate with
26 performance.

1 (e) All aspects of compensation (base salaries, benefits, pay
2 differentials, and other factors) will be considered as a total reward and
3 incentive package for employees and shall be consistent and uniformly
4 administered through the government.

5 (f) A program of ongoing communications and training shall be a
6 critical component of compensation administration.”