

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speaker@guamlegislature.org

July 18, 2024

THE HON. THERESE M. TERLAJE, *Speaker*
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Doc Type: **37GL-24-2365 4**
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

JUL 18 2024

Time: **5:07pm**
Received: **[Signature]**

Re: Bill No. 275-37 (COR) - AN ACT TO ADD A NEW SUBSECTION (i) TO § 1112 OF ARTICLE 1, CHAPTER 1, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO STANDARDIZING AIRPORT POLICE AND AIRCRAFT RESCUE AND FIRE FIGHTING POSITIONS COMPENSATION AT THE A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM.

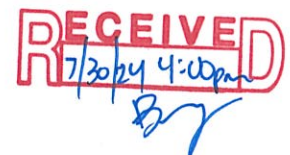
Håfa Adai Madam Speaker,

Bill No. 275-37 (COR) incorporates the Airport Police and Airport Rescue and Fire Fighting Unit (ARFF) into the Guam International Airport Authority's (GIAA) Aviation Related and Certified, Technical, and Professional (CTP) pay scales and personnel rules and regulations.

GIAA engaged the services of a third-party consultancy to update market data from 2012 and to include ARFF personnel. This update aimed to determine the market value of each position and establish equitable salary ranges comparable to those at other U.S. airports. The updated data was presented on July 6, 2023, to the GIAA Board of Directors, which approved the update of pay scales from 2012 market data at the 20th percentile to 2022 market data at the same 20th percentile for all GIAA positions, including Airport Police and ARFF positions. This adjustment was made effective from the pay period beginning January 28, 2024.

However, as the Airport Police Department (APD) and ARFF personnel remained on the Law Enforcement Officer (LEO) Pay Scale, the full implementation of pay adjustments was not provided under the Certified, Technical, and Professional (CTP) scales. Bill 275 addresses this issue by allowing for the complete implementation of the third-party consultant's recommendation as approved by the GIAA Board of Directors.

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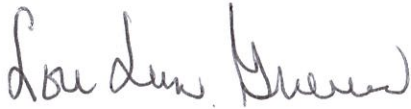


To: The Hon. Therese M. Terlaje, Speaker
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam
Date: July 18, 2024
Re: Bill No. 275-37 (COR)

Page 2 of 2

For these reasons, I sign Bill No. 275-37 (COR) as ***Public Law No. 37-108.***

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 275-37 (COR) nka P.L. 37-108

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 275-37 (COR)**, “AN ACT TO *ADD* A NEW SUBSECTION (i) TO § 1112 OF ARTICLE 1, CHAPTER 1, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO STANDARDIZING AIRPORT POLICE AND AIRCRAFT RESCUE AND FIRE FIGHTING POSITIONS COMPENSATION AT THE A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM,” was on the 10th day of July 2024, duly and regularly passed.



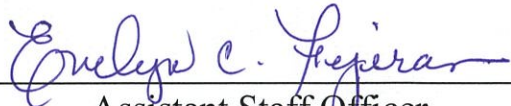
Therese M. Terlaje
Speaker

Attested:



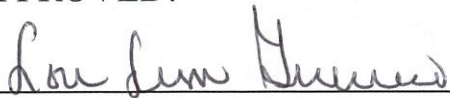
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 10th day of July,
2024, at 4:22 o'clock P.M.



Evelyn C. Sepiran
Assistant Staff Officer
Maga'håga's Office

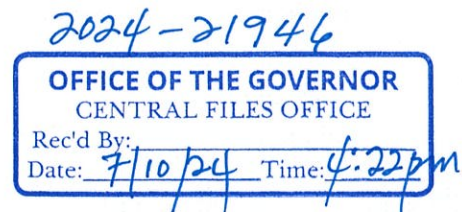
APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: JULY 18, 2024

Public Law No. 37-108



I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 275-37 (COR)

As amended on the Floor.

Introduced by:

Jesse A. Lujan
Tina Rose Muña Barnes
Christopher M. Dueñas
Dwayne T.D. San Nicolas
Telo T. Taitague
William A. Parkinson
Roy A. B. Quinata
Joe S. San Agustin
Thomas J. Fisher
Amanda L. Shelton
Chris Barnett
Frank Blas, Jr.
Joanne M. Brown
Therese M. Terlaje

AN ACT TO *ADD* A NEW SUBSECTION (i) TO § 1112 OF ARTICLE 1, CHAPTER 1, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO STANDARDIZING AIRPORT POLICE AND AIRCRAFT RESCUE AND FIRE FIGHTING POSITIONS COMPENSATION AT THE A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that in October 2007, Public Law 29-24 mandated the A.B. Won Pat International
4 Airport Authority, Guam (GIAA) Board of Directors to adopt rules and regulations
5 governing *inter alia* the “compensation and other terms and conditions of

1 employment of personnel occupying aviation-related positions unique to airport
2 operations and certified technical and professional positions.”

3 *I Liheslatura* further finds that the specific positions subject to the Certified
4 Technical Professional (CTP) Rules are defined as those positions identified by the
5 Executive Manager and approved by the GIAA Board.

6 Subsequently, *I Liheslaturan Guåhan* enacted Public Law 29-105 on August
7 14, 2008, which mandated a forty percent (40%) across the board increase to law
8 enforcement compensation throughout the entire government of Guam, commencing
9 in 2008 with full implementation no later than 2011. The law also required a
10 compensation study, and the creation of a “Compensation Plan which treats all
11 aspects of compensation (base salaries, benefits, pay differentials, and other factors)
12 as a total reward and incentive package for employees, with said Plan to be uniformly
13 administered throughout the government.”

14 Subsequently, Public Law 29-154 was enacted in January 2009 which
15 completed the adoption of the GIAA CTP Rules and Regulations (CTP Rules). The
16 CTP Rules authorize the GIAA Board to adopt a unified pay scale for CTP
17 employees, and to review the scale for internal equity and external competitiveness
18 at least every three (3) years. The CTP Rules also empower the GIAA Board to
19 administer the compensation policy for CTP employees at GIAA.

20 In April 2010, the GIAA Board identified *inter alia* Airport Police and
21 Aircraft Rescue and Fire Fighting (ARFF) positions as positions within the coverage
22 of the CTP Rules. The GIAA Board specifically contemplated that the Airport Police
23 and ARFF positions would not be affected by compensation adjustments ordered by
24 the Board until the forty percent (40%) increase mandated by Public Law 29-105
25 was lesser than an amount proposed by GIAA after a compensation study.

1 The GIAA Board has also made efforts to study and adjust the compensation
2 of all its CTP employees, including ARFF and Airport Police employees since the
3 enactment of the CTP Rules in 2008.

4 On January 18, 2022, *I Maga'hågan Guåhan* established the Law
5 Enforcement Officer Pay Plan within the Competitive Wage Act Pay Plan. On the
6 same day, the Department of Administration (DOA), citing Public Law 29-105,
7 published a memorandum which discussed its classification review of the
8 Government of Guam Law Enforcement/Public Safety Compensation. The DOA
9 recommended an across-the-board eighteen percent (18%) increase to “the current
10 law enforcement and public safety pay structure,” a customized Police Officer
11 Recruitment and Retention Differential, and an annual adjustment of two percent
12 (2%) per year to avoid delays in keeping the pay structure competitive. The DOA
13 recommended specific slotting for law enforcement positions across the government.
14 Relative to autonomous agencies like GIAA, DOA recommended approval from
15 governing bodies for implementation of its recommendations, consistent with the
16 effective date of DOA’s implementation. GIAA Management implemented the 2022
17 DOA-recommended adjustment retroactive to the effective date recommended by
18 DOA.

19 Most recently, in April 2023, the GIAA Board authorized management to
20 make a “structural pay adjustment and implementation at the 20th market percentile
21 based on 2022 market data for law enforcement and ARFF positions, on or after
22 October 1, 2023, subject to funding availability and subject to any required
23 legislative requirements.”

24 *I Liheslaturan Guåhan* further finds that although the GIAA Board has the
25 authority to adjust compensation for CTP positions, including Airport Police and
26 ARFF positions, the Law Enforcement Pay Plan restricts the GIAA Board from
27 migrating the Airport Police and ARFF positions to GIAA’s CTP pay plans.

1 Additionally, slotting, classification, and increments are all done on an *ad hoc* basis,
2 shifting between the GIAA CTP Rules and the government of Guam Law
3 Enforcement Pay Plan. This has created a disparity between GIAA Airport Police
4 and ARFF positions as opposed to other GIAA CTP employees.

5 Thus, to clarify the current statutory scheme and eliminate the bifurcation of
6 Airport Police and ARFF positions, and GIAA CTP positions for some purposes but
7 not others, *I Liheslaturan Guåhan* intends to place the Airport Police and ARFF
8 positions on the GIAA CTP pay scales.

9 **Section 2.** A new Subsection (i) is hereby *added* to § 1112 of Article 1,
10 Chapter 1, Division 1, Title 12, Guam Code Annotated:

11 “(i) The GIAA Certified, Technical, and Professional Rules shall apply to
12 the selection, compensation, promotion, performance evaluations, disciplinary
13 action, and other terms and conditions of employment of airport police and aircraft
14 rescue and firefighting positions. Notwithstanding any other provision of law, within
15 ninety (90) days of the enactment of this Subsection (i), the GIAA Board shall slot
16 airport police officer and airport rescue firefighter positions at the Authority on the
17 GIAA Certified, Technical and Professional positions pay scales authorized by 12
18 GCA, Chapter 1, § 1112(h) in accordance with the foregoing.”

19 **Section 3. Effective Date.** This Act shall be effective upon enactment.

20 **Section 4. Severability.** If any provision of this Act or its application to any
21 person or circumstance is found to be invalid or inorganic, such invalidity shall not
22 affect other provisions or applications of this Act that can be given effect without
23 the invalid provision or application, and to this end the provisions of this Act are
24 severable.