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Governor
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Lieutenant Governor

GOVERNMENT OF GUÁHAN
(GUBETNAMENTON GUÁHAN)

DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)

HUMAN RESOURCES DIVISION
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HRD POLICY AND STANDARD OPERATING PROCEDURE

SUBJECT: Pay Slotting Procedures relative to the Request for Review Process as a result of the implementation the Government of Guam Competitive Wage Act of 2014.

INQUIRIES: Human Resources Division, Classification and Pay Branch

I. STATEMENT OF POLICY: It is the policy of the Director of Administration to ensure pay slotting information for all employees consistent with the policies and procedures for the following pay plans:

- General Pay Plan
- Nurse Pay Plan
- Educator Pay Plan
- Attorney Pay Plan
- Executive Pay Plan

The slotting information includes your current pay grade and step and the pay grade and step or salary you were slotted or placed at under the Pay Plans identified above. The Director of Administration is to ensure equitable compensation for employees working for the Executive Branch and under the purview of the Department of Administration.

II. STATEMENT OF PRACTICE: Due diligence will be taken by appointing authorities to identify, verify, and ensure funding availability.

III. REFERENCES: Pursuant to Guam Code Annotated § 6302, Title 4, Guam Code Annotated and in accordance with Public Law 28-68, the Department of Administration (DOA) is mandated with the responsibility of all non-adjudicatory functions, to include compensation. Additionally, the DOA is also mandated with the responsibility of insuring the Government of Guam's compensation policy is both internally equitable and externally competitive. Further it is also tasked with the responsibility of insuring that compensation policies are administered equitably and uniformly.

IV. APPLICABILITY: The Competitive Wage Act of 2014 (CWA-2014) Request for reviews for job re-evaluation shall be based upon duties and responsibilities that were submitted in late 2008 and it not meant to reflect changes in the job duties that have occurred since that time. In the event, an employee's job duties and responsibilities have changed since the submission of the Position Description Questionnaires (PDQs) in 2008, a reclassification request may be done via the regular classification process and submitted through your agency head in accordance with Rule 5.011(or similar rule as applicable). Employees may submit their requests beginning March 3, 2014 to their respective department/agency. The Department of Administration, Human Resources Division officially accepted "Administrative Reviews" in both hard copy and electronic format from June 02, 2014 and June 27, 2014.

V. **PURPOSE:** The purpose of this SOP is to establish policies and procedures to standardize the pay slotting procedures for position affected by the Job Re-Evaluation Review Process.

VI. **BACKGROUND:**

On August 31, 2006, Executive Order 2006-21 ordered the DOA to begin efforts in obtaining the services of a private firm to conduct a Comprehensive compensation review to update the Unified Pay Schedule and to conduct compensation training to Human Resources staff. It also ordered the DOA to begin gathering all resources necessary to conduct the comprehensive review and to work collaboratively with autonomous, semi-autonomous, public corporations, instrumentalities, etc., within the Executive Branch, as well as the Judicial Council of Guam, to complete compensation review.

On January 3, 2008, Public Law 29-52, Section 13 appropriated Five Hundred Thousand Dollars (\$500,000) for the purpose of contracting with a consultant who is an expert on classification and compensation for public employment to conduct a study of all government of Guam positions, including those in autonomous, semi-autonomous, and non-autonomous agencies, public corporations and all instrumentalities, and the Judiciary, to update the Unified Pay Schedule.

On September 1, 2010, Public Law 30-196, Section 7 appropriated the sum of Thirteen Million One Hundred Fourteen Thousand Five Hundred Ninety-six Dollars (\$13,114,596) for the purpose of implementing salary adjustment as recommended by the comprehensive Government-wide Position Classification, Compensation and Benefits Study Plan, conducted by the Hay Group, Inc. pursuant to Section 13 of Public Law 29-52, and the Governor's Executive Order No. 2006-21. This appropriation preceded transmittal by *I Maga'lahi to I Liheslatura Guahan* of a final, implementable Plan to adjust compensation, classification and benefits and only effective upon formal adoption by *I Maga'lahi* of the Plan consistent with the Hay Group, Inc. recommendations and consistent with provisions of Public Law 30-196. However, *I Liheslatura Guahan* restricted the use of appropriated funds authorized for salary adjustments of permanent classified personnel filling authorized full-time equivalent (FTE) positions approved in the department or agency's Fiscal year 2010 budget and as recommended by the study authorized by Public Law 29-52, and Executive Order No. 2006-21. It was not the intent of the *I Liheslatura Guahan* to include unclassified or non-permanent employees.

On September 23, 2010 and October 29, 2010, Executive Orders 2010-24 and 2010-25 were promulgated respectively. The Executive Orders prompted the DOA to implement the provisions of Public Law 30-196 specific to the adoption of the Government of Guam Competitive Wage Act of 2011 in line with appropriated amounts. Executive Order 2010-24 and 2010-25 also adopted policies and procedures for said implementation to replace all existing pay policies, rules and regulations.

On January 14, 2011, Executive Order 2011-02 was signed and promulgated relative to rescinding Executive Order No. 2010-24 and Executive Order 2010-25 effective 12:00 a.m., Sunday, January 30, 2011. This was done on the basis that the adoption of the salary increases authorized by said Executive Orders were done so upon the "availability of funding" and that the DOA's Cash Flow Projection for Fiscal Year 2011 submitted to the Transition Committee's Finance Subcommittee on December 21, 2010, reflected negative cash balances substantially to the end of the fiscal year. DOA had identified potential liabilities that were not programmed into the cash flow projection which had contributed to the negative cash balance which prevented further administration of salary increases. These negative cash balances resulted in delays of payments to vendors as well as for in-home adult case services provided by DPHSS and other non-profit organizations, and limited or eliminated the government's ability to pay tax refunds. It was recommended that immediate action be taken to reduce cash outflows to restore government of Guam's financial stability. Citing all reasons mentioned above, Executive Order 2011-02 temporarily suspended the adoption and implementation of the "Hay Study" until sufficient funds become available and the relative financial stability of the government of Guam was restored.

On September 11, 2013, Public Law 32-068, was signed into law. Chapter XI, Section 2 of Public Law 32-068 repealed in its entirety Section 7 and Chapter XI of Public Law 30-196. This Section also appropriated the sum of Seven Million Fifty five Thousand Three Hundred Fifty-seven Dollars (\$7,055,357) from the General Fund to fund the implementation of the Government-Wide Position Classification, Compensation & Benefits Study. The appropriation in Section 2 precedes transmittal by the *I Maga'lahi to I Liheslatura Guahan* of a final implementable plan to adjust compensation, classification and benefits for approval by the *I Liheslatura Guahan*. This section gave the *I Maga'lahi Guahan* the option to submit a plan to cover with (a) Classified Personnel only; or (b) Unclassified and Classified Personnel. The use of funds appropriated by this section of the law is only intended for salary adjustments of those personnel filling authorized full-time equivalent positions funded by the department or agency's Fiscal Year 2014 budget or as recommended in the study conducted pursuant to Section 13 of Public Law 29-52, and Executive Order 2006-21, or submitted by *I Maga'lahi Guahan to I Liheslatura Guahan* and modified by *I Liheslatura Guahan*, if necessary, prior to its adoption. This section also details the breakdown of allocation of the appropriated \$7,055,357 to include the Unified Judiciary, Guam Department of Education, University of Guam, Guam Community College, Mayor's Council of Guam, Office of Public Accountability, Office of the Attorney General, Public Defender Service Corporation and finally the Executive Branch Line Agencies.

On February 14, 2014, the results of the Government-wide Position Classification, Compensation and Benefits study conducted in 2009 was implemented as the Guam Competitive Wage Act of 2014 (CWA-2014) pursuant to the provisions of Section 2, Chapter XI, Miscellaneous Provisions of Public Law 32-068 effective January 26, 2014. Due to restrictions in funding, from the time of implementation and until full implementation is granted, incumbents on the General Pay Plan for slotting purposes will receive salary increases calculated by the difference of their salary before transition (Unified Pay Plan) and their slotted salary (General Pay Plan) divided by two which is then added to their current salary before transition.

On March 05, 2014, Public Law 32-136 lapsed into law that prioritized the funding of Classified and Unclassified employees of the government of Guam by setting the salaries of the Governor, Lieutenant Governor, Senators, The Attorney General of Guam, the Public Auditor and the appointed heads of the department and agencies of the Executive Branch to October 1, 2013 salary rates (1991 Unified Pay Plan).

On September 05, 2014, Bill 269-32(L2) was signed into law authorizing the Department of Administration for the payment of the remaining fifty percent (50%) salary adjustments as a result of the Competitive Wage Act of 2014, pursuant to the provisions of Public Law 32-181, Section 23, Chapter XI, Miscellaneous Provisions, to include retroactive payment.

On November 21, 2014, Public Law 32-208 was signed into law, an act to repeal and re-enact certain section of Public Law 32-136 and set the salary rates of the Governor, Lieutenant Governor, Senators, The Attorney General of Guam, and the appointed heads of the department and agencies of the Executive Branch, pursuant to the Competitive Wage Act of 2014.

VII. SCOPE: This SOP shall apply to all classified and/or unclassified positions, officers, employees, inclusive of the Executive Branch, autonomous and semi-autonomous agencies, public corporations, and other public instrumentalities where applicable, of the Government of Guam.

VIII. PROCEDURE:

Step 1. The Appointing Authority shall submit a Request for Personnel Action (GG-1), requesting a Pay Grade Re-assignment (CWA-AR) (Nature of Action) The GG-1's shall be prepared by the requesting department and routed to the Bureau of Budget and Management Research (BBMR) for certification of availability of funds and approval by the Director, BBMR, with the exception of the Office of the Public Auditor who may submit the GG-1 directly to the Department of Administration.

Step 2. Upon BBMR approval, the Human Resources Division will verify the employee's current pay grade. Incumbents shall be straight slotted (closest to and not less than) or placed into the assigned grades and ranges of positions within the Hay plans. No employee whose position is to be transitioned into the new pay grade re-assignment as a result of the CWA-2014 Administrative Review Process shall receive a base salary reduction.

IX. RESPONSIBILITIES:

Appointing Authorities – Will provide all documentation deemed necessary by the Director of Administration to the Department of Administration for review.


Department/ Agency Authorized Staff – Will ensure that these policies and procedures are applied accordingly to all eligible employees holding the official position title.

Human Resources Division – Will review Requests for Personnel Actions (GG1's) and verify that the salary and in accordance with established practices and procedures. Will provide appropriate training to ensure these policies and procedures are followed accordingly.

X. INTERNAL CONTROL: The Regulatory and Compliance Branch is responsible for monitoring general adherence to the above procedures by the Human Resources Division staff.

XI. TRAINING REQUIREMENTS: All authorized staff shall receive training as appropriate on established procedures and criteria to ensure its fair and proper application.

XII. EFFECTIVE DATE: January 1, 2018 or contingent upon availability and authorization of funding.

<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved
	
CHRISTINE W. BALETO, Director Department of Administration Date: JUN 07 2016	


SHANE G.L. NGATA
Personnel Services Administrator