



EDWARD M. BIRN  
Director (Direktot)

EDITH C. PANGELINAN  
Deputy Director (Sigundo Direktot)

**DEPARTMENT OF  
ADMINISTRATION**  
DIPATTAMENTON ATMENESTRASION

DIRECTOR'S OFFICE  
(Ufisinan Direktot)

Telephone (Telifon): (671) 475-1101/1250 • Fax (Faks): (671) 477-6788



LOURDES A. LEON GUERRERO  
Governor (Maga'håga)

JOSHUA F. TENORIO  
Lt. Governor (Sigundo Maga'låhi)

April 13, 2020

**DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO.: 2020- 012**

MEMORANDUM

To: All Line Department and Agency Heads and employees

From: Director, Department of Administration

Subject: **Novel Coronavirus (COVID-19)**  
**RE: Essential Employee Designation**

***Buenas yan Håfa Adai!*** The island of Guam is in an unprecedented moment in time and on March 14, 2020, the "*Maga'håga Guåhan*, Governor of Guam, declared a public health emergency under her authority under the Organic Act of Guam and Chapter 19, Title 10 of the Guam Code Annotated, due to the worldwide pandemic of the Novel Coronavirus (COVID-19). The government of Guam and its employees provide critical services to the people of Guam everyday and we are working to ensure government departments/agencies provide critical services while also safeguarding the health and wellbeing of government employees. This responsibility to continue the operations of the government, during this emergency when the need for services remain paramount, you; our valued and dedicated employees are essential to carrying out the required mandates for each department/agency.

Therefore, in accordance with Executive Order 2020-08, dated on April 5, 2020, a mechanism was designed to compensate employees that are exposed while working during the pandemic. An employee will receive the differential duty pay for the hours worked and/or exposed to a hazardous condition. (i.e., If you an employee who worked an eight-hour shift, and four hours are exposed to the hazardous or environmental conditions, only the four hours of exposure will receive the pay differential) in one of the following three (3) categories:

- **Category 1: Twenty-five percent (25%)** pay differential to essential employees in the course of their duties are in direct contact or in close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19. Such positions may include, but not limited to sworn public safety/law enforcement, health care providers, and other positions performing essential critical mission duties; **or;**

- **Category 2: Fifteen percent (15%)** pay differential to essential employees in the course of their duties may incidentally come into contact with or close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19. These employee may also be providing humanitarian services or direct public assistance to the general public; **or;**
- **Category 3: Ten percent (10%)** pay differential to essential employees whose positions do not allow them to telework and are mandated to perform their job duties at physical worksites pre-determined by their agency heads, required by the Government's response to the COVID-19 pandemic.

The Department of Administration (DOA) is directed to identify essential personnel by the terms of Executive Order 2020-08 and is committed to collect and analyze such information as it will enable the Government to secure maximum reimbursement of costs from Federal sources. All departments/agencies are tasked to submit weekly Emergency Individual Payroll Summary (IPS) timesheets. The IPS timesheet is to reflect the essential employee's location, exposure to the COVID-19, a brief description of exposure and to identify the differential pay category identified by Executive Order 2020-08; so cost associated with COVID-19 are properly allocated and documented.

Agency Directors are reminded of the terms of Executive Order 2020-03 and 2020-04, dated March 16, 2020, and non-essential Government of Guam offices are closed and such services are suspended. Essential employees are those who provide vital critical support to the department/agency in the event of a natural disaster or an emergency and without whom the department/agency will be unable to reduce or suspend operations. Furthermore, essential employees are required to report to work and/or be available in on-call status to ensure the continuation of critical operation. The immediate supervisor shall identify the services that are determined to be critical to the department/agency and its operations. Essential personnel shall be identified and approved by the appointing authority and will be contacted by the immediate supervisor to report for duty. It is important to note, all "non-essential" employees are required to stay home unless contacted by their immediate supervisor to report for duty. Employees who fail to comply with such directive are subject to disciplinary action, up to and including dismissal.

In addition, if an essential employee is unable to report for duty for any reason, the employee would be required to use their accrued annual leave, sick leave, donated leave, or leave without pay for work time missed. Employees who can work remotely may do so in consultation with their supervisors. Employees without available leave (their own or donated) who are unable to work remotely would be subject to leave without pay.

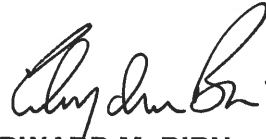
The safety of Government employees is a paramount concern of the Department of Administration. Supervisors must ensure that adequate protection is available to and used by personnel who may have contact with a dangerous biological agent, including COVID-19, and that they perform their duties in such a manner as not to exacerbate a hazardous situation for themselves or fellow workers.

Should an employee exhibit or disclose symptoms consistent with COVID-19, they will be asked to leave work and self-quarantine. The appointing authority must provide employees with a workplace that is safe and free from recognized hazards, in accordance with the U.S. Occupational Safety and Health Administration (OSHA) Act of 1970. According to the Center for Disease Control (CDC), symptoms include fever, cough, and shortness of breath and the employee should stay at home and follow normal "calling-out" procedures within their respective departments/agencies.

If an employee begins to feel sick while at work, they should contact their immediate supervisor about the possible need to go home as they would with any other illness.

Please be advised that employees' medical conditions are protected health information and shall not be public. Under EEOC guidelines the current pandemic is a 'direct threat' and voluntary disclosure of such information may be used to determine if an employee is unsuitable but this information must be kept confidential.

Should you have any questions, please contact the Department of Administration, Human Resources Division at 475-1288 or 475-1141. ***Dangkolo na Agradesimiento!***



**EDWARD M. BIRN**