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LOURDES A. LEON GUERRERO
Governor (Maga'hága)

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

January 25, 2022

HRD No.: 22-098

MEMORANDUM

To: Director, Department of Administration

From: Personnel Services Administrator, Human Resources Division

Subject: Government of Guam Competitive Wage Act of 2014
RE: Implementation of the Department of Administration Policies and Procedures Amendment No. 1

Buenas yan Hafa Adai! On February 14, 2014, the results of the Government-wide Position Classification, Compensation and Benefits study conducted in 2009 was implemented as the Government of Guam Competitive Wage Act of 2014 (CWA of 2014) Plan pursuant to the provisions of Section 2, Chapter XI, Miscellaneous Provisions of Public Law 32-068 effective January 26, 2014. As part of the implementation process, our Department developed and implemented the CWA of 2014 - Department of Administration Policies and Procedures as guidance for personnel offices on how to appropriately administer and implement its five (5) pay plans, namely the General Pay Plan (GPP), Nurse Pay Plan (NPP), Educator Pay Plan (EDU), Attorney Pay Plan (ATTY), and the Executive Pay Plan (EXEC). These policies and procedures state that they may be amended as deemed appropriate by the Director of Administration.

On January 18, 2022, the Governor of Guam signed Executive Order 2022-01, which established a Law Enforcement Pay Plan within the Competitive Wage Act Plan. The Executive Order further stated that this law enforcement pay plan be implemented pursuant to the provisions of the Government of Guam Competitive Wage Act and Department of Administration (DOA) Policies and Procedures with any adjustments to salaries resulting from the adoption of this pay plan be effective on January 30, 2022.

In order to properly execute the Governor of Guam's Executive Order, the current CWA of 2014 DOA Policies and Procedures must be amended since it does not include the new plan mandated by the Executive Order. This amendment will reflect the inclusion of the sixth (6th) pay plan to the CWA entitled the Law Enforcement Pay Plan (LEPP). This amendment will also provide the guidance necessary to properly administer the pay and pay categories of employees who hold positions under this new pay plan, as well as provide other needed changes based on the years that have passed since their original implementation.


Attached is Amendment No. 1 to the Government of Guam Competitive Wage Act of 2014, Department of Administration Policies and Procedures, which upon your approval shall be implemented prospectively. *Dangkolo na Agradesimiento!*



SHANE G.L. NGATA

Attachments

APPROVED
 DISAPPROVED



EDWARD M. BIRN, Director
Department of Administration
Date: 1/28/22



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LOURDES A. LEON GUERRERO
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**GOVERNMENT OF GUAM COMPETITIVE WAGE ACT OF 2014
DEPARTMENT OF ADMINISTRATION
POLICIES AND PROCEDURES:
AMENDMENT NO. 1**

The amendments to the Government of Guam Competitive Wage Act of 2014 (herein referred to as CWA of 2014), are effective the date signed by the Director of Administration and shall be implemented prospectively, and will not affect any official actions prior to its effective date.

The amendments to the CWA of 2014 are as follows:

Page 1, last paragraph indicating the CWA of 2014 pay plans is amended as follows:

These policies and procedures shall be utilized to implement the following pay plans:

1. General Pay Plan (GPP)
2. Nurse Pay Plan (NPP)
3. Educator Pay Plan (EDU)
4. Attorney Pay Plan (ATTY)
5. Executive Pay Plan (EXEC)
6. Law Enforcement Pay Plan (LEPP)

Note: Pursuant to E.O. 2022-01, the Law Enforcement Pay Plan 2021 (herein referred to as "LEPP"), has been incorporated into the CWA of 2014, and replaced the Public Safety & Law Enforcement Pay Scale: P.L. 29-105. The CWA of 2014 now consists of six (6) Pay Plans.

Section III. New Appointments, B. 4. is amended as follows:

4. **All Other Unclassified Positions and Elected Officials**
 - a. All other unclassified positions not addressed above may be hired (or receive a pay adjustment after hire) between the minimum and Step 10 of the assigned pay grade at the discretion of the appointing authority.
 - b. Step 10 shall be the maximum step for slotting. Further adjustments beyond Step 10 at the discretion of the appointing authority (in reference to pay adjustments), shall require a performance evaluation pursuant to Section IV of these Policies and Procedures for unclassified employees.

Section IV. Performance Based Pay Adjustments is amended in its entirety as follows:

A. Classified Employees

1. Every classified employee within the GPP, NPP, and EDU plans shall be compensated based on satisfactory or outstanding performance. Employees shall be entitled to a one-step salary increment between Steps 1 through 7 after twelve (12) months, between Steps 7 through 9 after eighteen (18) months, and between Steps 10 through 18 after twenty-four (24) months of satisfactory or outstanding performance in the appropriate pay plan. A 3.1% pay adjustment will be added beyond Step 18 based on a satisfactory or outstanding performance.
2. Every classified employee within the ATTY Pay Plan shall be compensated based on satisfactory or outstanding performance. Employees shall be entitled to a one-step salary increment between Steps 1 through 7 after twelve (12) months, between Steps 7 through 9 after eighteen (18) months, and Steps 10 and beyond after twenty-four (24) months of satisfactory or outstanding performance. A 3.1% pay adjustment will be added beyond Step 10 based on a satisfactory or outstanding performance.
3. Every classified employee within the LEPP Pay Plan shall be compensated based on satisfactory or outstanding performance. Employees shall be entitled to a one-step salary increment between Steps 1 through 7 after twelve (12) months, between Steps 7 through 9 after eighteen (18) months, and between Steps 10 through 20 after 24 (twenty-four) months of satisfactory or outstanding performance in the appropriate pay plan. A 3.5% pay adjustment will be added beyond Step 20 based on a satisfactory or outstanding performance.

B. Unclassified Employees

1. Pay adjustments beyond Step 10 may be granted at the discretion of the appointing authority and shall require a performance evaluation every 24 months of satisfactory performance.

Section VI., Demotion, Voluntary Demotion, Demotions from above Step 18 is amended as follows:

Demotions Beyond Step 18: If after following the slotting procedure described under Demotions from Step 1 through Step 18, the salary results are beyond Step 18 of the target pay range, the employee's salary shall be derived by multiplying 3.1% of Step 18 until the salary closest to but not more than the employee's salary prior to the demotion is reached.

Example: A Criminalist III at pay grade N, Step 10 at \$61,796 accepts a voluntary demotion to a Criminalist I at pay grade K. Calculation of the employee's salary shall be derived as follows:

Step 18 of Pay Grade K, is \$59,768. Add 3.1% to Step 18 as many times as necessary as long as the result is not more than the employee's salary prior to the demotion which is \$61,796. The end result shall be the employee's demoted salary which beyond Step 18:

Calculation 1: $\$59,768 \times 3.1\% = \$61,621$

Calculation 2: $\$61,621 \times 3.1\% = \$63,531$

Since Calculation 2 is over the employee's salary prior to the demotion, the employee's demotion salary shall be the result under Calculation 1: \$61,621.

Note: For Demotions under the LEPP where the salary results are beyond Step 20, the slotting procedure is the same except the percentage of 3.5% is used for positions covered by the LEPP, or when demoting from a non-LEPP position into a LEPP covered position. If a demotion is from a LEPP covered position to a non-LEPP position where the salary results are beyond Step 20, then 3.1% shall be utilized to calculate the appropriate slotted salary.

Section VII. Transfers between Pay Plans is amended in its entirety as follows:

VII. Transfers between CWA Pay Plans

A. General Pay Plan (GPP) Transfers:

1. Lateral Transfers (Same Pay Grade and Title)
2. Transfer – Change of Position Title (Same Pay Grade)

B. Non-General Pay Plan (EDU, NPP, LEPP, ATTY) Transfers:

1. Transfer – Promotion (Refer to Section V)
2. Transfer – Demotion (Refer to Section VI)

Note: Pay Grades are not considered when determining movement between Non-General Pay Plans. The maximum salary of the target position is the driving factor for determination. Please see Promotion and Demotion guidelines.


Section VIII. Transfers from External Pay Plans is amended in its entirety as follows:

VIII. Transfers from Non-CWA (External) Pay Plans

1. Same position transfers from Non-CWA (External) Pay Plans shall be straight slotted (closest to and not less than) or placed into the assigned grades/levels and ranges of positions within the GPP, EDU, NPP, LEPP, and ATTY pay plans.
2. Transfers from Non-CWA (External) Pay Plans that result in a promotion shall be straight slotted (closest to and not less than) or placed into the assigned grades/levels and ranges of the positions within the GPP, EDU, NPP, LEPP, and ATTY pay plans.
3. Transfers from Non-CWA (External) Pay Plans that result in a demotion shall be straight slotted (closest to and not more than) or placed into the assigned grades/levels and ranges of the positions within the GPP, EDU, NPP, LEPP, and ATTY pay plans.

Note: Pay Grades are not considered when determining movement between different pay plans (i.e., pay plans from autonomous agencies, public corporations, etc. which are non-CWA pay plans). Maximum salary of the target position is the driving factor for determination of salary adjustments. The compensation of employees based on transfers "to" Non-CWA (External) Pay Plans are governed by the various compensation laws, rules, regulations and policies of the governmental entity that the employee is transferring into.

Approved by:


EDWARD M. BIRM, Director
Department of Administration

02/02/22
Date