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**DEPARTMENT OF
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DIPATTAMENTON ATMENESTRASION

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

10/11/24

October 15, 2024

Department of Administration Organizational Circular No.: 2025-002

Memorandum

To: All Line Department and Agency Heads
From: Director, Department of Administration
Subject: Personnel Alert and Guidance on Leave of Absence from Employment
RE: Administrative Leave to Vote or to Serve as Precinct Board Member

Hafa Adail! The General Election will be held on Tuesday, November 5, 2024 on Guam. Polls will be open from 7:00 a.m. to 8:00 p.m.

There are two (2) Guam laws that specifically require all employers, both in the private sector and in the government sector, to grant every employee to absent himself or herself from any service or employment in which he or she is then engaged or employed either to vote or to serve as precinct board members relative to the General Election. This circular is to provide notice to the employers and employees from the time of opening and the time of closing of the polls during the General Election Day and how it works.

Title 3 Guam Code Annotated (GCA) Chapter 9 Conduct of Election, §9125, and Chapter 4 Precincts and Precincts Boards, §4116, specifically states the following provision:

§9125. Leave of Absence From Employment to Vote.

- (a) Every voter shall be entitled, on the day of every election at which he or she is entitled to vote, to absent himself or herself from any service or employment in which he or she is then engaged or employed for two (2) consecutive hours between the time of opening and the time of closing of the polls. The voter shall not be liable to any penalty, nor shall any deduction be made on account of such absence, from his or her usual salary or wages, nor shall the voter be suspended or discharged from his or her service or employment. Any violation of this provision shall be reported to the Guam Department of Labor for enforcement, and may subject an employer to pay a fine.
- (b) A voter who unilaterally absents himself or herself from employment for the purpose of voting shall provide to his or her employer evidence from GEC that he or she had voted during the hours of his or her absence. And;

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§4116. No Loss of Wages for Precinct Board Members.

Any member of a precinct board may, on the day of an election in which he or she is serving, absent himself or herself from any service or employment in which he or she is then engaged or employed. The precinct board member shall not be liable to any penalty, nor shall any deduction be made from his or her usual salary or wages, nor shall he or she be suspended or discharged from his or her service or employment. Any violation of this provision shall be reported by the precinct board member to the Guam Department of Labor for enforcement and may subject an employer to pay a fine.

Employers are encouraged to work with employees to manage and arrange for scheduled leave, as necessary to accommodate an employee's desire to vote or to serve as precinct board members relative to the General Election. Employees are also responsible for notifying and providing the necessary evidence from the Guam Election Commission that they voted or served as precinct board member during their absence from employment.

As a reminder, when the employee submits their notification in writing, ensure the appropriate leave form is completed and signed, and that the evidence from Guam Election Commission that he or she had voted or served as a precinct board member is attached.

If you have any questions contact your respective department's Personnel Officer and/or the Employee-Management Relations Branch of the DOA Human Resources Division, at (671)475-1185/1120/1249. ***Si Yu'os Ma'ase.***



Edward M Birm
Date 2024-10-14
T 11:35:16+10:00

EDWARD M. BIRN

Attachment



I VOTED TODAY!

The bearer of this note voted in the
20 24 General Election
(Year) (Primary or General)

in Hagåtña at 12:30 am/pm
(District or Precinct) (Time)

M. Pangelinan
Precinct Official
(Print name and title)

11/5/24
(Date)