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11/14/24

November 15, 2024

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO. 2025-006

To: All Department/ Agency Heads
From: Director of Administration
Subject: Hazardous/Environmental Pay Form and Procedures Update

Buenas yan Håfa Adai! The Hazardous/Environmental Pay Policy and Procedures were amended by the Guam Civil Service Commission in March 2000, however, the authority for implementing uniform differential pay policy now rests with the Department of Administration, pursuant to 4 Guam Code Annotated, Chapter 6, §6304. As a result, the Hazardous/Environmental Pay Request Form and the routing procedures have been updated to include routing procedures pursuant to Public Law 33-195, which allows certain departments/agencies (namely law enforcement) to submit pay differential requests directly with the Department of Administration.

In order to assist departments and agencies with their Hazardous/Environmental Pay requests, the request form was developed using Excel application software and includes memorandum templates which can be used to facilitate the preparation and transmittal of necessary documents. The Excel Workbook template is posted as a resource under the DOA-HR website at <https://hr.doa.guam.gov/resources/>. Hard copies are attached for your review.

Your immediate attention to this matter is greatly appreciated. Should you have any questions, please contact the Classification Branch at 475-1131/1201/1265. ***Dångkolo na Agradesimiento!***


EDWARD M. BIRN

Attachments

**DEPARTMENT OF ADMINISTRATION
HUMAN RESOURCES DIVISION
POLICY & PROCEDURE**

SUBJECT: HAZARDOUS/ENVIRONMENTAL PAY REQUESTS	APPROVED BY:  SHANE G.L. NGATA, Personnel Services Administrator	EFFECTIVE DATE: 11/03/23	PAGE 1 of 2
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PURPOSE:

To continue with existing policy and procedures for assessing and recommending approval of hazardous and environmental pay differential requests pursuant to the policy established by the Guam Civil Service Commission (amended March 1, 2000 – copy attached). To update the Pay Request Form (using an Excel Workbook) and the pay request procedures as presented herein.

POLICY:

The Director of the Department of Administration (DOA) is mandated by 4GCA § 6304 to establish and implement uniform differential pay policies. In addition, through statute and Executive Order, management must assure every employee of the government of Guam a safe workplace and healthful working conditions free from recognized hazards that may cause or are likely to cause death or serious physical harm.

AUTHORITY:

10GCA, Chapter 87 – Occupational Safety and Health Code; Public Law 19-19, § 87125 – Employees Not Be Compelled to Work in Unsafe Conditions; Executive Order 88-9, dated March 22, 1988 – Guam Occupational Safety and Health Act Policy and Commitment; DOA Personnel Rules and Regulations, Chapter 9 – Health and Safety, Rule 9.200 – Safety Standards; CSC Hazardous-Environmental Pay Policies and Procedures; 4GCA, § 6222 – Corrections Officers Hazardous Pay; 4GCA, § 6224 – Police and Customs Officers Hazardous Pay; 4GCA, § 6225 – Hazardous Duty Positions Identified; 4GCA § 6225.1 – Hazardous Pay Differential for Employees of Guam Behavioral Health and Wellness Center;

COVERAGE:

All employees occupying classified or unclassified positions. Note: The procedure outlined below shall be followed beginning with Step 1 with the exception of departments/agencies identified under Public Law 33-195 who may submit pay differential requests directly with the Department of Administration by completing Steps 1-3, but skipping Steps 4, 5, and 6 (the GOSH review), and then continuing at Step 7.

PROCEDURE:

- Step 1.** Immediate Supervisor - IS determines the existence of a temporary and unusual hazardous working condition. The Immediate Supervisor completes the “Supervisor’s Section” of the Hazardous/Environmental Pay Request Form - PRF (see link to excel workbook - hard copies attached) by identifying each position and a corresponding category of each hazard (i.e. Customer Service Representative: a. Mentally Ill, Emotionally Disturbed – 10%; b. Communicable/Infectious Disease – 8%; etc.) and attaches any supporting documents.
- Step 2.** Immediate Supervisor forwards the completed Pay Request Form to the Department Head - DH for review.

- Step 3.** Department Head reviews the **PRF** and if he/she concurs – has funds certified accordingly, and then the Immediate Supervisor proceeds to Step 4 for GOSH review or directly to Step 7 if request is coming from a Department/Agency exempt from GOSH review. If the DH does not concur, the pay request ends. (Note: **DH** must notify the **IS** within ten (10) working days if the request form is denied due to non-concurrence.)
- Step 4.** Immediate Supervisor transmits the **PRF** to the Guam Occupational Safety and Health Administrator, Department of Labor, with a written request ensuring that Parts I, II, and III of the **PRF** is completed along with copies of a Position Description Questionnaire (PDQ) for each position impacted.
- Step 5.** The GOSH Administrator conducts his or her review and inspection and completes the appropriate sections of the **PRF**, makes a determination and provides a recommendation. The completed **PRF** is then returned to the requesting Department or Agency.
- Step 6.** The requesting Department/Agency then forwards the completed **PRF** and GOSH recommendation to DOA.
- Step 7.** DOA Review - the DOA Classification and Pay Branch reviews the **PRF** and the GOSH Administrator's recommendation(s) or the **PRF** and the recommendation of a department/agency exempted from going directly to GOSH along with copies of a Position Description Questionnaire (PDQ) for each position impacted. The assigned Specialist will complete the **PRF** – research and document any comments and make the appropriate recommendation for the Director of Administration's review and attach any supporting documents. The completed **PRF** is then forwarded to the Director of Administration for final review.
- Step 8.** Upon approval by the Director of Administration of the duty pay differential, the Classification and Pay Branch shall inform DOA, Payroll Division, and transmit a copy of the completed **PRF** and any supporting documents.

RESPONSIBILITY:

Management and Supervisors – Focus efforts on eliminating and/or reducing any health and/or safety hazards to the lowest possible level, and implementing safe working condition policies and procedures. If employees are required to work under temporary hazardous/environmental conditions, the appropriate pay differential request shall be made to compensate employees accordingly. Completed and authorized **PRF**'s and any supporting documents are forwarded by **HR** to DOA Payroll for processing.

Attachments

1. CSC Hazardous-Environmental Pay Policy and Procedures;
2. Hazardous/Environmental Duty Pay Request Form (Excel Workbook – go to <https://hr.doa.guam.gov/resources/>) which includes: a) Pay Request Form Template; Table of Hazardous/Environmental Duty Categories; and b) Cover Memo Templates to DOL GOSH and from Department to DOA after GOSH certification; and c) Cover Memo to DOA from Exempt Department or Agency.

November 7, 2024

MEMORANDUM

TO: Director, Department of Labor
Attn: Administrator, Guam Occupational Safety and Health

VIA: Department Head
Department Name

FROM: Title of Supervisor

SUBJECT: **Request for Certification of Pay Differential**
RE: Temporary Hazardous/Environmental Working Conditions

This is to request your approval to certify that hazardous/environmental working conditions exist as described in the attached form. Please see information provided to include any additional attachments.

Dept/Division/Unit: _
Location of Hazardous/Environmental Condition: _
Recommended Pay Differential:

Employees impacted. See below or attached list.

Name: _	Title: _
Name: _	Title: _
Name: _	Title: _

If you have any questions, please call: contact number(s)

NAME OF SUPERVISOR

Attachment

November 7, 2024

MEMORANDUM

TO: Director, Department of Administration

FROM: Department Head
Department Name

SUBJECT: **Request for Approval of Pay Differential**
RE: Temporary Hazardous/Environmental Working Conditions

This is to request your approval to concur with the Guam Occupational Safety and Health recommendation that a pay differential is in order for the employees listed and for the hazardous/environmental conditions described. Please refer to the attached completed Pay Request Form.

Dept/Division/Unit: _____
Location of Hazardous/Environmental Condition: _____
Recommended Pay Differential:

Employees impacted. See below or attached list.

Name: _____	Title: _____
Name: _____	Title: _____
Name: _____	Title: _____

Upon your approval, a copy of the Pay Request Form shall be forwarded to the DOA Payroll Office. Thank you for your support and assistance.

NAME OF DEPARTMENT HEAD

Attachment

November 7, 2024

MEMORANDUM

TO: Director, Department of Administration

FROM: Exempt Department/Agency Head
Exempt Department/Agency Name

SUBJECT: **Request for Approval of Pay Differential**
RE: Temporary Hazardous/Environmental Working Conditions

This is to request your approval to grant a duty pay differential for the employees listed below and/or in the attached list. Please refer to the attached completed Hazardous/Environmental Pay Request Form.

Dept/Division/Unit: _
Location of Hazardous/Environmental Condition: _
Recommended Pay Differential:

Employees impacted. See below or attached list.

Name: _	Title: _
Name: _	Title: _
Name: _	Title: _

Upon your approval, a copy of the Pay Request Form shall be forwarded to the DOA Payroll Office. Thank you for your support and assistance.

NAME OF EXEMPTED DEPT HEAD

Attachment

HAZARDOUS/ENVIRONMENTAL PAY REQUEST FORM

(Note: For Exempted Departments/Agencies - GOSH Recommendation is not required.)

November 7, 2024

PART I - Dept/Division/Unit: _____

Location of Hazardous/Environmental Condition: _____

Purpose of Work Activity (Why the work or job must be performed?):

Amount of time needed to complete work activity:

Specific Description of Hazardous/Environmental Condition (Why is it considered hazardous?): See Table

Actual amount of time exposed to the hazardous condition:

Dates/Period - From: _____ To: Total Days

Recommended Pay Differential:

Employees impacted. See below or attached list accompanied by completed Position Description(s) (PDQ).

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Could hazardous condition be mitigated? If not, why not?

Accident and injury history involving the prescribed work activity (past 5 years), if any. Previous accidents or injuries that occurred from exposure to similar conditions in the past. If none, please indicate none.

DATE	LOCATION OF INJURY	TYPE OF INJURY	LOST WORK DAYS	CORRECTIVE ACTION TAKEN

Name and Title of Supervisor: _____

SIGNATURE

PART II - DEPARTMENT HEAD REVIEW - Date Received: **CONCUR:** **DO NOT CONCUR:**

Remarks: _____

Director's Signature: _____ Date: _____

PART III - CERTIFICATION OF FUNDS: Recommended Pay Differential:
 AVAILABLE NOT AVAILABLE

Certifying Officer's Signature: _____ Date: _____

DEPARTMENT OF LABOR, GUAM OCCUPATIONAL SAFETY AND HEALTH REVIEW - Date Received:

Inspection/Investigation Comments: _____

GOSH Recommendation: _____

CERTIFIED NOT CERTIFIED

GOSH ADMINISTRATOR'S SIGNATURE Date

Government of Guam
HAZARDOUS/ENVIRONMENTAL PAY POLICY & PROCEDURES

APPENDIX A

TABLE OF HAZARDOUS/ENVIRONMENTAL DUTIES

The following table shall be used by the department or agency Head when authorizing pay differentials for employee(s). The allocated percentage shall be calculated by multiplying the employee's hourly rate times the number of hour(s) the hazardous/environmental duty was performed.

CATEGORY OF HAZARDOUS/ENVIRONMENTAL DUTY	DIFFERENTIAL RATE (%)
Cold Work: Working in cold storage or other climate controlled areas where the employee is subjected to temperatures at or below freezing (32 degrees Fahrenheit) where such exposure is not practically eliminated by mechanical equipment or protective devices being used	4%
Hot Work: Working in spaces wherein the employee is subjected to temperatures in excess of 110 degrees Fahrenheit.	Physical Hardship 4%
Exposure to burning gasoline/fuel as a result of vehicular accidents/impacts where such exposure is not practically eliminated by mechanical equipment or protective devices being used	Hazardous Condition 25%
High Voltage Electrical Energy: Working on energized electrical lines rated at 4,160 volts or more which are suspended from utility poles or towers, when adverse weather conditions such as steady rain, high winds, lightning, or similar environmental factors make the work unusually hazardous.	50%
Work in Open Trenches: Work in an open trench five (5) feet deep or more until proper shoring has been installed.	25%
Explosives Incendiaries: Working with or in close proximity to any situation where explosives incendiaries are being handled	25%

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APPENDIX A

CATEGORY OF HAZARDOUS/ENVIRONMENTAL DUTY	DIFFERENTIAL RATE (%)
High Works: Working, training, or rappelling from any structure of at least 50 feet above the base level, ground, deck, floor, roof, etc., under open conditions, if the structure is unstable or if scaffolding guards or other suitable protective facilities are not used, or if performed under adverse conditions such as darkness, lightning, steady rain, or high wind velocity.	25%
Micro-Organisms (Low Degree Hazard): Working with or in close proximity to micro-organisms in situations for which the nature of the work does not require the individual to be in direct contact with primary containers or organisms pathogenic for man, such as culture flasks, culture test tubes, hypodermic syringes, and similar instruments, and biopsy and autopsy material and wherein the use of safety measures have not practically eliminated the potential for personal injury.	4%
Communicable/Infectious Diseases: Assigned to work with or in close proximity to micro-organisms in situations for which the nature of work requires the employee to be in direct contact with communicable/infectious diseases such as tuberculosis, human immune deficiency virus, Hepatitis B, measles, mumps, and other reportable communicable/infectious diseases.	8%
Underground Work: Work underground performed in the construction of tunnels and shafts, and the inspection of such underground constructions, until the necessary lining of the shaft or tunnel has eliminated the hazard.	25%
Work in Unsafe Structures: Work within or immediately adjacent to a building or structure which has been severely damaged by earthquake, fire, typhoon, flood, or similar cause when the structure has been declared unsafe by competent technical authority and when such work is considered necessary for the safety of personnel or recovery of valuable materials or equipment, and the work is authorized by competent authority.	25%
Asbestos: Working in an area where airborne concentrations of asbestos fibers may expose the employee to potential illness or injury and protective devices or safety measures have not practically eliminated the potential for such personal illness or injury.	8%

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CATEGORY OF HAZARDOUS/ENVIRONMENTAL DUTY	DIFFERENTIAL RATE
<p><u>Fibrous Glass Work:</u> Working with or in close proximity to fibrous glass materials which results in exposure on the skin, eyes or respiratory system to irritating fibrous glass particles or slivers where exposure is not practically eliminated by the mechanical equipment or preventive devices being used.</p>	6%
<p><u>Deep Sea Diving and Dangerous Seas:</u> Deep sea diving below twenty (20) feet requiring the use of scuba (underwater breathing apparatus) or working in dangerous water or similar factors which make the work unusually hazardous when such work is considered necessary for the rescue of human lives or the recovery of human bodies; to obtain water samples from the sewage treatment plant outfalls; and to conduct inspection, research and other activities underwater.</p>	25%
<p><u>Law Enforcement:</u> When assigned duties that expose the employee to unusually hazardous factors, the differential shall only be applicable during times of exposure.</p>	10%
<p><u>Mentally Ill, Emotionally Disturbed and Psychotic Substance Abuse Disorder Patients:</u> When confronting or working in close proximity to mentally ill or emotionally disturbed or psychotic substance use disorder patients who are unpredictably, combative or volatile.</p>	10%
<p><u>Guarding of Prisoners:</u> A uniformed officer or any employee of the government who performs the duty of guarding prisoners in transit or is otherwise exposed to a life-threatening environment with respect to incarceration of prisoners shall be entitled to hazardous pay for all periods he or she is on such duty. The differential shall be applicable only during time of exposure.</p>	10%
<p><u>Poisons (Toxic Chemicals) - High Degree Hazard:</u> Working with or in close proximity to poisons (toxic chemicals), other than tear gas or similar irritants, which involves potential serious personal injury such as permanent or temporary, partial or complete loss of faculties and/or loss of life including exposure of an unusual degree to toxic chemicals, dust, or fumes of equal toxicity generated in work situations by processes required to perform work assignments wherein protective devices and/or safety measures have been</p>	8%

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CATEGORY OF HAZARDOUS/ENVIRONMENTAL DUTY	DIFFERENTIAL RATE (%)
<p><u>Poisons (Toxic Chemicals) - High Degree Hazard (Can't):</u> developed but have not practically eliminated the potential for such personal injury.</p> <p>Examples: Handling and storing toxic chemical agents including monitoring of areas to detect presence of vapor or liquid chemical agents; examining of material for signs of leakage or deteriorated material; decontaminating equipment and work sites; work relating to disposal of deteriorated material; (exposure to conjunctivitis, pulmonary edema, blood infection, impairment of the nervous system, possible death).</p>	
<p><u>Poisons (Toxic Chemicals) - Low Degree Hazard:</u> Working with or in close proximity to poisons (toxic chemicals other than tear gas or similar irritating substances) in situations for which the nature of the work does not require the individual to be in as direct contact with, or exposure to, the more toxic agents as in the case with the work described under high hazard for this class of hazardous agents and wherein protective devices and/or safety measures have not practically eliminated the potential for personal injury.</p> <p>Examples: Handling for shipping, marketing, labeling, hauling, and storing loaded containers or toxic chemical agents that have been monitored.</p>	4%
<p><u>Dirty Work:</u> Performing work which subjects the employee to soil of body or clothing:</p> <ol style="list-style-type: none"> 1. Beyond that normally to be expected in performing the duties of the classification; and 2. where the condition is not adequately alleviated by the mechanical equipment or protective devices being used, or which are readily available, or when such devices are not feasible for use due to health considerations (excessive temperature, asthmatic conditions, etc.), or 3. when the use of mechanical equipment, or protective devices, or protective clothing results in an unusual degree of discomfort. 	4%

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CATEGORY OF HAZARDOUS/ENVIRONMENTAL DUTY	DIFFERENTIAL RATE (%)
<u>Natural Disasters:</u> Working in a hazardous environment such as high velocity wind, darkness and unsafe structure; and exposing employees to hazard duties such as evacuation, search and rescue and damage assessment efforts.	25%
<u>Low Level Aircraft Operations:</u> Low-level flights in an aircraft flying at altitudes of 200 feet and under while conducting wildlife surveys and law enforcement activities, animal depredation abatement and making agricultural applications, and conducting or facilitating search and rescue operations; flights in helicopters at low levels involving line inspection, maintenance, erection, or salvage operations.	100%