

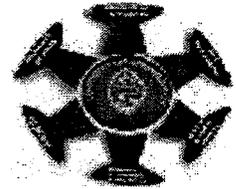


Felix P. Camacho  
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GOVERNMENT OF GUAM  
(GUBETNAMENTON GUÅHAN)

DEPARTMENT OF ADMINISTRATION  
(DIPATTAMENTON ATMENESTRASION)

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NOV 28 2007

Department of Administration Organizational Circular No. 08-006

To: All Department and Agency Heads  
From: Director, Department of Administration  
Subject: Amended Provisions  
RE: Leave Sharing Procedures

Buenas yan Hafa Adai! This circular has reference to the amendments made to §4109.2 (b) Voluntary Transfer of Sick Leave or Annual Leave pursuant to Section 96, Chapter VI Miscellaneous Provisions of Public Law 29-19 effective October 1, 2007. Please be advised of the following changes as numbered:

- 1) If a government of Guam employee desires to transfer a number of hours of earned sick leave or annual leave to another employee in any department or agency of the government, the **recipient** must first exhaust all accrued annual and sick leave, and compensatory time for the purposes of a medical emergency or for personal reasons. However, in applying donated sick leave, please be aware of the provisions of §4108(c) 1 & 2, which identifies when sick leave with pay is allowed. As a result, the voluntary transfer of sick leave for other than its intended purposes is prohibited.

4108(c) 1 provides:

The employee is compelled to be absent from duty on account of physical or mental illness; injury; mental health examination, counseling or treatment; pregnancy; childbirth; medical, dental or optical examination or treatment; or because of quarantine due to his own or another's illness.

4108(c) 2 provides:

The employee is compelled to be absent from duty to provide health care for a member of the employee's immediate family as a result of serious illness or injury and the employee has exhausted all annual leave and compensatory time available. Serious illness or injury means an urgent condition that is certified by the attending physician as requiring hospitalization, institutionalization, or extended home care in which the person needs the constant administration of special medical care or support.

- 2) Leave transferred from *donors* whose *hourly rates of pay* or *salaries* are *lower* than the *recipient* shall be paid at the *hourly rate* or *salary* of the *donor*.

Leave transferred from *donors* whose *hourly rates of pay* or *salaries* are *higher* than the *recipient*, shall be paid at the *hourly rate* or *salary* of the *recipient*.

The extent of the above provision will be applied based in the following manner and where applicable:

Recipient's hourly rate is \$21.18. The Donor's hourly rate is \$16.55. The number of donated leave hours is 50. The 50 hours of leave donated will be paid out at the donor's hourly rate of \$16.55 pursuant to the amended provisions of §4109.2 (b).

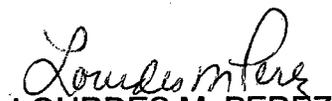
Recipient's hourly rate is \$16.55. The Donor's hourly rate is \$21.18. The number of donated leave hours is 50. The 50 hours of leave donated will be paid out at the recipient's hourly rate of \$16.55 pursuant to the amended provisions of §4109.2 (b).

- 3) Participation in the leave-sharing program *shall not exceed* ninety (90) working days. (Previous provision provided "*shall not exceeding...*")

Based on the changes made to §4109.2(b), please use the attached amended leave sharing request forms.

Effective immediately, to ensure compliance of the Leave Sharing Program requirements, pursuant to PL 29-19, all approved and disapproved leave-sharing requests effective October 1, 2007 and thereafter for medical emergency reasons shall be forwarded to the Human Resources Division for compliance review purposes.

Should you have any questions, please contact our Employee Management Relations Branch of the Human Resources Division at 475-1249 or 475-1288. Si Yu'os Ma'ase.

  
LOURDES M. PEREZ

Attachments