

TERRITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGAÑA, GUAM 96910  
U. S. A.

**EXECUTIVE ORDER NO. 2001-10**

**RELATIVE TO ADOPTING THE DEPARTMENT OF ADMINISTRATION'S PERSONNEL RULES AND REGULATIONS FOR IMMEDIATE IMPLEMENTATION BY THE GUAM MEMORIAL HOSPITAL AUTHORITY AS INTERIM POLICY GOVERNING THE RIGHTS, CONDUCT, AND OBLIGATIONS OF EMPLOYEES AND RESPONSIBILITIES AND ACTIONS OF MANAGEMENT.**

**WHEREAS**, the Guam Memorial Hospital Authority's Personnel Rules and Regulations were last adopted in 1979; and

**WHEREAS**, Title 4, Guam Code Annotated, §4105 provides that rules concerning the Executive Branch shall take effect upon their approval by the Civil Service Commission, by Executive Order of the Governor and filing with the Legislative Secretary; and

**WHEREAS**, Title 10, Guam Code Annotated, §80107 provides that the Administrator shall see that all rules and regulations of the hospital are enforced, shall devote his entire time in the business of the hospital, to select and appoint the employees of the hospital, except as otherwise provided in this act, and to plan, organize, coordinate and control the services of such employees in the exercise of the powers of the hospital under the general direction of the Board of Trustees; and

**WHEREAS**, Title 10, Guam Code Annotated, §80109 provides that the Board of Trustees shall establish and administer rules and regulations governing the compensation and classification of health professionals of the hospital; and

**WHEREAS**, the Department of Administration Personnel Rules and Regulations are in compliance with federal personnel management laws applicable to Guam, such as the Americans with Disabilities Act, Fair Labor Standards Act, Family Medical Leave Act, Drug-Free Workplace Program, and other pertinent laws; and

**WHEREAS**, the Civil Service Commission approved the Department of Administration Personnel Rules and Regulations in its meeting on the 12<sup>th</sup> day of December 1995, and after further review and revisions, the Civil Service Commission further approved the revisions on August 1, 1996; and

**WHEREAS**, the Department of Administration Personnel Rules and Regulations, adopted by the Director of Administration and approved by the Civil Service Commission was subsequently signed and promulgated by Executive Order No. 96-24; and

**WHEREAS**, the Executive Order No. 96-24, Paragraph 3, states in part "Unless contrary to statute, all autonomous departments and agencies are hereby required to adopt the Department of Administration's Personnel Rules & Regulations to promote uniformity and consistency concerning personnel rules and regulations throughout the Executive Branch"; and



**WHEREAS**, the Guam Memorial Hospital Executive Agreement Committee adopted for interim use the following portions of the Department of Administration's Personnel Rules and Regulations, and the Hospital Administrator forwarded this request to the Civil Service Commission on January 9, 2001:

- a. Chapter 1 - Purpose and Scope of Personnel Rules and Regulations
- b. Chapter 3 - Code of Conduct
- c. Chapter 4 - Filling Positions in the Government of Guam
- d. Chapter 5 - Position Classification System and Compensation Plan
- e. Chapter 6 - Pay Administration
- f. Chapter 7 - Hours of Work, Overtime and Premium Pay
- g. Chapter 8 - Leave of Absence
- h. Chapter 9 - Health and Safety
- i. Chapter 10 - Employer Performance  
Except: Rule 10.106(C) and Rule 10.107
- j. Chapter 11 - Adverse Action Procedures
- k. Chapter 13 - Resignation and Termination

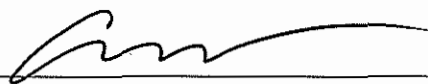
**WHEREAS**, it is the policy of the Gutierrez-Bordallo Administration that personnel rules and regulations for the Executive Branch be uniform in substance and consistent in application to the fullest extent possible; and

**WHEREAS**, the Civil Service Commission in its meeting on the 18<sup>th</sup> day of January 2001, ratified and sanctioned the Guam Memorial Hospital Authority's request to adopt the Department of Administration Personnel Rules and Regulations for interim policy implementation at the Authority; and

**NOW, THEREFORE, I, CARL T. C. GUTIERREZ**, I Maga'Lahen Guåhan, the Governor of Guam, by virtue of the authority vested in me by Section 4105 of Title 4, Guam Code Annotated, and the Organic Act of Guam, as amended, do order:

- (1) The Guam Memorial Hospital Authority's adoption of the Department of Administration Personnel Rules and Regulation for immediate implementation as an interim policy as approved by the Civil Service Commission, is promulgated.
- (2) All prior rules, regulations, policies, memoranda or Executive Orders in conflict with this Executive Order are hereby rescinded to the extent of any conflict.

**SIGNED AND PROMULGATED at Hagåtña, Guam this 15th day of February, 2001.**

  
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**CARL T. C. GUTIERREZ**  
I Maga'Lahen Guåhan  
Governor of Guam