

OFFICE OF THE GOVERNOR
GOVERNMENT OF GUAM
AGANA, GUAM

1/15/79

1/10/79

EXECUTIVE ORDER 79-003

WHEREAS, Attorney General's Opinion 79-001, issued on January 5, 1979, declared illegal the use of non-classified employees by GovGuam and its agencies, except in exceptional circumstances; and

WHEREAS, a large number of employees of GovGuam and its agencies are presently non-classified; and

WHEREAS, it is impossible to immediately convert all non-classified employees and positions to the classified service; and

WHEREAS, cessation of the use of services of all non-classified employees would greatly disrupt government, and adversely affect the health and well-being of the citizens of Guam;

THEREFORE, I, PAUL M. CALVO, Governor of Guam, by the authority granted me by the Organic Act, do hereby order and direct:

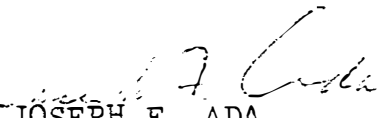
1. That all Departments and Agencies comply with the attached guidelines, pending classification of employees. Questions should be directed to the Attorney General if not answered by these guidelines.
2. That the Personnel Department begin immediately to review and classify all positions within GovGuam and its agencies.
3. That the Personnel Department begin immediately to process all persons presently filling non-classified

positions who wish to apply for those or other classified positions.



PAUL M. CALVO
Governor of Guam

COUNTERSIGNED:



JOSEPH F. ADA
Lieutenant Governor

To assist in the implementation of Attorney General's Opinion 79-001, the following guidelines are provided:

1. Most contracts for government employees who were hired on-island are void. Exceptions exist only for temporary jobs or upon a showing of extraordinary circumstances. If you have cases which you believe come within these exceptions, please bring them to the attention of the Attorney General immediately.

2. Persons having a void contract, and on whom a personnel action form (GC-1) was issued as a result of the contract execution, are not employees. They should be encouraged to apply through Civil Service if they wish to be employed by GovGuam.


3. Persons having a void contract, and on whom no personnel action form (GC-1) was issued, revert to their status prior to the execution of the void contract, whether classified or non-classified.

4. Persons having a contract whose position is directly funded by the Federal Government may be an exception to this action. Those cases should be brought to the attention of the Attorney General before any personnel action is taken.

5. Non-contract non-classified personnel should be kept in their present status, pursuant to Executive Order 79-003, pending classification. These personnel should be encouraged and assisted to apply through Civil Service for those or other positions.

6. Attorney General's Opinion 79-001 applies to all agencies of GovGuam.

If you have situations not covered by these guidelines, or have questions, please contact the Attorney General's Office.


KENNETH E. NORTH
Attorney General