

**JUDICIAL COUNCIL RESOLUTION NO. JC04-019
RELATIVE TO AMENDING JC01-99 REGARDING INCREMENTS FOR
UNCLASSIFIED EMPLOYEES OF THE SUPREME COURT OF GUAM.**

WHEREAS, on June 24, 1999, the Judicial Council of Guam, through Resolution JC01-99, recognized that there was "an inherent unfairness to employees in the unclassified and appointed service who continue to serve the government through years of faithful service without the ability to receive increments available to all other Government of Guam employees."

WHEREAS, JC01-99 resolved to provide all unclassified and appointed employees of the Superior Court of Guam with salary increments of 3.5% every two years upon receiving a satisfactory performance review.

WHEREAS, Resolution JC01-99 expressly applied to only unclassified and appointed Superior Court employees of the Judicial Branch, making no mention of unclassified and appointed Supreme Court employees;

WHEREAS, the Judicial Council desires to correct the disparity for Supreme Court unclassified and appointed employees in qualifying for biannual increments;

NOW, THEREFORE, BE IT RESOLVED, that in the interest of bringing parity to all unclassified and appointed employees of the entire Judiciary, all unclassified and appointed Supreme Court employees may receive a 3.5% salary increment every two years upon satisfactory performance evaluation.

RESOLVED FURTHER, that this resolution will be retroactive to October 1, 1999 regarding employees of the Supreme Court of Guam, but will only apply to employees listed in the Supreme Court staffing pattern and employed by the Supreme Court of Guam as of October 1, 2004.

RESOLVED FURTHER, that by way of illustration only, an employee employed by the Supreme Court of Guam and listed in its staffing pattern as of October 1, 2004 as an unclassified or appointed employee, who was employed with the Supreme Court of Guam on October 1, 1999 and has been continuously so employed since October 1, 1999, was eligible for a 3.5% salary increment upon satisfactory performance evaluation on October 1, 2001, although such increment was non-compensable due to the statutory increment freeze that began that day. Further, the same employee is also eligible for a second 3.5% salary increment upon satisfactory performance evaluation on October 1, 2003, although such increment was again non-compensable due to the statutory increment freeze. Finally, the same employee will again be eligible for a 3.5% salary increment on October 1, 2005 upon satisfactory performance evaluation, although the compensability of such an increment will be subject to the availability of funds.

RESOLVED FURTHER, that for Supreme Court employees employed subsequent to October 1, 1999, they will be similarly treated and entitled to a 3.5% increment at the end of their second anniversary date under the same circumstances as described above.

DULY ADOPTED this 20th day of December, 2004 at a duly noticed meeting of the Judicial Council of Guam.



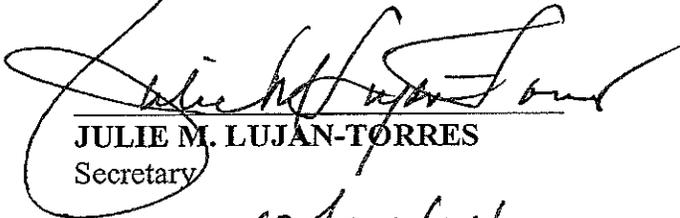
F. PHILIP CARBULLIDO

Chairman

Date: _____

12/21/04

ATTEST:



JULIE M. LUJAN-TORRES

Secretary

Date: _____

12/21/04