



**BEFORE THE 2014 JUDICIAL COUNCIL OF GUAM**

**RESOLUTION NO. JC14-016**

**RELATIVE TO ADOPTING THE PAY SCALES INCLUDED IN THE COMPETITIVE WAGE ACT OF 2014 AND CLASSIFICATION & COMPENSATION IMPLEMENTATION POLICY AND PROCEDURES**

**WHEREAS,** pursuant to Public Law 32-068 Chapter XI, Section 2 titled “Government of Guam Competitive Wage Act of 2014,” on January 15, 2014, the Department of Administration, on concurrence from Governor Eddie Baza Calvo, transmitted to the Guam Legislature a plan containing updated pay scales for all categories of government of Guam employees except those in law enforcement; and

**WHEREAS,** employees of the Executive Branch and the Judiciary who work in law enforcement positions received pay increases pursuant to Public Law 29-105 and are not included in the Competitive Wage Act, and

**WHEREAS,** the pay scales contained in the January 15, 2014 transmittal to the Guam Legislature (“CWA Pay Scales”) are attached hereto as Exhibit A, and

**WHEREAS,** Public Law 32-166 granted statutory authority to the Judicial Council to adopt a pay plan and pay schedules consistent with the January 15, 2014 transmittal to the Guam Legislature; and

**WHEREAS,** the Judiciary’s Human Resources Division, after review of the policies and procedures utilized by the Department of Administration to implement the pay scales contained in the January 15, 2014 transmittal to the Guam Legislature, has developed the 2014 Classification & Compensation Implementation Policy and Procedures (“Implementation Policy and Procedures”), which are attached hereto as Exhibit B, and

**WHEREAS,** in advance of the adoption of the CWA Pay Scales, the Judiciary’s Human Resources Division has conducted several orientation sessions for employees of the Judiciary to explain the Implementation Policy and Procedures, and

**WHEREAS,** employees of the executive branch have enjoyed the benefit of increased pay under the CWA Pay Scales effective as of January 26, 2014, and

**WHEREAS,** it is the desire of the Judiciary to achieve parity in pay for its hard working and dedicated employees.

**NOW, THEREFORE, BE IT RESOLVED** that the CWA Pay Scales attached hereto as Exhibit A are adopted as the pay scales on which employees, except those paid under the law enforcement pay scale, of the Judiciary shall be compensated.

**BE IT FURTHER RESOLVED** that, consistent with the executive branch of the government of Guam, the effective date for any salary increases resulting from the adoption of the CWA Pay Scales shall be effective on January 26, 2014.

**BE IT FURTHER RESOLVED** that any retroactive amounts due employees for the period between January 26 to July 12, 2014, shall be paid upon availability of funds.

**BE IT FURTHER RESOLVED** that the Implementation Policy and Procedures attached hereto as Exhibit B are approved and will be used to govern the implementation of the CWA Pay Scales and to administer both the CWA Pay Scales and the Law Enforcement Pay Scale developed pursuant to Public Law 29-105.

**DULY ADOPTED** this 17<sup>th</sup> day of July, 2014 at a duly-noticed meeting of the Judicial Council of Guam.

  
\_\_\_\_\_  
**ROBERT J. TORRES, Chairman**

Dated: July 17, 2014

ATTEST:

  
\_\_\_\_\_  
**JOANNA S. McDONALD, Assistant Secretary**

Dated: July 17, 2014



## ATTORNEY PAY PLAN

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Attorney Level 5 (Managing)	\$85,950	\$89,022	\$92,204	\$95,500	\$101,009	\$106,835	\$112,997	\$119,515	\$126,409	\$133,700
	\$41.32	\$42.80	\$44.33	\$45.91	\$48.56	\$51.36	\$54.33	\$57.46	\$60.77	\$64.28
Attorney Level 4	\$75,780	\$78,489	\$81,294	\$84,200	\$89,057	\$94,194	\$99,627	\$105,373	\$111,451	\$117,880
	\$36.43	\$37.74	\$39.08	\$40.48	\$42.82	\$45.29	\$47.90	\$50.66	\$53.58	\$56.67
Attorney Level 3	\$66,600	\$68,981	\$71,446	\$74,000	\$78,268	\$82,783	\$87,558	\$92,608	\$97,950	\$103,600
	\$32.02	\$33.16	\$34.35	\$35.58	\$37.63	\$39.80	\$42.10	\$44.52	\$47.09	\$49.81
Attorney Level 2	\$57,375	\$59,426	\$61,550	\$63,750	\$67,427	\$71,316	\$75,430	\$79,781	\$84,383	\$89,250
	\$27.58	\$28.57	\$29.59	\$30.65	\$32.42	\$34.29	\$36.26	\$38.36	\$40.57	\$42.91
Attorney Level 1	\$50,825			\$53,500						
	\$24.44			\$25.72						

\*Senior Law Clerks will be compensated at \$50,000 per annum.



**JUDICIARY OF GUAM  
2014 CLASSIFICATION & COMPENSATION  
IMPLEMENTATION POLICY AND PROCEDURES**

**(Adopted by the Judicial Council on July 17, 2014,  
Resolution No. JC14-016)**

The Judiciary, as an employer recognizes the Judicial Council's authority (4GCA, § 6302 and 7GCA §5102) to adopt a compensation policy and procedure separate and independent from the Executive Branch. Public Law 32-166 provides Judicial Council with legal authority to implement the Competitive Wage Act of 2014. These policies and procedures are established to provide the framework and foundation in salary administration for the Judiciary's Classification and Compensation plan for non-law enforcement personnel. This policy shall supersede the Judiciary's 1991 policy and other existing pay or compensation policies, rules, regulations which are inconsistent with these guidelines and may be amended as deemed appropriate by the Judicial Council.

These policies and procedures shall be utilized to implement the following pay plans:

1. General Pay Plan (GPP) – Exhibit A
2. Attorney Pay Plan (APP) – Exhibit B

**These policies and procedures will be used to administer the pay plans referenced above as well as govern the movement from any of the same to and from the Law Enforcement Pay Scale. Pay adjustments for Law Enforcement Officers have been addressed in Public Law 29-105.**

**TRANSITION TO THE NEW PAY PLANS**

**Section I. EFFECTIVE DATE:** January 26, 2014

**Section II. COVERAGE:** All non-law enforcement positions, classified and unclassified.

**Section III. INCUMBENT POSITIONS**

**Position Categories:**

- a. Status Quo Positions: No change in pay grade.
- b. Upgrade Positions: Upward change in pay grade.

No employee whose position is to be transitioned into the new pay plans shall receive a base salary reduction or be deprived of benefits.

1. **Transition of Employees:** The initial slotting of incumbents into the new pay plans shall be without any loss in base pay.

- a. Incumbents whose salaries are below minimum shall be slotted at Step 1, with a possibility of an implementation step.
- b. Incumbents whose salaries are slotted above Step 1 shall be slotted closest to but not less than, with a possibility of an implementation step.
- c. Incumbents whose salaries exceed the maximum of their respective pay grades regardless of pay plans shall receive adjustments of 3.1% added to the maximum salary until the salary closest to but not less than the employee's current salary is reached.

*Note: For payroll purposes, additional steps will be used to identify salaries above the max.*

- d. Incumbents not assigned a pay grade with the exception of Senior Law Clerks shall have their salary adjusted by 3.8%.
- e. Attorneys shall be slotted at their current attorney levels within the new pay structure utilizing descriptors of work. (Exhibit C)
- f. Incumbents under federally funded positions shall be slotted into the respective pay plans only if the federal grant can sustain the new rate.
- g. Incumbents under locally funded limited-term positions shall be slotted to the General Pay Plan accordingly.
- h. Chamber/Courtroom clerks whose salaries are below minimum shall be slotted at Pay Class M, Step 5. Incumbents whose salaries are slotted above Step 5 shall be slotted closest to but not less than, with a possibility of an implementation step.

2. **Implementation Step:** A one-step adjustment after initial slotting shall be granted in the appropriate category as identified below for those incumbents on the GPP only, if salary increase after initial slotting is less than 3.8%:

- a. ***At Minimum:*** Incumbents who receive equal or more than a 3.8% increase upon initial slotting shall not receive an implementation step. Incumbents receiving less than a 3.8% pay adjustment upon initial slotting shall move to the next higher step.

**Example:**

*A Court Fiscal Officer I is currently at Step 3 of Pay Grade L, \$29,835. The initial slotting shall be at Step 1 of Pay Grade L, \$37,100 on the General Pay Plan (GPP). Employee received a 24% increase and is not entitled to an implementation step.*

**Example:**

*A Human Resources Officer is currently at Step 7 of Pay Grade L, \$35,802. The initial slotting shall be at Step 1 of Pay Grade L, \$37,100 on the General Pay Plan (GPP). Employee received a 3.63% increase and is entitled to an implementation step to Step 2, Pay Grade L, \$38,506.*

- b. ***Between Step 2 and 17:*** All incumbents shall move to the next higher step after initial slotting if increase is less than 3.8%.

**Example:**

*A Program Coordinator II is currently at Step 9 of Pay Grade L, \$38,454. The initial slotting shall be at Step 2 of Pay Grade L, \$38,506 on the General Pay Plan (GPP). Employee received a .14% increase and is entitled to an implementation step to Step 3, Pay Grade L, \$39,965.*

- c. ***At Step 18 and Above:*** All incumbents shall move to the next higher salary multiplied by 3.1% of the maximum step if their increase is less than 3.8%.

**Example:**

*A Deputy Clerk II is currently beyond Step 20 of Pay Grade J on the Unified Pay Plan, at \$55,705 (this salary is derived by adding 3.5% to Step 20 and thereafter of pay grade J of the Unified Pay Plan). The initial slotting to the GPP shall exceed Step 18, at \$56,469. Given the salary increase is less than 3.8%, the employee is entitled to an implementation step as follows:*

- *Initial slotting is at Step 19, Pay Grade J, \$56,469*
- *Implementation Step is to Step 20, Pay Grade J, \$58,220 (\$56,469 x 3.1% = \$58,220)*

*Note: The guidelines above are applicable only to those positions which fall under the GPP. Positions which fall under the APP will not receive an implementation step. The APP is closest to market.*

3. **Salary Increment Conversion (A)**: As part of the implementation of the new increment schedule and to achieve parity, classified employees and attorneys who were eligible for salary increments between 1/26/13-1/25/14 and whose waiting period is converted as a result of implementation, shall have their waiting period adjusted and be given credit for time served prior to implementation.

**Example:**

*A Deputy Clerk III is currently at Step 9 of Pay Grade L, \$38,454. The initial slotting shall be at Step 2 of Pay Grade L, \$38,506 on the GPP. Employee received a .14% increase and is entitled to an implementation step to Step 3, Pay Grade L, \$39,965. Prior to implementation his salary increment was received on January 26, 2013 to Step 9 based on an 18-month waiting period. The next salary increment to Step 4 will now be due on January 26, 2014 based on the new 12-month waiting period.*

4. **Salary Increment Conversion (B)**: As part of the implementation of the new increment schedule and to achieve parity, classified employees and attorneys whose salary increments are due on or after 1/26/14 shall retain and receive their increment based on a satisfactory or higher rating as scheduled and shall have their salary increment waiting period converted thereafter.

**Example:**

*A Court Transcriber is currently at Step 9 of Pay Grade L, \$38,454. The initial slotting shall be at Step 2 of Pay Grade L, \$38,506 on the GPP. Employee received a .14% increase and is entitled to an implementation step to Step 3, Pay Grade L, \$39,965. Prior to implementation his salary increment was received on July 28, 2012 to Step 9 based on an 18-month waiting period. His next increment to Step 4 of Pay Grade L is due on January 28, 2014 and upon satisfactory review will be converted to a 12-month waiting period, January 28, 2015.*

## **Section IV. NEW APPOINTMENTS/PROBATIONAL APPOINTMENTS**

1. **Classified Positions:**

The determination of hiring rates shall be as follows:

- a. Step 1 of the Pay Grade assigned to a classified position **shall** be the regular rate of initial employment.
- b. Hiring **above** step 1 must be approved by the Judicial Council and in conformance with 4GCA Subsection 6205 and 6303.1.
- c. The Judiciary may accept inter-branch transfers from other government entities and apply proper pay formulas in accordance with the nature of the transfer (lateral transfer, transfer and promotion, transfer and voluntary demotion, etc.) as explained in Section X.

2. **Unclassified Positions**

- a. Attorneys may be slotted within the new pay structure utilizing the APP descriptors of work. (Exhibit C)

- b. A Chamber/Courtroom clerk shall be slotted in Pay Class M, Step 5 when hired if the employee meets the minimum job requirements. A Chamber/Courtroom clerk shall be slotted in Pay Class M, Step 1 if the employee does not meet minimum job requirements.

- c. **Other Unclassified Positions**

The Judiciary's Administrative Compensation Policy #UJ06-05 Methodology for Step and Salary Eligibility for Unclassified Appointments (Exhibit D), shall remain in effect with the exception of any language that refers to the former Unified Pay Scale.

- d. **Limited Term Positions**

Step 1 of the Pay Grade assigned to a classified position on a temporary basis shall be the minimum rate of pay. Hiring above Step 1 shall be approved by the Administrator of the Courts.

## **Section V. SALARY INCREMENTS**

1. **CLASSIFIED EMPLOYEES**

Employees shall be entitled to a one (1) step salary increment for satisfactory performance. Employees at steps 1 through 6 shall be entitled to an increment after twelve (12) months of satisfactory performance. Employees at Steps 7 through 9 shall be entitled to an increment after eighteen (18) months of satisfactory performance. Employees at steps ten (10) and above shall be

entitled to an increment after twenty-four (24) months of satisfactory performance. Any employee due an increment beyond the maximum step in each pay plan shall be entitled to an equivalent of a one-step salary increment of 3.1%.

2. **UNCLASSIFIED EMPLOYEES**

Unclassified employees of the Judiciary who complete two (2) years of full time satisfactory service shall be entitled to a one (1) step increase or a pay adjustment of 3.1%. All provisions set forth in Administrative Compensation Policy #UJ06-06, Salary Increments or Adjustments for Unclassified Positions (Exhibit E), will remain in effect with the exception of Section 4.5 and any language that refers to the former Unified Pay Scale and rate of adjustment.

3. **LIMITED TERM EMPLOYEES and SENIOR LAW CLERKS**

Limited-Term employees and Senior Law Clerks are ineligible for any salary increment or pay adjustment.

4. **ATTORNEYS**

Upon satisfactory review Attorneys in levels 1 through 6 shall be entitled to a salary increment after twelve (12) months, and Steps 7 through 9 after eighteen (18) months. Attorneys at Step 10 or above shall receive an increment after twenty-four (24) months with a 3.1% increase upon satisfactory review.

## **Section VI. MERIT BONUS/ 4GCA Subsection 6203**

Classified employees in grades A through X shall be rewarded a lump sum bonus equivalent to 3.5% of the employee's base salary upon superior performance review. The merit bonus shall be automatic upon a superior rating conducted for increment purposes. The merit bonus shall be in addition to the increment provided in Section V.

## **Section VII. PROMOTION**

A promotion is a change from one position to another which is evaluated at a higher pay grade than the previous position. This also applies when moving between plans.

1. **Promotion:** In a promotion, the incumbent's salary shall be increased by one step within their current pay grade and then slotted closest to but not less than the salary within the target pay grade.

**Example:**

*A Management Officer currently at pay grade M, Step 4 at \$45,574 accepts a promotion to a Human Resources Management Officer at pay grade N. Calculation of the employee's salary plus one step will be pay grade M, Step 5 \$47,301. Slotting will result at pay grade N, step 3 at \$48,490.*

2. **Promotion beyond Step 18:** In a promotion beyond Step 18 the incumbent's salary shall be calculated at one adjustment of 3.1% from the incumbent's salary prior to promotion and then slotted closest to but no less than the salary within the target pay grade.

**Example:**

*A Deputy Clerk I currently at pay grade I Step 18 \$50,399 accepts a promotion to a Deputy Clerk II at pay grade J. Calculation of the employee's salary shall be derived as follows:*

*Calculation 1: \$50,399 x 3.1% = \$51,961*

*Slot from the calculated salary of \$51,961 into the target pay grade of J, closest to but not less than. Promotional slotting shall be at Step 17, \$53,087 of pay grade J.*

3. **Promotion between different pay plans:** In a promotion between different pay plans the incumbent's salary shall be increased by one step within their current pay plan and then slotted closest to but not less than the salary within the new pay plan i.e. L.E. plan.

**Example: GPP to LE**

*A Maintenance Leader (Plumber) at pay grade J step 10 \$42,661, accepts a promotion to a Probation Officer I at pay grade L. Calculation of the employee's salary plus one step will be pay grade J step 11 \$44,015. Slotting will result at pay grade LL04, step 4 at \$44,090.20.*

**Example: LE to GPP**

*A Probation Officer I at pay grade LL04 step 10 \$55,692 accepts a promotion to a Case Manager at pay grade M. Calculation of the employee's salary plus one step will be LL04 step 11, \$57,640.80. Slotting will result at pay grade M, step 11 at \$57,734.*

## **Section VIII. DEMOTION**

1. **Voluntary Demotion** is a move from one position to another which is evaluated at a lower pay grade than the previous position. This also applies when moving between other plans. (i.e. LE to GPP plan).

In a demotion, the incumbent's salary shall be slotted within the target pay grade closest to and not more than the salary prior to demotion.

**Example:**

A Management Officer at pay grade M, Step 4 at \$45,574 accepts a voluntary demotion to a Human Resources Officer at pay grade L. Slotting will result at pay grade L, Step 6 at \$44,682.

**Demotion between different pay plans:**

The incumbent's salary shall be slotted into the new pay plan closest to but not more than the salary held prior to demotion.

**Example: GPP to LE**

A Deputy Clerk III at pay grade L Step 10 \$50,931, accepts a demotion to a Deputy Marshal I at pay grade JL04. Slotting will be at pay grade JL04 Step 11 \$49,865.20.

**Example: LE to GPP**

A Probation Officer I at pay grade LL04 Step 5 \$46,410 accepts a demotion to a Deputy Clerk II at pay grade J. Slotting will be at pay grade J Step 12 \$45,411.

2. **Involuntary Demotion** is a move from one position to another, which is evaluated at a lower pay grade than the previous position for cause.

Employees involuntarily demoted shall have their compensation reduced at least one step and slotted closest to but not more than the salary within the target pay grade. For Adverse Actions, the Administrator of the Courts may reduce the salary to the lowest step of the target pay grade.

**Example: (one step decrease)**

A Management Officer at pay grade M, Step 5 at \$47,301 is involuntarily demoted to a Court Fiscal Officer I at pay grade L. Move one step down in the current pay grade M to Step 4 at \$45,574 and then slot to pay grade L, Step 6 at \$44,682.

**Example: (AOC discretion)**

*A Court Fiscal Officer II at pay grade M, Step 5 at \$47,301 is involuntarily demoted to a Court Fiscal Officer I at pay grade L. The AOC decided to demote the employee to Step 1 of pay grade L, \$37,100.*

**Demotion between different pay plans:**

Employees involuntarily demoted between different pay plans shall have their compensation reduced at least one step and slotted closest to but not more than the salary within the target pay grade. For Adverse Actions, the Administrator of the Courts may reduce the salary to the lowest step of the target pay grade.

**Example: LE to GPP (one-step decrease)**

*A Probation Officer I at pay grade LL04, Step 4 at \$44,090.20 is involuntarily demoted to an Alternative Sentencing Officer I at pay grade K. Move one step down in the current pay grade LL04, Step 3 at \$41,769 and then slot to pay grade K, Step 6 at \$40,841.*

**Example: LE to GPP (AOC Discretion)**

*A Deputy Marshal II at pay grade LL04, Step 4 at \$44,090.20 is involuntarily demoted to a Court Procurement Officer III at pay grade K. The AOC decided to demote the employee to Step 1 of pay grade K, \$33,911.*

## **Section IX. INTER-JUDICIARY TRANSFERS**

A transfer is a change from one position to another position with the same pay grade within the Judiciary.

**1. General Pay Plan (GPP) Transfers:**

- a. Lateral Transfers (Same Pay Grade, Salary Range and Title)
- b. Transfer – Change of Position Title (Same Pay Grade and Salary Range)

**2. Different Pay Plan Transfers:**

Transfers/Change of Position Title: Incumbents are slotted closest to but no less than the salary prior to transfer.

***Pay Steps are not considered when determining movement between different pay plans. The salary range of the position held prior to the transfer is the determining factor for salary placement.***

**Example: LE to GPP**

*A Deputy Marshal II at pay grade LL04, Step 4 at \$44,090.20 transfers to a Court Fiscal Officer I on the GPP. Employee shall be slotted closest to but no less than the salary held prior to transfer, \$44,090.20. The new salary shall be at a pay grade L, Step 6 at \$44,682.*

**Example: GPP to LE**

*A Judicial Social Worker II at pay grade L, Step 6 at \$44,682 transfers to a Probation Officer I on the LE Plan. Employee shall be slotted closest to but no less than the salary held prior to transfer, at \$44,682. The new salary shall be at a pay grade LL04, Step 5 at \$46,410.*

**Section X. INTER-GOVERNMENTAL TRANSFERS  
(Transfers from External Pay Plans)**

It is the policy of the Judicial Council to recognize other Government of Guam employees who seek employment interest with the Judiciary. Therefore, applicants from other branches may be considered as transfers rather than initial employment. All inter-governmental recruitment by the Judiciary shall be compensated pursuant to the pay policies identified.

**1. General Pay Plan (GPP) Transfers:**

- a. Lateral Transfers (Same Pay Grade & Title)
- b. Transfer – Change of Position Title (Same Pay Grade)

**2. Different / Other Pay Plan Transfers:**

- a. Transfer – Promotion (Refer to Section VII)
- b. Transfer – Demotion (Refer to Section VIII)
- c. Lateral Transfers (Same Pay Grade / Same Pay Scale):  
Incumbent maintains the same Pay Grade & Salary Range.
- d. Lateral Transfers (Same Pay Grade/Different Pay Scale):  
Incumbents are slotted closest to but no less than the current salary.

***Pay Steps are not considered when determining movement between different pay plans. The salary range of the position***

***held prior to the transfer is the determining factor for salary placement.***

**Transfers:**

1. Same position transfers from external pay plans shall be straight slotted (closest to and not less than) or placed into the assigned grades/levels and ranges of position.
2. Position transfers between the Law Enforcement and Public Safety Pay Plan, GPP, NPP, and the EDU with the same pay grades/levels shall be straight slotted (closest to and not less than).

**Example: LE to LE (Transfer & Promotion)**

*A Police Officer I at pay grade IL04, Step 4 at \$35,558.60 accepts a transfer and promotion to a Deputy Marshal I. Calculation of the employee's salary plus one step will be pay grade IL04, step 5 \$37,430.40. Slotting will result at pay grade JL04, step 4 at \$38,141.60. The new salary shall be at a pay grade JL04, Step 4 at \$38,141,60.*

**Example: LE to GPP (Transfer to GPP)**

*A Parole Officer I at pay grade LL04, Step 4 at \$44,090.20 transfers to a Human Resources Officer on the GPP. Employee shall be slotted closest to but no less than the salary held prior to transfer, \$44,090.20. The new salary shall be at a pay grade L, Step 6 at \$44,682.*

**Example: GPP to LE (Transfer to LE)**

*A Social Worker I at pay grade L, Step 6 at \$44,682 transfers to a Probation Officer I on the LE Plan. Employee shall be slotted closest to but no less than the salary held prior to transfer, \$44,682. The new salary shall be at a pay grade LL04, Step 5 at \$46,410.*

**Section XI. SALARY PROTECTION DUE TO A MEDICAL CONDITION**

It is the policy of the government to provide salary protection to employees injured, through no fault of their own, while performing their assigned duties and responsibilities, and provided that the injury was not the result of their own negligence or intentional act.

1. **Compensation Following a Service-Connected Disability (Medical Condition)**

- a. Employees who are unfit to perform the duties and responsibilities of their original positions due to a work related medical condition shall retain their present pay grade and salary until they receive medical retirement.
- b. Employees who request for transfer to another class of position with the same pay grade, due to a work related medical condition, and the transfer is approved by the Administrator of the Courts, shall retain their present pay grade and salary.
- c. Employees who are transferred to another class or position at a lower pay grade, due to a work related medical condition, shall retain their present pay grade and salary.

2. **Compensation Following a Non-Service Connected Disability Demotion (Medical Condition)**

Employees who are unfit to perform the duties and responsibilities of their position, due to a medical condition, may be voluntarily demoted pursuant to Section VIII of this policy.

## **Section XII. RE-EMPLOYMENT**

Former classified employees of the government of Guam who were in good standing at the time of resignation may be hired at not less than the salary they earned at their last former position if they apply for the same or comparable job in the same department. This re-employment credit privilege must be exercised within a four (4) year period. The employee may waive this privilege. If an employee separated prior to implementation of these procedures, Section III – Incumbent Positions, shall be applied to determine salary eligibility.

## **Section XIII. ACTING AND DETAIL APPOINTMENT**

Employees serving a detail or acting appointment, consistent with the Judiciary's Personnel Rules and Regulations Rule 9.31 and the statutory provisions set forth in 4GCA §4117 in excess of 30 consecutive calendar days in a classified position having a higher pay grade than his regular position, shall be deemed a temporary promotion therefore be compensated in accordance with Section VII of this Policy. Payment of the differential shall be deferred until the employee has served at least 30 consecutive calendar days in a detail. This provision would also apply to classified employees detailed to an unclassified position. (*This provision*

*supersedes the three-step salary increase as previously approved by the Judicial Council Ref: UJ06-08. Exhibit F)*

#### **Section XIV. RECLASSIFICATION/REALLOCATION OF POSITION**

1. When a position is reallocated to a class of a higher pay grade, the employee shall receive a salary increase consistent with Section VII of this policy.
2. When a position is reallocated to another class of the same pay grade, the salary of the incumbent shall remain unchanged.
3. When a position is reallocated to a class of a lower pay grade, the implementation shall not be affected until two (2) years from the date of reallocation.

#### **Section XV. PAY GRADE REASSIGNMENT**

The Administrator of the Courts, or an employee, may initiate a written request for consideration of an amendment to the pay grade allocation for a class of position with justification. If the findings of the Human Resources Administrator indicate the need to amend the pay grade allocation, the request will be forwarded to the Administrator of the Courts for the submission to the Judicial Council for approval. This authority for the Judicial Council to reassign pay grades is pursuant to 4GCA §6302. Changes adopted shall become effective on the date of approval by the Judicial Council.

#### **Section XVI. PAY ADJUSTMENT FOLLOWING PAY GRADE REASSIGNMENT**

1. When a pay grade for any class is reassigned to a higher pay grade, the current salary shall be slotted closest to but not less than the previous salary in the new pay grade.
2. When a pay grade for any class is reassigned to a lower pay grade (right-sized), the current salary shall be slotted closest to but not more than the previous salary in the new pay grade. Incumbents of the right-sized positions shall not have their current salaries reduced until the expiration of two (2) years from the date of reassignment.

#### **Section XVII. GENERAL PROVISIONS RELATING TO SALARY INCREMENT INCREASES**

1. Salary increment increases shall be granted through this Compensation Policy.
2. **Increment Status Upon Demotion Due to Position Reclassification**: The salary increment anniversary date before the reclassification determination shall be used to determine the appropriate salary increment date in the new pay grade. Where there is no change in the waiting period, the salary increment date in the pay grade before the reclassification shall be maintained. Where there is a change to a shorter waiting period (Steps 1 through 7), the salary increment date before the reclassification shall be maintained. Where there is a change to a longer waiting period (Steps 8 through 18), the new waiting period shall be applied.
3. **Personnel Actions Not Affecting Increment Anniversary Dates**:  
The following personnel actions shall not change increment anniversary dates:
  - a. Reassignment of pay grade for a class or classes of positions.
  - b. Pay adjustments from statutory amendments to the pay plans.
  - c. Acting/Detail Appointment.
  - d. Transfer from one position to another of the same or related class of position while retaining the same salary rate upon transfer.
  - e. Involuntary demotion for other than adverse or disciplinary action.
  - f. Reclassification to a class of the same pay grade or lower while the employee retains the same salary rate.
  - g. Salary increment freeze.
  - h. Voluntary demotions.
  - i. Merit step increases.
  - j. Other actions as determined by the Administrator of the Courts in consultation with the HR Administrator.

4. **Creditable Service Upon Re-Employment:**

Permanent classified employees who separate the government of Guam in good standing shall be credited for time served in the position held prior to separation when exercising their re-employment rights.

**Section XVIII. OTHER PAY POLICIES**

1. Pedro “Doc” Sanchez Scholarship Program  
An employee shall be granted a one step pay adjustment upon meeting the requirements of Subsection ( e) of § 15906, Article 9, Chapter 15, Title 17, Guam Code Annotated.

2. Talent Management Program Track I  
Upon determination that the TMP participant has achieved readiness, the Administrator of the Courts, in consultation with the Chief Justice, will certify and approve completion of the program, resulting in a one-step TMP Readiness Salary Adjustment (or 3.5% of their annual salary).

No court employee may receive more than one TMP Readiness Salary Adjustment in Track 1 throughout the course of their employment (including employees who have separated or who have retired and become reemployed with the Judiciary).

3. Talent Management Program Track 2  
Upon successful completion of Track 2, the Administrator of the Courts, in consultation with the Chief Justice, will provide a one-time, lump sum payment based on 3.5% of their annual salary, contingent upon funding availability.

No court employee may receive more than one lump sum payment in Track 2 throughout the course of their employment (including employees who have separated or who have retired and become reemployed with the Judiciary).

**Section XIX. CREATION OF POSITIONS**

New positions may be created by the Administrator of the Courts for the Judicial Branch, when necessary for the efficient performance of the duties and functions of the Judiciary. The Administrator of the Courts shall

submit to the Judicial Council the position descriptions within thirty (30) calendar days after creation and post the position descriptions on the Judiciary website. Administrator of the Courts shall submit to the Judicial Council the position descriptions within thirty (30) calendar days after creation and post the position descriptions on the Judiciary website. The positions shall be terminated unless approved by the Judicial Council within ninety (90) days after submission. No newly created position shall be filled in the absence of appropriations to pay the salary of the proposed position.

**Transparency and Disclosure:**

1. Prompt notice of the postings required by 4GCA§6205 and 6303 shall be provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.
2. The petitions required by 4GCA§ 6205 and 6303 are public documents for the purposes of 5GCA, Chapter 10, Art 1. (The Sunshine Law.)
3. Any attempted creation not in compliance with the provisions is void.

**Section XX. ADMINISTRATIVE AUTHORITY OF THIS POLICY AND PROCEDURE**

The Judicial Council delegates discretionary authority to the Administrator of the Courts to make decisions or establish other administrative policies for issues or scenarios not covered by this policy. Such decisions and actions will be in consultation with the Human Resources Administrator.