EXECUTIVE ORDER NO. 96-24

RELATIVE TO ADOPTING AND PROMULGATING THE DEPARTMENT OF ADMINISTRATION'S PERSONNEL RULES AND REGULATIONS GOVERNING THE RIGHTS, CONDUCT, AND OBLIGATIONS OF EMPLOYEES AND RESPONSIBILITIES AND ACTIONS OF MANAGEMENT.

WHEREAS, §4105 of Title 4, Guam Code Annotated, provides that the Director of Administration shall adopt personnel rules and regulations for line departments and agencies, to be approved by the Civil Service Commission and promulgated by Executive Order of the Governor; and

WHEREAS, the Director of Administration adopted the Department of Administration's Personnel Rules and Regulations for line departments and agencies relative to employee rights, conduct, and obligations and relative to management responsibilities and actions; and

WHEREAS, the Civil Service Commission approved the rules and regulations in its meeting on the 12th 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 Gutierrez-Bordallo Administration is committed to a merit system of personnel administration; and

WHEREAS, the new rules and regulations are in compliance with federal personnel management laws applicable to the territory of 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 development of the new personnel rules and regulations involved a rigorous and lengthy process, which included public hearings and scrutiny by many groups and individuals; and

WHEREAS, the Department of Administration's Personnel Rules and Regulations were last adopted in 1979; and

WHEREAS, the finalization of the new personnel rules and regulations is a momentous occasion and marks the beginning of a new era in personnel administration in the government of Guam; and

WHEREAS, the implementation of the new personnel rules and regulations will be supportive of Vision 2001 and will serve to improve the work ethic and the morale of public employees as well as the delivery of public services; and

WHEREAS, the new personnel rules and regulations include a long awaited Chapter setting forth a cohesive set of ethical standards for government employees; and
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WHEREAS, the fine efforts and hard work of all who contributed to the
development of the new personnel rules and regulations are appreciated and
acknowledged, with special thanks to the Personnel Rules and Regulations Task
Force Members; the Chairman, John S. Salas, Department of Administration; the
Co-Chairman, Eloy P. Hara, Executive Director, Civil Service Commission; and Task
Force Leaders: Dan Astorga, Personnel Services Administrator, Department of
Administration; John Agou, Acting Personnel Management Administrator; and
Ron Agou, Administrative Counsel, Civil Service Commission; and

WHEREAS, the new personnel rules and regulations will serve as a model
for all autonomous agencies to follow; and

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;

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, Governor of Guam, by
virtue of the authority vested in me by §4105 of Title 4, Guam Code Annotated, and
the Organic Act of Guam, as amended, do order:

1. The attached Department of Administration Personnel Rules and
Regulations, adopted by the Director of Administration and approved
by the Civil Service Commission, are hereby 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.

3. Unless contrary to statute, all autonomous departments and agencies
are hereby required to adopt the Department of Administration’s
Personnel Rules and Regulations to promote uniformity and
consistency concerning personnel rules and regulations throughout
the Executive Branch.

4. A copy of the Department of Administration’s Personnel Rules and
Regulations, as promulgated, shall be filed with the Legislative
Secretary to take prospective effect on the date of filing. Filing shall be
deferred for One Hundred Eighty (180) days from the date of this
Executive Order to allow the Department of Administration to conduct
orientation sessions for departments and agencies, and for the creation
of policies, forms, and procedures that may be immediately necessary
for implementation. The Personnel Rules and Regulations shall be
filed no later than the Third (3rd) working day after the expiration of
the One Hundred Eighty (180) day transition period.

SIGNED AND PROMULGATED at Agana, Guam this 1st day of October, 1996.

CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:

MADELINE Z. BORDALLO
Lieutenant Governor of Guam