

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

Via Hand Delivery
and E-mail: speaker@guamlegislature.org

January 18, 2022

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guāhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Executive Order No. 2022-01

Hafa Adai Madame Speaker,

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

EXECUTIVE ORDER NO. 2022-01: RELATIVE TO ESTABLISHING A LAW ENFORCEMENT OFFICER PAY SCALE WITHIN THE COMPETITIVE WAGE ACT PAY PLAN

Senseremente,

A handwritten signature in blue ink, appearing to read "Sophia Santos Diaz".

SOPHIA SANTOS DIAZ
Legal Counsel

Enclosure(s): Executive Order No. 2022-01

cc via email: *Maga'hāgan Guāhan*
Sigundo Maga'lāhen Guāhan
Hon. F. Philip Carbullido, Chief Justice of Guam
Compiler of Laws
Central Files
Cabinet Members



**ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGATNA, GUAM 96932
U.S.A.**

EXECUTIVE ORDER NO. 2022-01

**RELATIVE TO ESTABLISHING A LAW ENFORCEMENT OFFICER
PAY SCALE WITHIN THE COMPETITIVE WAGE ACT PAY PLAN**

WHEREAS, beginning in 2008 and in accordance with 10 G.C.A. § 55102(e), law enforcement officers of the government of Guam began receiving increases in base pay at the rate of ten percent (10%) per year over a four (4) year period; and

WHEREAS, once the final increase went into effect, law enforcement officers had realized a forty percent (40%) total increase in their pay; and

WHEREAS, in 2014, the Department of Administration (“DOA”) began implementing the provisions of its updated pay plan submitted to the Legislature pursuant to the Competitive Wage Act of 2014 (“CWA”); and

WHEREAS, the CWA included five (5) pay plans, covering the vast majority of government of Guam employees: the General Pay Plan, the Educator Pay Plan, the Nurse Pay Plan, the Attorney Pay Plan, and the Executive Pay Plan; and

WHEREAS, when the DOA submitted its CWA Pay Plan, its accompanying report noted that the increases in law enforcement salaries had brought those positions within “relative parity with market pay” and that DOA would assess again in approximately three (3) years to determine whether employees paid under the law enforcement pay scale should be integrated in the CWA Pay Plan; and

WHEREAS, 4 G.C.A. § 6301 establishes the compensation policy for employment within the executive branch of the government of Guam and calls for reviews of compensation for internal equity annually and external competitiveness on a three-year basis; and

WHEREAS, nearly eight (8) years have elapsed since the CWA Pay Plan was first implemented in the executive branch; and

WHEREAS, while full implementation of the upward adjustments under 10 G.C.A. § 55102(e) was delayed, it has been approximately eight (8) years since law enforcement officers saw meaningful review of their compensation and benefits packages; and

WHEREAS, in June of 2021, this Administration, noting the pressing need to recruit and retain nurses in and for the government of Guam, especially as we responded to the healthcare needs of our community in light of the ongoing public health emergency caused by the COVID-19 global pandemic, adopted a Nurse Pay Plan Structure Adjustment and a Nurse Professional Pay Differential as recommended by the DOA to augment the Nurse Pay Plan implemented under the CWA; and

WHEREAS, law enforcement agencies across the government of Guam, which historically enjoyed high numbers of applicants for entry-level positions, have recently



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seen their recruitment cycles reduced in numbers, resulting in fewer new officers in government service; and

WHEREAS, while recruitment has faltered, law enforcement agencies have also suffered from deficiencies in retention, often investing time and resources in the training of officers only to see those officers depart for more lucrative opportunities in federal law enforcement or other related opportunities; and

WHEREAS, these two areas of difficulty – in recruitment and retention – have caused dutiful officers to work excessive hours and have directly impacted the provision of public safety services in our community; and

WHEREAS, it is crucial that we increase both the quantity and quality of applicants to law enforcement positions and that we ensure our law enforcement officers are reasonably compensated in consideration of the dangers to which they voluntarily subject themselves in an effort to safeguard our safety and security; and

WHEREAS, on December 15, 2021, the DOA recommended an upward adjustment to the law enforcement pay scale and formal integration of a Law Enforcement Officer Pay Plan (“LEO”) into the provisions of the CWA Pay Plan; and

WHEREAS, as proposed, the LEO Pay Plan shall cover all law enforcement officers of the following executive branch agencies: the Guam Police Department, the Guam Fire Department, the Guam Customs and Quarantine Agency, the Office of the Attorney General, the Guam Behavioral Health and Wellness Center, and the Departments of Corrections, Youth Affairs, Parks and Recreation, Agriculture, Revenue and Taxation, Military Affairs, and Public Works, and the A.B. Won Pat International Airport Authority; and

WHEREAS, as part of its comprehensive review of compensation packages for law enforcement officers in the government of Guam, the DOA reviewed comparable positions across several jurisdictions and conducted an analysis of the types of benefits that appeal to entry-level and early career applicants as well as retention incentives for continued employment.

NOW, THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do order as follows:

- 1. ESTABLISHMENT OF A LAW ENFORCEMENT OFFICER PAY PLAN WITHIN THE COMPETITIVE WAGE ACT PAY PLAN.** As recommended by the Department of Administration, there is hereby established a Law Enforcement Officer Pay Plan, which shall compensate employees in accordance with the attachment provided. The LEO Pay Plan shall be implemented pursuant to the provisions of the Government of Guam Competitive Wage Act of Department



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of Administration Policies and Procedures. Any adjustments to salaries resulting from the adoption of the LEO Pay Plan shall be effective on **January 30, 2022**.

The Director of Administration shall have the authority to adopt policy governing the slotting of law enforcement officers who return to classified status at the conclusion of service as an agency head or deputy. Such policy shall ensure that employees shall be slotted in accordance with the provisions of LEO Pay Plan implementation policy.

2. **SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.

SIGNED AND PROMULGATED at Hagåtña, Guam this 18th day of January 2022.

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Attested by:

JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lieutenant Governor of Guam

