

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 236-30 (COR)

Introduced By:

MATT RECTOR

T.R. MUNA-BARNES

A.B. PALACIOS SR.

R.J. RESPICIO

**AN ACT TO AMEND § 6217 OF 4 GCA FOR THE
PURPOSE OF ENSURING THAT PUBLIC EMPLOYEES
THAT WORK AT NIGHT RECEIVE NIGHT
DIFFERENTIAL PAY.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent:**

3 *I Liheslaturan Guåhan* finds that working beyond the confines of a normal
4 eight to five day places significant stress upon a worker and their family by
5 keeping parents away from their children during critical family time. *I*
6 *Liheslaturan Guåhan* further finds employees that are required to work
7 during these family unfriendly hours should be compensated for this loss of
8 quality family time. *I Liheslaturan Guåhan* further finds that the current
9 practice of paying workers a night differential only when they work for a
10 minimum of four consecutive hours is inherently unfair to workers. *I*
11 *Liheslaturan Guåhan* further finds that the current practice is subject to abuse
12 by managers who may schedule workers so that they only work three hours at
13 “night” so as to keep them from receiving night differential pay, thus
14 encouraging managers to attempt to balance the budget of their respective

1 agency on the backs of the workers. It is therefore the intent of *I Liheslatura*
2 to amend § 6217 of 4 GCA in order to compensate the Guam’s public
3 servants that work outside of normal family friendly hours with Night
4 Differential Pay for each and every hour that these persons log on the job.

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6 **Section 2. § 6217 of 4 GCA is hereby amended to read as follows:**

7 **“§ 6217. Night Differential Pay.**

8 All employees of the government of Guam, except the department or agency
9 heads and the Deputy Directors, shall be entitled to night differential pay,
10 calculated at the rate of their regular wage plus ten percent (10%), for all
11 periods worked between the hours of 6 p.m. and 7 a.m. [~~6 a.m., provided they~~
12 ~~work a minimum of more than four (4) consecutive hours within that time~~
13 ~~period.]”~~