

PERSONNEL RULES & REGULATIONS (PR&R) Q&A Sheet

Frequently Asked Questions

1. Who do the PR&R apply to? (1.100)

- a. Employees occupying classified, permanent, full time positions; and
- b. Employees appointed to unclassified positions, however, other sections i.e., grievance, compensation, hours of work, and leave are applicable as indicated.

2. What's the difference between classified, unclassified and limited term employee? (4.001 & 4.002)

A classified employee is governed by the merit system principles. Unclassified employees are discretionary appointments made by the appointing authority. Employees in the unclassified service serve at the pleasure of the appointing authority. Limited term employee are included in the unclassified service, however they fill temporary vacancies in permanent positions.

3. If I am currently employed with the Judiciary, am I eligible for preferential credit when applying for a position? (4.700)

No. preferential credit is upon initial employment only.

4. Does the Judiciary interview all eligible applicants? (5.009 & 5.010)

Interviews normally consist of the top five (5) or top ten (10) applicants for labor/custodial positions. Should there be more than one (1) vacancy; the HR Administrator shall certify one (1) additional eligible for each additional vacancy.

5. Is my differential pay affected if I am on leave during my detail/acting appointment? It depends on the length of leave. (5.203 & 5.208)

- a. Detail/Acting appointments to a classified position: any leave taken with the exception of administrative leave for official court business or mandatory training that exceeds 40 consecutive hours will automatically suspend or defer the differential pay for the entire period leave until the employee resume active duty status.
- b. Detail/Acting appointments to a unclassified position: any leave taken with the exception of administrative leave for official court business or mandatory training that exceeds 80 consecutive hours will automatically suspend or defer the differential pay for the entire period leave until the employee resume active duty status.

6. When will I be eligible for my next salary increment? (8.200)

Classified employees:

- Steps 1-6, every twelve (12) months of satisfactory performance;
- Steps 7-9, every eighteen (18) months of satisfactory performance; and
- Steps 10 & above, every twenty-four (24) months of satisfactory performance.

Unclassified employees:

- Every twenty-four (24) months of satisfactory performance.

Attorneys Level 1-4:

- Steps 1-6, every twelve (12) months of satisfactory performance;
- Steps 7-9, every eighteen (18) months of satisfactory performance; and
- Steps 10 & above, every twenty-four (24) months of satisfactory performance.

Attorneys Level 5:

- Steps 1-6, every twelve (12) months of satisfactory performance;
- Steps 7-8, every eighteen (18) months of satisfactory performance; and
- Steps 9 & above, every twenty-four (24) months of satisfactory performance.

Note: An increase or increment shall be frozen if such increase or increment will result in a salary that exceeds the lowest salary earned by a Superior Court Judge.

Any employee due an increment beyond the maximum step in each plan shall be entitled to an equivalent of a one-step salary increment of 3.1%

7. Are all employees eligible for merit bonuses? (8.400)

No, only classified employees 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 salary increment and is limited to the fiscal year in which superior performance is rendered.

8. Who is eligible for re-employment? (8.1200)

A permanent classified employee who separated through resignation or retirement while in good standing may be eligible for reemployment to the same or comparable position with the Judiciary within four (4) years from the date of separation.

9. If I am appointed acting or detail to a higher position, when am I eligible for the differential pay? (8.1300)

Upon serving at least thirty 30 consecutive days.

10. What is the overtime/compensatory time earned rate for Exempt and Non-Exempt employees? (8.2005)

Exempt is 1:1; Non-Exempt is 1:1.5.

11. What is the overtime/compensatory time earned cap per fiscal year? (8.2006)

- a. Non-exempt employees with the exception of Marshals and Probation Officers, may accrue up to 240 hours of CTE within one (1) fiscal year. Non-exempt Marshals and Probation Officers may accrue up to 480 hours of CTE.
- b. Exempt employees cannot accrue more than 240 hours of CTE within one (1) fiscal year. This 240 hours is inclusive of any CTE accrued at the rate of 1.5 for non-exempt work compensation.

12. Are unclassified/limited term employees allowed to convert compensatory time earned to cash? (8.2008)

No. CTE hours earned for unclassified employees shall never be converted to cash.

13. Do I have to sign my performance evaluation if I disagree with my rating? (9.300)

Yes. Your signature acknowledges receipt of the performance evaluation. Should you disagree with your rating, you have five (5) days from the date of acknowledgement to submit a written statement explaining the reasons for the disagreement. The written statement shall be addressed to the division manager for review and comments. Should the individual be under the direct supervision of the division manager, the written statement shall be submitted to the Administrator of the Courts.

14. What happens if a holiday falls on my regular day off? (10.009)

When a legal holiday listed under Chapter 11 falls on your regular day off, the next workday shall be designated as your day off.

15. How much annual leave do I accrue? (11.101)

As a full time employee, for biweekly pay periods in which you are in pay status for the entire ten (10) days thereof, as follows:

- a. Less than five (5) years of service – four (4) hours per each biweekly pay period.
- b. More than five (5) and less than fifteen (15) years of service – six (6) hours per each biweekly pay period.
- c. Fifteen (15) or more years of service – eight (8) hours per each biweekly pay period.

16. Can I sign 30 minutes of annual or sick leave? (11.102 & 11.202)

No, the minimum charge for annual or sick leave shall be one (1) hour and additional charges in multiples thereof.

17. Is there a maximum of Annual Leave or Sick Leave balance I can have? (11.105)

There is no maximum of Sick Leave balance. However, there is a maximum of 320 hours of Annual Leave balance at the beginning of the fiscal year. Any annual leave earned in excess of 320 hours shall be credited to employee's accumulated sick leave; provided that no more than 100 hours be credited to sick leave at the end of the fiscal year, any excess shall be lost.

For Law Enforcement employees who are in excess of 320 as of 9/30/22, they may carry over excess leave and may use their excess prior to retirement or termination from service.

For all employees, upon separation from Gov.Guam service, the maximum AL that can be paid/transferred is 320 hours.

18. How much sick leave do I accrue? (11.200)

As an employee occupying a permanent position, you shall accrue sick leave at the rate of one-half day (four (4) hours) for each biweekly pay period in which you are in pay status for the entire ten (10) days; otherwise there shall be no accrual for such period.

19. Can I use my sick leave to take my child to their annual exam? (11.204)

No. Sick leave may be used only when providing health care for a member of the employee's immediate family as a result of a **serious injury** or **illness**.

20. What do I do if I get injured on the job? (11.400)

Immediately report your injury to your supervisor. If you require medical treatment, your supervisor, division manager or the Human Resources Office will issue the Authorization for Medical Examination and/or Medical Treatment form and immediately report to the GMH or GRMC Emergency Room.

21. How much Military Leave am I entitled to? (11.506)

As a member of any Reserve Component of the U.S. Armed Forces, you are entitled to 15 days per fiscal year. Any leave not used during the fiscal year, up to 15 workdays may be carried over to the next fiscal year.

22. How many days is bereavement leave? (11.514)

You shall be granted two (2) days bereavement leave upon the death of an immediate member of the family.

23. Who is considered immediate family member for bereavement leave? (11.514)

Father, mother, foster parents, brother, sister, spouse, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparents and grandchildren.

24. How often can I use Child School Related Leave? (11.525)

If you are a parent, you shall be granted up to a maximum of four (4) hours administrative leave every two (2) pay periods for child school-related activities, up to forty (40) hours each calendar year.

25. Is a certification from a nurse practitioner sufficient documentation for my medical leave sharing request? (11.1401)

No. Donated leave for medical reasons must be substantiated with a certification from the attending medical doctor specifying the medical condition, and time frame you are physically unable to return to work.

26. What is the new provision regarding leave sharing? (11.1402)

Leave sharing requests must be for a minimum of five (5) consecutive workdays, forty (40) hours.

27. What is the Employee Assistance Program (EAP)? (13.300)

A voluntary, work-based program that provides cost-free employee referrals to employees experiencing personal or work-related problems that may affect attendance, work performance or conduct. The program is confidential and can potentially assist employees in the following areas: substance abuse education, emotional distress, work concerns, supportive services for families, and healthy lifestyle options. The scope, depth and growth of the program will largely depend on the employee needs, employer concerns, and available resources.

28. Who can file a Grievance? (14.001)

All classified and unclassified employees.

29. What are the steps for progressive discipline? (15.700)

- a. Verbal warning and counseling - creates an opportunity for the immediate supervisor to bring attention to the existing performance, conduct, or attendance issue. This form may remain at the division level.
- b. Written warning - involves more formal documentation of the violation, performance, conduct or attendance issues and consequences.

30. Are there actions not subject to progressive discipline? (15.800)

- a. Illegal actions are not subject to progressive discipline and may result in adverse action. Such behavior may be reported to local law enforcement authorities.
- b. Theft, substance abuse, intoxication, fighting and other acts of violence at work are also not subject to progressive discipline and may be grounds for adverse action.

31. What is the Ninety Day Rule? (15.1101)

When an employee in the classified service must be given the final notice of adverse action and statement of charges no later than:

- a. Ninety (90) calendar days after management knew or should have known the facts or events which form the alleged basis for the adverse action; or
- b. Ninety (90) calendar days from the date of entry of a judgment of conviction in any court of competent jurisdiction that forms the alleged basis of the adverse action.

32. Can I withdraw my resignation? (16.101)

Yes. With the approval of the Administrator of the Courts, you may withdraw your resignation at any time prior to the effective date.