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AUG 04 2005



Lourdes M. Perez
Director
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Deputy Director

DEPARTMENT OF ADMINISTRATION ORGANIZATION CIRCULAR NO. 05-022

To: All Line Agency and Department Heads
From: Director, Department of Administration
Subject: Application of the New Rules of the U. S. Department of Labor
Re: Fair Labor Standards Act (FLSA)

Buenas yan Hafa Adai! Effective August 23, 2004, the U. S. Department of Labor implemented new provisions for the application of bona fide exempt positions in the executive, administrative, professional and other categories. The exemption of these positions restricts overtime and compensatory time off for employees occupying those positions. The Governor's Executive Order 2005-28 which takes effect on August 23, 2004, lists all bona fide exempt positions in the line agencies of the Executive Branch of the government of Guam, and is included as an attachment to this Circular.

The purpose of this Circular is to explain the general mechanics by which the new rules under the Fair Labor Standards Act, as amended, will be applied to employees in the affected categories within the government. The following definitions for all exempt categories of positions are provided below for your guidance:

1. **Executive Exemption.** To qualify for this exemption, all of the following tests must be met:
 - The employee must be compensated on a salary basis at a rate not less than \$455 per week;
 - The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
 - The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
 - The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

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2. Administrative Exemption. To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

3. Professional Exemption. There are four categories of professionals for exemption purposes.

A. Learned Professional Exemption: To qualify for the learned professional employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

B. Creative Professional Exemption: To qualify for the creative professional exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

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C. Teachers. Teachers are exempt if their primary duty is teaching, tutoring, instructing or lecturing in the activity of imparting knowledge, and if they are employed and engaged in this activity as a teacher in an educational establishment. Exempt teachers include, but are not limited to, regular academic teachers; kindergarten or nursery school teachers, teachers of gifted or disabled children; teachers of skilled and semi-skilled trades and occupations; teachers engaged in automobile driving instruction; aircraft flight instructors; home economics teachers; and vocal or instrument music teachers. The salary and salary basis requirements do not apply to bona fide teachers.

D. Practice of Law or Medicine. An employee holding a valid license or certificate permitting the practice of law or medicine is exempt if the employee is actually engaged in such a practice. An employee who holds the requisite academic degree for the general practice of medicine is also exempt if he or she is engaged in an internship or resident program for the profession. The salary and salary basis requirements do not apply to bona fide practitioners of law or medicine.

4. Highly Compensated Employees. Highly compensated employees performing office or non-manual work and paid total annual compensation of \$100,000 or more (which must include at least \$455 per week paid on a salary or fee basis) are exempt from the Fair Labor Standards Act (FLSA) if the employee's primary duty includes performing office or non-manual work; and if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests described above.

5. Computer Employees Exemption. To qualify for the computer employee exemption, the following tests must be met.

- The employee must be compensated either on a salary or fee basis at a rate not less than \$455 per week or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- The employee's primary duty must consist of:
 - A. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;

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- B. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
- C. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
- D. A combination of the aforementioned duties, the performance of which requires the same level of skills.

For information purposes, the exemptions provided by the FLSA and defined in the foregoing paragraphs, do not apply to police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, **regardless of rank or pay level**, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.

Additionally, the FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Similarly, employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Code of Federal Regulations (CFR), Part 541, relieves employers from their contracted obligations under such bargaining agreement.

“Salary Basis” means that an employee is paid under his employment agreement (for government of Guam employees, the employment agreement is their Personnel Action) if he/she regularly receives each pay period, on a weekly, bi-weekly, semi-monthly, monthly or annually, a pre-determined amount constituting all or part of his compensation, which amount is not subject to reduction because of variations in the number of hours worked or in the quantity or quality of the work performed during the pay period.

Factors for determining “Primary Duty” of an employee include:

1. The relative importance of the exempt duties as compared with other types of duties.
2. The amount of time spent performing exempt work.
3. The employee’s relative freedom from direct supervision.
4. The relationship between employee’s salary and the wages paid to other employees for the same kind of non-exempt work

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In time of emergencies, exempt employees will not lose the exemption by performing work of a normally non-exempt nature because of the existence of an emergency. Thus, when emergencies arise that threaten the safety of employees, a cessation of operations or serious damage to the employer's property, any work performed in an effort to prevent such results is considered exempt work. Hence, exempt employees called in for emergency work will not be entitled to overtime or compensatory time off.

For purposes of Public Accountability, 29 CFR Section 541.710 provides that exempt employees of a public agency shall not be disqualified from exemption on the basis that such employee is paid according to a pay system established by statute, ordinance or regulation, or by a policy or practice established pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the public agency employee's pay to be reduced or such employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work day when accrued leave is not used by the employee because:

1. Permission for its use has not been sought, or has been sought and denied;
2. Accrued leave has been exhausted;
3. The employee chooses to use leave without pay.

Pay docking for budget required furlough does not disqualify the employee from being paid on a salary basis, except in the work-week in which furlough occurs and for which the employee's pay is accordingly reduced.

Additionally under public accountability, employers, without affecting employees' exempt status, may take deductions from accrued leave accounts; may require exempt employees to record and track hours; may require exempt employees to work specified schedule; and may implement across-the-board changes in schedule under certain circumstances

The above guidance is taken out of the U. S. Department of Labor Final Rule on 29 CFR 541. The impact of FLSA on management responsibility is minimal. The basic responsibility of managers and supervisors to effectively manage and control the work of the agency/department, and to make efficient use of money and manpower resources towards this end, is in no way altered by FLSA. Managers will continue to ensure that work is performed by employees when they need and want it performed, and equally they must also ensure that work is not performed when it is not needed and when they do not want it performed. FLSA gives special emphasis to this continuing responsibility. In addition, management cannot accept the benefits of a non-exempt employee's work without compensating the employee for that work. No work will be ordered to a non-exempt employee outside the normal work hours without a clear indication of approval by the manager or supervisor for overtime or compensatory time off if the employee has performed work over 40 hours a week.

As explained above, virtually all benefits previously allowed for exempt employees, e.g., absence of less than 8 hours may not be docked from an employee's pay, no requirement to clock in or out during the work day, are no longer authorized under the new revised rules. The 20% of non-exempt duties performed by exempt employees, which makes those employees eligible for overtime or compensatory time, if they work over 40 hours during the workweek, no longer applies. Therefore, the form which records the 20% non-exempt hours worked by exempt employees, to determine eligibility for overtime/compensatory time off, will no longer be required

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to be submitted to the Human Resources Division for approval. Exempt employees are not entitled to overtime pay or compensatory time off.

Exceptions to the exemptions will be appropriately communicated to the respective departments/agencies. This Circular is not intended to be all inclusive, therefore, the Department of Administration and the Civil Service Commission will conduct special orientations for all managers, supervisors and affected employees. This orientation will be coordinated with the Department of Administration Training and Development Division and the schedule will be announced by that office. Department/Agency heads are requested to allow for maximum participation of affected employees at this orientation.

PLEASE ENSURE THAT COPIES OF THIS CIRCULAR ARE DISSEMINATED TO THE AFFECTED EMPLOYEES IN YOUR ORGANIZATION.

Lastly, we hope the information provided above will give you a general understanding of how exemptions were determined for those employees occupying positions in executive, administrative, professional and other categories. If you have any questions concerning this matter, you may contact the Division of Personnel Management at 475-1131 or 475-1265.


LOURDES M. PEREZ

Attachment

cc: Executive Director, Civil Service Commission



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

EXECUTIVE ORDER NO. 2005- 28

RELATIVE TO RE-DEFINING THE POSITIONS EXEMPTED BY THE FAIR LABOR STANDARDS ACT FROM MINIMUM WAGE AND OVERTIME PROVISIONS AND RE-DESIGNATING BONAFIDE EXECUTIVE, ADMINISTRATIVE AND PROFESSIONAL CATEGORIES PREVIOUSLY DESIGNATED BY EXECUTIVE ORDER 95-11. A POLICY IS HEREBY ESTABLISHED TO DECLARE EMPLOYEES OCCUPYING EXEMPT POSITIONS INELIGIBLE TO BE COMPENSATED FOR OVERTIME HOURS OR COMPENSATORY TIME WORKED, AND DIRECTING IMMEDIATE IMPLEMENTATION.

WHEREAS, the government of Guam has previously designated bonafide executive, administrative and professional positions to be exempted from the minimum wage and overtime provisions of the Fair Labor Standards Act;

WHEREAS, the new U.S. Department of Labor Rules, which became effective August 23, 2004, have revised and re-defined the duties and salary tests for the executive, administrative and professional positions;

WHEREAS, the new Federal Rules added new exemption categories to include other Professional categories, e.g., the Learned Professionals, Creative Professionals; Computer Professionals, Academic Professionals and Nurses; and

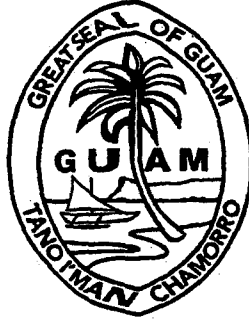
WHEREAS, all agencies and departments of the government of Guam are governed by the term "bonafide executive, administrative, or professional exemption; as defined in 29 Code of Federal Regulations, Part 541 and Department of Labor Fact Sheets 17A, B, C, D, E, G, H, I, J, K, L, N and O.

NOW, THEREFORE, I, FELIX P. CAMACHO, by virtue of the authority vested in me by the Organic Act of Guam, do hereby order the following:

1. Effective August 23, 2004, employees in non-autonomous departments and agencies, who occupy position titles listed in Attachment I herein, as set by §6201 of Title 4, Guam Code Annotated, and which are defined as bona fide administrative, executive and/or professional positions of the government of Guam, accordingly, shall not receive overtime pay or compensatory time for working more than forty (40) hours per week.

2. Heads of autonomous agencies are required to identify and define bona fide administrative, executive and/or professional positions in their agencies and submit to the Civil Service Commission to be included in the list of exempt positions.

3. The Department of Administration shall provide guidance through a departmental circular to assist heads of departments and agencies in the implementation and application of the exemption procedures based on the federal guidelines.



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

4. The Department of Administration and the Civil Service Commission shall conduct appropriate orientations to departments and agencies regarding the provisions of this Executive Order.

SIGNED AND PROMULGATED at Hagåtña, Guam this 11th day of July, 2005.

A handwritten signature in black ink, appearing to read "F. Camacho", is written over a horizontal line.

FELIX P. CAMACHO
I Maga' lãhen Guãharz
Governor of Guam

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

CLASS CODE	DEPT	TITLE	PAY GRADE	STATUS
2.33		ACCOUNTANT I	K	E
2.331		ACCOUNTANT II	L	E
2.332	PORT	ACCOUNTANT III	N	E
2.325		ACCOUNTING TECHNICIAN SPVR.	K	E
2.505		ADMIN. SERVICES & BENEFITS SPVR DOA	N	E
2.03		ADMIN. SERVICES OFFICER	N	E
1.456		ADMIN., CENTRAL PURCHASING (GSA)	M	E
1.454		ADMIN., CONTROL DIV. (GSA)	M	E
1.455		ADMIN., OPERATIONS DIV. (GSA)	M	E
2.831		ADMINISTRATIVE COUNSEL (CSC)	R	E
2.01	DYA	ADMINISTRATIVE OFFICER	L	E
2.01		ADMINISTRATIVE OFFICER	L	E
1.163		ADMINISTRATIVE SUPV (AG)(CSC 94-033 10/22/93	L	E
1.456	DOA	ADMINISTRATOR-PROCUREMENT DIV	M	E
		ADMINISTRATOR OFFICE OF CIVIL DEFENSE	S	E
7.149		AGRICULTURAL DEVELOPMENT CHIEF	P	E
7.125		AGRICULTURAL DIVISION CHIEF	P/Q	E
11.003		AGRICULTURAL EXPERIMENT STATION MANAGER	M	E
7.146		AGRICULTURAL MANAGEMENT SPECIALIST I	K	E
7.147		AGRICULTURAL MANAGEMENT SPECIALIST II	L	E
7.148		AGRICULTURAL MANAGEMENT SPECIALIST III	M	E
7.12		AGRICULTURIST I	K	E
7.121		AGRICULTURIST II	M	E
7.122		AGRICULTURIST III	N	E
6.16		AIR & LAND PROGRAMS ADM	P	E
7.135		AQUATICS & WILDLIFE DIV CHIEF	Q	E
7.155		ARCHAEOLOGIST	M	E
0.428		ASSISTANT CHIEF PAYROLL OFFICER	L	E
2.731		ASSISTANT ECONOMIST	L	E
4.436		ASSISTANT FIRE CHIEF	P	E
0	MAYOR	ASSISTANT MAYOR	M2	E
3.64		ASSISTANT PARKS ADMINISTRATOR	N	E
0	PASS	ASSISTANT PASSPORT OFFICER	L6	E
10.925		ASSISTANT SCHOOL BUS OPNS SUPERINTENDENT	L	E
0	KGTF	ASSISTANT STATION MANAGER	L6	E
2.439		ASSISTANT TAX INVESTIGATOR	K	E
0	LIB	ASSISTANT TERRITORIAL LIBRARIAN	L6	E
2.315		ASSISTANT TREASURER OF GUAM	M	E
2.732		ASSOCIATE ECONOMIST	M	E
7.134		ASST AQUATICS & WILDLIFE DIV CHIEF	O	E
10.936		ASST AUTOMOTIVE REPAIR SUPERINT	O	E
4.237		ASST CHIEF OF CUSTOMS AND QUARANTINE	O	E
2.567		ASST PERSONNEL SRVCS ADMIN (DOA)	P	E
3.635		ASST RECREATION ADMINISTRATOR	L	E
3.345		ASST REHABILITATION WRKSHP ADMIN	N	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

10.925		ASST SCHOOL BUS OPNS SUPERINTENDENT	L	E
2.025	GOV	ASST TO GOVERN	L	E
3.024		ASST VETERANS AFFAIRS ADMIN	K	E
1.458		ASST. CHIEF PROC. OFFICER (GSA)	N	E
2.825	LAW	ATTORNEY I	N	E
2.826	LAW	ATTORNEY II	O	E
2.827	LAW	ATTORNEY III	P	E
2.828	LAW	ATTORNEY IV	Q	E
2.82		ATTORNEY TRAINEE	M	E
8.325		AUDIOLOGIST (CLINICAL)	M	E
8.326		AUDIOLOGIST SUPERVISOR	N	E
2.36		AUDITOR I	K	E
2.361		AUDITOR II	L	E
2.362		AUDITOR III	M	E
7.13		BIOLOGIST I	K	E
7.131		BIOLOGIST II	L	E
7.132	AGRI	BIOLOGIST III	M	E
7.132		BIOLOGIST III	M	E
7.133		BIOLOGIST IV	N	E
6.255		BLDG INSPECTION & PERMITS ADMIN	O	E
2.045		BUDGET & MANAGEMENT ANALYST ADMINISTRATOR	R	E
2.04		BUDGET & MANAGEMENT ANALYST I	K	E
2.041		BUDGET & MANAGEMENT ANALYST II	L	E
2.042		BUDGET & MANAGEMENT ANALYST III	M	E
2.043		BUDGET & MANAGEMENT ANALYST IV	N	E
2.005		BUDGET ANALYST	L	E
2.039	PORT	BUDGET ANALYST	L	E
2.044	BBMR	BUDGET AND MANAGEMENT ANALYST SUPERVISOR	O	E
6.245		BUILDING INSPECTOR SPVR	L	E
10.972		BUILDING MAINTENANCE MANAGER	O	E
10.971		BUILDING MAINTENANCE SUPERINT	N	E
2.406		BUSINESS PRIV. TAX PROCESS SPVR	K	E
	MHSA	CARE COORDINATOR	M	E
6.223		CARTOGRAPHIC SUPERVISOR	L	E
2.033	MAYOR	CEO/COMMISSIONERS COUNCIL	M	E
2.142		CHAMORRO VILLAGE MANAGER	N	E
3.103		CHEMICAL DEPENDENCY TREATMENT SPECIALIST II	L	E
3.105		CHEMICAL DEPENDENCY TREATMENT SPECIALIST III	M	E
7.23		CHEMIST I	K	E
7.231		CHEMIST II	L	E
7.232		CHEMIST III	M	E
2.365		CHIEF AUDITOR	O	E
6.25		CHIEF BUILDING INSPECTOR	M	E
7.328		CHIEF CRIMINALIST	O	E
0	LAW	CHIEF DEPUTY ATTORNEY GENERAL	L3	E
2.738		CHIEF ECONOMIST	Q	E
6.267		CHIEF ENGINEER	R	E
3.081		CHIEF HUMAN SERVICES ADM	Q	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

4.315		CHIEF INVESTIGATION AGENT (AG)	Q	E
0	MED	CHIEF MEDICAL EXAMINER	R	E
2.032		CHIEF OF ADMINISTRATION	O	E
6.235		CHIEF OF CADASTRE	P	E
2.136		CHIEF OF OPERATIONS-DPW/PUAG	Q	E
0	GPD	CHIEF OF POLICE	L2	E
3.039		CHIEF OF PUBLIC WELFARE INVEST.	N*P	E
4.135		CHIEF OF SAFETY & SECURITY OPS (DPW)	N	E
4.523		CHIEF OF SECURITY	N	E
2.171	GOV	CHIEF OF STAFF	R	E
3.035		CHIEF PAROLE OFFICER	P	E
0.429		CHIEF PAYROLL OFFICER	N	E
7.226		CHIEF PHARMACIST	O	E
6.325		CHIEF PLANNER	P	E
1.459		CHIEF PROCUREMENT OFFICER (GSA)	Q	E
8.415		CHIEF PUBLIC HEALTH DENTAL OFFICER	Q	E
2.14		CHIEF PUBLIC HEALTH OFFICER	S	E
1.15		CIVIL DEFENSE OFFICER	K	E
3.057		CLAIMS PROCESS. & UTIL. REVIEW OFFICER	M	E
3.092		CLINICAL ADMINISTRATOR	R	E
6.331		COASTAL PROGRAM ADMINISTRATOR	P	E
6.33		COASTAL PROGRAM ASSISTANT ADMIN	O	E
8.195		COMM HEALTH & NURS SERVICES ADMIN	R	E
8.194		COMM HLTH & NURSE SERVICES ASST AD	Q	E
2.147	CHAM	COMMISSION COORDINATOR	M	E
8.142		COMMUNICABLE DISEASE CEN. COORD.(SUPVR)	N	E
8.143		COMMUNICABLE DISEASE CEN. PROG. ADMIN.	P	E
8.14		COMMUNICABLE DISEASE CNTRL COORD. I	L	E
8.141		COMMUNICABLE DISEASE CNTRL COORD. II	M	E
8.18		COMMUNITY HEALTH NURSE I	K	E
8.181		COMMUNITY HEALTH NURSE II	M	E
8.19		COMMUNITY HEALTH NURSE SPVR I	N	E
8.215		COMMUNITY NUTRITIONIST I	L	E
8.216		COMMUNITY NUTRITIONIST II	N	E
8.191		COMMUNITY HEALTH NURSE SPVR II	P	E
2.829		COMPILER OF LAWS	R	E
2.21		COMPLIANCE INSPECTION SUPERVISOR	K	E
0.521		COMPUTER OPERATIONS SUPERVISOR	L	E
0.53		COMPUTER OPS ADMINISTRATOR (DOA)	M	E
2.635	DOA	COMPUTER SYSTEMS ADMINISTRATOR	P	E
2.621		COMPUTER SYSTEMS ANALYST I	L	E
2.622		COMPUTER SYSTEMS ANALYST II	M	E
2.118		CONSUMER ADVOCATE ADMINISTRATOR	N	E
4.208		CONTRACTORS LICENSE DPTY REGIST	N	E
4.206		CONTRACTORS LICENSE INVEST SPVR	L	E
0	GCLB	CONTRACTORS LICENSING BRD - EXEC.SECRETARY	L6	E
2.372		CONTROLLER (DOA)	S	E
4.54		CORRECTION FACILITY ASST SUPER	N	E
3.048		CORRECTION SOCIAL WORK ADMIN.	P	E
3.041		CORRECTION SOCIAL WORKER I	K	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

3.042		CORRECTION SOCIAL WORKER II	L	E
3.043		CORRECTION SOCIAL WORKER III	M	E
3.047		CORRECTION SOCIAL WORKER SPVR	N	E
4.541	DEPCOR	CORRECTIONS FACILITY SUPERINTENDENT	P	E
7.323		CRIME ANALYST	L	E
2.442		CRIMINAL INVESTIGATION SPVR	O	E
7.325		CRIMINALIST I	K	E
7.326		CRIMINALIST II	L	E
7.327		CRIMINALIST III	M	E
3.104	VIP	CRISIS HOTLINE COUNSELING SUPERVISOR	N	E
3.1	VIP	CRISIS HOTLINE COUNSELOR I	K	E
3.101	VIP	CRISIS HOTLINE COUNSELOR II	L	E
3.074		CRISIS HOTLINE SOCIAL WORKER II	L	E
3.077		CRISIS HOTLINE SOCIAL WORKER III (SUPVR)	N	E
4.235		CUSTOMS AND QUARANTINE OFFICER SUPRV	M	E
0.183	DOA	DATA CONTROL SUPERVISOR	H	E
2.636		DATA PROCESSING MANAGER (DOA)	Q	E
2.625		DATA PROCESSING SUPERVISOR	L	E
2.635		DATA PROCESSING SYSTEM ADMIN (DOA)	O	E
8.41		DENTAL OFFICER I	N	E
8.411		DENTAL OFFICER II	O	E
0	LAW	DEPT OF LAW - ATTORNEY GENERAL	L1	E
0	AHRD	DEPUTY ADMINISTRATOR	L6	E
0	GEPA	DEPUTY ADMINISTRATOR	L5	E
2.17	GOV	DEPUTY CHIEF OF STAFF	P	E
1.239		DEPUTY CIVIL REGISTRAR	M	E
2.371		DEPUTY CONTROLLER (DOA)	Q	E
0	AGRI	DEPUTY DIRECTOR	L6	E
	DISID	DEPUTY DIRECTOR FOR OPERATIONS	L4	E
	DISID	DEPUTY DIRECTOR FOR ADMINISTRATION	L5	E
0	CHAM	DEPUTY DIRECTOR	L6	E
0	REV	DEPUTY DIRECTOR	L4	E
0	CORR	DEPUTY DIRECTOR	L5	E
0	CD	DEPUTY DIRECTOR	L6	E
0	DOA	DEPUTY DIRECTOR	L4	E
0	MHSA	DEPUTY DIRECTOR	L5	E
0	GEO	DEPUTY DIRECTOR	L6	E
0	GEC	DEPUTY DIRECTOR	L6	E
0	DYA	DEPUTY DIRECTOR	L6	E
0	DPW	DEPUTY DIRECTOR	L4	E
0	DOLM	DEPUTY DIRECTOR	L6	E
0	DPR	DEPUTY DIRECTOR	L6	E
0	BBMR	DEPUTY DIRECTOR	L4	E
0	DOL	DEPUTY DIRECTOR	L6	E
0	PHSS	DEPUTY DIRECTOR	L4	E
4.437		DEPUTY FIRE CHIEF	S	E
2.45		DEPUTY COMMISSIONER OF REV & TAX	S	E
3.339		DEV. DISABILITY PGM. SPECIALIST	M	E
3.34		DEVELOPMENTAL DISABILITIES ADMIN	O	E
0	GEO	DIRECTOR	L5	E
0	MHSA	DIRECTOR	L3	E
0	CORR	DIRECTOR	L3	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

0	DISID	DIRECTOR	L3	E
0	DYA	DIRECTOR	L4	E
0	GCAHA	DIRECTOR	L5	E
0	DOA	DIRECTOR	L2	E
0	PHSS	DIRECTOR	L2	E
0	BS&P	DIRECTOR	L3	E
0	BBMR	DIRECTOR	L2	E
0	CD	DIRECTOR	L4	E
0	DOL	DIRECTOR	L4	E
0	DOLM	DIRECTOR	L4	E
0	DPR	DIRECTOR	L4	E
0	DPW	DIRECTOR	L2	E
0	REV	DIRECTOR	L2	E
0	AGRI	DIRECTOR	L4	E
3.328		DISABILITY CLAIMS PROGRAM COORDINATOR	N	E
4.44		E911 ADMINISTRATOR	K	E
2.412		ELECTRONIC DATA PROCESS. SPVR. (R&T)	M	E
2.135		EMERGENCY MEDICAL SERVICES ADMIN	N	E
2.585		EMPLOYEE DEVELOP. SPEC. I	K	E
2.586		EMPLOYEE DEVELOP. SPEC. II	L	E
2.587		EMPLOYEE DEVELOP. SPEC. III	M	E
2.547		EMPLOYEE MGMT REL OFFICER I - DOA	M	E
2.548		EMPLOYEE MGMT REL OFFICER II - DOA	N	E
2.556		EMPLOYEE-MGMT REL OFFICER (DOE)	N	E
3.225		EMPLOYEE RELATIONS REPRESENTATIVE	K	E
3.215		EMPLOYMENT COUNSELOR	L	E
3.235		EMPLOYMENT DEVELOPMENT SPVR	L	E
3.245		EMPLOYMENT PROGRAM ADMINISTRATOR	N	E
6.26		ENGINEER I	L	E
6.261		ENGINEER II	M	E
6.262		ENGINEER III	N	E
6.264		ENGINEER SUPERVISOR	P	E
7.17		ENTOMOLOGIST	P	E
6.15		ENVIRONMENTAL HEALTH SPEC I	K	E
6.151		ENVIRONMENTAL HEALTH SPEC II	L	E
6.152		ENVIRONMENTAL HEALTH SPEC III	M	E
6.156		ENVIRONMENTAL HEALTH SPEC. ADM.	P	E
6.155		ENVIRONMENTAL HEALTH SPEC. SPVR.	N	E
6.143		ENVIRONMENTAL INSPECTOR SPVSR	K	E
7.249	GEPA	ENVIRONMENTAL MONITORING SVCS ADMINISTRATOR	P	E
0	GEPA	ENVIRONMENTAL PROTECTION - ADMINISTRATOR	L4	E
2.525		EQUAL EMPLOYMENT OPPORTUNITY COORD	K	E
2.53		EQUAL EMPLOYMENT OPPORTUNITY OFFICER	N	E
10.966	PORT	EQUIPMENT MAINTENANCE SUPERINTENDENT	P	E
0	BWA	EXECUTIVE DIRECTOR	L6	E
0	GEC	EXECUTIVE DIRECTOR	L5	E
0	CSC	EXECUTIVE DIRECTOR	L3	E
0	MAYOR	EXECUTIVE DIRECTOR (MAYOR'S COUNCIL)	P	E
3.247		FAIR EMPLOYMENT PRACTICE OFFICER	N	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

2.126		FAMILY SUPPORT GROUP COORDINATOR (MIL AFF)	N	E
2.124		FEDERAL PROGRAMS EXAMINER I	L	E
2.125		FEDERAL PROGRAMS EXAMINER II	M	E
7.333		FINGERPRINT SUPERVISOR	L	E
4.435		FIRE BATTALION CHIEF	O	E
4.434		FIRE CAPTAIN	M	E
0	GFD	FIRE CHIEF	L2	E
7.14		FORESTER I	K	E
7.141		FORESTER II	M	E
7.142		FORESTER III	N	E
7.145		FORESTRY DIVISION CHIEF	P/Q	E
2.335		GENERAL ACCOUNTING SUPERVISOR	O	E
6.237		GEOGRAPHIC INFO SYSTEM/LAND INFO SYSTEM MGR	O	E
4.132		GOSH ADMINISTRATOR	N	E
0	U	GOVERNOR	UNC	E
7.158		GUAM HISTORIC PRESERVATION OFFICER	O	E
6.319	CIVIL DEF	HAZARD MITIGATION OFFICER	P	E
3.089		HEALING HEARTS PROGRAM MANAGER	O	E
8.233		HEALTH EDUCATION ADMINISTRATOR	O	E
8.23		HEALTH EDUCATOR I	K	E
8.231		HEALTH EDUCATOR II	L	E
8.232		HEALTH EDUCATOR III	M	E
6.34		HEALTH PLANNING & DEV. ADMIN.	Q	E
8.158		HEALTH PROF. LICENSING ADMIN.	P	E
2.139		HEALTH SERVICES ADMINISTRATOR	P	E
8.178		HEALTHCARE RESOURCES ADMIN.	P	E
8.33		HEARING THERAPIST	M	E
10.941		HIGHWAY MAINTENANCE SUPERINT	O	E
3.512		HISTORIAN	M	E
3.517		HISTORIC ARCHITECT	L	E
7.161		HISTORIC PRESERVATION SPECIALIST II	K	E
7.162		HISTORIC PRESERVATION SPECIALIST III	L	E
8.227		HOME EDUCATOR I	K	E
8.228		HOME EDUCATOR II	M	E
2.13		HOUSING MANAGEMENT ADMINISTRATOR	N	E
3.08		HUMAN SERVICES PROGRAM ADMINISTRATOR	P	E
2.411		INCOME TAX PROCESSING SUPERVISOR	K	E
2.127		INDEP MONITORING UNIT ADMIN	N	E
	UNCLASS	JUNIOR APPLICATIONS PROGRAMMER	L	
2.73		JUNIOR ECONOMIST	K	E
2.648	R&T	JUNIOR PROGRAMMER ANALYST	L	E
2.624	UNCLASS	JUNIOR SYSTEMS PROGRAMMER (UNCLASS)	N	E
0	CHAM	KUMISION I FINO CHAMORRO - DIRECTOR	L5	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

3.214		LABOR LAW ENFORCEMENT SPVR	L	E
7.245		LABORATORY SERVICES SPVR.	M	E
7.243		LABORATORY TECHNICIAN SPVR	K	E
1.228		LAND AGENT SUPERVISOR	K	E
1.229		LAND MANAGEMENT ADMINISTRATOR	M	E
1.24	LAND	LAND MAP RESEARCH SUPERVISOR (UNCLASSIFIED)	N	E
6.327	TPC	LAND USE PLANNER (UNCLASSIFIED)	M	E
2.822		LAW CLERK	L	E
2.834	GPD	LEGAL ADVISOR	P	E
2.833	GOV	LEGAL COUNSEL	Q	E
3.54		LIBRARIAN I	K	E
3.541		LIBRARIAN II	L	E
3.542		LIBRARIAN III	M	E
0	U	LIEUTENANT GOVERNOR	UNC	E
7.127		LIVESTOCK SPECIALIST I	K	E
7.128		LIVESTOCK SPECIALIST II	L	E
7.129		LIVESTOCK SPECIALIST III	M	E
2.02		MANAGEMENT ANALYST I	K	E
2.021		MANAGEMENT ANALYST II	L	E
2.022		MANAGEMENT ANALYST III	M	E
2.023		MANAGEMENT ANALYST IV	N	E
10.734		MARINE TECH SUPVR	K	E
0	MAYOR	MAYOR	M1	E
3.06		MEDICAID ADMINISTRATOR	N	E
3.059		MEDICAID SPECIALIST	L	E
2.137		MEDICAL HEALTH RECORDS ADM.	N	E
2.133		MEDICAL HEALTH RECORDS SUPRV. (GMHA & MHSA)	M	E
7.253		MEDICAL LABORATORY TECHNICIAN IV	K	E
7.255		MEDICAL TECHNOLOGIST I	L	E
7.256		MEDICAL TECHNOLOGIST II	M	E
7.257		MEDICAL TECHNOLOGIST SUPERVISOR	N	E
3.242		MEDICAL UTILIZATION SPECIALIST	L	E
3.09		MENTAL HEALTH ADMINISTRATOR	O	E
3.122		MENTAL HEALTH PSYCHOLOGIST	P	E
8.36		MENTAL HEALTH RECREATION THERAPY COORD	K	E
3.107		MENTAL HEALTH RESIDENTIAL TREAT PRGM MGR	M	E
3.083		MHSA TRAINING COORDINATOR	L	E
3.084		MHSA TRAINING OFFICER	N	E
7.22		MICROBIOLOGIST I	K	E
7.221		MICROBIOLOGIST II	L	E
7.222		MICROBIOLOGIST III	M	E
7.248		MONITORING LABORATORY SERVICES ADM.	N	E
1.577		MOTOR VEHICLE PROGRAMS ADMINISTRATOR	O	E
3.515		MUSEUM CURATOR	M	E
0	GNG	NATIONAL GUARD - ADJUTANT GENERAL	L5	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

2.061		NOTARY PUBLIC ADMINISTRATOR	L	E
8.186		NURSE PRACTITIONER	O	E
8.184		NURSE SPECIALIST	L	E
0	GOICC	OCCUPATIONAL CONTRACTORS - EXEC. DIRECTOR	L6	E
4.13		OSHA ADMINISTRATOR	N	E
2.81		PARALEGAL I	K	E
2.811		PARALEGAL II	L	E
3.641		PARKS ADMINISTRATOR	O	E
10.905		PARKS MAINTENANCE SUPERINTENDENT	M	E
3.032		PAROLE OFFICER III	N	E
0	PASS	PASSPORT OFFICE-PASSPORT OFFICER	L5	E
0.423		PAYROLL SUPERVISOR	M	E
2.575		PERSONNEL MANAGEMENT ADMIN.	Q	E
2.57		PERSONNEL MANAGEMENT ANALYST I	L	E
2.571		PERSONNEL MANAGEMENT ANALYST II	M	E
2.572		PERSONNEL MANAGEMENT ANALYST III	N	E
2.54		PERSONNEL OFFICER	L	E
2.568		PERSONNEL SERVICES ADMIN (DOA)	Q	E
2.535		PERSONNEL SPECIALIST I	K	E
2.536		PERSONNEL SPECIALIST II	L	E
2.537		PERSONNEL SPECIALIST III	M	E
2.538		PERSONNEL SPECIALIST IV	N	E
0	CPD	PERSONS W/ DISABILITIES - EXEC. DIRECTOR	L6	E
7.225		PHARMACIST	N	E
6.315		PLANNER I	K*L	E
6.316		PLANNER II	L*M	E
6.317		PLANNER III	M*N	E
6.318		PLANNER IV	N*O	E
6.236		PLINANEHAN PRUGRAMA (PROGRAM PLANNER)	N	E
4.418		POLICE CAPTAIN	O	E
4.42		POLICE COMMANDER	S	E
4.417		POLICE LIEUTENANT	N	E
4.419		POLICE MAJOR	Q	E
4.415		POLICE SERGEANT II	M	E
2.146	GOICC	PROGRAM COORDINATOR (UNCLASSIFIED)	M	E
2.12		PROGRAM COORDINATOR I	K*L	E
2.121		PROGRAM COORDINATOR II	L	E
2.122		PROGRAM COORDINATOR III	M	E
2.123		PROGRAM COORDINATOR IV	N	E
2.148	CHAM	PROGRAM DIRECTOR	P	E
6.326	CHAM	PROGRAM PLANNER	N	E
2.642	UNCLASS	PROGRAMMER ANALYST SUPERVISOR (UNCLASS)	O	E
	MHSA	PROJECT DIRECTOR	O	E
1.427	CORR	PROPERTY MANAGEMENT OFFICER	N	E
1.208		PROPERTY TAX APPRAISAL SUPER	K	E
1.203		PROPERTY TAX ASSES. SUPER	K	E
8.155		PSYCHIATRIC NURSE ADMNSTR	Q	E
8.151		PSYCHIATRIC NURSE I	K	E
8.152		PSYCHIATRIC NURSE II	L	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

8.153		PSYCHIATRIC NURSE III	M	E
8.154		PSYCHIATRIC NURSE SUPERVISOR	O	E
3.071		PSYCHIATRIC SOCIAL SERV ADMIN	P	E
3.066		PSYCHIATRIC SOCIAL WORKER I	M	E
3.067		PSYCHIATRIC SOCIAL WORKER II	N	E
3.069		PSYCHIATRIC SOCIAL WORKER SPVR	O	E
3.12		PSYCHOLOGIST	P	E
3.46		PSYCHOMETRIST	N	E
0	PA	PUBLIC AUDITOR	PA1	E
2.138		PUBLIC HEALTH ADMINISTRATOR	M	E
2.018		PUBLIC HEALTH DENTAL ADMIN MGR	M	E
7.26		PUBLIC HEALTH LAB DIRECTOR	O	E
8.218		PUBLIC HEALTH NUTRITION ADMINISTRATOR	Q	E
8.217		PUBLIC HEALTH NUTRITION SPECIALIST	O	E
2.52		PUBLIC INFORMATION OFFICER	M	E
3.036		PUBLIC WELFARE INVEST. I	K	E
3.037		PUBLIC WELFARE INVEST. II	L	E
3.038		PUBLIC WELFARE INVEST. SUPER	M	E
3.099		QUALITY CONTROL REVIEWER SUPER	L	E
2.034		QUARTER MASTER (MILITARY AFFAIRS)	O	E
1.21		REAL PROPERTY TAX ADMINISTRATOR	O	E
2.017	DOA	RECORDS MANAGEMENT OFFICER (DOA)	K	E
3.636		RECREATION ADMINISTRATOR	N	E
2.23		REGULATORY EXAMINER I	K	E
2.231		REGULATORY EXAMINER II	M	E
2.235		REGULATORY EXAMINER SUPERVISOR	N	E
2.237		REGULATORY PROGRAM ADMIN.	O	E
3.341		REHABILITATION WKSP MRKTING SPEC	L	E
3.346		REHABILITATION WORKSHOP ADMIN	O	E
3.342		REHABILITATION WORKSHOP MANAGER	M	E
2.436		RESEARCH & APPEALS ADMINISTRATOR	Q	E
2.435		RESEARCH & APPEALS OFFICER	N	E
2.723		RESEARCH & STATISTICS ADMIN	N	E
2.72		RESEARCH & STATISTICS ANALYST I	K	E
2.721		RESEARCH & STATISTICS ANALYST II	M	E
2.523		RESOURCE INFORMATION AND EDUCATION OFFICER	M	E
2.42		REVENUE AGENT I	K	E
2.421		REVENUE AGENT II	L	E
2.422		REVENUE AGENT III	M	E
2.423		REVENUE AGENT IV	N	E
2.416		REVENUE OFFICER III	K	E
6.225		RIGHTS OF WAY SUPERVISOR	N	E
4.115		SAFETY ADMINISTRATOR	M	E
4.125		SAFETY INSPECTOR SUPERVISOR	K	E
10.927		SCHOOL BUS OPNS SUPERINTEND.	N	E
0	CSD	SELF-DETERMINATION EXEC DIR.	L6	E
3.064		SENIOR CITIZENS ADMINISTRATOR	P	E
3.062		SENIOR CITIZENS ASSISTANT ADM	O	E
2.733		SENIOR ECONOMIST	N	E
2.823		SENIOR LAW CLERK	N	E
2.64		SENIOR PROG/ANALYST (UNCL)	L	E

CLASSIFICATION LISTING OF EXEMPT POSITIONS WITHIN THE LINE DEPARTMENTS AND AGENCIES

2.641	R&T	SENIOR PROGRAMMER ANALYST	M	E
6.328	TPC	SOCIAL ENVIRON. PLANNER (UNCL)	M	E
	MHSA	SOCIAL MARKETING/COMMUNICATION MANAGER	M	E
3.02		SOCIAL SERVICE LICENS. OFFICER	M	E
3.077		SOCIAL SERVICE SUPERVISOR I	N	E
3.078		SOCIAL SERVICE SUPERVISOR II	O	E
3.073		SOCIAL WORKER I	K	E
3.074		SOCIAL WORKER II	L	E
3.075		SOCIAL WORKER III	M	E
10.912		SOLID WASTE MGMT ASSIS SUPER.	N	E
10.911		SOLID WASTE MGMT SUPERINT.	O	E
2.145	UNCLASS	SPECIAL PROJECTS COORD.	M	E
8.335		SPEECH/LANGUAGE CLINICIAN	K	E
8.336		SPEECH/LANGUAGE PATHOLOGIST	M	E
8.34		SPEECH/LANG PATHOLOGIST SPVR	N	E
2.025	GOV	SPECIAL ASST	N	E
2.025	GOV	STAFF ASSISTANT	K	E
2.025	GOV	STAFF ASSIST/EXEC DIRECTOR	K	E
0	KGTF	STATION MANAGER	L5	E
3.085		SUBSTANCE ABUSE PROG. SPEC.	M	E
3.086		SUBSTANCE ABUSE PROG. SPVR.	N	E
3.355	DISID	SUPPORT SERVICES ADMINIS.	Q	E
1.443		SURPLUS PROP. MGMT. ADMINIS.	M	E
6.23		SURVEYOR (REGISTERED)	M	E
6.231		SURVEYOR SUPERVISOR	O	E
2.622	DOA	SYSTEM ANALYST	L	E
2.645		SYSTEMS & PROGAM. ADMIN. (UN)	P	E
2.624		SYSTEMS PROGRAMMER	N	E
2.633		SYSTEMS SUPP. ADMINISTRATOR	O	E
2.446		TAX ACCT. TECH. SUPERVISOR	K	E
2.417		TAX COLLECTION SUPERVISOR	M	E
2.448		TAX ENFORCEMENT PROG. ADM.	P	E
2.425		TAX EXAMINATION SUPERVISOR	O	E
2.44		TAX INVESTIGATOR I	M	E
2.441		TAX INVESTIGATOR II	N	E
2.413		TAXPAYER SERVICES ADMIN.	P	E
	MHSA	TECHNICAL ASSISTANCE COORDINATOR	M	E
10.96		TELEVISION CHIEF ENGINEER	N	E
5.218		TELEVISION OPERATIONS MGR	M	E
7.156		TERRITORIAL ARCHAEOLOGIST	O	E
3.52		TERRITORIAL ARCHIVIST	N	E
8.408		TER. EPIDEMIOLOGIST (BRD CERT)	S	E
7.165		TER. HYDROGEOLOGIST	R	E
0	LIB	TERRITORIAL LIBRARIAN	L5	E
4.574		TER. PARK PATROL SUPERINT.	M	E
1.16		TERRITORIAL REGISTRAR	K	E
2.58		TEST DEV. & VALID. SPEC. I	K	E
2.581		TEST DEV. & VALID. SPEC. II	L	E
2.582		TEST DEV. & VALID. SPEC. III	M	E
2.583		TEST DEV. & VALID. SPEC. SUPER.	O	E
2.59		TRAINING & DEVELOP. ADMIN.	P	E

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2.515		TRAINING SPECIALIST	L	E
10.937		TRANSPORT. MAINT. SUPERINT.	P	E
2.316		TREASURER OF GUAM	O	E
8.172		UTILIZATION REVIEW COORD.	M	E
3.025		VETERANS AFFAIRS ADMIN.	M	E
8.405		VETERIANARIAN	R	E
		VICTIMS ADVOCATE (UNCL)	K	E
		VICTIMSWITNESS SUPERVISOR	L	E
3.35		VOC REHAB ADMINISTRATOR	R	E
3.33		VOC REHAB COUNSELOR (LEVEL I)	K	E
3.331		VOC REHAB COUNSELOR (LEVEL II)	L	E
3.332		VOC REHAB COUSELOR (LEVEL III)	M	E
3.333		VOC REHAB COUNSELOR (LEVEL IV)	N	E
3.336		VOC REHAB COUNSELOR SUPV	P	E
0	DISID	DIRECTOR	L3	E
0	VIP	VOLUNT. ARE IMPT PEOPLE-DIR.	L6	E
2.217		WEIGHTS & MEASURES INSP SPVR	K	E
3.24		WORKER'S COMP. EXAM. SUPER.	L	E
3.711		YOUTH COMM. SERVICES SPVR	N	E
3.721		YOUTH CORRECT. SUPERINT.	N	E
3.715		YOUTH DEV. ADMINISTRATOR	O	E
3.723		YOUTH REHAB ADMIN.	O	E