

## Appendix G

### DOA Leave of Absence Request for Medical Reasons





**Eddie Baza Calvo**  
Governor  
**Ray Tenorio**  
Lieutenant Governor

**GOVERNMENT OF GUÅHAN**  
*(GUBETNAMENTO GUÅHAN)*  
**DEPARTMENT OF ADMINISTRATION**  
*(DIPATTAMENTON ATMENESTRASION)*  
**DIRECTOR'S OFFICE**

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**Christine W. Baleto**  
Acting Director  
**Anisia B. Terlaje**  
Deputy Director

**MAR 16 2016**

**Department of Administration Organizational Circular No.: 2016-028**

**TO:** All Line/Non-Autonomous Agency and Department Heads

**FROM:** Director, Department of Administration

**SUBJECT:** Leave of Absence Request for Medical Reasons

Buenas Yan Hafa Adai! Our office has received numerous requests for information on the DOA Personnel Rules and Regulations (PR&R) regarding Chapter 8 on the Leave of Absences for medical reasons, what leave is applicable by statute (annual leave, sick leave, compensatory-time or leave without pay) and what information is required or necessary when submitting documentations, such as physician's certification.

Title 4 Guam Code Annotated (GCA) §4108(c), (d) and (e) specifically state the following provisions:

- (c) When Allowed. Sick leave with pay is allowed whenever:
  - (1) The employee is compelled to be absent from duty on account of physical or mental illness; injury; mental health examination, counseling or treatment; pregnancy; childbirth; medical, dental or optical examination or treatment; or because of quarantine due to his own or another's illness.
  - (2) The employee is compelled to be absent from duty to provide health care for a member of the employee's immediate family as a result of serious illness or injury.
    - (A) Serious illness or injury means an urgent condition that is certified by the attending physician as requiring hospitalization, institutionalization, or extended home care in which the person needs the constant administration of special medical care or support.
    - (B) Immediate family member means the employee's spouse, common-law, parents, parents-in-law, grandparents, brothers, sisters, children, grandchildren, any step or adoptive parents, adopted children or grandchildren of both the employee and the spouse, a guardian or person in loco parentis.
- (d) Certification. If an employee is absent because of illness, injury, medical condition or quarantine in excess of three (3) consecutive days, he may be required to furnish a certification as to be incapacity from a regularly licensed physician or other evidence administratively acceptable. The department head may require certification for such other period as is appropriate.

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- (e) Administration. If the certification required by Subsection (d) is not furnished, all absence which would have been covered by such certification shall be indicated on the payroll as leave of absence without pay.

Effective immediately, any requests by government employees for medical reasons must be in compliance with the above requirements. Therefore, ensure that the information on the physician's certification identifies the employee's name, what medical condition or care is required, and the duration or timeframe that the employee is to be excused from work. If the purpose is to care for the immediate family member, ensure the family member's name is identified with the medical condition and that the employee's name and their relationship is also identified, who is the primary caregiver/provider, as well as the duration or timeframe that the care is required.

Should you have any questions, please contact the Employee-Management Relations Branch of the Human Resources Division at 475-1185/1249. Si Yu'os Ma'ase.

  
**CHRISTINE W. BALETO**  
Acting

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

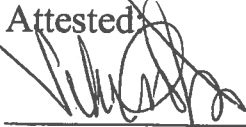
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 405-32 (COR), "AN ACT TO AMEND § 4108 (c)(2) OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO SICK LEAVE,"** was on the 17<sup>th</sup> day of December, 2014, duly and regularly passed.



**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested:



**Tina Rose Muña Barnes**  
**Legislative Secretary**

This Act was received by *I Maga'lahaen Guåhan* this 21 day of Dec,  
2014, at  
6:30 o'clock P.M.



**Assistant Staff Officer**  
***Maga'lahi's Office***

APPROVED:

  
**EDWARD J.B. CALVO**  
***I Maga'lahaen Guåhan***

Date: DEC 30 2014

Public Law No. 32-228

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

**Bill No. 405-32 (COR)**

As amended on the Floor.

Introduced by:

T. R. Muña Barnes  
V. Anthony Ada  
Aline A. Yamashita, Ph.D.  
Michael F. Q. San Nicolas  
Judith T. Won Pat, Ed.D.

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T. C. Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
R. J. Respicio  
Dennis G. Rodriguez, Jr.

**AN ACT TO *AMEND* § 4108 (c)(2) OF CHAPTER 4,  
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO  
SICK LEAVE.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that often times employees find the need to be absent from duty to provide for the  
4 health care of an immediate family member and are currently required to exhaust  
5 all their annual leave and compensatory time prior to utilizing their sick leave. *I*  
6 *Liheslaturan Guåhan* finds that employees should not be penalized for having to  
7 care for immediate family members who are seriously ill or injured by having to

1 exhaust their annual leave and compensatory time prior to being allowed to use  
2 accrued sick leave.

3 **Section 2. The first paragraph of § 4108 (c)(2) of Chapter 4, Title 4,**  
4 **Guam Code Annotated, is *amended* to read:**

5 “(2) The employee is compelled to be absent from duty to provide  
6 health care for a member of the employee’s immediate family as a result of  
7 serious illness or injury.”

