

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
288-38 (COR)	Vincent A. V. Borja	AN ACT TO <i>AMEND</i> §4109(e) TO CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO TEMPORARILY ALLOWING GOVERNMENT OF GUAM EMPLOYEES TO UTILIZE EXCESS ANNUAL LEAVE THROUGH SEPTEMBER 30, 2027.	3/12/26 8:00 a.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 288-38 (COR)

Introduced by:

Vincent A.V. Borja 

**AN ACT TO *AMEND* §4109(c) TO CHAPTER 4, TITLE 4,
GUAM CODE ANNOTATED RELATIVE TO
TEMPORARILY ALLOWING GOVERNMENT OF
GUAM EMPLOYEES TO UTILIZE EXCESS ANNUAL
LEAVE THROUGH SEPTEMBER 30, 2027.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Government of Guam employees are subject to statutory limits on the amount
4 of annual leave that may be carried over from one fiscal year to the next pursuant to
5 4 GCA §4109(c). Under existing law, employees may carry forward no more than
6 three hundred twenty (320) hours of annual leave into a new fiscal year. Any
7 additional hours are subject to conversion to sick leave or forfeiture in accordance
8 with statute.

9 *I Liheslaturan Guåhan* further finds that many Government of Guam
10 employees, particularly long-serving employees, have accumulated substantial leave
11 balances due to operational demands, staffing shortages, and the inability to schedule
12 extended leave without disrupting agency operations. Recent legal guidance
13 reaffirmed the statutory limitations governing annual leave carryover and clarified

1 that Government of Guam employees may not begin a fiscal year with annual leave
2 balances exceeding the statutory limits.

3 *I Liheslaturan Guåhan* finds that without a temporary policy allowing
4 employees time to utilize their accumulated leave, many employees risk losing
5 earned leave benefits despite years of public service.

6 It is therefore the intent of the *I Liheslaturan Guåhan* to provide Government
7 of Guam employees with a temporary window of opportunity to utilize accumulated
8 annual leave balances while ensuring agencies maintain operational continuity and
9 services to the public.

10 **Section 2.** §4109(c) of Chapter 4, Title 4, Guam Code Annotated is hereby
11 *amended* to read as follows.

12 (c) [No text]

13 (1) Employees entitled to annual leave hereunder may accumulate up
14 to three hundred twenty (320) hours. Any annual leave earned by eligible
15 employees in excess of three hundred twenty (320) hours shall be credited to
16 such employee's accumulated sick leave, provided, that no more than one
17 hundred (100) hours shall be credited to sick leave at the end of each fiscal
18 year. The determination of accumulation of annual leave, and crediting of
19 excess hours sick leave hours shall be done at the end of each fiscal year.

20 (2) Notwithstanding the provision of this Section, employees who have
21 accumulated annual leave in excess of three hundred twenty (320) hours as of
22 February 28, 2003, may carry over their excess and shall use the excess
23 amount of leave, prior to retirement or termination from service. At the time
24 of retirement or termination of service, that portion permitted to be credited
25 to sick leave shall be so credited and the remainder of the excess leave, if any,
26 shall be lost. Nothing herein shall allow lump sum compensation or retirement
27 credit for annual leave in excess of three hundred twenty (320) hours.

1 (3) Notwithstanding any provision of law, Government of Guam
2 employees shall be permitted to utilize accumulated annual leave in excess of
3 the statutory carryover limit in order to reduce their leave balances prior to
4 September 30, 2027.

5 (A) Government of Guam departments, agencies, and
6 instrumentalities shall make reasonable efforts to approve leave
7 requests submitted for the purpose of reducing excess annual leave
8 balances, provided that such leave utilization does not materially
9 disrupt essential government operations. Agencies shall retain authority
10 to schedule leave usage in a manner that ensures continuity of
11 government services.

12 **Section 3. Sunset Clause.**

13 The provisions of this Act shall expire on September 30, 2027, unless
14 otherwise extended by *I Liheslaturan Guåhan*.

15 **Section 4. Applicability.**

16 This Act shall apply to all employees of the Government of Guam, including
17 line agencies, autonomous agencies, and instrumentalities, except where federal law
18 or specific statutory provisions governing leave benefits require otherwise.

19 **Section 5. Severability.** If any provision of this Act or its application to any
20 person or circumstance is found to be invalid or contrary to law, such invalidity
21 shall not affect other provisions or applications of this Act that can be given effect
22 without the invalid provision or application, and to this end the provisions of the
23 provisions of this Act are severable

24 **Section 6. Effective Date.** This Act shall become effective upon enactment.