



JUDICIARY OF GUAM

Administrative Office of the Courts
Human Resources Office

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Katherine A. Maraman
Chief Justice

Alberto C. Lamorena III
Presiding Judge

John Q. Lizama
Administrator of the Courts

Barbara Jean T. Perez
Human Resources Administrator

December 28, 2018

MEMORANDUM

To: Judiciary Employees

From: Human Resources Administrator

Subject: **Child School-Related Leave Act Policy
Judicial Council Resolution #18-023**

Please be advised the Judicial Council of Guam adopted Resolution No. JC18-023, Child School-Related Leave Act Policy, during their regularly scheduled council meeting on December 20, 2018. This policy implements the provisions of 22 G.C.A. §3703(e) allowing Judicial employees an opportunity to engage with their children's teachers and child care providers. The general provisions of the policy are as follows:

A. Administrative Leave

1. A Judiciary employee who is a parent 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.
2. Leave requests may be split into smaller separate segments over the two (2) pay period time frame, but shall not carry over to the next two (2) pay periods or thereafter.

B. Administrative Leave is intended and limited to the following reasons:

1. To find, enroll, or re-enroll the employee's child in a school or with a licensed child care provider;
2. To meet with a teacher or other school official concerning the employee's child's performance;
3. To volunteer parental-involvement time at the employee's child's school; or
4. To participate in activities of the school or licensed child care provider of his or her child, including attendance at a graduation, school play, school fair, and related events, which shall be considered as attendance at an official meeting or conference.

Attached is a copy of the Judicial Council Resolution, the Child School-Related Leave Act Policy and the Form. The Policy and Child School-Related Leave Act Form (fillable) will also be available on the Judiciary's Intranet and Website. You are highly encouraged to familiarize yourself with this policy, specifically the provisions and limitations.

"The Judiciary is an equal opportunity employer and provider"

Additionally, to insure proper certifications are provided to comply with the new policy, the Human Resources created a **Child School-Related Leave Act Form**. The form must be completed accordingly and specify the duration or timeframe an employee is to be excused from work. Failure to submit the required documentation may result in disapproval of the leave request.



BARBARA JEAN T. PEREZ

Attachment

**cc: Chief Justice & Associate Justices
Presiding Judge & Judges
Administrator of the Courts
Division Heads**



BEFORE THE 2018 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC18-023

RELATIVE TO THE APPROVAL OF THE JUDICIARY OF GUAM'S
CHILD SCHOOL-RELATED LEAVE ACT POLICY

WHEREAS, Public Law ("P.L.") 33-170 was enacted on June 30, 2016 and it established a new Article 7 of Chapter 3 of Title 22 of the Guam Code Annotated; and

WHEREAS, P.L. 33-170 establishes provisions that prohibit discharge and discrimination against employees for participation in school-related events for their children; and

WHEREAS, the provisions of P.L. 33-170 were amended by the adoption of P.L. 34-85, which became law on March 2, 2018; and

WHEREAS, in furtherance of the implementation of the provisions of P.L. 33-170 and P.L. 34-85, this Council has reviewed the attached Child School-Related Leave Act Policy, which was submitted by the Judiciary's Human Resources office through the Administrative Offices of the Courts.

NOW, THEREFORE, BE IT RESOLVED that the attached Child School-Related Leave Act Policy is APPROVED by this Council and shall be effective as of the date of this adoption.

DULY ADOPTED this 20th day of December 2018 at a duly noticed meeting of the Judicial Council of Guam.


KATHERINE A. MARAMAN, Chairwoman

Date: December 26, 2018

ATTEST:


Shelterihna T. Alokooa, Secretary

Date: December 26, 2018



JUDICIARY OF GUAM POLICY

**TITLE: CHILD SCHOOL –RELATED
LEAVE ACT POLICY**

**DEPARTMENT: ADMINISTRATIVE
OFFICE OF THE COURTS**

I. POLICY STATEMENT:

In accordance with 22 G.C.A. §3703(e), this Child School-Related Leave Act Policy has been adopted, which shall be effective for Judiciary employees on December 20, 2018.

II. GENERAL PURPOSE:

The purpose of this Policy is to implement the provisions of 22 G.C.A. §3703(e) for the Judiciary.

III. DEFINITIONS:

A. Parent means a parent, guardian, stepparent, foster parent or grandparent of, or a person who stands in loco parentis to a child.

B. Child (plural children) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.

C. Child Care Provider or School Emergency means that an employee's child cannot remain in a school or with a child care provider due to one (1) of the following:

1. The school or child care provider has requested that the child be picked up, or has an attendance policy, excluding planned holidays, that prohibits the child from attending or requires the child to be picked up from the school or child care provider;
2. Behavioral or discipline problems;
3. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays; or
4. A natural disaster, including, but not limited to, fire, earthquake or flood.

D. Worksite means primary assigned work location, i.e. Hagatna, Dededo or other.

IV. PROVISIONS:

A. Administrative Leave

1. A Judiciary employee who is a parent 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.
2. Leave requests may be split into smaller separate segments over the two (2) pay period time frame, but shall not carry over to the next two (2) pay periods or thereafter.

B. Reasons for Administrative Leave

Administrative Leave is intended and limited to the following reasons:

1. To find, enroll, or re-enroll the employee's child in a school or with a licensed child care provider;
2. To meet with a teacher or other school official concerning the employee's child's performance;
3. To volunteer parental-involvement time at the employee's child's school; or
4. To participate in activities of the school or licensed child care provider of his or her child, including attendance at a graduation, school play, school fair, and related events, which shall be considered as attendance at an official meeting or conference.

C. Limitation

If more than one (1) parent of a child is employed by the same employer at the same worksite, the entitlement of a planned absence as to the child applies, at any one (1) time, only to the parent who first gives notice to their immediate supervisor, via submission of the Judiciary's Child-School Related Leave Act Request Form. The other parent may take a planned absence by using vacation, personal leave, compensatory time off, or leave without pay simultaneously as to that same child if he or she obtains the employer's approval for the requested time off.

V. RESPONSIBILITIES:

A. Administrator of the Courts (AOC)

1. Ensure compliance with this Policy by equipping the Human Resources and Financial Management offices with the necessary resources to comply with their obligations under this Policy.
2. Serve as final approving authority for employees requesting to use Child School-Related Leave.

B. Court Managers ensure that all employees in their divisions and offices comply with this Policy.

C. Employees

1. Give reasonable notice to the employer of planned leave of absence prior to charging such leave.
2. Submit a completed **Judiciary of Guam Child School-Related Leave Act Form** signed by a school official/licensed child care provider along with a **Judiciary of Guam Leave Application Form**.
3. Abuse of the provisions of this Policy may be grounds for discipline.

D. Timekeepers will forward all Child School-Related Leave Act Requests to Human Resources for review upon approval from division managers.

E. Human Resources

1. Provide policy and program guidance to Judiciary employees.
2. Review all Child School-Related Leave Act Requests prior to submission to the AOC for final approval.
3. Conduct any investigations of abuse or unethical conduct.



**JUDICIARY OF GUAM
CHILD SCHOOL-RELATED LEAVE ACT FORM**

SECTION I. EMPLOYEE (PARENT) INFORMATION

| | |
|-------------------------------------|-----------|
| Name of Employee (Parent): | Division: |
| Name of Child(ren), as applicable: | |
| Name of School/Child Care Provider: | Grade(s): |

SECTION II. NOTIFICATION TO EMPLOYER

(This information will assist the Human Resources Office in determining first notice eligibility as applicable.)

| | |
|--------------------------------------|--|
| Date & Time Supervisor was notified: | Worksite: <input type="checkbox"/> Hagatna Location <input type="checkbox"/> Dededo Location <input type="checkbox"/> Other: _____ |
|--------------------------------------|--|

Reason for Request:

Immediate Supervisor's Name and Signature:

SECTION III. CERTIFICATION FROM SCHOOL OR LICENSED CHILD CARE PROVIDER

(Must be completed from a school official/licensed child care provider)

| | | |
|---------------|-----------------|----------------|
| Arrival Time: | Departure Time: | Total Hour(s): |
|---------------|-----------------|----------------|

A. ADMINISTRATIVE LEAVE: () SCHOOL /LICENSED CHILD CARE PROVIDER INFORMATION

Certification: This is to certify that the above named parent of the child(ren) identified visited the school/child care provider for a conference with the child's/children's teacher, school official, or care provider to attend a function involving the child(ren), or volunteer to assist in the child's/children's school activities.

Signature of Teacher/School Official/Licensed Child Care Provider

B. ANNUAL LEAVE, COMPENSATORY TIME OFF OR LEAVE WITHOUT PAY : () CHILD CARE PROVIDER/SCHOOL EMERGENCY

Certification: This is to certify that the above named parent has responded to a child care provider or school emergency which the child(ren) cannot remain in school or with a child care provider due to an attendance policy, behavioral or discipline problem, closure or unexpected unavailability of the school or child care provider, a natural disaster, including but not limited to fire, earthquake, or flood.

Signature of Teacher/School Official/Licensed Child Care Provider

NOTE: This Request Form must be attached to the Judiciary of Guam Leave Application Form.