

A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by adding a new section 167 to subchapter VI thereof, and by renumbering subsequent sections thereof, in order to authorize merit increases for employees for sustained superior performance over a period of one year or more, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1           Section 1. Title 52 of the Code of the Federated States of  
2 Micronesia is hereby further amended by adding a new section 167  
3 to subchapter VI to read as follows:

4           "Section 167. Merit increases.:

5           (1) There is hereby established a Merit Review Board  
6 ('the Board'), which shall consist of three members who  
7 are officials or employees of the Federated States of  
8 Micronesia, one each selected by the President of the  
9 Federated States of Micronesia, the Speaker of the  
10 Congress of the Federated States of Micronesia, and the  
11 Chief Justice of the Supreme Court of the Federated  
12 States of Micronesia. The members of the Board shall  
13 receive no additional compensation for performing their  
14 duties as set forth herein.

15           (2) When a management official determines that an  
16 employee has performed his or her duties in a sustained  
17 superior fashion over one year or more, as determined  
18 according to the criteria set forth in this section, the

1           official shall recommend said employee to the Board for  
2           a merit increase, providing information upon which the  
3           official based the recommendation and other information  
4           requested by the Board. If, upon an independent review  
5           of the employee's performance record, the Board  
6           determines, by unanimous vote, that the employee has  
7           performed in a sustained superior fashion according to  
8           the criteria set forth in this section, and that he or  
9           she is not ineligible for a merit increase under  
10           subsection (4) of this section, the employee shall  
11           receive an increase in his base salary of one step in  
12           pay level, effective at the time of the Board's  
13           determination. If the employee has reached the highest  
14           step within his or her pay level, he or she shall  
15           receive an increase equivalent to a step increase. The  
16           Board's determination shall not be subject to judicial  
17           or administrative review.

18           (3) The criteria according to which an employee's  
19           performance shall be measured to determine whether it is  
20           superior shall be whether the employee has, during the  
21           one-year period:

22                   (a) perfect or nearly perfect attendance;

23                   (b) demonstrated a high degree of productivity  
24           and skill or proficiency in the discharge of his duties;

25                   (c) exercised sound judgment in matters in the

1           employee's discretion;

2                   (d) demonstrated initiative in suggesting and  
3           developing improvements to the employee's and his or her  
4           office's functions, duties and responsibilities;

5                   (e) worked well with others;

6                   (f) shared with other official and employees, in  
7           a constructive manner, knowledge for improving skills  
8           and performance which the employee has gained through  
9           training or experience; and

10                   (g) exhibited such other characteristics that the  
11           Board determines, or as may be prescribed in  
12           regulations, to be indicators of superior performance.

13                   (4) No employee who has received a merit increase  
14           shall be eligible for another such increase until three  
15           years after the prior increase took effect."

16           Section 2. Sections 167 through 170, of subchapter VII of  
17 title 52 of the Code of the Federated States of Micronesia shall  
18 be renumbered as sections 168 through 171, respectively.

19           Section 3. This act shall become law upon approval by the  
20 President of the Federated States of Micronesia or upon its  
21 becoming law without such approval.

22  
23 Date: 7/16/01

Introduced by: /s/ Joseph J. Urusemal  
Joseph J. Urusemal