TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA
SECOND REGULAR SESSION, 1997
C.B. NO. 10-175

A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 509, as enacted by Public Law No. 9-155, and to further amend section 164, as amended by Public Law No. 9-155, to allow for the payment of overtime and the holiday differential at straight-time rates, and for other purposes.

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

Section 1. Section 509 of title 52, as enacted by Public Law No. 9-155, is hereby amended to read as follows:

"Section 509. Freeze on salary increases:

Notwithstanding any other applicable law, there is hereby enacted

(a) A freeze on annual salary step increases of all employees in the public service system,

(b) ..."
Section 2. Section 164 of title 52 of the Code of the Federated States of Micronesia, as amended by Public Law No. 9-155, is hereby further amended to read as follows:

"Section 164. Differentials. To compensate for unusual circumstances of employment which create hardships for public service employees, the following differentials are provided for them; provided that in no case may an employee receive differentials under both subsections (1) and (2) of this section:

(1) Night work differential. An employee whose tour of duty includes regularly scheduled hours falling between 7 p.m. and 6 a.m. shall be paid a differential of fifteen percent of the adjusted base salary for all hours falling within that period.

(2) Hazardous work differential. An employee whose position entails unusual and extreme hazards to
his health or safety shall be paid a differential of twenty-five percent of the adjusted base salary for all hours in which hazardous work is performed.

(3) Overtime differential. An employee shall be paid overtime compensation at the rate of his adjusted base salary for all time when he is directed to work and does work in excess of eight hours in one day; or when he is directed to work and does work on the sixth or seventh day of the work week; provided that he has first worked forty hours at straight time in the same work week; and provided further, that overtime work performed on a holiday shall be subject to subsection (4) of this section.

(4) Holiday differential. An employee who is required to work on a legal holiday shall be compensated at his adjusted base salary for all such hours worked.

(§5) Typhoon emergency differential. Employees who are required to work in a location and a period in which a typhoon or other natural catastrophe has been declared by competent authority, and in which other Government employees are released from work because of such conditions, shall be compensated for the hours worked while such emergency remains in force at the rate of two and one-half times the adjusted base
salary. The differential provided in this subsection shall not limit the employee's right to any other differential or allowance to which he may otherwise be entitled by law or regulations."

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

Date: 11/5/97 Introduced by: Peter M. Christian