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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:

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

3 "Section 509. Freeze on salary increases,
4 ~~compensation, time, and overtime compensation.~~

5 Notwithstanding any other applicable law, there is
6 hereby enacted:

7 (A) A freeze on annual salary step increases of
8 all employees in the public service system; and

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10 Section 2. Section 164 of title 52 of the Code of the
 11 Federated States of Micronesia, as amended by Public Law No.
 12 9-155, is hereby further amended to read as follows:

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

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

24 (2) Hazardous work differential. An employee
 25 whose position entails unusual and extreme hazards to

1 his health or safety shall be paid a differential of
2 twenty-five percent of the adjusted base salary for
3 all hours in which hazardous work is performed.

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

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

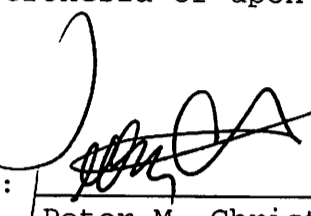
18 (45) Typhoon emergency differential. Employees
19 who are required to work in a location and a period in
20 which a typhoon or other natural catastrophe has been
21 declared by competent authority, and in which other
22 Government employees are released from work because of
23 such conditions, shall be compensated for the hours
24 worked while such emergency remains in force at the
25 rate of two and one-half times the adjusted base

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1 salary. The differential provided in this subsection
 2 shall not limit the employee's right to any other
 3 differential or allowance to which he may otherwise be
 4 entitled by law or regulations."

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

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 9 Date: 11/5/97

Introduced by: 
 Peter M. Christian

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