

EXECUTIVE ORDER NO. 97

Providing for the payment of salaries to those national government workers whose jobs have been unfunded during the December 1990 budget crisis.

WHEREAS, many national government employees have been unable to work during the budget crisis which began December 1, 1990; and

WHEREAS, many agencies of the national government which have been unfunded since December 1, 1990 asked their employees to work on a voluntary basis and many employees have done so, without an assurance that they would be paid; and

WHEREAS, other government employees have been compelled to seek other productive labor during the budget crisis; and

WHEREAS, on December 25, 1990, the Olbiil Era Kelulau passed RPPL 3-42, a new unified budget act for fiscal year 1991; and

WHEREAS, I signed RPPL 3-42 on December 25, 1990 and sent it to the Assistant Secretary of Interior for review; and

WHEREAS, following protracted negotiations, Palau has reached a settlement of its budget impasse with the Department of the Interior through the cooperative efforts of many parties, and unfunded agencies of the national government now have appropriations in place covering their operations for all of fiscal year 1991; and

WHEREAS, I wish to allow all national government workers whose positions have been unfunded during December to receive the full amount of their December 28, 1990 paychecks;

NOW THEREFORE, I, Ngiratkel Etpison, President of the Republic of Palau, by virtue of the authority vested in me under the Constitution and laws of the Republic of Palau hereby order and declare:

- (1) That effective December 27th, 1990, all national government employees can return to work.
- (2) That, in order to avoid penalizing employees whose jobs were unfunded during the early portion of December 1990, for a situation which was not their fault the following policies shall apply to workers whose positions were unfunded:
 - (A) Time sheets should be promptly turned in covering the work performed by all employees who worked voluntarily during the period of suspension. The Ministry of Administration shall make every effort to see that paychecks, in the full amount owed, will be made to such employees on December 28, 1990 and January 11, 1991 .

- (B) Those employees who chose not to work during the period of suspension shall be allowed to claim annual leave for the time of the suspension. Time sheets showing annual leave for such period shall be promptly turned in, and the Ministry of Administration shall make every effort to issue paychecks in the full amount of the normal biweekly salary on December 28, 1990 and January 11, 1991.

- (C) Employees who chose not work and who did not have sufficient accumulated annual leave to entitle them to a paycheck in the full amount of the normal biweekly salary shall be allowed to claim advance annual leave in the amount necessary to allow them to receive their normal bi-weekly salaries for the December 28, 1990 and January 11, 1991 paydays. For this purpose, appropriate management officials under Part 18(d) of the Rules and Regulations of the Public Service System are requested to approve advance annual leave in the amount necessary to allow the full amount of the biweekly salary for the above two paydays to be made, and the limitations on advance annual leave provided in such Part 18(d) shall not apply to advance leave approved under this executive order.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of December 1990, at the State of Koror, Republic of Palau.

Ngiratkel Etpison
President
Republic of Palau