

A BILL FOR AN ACT

To further amend Title 52 of the Federated States of Micronesia Code, as amended, by amending section 163 to allow medical doctors, dentists and officers to receive professional premiums, 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, as amended, is hereby further amended by amending
3 section 163 to read as follows:

4 "Section 163. Premiums. To recognize circumstances of
5 employment which make it appropriate that consideration
6 be given to labor market conditions outside the
7 Federated States of Micronesia, and to recognize and
8 reward the attainment of certain advanced professional
9 status, the following premiums are provided to public
10 service employees:

11 (1) Market place premium. An employee who is
12 recruited in a location outside the Federated States of
13 Micronesia, who is a non-citizen of the Federated States
14 of Micronesia, and at the time of original hire, a
15 nonresident thereof, may be paid a premium based on
16 labor market conditions in the country of recruitment
17 and on the level of the base salary. A market-place
18 premium may be paid if prevailing rates of pay for
19 equivalent positions are substantially higher in the
20 country of recruitment than in the Federated States of

1 Micronesia. Upon request from the allottee of the funds
2 from which the employee's compensation is to be paid,
3 the Secretary of the Department of Finance and
4 Administration shall report to the allottee on the
5 difference, insofar as it can best be estimated, between
6 the prevailing rates in the Federated States of
7 Micronesia and in the country of recruitment. The
8 allottee may then determine what portion, if any, of the
9 difference will be paid as a market-place premium. The
10 amount of the premium determined by the allottee shall
11 not be greater than 90% of the value of the employee's
12 base salary.

13 (2) Foreign service premium. An employee who is a
14 citizen of the Federated States of Micronesia and who is
15 assigned to a permanent duty station outside the
16 Federated States of Micronesia may be paid a premium
17 based on the cost of living in the place of assignment.

18 (3) Professional premium. An employee who has
19 achieved advanced professional status in one of the
20 following manners and who is employed in a position
21 which requires or, directly utilizes such professional
22 status may receive, in addition to the base salary of
23 his position, a professional premium. The amount of the
24 professional premium to be paid, if any, shall be
25 determined by the allottee of the funds from which the

1 employee's salary is to be paid based upon the
2 employee's education, experience and expertise. The
3 amount of the premium determined by the allottee shall
4 not be greater than 90% of the value of the employee's
5 base salary. To be eligible for such a professional
6 premium, the employee must meet one or more of the
7 following requirements:

8 (a) attainment of an earned degree in law from a
9 law school accredited by the competent authority in the
10 jurisdiction in which it operates, and admission either
11 to the FSM Supreme Court Bar or to practice law in
12 another jurisdiction;

13 (b) admission to the FSM Supreme Court Bar and
14 eight (8) years of experience in the legal field;

15 (c) full membership of one or more of the
16 professional accountancy associations listed in the
17 Public Service Regulations, as amended from time to
18 time, or certification by the Public Auditor that the
19 employee's qualifications and experience are equivalent
20 to those which would be required to obtain full
21 membership of such an association;

22 (d) attainment of an earned degree in engineering
23 upon completion of a four-year course of study from a
24 college, university or educational institution which is
25 accredited by the competent authority in the

1 jurisdiction in which the college, university or
2 educational institution is located; ~~[and]~~

3 (f) ~~[attainment of an earned doctorate in any~~
4 ~~field.]~~ attainment of an earned doctorate in medicine or
5 dentistry from a college, university or educational
6 institution which is accredited by the competent
7 authority in the jurisdiction in which the college,
8 university or educational institution is located;

9 (g) attainment of a medical officer license from
10 the FSM Medical Licensing Board; and

11 (h) attainment of an earned doctorate in a field
12 other than medicine or dentistry."

13 Section 2. This act shall become law approval by the
14 President of the Federated States of Micronesia or upon its
15 becoming law without such approval.

16
17 Date: 1/11/07

Introduced by: /s/ Simiram Sipenuk
Simiram Sipenuk
(by request)