




PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96915
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com



Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

BOARD POLICY MEMORANDUM NO. 2025-01

To: All Port Employees	Subject: Workplace Violence Policy
Adoption Date: April 30, 2025	Revision Date:
Approved by:  DOROTHY P. HARRIS, Chairperson, Board of Directors	

Board Resolution No. 2025-14

Duly adopted by the Port Authority Board of Directors on April 30, 2025.

The Board of Directors of the Port Authority of Guam hereby adopts the General Manager's Workplace Violence Policy Memorandum No. 2025-GM01, by title only, as Board Policy Memorandum No. 2025-01.

The Board affirms the availability of mandatory drug testing, counseling, or anger management for the involved employee, based on the facts and circumstances of each case, provide such actions are taken without presuming misconduct and with full respect for due process.



BOARD OF DIRECTORS

Dorothy P. Harris, Chairperson

Conchita S.N. Taitano, Vice Chairperson

Fe R. Valencia-Ovalles, Board Secretary



Resolution No. 2025-14

RELATIVE TO ADOPTING THE GENERAL MANAGER'S WORKPLACE VIOLENCE POLICY MEMORANDUM NO. 2025-GM01 AS BOARD POLICY MEMORANDUM NO. 2025-01, AND AUTHORIZING MANDATORY DRUG TESTING, COUNSELING, OR ANGER MANAGEMENT FOR THE INVOLVED EMPLOYEE, AS DEEMED APPROPRIATE BASED ON THE NATURE OF THE INCIDENT, WITHOUT PRESUMING MISCONDUCT AND IN RECOGNITION OF DUE PROCESS.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM.

WHEREAS, the Port Authority of Guam is committed to ensuring a safe and respectful workplace for all employees, consistent with the Port's Personnel Rules and Regulations and applicable laws; and

WHEREAS, the General Manager issued Workplace Violence Policy Memorandum No. 2025-GM01, establishing clear protocols for responding to workplace violence incidents, emphasizing prevention, accountability, and respect for employee rights; and

WHEREAS, the Board sees that the General Manager's policy does not include provisions for mandatory drug testing, counseling, or anger management for the involved employee, as deemed appropriate based on the nature of the incident, without presuming misconduct and in full recognition of due process protections; and

WHEREAS, the Board supports strengthening the policy framework by ensuring such interventions are clearly available when warranted, to further support management's ability to respond appropriately to workplace violence incidents and uphold the Port's commitment to a safe, fair, and accountable work environment; now therefore, be it

RESOLVED, that the Board of Directors of the Port Authority of Guam hereby adopts the General Manager's Workplace Violence Policy Memorandum No. 2025-GM01, by title only, as Board Policy Memorandum No. 2025-01; and be it further

RESOLVED, that the Board affirms the availability of mandatory drug testing, counseling, or anger management for the involved employee, based on the facts and circumstances of each case, provided such actions are taken without presuming misconduct and with full respect for due process; and be it further

RESOLVED, that the Chairperson certify to, and the Secretary attest to, the adoption hereof.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 30th DAY OF APRIL, 2025.**

**DOROTHY P. HARRIS
CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM**

**FE R. VALENCIA-OVALLES
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM**





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Joshua F. Tenorio
Lieutenant Governor

June 2, 2025

Memorandum

To: All Division Heads

From: Rory J. Respicio, General Manager *Rory J. Respicio*

Subject: Clarification on Scope of Workplace Violence Policy

Buenas yan Håfa Adai. This memo provides clarification on the scope of Board Policy Resolution No. 2025-14 (Workplace Violence Policy), especially as it relates to conduct occurring outside of normal working hours or off Port premises.

The policy is designed to maintain a safe, respectful, and professional work environment. It applies to conduct that occurs:

- on Port premises, whether or not the employee is on duty;
- during official Port business or Port-sanctioned events, whether onsite or offsite; or
- in limited cases where off-duty conduct clearly disrupts workplace operations, creates a hostile environment, or a formal complaint is filed.

While the Port does not regulate private behavior or personal matters that take place off-site and outside of work responsibilities, any conduct that occurs on Port premises or during Port-sanctioned events, whether onsite or off-site and regardless of duty status, falls within the scope of this policy. The same applies to off-site conduct when it causes tension, disruption, or hostility in the workplace. This includes altercations, threats, or any behavior that undermines the safety, order, or professionalism of the work environment.

Conduct that takes place entirely outside of Port settings may still be addressed if it causes workplace disruption or contributes to a hostile or unsafe environment. For example, a personal disagreement between employees at a private event that does not affect workplace conduct or performance is outside the scope of this policy. In such cases, individuals are encouraged to contact the Guam Police Department if further action is needed.

This interpretation is consistent with Guam Supreme Court precedent. In *Santos v. Civil Service Commission*, 2019 Guam 22, the Court held that government employers may discipline employees for off-duty conduct when the conduct directly bears on the employee's fitness to perform their job or when there is a rational connection between the conduct and the employee's position. This reinforces the Port's ability to act when off-duty conduct affects operations, undermines trust, or creates conflict in the workplace.



The policy clearly applies to conduct on Port premises. Section X of the Workplace Violence Policy states: "The Port Authority of Guam strictly prohibits the possession, use, or storage of weapons on Port property or while conducting Port-related business." This confirms that being on Port property is sufficient for the policy to apply, regardless of whether the event is after hours or the employee is off duty.

The policy is behavior-based, not time-based. Section III outlines prohibited behavior, including "intimidating, belligerent, harassing, bullying, threatening gestures" and "destruction of property." Section VI adds "loud, disruptive or angry behavior or language that is clearly not part of the typical work environment." These standards apply whenever the behavior affects the Port workplace.

Criminal charges are not required for the Port to take internal action. Section V affirms that "holding employees accountable for their actions or inaction relative to their duties and responsibilities does not constitute a legitimate claim of being targeted." This allows the Port to act in any case where workplace safety, order, or integrity is at risk, regardless of law enforcement involvement.

If a non-workplace event spills into the workplace, the matter should be reported to the immediate supervisor or division head and elevated through the chain of command. This allows leadership to assess the situation and determine appropriate next steps.

When leadership responds to these matters, it is because there is a clear impact on the workplace. The Port is not ignoring serious behavior. It is not regulating private life. The focus remains on protecting the workplace from conduct, whether on or off duty, that affects safety, professionalism, or the ability of employees to do their jobs.

Deputy General Managers and Division Heads, please communicate this Board-approved policy to all employees under your supervision to ensure consistent understanding and proper implementation.

Thank you for continuing to maintain the standards that ensure our workplace remains safe, professional, and focused on our mission. *Si Yu'os ma'åse'.*

Concurred by:



James L. Canto
Port Staff Attorney

Cc: PAG Board of Directors
Deputy General Manager
All PAG Employees




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POLICY MEMORANDUM NO. 2025-GM01

To: All Port Employees	Subject: Workplace Violence Policy
Effective Date: March 24, 2025	Revision Date:
Approved by:  RORY J. RESPICIO, General Manager	

- I. PURPOSE:** The Port Authority is committed to maintaining a safe, professional, and respectful workplace for all employees. This policy applies to everyone in the Port Strong Family, including all employees, supervisors, division heads, deputy general managers, and the General Manager. No one is exempt from these expectations, and accountability applies at all levels of leadership. Issued to establish clear expectations and guidelines for professional behavior.

Workplace violence includes physical threats, intimidation, harassment, and any aggressive behavior that undermines workplace safety, morale, and productivity. Additionally, harmful workplace behaviors—such as gossip, exclusionary tactics, and passive-aggressive conduct—are prohibited as they contribute to a toxic work environment.

II. DEFINITIONS:

- **Workplace Violence** – Any act or threat of physical violence, intimidation, harassment, or other disruptive behavior that occurs in the workplace, whether committed by employees, contractors, customers, or visitors. This includes but is not limited to:
 - a. Physical assault or aggressive physical contact.
 - b. Threats of violence (verbal, written, or electronic).
 - c. Stalking, intimidation, or coercion.
 - d. Destruction of property or sabotage.
- **Hostile Work Environment** – A workplace where repeated or severe conduct creates an intimidating, offensive, or abusive atmosphere that interferes with an employee's ability to perform their duties. This can include persistent bullying, discriminatory behavior, or other actions that contribute to a toxic environment.
- **Harassment** – Unwelcome conduct based on race, gender, religion, national origin, age, disability, or other protected categories that creates an offensive or hostile work environment. Harassment may include verbal, physical, or visual behavior that is severe or pervasive enough to affect an individual's work performance or employment conditions.

- III. EXAMPLES OF BEHAVIOR:** This policy covers not only acts of physical violence, but harassment, intimidation, and other disruptive behavior, as well as, incidents involving co-workers and incidents involving individuals from outside the Authority perpetrating violence against its employees.

Examples of such behavior may include:

- Direct or veiled threats of harm.
- Intimidating, belligerent, harassing, bullying, threatening gestures, stalking or other inappropriate or aggressive behavior.
- Numerous conflicts with supervisors and other employees.
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons.
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides.
- Statements indicating desperation (over family, financial, and other personal problems to the point of contemplating suicide).
- Drug/alcohol abuse.
- Gossiping or spreading rumors that damage professional reputations, foster hostility, or create divisions among employees.
- Passive-aggressive behaviors, such as intentionally withholding critical information or excluding team members from communications, that impact workplace cohesion.
- Use of social media or electronic communications to harass, intimidate, or gossip about colleagues.
- Destruction of property.
- Undermining colleagues by discussing their work performance in a negative, non-constructive manner.

IV. RESPONSIBILITIES:

General Manager

The General Manager is responsible for:

- Leading by example and upholding the highest standards of professionalism and respect.
- Enforcing this policy and ensuring that all levels of leadership are held accountable.
- Providing the necessary support for employees who report issues and ensuring concerns are taken seriously.
- Reviewing reported cases and ensuring that disciplinary actions are fair, consistent, and aligned with organizational policies.
- Monitoring workplace culture and addressing systemic issues related to workplace violence or toxicity.

Deputy General Managers

Deputy General Managers are responsible for:

- Overseeing policy compliance within their respective areas and ensuring division heads actively address workplace concerns.
- Taking timely action by reviewing incident reports, escalating serious cases, and coordinating with HR office and Port Police when necessary.
- Providing guidance to division heads on conflict resolution and ensuring a proactive approach to workplace behavior issues.
- Reinforcing accountability by ensuring disciplinary actions are applied consistently and fairly.

- Reporting workplace trends and concerns to the General Manager to improve policy enforcement and workplace culture.

Division Heads & Supervisors

Division Heads and Supervisors are responsible for:

- Creating and maintaining a professional work environment by actively addressing harmful behaviors before they escalate.
- Responding to incidents immediately, documenting occurrences, and reporting all workplace violence or harmful behavior cases to HR and Port Police as required.
- Holding employees accountable for violating this policy and ensuring corrective actions are taken when necessary.
- Encouraging open communication within teams to prevent workplace toxicity and promote teamwork.
- Participating in ongoing leadership training to enhance conflict resolution skills.

V. ACCOUNTABILITY & FALSE CLAIMS: Holding employees accountable for their actions or inaction relative to their duties and responsibilities does not constitute a legitimate claim of being targeted. Enforcing performance expectations, adhering to policies, and applying corrective actions based on work-related issues are necessary for maintaining a professional and productive workplace. Misusing this policy to avoid accountability or making unfounded claims undermines its purpose and will not be tolerated.

VI. PROHIBITED WORKPLACE BEHAVIORS: This policy applies not only to physical acts of violence but also to workplace behaviors that contribute to a toxic and unproductive work environment, including:

- Malicious Gossip & Rumors – Spreading false or damaging information that erodes trust and morale.
- Passive-Aggressive Behavior – Withholding information, excluding colleagues, or engaging in non-verbal hostility.
- Undermining Colleagues – Using sarcasm, backhanded compliments, or deliberate non-cooperation to harm coworkers' professional reputation.
- Obstruction of Work – Deliberately procrastinating, resisting necessary workplace changes, or creating obstacles to team progress.
- Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.

Any employee engaging in these behaviors will be subject to disciplinary action, up to and including termination.

VII. ROLE OF PORT POLICE: Port Police play a critical role in ensuring workplace safety and responding to incidents of workplace violence. Their responsibilities include:

- Responding to immediate threats or violent incidents.
- Securing the area and gathering initial witness statements.
- Assisting in formal investigations by reviewing security footage and collecting evidence.
- Providing recommendations on security measures to prevent future incidents.

VIII. REPORTING PROCEDURES & ACCOUNTABILITY FOR NON-COMPLIANCE:

Employees who experience or witness workplace violence, harassment, or harmful workplace behavior must report the incident to their supervisor, division head, HR, or Port Police. Employees reporting incidents in good faith will be protected from retaliation.

All reports should include:

- Details of the incident, including date, time, location, and individuals involved.
- Any supporting evidence, such as witness accounts, messages, or security footage.
- Immediate steps taken, if any, to mitigate the situation.

Supervisors, division heads, and managers are responsible for:

- Responding promptly to stop immediate dangers to personnel and the workplace.
- Investigating threats and reported incidents thoroughly and objectively.
- Taking all concerns seriously to ensure employees feel safe reporting issues.
- Providing updates on the status and outcome of investigations, within confidentiality limits.
- Ensuring confidentiality to the greatest extent possible.
- Restoring the workplace environment after an incident.

Failure to report known workplace violence or harmful behavior may result in disciplinary action, including:

- First violation: Verbal or written warning.
- Repeated violations: Formal reprimand and corrective action.
- Severe or willful negligence: Suspension or termination if failure to report leads to a hostile or unsafe work environment.

IX. WHISTLEBLOWER PROTECTION: Employees who report workplace violence in good faith are protected from retaliation under applicable whistleblower laws. Retaliation against employees who report misconduct will not be tolerated and will be subject to disciplinary action.

X. PROHIBITION ON WEAPONS IN THE WORKPLACE: To maintain a safe and secure environment, the Port Authority of Guam strictly prohibits the possession, use, or storage of weapons on Port property or while conducting Port-related business. This applies to all employees regardless of whether they are licensed to carry such weapons.

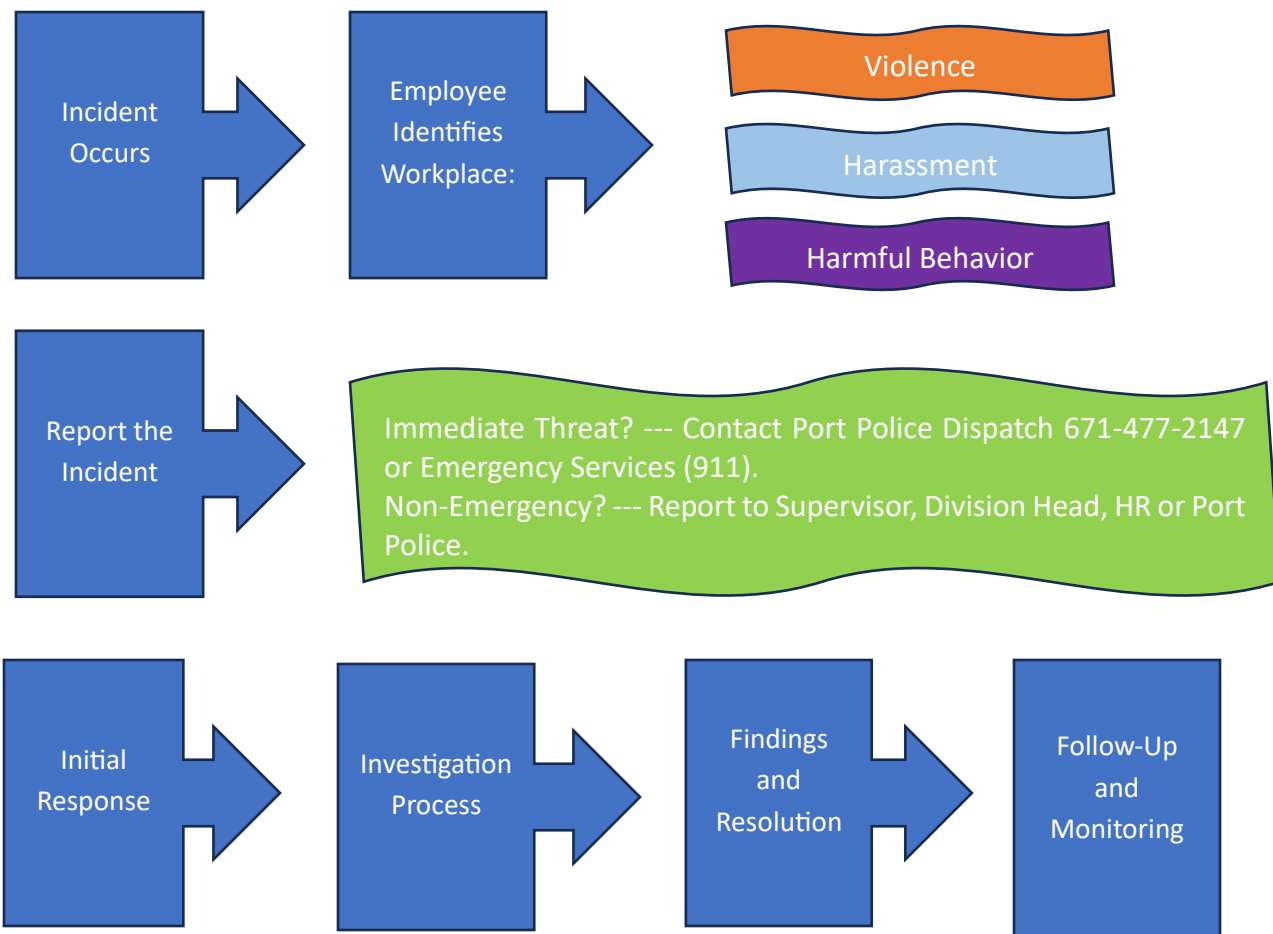
Weapons include, but are not limited to:

- Firearms
- Ammunition
- Knives (excluding small utility tools required for work)
- Explosives
- Any item intended or used as a weapon

Exceptions may be made for law enforcement personnel or authorized Port Police officers in the course of duty. Violation of this policy will result in immediate disciplinary action, up to and including termination or removal from Port premises.

- XI. EMERGENCY CONTACTS:** For immediate threats or emergencies, contact:
- Port Police Dispatch: 671-477-2147 or 671-477-5931, ext. 286
 - Emergency Services: 911
 - HR Division: 671-477-5931/5, ext. 244-249
- XII. PREVENTION AND SUPPORT MEASURES:** The Authority will offer regular workplace training on identifying and preventing violence, gossip, and harassment. Employees are encouraged to resolve differences through constructive dialogue. Counseling and conflict resolution resources will be available for affected employees. A zero-tolerance stance will be enforced consistently, with disciplinary measures applied transparently.
- Recognize and respond to violence and harassment.
 - Consequences of gossip and its impact on the workplace.
 - How to report using Incident Report form.
- XIII. POLICY ENFORCEMENT:** This policy replaces all prior policies or memoranda on workplace violence. All employees are expected to comply, and violations will be addressed in accordance with Port policies and procedures.
- XIV. ACKNOWLEDGEMENT OF POLICY:** Each employee will be required to acknowledge in writing that they have received and read the policy.
- If an employee refuses to sign the acknowledgement, the employee's supervisor will note on the Acknowledgement Form that the employee received the notice and forward the form to the Human Resources Office.
- XV. A SHARED RESPONSIBILITY:** While this policy may not undo the harm caused by past incidents, it empowers employees—especially those who have been victimized—to stand up against workplace violence and harmful behaviors. A healthy workplace is built not only by enforcing policies but by creating a culture where employees support one another and refuse to tolerate destructive actions.
- Every member of the Port Strong Family—from frontline employees to senior leadership—shares in the responsibility of upholding these standards. Moving forward, all supervisors and division heads are expected to enforce this policy consistently and hold employees accountable for their conduct. Any further violations may result in disciplinary action, up to and including termination.
- XVI. ENTIRE POLICY:** All prior policies or memoranda in conflict with this policy is hereby rescinded.

WORKPLACE VIOLENCE REPORTING AND RESOLUTION FLOWCHART





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WORKPLACE INCIDENT REPORT FORM

Affected party(s): _____

Supervisor/Division: _____

Contact Information: _____

Incident Information

Date/Time: _____

Location (Be Specific): _____

Description (Narrative): _____

Has this or a similar incident ever happened to you before? If so, please explain:

If you were in any injury (physical/emotional), describe the injury in detail and the location of any treatment received. _____

Was a weapon involved? If so, specify the type and to what extent:

Witness Information

Name: _____ Date: _____

Contact Information: _____

Aggressor Information

Name: _____ Division: _____

Supervisor (if an employee): _____

Relationship to aggressor (if stranger, indicate relationship, if any):

Had anything occurred in the past to make you feel this would happen? If so, please explain:

Home Address/Vehicle Information (if not an employee):

Follow-up Information

Did this incident cause any loss of workdays? If so, how many?

Have you had any counseling or any form of emotional support since the incident? If not, would you like to be afforded this? _____

Does something need to be done to avoid such an incident from happening again? If so, explain.

Report Completed by Complainant: _____

Title: _____ Date: _____

Reviewed/Approved by: _____

Title: _____ Date: _____

When completing this form, attach all supporting documents, such as, continuation sheets and/or police reports.



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Employee Acknowledgement

I, _____, hereby certify that a copy of Policy Memorandum No. 2025-GM01, Subject: Workplace Violence Policy was furnished to me and an orientation was provided to me on said matter.

Name of Employee:	Signature of Employee:	Date:

Witnessed by:

Name of Witness:	Signature of Witness:	Date:

Received by Human Resources Office:

Name:	Signature:	Date: