

A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by further amending section 115 thereof to exempt professionals from the provision for mandatory retirement at age 60, and for other purposes.

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

1 Section 1. Section 115 of title 52 of the Code of the
2 Federated States of Micronesia, as amended by Public Laws Nos. 9-
3 155, 10-15 and 14-56, is hereby further amended to read as
4 follows:

5 "Section 115. Tenure.

6 (1) Every regular employee shall be entitled to hold
7 his position during good behavior, subject to the
8 provisions of subsection (b) of this section, and to
9 suspension, demotion, layoff, dismissal, or termination
10 of employment through the Early Retirement Program, only
11 as provided in this chapter or in chapter 5 of this
12 title and in the regulations adopted in pursuance
13 thereof; provided, however, that the tenure of a
14 contract employee is the term of his contract; and
15 provided further that an employee who must submit his
16 resignation pursuant to section 207 of title 2 of the
17 Code of the Federated States of Micronesia is not
18 entitled to continued employment with the National
19 Government if he is not re-nominated by the President or

1 if he is not reconfirmed by the Congress through advice
2 and consent proceedings.

3 (2) Notwithstanding any other provision of this
4 title, no person may be an employee of the National
5 Government after the sixtieth anniversary of his birth,
6 except for those employees who are made exempt from the
7 National Public Service System by section 117 of this
8 title and except for those employees who are eligible
9 for the professional premium as defined under section
10 163(3) of this title."

11 Section 2. Effective Date. The exemption for professionals
12 from mandatory retirement at age 60 established by section 1 of
13 this act shall become effective immediately.

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

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18 Date: 5/13/08

Introduced by: /s/ Peter Sitan
Peter Sitan

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