





I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
297-36 (LS)	Tina Rose Muña Barnes Mary Camacho Torres Amanda L. Shelton Jose "Pedo" Terlaje	AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 3 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO ELIMINATING DISCRIMINATION AND PROMOTING WOMEN'S HEALTH AND ECONOMIC SECURITY BY ENSURING REASONABLE WORKPLACE ACCOMMODATIONS FOR WORKERS WHOSE ABILITY TO PERFORM THE FUNCTIONS OF A JOB ARE LIMITED BY PREGNANCY, CHILDBIRTH, OR A RELATED MEDICAL CONDITION AND TO CITE THIS ACT AS "THE PREGNANT WORKERS FAIRNESS ACT."	4/25/22 2:38 p.m.						

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session**

Bill No. 297-36 (LS)

Introduced by:

Tina Rose Muña Barnes 
Mary Camacho Torres 
Amanda L. Shelton 
Jose "Pedo" Terlaje 

**AN ACT TO *ADD* A NEW ARTICLE 8 TO CHAPTER 3 OF
TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO
ELIMINATING DISCRIMINATION AND PROMOTING
WOMEN'S HEALTH AND ECONOMIC SECURITY BY
ENSURING REASONABLE WORKPLACE
ACCOMMODATIONS FOR WORKERS WHOSE ABILITY
TO PERFORM THE FUNCTIONS OF A JOB ARE LIMITED
BY PREGNANCY, CHILDBIRTH, OR A RELATED
MEDICAL CONDITION AND TO CITE THIS ACT AS "THE
PREGNANT WORKERS FAIRNESS ACT."**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. This Act *shall* be known as the "*Pregnant Workers Fairness Act.*"

Section 2. A new Article 8 is hereby *added* to Chapter 3 of Title 22, Guam
Code Annotated to read as follows:

"Article 8

Pregnant Workers Fairness Act

§ 3801. Nondiscrimination with Regard to Reasonable Accommodations
Related to Pregnancy.

§ 3802. Enforcement.

§ 3803. Rules and Regulations.

1 **§ 3801. Nondiscrimination with Regard to Reasonable Accommodations**
2 **Related to Pregnancy.**

3 (a) It *shall* be unlawful for any employer to not make reasonable
4 accommodations to the known limitations related to the pregnancy, child
5 birth, or related medical conditions of an employee, unless such employer can
6 demonstrate that the accommodation would impose an undue hardship on the
7 operation of the business of such employer.

8 (b) It *shall* be unlawful for any employer to require an employee
9 affected by pregnancy, childbirth, or related medical conditions to accept an
10 accommodation other than any reasonable accommodation.

11 (c) It *shall* be unlawful for any employer to deny employment
12 opportunities to an employee if such denial is based on the need of the
13 employer to make reasonable accommodations to the known limitations
14 related to the pregnancy, childbirth, or related medical conditions of a
15 qualified employee.

16 (d) It *shall* be unlawful for any employer to require an employee to take
17 leave, whether paid or unpaid, if another reasonable accommodation can be
18 provided to the known limitations related to the pregnancy, childbirth, or
19 related medical conditions of an employee.

20 (e) It *shall* be unlawful for any employer to take adverse action in terms,
21 conditions, or privileges of employment against an employee on account of
22 the employee requesting or using a reasonable accommodation to the known
23 limitations related to the pregnancy, childbirth, or related medical conditions
24 of the employee.

25 **§ 3802. Enforcement.**

1 (a) Violations of §3801 are civil violations punishable by a fine of One
2 Thousand Dollars for the first offense and Two Thousand Dollars for
3 subsequent offenses.

4 (b) Any person alleging a violation of this Chapter may bring a civil
5 action in the Superior Court for such legal or equitable relief as will
6 effectuate the purposes of this Chapter.

7 (c) In any action brought to enforce this Chapter, the court shall have
8 jurisdiction to grant such legal or equitable relief as may be appropriate to
9 effectuate the purposes of this Chapter, including without limitation
10 judgments compelling employment, recovery of attorney fees, reinstatement
11 or promotion or enforcing the liability for amounts deemed to be unpaid
12 wages.

13 **§ 3803. Rules and Regulations**

14 The Director of the Department of Labor may issue such rules and
15 regulations as may be considered necessary or appropriate for carrying out this
16 Article.”

17 **Section 3. Effective Date.** This Act shall be effective one (1) year after
18 enactment.