### BILL STATUS

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<th>BILL NO.</th>
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<td>297-36 (LS)</td>
<td>Tina Rose Muña Barnes, Mary Camacho Torres, Amanda L. Shelton, Jose “Pedo” Terlaje</td>
<td>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.</td>
<td>4/25/22 2:38 p.m.</td>
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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.
§ 3801. Nondiscrimination with Regard to Reasonable Accommodations Related to Pregnancy.

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

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

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

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

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

§ 3802. Enforcement.
(a) Violations of §3801 are civil violations punishable by a fine of One Thousand Dollars for the first offense and Two Thousand Dollars for subsequent offenses.

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

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

§ 3803. Rules and Regulations
The Director of the Department of Labor may issue such rules and regulations as may be considered necessary or appropriate for carrying out this Article.”

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