




*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
76-36 (COR)	James C. Moylan V. Anthony Ada Christopher M. Dueñas	AN ACT RELATIVE TO THE ESTABLISHMENT OF THE DISPLACED EMPLOYEE WORKFORCE INCENTIVE (DEWI) PROGRAM FOR THE CREATION OF A GRANT PROGRAM TO CREATE JOBS IN THE PRIVATE SECTOR FOR THOSE RESIDENTS WHO ARE DEFINED AS DISPLACED EMPLOYEES; AND TO CITE THIS ACT AS THE "DISPLACED EMPLOYEE WORKFORCE INCENTIVE (DEWI) ACT OF 2021 ."	3/12/21 8:27 a.m.						

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*  
**2021 (FIRST) Regular Session**

**Bill No. 76-36 (COR)**

Introduced by:

James C. Moylan   
V. Anthony Ada   
Christopher M. Duenas 

**AN ACT RELATIVE TO THE ESTABLISHMENT OF  
THE *DISPLACED EMPLOYEE WORKFORCE  
INCENTIVE (DEWI) PROGRAM* FOR THE CREATION  
OF A GRANT PROGRAM TO CREATE JOBS IN THE  
PRIVATE SECTOR FOR THOSE RESIDENTS WHO  
ARE DEFINED AS DISPLACED EMPLOYEES; AND TO  
CITE THIS ACT AS THE “*DISPLACED EMPLOYEE  
WORKFORCE INCENTIVE (DEWI) ACT OF 2021.*”**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Novel Coronavirus pandemic of 2020 displaced thousands of island  
4 residents from their places of employment. While federal unemployment  
5 assistance helped a number of those affected, many others were not as fortunate.  
6 With additional federal relief funds in place, it is vital that the government of  
7 Guam invest some of those monies to help develop programs which would  
8 enhance workforce development.

9 The Displaced Employee Workforce Incentive (DEWI) Program which is  
10 proposed by this Act presents thousands of island residents some hope for  
11 employment opportunities in the private sector. The grant program would provide  
12 a potential employer the funds to pay a one-year salary of a displaced employee,

1 while assuring that the position is full time and would grant benefits such as  
2 medical insurance. Further, the DEWI program assures that the wages provided to  
3 the employee are of a fair market value of the position being provided.

4 Along with economic activity, one of the positive benefits of this Act is the  
5 probability that the employer retains the employee’s full-time status even after the  
6 grant is exhausted in a year. This would provide more long-term benefits.  
7 Likewise, the DEWI Program would further help stimulate Guam’s economy  
8 through increased disposable income, while assisting many families with  
9 household income.

10 **Section 2.** This Act *shall be* known as the “*Displaced Employee Workforce*  
11 *Incentive (DEWI) Act of 2021.*”

12 **Section 3. Establishment of the Displaced Employee Workforce**  
13 **Incentive (DEWI) Program.**

14 (a) The Displaced Employee Workforce Incentive (DEWI) Program is  
15 hereby established by this Act.

16 (b) The Director of the Department of Labor *shall* administer the  
17 DEWI Program and *shall* consult with the Guam Economic Development  
18 Authority in developing the rules and regulations of the program.

19 (c) Notwithstanding any other provision of law, or rule or regulation,  
20 and pursuant to this Act, a Displaced Employee *shall be* defined as any  
21 persons 18 years of age and over who lost their job because the company,  
22 they work for had to downsize, close, or furlough their employees due to the  
23 Novel Coronavirus.

24 (d) Eligible applications for the DEWI Program *shall be* as follows:

- 25 (1) A Displaced Employee as defined pursuant to this Act; and
- 26 (2) A Guam Resident in 2020; and

1 (3) A Guam Resident who has filed a Guam income tax return  
2 for tax year 2019; and

3 (4) An individual not receiving benefits from the federal  
4 Pandemic Unemployment Assistance Program; and

5 (5) Any other criteria established by the Director of the  
6 Department of Labor and adopted by *I Liheslaturan Guåhan* pursuant  
7 to Section 8 of this Act.

8 **Section 4. Purpose of the Displaced Employee Workforce Incentive**  
9 **(DEWI) Program.**

10 (a) The purpose of the *Displaced Employee Workforce Incentive*  
11 *(DEWI) Program shall be* to establish a local grant program to create new  
12 jobs for Displaced Employees as defined pursuant to this Act, with either a  
13 new employer or through the expansion of an existing employer. All jobs  
14 created pursuant to this program *shall be* in the private sector.

15 (b) The DEWI program *shall* provide an employer a grant equivalent  
16 to the annual salary of the displaced employee, with the following criteria:

17 (1) The hourly wage *shall not* be lower than Guam's minimum  
18 wage; and

19 (2) The displaced employee *shall be* hired as a full-time  
20 employee and qualified for all benefits the employer provides other  
21 full-time employees in their company; and

22 (3) The displaced employee *shall be* compensated at the fair  
23 market value of the position that they are being hired for, and this  
24 *shall be* approved by the Director of the Department of Labor; and

25 (4) The DEWI Program *shall* only provide the employer a grant  
26 equivalent to the one-year annual salary of the displaced employee,

1 and those funds *shall not* be added to the benefits provided by the  
2 employer; and

3 (5) While the employer is encouraged to continue the  
4 employment of the displaced employee, they *shall not be* held liable if  
5 they elect not to continue the employment of the employee after the  
6 funds from the grant are exhausted; and

7 (6) The employer *may* elect to provide the displaced employee  
8 an increment during the term of the grant, however those funds *shall*  
9 *be* fully funded by the employer; and

10 (7) If the employer releases the displaced employee for any  
11 reasons during the term of the grant, they *shall* return any unused  
12 funds from the grant to the Department of Labor no more than thirty  
13 (30) days from last day of employment of the displaced employee;  
14 and

15 (8) A licensed Guam Business *shall* register with the  
16 Department of Labor to qualify to avail the DEWI Grant Program,  
17 with Rules and Regulations adopted pursuant to Section 8 of this Act.

18 (9) Any other criteria established by the Director of the  
19 Department of Labor and adopted by *I Liheslaturan Guåhan* pursuant  
20 to Section 8 of this Act.

## 21 **Section 5. Implementation.**

22 The Department of Labor *shall* have thirty (30) working days from the date  
23 of identification of funds by *I Maga'Hagan Guåhan* for the purposes of this Act to  
24 implement the Displaced Employee Workforce Incentive Program.

## 25 **Section 6. Funding.**

26 Notwithstanding any other provision of law, or rule or regulation, *I*  
27 *Maga'Hagan Guåhan* is authorized to transfer up to Twenty Million Dollars

1 (\$20,000,000), plus any additional amount needed to administrative costs, to the  
2 Department of Labor, for the purposes of this Act, as may be available from the  
3 following:

4 (a)Fiscal Year 2021 General Fund appropriations; and

5 (b)Any federal appropriations that can be used for the purposes of this  
6 Act.

7 No local funds *may* be used for this Program if federal funds that can be  
8 used for the purposes of this Act are available to encumber, obligate, or expend.  
9 Any funds transferred pursuant to this Act *shall* only be used for the purposes of  
10 this Act. Payments under this Act shall be required only if payments can be  
11 funded under a federal coronavirus relief package or such other federal funds are  
12 appropriate and lawful.

### 13 **Section 7. Reporting.**

14 Upon lifting of the public health emergency declaration for Guam, the  
15 Department of Labor *shall* submit a report to the Speaker of *I Liheslaturan*  
16 *Guåhan*, which *shall* include the cumulative number of grants made under the  
17 DEWI Program, the total amount of the grants, the total administrative costs to  
18 facilitate this Act, and the authorized amounts transferred by *I Maga'Hagan*  
19 *Guåhan* under Section 6 of this Act.

### 20 **Section 8. Rules and Regulations.**

21 *I Liheslaturan Guahan* hereby adopts the Rules and Regulations pursuant to  
22 Sections 3 and 4 of this Act. Notwithstanding any provision of the Guam  
23 Administrative Adjudication Law, the Director of the Department of Labor, *shall*,  
24 within thirty (30) days of the enactment of this Act, promulgate additional rules  
25 and regulations not stipulated in this Act to implement the *Displaced Employee*  
26 *Workforce Incentive (DEWI) Program*, and *shall* transmit such rules and  
27 regulations to the Speaker of *I Liheslaturan Guåhan* for further adoption.

1           **Section 9. Severability.** If any provision of this Act or its application to  
2 any person or circumstance is found to be invalid or contrary to law, such  
3 invalidity *shall not* affect other provisions or applications of this Act that can be  
4 given effect without the invalid provision or application, and to this end the  
5 provisions of this Act are severable.

6           **Section 10. Effective Date.** The Act *shall* be effective upon enactment.