

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
166-38 (COR)	Shelly V. Calvo	AN ACT TO <i>AMEND</i> SUBSECTION (c) OF § 3603 AND TO <i>ADD</i> NEW § 3612 AND § 3613 TO ARTICLE 6, CHAPTER 3, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO EXTENDING FAMILY CARE AND MEDICAL LEAVE TO VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE, STALKING, AND HUMAN TRAFFICKING; AND TO CITE THIS ACT AS THE "SAFE LEAVE ACT OF 2025."	6/27/25 1:50 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 166-38 (COR)

Introduced by:

Shelly V. Calvo 

**AN ACT TO *AMEND* SUBSECTION (c) OF § 3603 AND TO
ADD NEW § 3612 AND § 3613 TO ARTICLE 6, CHAPTER 3,
TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO
EXTENDING FAMILY CARE AND MEDICAL LEAVE TO
VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE,
STALKING, AND HUMAN TRAFFICKING; AND TO CITE
THIS ACT AS THE “SAFE LEAVE ACT OF 2025.”**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Short Title. This Act may be cited as the “Safe Leave Act of 2025.”

Section 2. Findings and Intent. *I Liheslaturan Guåhan* finds that individuals who are victims of domestic or sexual violence, stalking, and human trafficking are among the most vulnerable members of our community. These forms of violence and exploitation inflict deep physical, emotional, and psychological trauma, often resulting in disruptions to many aspects of a victim’s life, including their ability to maintain stable employment and income. Survivors frequently need time to attend to critical matters related to their recovery and safety, such as seeking medical care, undergoing mental health counseling, relocating to a safe and secure environment, obtaining protective orders, participating in legal proceedings, or addressing related issues affecting themselves and their households.

I Liheslatura further finds that, while existing leave policies may offer some level of support, they are often insufficient to meet the unique needs of survivors of violence and trafficking. Many individuals are left with the impossible choice between prioritizing their safety or maintaining their income and employment. In particular, employees who lack access to paid leave are more likely to forgo critical medical and legal services, delay safety planning, or remain in dangerous environments due to financial insecurity. Even in cases where unpaid leave is available, the risk of job loss or retaliation discourages individuals from taking the time they need to recover and protect themselves.

1 Moreover, *I Liheslatura* acknowledges that providing leave—whether paid or unpaid—is
2 a vital component of a comprehensive response to domestic or sexual violence, stalking, and
3 human trafficking. Given each survivor’s unique situation, the availability of leave with or without
4 pay should be determined in a manner that supports flexibility while upholding the rights and
5 dignity of affected individuals. It is essential that workplaces implement protections that allow
6 survivors to seek safety and healing without facing additional economic harm or fear of losing
7 their livelihoods.

8 By enacting this legislation, Guam reaffirms its commitment to promoting public safety,
9 protecting human rights, and fostering a supportive and compassionate society. This legislation
10 represents a proactive step toward breaking the cycle of violence, empowering survivors to reclaim
11 their lives, and ensuring that no one is forced to choose between their safety, or that of their minor
12 child, and their economic survival.

13 It is therefore the intent of *I Liheslaturan Guåhan* to expand the “Guam Family and
14 Medical Leave Act” to expressly include leave, with or without pay, for employees who, or whose
15 minor children, are victims of domestic or sexual violence, stalking, or human trafficking. This
16 measure seeks to provide survivors with the necessary time and workplace protections to address
17 their needs and begin the process of recovery.

18 **Section 3.** Subsection 3603(c) of Article 6, Chapter 3, Title 22, Guam Code Annotated, is
19 hereby *amended* to read as follows:

20 “(c) “Family care and medical leave” means any of the following:

21 (1) leave for reason of the birth of a child of the employee, or the placement
22 of a child with an employee in connection with the adoption or foster care of the
23 child by the employee;

24 (2) leave to care for a parent, spouse, or child of an employee, or a parent
25 or child of the spouse of an employee, who has a serious health condition;

26 (3) leave because of an employee’s own serious health condition that makes
27 the employee unable to perform the functions of the position of that employee,
28 except for leave taken for disability on account of pregnancy, childbirth, or related
29 medical conditions;

30 (4) leave for reason of the death of a family member of the employee; or
31 leave for reason of occurrence of a miscarriage or stillbirth by the employee or
32 family member of the employee; or

1 (5) leave for reason of the employee, or the employee’s minor child, being
2 a victim of domestic or sexual violence, stalking, or human trafficking.”

3 **Section 4.** A new § 3612 is hereby *added* to Article 6, Chapter 3, Title 22, Guam Code
4 Annotated, to read as follows:

5 “§ 3612. Leave of Absence for Domestic or Sexual Violence, Stalking, or
6 Human Trafficking.

7 (a) An employer shall allow an employee to take up to thirty (30) days of
8 unpaid leave from work per calendar year under § 3603(c)(5) of this Article if the
9 employee, or the employee’s minor child, is a victim of domestic or sexual violence,
10 stalking, or human trafficking; provided the leave is to either:

11 (1) seek legal or law enforcement assistance or remedies to ensure
12 the health and safety of the employee, or the employee’s minor child,
13 including, but not limited to, preparing for, or participating in, any civil or
14 criminal legal proceeding related to or derived from domestic or sexual
15 violence, stalking, or human trafficking;

16 (2) seek treatment by a health care provider for physical or mental
17 injuries caused by domestic or sexual violence, stalking, or human
18 trafficking, or to attend to health care treatment for a victim who is the
19 employee’s minor child;

20 (3) obtain, or assist the employee’s minor child in obtaining, services
21 from a victim services organization, or other social services program for
22 victims of domestic or sexual violence, stalking, or human trafficking;

23 (4) obtain, or assist the employee’s minor child in obtaining, mental
24 health counseling related to an incident of domestic or sexual violence,
25 stalking, or human trafficking, in which the employee, or the employee’s
26 minor child, was a victim; or

27 (5) participate in safety planning, temporarily or permanently
28 relocate, or take other actions to increase the safety of the employee, or
29 employee’s minor child, from future domestic or sexual violence, stalking,
30 or human trafficking.

31 (b) The employee shall provide the employer with reasonable notice of the
32 employee’s intention to take the leave, unless providing that notice is not
33 practicable due to imminent danger to the employee or the employee’s minor child.

1 (c) Nothing in this section shall be construed to prohibit an employer from
2 requiring an employee on victim leave to report not less than once a week to the
3 employer on the status of the employee and intention of the employee to return to
4 work.

5 (d) All information provided to the employer under this section, including
6 statements of the employee, or any other documentation, record, or corroborating
7 evidence, and the fact that the employee, or employee’s minor child, has been a
8 victim of domestic or sexual violence, stalking, or human trafficking, or the
9 employee has requested leave pursuant to this section, shall be maintained in the
10 strictest confidence by the employer, and shall not be disclosed, except to the extent
11 that disclosure is:

12 (1) requested or consented to by the employee;

13 (2) ordered by a court or administrative agency; or

14 (3) otherwise required by applicable federal or Guam law.

15 (e) Any employee denied leave by an employer in willful violation of this
16 section may file a civil action against the employer to enforce this section and
17 recover costs, including reasonable attorney’s fees, incurred in the civil action.”

18 **Section 5.** A new § 3613 is hereby *added* to Article 6, Chapter 3, Title 22, Guam Code
19 Annotated, to read as follows:

20 **“§ 3613. Certification Related to Leave of Absence for Domestic or Sexual**
21 **Violence, Stalking, or Human Trafficking.**

22 (a) Where an employee, or the employee’s child, is a victim of domestic or
23 sexual violence, stalking, or human trafficking, and seeks leave for medical attention
24 for the employee, or the employee’s child, to recover from physical or psychological
25 injury or disability caused by domestic or sexual violence, stalking, or human
26 trafficking, the employer may require that an employee’s request for leave be
27 supported by a certification issued by the health care provider of the individual
28 requiring care, pursuant to § 3606 and § 3607 of this Article.

29 (b) Where an employee has taken not more than five (5) calendar days of
30 leave for non-medical reasons, the employee shall provide certification to the
31 employer in the form of a signed statement within a reasonable period after the
32 employer’s request, that the employee, or the employee’s minor child, is a victim of
33 domestic or sexual violence, stalking, or human trafficking, and the leave is for one

1 of the purposes enumerated in § 3612(a) of this Article. If the leave exceeds five (5)
2 days per calendar year, then the certification shall be provided by one of the
3 following methods:

4 (1) certified or exemplified restraining orders, injunctions against
5 harassment, and documents from criminal cases;

6 (2) documentation from a victim services organization or other social
7 services program domestic or sexual violence program, agency, or facility,
8 including a shelter or safe house for victims of domestic or sexual violence,
9 stalking, or human trafficking; or

10 (3) documentation from a medical professional, mental health care
11 provider, attorney, advocate, social worker, or member of the clergy from
12 whom the employee, or the employee's minor child, has sought assistance in
13 relation to domestic or sexual violence, stalking, or human trafficking.

14 (c) If certification is required, no leave shall be protected until a certification,
15 pursuant to this section or § 3606 or § 3607 of this Article, is provided to the
16 employer.”

17 **Section 6. Effective Date.** This Act shall take effect immediately upon its enactment.

18 **Section 7. Severability.** If any provision of this Act or its application to any person or
19 circumstance is found to be invalid or inorganic, such invalidity shall not affect other provisions
20 or applications of this Act that can be given effect without the invalid provision or application, and
21 to this end the provisions of this Act is severable.