

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
292-38 (COR)	Telo T. Taitague	AN ACT TO AMEND § 6302(a)(1)(A), (a)(1)(B), (a)(2), (a)(3), (b)(3) AND § 6304(a) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 17, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO CORRECTIONS TO KEY TERMS IN PUBLIC LAW 38-93, THE PREGNANT WORKERS FAIRNESS ACT RULES AND REGULATIONS.	3/19/26 4:18 p.m.	3/25/26	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 3/25/26 Waiver: 4/1/26	4/10/26 9:00 a.m.	4/29/26	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	LAPSED	NOTES	
	5/19/26	AN ACT TO AMEND §§ 6302(a)(1)(A), (a)(1)(B), (a)(2), (a)(3), (b)(3) AND 6304(a) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 17, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO CORRECTIONS TO KEY TERMS IN PUBLIC LAW 38-93, THE PREGNANT WORKERS FAIRNESS ACT RULES AND REGULATIONS.	5/22/26	5/22/26	6/3/26	38-133	6/4/26	Received: 6/3/26 Mess and Comm. Doc. No. 38GL-26-2423	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speakerblas@guamlegislature.org

June 3, 2026

THE HON. FRANK BLAS, JR., Speaker
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

38GL-26-2423
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

JUN 03 2026

Time: 4:20 pm
Received: Blas

Re: Bill No. 292-38 (COR), "AN ACT TO AMEND §§ 6302(a)(1)(A), (a)(1)(B), (a)(2), (a)(3), (b)(3) and 6304(a) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 17, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO CORRECTIONS TO KEY TERMS IN PUBLIC LAW 38-93, THE PREGNANT WORKERS FAIRNESS ACT RULES AND REGULATIONS."

Håfa Adai Mr. Speaker,

I am allowing Bill No. 292-38 (COR), which makes technical corrections to Public Law 38-93, the Pregnant Workers Fairness Act Rules and Regulations, to lapse into law without my signature. As noted time and time again, enacting regulations through the legislative process violates the separation of powers doctrine. This doctrine prohibits legislation that amends executive rules and regulations, just as it prohibits an agency from amending legislative enactments. Pursuant to the separation of powers doctrine, each branch of government must operate within distinct and clearly defined spheres. The Organic Act of Guam charges the Executive Branch with powers to issue regulations that do not conflict with any applicable law, including Guam's rulemaking laws.

Rulemaking and law-making are separate and distinct roles as provided by the Organic Act of Guam. Bill 292-38's proposed amendments to Guam's Administrative Rules and Regulations infringe on well-established principles. While the Legislature retains the authority to pass a bill containing these provisions, once the rulemaking authority has been delegated to an agency as it has with the Guam Department of Labor (GDOL), the Legislature is obligated to honor such delegation and refrain from interfering with agency rulemaking unless the agency's rulemaking power is otherwise rescinded.

Furthermore, the circumstances giving rise to technical corrections warrant clarification. During legislative debate, Senator Shawn Gumataotao asserted that the errors originated with GDOL and reflected a failure by the department to adequately review its work. A review of the legislative record reflects otherwise. The errors corrected by this Act did not appear in the rules and regulations submitted by GDOL. The errors occurred in the Legislature's engrossing process. It is the Legislature that failed to adequately review its work. The record shows GDOL was not the source of the discrepancies.

To: The Hon. Frank Blas, Jr., *Speaker*
Fr: The Hon. Lourdes A. Leon Guerrero, *Governor of Guam*
Date: June 3, 2026
Re: Bill No. 292-38 (COR)

Page 2 of 2

I commend Senator Telo Taitague for promptly bringing forward this measure once the errors were identified, allowing Public Law 38-93 to be properly administered and enforced as intended.

Despite my foregoing reservations, I am allowing Bill No. 292-38 (COR) to lapse into law without my signature as ***Public Law No. 38-133.***

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 292-38 (COR) nka P.L. 38-133

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws



38GL-26-2423

Messages and Communications

RECEIVED

COMMITTEE ON RULES

June 4, 2026

9:07 a.m.

Marie Crisostomo

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

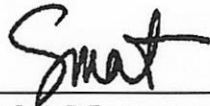
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 292-38 (COR)**, "AN ACT TO *AMEND* §§ 6302(a)(1)(A), (a)(1)(B), (a)(2), (a)(3), (b)(3) AND 6304(a) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 17, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO CORRECTIONS TO KEY TERMS IN PUBLIC LAW 38-93, THE PREGNANT WORKERS FAIRNESS ACT RULES AND REGULATIONS," was on the 22nd day of May 2026, duly and regularly passed.



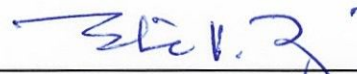
Frank F. Blas, Jr.
Speaker

Attested:



Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 22nd day of May,
2026, at 5:10 o'clock P.M.



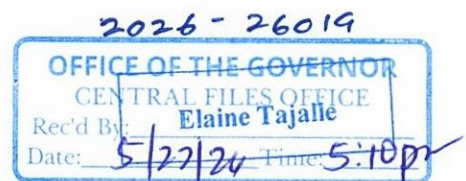
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. 38-133



I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 292-38 (COR)

Introduced by:

Telo T. Taitague
V. Anthony Ada
Chris Barnett
Frank F. Blas, Jr.
Vincent A.V. Borja
Shelly V. Calvo
Christopher M. Dueñas
Eulogio Shawn Gumataotao
Jesse A. Lujan
Tina Rose Muña-Barnes
William A. Parkinson
Sabina Flores Perez
Sabrina Salas Matanane
Joe S. San Agustin
Therese M. Terlaje

AN ACT TO AMEND §§ 6302(a)(1)(A), (a)(1)(B), (a)(2), (a)(3), (b)(3) AND 6304(a) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 17, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO CORRECTIONS TO KEY TERMS IN PUBLIC LAW 38-93, THE PREGNANT WORKERS FAIRNESS ACT RULES AND REGULATIONS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Public Law 38-93, the Pregnant Workers Fairness Act Rules and Regulations
4 contain spelling errors to key terms which require correction through the legislative

1 process. It is therefore the intent of *I Liheslatura* to make these corrections to ensure
2 accuracy of the Act.

3 **Section 2.** §§ 6302 (a)(1)(A), (a)(1)(B), (a)(2), (a)(3), and b(3) of Title 17,
4 Guam Administrative Rules and Regulations is hereby *amended*, to read as follows:

5 **“§ 6302. Pregnant Workers Fairness**

6 (a) An employer shall not discriminate against workers whose
7 ability to perform the functions of a job are limited by pregnancy, childbirth
8 or related medical condition.

9 (1) Complaints: Persons wishing to file a complaint for a
10 violation of the Pregnant Workers Fairness may file such complaint
11 within ninety (90) days from the date of denial with the Department of
12 Labor Fair Employment Practice Office.

13 (A) Good Cause: The Department may accept a
14 complaint after ninety (90) days if the delay in filing is due to a
15 valid medical reason however, in no case shall a complaint be
16 filed more than one hundred eighty (180) days from the date of
17 denial.

18 (B) Refusal of Complaint Filing: FEPPD may decline to
19 accept a potential complaint for reasons including but not limited
20 to: Untimely Filing of Complaint, Complaint has been previous
21 filed with USDOL or Incomplete Documents.

22 (2) Complaints and Statements must be submitted on a form
23 approved by the Department. FEPPD will develop a standard form which
24 an individual may use for reasonable accommodation.

25 (3) Complainants shall provide valid photo identification
26 with their complaint.

1 (4) FEPD may assist complainant with obtaining information
2 from the employer, as allowed in the statute.

3 (5) FEPD may verify with USDOL if a complaint has been
4 filed by the aggrieved person. Should a complaint be filed, Guam DOL
5 will suspend its' investigation.

6 (b) Investigations: An investigation may be initiated as result of a
7 complaint, fact finding process from a separate case, or the result of a formal
8 inspection.

9 (1) When requesting information from an employer, the
10 Department may require that such information be submitted within
11 fifteen (15) calendar days.

12 (2) An employer may request an extension of this fifteen (15)
13 day deadline. An extension must be approved in writing by the
14 Department and shall not exceed thirty (30) day calendar days after the
15 initial fifteen (15) day period.

16 (3) FEPD Investigators may interview employees at a jobsite
17 and may also inspect employer records at employer's establishment.
18 Failure to allow reasonable access to FEPD Investigators constitutes a
19 violation and may subject an employer to civil penalties pursuant to 22
20 GCA §3804(f).

21 (4) FEPD Investigators may refer a matter or coordinate with
22 other local or federal agencies when appropriate.

23 (c) Findings: FEPD investigators shall consider documents,
24 statements and other pertinent information during fact finding investigations
25 and formulate a report to the Director.

26 (1) The report shall contain a synopsis of the situation and
27 recommendation to the Fair Employment Practice Officer on Action.

1 (2) Findings shall take into consideration information gained
2 during fact finding, field inspections, onsite visits, or by a third party.”

3 **Section 3.** § 6304(a) of Article 3, Chapter 6, Division 1, Title 17, Guam
4 Administrative Rules and Regulations is hereby *amended*, to read as follows:

5 “**§ 6304. Inspection and Investigations.**

6 (a) The staff and management personnel of the FEPD division may
7 conduct site inspections and investigations as permitted by 22 GCA § 1108.”

8 **Section 4. Effective Date.** This Act *shall* be effective upon enactment.