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Anthony C. Blaz
Director

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DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO.: 15-019

MEMORANDUM

To: All Line Department and Agency Heads
From: Director, Department of Administration
Subject: Guidance on Public Law 32-098
RE: "Nana Yan Patgon Act"

Buenas! Public Law 32-098 (*Nana Yan Patgon Act*) was enacted to ensure that women have the right to breastfeed or express milk for children in recognition of the health and economic benefits of breastfeeding. This circular outlines the provisions of the law to address potential obstacles women may face when wanting to breastfeed/express milk during working hours. Women have the right to breastfeed/express milk in a safe and clean environment or private designated area without fear of social constraints, discrimination, embarrassment, or even prosecution.

A woman may breastfeed/express milk in any location, public or private, except the private home or residence of another, where the woman is otherwise authorized to be. No entity, public or private, in Guam shall enact a policy that prohibits or restricts women who are breastfeeding/expressing milk. It is a discriminatory practice to deny, or attempt to deny, the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodations to a woman because she is breastfeeding/expressing milk.

Therefore, departments and agencies of the government of Guam *shall* provide a safe and clean room or private designated area, in close proximity to the work area, other than a toilet stall, where a nursing mother, who is an employee of the government of Guam, can express her milk in private. Although a full-time employee is allowed a 15 minute break period in the first and second half of the work day (see DOA Personnel Rules, Rule 7.000 C.), employers *must* provide a reasonable paid break time each day to an employee who needs to express breast milk for an infant child up to the age of two (2). The break time must, if possible, run concurrently with any break time already provided to the employee. Employers may not discriminate – meaning to restrict, harass or penalize – against an employee who chooses to express breast milk in the workplace.

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RE: “*Nana Yan Patgon Act*”

Classified employees who feel discriminated against with regards to the “*Nana Yan Patgon Act*” may initiate the grievance process with their departments (see DOA Personnel Rules, Chapter 12). In addition to filing with DOA, employees may also file a complaint with the Department of Labor at the following address:

Guam Department of Labor
Fair Employment Practice Division
Suite 402, GCIC Building
414 West Soledad Avenue
Hagatna, Guam 96910
Telephone Number: 300-4544

Should you have any questions, please contact our Human Resources Division, Employee-Management Relations Branch at 475-1185. *Si Yu’os Ma’ase.*



ANTHONY C. BLAZ