

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 439-31 (COR)

Introduced by:

V. Anthony Ada
R. J. Respicio

**AN ADD A NEW ARTICLE 5 TO CHAPTER 3 OF 22GCA
RELATIVE TO PRIVACY OF EMPLOYEES' PERSONAL
INFORMATION.**

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

2 **Section 1.** A new Article 5 is added to Chapter 3 of 22GCA to read:

3

4

Article 5

5

Right to Privacy in the Workplace Act

6

7 **§3501. Prohibited Inquiries.**

8 (a) It shall be unlawful for any employer to ask any employee to provide any
9 username, password, or other related account information in order to gain access to a
10 social networking website where that employee maintains an account or profile.

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12 (b) It shall be unlawful for any employer to ask any prospective employee to provide
13 any username, password, or other related account information in order to gain access to
14 a social networking website where that prospective employee maintains an account or
15 profile.

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1 (c) It shall be unlawful for any employer to ask any employee to provide any
2 username, password, or other related account information in order to gain access to a
3 non-employer provided email account.

4
5 (d) It shall be unlawful for any employer to ask any prospective employee to provide
6 any username, password, or other related account information in order to gain access to
7 a non-employer provided email account.

8
9 (e) The prohibitions of items (a), (b), (c) or (d), supra, shall not apply to inquiries made
10 pursuant a valid court order or are required by federal law for purposes of national or
11 homeland security or an employee or prospective employee is registered or required to
12 be registered under the provisions of Chapter 89 of 9GCA.

13
14 (f) Violations of paragraphs (a), (b), (c) or (d) of this section are "violations"
15 punishable by a fine of One Thousand Dollars (\$1,000.00) for the first offense and
16 Two Thousand Dollars (\$2,000.00) for subsequent offenses.