

Important Labor & Employment Developments Related to the COVID-19 Emergency

ATTORNEYS

- Anita Montaner-Sevillano
- Miguel Rivera-Arce
- Reinaldo L. Figueroa-Matos
- Rica López de Alós
- Iraida Diez
- James D. Noël
- Ismael A. Molina-Villarino

PRACTICE AREAS

- Labor & Employment

An McV Labor & Employment Law Alert

March 30, 2020

The following are two very important developments related to Labor & Employment in Puerto Rico during this emergency:

P.R. Governor exempts certain employees from the mandatory curfew for a period of time tomorrow

Private employers and non-profit organizations that are subject to the mandatory lockdown under Executive Order 2020-023, and need to process their payroll, **may allow up to five employees to visit their facilities for this purpose tomorrow, March 31st, 2020 from 5:00 am through noon.**

Employees may also visit their worksite during that same period to get the necessary equipment to work remotely.

The employer must identify those employees who will be visiting the worksite to process payroll or to get any necessary equipment to be able to work remotely. These employees will be exempted from the mandatory curfew during this period and for the mentioned purposes only. Those in violation of these directives may be subject to fines.

P.R. Secretary of Labor makes Announcement about Unemployment Benefits

On Monday, March 30, 2020, the P.R. Secretary of Labor published a press release announcing that the Governor of Puerto Rico, Wanda Vázquez Garced, signed an agreement with the U.S. Department of Labor to formalize Puerto Rico's participation in the receipt of new and enhanced unemployment benefits for Puerto Rico employees affected by the COVID-19 pandemic. The enhanced unemployment benefits are provided under the recently enacted CARES Act.

Among the announcements made by the P.R. Secretary of Labor are:

- The enhanced unemployment benefits program will be available to all employees in P.R. who work for a registered and insured employer, whose salaries have been involuntarily affected by the COVID-19 pandemic, and

Important Labor & Employment Developments Related to the COVID-19 Emergency

who are not receiving compensation or paid leave.

- The enhanced unemployment benefits program is also extended to independent contractors and self-employed individuals in P.R. who are affected by the COVID-19 pandemic.
- Unemployed individuals may be eligible to receive enhanced unemployment benefits of up to \$600 per week, in addition to the current maximum amount of \$190 per week, for a total of up to \$790 per week.
- Unemployed individuals may receive these enhanced unemployment benefits for up to 39 weeks, that is, an additional thirteen (13) weeks to the 26-week maximum allowed under P.R. law, until December 31, 2020.
- Employees who have continued working remotely and receiving their salary during the COVID-19 pandemic are not eligible for unemployment benefits.
- The federal government must still approve the guidelines to implement the process through which the additional funds for unemployment benefits under the CARES Act will be made available to unemployed and other qualifying individuals.

We will continue sending you these updates as soon as they unfold. In the meantime, should you have any questions please contact any of the attorneys listed below. They are working remotely and can be reached by email or by phone.

The content of this McV Alert has been prepared for information purposes only. It is not intended as, and does not constitute, either legal advice or solicitation of any prospective client. An attorney-client relationship with McConnell Valdés LLC cannot be formed by reading or responding to this McV Alert. Such a relationship may be formed only by express agreement with McConnell Valdés LLC.