



MEMORANDUM

To : Clients and Friends

From : Saldaña, Carvajal & Vélez-Rivé, PSC

Date : January 13, 2016

Re : Amendment to Puerto Rico Act No. 180 of June 27 of 1998

On December 31, 2015, Act No. 180 of July 27, 1998, as amended, better known as the “Puerto Rico Minimum Wage, Vacation and Sick Leave Act” (“Act 180”) was amended to allow non-exempt employees in the private sector to use up to five (5) days of paid sick leave to provide care and support due to illness suffered by their children, spouses or parents; or minors, elderly or disabled persons under their guardianship. This benefit is available as long as the employee in question maintains at least five (5) days of sick leave for their own use. Pursuant to the Act, an “elderly person” is any person sixty (60) years of age or older. A “disabled person” is defined as any person with a physical, mental or sensorial impairment that substantially limits one or more of the individual’s essential life activities.

The Act maintains the employee’s duty to comply with the rules of conduct established by the employer pertaining to attendance, punctuality, and submission of medical certificates if the absence exceeds two (2) workdays, as well as periodically reporting the continuation of the illness. The submission of medical certificates for absences exceeding two (2) days will also apply to absences due to care and support of the employee’s spouse, children, or parents; or minors, elderly or disabled persons under the employee’s guardianship.

The Act does not apply to employers with fifteen (15) or fewer employees and became effective immediately.

If you have any questions or comments, or want additional information regarding this matter, please feel free to contact us.