



NEW AMENDMENT TO PUERTO RICO'S MINIMUM WAGE, VACATION AND SICK LEAVE ACT FAVORS PARENTS AND CAREGIVERS

On December 31, 2015, Puerto Rico's governor signed into law "Law No. 251 of December 31, 2015". This law amends Puerto Rico's Minimum Wage, Vacation and Sick Leave Act, Law No. 180 of July 27, 1998, 29 L.P.R.A. §250 et seq., to provide parents and caregivers the right to use a certain amount of their accrued sick leave for caregiving activities.

This latest amendment to Law No. 180 provides that parents and caregivers may use up to five (5) days of their accrued and unused sick leave to take care of sick relatives, namely children, parents or spouses; or for the care of minors and elders with or without disabilities, as defined by law, of whom the employee has custody or legal guardianship. The employee may use up to a maximum of five (5) days, as long as he or she maintains an accrued sick leave balance of no less than five (5) days.

To be clear, this new benefit does not excuse the employee from complying with the rules of conduct established by the employer for attendance and punctuality, for producing a medical certificate if the absence exceeds two (2) working days, in addition to providing periodical updates about the prolongation of the condition. The requirement for medical certificates will also apply to sickness or conditions of the employees' children, spouses, parents, elderly or disabled persons under their care.

The amendment to Law No. 180 will be effective immediately. Employers with fifteen (15) employees or less will not be covered by these changes.



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PUERTO RICO BUSINESS LAW NOTES

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If you should have any questions or comments relative to the proposed changes to the FLSA overtime rule, or any other labor and/or employment matter, please contact any member of the Labor and Employment Division of AMG for further information: Edwin J. Seda Fernández, 787-281-1822, seda@amgprlaw.com; Mariel Y. Haack, 787-281-1951, mhaack@amgprlaw.com; Liana M. Gutiérrez, 787-281-1950, lgutierrez@amgprlaw.com; Katyana Farokhzadeh López, (787) 281-1811, kfl@amgprlaw.com; Verónica Torres Torres, (787) 281-1965, vtorres@amgprlaw.com; or Luis Pérez Giusti, (787) 281-1809, lpg@amgprlaw.com, for further information.



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