a bathroom, that is shielded from view and free from intrusion from coworkers and the

liquidated damages in instances of minimum wage, overtime, and other violations. The

Department may litigate and/or recommend criminal prosecution. Employers may be

wage or overtime pay provisions of the law. Civil money penalties may also be assessed

assessed civil money penalties for each willful or repeated violation of the minimum

for violations of the FLSA's child labor provisions. Heightened civil money penalties

of any minor employee, and such assessments may be doubled when the violations

are determined to be willful or repeated. The law also prohibits retaliating against or

discharging workers who file a complaint or participate in any proceeding under the

Certain occupations and establishments are exempt from the minimum wage,

and/or overtime pay provisions. Certain narrow exemptions also apply to the

Special provisions apply to workers in American Samoa, the Commonwealth of

the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

Some state laws provide greater employee protections; employers must

Some employers incorrectly classify workers as "independent contractors"

when they are actually employees under the FLSA. It is important to know the

difference between the two because employees (unless exempt) are entitled

to the FLSA's minimum wage and overtime pay protections and correctly

Certain full-time students, student learners, apprentices, and workers with

disabilities may be paid less than the minimum wage under special certificate

may be assessed for each child labor violation that results in the death or serious injury

The Department has authority to recover back wages and an equal amount in

public, which may be used by the employee to express breast milk.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

ADDITIONAL INFORMATION

pump at work requirements.

classified independent contractors are not.

issued by the Department of Labor.

comply with both.

FEDERAL MINIMUM WAGE \$7.25 PER HOUR **BEGINNING JULY 24, 2009**

The law requires employers to display this poster

where employees can readily see it.

FED

At least 1% times the regular rate of pay for all hours worked over 40 in a workweek

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, nonmining, non-hazardous jobs with certain work hours restrictions. Different rules apply in

agricultural employment. TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum

wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than

of Labor and Human Resources

PR

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243



at a wage rate equal to double that for the agreed to time for regular hours for those

mployees hired before January 26, 2017. For those employees hired on or after Januar

26, 2017, the wage rate that must be paid shall be equivalent to the time and a half for

LAW NO. 180 OF JULY 27, 1998, AS AMENDED, KNOWN AS THE

PUERTO RICO MINIMUM WAGE, VACATIONS AND SICK LEAVE ACT,

This provides for the fact that the federal minimum wage shall automatically apply

in Puerto Rico to workers covered by the federal Fair Labor Standards Act. Employer

percent (70%) of the federal minimum wage in effect or of that which the mandatory

Companies with a sales volume of \$500,000,00 per year or more

law, regardless of the sales volume of the company.

Those employees that are in interstate commerce or in any process or

health patients that stay overnight on the premises of the institution.

Employees in Puerto Rico hired before January 26, 2017 will accrue sick leave at a rate

of one day per month worked and vacation at a rate of one and quarter (11/4) days per

month. For those employees hired on or after January 26, 2017, they will accrue sick

they work for the same employer. As such, during the first year of service, the employee

up to the completion of five (5) years of service for the same employer, the accrual rate

will be three-quarters (¾) of a day per month worked. Subsequently, after completing

five (5) years of service up to completing fifteen (15) years working for the same

accrual rate for vacation will be one and a quarter (11/4) days per month worked.

employer, the accrual rate will be one (1) day of vacation per month worked. Finally,

once fifteen (15) years of service have been completed with the same employer, the

All employees must work no less than one hundred thirty (130) hours per month for the

accrual of vacation and sick leave. It is hereby stipulated that the use of vacation and sick

leave shall be considered as time worked for the purposes of accrual of these benefits.

Those industries where the effective date of this law may be regulated by mandatory

decrees with monthly accrual rates for vacation and sick leave less than those stipulated

in this law, or with requirements of minimum hours to be worked in order to be eligible

for higher accrual rates than those provided for in this law, shall continue to be subject to

the provisions by said mandatory decree with respect to those extremes. In the shortest

time possible, and in accordance with the economic capacity of each industry, minimun vacation time and sick leave benefits established by these mandatory decrees will be

LAW NO. 17 OF APRIL 17, 1931, AS AMENDED, KNOWN AS THE WAGE

in periods not longer than fifteen (15) days and may be done through:

bank selected by the employee

deductions authorized by law.

This requires the payment of wages in the legal tender of the United States of America,

Electronic transfer of funds directly to the checking or savings accounts

(a) The employee must voluntarily authorize this in writing.

employee not exempted by mutual agreement

This establishes the payment of a bonus to certain private company employees. Any

or in family residences, in charitable institutions, functionaries and employees of

the Government of Puerto Rico, its public corporations and cities, are entitled to the

The period of coverage is from October 1 of any calendar year to September 30 of the

following calendar year. Those employees hired before January 26, 2017 must have

worked a minimum of seven hundred (700) hours during the coverage period in order

minimum of one hundred (100) hours during the coverage period in order to be eligible

to be eligible for the Christmas bonus granted under Law No. 148. In the specific case

of dock workers hired before January 26, 2017, these workers must have worked a

for the Christmas bonus. Any employee hired on or after January 26, 2017 must have

worked a minimum of one thousand three hundred fifty (1,350) hours during the

The bonus that an employee hired before January 26, 2017 must receive under the

provisions of this law shall be equivalent to six percent (6%) of total wages, calculated

the coverage period, as long as the employer employs sixteen (16) or more employees

up to a maximum of ten thousand dollars (\$10,000), earned by the employee within

during any time of the coverage period. An employer that employees fifteen (15) or

fewer employees shall grant a bonus equivalent to three percent (3%) of total wages,

calculated up to a maximum of ten thousand dollars (\$10,000), earned by the employee

twenty-one (21) or more employees during more than twenty-six (26) weeks within the

than twenty-six (26) weeks within the coverage period, it will be obligated to grant to

up to a maximum bonus of three hundred dollars (\$300). For these employees, and only

during the first year of their employment, the required bonus will be fifty percent (50%)

bonus, a sum equal to half the bonus, as additional compensation, when the payment

has been made within the first six (6) months of its non-fulfillment. If the employer is

more than six (6) months late in making the payment, the employer will be obligated

to pay another sum equal to said bonus, as a penalty. The employer may credit to its

that does not form a part of the wage conditions of the employee, paid within the

obligation to pay the Christmas bonus any other additional voluntary compensation

coverage period, as long as the employee has been notified in writing of the employer

intention to do so within a period of five (5) working days from the payment having

been made. So that the employer may avail itself of the provisions contained in this lay

that exempt it from paying the Christmas bonus in whole or in part, when its business

has not earned profits or when these are insufficient to cover all of the bonus without

exceeding the limit of fifteen percent (15%) of net annual earnings, it must submit

than November 30 of each year. This application must be filed together with a balance

an exemption application to the Secretary of Labor and Human Resources no later

sheet and profit and loss statement for the coverage period, prepared according to

the generally accepted accounting principles and standards in Puerto Rico, and their

and stamped as an original by a certified public accountant (CPA), with a currently

respective notes, and with the corresponding revised or audited compiled report, signed

valid license that has been issued by the Puerto Rico Accounting Board, as stipulated by

Law No. 293 of May 15, 1945, the "Public Accounting Act of 1945", as amended, which

demonstrates this financial situation. Furthermore, the Secretary may request any other

This regulation defines the terms "Manager", "Executive" and "Professional" for the effects

of labor legislation. Employees that are considered to be within the referenced terms are

"exempt" employees for protected work labor legislation. In general, labor legislation

excludes these employees from some benefits, such as: provisions related to minimum

wage, extraordinary compensation for overtime, accrual of vacation, accrual of sick leave

and meal periods. This means that the rights of these employees are those that arise

from the employment contract or from agreements entered into with their employers.

information that Law No. 148 authorizes it to request and obtain for the sake of duly

DEPARTMENT OF LABOR AND HUMAN RESOURCES REGULATION

NO. 7082 OF JANUARY 18, 2006, KNOWN AS REGULATION NO. 13

considering the exemption application

coverage period in order to be eligible for a Christmas bonus

or worker within that amount of time.

of that stipulated in Law No. 148.

employee, except those persons employed in agricultural activities, in domestic service

LAW NO. 148 OF JUNE 30, 1969, AS AMENDED, PRIVATE COMPANY

EMPLOYEE CHRISTMAS BONUS ACT. 29 LPRA SEC. 501 ET SEO.

of the employees. Restrictions to the form of direct deposit and electronic

The payment shall be effective on the same day of payment at the

Delivery of the proof of deposit or transfer to the employee with all

employer. Furthermore, the legislation lists the deductions and

withholdings that an employer may apply to the wages of the

The cost of the system is exclusively the responsibility of the

adjusted to the levels stipulated by this law.

Check

protection of this law.

Direct deposit

Payroll card

transfer payments:

PAYMENT ACT, 29 LPRA SEC. 171 ET SEQ.

will accrue a half $(\frac{1}{2})$ day of vacation per month worked. After the first year of work and

occupation that is strictly related thereto are considered to be covered by the

Employees of hospitals and care institutions for children, the elderly or mental

Employees of educational institutions, whether at the preschool, elementary,

intermediate, secondary, or university level, with the exception of teachers

decree establishes, whichever is higher. It also establishes the rules for accrual and use of

not covered by that legislation shall pay a minimum wage equivalent to seventy

that does not have this involvement shall be null and void In general, any transacting of a basic claim that does not exceed fifty thousand dollars (\$50,000) may be verified by one of the attorneys of the Office of Legal Affairs. Those transactions on basic claims that exceed fifty thousand We administer much of the current labor protection and disputes legislation dollars (\$50,000) will require the involvement of the Secretary of Labor and issued by the former Puerto Rican Minimum Wage Board and by the Secretary

LAW NO. 289 OF APRIL 9, 1946, AS AMENDED, KNOWN AS THE SETTING OF We perform the following activities in order to assess and ensure compliance with WORK SCHEDULE DAYS OFF ACT, 29 LPRA SEC. 295 ET SEQ. Any employer that employs or allows an employee to work during the days off that this Inspections of workplaces, which includes files and payrolls law establishes; shall be obligated to pay him/her for the hours worked during said day

the wage agreed to by the parties.

29 LPRA SEC. 250 ET SEQ.

The Federal Fair Labor Standards Act applies to

Summary of some of the Laws that the Office of Labor Standards administers for the protection of workers. LAW NO. 80 OF MAY 30, 1976, AS AMENDED, KNOWN AS THE WRONGFUL TERMINATION ACT, 29 LPRA SEC. 185A, ET SEQ.

Indemnification for wrongful termination

Any employee of a company, industry or any other business or site of has been hired with no specified term, and who is terminated from his/her position with no interceding just cause, will be entitled to receive from his/her employer an indemnification or allowance, the amount of which shall depend on the time that he/she worked for his/her employer. For those employees hired before January 26, 2017, in addition to the wages that they may have earned, the terminated employee will be entitled to an indemnification that shall be computed as follows:

- Wages corresponding to two (2) months for indemnification, if the termination occurs within the first five (5) years of service; wages corresponding to three (3) months if the termination occurs after five (5) years and up to fifteen (15) years of service; wages corresponding to six (6) months if the termination occurs after fifteen (15) years of service;
- employee will be entitled to an indemnification that shall he computed as follows An indemnification equivalent to three (3) months of wages; An indemnification equivalent to (2) weeks of wages for each year of service completed. In no case shall the indemnification required by law for employees hired on or after January 26, 2017 exceed

wages corresponding to nine (9) months. In addition, it shall be

understood that for these employees, one (1) month is composed

Any agreement in which the employee waives his/her right to receive indemnification for wrongful termination shall be void. However, once a claim has been made, the parties may compromise on the indemnification through a

When there is just cause for the termination, the worker will not be entitled to the compensation mentioned. In this sense, terminations with just cause are those that are not motivated for legally prohibited reasons and that are not a product of mere caprice by the employer. Furthermore, just cause is understood to be those reasons that affect the proper and normal operation

- of an establishment that include, but are not limited to, the following: (a) That the employee engages in an improper or disorderly pattern
- That the employee engages in a pattern of deficient, inefficient, unsatisfactory, poor, late or negligent performance. This includes a failure to follow employer rules and standards for quality and safety, low productivity, a lack of competency or ability to perform the job at levels reasonably required by the employer, and repeated
- complaints from the employer's customers. Repeated violation by the employee of reasonable rules and that a written copy of the same has been provided in a timely
- Complete, temporary or partial shutdown of establishment operations. In those cases where the employer has more than one office, factory, branch or plant, the complete, temporary or partial shutdown of operations of any of these establishments where the terminated employee works shall constitute just cause.
- Technological or reorganization changes, as well as those in the style design or nature of the product that is produced or managed by the establishment, and changes in services rendered to the public.

Any employee hired on or after January 26, 2017 will have an automatic probationary period of nine (9) months. This automatic period may not be to a shorter or no probationary period. Furthermore, nothing prohibits the employer from releasing the employee from the probationary period before expiration of the term, whether automatic or agreed to by the parties. In the specific case of "Managers". "Executives" or "Professionals", referred to jointly as exempt employees, their probationary period will be for Those employees that are terminated during the probationary period will not

accrue the indemnification for wrongful termination granted by Law No. 80 of May 30, 1976, as amended. LAW NO. 230 OF MAY 12, 1942, AS AMENDED, KNOWN AS THE CHILD

EMPLOYMENT ACT. 29 LPRA SEC. 431 ET SEO. The employment of minors under the age of eighteen (18) years is regulated in Puerto Rico. It is necessary to obtain a working permit from the Department of Labor and Human Resources, which must establish that the occupation does not affect the school attendance of the minor, and is not harmful to his/her life, health or wellbeing.

ESTABLISHMENT IN PUERTO RICO ACT This establishes the regular work hours in Puerto Rico; the type of wages for the hours

Eight (8) hours constitute the legal work day in Puerto Rico, and alternate weekly work schedule (flextime), the employer and employee may agree to a regular work day that does not exceed ten (10) hours per day. In addition, the hours that an employee works under the protection of an hours replacement agreement shall be considered as a regular workday as long as his/her workday does

- Hours worked in excess of eight (8) hours per day and forty (40) per week shall be compensated as overtime. If there is an alternate weekly work schedule, the hours worked in excess of ten (10) per workday shall be compensated as overtime. In the case where the hours worked in excess of twelve (12) hours per day shall be compensated as overtime
- One hour for meals. This must not be before conclusion of the By means of a written agreement between the employer and
- employee, the meal period may be reduced to thirty (30) minutes. except for "croupiers", nurses and security guards, which may be up to a minimum of twenty (20) minutes. In those cases where the work day does not exceed six (6) consecutive hours, the meal period may be omitted without need of having to sign a written agreement. Creation and maintenance of registries and payrolls

All employers must maintain and keep registries, files, payrolls, lists of days worked or records that reflect the names and addresses of all workers, the hours of work rendered by each one and the wages paid to them. These archives must be kept by the employer for a term of no less than three (3) years and the employer may use any method of storage, as long as the accessibility and integrity of the information is ensured

Any claims transactions under the protection of Law No. 379 require verification by the Department of Labor and Human Resources. Any transaction

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DIGNITY AND JUSTICE FOR WORL GOVERNMENT OF PUFRTO RICO DEPARTMENT OF LABOR AND HUMAN RESOURCES OFFICE OF LABOR STANDARDS www.trabajo.pr.gov

WHAT DOES THE LAW COVER? On September 27, 2006, the Legislative Assembly approved Law No. 207, to prohibit the use of an nployee's Social Security Number on identification cards or in any document for general or routine circulation, or

The Law requires that no employer, of a private company or of public corporations of the Commonwealth of Puerto tico, may show or display an employee's Social Security Number, regardless of the nature of his/her position or ppointment, on his/her identification card, nor may it show or display this data in any place visible to the general public or a generally circulating document. The Social Security Number may not be included in personnel directories or in any similar list that is made

available to persons that have no need or authority for **EXCEPTIONS** The Social Security Number will only be requested in circumstances where collecting it is mandatory for a The Social Security Number will not be disclosed by

the employer to entities, except under the following

COMPLIANCE CERTIFICATION

into effect of the Regulations.

The Law and its Regulations stipulate that employers and

Public Corporations of the Commonwealth of Puerto Rico

are granted a period of six (6) months starting from the

recording date of the Regulation at the Department of

State for all employers to certify implementation of the

provisions of the Law with the Department or for them

to submit a work plan for achieving this within a term of

no more than one (1) year from the approval and coming

When the external entity acts as a contractor or agent of the employer and has adequate security measures in place to prevent disclosure. In these cases, the employer shall maintain a list of When a document that contains the Social Security

Number of a worker must be made public for a purpose that does not require this information, that document will be edited so that this information is partially or completely illegible, without it being considered as imposed as a condition of employment. The Social Security Number will only be transmitted in digital documents or electronically when there are mechanisms that quarantee confidentiality.

The Department of Labor and Human Resources shall be the agency charged with policing compliance with ADDITIONAL INFORMATION

For more information, including a copy of the Law and its Regulations, contact your local branch of the Office of Labor Standards. These are located in San Juan, Arecibo, Mayagüez, Ponce, Caguas Humacao, Carolina and Bayamón. Find the telephone numbers for these offices by visiting our web page www.trabajo.pr.gov

FED

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either

for pre-employment screening or during the course of

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other

rights under the Act. Federal, State and local governments are not affected by the law.

Also, the law does not apply to tests given by the Federal Government

to certain private individuals engaged in national security-related The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and quard), and of pharmaceutical manufacturers, distributors and dispensers.

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

1-866-487-9243



FED YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you

An eligible employee who is the spouse, child, parent or next of kin of a

covered servicemember with a serious injury or illness **may take up to**

To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of you spouse, child or parent who is a military servicemember.

26 workweeks of FMLA leave in a single 12-month period to care for the You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

- You are an **eligible employee** if **all** of the following apply: You work for a covered employer, You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the
- Your employer has at least 50 employees within 75 miles of your work

Airline flight crew employees have different "hours of service" requirements. You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

You work for an elementary or public or private secondary school, or You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave? Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave,

DIGNITY AND JUSTICE FOR WORK

GOVERNMENT OF PUERTO RICO

ANTI-DISCRIMINATION UNIT

www.trabajo.pr.gov

learning or other training program.

employment agencies

Give notice at least 30 days before your need for FMLA leave, or If advance notice is not possible, give notice as soon as possible You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave

DEPARTMENT OF LABOR AND HUMAN RESOURCES

Discrimination on the basis of age, race, color, gender, sexual orientation,

Law No. 100 of June 30, 1959, as amended, 29 L.P.R.A. Sec. 146 et seq. provides for

the protection of employees and employment candidates against discriminatory

acts by employers, labor organizations or joint worker-employer committees

that control learning and training programs. It prohibits discrimination on the

basis of age, race, color, gender, social or national origin, social status, marital

status, political or religious ideas, sexual orientation and gender identification or

due to being a victim or being perceived as a victim of domestic violence, sexual

aggression or stalking; for being a soldier or ex-soldier, serving or having served

in the United States Armed Forces or for the employee or employment applicant

holding the status of veteran; dismissal, suspension or discrimination against

one of its employees in relation to salary, wages, pay or compensation, terms,

category, conditions or privileges such that tend to deprive a person of employment

opportunities or that affect his/her status as an employee, publishing, circulating

or allowing to be published or circulated announcements, notifications or any other

form of distribution denying employment opportunities, directly or indirectly, to all

persons equally; limiting or excluding a person to be admitted or employed in any

The intent of Law No. 69 of July 6, 1985, 29 L.P.R.A. Sec. 1321 et seq. is to ensure

the equality of the right to employment for men and women alike, prohibiting

private and public employees, labor unions, joint worker-employer committees or

discriminatory actions, setting responsibilities and imposing penalties upon

The definition of: "on the basis of gender" includes, but is not limited to,

pregnancy, childbirth or related medical conditions, and women affected

by these circumstances shall receive equal treatment for all purposes related

The Anti-Discrimination Unit also administers, among others, Law No. 3 of

March 13, 1942, as amended, 29 L.P.R.A. Sec. 467 et seq. In general terms,

must submit medical proof that she is capable of working

Abortions and premature births are covered by the Law

The employee shall also be entitled to reinstatement.

not matriculated in an academic institution, is adopted.

of breast milk to female employees both in private companies and in the

Law No. 427 of December 16, 2000, the "Breastfeeding or Breast Milk Extraction

Time Regulation Act", as amended, grants a period for breastfeeding or extraction

government. For those employees with full-time working hours, the breastfeeding,

or breast milk extraction, period shall be one hour and may be distributed into two

thirty (30) minute periods or three twenty (20) minute periods. In the case of those

employees with part-time working hours, and whose daily work schedule exceeds

four (4) hours, the breastfeeding or breast milk extraction period will be thirty (30)

minutes for each four (4) hours of work. The place provided for these purposes

must be private, secure and hygienic. Furthermore, the place must have sufficient

ventilation and electrical outlets. Employers that deny the benefits granted by the

Law mentioned may be fined for damages that the employee may suffer, for a sum

equal to: (1) three times the wages that the employee earns for each day that she

Law No. 17 of April 22, 1988, 29 L.P.R.A. Sec. 155 et seq., was created with the

specific purpose of protecting employees and employment candidates against

sexual harassment at work, and its provisions apply to both private employers and

Workplace sexual harassment consists of any type of approach, request for sexual

favors, or any other type of verbal or physical conduct of a sexual nature, when one

When submitting to said conduct is implicitly or explicitly converted into a

than three thousand (3,000) dollars, whichever is greater.

or more of the following circumstances occur:

term or condition of employment of a person.

Hato Rey Central Office

PISO 11 EDIFICIO NATIONAL PLAZA

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HATO REY, P.R 00917

is denied the period for breastfeeding or extraction of milk, or (2) a quantity no less

Female workers who are pregnant will be entitled to time off that will

include four (4) weeks before the delivery and four (4) weeks after; at

The employee may opt to take the leave up to only (1) week before the

two (2) weeks of postnatal time off. In choosing one of these options, she

The employer may not terminate, without just cause, a pregnant woman.

Lower performance in work shall not be considered to be just cause.

Any employer that terminates, suspends, reduces the wages of, or

discriminates in any way against, a worker on the basis of a decline in

her production or refuses to restore her after the delivery, shall incur civil

liability for double the damages caused or between \$1,000 and \$5,000.

The employer shall also be guilty of a misdemeanor for violation of the

Leave benefits are granted when a child under the age of five (5) years,

delivery and seven (7) weeks after, or may opt to return to work after

gender identification, social or national origin, social status, marital

status, political affiliation, political or religious ideas, or for being

a victim or being perceived as a victim of domestic violence, sexual

aggression or stalking, for being a soldier or ex-soldier serving or

having served in the United States Armed Forces or for holding the

requesting additional leave. Your **employer may request certification** from a health care provider to

verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct

- What does my employer need to do? If you are eligible for FMLA leave, your **employer must**:
- Allow you to take job-protected time off work for a qualifying reason, Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**: About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected

Where can I find more information?

DEPARTMENT OF LABOR

DISCRIMINATION IS ILLEGAL

UNITED STATES OF AMERICA UNITED STATES DEPARTMENT OF LABOR

YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

HEALTH INSURANCE PROTECTION

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months

connected illnesses or injuries.

ENFORCEMENT

investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for

notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

REV. 05/2022

U.S. Equal Employment Opportunity Commission

· promotion; or

· any benefit of employment

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've

been discriminated against at work or in applying for a job, the EEOC may be able to help. Conduct that coerces, intimidates, threatens, or interferes with someone who is an applicant or employee, barring undue hardship to the employer. Section 503 Who is Protected?

exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) o Employees (current and former), including managers and temporary employees Union members and applicants for membership in a union What can You Do if You Believe

- What Types of Employment Discrimination are Under the EEOC's laws, an employer may not discriminate against you, regardless of you you live/work). You can reach the EEOC in any of the following ways immigration status, on the bases of: **Submit** an inquiry through the EEOC's public portal:
- National origin Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity) Age (40 and older) Genetic information (including employer requests for, or purchase, use, or
- disclosure of genetic tests, genetic services, or family medical history) Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as

Most private employers State and local governments (as employers) Educational institutions (as employers)

What Organizations are Covered?

- Discriminatory? All aspects of employment, including Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief,
- Job training Classification Referral Obtaining or disclosing genetic information of employee

Requesting or disclosing medical information of employees

Conduct that might reasonably discourage someone from opposing liscrimination, filing a charge, or participating in an investigation or proceeding

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees

Gender Identity, National Origin

www.eeoc.gov/field-office)

about filing a charge of discrimination, is available at

Additional information about the EEOC, including information

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces

the nondiscrimination and affirmative action commitments of companies doing business

with the Federal Government. If you are applying for a job with, or are an employee of, a

company with a Federal contract or subcontract, you are protected under Federal law fron

Race, Color, Religion, Sex, Sexual Orientation,

Executive Order 11246, as amended, prohibits employment discrimination by Federal

contractors based on race, color, religion, sex, sexual orientation, gender identity, or

national origin, and requires affirmative action to ensure equality of opportunity in all

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, iob training, classification, referral, and other aspects of employment by Federal contractors

physical or mental limitations of an otherwise qualified individual with a disability

To be given a period of thirty (30) minutes per every period of four (4) consecutive hours of work to breastfeed or to extract breast milk, in the case that she works a part-time work day that exceeds

essential functions of the job.

providing such assistance

To continue to be given these periods dedicated to breastfeeding or breast milk extraction for up to twelve (12) months starting from her return to her work duties; To not be exposed to sexual advances as a condition of being hired or to maintain her job position; To not be subjected, explicitly or implicitly, to unwanted verbal or physical sexual advances, including

advances made by electronic means: That the employer keeps the workplace free of sexual harassment, including hostile, offensive or

That the employer establishes adequate and effective internal procedures to deal with sexual harassment complaints; To be protected against domestic violence in her workplace; To be provided with special leave without pay for up to fifteen (15) working days per year to attend to

workplace, sexual assault, lewd acts or stalking classified as serious; That no retaliation will be made against her for filing complaints, testifying or participating in an investigation, legal proceeding or trial in relation to discriminatory employment practices. This Charter of Rights is a general non-exhaustive compilation of rights that are recognized for working women in the private sector in Puerto Rico and that shall serve as a quideline. The rights listed are subject to the applicability and exceptions of the corresponding labor statute, so it is recommended to consult the complete text of the laws listed

situations related to domestic or gender violence, mistreatment of minors, sexual harassment in the

herein which are available on the websites: www.mujer.pr.gov and www.trabajo.pr.gov. You can also contact the helpline, 24 hours a day, 7 days a week, of the Attorney's Office for Women at (787) 722-2977 or the Department of Labor and Human Resources through the Anti-Discrimination Unit at (787) 625-3137 ext. 3231 and/or the Bureau of Labor Standards at (787) 754-2100. **GOVERNMENT OF PUERTO RICO**

ATTORNEY'S OFFICE FOR WOMEN DIGNITY AND JUSTICE FOR WORK

ATTORNEY'S OFFICE FOR WOMEN Tel. (787) 722-2977 www.mujer.pr.gov

ANTIDISCRIMINATION UNIT Tel. (787) 625-3137 ext. 3259 TDD: (787) 756-5787

DEPARTMENT OF LABOR AND HUMAN RESOURCES BUREAU OF LABOR STANDARDS Tel. (787) 754-2100

Filed with the State Commission on Elections, Application No. CEE-SA-2020-5391

WORKPLACE SAFETY AND HEALTH ACT OF PUERTO RICO

DIGNITY AND JUSTICE FOR WORK DEPARTMENT OF LABOR AND HUMAN RESOURCES

WORKPLACE SAFETY AND HEALTH ADMINISTRATION OF PUERTO RICO www.trabajo.pr.gov

in the Commonwealth of Puerto Rico so as preserve our human resources. THE EMPLOYER The employer must provide each of their employees with employment and

occupational safety and health standards provided by the Law. THE EMPLOYEE The employee must comply with all occupational safety and health

standards, and furthermore, with all rules, regulations and orders issued

under the Law which apply to his/her own actions and behavior at work. This Law will apply to all work performed at every work site in the

The Law requires that an opportunity be given to a representative of the employer as well as a representative authorized by the employees to accompany the Compliance Officer for the purpose of helping with the inspection. If there is no representative authorized by the employees, the Compliance Officer must consult with a reasonable number of employees regarding the safety and health conditions at the workplace.

CITATIONS If after an inspection or investigation, PR OSHA has found that an

employer has violated the Law, it will issue a citation to the employer, with reasonable promptness, alleging these violations. Each citation must include a correction period for the alleged violation. This citation must be visibly displayed at each site where the alleged violation has occurred, or near it, to warn employees about the hazards that may exist at this location. The Law stipulates mandatory fines of up to \$7,000 for each serious

violation, and optional penalties of up to \$7,000 for each violation classified as not serious in nature. In addition, fines of up to \$7,000 per day may be imposed for each day that the employer does not correct the violation within the period established for its correction. Any employer that willfully or repeatedly violates the Law, may be fined by an amount that will not exceed \$70,000 for each violation. The Law also provides penalties for any employer that intentionally violates the law, and this violation causes the death of an employee. Once convicted, the punishment is a maximum fine of \$10,000 or imprisonment for a maximum term of three years, or both penalties. A repeated offense by an employer will double the fine, or there will be punishment by imprisonment for a period not to exceed four and a half years, or both penalties.

VOLUNTARY ACTIVITY

The Law encourages the joint efforts by employers and employees in lowering the number of occupational safety and health hazards. It further encourages both employers and employees alike to establish new programs and enhance existing ones to provide safe and healthy

Employees or their representatives who believe that the violation of a safety and health standard exists may request an inspection, by filing a complaint with the Area Office of the Occupational Safety and Health Administration of Puerto Rico of the Department of Labor and Human Resources nearest to their workplace. The complainant's name will not be disclosed to the employer unless authorized by the complainant.

under the Federal Occupational Safety and Health Act of 1970 may file a complaint with the Occupational Safety and Health Administration of Puerto Rico or to the address for federal jurisdiction.

COMPLAINTS ABOUT THE ADMINISTRATION OF THE STATE

The administration of this Law is being evaluated by OSHA. Any person may file complaints about the administration or operations by calling or writing the aforementioned Agency.

B7 Calle Tabonuco, Suite 1105 Guaynabo, PR 00968 [t] (787) 277-1560 [F] (787) 277-1567

ADDITIONAL INFORMATION For additional help and information, including copies of the Law, state

occupational safety and health standards and other applicable regulations, contact the nearest PR OSHA Area Office. These are located in Arecibo, Caguas, Carolina, Mayagüez, Ponce and San Juan. Phone numbers for these Offices can be found in the corresponding telephone directories.

OSHA

STATE JURISDICTION

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION OF PUERTO RICO PO BOX 195540 San Juan, PR 00919-5540

[t] 787.754.2172 • [f] 787.767.6051

REV. 06/2017

This poster is in compliance with federal and state posting requirements.

TEMPORARY NON-OCCUPATIONAL DIASABILITY INSURANCE PROGRAM

FED

REEMPLOYMENT RIGHTS

particular employer;

You have the right to be reemployed in your civilian job if you leave that job to perform service in the

you ensure that your employer receives advance written or verbal notice of your service;

you have five years or less of cumulative service in the uniformed services while with that

you return to work or apply for reemployment in a timely manner after conclusion of service; and

you have not been separated from service with a disqualifying discharge or under other than

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained

are a past or present member of the uniformed • are obligated to serve in the uniformed service;

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights

including testifying or making a statement in connection with a proceeding under USERRA, even if that

if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

have applied for membership in the uniformed

then an employer may not deny you:

retention in employment;

person has no service connection.

initial employment;

reemployment;

because of this status.

FED

Illegal?

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to

You may also bypass the VETS process and bring a civil action against an employer for violations

The rights listed here may vary depending on the circumstances. The text of this

text of this notice where they customarily place notices for employees.

Employer Support of the Guard and Reserve • 1-800-336-4590

Know Your Rights: Workplace Discrimination is Illegal

also requires that Federal contractors take affirmative action to employ and advance in

Protected Veteran Status **Discrimination has Occurred?** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are recruit, employ, and advance in employment, disabled veterans, recently separated veterans strict time limits for filing a charge of discrimination (180 or 300 days, depending on where (i.e., within three years of discharge or release from active duty), active duty wartime or

Retaliation https://publicportal.eeoc.gov/Portal/Login.aspx Retaliation is prohibited against a person who files a complaint of discrimination, 1-800-669-4000 (toll free) participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal 1-800-669-6820 (TTY) contractors under these Federal laws. 1-844-234-5122 (ASL video phone) Any person who believes a contractor has violated its nondiscrimination or affirmative an EEOC field office (information at action obligations under OFCCP's authorities should contact immediately:

> 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under J.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

> > PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

campaign badge veterans, or Armed Forces service medal veterans

The Office of Federal Contract Compliance Programs (OFCCP)

U.S. Department of Laboration

employment qualified individuals with disabilities at all levels of employment, including

Race, Color, National Origin, Sex n addition to the protections of Title VII of the Civil Rights Act of 1964, as amended. Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race. color or national origin in programs or activities receiving Federal financial assistance.

mployment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal

financial assistance. Discrimination is prohibited in all aspects of employment against

If you believe you have been discriminated against in a program of any institution which

receives Federal financial assistance, you should immediately contact the Federal agency

persons with disabilities who, with or without reasonable accommodation, can perform the

REV. 06/27/2023

Charter of Rights for the Working Woman — Private Sector

Puerto Rico and in applicable laws and regulations. Specifically, they shall have a right to: Not be discriminated against by their employer, by employment agencies nor by labor organizations on the

basis of their sex; Be considered and employed based on their individual capabilities without employers taking into consideration stereotypical presumptions or characterizations related to their sex;

Not be discriminated against with regard to salary based on their sex, nor be asked about their salary history when they are considered for a job position; Receive a month's pay if they are unfairly dismissed from their job; If a working woman becomes pregnant, she shall receive four (4) weeks maternity leave before and four (4)

weeks after childbirth; with the presentation of a medical certificate to her employer, she may opt to take up

to one (1) week off for prenatal rest and seven (7) weeks off for postnatal rest; If she adopts a pre-school age child, i.e. a child under the age of 5 years old who is not enrolled in a school institution, she shall be entitled to the same maternity leave benefits as an employee who has given birth; If she adopts a child who is 6 years old or older, she shall be entitled to take maternity leave at full pay for a period of fifteen (15) days;

To have access in her workplace to a private, safe, hygienic area with ventilation and electricity to breastfeed her baby or to extract breast milk, and that said area will not be shared with an area

working conditions. COMPLAINTS

DISCRIMINATION COMPLAINTS The Law stipulates that employees may not be terminated or discriminated against by exercising their rights under the Law. Any employee who believes that he or she has been discriminated against under this Law or

FEDERAL JURISDICTION Puerto Rico Area Office

PUERTO RICO

DEPARTMENT OF LABOR AND HUMAN RESOURCES,

PR OSHA 2013

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LAW NO. 207 OF SEPTEMBER 27, 2006, ON RESTRICTIONS IN THE USE OF SOCIAL SECURITY NUMBERS As per the rights and duties conferred to the Secretary When the employee grants the employer or his/her representative, the Labor Standards Inspector permission; and

by means of a complaint by an employee, verify

any pertinent record or document in order to assess compliance with the Law. In any case where the Investigator determines a violation of the Law, he/she shall notify the employer that it will be issued a fine under the provisions in the Regulation These protections may be waived, voluntarily and in

> DIGNITY AND JUSTICE FOR WORK **DEPARTMENT OF LABOR AND HUMAN GOVERNMENT OF PUERTO RICO** www.trabajo.pr.gov

entitled to the preservation of his/her job and to benefits for: **DISMEMBERMENT** Benefits, between \$2,000 and \$4,000 for Weekly benefits from \$12 to \$55 for amputation or partial amputation of limbs, or a total or partial loss of sight in one or both eyes.

OFFICE OF WORKER BENEFITS

SINOT • TEMPORARY NON-OCCUPATIONAL

DISABILITY INSURANCE

A person who is disabled by conditions unrelated

to work or in an automobile accident may be

HELPING YOU

DEPARTMENT OF LABOR AND HUMAN RESOURCES | EDIFICIO PRUDENCIO RIVERA MARTÍNEZ Piso 10, 505 Ave. Muñoz Rivera PO Box 195540, San Juan, PR 00919-5540 [t] 787. 754.5850 ext 2504, 2506

Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized

The Act also permits polygraph testing, subject to restrictions, of

resulted in economic loss to the employer.

EXAMINEE RIGHTS

certain employees of private firms who are reasonably suspected of

involvement in a workplace incident (theft, embezzlement, etc.) that

The law does not preempt any provision of any State or local law or any

collective bargaining agreement which is more restrictive with respect

Where polygraph tests are permitted, they are subject to numerous

strict standards concerning the conduct and length of the test.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants

may also bring their own court actions.

EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE

qualifies for FMLA protection. You **must also inform your employer if** FMLA leave was previously taken or approved for the same reason when

or supersede any state or local law or collective bargaining agreement that lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process.

When that conduct has the effect or purpose of wrongfully interfering with the performance of the work of that person or when it creates an intimidating, hostile or offensive work environment. The employer has the duty to keep the workplace free from sexual harassment and intimidation. The employer must

Clearly tell their supervisors and employees that the employer has a firm

Implement all necessary means aimed at creating awareness and make

Sufficiently publicize the rights and protection conferred by law banning

the ban on sexual harassment in the workplace widely known.

policy against sexual harassment in the workplace.

When submitting or rejecting said conduct by the person is converted

into a basis for making decisions on the employment or with regard to

employment, that affects that person.

sexual harassment for the benefit of employment candidates. Establish adequate and effective internal procedures to deal with sexual harassment complaints. When made aware of any sexual harassment situation, the employer must immediately conduct an investigation. If you think that you are being discriminated against, you should not overlook the sexual harassment you may be subjected to. You should make notes of the sexual harassment incidents for your personal use. These notes should include: names of witnesses, date and place where the harassment act(s) took place Bring the harassment situation to your supervisor's attention. If the supervisor

is the harasser, alert someone else who has authority in the company about this

situation. The employer may not retaliate for participation in an investigation

process or for opposing discriminatory practices. When bringing the harassment

problem to the employer's attention, the latter is responsible for taking necessary

IMPAIRED PERSONS LAW NO. 44 OF JULY 2, 1985 Law No. 44 of July 2, 1985, as amended by Law 53 of August 30, 1992, L.P.R.A. Sec. 501 et seg., empowers the Secretary of Labor to asses compliance with this Law with regard to employment

measures for correcting the problem.

PREVENTATIVE ACTION: By virtue of the powers conferred upon them by the laws that they administer, the Secretary of Labor and Human Resources or the Director of the Anti-Discrimination Unit, in their representation, will discourage workplace discrimination through preventive action programs and may, on their own initiative, even without the

It prohibits discrimination against persons with physical, mental or sensory

Commonwealth of Puerto Rico, in activities such as recruitment, promotion,

suspension or termination; in wages, training, benefits and other aspects

impairments at institutions whether or not they receive funds from the

All employers, labor organizations or joint worker-employer committees are required to keep adequate records on their recruitment practices, training programs, promotion plans or any other employment practices. These records and reports must be available for examination by Department officials. For this reason, they must be kept for a period of no less than two (2) years. ANTI-DISCRIMINATION UNIT GENERAL REGULATION

The Anti-Discrimination Unit General Regulation No. 6236 of November 21, 2000,

Any person who is aware, or has personal knowledge, of discrimination

COMPLAINTS:

involvement of a complaint, order investigations pursuant to the provisions of Law

employment candidates, pursuant to Law No. 100, Law No. 69, Law No. 17, Law No. 3 and Law No. 44, may file a complaint with the Anti-Discrimination Unit within one year following the point at which he/she learned or should have learned of the alleged discriminatory action. As a delegate agency of the federal "Equal Employment Opportunity Commission" the Anti-Discrimination Unit receives claims under other provisions of federal laws that prohibit discrimination in employment and that establish shorter jurisdictional terms for filing a complaint.

In view of the public interest covered by the laws we administer, the

complaint may not be withdrawn or abandoned by the complainant

without prior written authorization from the Secretary of Labor and

Once the complaint is filed, the accused will be notified. He/she is invited

You may file your complaint in person or by mail.

Human Resources or his/her appointed deputy.

to the alternate conflict resolution, mediation, process.

having occurred against one or more workers, or one or several

If a satisfactory agreement is not reached between the parties during this process, the investigation will be continued. The parties are usually scheduled for an evidence discovery meeting The official in charge of the investigation will act on behalf and representation of the Secretary of Labor and Human Resources, with all of the powers conferred upon the Secretary in Law No. 100. The appearance of witnesses shall be obligatory under penalty of

contempt proceedings, as well as the presentation of any information

required by the investigator within a reasonable period, not to exceed

If the complaint is determined to lack merit, a Notice of Determination

of No Probable Cause of Discrimination will be issued and the parties

will be notified. The complainant will be notified of his/her right to

request a review of this determination by the Secretary of Labor and

If it is determined that the accused has committed or is committing one

Cause will be issued and the Unit will begin its mediation efforts. If no

agreement is reached, the case will be considered for litigation in the

courts of Puerto Rico with jurisdiction for the complainant

or several discriminatory practices, a Notice of Determination of Probable

EDIFICIO VILLA CAPITÁN II TERCER PISO, 828 AVE. HOSTOS Suite #301 Mayagüez, P.R 00682-1536 [t] 787-833-4110 787-787-833-4150 [f] 787-833-4131

CENTRO GUBERNAMENTA

45 CALLE CRUZ ORTIZ STELLA, NORTE

Suite #13 Humacao P.R 00791-3751

[t] 787-285-5071 [f] 787-285-5076

15 days once it has been requested.

agricultural workers and up to 🤰 I I 🤇 for

A maximum benefit of \$4,000 prorated

who dies due to a condition that may be

between the dependents of an insured person

observance or practice

Working women in the private sector shall enjoy the rights set forth in the Constitution of

Not be denied job placement due to the preference of co-workers, employers or clients;

To receive her full wages and to have her job position reserved for her by her employer if she takes To not be dismissed from her job or suspended, be discriminated against, nor have her salary reduced based on decreased productivity as a result of being pregnant;

To be given a period of one (1) hour per full-time work day to breastfeed or to extract breast milk, which may be split into two (2) periods of thirty (30) minutes or three (3) periods of twenty (20) minutes;

WHAT DOES THE LAW COVER? On August 5, 1975, the Legislature approved Law 16, in order to guarantee, to the extent possible, safe and healthy work conditions to all employees

a workplace that is free of known hazards that are causing or may cause, death or physical harm to employees. They must also comply with the

Commonwealth of Puerto Rico, excluding employees in the maritime industry, the United States Postal Service (USPS) and Federal Agencies.

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 69466-062023

J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868 JUN2023 65858F FED-PR-ENG

To update your labor law posters contact

62898

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

OFFICE OF LABOR STANDARDS DIGNITY AND HISTICF FOR WORK **GOVERNMENT OF PUERTO RICO DEPARTMENT OF LABOR AND HUMAN RESOURCES** www.trabajo.pr.gov

Processing direct claims by employees or those that arise from an inspection. Addressing complaints that may be confidential. Offering guidance through conferences and seminars for the general public. Issuing permits Responding to personal, written or telephone queries.

- An additional progressive indemnification equivalent to (1) week for each year of service, if the termination occurs within the first five (5) years of service; two (2) weeks for each year of service, if the termination occurs after five (5) years and up to fifteen (15) years of service; three (3) weeks for each year of service, after having completed fifteen (15) years or more of service For those employees hired on or after January 26, 2017, in addition to the wages that they may have earned, the terminated
- of four (4) weeks.
- regulations created for the operation of the establishment, provided manner to the employee.

Reductions in employment that are made necessary due to a reduction in the volume of production, sales or profits, anticipated or that prevail when the termination occurs, or with the purpose of increasing the competitiveness or productivity of the establishment. Probationary period increased or extended. Nonetheless, the employer and employee may agree

- The bonus that any employee hired on or after January 26, 2017 must receive, under the provisions of this law, shall be equivalent to two percent (2%) of total wages earned up to a maximum bonus of six hundred dollars (\$600), if the employer employed coverage period. If the employer employed twenty (20) or fewer employees during more LAW NO. 379 OF MAY 15, 1948, AS AMENDED, KNOWN AS THE WORK DAY worked in excess of the legal work hours and sets the meals period **Established rights** The deadline for payment of this is between November 15 and December 15. If the payment of the bonus established under this law is not made in the manner and by the deadline indicated above, the employer will be obligated to pay, in addition to said
 - those periods are worked under an hours replacement agreement. second nor after the start of the sixth hour of consecutive work. If the employee works during the period meant for his/her meals. the employer must compensate, as a penalty, that period as if it

[f] (787) 844-4080

Ponce, PR 00716

This law will apply to all private employers and to public corporations of the Commonwealth of Puerto Rico.

writing, by the employee, but this waiver may not be

Violation of the provisions of this Law, including a failur to protect the confidentiality of the Social Security Number, shall bring with it a fine of no less than five Any document or application of the employer in hundred (500.00) and up to five thousand (5,000)which the Social Security Number is collected shall indicate whether this requirement is a voluntary or Any paper or electronic document that contains social security numbers shall be securely destroyed.

LAW NO. 139 OF JUNE 26, 1968, AS AMENDED