

**Act No. 37-2020:  
Puerto Rico's Emergency Paid Leave**

On April 9, 2020, the Governor of Puerto Rico, Hon. Wanda Vazquez, signed into law Act No. 37-2020, to amend Article 6 of Act No. 180-1998 to provide that, in cases where the Governor or the Secretary of Health declares a state of emergency, any employee suffering or suspected of suffering from the illness that motivated the state of emergency and who has exhausted all leaves which he/she has a right to, will be entitled to a special emergency paid leave. Act No. 180, and this amendment, do not apply to exempt employees.

The Act provides for the following order for the exhaustion of leaves:

1. The employee shall exhaust all accrued sick leave.
2. After exhausting the sick leave, the employee shall use any other accrued leave to which he/she is entitled.
3. If the employee continues ill, the employer will grant an emergency leave, with pay, for up to five working days.

Act No. 37-2020 additionally amended Article 6 of Act No. 180-1998, to state that the employer may not consider any absences protected by the sick leave or the special emergency leave, in connection with disciplinary actions or employment determinations related to the employee.

We will continue to keep you advised of further developments and are available to answer your questions or doubts on how to comply with the new statutory requirements.

If you have any question or concern, please contact us:

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