

RECENT PUERTO RICO LEGISLATION

PUERTO RICO ENACTS NEW LACTATION CODE

A new lactation code became law effective August 1, 2025. The Code, Act 87-2025, adds new provisions and consolidates existing legislation and norms regarding breastfeeding applicable to private employers.

Per the Code, both part and full-time employees are entitled to no less than one paid hour per workday to breastfeed or express breastmilk, for up to 12 months after returning from maternity leave. The lactation period cannot be considered in evaluating job performance, nor can employers retaliate based on the use of the lactation period. Employees cannot be required to submit a medical certification as a condition for use of the lactation period. Employers must notify employees of their rights under the Code, which we suggest be done in writing. All employment policies and manuals must be amended to include the new provisions of the Code. Employers should review the facilities to lactate or express milk to ensure compliance with the amended requirements.

ACT NO. 102 OF 2025 PROVIDES MECHANISMS TO VALIDATE TRADE, OCCUPATIONAL AND PROFESSIONAL LICENSES ISSUED BY OTHER U.S. JURISDICTIONS

It is now public policy in Puerto Rico to recognize occupational licenses or government certifications issued by other jurisdictions in the United States for the purpose of obtaining an official license or certification. As of August 1, 2025, licensing agencies are required to issue work licenses and accreditations to applicants who have a license issued by another U.S. jurisdiction and who comply with other requirements. The agency can refuse to issue the license or certification only if it demonstrates a compelling need to protect the public interest. The Act applies to regulated professions, trades and occupations that require a license to practice in Puerto Rico, such as physicians, dentists, realtors, engineers, and electricians, but explicitly excludes the legal profession.

NEW NLRB POLICY ON DEFERRING TO ARBITRATION THE INVESTIGATION OF UNFAIR LABOR PRACTICE CASES

The NLRB issued Memorandum GC 25-10 announcing that due to decreasing staffing and steady demand for services, the agency will not initially investigate unfair labor practice charges. Instead, it will defer the dispute to the contractual grievance and arbitration procedures in Collective Bargaining Agreements that may resolve it by an award or a settlement.

The NLRB will no longer contact parties on a quarterly basis to inquire about the status of the related grievance in deferred cases. From this point forward, the Charging Parties are required to file a status report to the Region on a biannual basis.

If you have questions or need assistance in complying with the new statutory requirements discussed above, please contact us.

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