

Puerto Rico Legislature Approves Bill to Expand Paid Sick Leave Use

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Seeking to allow non-exempt employees to use paid sick leave for the illnesses of their family members and others, the Puerto Rico Legislature has sent a bill to Governor Alejandro García-Padilla to so amend the Commonwealth's existing paid sick leave law. If House Bill 695 is approved, the amendments would become effective immediately. The Governor has 30 days to approve or veto HB 695.

HB 695 amends Puerto Rico Act No. 180 of 1998, which mandates accrual of one day of paid sick leave for each month in which the non-exempt employee works at least 115 hours. Employees who meet this threshold can accrue 12 days of sick leave a year and may roll over unused sick leave time, subject to a cap.

HB 695 expands the circumstances under which employees can use accrued sick leave. If approved, qualifying employees may use up to five days of accrued sick leave for the care and attention for reason of illness:

1. of the employee's children, spouse, mother, or father; or
2. of minors, persons of advanced age, or disabled persons of which the employee has custody or is the legal guardian.

This expanded use of sick leave is available as long as the employee maintains a balance of at least five days of sick leave.

HB 695 also expands the existing documentation requirements of Act 180 by providing that employers can require medical certificates if absences under the two circumstances mentioned above exceed two working days.

Expanded use of sick leave under the proposed amendment *would not* apply to businesses with fewer than 15 employees.

Jackson Lewis will continue to monitor HB 695 and report on further developments. Please feel free to contact the Jackson Lewis attorney with whom you regularly work if you have questions regarding HB 695 or Puerto Rico employment law.

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