

Puerto Rico Issues FAQs on Unemployment Benefits during COVID-19 Crisis

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The Puerto Rico Department of Labor and Human Resources (PR DOL) has issued FAQs regarding unemployment benefits during the COVID-19 pandemic. The FAQs were issued only in Spanish.

Eligibility

Employees who may be eligible to unemployment benefits include:

1. Regular or part-time employees who do not receive any compensation during the mandatory lockdown;
2. Regular or part-time employees whose working hours have been reduced because of the mandatory lockdown; and
3. Temporary employees who are not working because of the mandatory lockdown.

Currently, unemployment benefits are unavailable for independent contractors and self-employed workers.

The PR DOL will be announcing how to request benefits under the Pandemic Unemployment Assistance Program as soon as the federal aid is available.

Unemployment and Other Benefits

To be eligible for unemployment benefits, employees do not need exhaust their vacation or sick leaves. However, employees who receive compensation during the days of closure through vacation or sick leave may not receive unemployment benefits, since it would be a double compensation.

Employees who were not working when the state of emergency was declared and were receiving benefits from the State Insurance Fund are not eligible to receive unemployment insurance benefits. Unemployment benefits are available to qualified employees who are able to work during the claimed weeks.

Employees cannot claim Temporary Non-Occupational Disability Insurance (SINOT) and unemployment insurance benefits at the same time. An employee with a temporary disability can only claim SINOT benefits while that disability lasts.

Applying for Benefits

The initial claim for unemployment benefits can be filed electronically using the following link: [https://desempleo.trabajo.pr.gov/reclamantes/\(S\(ljckehccw3k5kn4yybigefqo\)\)/Inicio.aspx](https://desempleo.trabajo.pr.gov/reclamantes/(S(ljckehccw3k5kn4yybigefqo))/Inicio.aspx). Submitting the incorrect information can cause delays in the processing of claims.

Individuals who have completed their unemployment insurance application should wait to receive the corresponding documents by mail and follow the instructions provided in those documents.

Individuals interested in receiving unemployment benefits through direct deposit must

individuals interested in receiving unemployment benefits through direct deposit must complete the Authorization for Direct Deposit form, available at the PR DOL's website. The employee must upload the document at <https://www.trabajo.pr.gov/DocUploader>. Along with the form, the beneficiary will be requested to upload certain evidence.

Claiming Subsequent Weeks of Benefits

Employees who have submitted the initial claim and want to claim subsequent weeks of benefits, can make their claim through the following website:

<https://desempleo.trabajo.pr.gov/reclamacionsubsiguiente/>. Claimants also may call the PR DOL's Interactive Voice System, at (787) 625-7900.

Employees will not lose their benefits for failing to claim subsequent weeks of benefits during the corresponding period. This applies only to unclaimed weeks from March 15, 2020, onward.

Unemployment Benefits

The weekly benefits will be determined according to the highest salary the employee received during the last four natural trimesters. The amount the employee will receive every week is established in the benefits table of the "Regulations to Manage the Unemployment Insurance Program."

Currently, the state minimum weekly unemployment benefit is \$33.00, and the maximum is \$190.00. Additional federal benefits of \$600.00 per week and extension of weeks of benefits will be available soon.

Change Existing Claim

- To change the status of a claim from partial to total, employees must send their names (as it appears in the claim) and a contact number to consultas@trabajo.pr.gov.
- Once employees resume work, they must report it in their payment order.
- If an employee believes their initial unemployment claim contains errors, they must email the information they want to correct to consultas@trabajo.pr.gov. Employees must provide their full name (as it appears in the claim) and a contact number for the PR DOL to contact them, if needed. To protect confidential information, employees should not include their Social Security numbers in this email.

Appeal or Reconsideration of PR DOL's Determination

If the PR DOL determines that an employee is ineligible for unemployment benefits, the employee can file an appeal and provide evidence of their wages or employment with their last employer.

Additionally, if an employee does not agree with the PR DOL's determination, they can submit a request for reconsideration at consultas@trabajo.pr.gov. Even if an employee disagrees with the approved amount and the reconsideration process has not completed, employees must file their claims every two weeks.

Normally, employees have 15 days from the date they receive their determination to request a reconsideration or an appeal. However, due to the state of emergency, these terms are tolled.

Jackson Lewis attorneys and the dedicated COVID-19 Task Force are ready to assist with any questions.

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