

# Governor of Puerto Rico Signs Bill to Expand Paid Sick Leave Use

By **Sara E. Colón-Acevedo**

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The New Year began with the Governor of Puerto Rico's approval of an amendment, House Bill 695, to the Commonwealth's paid sick leave law that expands the circumstances under which non-exempt employees can use paid sick leave. The stated intent is to improve the working conditions of employees with caregiving responsibilities.

The paid sick leave law, Puerto Rico Act No. 180 of 1998 ("Act 180"), provides accrual of one day of paid sick leave for each month in which a non-exempt employee works at least 115 hours. Employees who meet this threshold can accrue 12 days of sick leave a year and may rollover unused sick leave, subject to a 15-day cap.

Under the amendment, effective immediately, non-exempt employees may use paid sick leave to care for family members and others. Qualifying employees can use up to five days of accrued sick leave for:

1. the care and attention for reason of illness of the employee's children, spouse, mother, or father; or
2. the care and attention for reason of illness of minors, persons of advanced age (defined as a person at least 60 years old), 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.

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

Expanded use of sick leave does *not* apply to businesses with fewer than 15 employees.

Please feel free to contact the Jackson Lewis attorney with whom you regularly work if you have questions regarding this new statute or any other issue regarding Puerto Rico employment law.

## Meet the Author



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