

LOCAL AREA
LABOR DEVELOPMENT
MAYAGUEZ/LAS MARIAS

American Job Center

**PUBLIC POLICY TO AUTHORIZE LICENSE FOR UNFORESEEN
SITUATIONS**

I. INTRODUCTION

The Governor of Puerto Rico, Hon. Wanda Vázquez Garced, promulgated Administrative Bulletin No. OE- 2020-020, on March 12, 2020. Through which she decrees a state of emergency related to the impact of COVID-19. Subsequently, on March 15, she promulgates Administrative Bulletin No. OE-2020- 023, to enable the closure of government and private operations to combat those impacts related with COVID-19, from March 15 to 30, 2020. For the purposes of extending the measures to control the risk of contagion, other Administrative Bulletins have been approved, extending until May 3, 2020, and/or unless further notice government closure, among other measures. These Administrative Bulletins apply, as far as government employees are concerned, to those that do not provide essential services. The Single Management Centers and the services offered in the System were not considered essential services, for the purposes of these orders.

1 In the Administrative Bulletin No. OE-2020-023, it establishes that the time granted should be without charge to any license (leave) and will not have the effect of extending the holidays to those employees that were enjoying their vacations.

In Special Memoranda No. 6-2020 and 9-2020, issued on March 15, 2020, and March 31, 2020, respectively, by attorney Sandra E. Torres López, Director of the Office of Administration and Government Human Resources Transformation of Puerto Rico, reference is made to the Appointing authorities of the Municipal Governments that may take similar actions, in accordance with the provisions of the Law of Autonomous Municipalities, as amended.

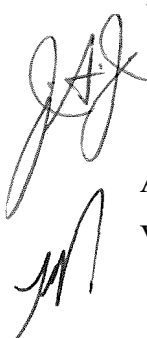
Given this, as Presidents of the Governing Bodies of the ALDL, we authorize this special license to

be extended to the officials of our One Stop Management System. For this purpose, we are establishing this Public Policy. In a communication dated June 30, 2005, which was approved by the President of the Allied Board, on July 8, 2005, the Mayagüez - Las Marías Consortium adopted the Mayaguez Municipality Personnel regulations. On it there are no references to unexpected situations licenses.

II. LEGAL BASIS

Administrative Bulletin No. OE-2020-020 issued by the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, the 12 of March 2020,

Administrative Bulletin No. OE-2020-023 issued by the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, the 15th of March 2020,,



Administrative Bulletin No. OE-2020-029 issued by the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, the 30th of March 2020,

Administrative Bulletin No. OE-2020-033 issued by the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, The 12th of April 2020,

Special Memorandum No. 6 - 2020 issued by Attorney Sandra E. Torres López, Director of the Office of Administration and Transformation of the Human Resources of the Government of Puerto Rico, March 15, 2020,

Special Memorandum No. 9-2020 issued by Attorney Sandra E. Torres López, Director of the Office of Administration and Transformation of the Human Resources of the Government of Puerto Rico, March 31, 2020.

III. PUBLIC POLICY

The purpose of this public policy is to authorize licenses for unforeseen situations. It establishes the following:

In the cases in which the Executive Director of the Local Board, after consulting with the Board of Mayors and the Local Board, it was determine that the suspension of services is appropriate for situations such as lack of electricity, fire, storms, hurricanes, earthquakes, or other situations of emergency which prevents employee's permanence in the workplace, a leave with pay will be granted to those providing services at the time the above-described situation arises. The latter does not apply to employees who are enjoying any licenses described on the Section 13.4 from this Regulation.

When the paid leave is authorized for an emergency, as defined in the Law of Autonomous Municipalities of Puerto Rico, Law# 81 the 30th of August 1991, as amended, the following will be considered:

An emergency is defined as: It shall mean the situation, event or combination of circumstances that cause public needs unexpected and unforeseen and require immediate municipality government action, since it could endanger the life, health or safety of citizens or to be in danger of suspend or affect the public services, or risk municipal property, and by which the ordinary procedure of purchases and acquisitions of goods, and service cannot be promptly fulfilled, due to the urgency from which the actions to face the situation required. ***The emergency can be caused by a fortuitous case or by a higher force like a natural disaster, catastrophic accident, or any other situation or event that by its unexpected and unforeseen occurrence, impact and magnitude put on imminent danger the life, health, security, tranquility, or the wellbeing of the citizens, or where the community services, projects or programs are affected.***

The emergency can be promulgated, by the mayor, through an Executive Order, stating the facts about the cause of the emergency, and the measurements taken, and the disposition of the necessary, immediate, and essential resources available to the population to manage, as necessary, due to any emergency, as defined in subsection (ff) of sec. 4001 of the Law of Autonomous Municipalities, as amended. When the Governor of Puerto Rico issues a proclamation decreeing a state of emergency for the same reasons, on the same date and covering

the jurisdiction of his municipality, the mayor will be relieved to issue his own, prevailing that of the Governor with full force as if it had been issued by the mayor.

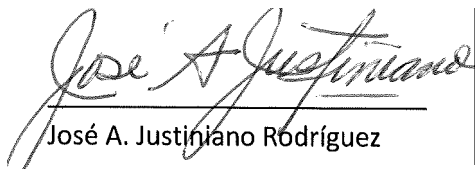
In emergencies decreed by the Chief Elected Official (Mayor) or the Governor (a) the leave paid period will begin on the first day the emergency is declared and end on the day the emergency is declared without effect. The latter will also apply to emergencies enacted by the federal government that are applicable to our jurisdiction. If the emergency period exceeds sixty (60) calendar days, the Employment and Training Administration (ETA) will issue guidelines in relation to this case.

The officials that offer direct services to the customers, participants, and patrons, as well as the support services to the activities the former offer, will be able to work remotely as established for the Board of Mayors and the Local Board. The Local Board will evaluate if any type of additional compensation will be offered, in accordance with the applicable standards and procedures.

IV. APPROVAL AND VALIDITY

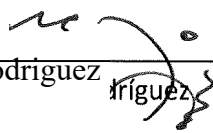
This public policy was approved for the Executive Committee of the Local Board, in a virtual meeting held on April 24, 2020, and by the Board of Mayors, in April 2020 and becomes effective on March 15, 2020. It will be the responsibility of the Executive Director of the Local Board to inform the staff as soon as it is approved.

For the record, we sign this public policy in Mayagüez, Puerto Rico, today, April 30th, 2020.



José A. Justiniano Rodríguez
President,





Hon. José G. Rodríguez
President,
Board of Mayors