

Puerto Rico Secretary of Labor issues guidance regarding employers obligations to notify available unemployment services

On April 16, 2020, the Secretary of the Puerto Rico Department of Labor and Human Resources issued Circular Letter 2020-02 (the “Letter”). In general terms, the letter discusses the obligation of private employers to notify laid off personnel and employees with reduced work hours of all unemployment insurance services available. Please find below a brief summary of the most important provisions of the letter.

Under the COVID-19 emergency, it is important that employees be informed of their rights. In this regard, the Letter establishes the obligation for employers who are going to lay off employees or reduce hours of employees, to notify the affected employees of the availability of unemployment benefits offered by the Bureau of Unemployment Insurance of the Department of Labor and Human Resources. This notification must be made at the time of separation of employment or reduction of regular working hours.

For these purposes, any employer who is going to terminate or reduce an employee's regular workday will have to use a model notification. Employers shall forward this mandatory notice to all affected employees either by letter, email, brochure or text message.

The model notification should contain the following information:

The Unemployment Insurance benefits administered by the Department of Labor and Human Resources are available for those workers who are unemployed and who meet the eligibility requirements established in the Puerto Rico Employment Security Act, Act. No. 74 of June 21, 1956, as amended. A claimant may file a claim within the first week in which he/she has been laid off or in which his/her working hours have been reduced. For assistance or further information on how to file an unemployment insurance claim, you can visit the Department of Labor's website, https://www.trabajo.pr.gov/seguro_por_desempleo.asp or contact the Department's call center at (787) 945-7900.

In order to process your claim, the following information is required:

- Full name
- Social Security Number

If employee is not a citizen or resident of the United States, authorization to work will be required.

You can submit your claim through the Department's website, www.trabajo.pr.gov. To file a claim by phone, you can call the Department's call center at (787) 945-7900. If you have any questions regarding the status of your claim, you can call (787) 625-7900 or contact the Department's call center at (787) 945-7900. You can also send an email to reclamaciondesempleo@trabajo.pr.gov. Please note that this email address is exclusively for answering questions or concerns, not for the purpose of submitting a claim.



Above, you find all the information that a notification to employees should include. Please note that the provisions of the Letter will take effect immediately and will remain in effect until it is repealed or amended in a manner that is irremediably incompatible with its provisions.

We will be monitoring additional developments regarding this matter and will provide with updates, if necessary.

Should you have any questions or require additional information, please do not hesitate to reach out to us at your earliest convenience.