


GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO

Administrative Bulletin Number: OE-2020-043

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, AMENDING ADMINISTRATIVE BULLETIN NO. OE-2018-44, FOR THE PURPOSES OF EXTENDING THE TERM TO USE EXCESS LEAVE ACCRUED FOR PUBLIC EMPLOYEES WHO PERFORM ESSENTIAL FUNCTIONS AND OTHER PUBLIC OFFICIALS.

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WHEREAS: In the last few years, Puerto Rico has experienced extreme natural events that have disrupted and altered our social and governmental activities. There is no doubt that the devastation caused by Hurricanes Irma and María, as well as the earthquake that struck the Island on January 7, 2020 and its subsequent aftershocks have had a significant impact on our reality as a people.
- WHEREAS:** In addition to the above, the recent global pandemic poses an unprecedented challenge for the Government of Puerto Rico. Fighting against the spread of COVID-19 has required the implementation of measures aimed at preventing further infections and safeguarding the health of our citizens. It must be made clear that first responders keep Puerto Rico’s residents and their communities safe and help guarantee that critical services continue to be provided.
- WHEREAS:** Article 6.10 of Act 20-2017, as amended, better known as the *Puerto Rico Public Safety Department Act*, empowers the Governor to declare a state of emergency on our Island, and to “[...] enact, amend or repeal any regulation, and to enact, amend, or rescind any order as deemed appropriate during the state of emergency or disaster.” Pursuant to the above, Administrative Bulletin No. OE-2020-020 was issued on March 12, 2020, declaring a state of emergency in Puerto Rico in the face of the imminent threat posed by the spread of COVID-19.
- WHEREAS:** Furthermore, multiple measures have been adopted in Puerto Rico with the purpose of preventing COVID-19 infection, such as those implemented to promote physical distancing, the disruption of work and services both at the public and private levels, and the establishment of a lockdown.
- WHEREAS:** The quick response to the damages caused by the natural events

experienced by our Island and the implementation of initiatives aimed at preventing the spread of COVID-19 have been possible, thanks largely to the commitment and efforts of many public employees who perform essential functions.

WHEREAS: The Government of Puerto Rico acknowledges, values, appreciates and respects the commendable work of our public officials in order to guarantee the health, safety, and wellbeing of our people. It is further recognized that in discharging their duties, many of these public servants, particularly those working at the different sections of the Public Safety Department, the Department of Corrections and Rehabilitation custody officers, and the staff working in the medical institutions of the Government of Puerto Rico, have had to postpone their use of vacation or sick leave.

WHEREAS: On November 27, 2019, Administrative Bulletin No. OE-2019-061 amended Administrative Bulletin No. OE-2018-044, in order to extend until June 30, 2020 the term for the public officials mentioned in the previous subsection to exhaust any excess vacation or sick leave. However, subsequent events such as the earthquakes that shook Puerto Rico and the pandemic caused by the spread of COVID-19 have prevented these officials from using such leave.

WHEREAS: In light of the foregoing, and guided by our commitment to do justice to public employees, particularly those who perform essential functions, it is necessary to amend Administrative Bulletin No. OE-2018-44 once again to extend the term for them to exhaust any vacation or sick leave accrued in excess.

THEREFORE: I, WANDA VÁZQUEZ-GARCED, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the Laws of the Government of Puerto Rico, hereby DECLARE and ORDER the following:

Section 1: Section 1 of Administrative Bulletin No. OE-2018-044 is hereby amended to read as follows:

“SECTION 1 The term for all employees of the Department of Public Safety and its sections, Department of Corrections and Rehabilitation Custody Officers, as well as all medical and nursing staff, nutritionists, and medical technologists employed by the

Government of Puerto Rico to use any vacation and/or sick leave accrued in excess is hereby extended until December 31, 2020.”

Section 2: Section 2 of Administrative Bulletin No. OE-2018-044 is hereby amended to read as follows:

“SECTION 2 Each appointing authority or its designee shall be responsible for identifying all officials covered under this Executive Orders who have accrued excess vacation and sick leave. Moreover, each appointing authority or its designee shall be responsible for coordinating efforts to allow these employees to use their excess vacation and sick leave without affecting the services provided by each public instrumentality.”

Section 3: The provisions of Administrative Bulletin No. OE-2018-044 that were not amended by this Executive Order shall remain in force as provided therein.

Section 4: SEVERABILITY. The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such decision shall not affect the validity of the remaining provisions, which shall remain in full force.

Section 8: VALIDITY. This Executive Order shall enter into force immediately and shall remain in force until amended or repealed by a subsequent Executive Order or by law.

Section 6: NON-CREATION OF ENFORCEABLE RIGHTS. This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

Section 7: PUBLICATION. This Executive Order must be filed immediately with the Department of State and the widest possible publication is hereby ordered.



IN TESTIMONY WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 9th day of June of 2020.


WANDA VÁZQUEZ GARCED
GOVERNOR

Enacted in accordance with the law on this 9th day of June of 2020.