

August 26, 2020

Legal Update

Highlights of Changes Implemented by Executive Order EO 2020-062

Some 12 Executive Orders have been issued to address different aspects of the COVID-19 pandemic. Below is a summary of the most recent changes that current EO62 made to its predecessor (EO 60).

Curfew: The curfew was extended until September 11, unchanged from EO 60 (10 p.m. to 5 p.m. Monday to Saturday, and all-day Sunday). The usual exceptions remain in place (medical appointments, acquisition of essential items such as food and medicine, receiving or offering services excluded from the lockdown, etc.)

Mandatory Quarantine: The mandatory 14-day quarantine of those exposed to, diagnosed with, or suspected of COVID-19 remains in place. However, individuals who have had contact with a person who has tested positive for COVID19, must submit to a molecular test no earlier than five days after exposure. A person with a confirmed diagnosis must report this to the contact tracing unit of their municipality or, in its defect, to the Department of Health.

Authorized commercial establishments: Though requirements sometimes vary by type of establishment, there are some rules common to many. For instance, occupancy limits have generally been reduced from 50% to 25% of the maximum allowed under the PR Building Code 2018, except for closed shopping malls whose occupancy was reduced from 1 person per 75 square feet, to 1 person per 100 square feet. Mall operators must ensure individual businesses observe the maximum 25% occupancy requirement. Owners of party supply stores are asked for “cooperation” since large gatherings are forbidden. It is unclear what “cooperation” means.

Authorized services: EO2020-62 refers to the usual categories of exempted services. Regarding schools, it no longer suggests that mandatory remote education will be revisited after September 17. Now there is no fixed deadline. Instead, it warns that in-person schooling will not commence until there is evidence of a reduction of confirmed daily COVID-19 cases.

Hospitality industry: Special restrictions continue. Maximum occupancy in common areas was reduced from 50% to 25%. Casinos remain closed.

Employers: EO 2020-62 continues the self-certification process whereby employers create a protocol to address the risk of contagion in the workplace, as well as the obligation of employers to report suspected and confirmed COVID-19 cases to the Department of Health. This iteration of the order now provides an email address where employers can send the information:

covidpatronos@salud.pr.gov . The Department of Health recently issued guidelines for compliance with this requirement as well as the form to achieve reporting compliance. See <http://www.salud.gov.pr/Pages/coronavirus.aspx>



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