

September 23, 2026

Labor and Employment Update

Employers beware: PR OSHA is vigilant and active

Both federal and Puerto Rico laws and regulations govern health and safety in the workplace. The federal Occupational Safety and Health Act of 1970 (OSHA), as amended, has had extensive regulations issued under it by the U.S. Department of Labor. Its equivalent in Puerto Rico is the Puerto Rico Occupational Safety and Health Act, Law No. 16 of August 5, 1975 (PR OSHA).

Both acts impose an affirmative obligation upon employers to provide a work environment free from known risks, which may cause death or physical harm to employees. Non-compliance with their obligations may expose employers to varying penalties, including monetary fines starting from \$11,823.

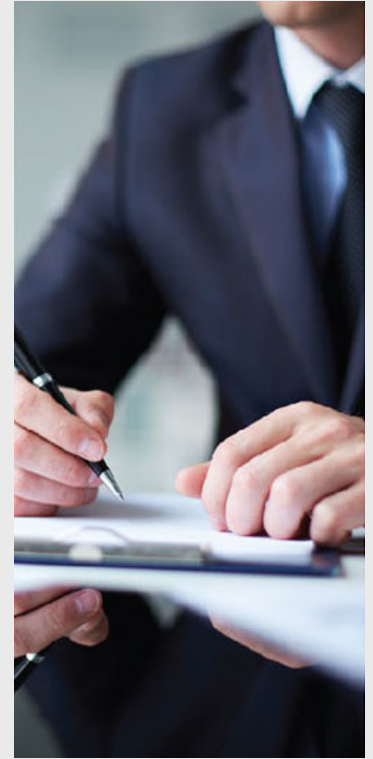
It is the employers' responsibility to ensure that their supervisors are properly trained in the identification of workplace hazards. Failure to do so may expose the company to an assessment of repeated violations, which entails more severe penalties (including monetary penalties of up to **\$165,514 per violation**).

Companies receiving notices of violations and penalties from PR OSHA may raise several defenses during penalty negotiations. Nevertheless, promptly correcting identified hazards remains the most effective response.

Addressing immediate workplace risks also presents the company with the opportunity of potentially benefitting from reductions to assessed penalties. To enjoy those benefits, the companies must demonstrate a history of good faith compliance and/or good faith efforts in immediately correcting identified infractions. Additionally, companies may enjoy reductions to assessed penalties based on their size.

For questions about OSHA guidance or other legal matters affecting your business, contact our team.

This communication is for information purposes only and does not constitute legal advice. This communication may be based on authorities that are subject to change and is not a substitute for professional advice or services. You should consult a qualified professional advisor before taking any action based on the information



For more information on this Legal Update, please contact:

Carlos R. Rivera
riverac@reichardescalera.com
787.777.8827

Ruy Díaz González
rdiaz@reichardescalera.com
787.777.8888

Laura M. Vélez
lvelez@reichardescalera.com
787.777.8888

herein. This communication does not create an attorney-client relationship between Reichard & Escalera and the recipient.

[Unsubscribe.](#)