

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2020-041

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, EXTENDING THE LOCKDOWN, CONTINUING THE PHASED REOPENING OF VARIOUS ECONOMIC SECTORS, AND OTHER PURPOSES RELATED TO THE MEASURES ADOPTED TO CONTROL THE RISK OF CORONAVIRUS INFECTION (COVID-19) IN PUERTO RICO.

WHEREAS: Exercising caution is an essential antidote for citizens to control the spread of COVID-19 on our Island. Maintaining social distancing measures is an individual duty that falls upon all of us.

WHEREAS: For its part, the Government of Puerto Rico has made all necessary efforts and has implemented all necessary measures in order to prevent and halt the spread of COVID-19 and to safeguard the health, lives, and safety of Puerto Rico's residents. To this end, and in line with the declaration issued by the World Health Organization (WHO) classifying the respiratory disease caused by COVID-19 a pandemic-level health and social emergency that requires effective and immediate action from all governments and jurisdictions throughout the world, Administrative Bulletin OE-2020-020 was issued on March 12, 2020. Under the aforementioned order (OE-2020-020), a state of emergency was declared throughout the entirety of our archipelago due to the imminent threat posed by the spread of COVID-19.

WHEREAS: Following the emergency declaration issued by the President of the United States, Donald J. Trump, the Government of Puerto Rico has published various Administrative Bulletins related to the pandemic. To wit, Administrative Bulletin OE-2020-023 was issued on March 15, 2020, establishing additional measures to slow and contain the spread of COVID-19 in Puerto Rico (OE-2020-023), including, among other measures, the implementation of a lockdown that applies to all citizens and the necessary closures of both government and private operations. On March 30, 2020, Administrative Bulletin OE-2020-029 was issued in order to extend the lockdown, the social distancing measures, and the closure of certain commercial and government operations. On April 7, 2020, Administrative Bulletin OE-2020-032 was issued to establish more aggressive measures intended to flatten the curve of COVID-19's spread in our Island. On April 12, 2020,



Administrative Bulletin OE-2020-033 was issued in order to extend the measures implemented to control the spread of COVID-19 in Puerto Rico, including an extension to the lockdown and the necessary temporary closures. Said Executive Order was subsequently extended to be effective until May 3, 2020. Furthermore, Administrative Bulletin No. OE-2020-038 was issued on May 1, 2020, extending the lockdown while implementing the first phase for the loosening of the lockdown restrictions to allow for economic flexibility, thus allowing the phased reopening of several sectors. The term of said Executive Order was extended until May 25, 2020.

WHEREAS:

In order to address the health emergency facing Puerto Rico, Administrative Bulletin OE-2020-026 (OE-2020-026) was issued, which created the Executive Medical Advisory Task Force (Medical Task Force) in charge of collaborating with the Department of Health to develop and implement studies, research, and strategic plans concerning how to best manage the COVID-19 emergency, as well as to advise and assist the Governor of Puerto Rico and the Secretary of Health in the decision-making process regarding public health and other matters related to this emergency. Both the physicians that make up the Medical Task Force and the Secretary of Health recommended extending the measures taken by the Governor to contain the spread of COVID-19 for an additional period, subject to certain modifications, which were welcomed.

WHEREAS:

On March 28, 2020, the U.S. Department of Homeland Security's Cybersecurity & Infrastructure Security Agency published a document titled, "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response" ("The Guide"), whereby suggested parameters were established for helping state and local governments determine which activities, businesses, jobs, and industries can be considered as essential within the context of the emergency created by COVID-19.

WHEREAS:

The Guide was also issued in order to assist public officials in their role of protecting the community while ensuring the continuation of services that are critical to public health and safety and to economic security.

WHEREAS:

The Guide provides that the determinations over what constitutes an essential business or activity are not definitive, but rather that

public health considerations linked to specific concerns related to COVID-19 in each jurisdiction should be taken into account.

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 establish or modify state regulations, orders, plans, or measures for emergencies or disasters as deemed necessary,” as well as “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.”

WHEREAS:

In the event that an epidemic threatens the health of the people of Puerto Rico, Act 81 of March 14, 1912, as amended, known as the Health Department Act, empowers the Department of Health to take any measures it deems necessary to combat said threat, including measures to isolate and quarantine people who have been exposed to or who have contracted infectious diseases that pose a threat to public health, in accordance with the provisions of Regulation No. 7380, known as the “Regulation for Isolation and Quarantine.”

WHEREAS:

In strict Constitutional Law, the State may restrict individual’s fundamental rights if a compelling State interest is proven and it constitutes the least onerous means. In this case, public health constitutes a compelling interest in light of a pandemic for which there is still no vaccine and, therefore, it is imperative to employ measures whose implementation may affect fundamental rights.

WHEREAS:

In light of the success achieved in flattening the virus’s curve of infection and controlling the risk of the virus, Administrative Bulletin OE-2020-033 added flexibility to certain aspects related to industrial, commercial, and corporate operations, as well as other aspects related to the movement of motor vehicles in Puerto Rico. However, the decision to increase flexibility should not be based solely on the data derived from the curve of infection, but rather the resources available to the public and private sectors to incorporate measures to mitigate the risk of transmission of the disease in their facilities and operations should be taken into account.

WHEREAS:

It is important to note that risk assessments should be taken into

account when making decisions related to reopening and reactivating the economy.

WHEREAS:

Since March 23, 2020, the Economic Advisory Task Force (Economic Task Force) has been developing and evaluating strategies aimed at resuming economic activity in Puerto Rico in a phased manner. The model's economic perspective is based on the impact of the sectors that contribute to the economy in terms of Gross Domestic Product (GDP), employment figures associated with each sector, and the relative risk index of activating each sector. The management of COVID-19 in Puerto Rico was also taken into account, in terms of maintaining the health system's capacity and using the availability of intensive care units and ventilators as parameters.

WHEREAS:

The Economic Task Force has recommended that the reactivation of Puerto Rico's economy must be implemented in phases and in a safe manner, without overloading the capacity of Puerto Rico's medical sector to address and manage the COVID-19 pandemic. It should be pointed out that the Economic Task Force's primary function is to serve as a facilitator in the process of transitioning from the emergency phase to a gradual social and economic recovery. The purpose is to mitigate the spread of COVID-19 in Puerto Rico and to prevent the transmission speed from reaching exponential levels.

WHEREAS:

Both the Medical Task force and the Economic Task Force have acknowledged that the measures taken by the Government have been effective in reducing the spread and the contagion speed of the virus in Puerto Rico. On May 18, 2020, understanding the priority of the Government has always been to safeguard the public's health while trying to address the economic needs of our people, the Economic Task Force also issued certain recommendations for the gradual resumption of our economic activity. These recommendations seek to establish systems to manage the risk of infection at workplaces and systems to monitor their possible effects on the rate of infection. The model for returning to work must seek to avoid burdening the resources available at hospitals for managing COVID-19 patients.

WHEREAS:

In order to evaluate the sectors to be included in the gradual

reopening, the Economic Task Force took three factors into consideration: 1. The Infection Risk Index developed by the School of Public Health of the University of Puerto Rico's Medical Sciences Campus; 2. The number of employees in each sector; 3. Participation in Gross Domestic Product.

WHEREAS:

Administrative Bulletin No. OE-2020-038 was issued on May 1, 2020, in order to begin the gradual reopening of the economic sectors recommended by the Economic Task Force and endorsed by the Medical Task Force. These sectors include construction activities not exempted from the lockdown, manufacturing activities that had not been exempt from the lockdown, and some related services. These sectors were selected because their infection risk index is minimal as compared to the rest of the sectors outlined in the studies presented by the Medical Task Force and the Economic Task Force.

WHEREAS:

To date, the capacity of our health system, specifically the availability of intensive care units and ventilators, is still at a manageable level, despite the commencement of the first phase to increase economic flexibility. This shows that both individual responsibility and the measures implemented by the Government have met our expectations as a country that fights against COVID-19.

WHEREAS:

We are ready to continue to stimulate the economy while looking after the health of our people. Therefore, after several meetings held between the Medical Task Force and the Economic Task Force, we have agreed to welcome their recommendations for the partial reopening of the following sectors: retail sales, auto sales, IT services, videogames, restaurants, barber shops, and beauty salons.

WHEREAS:

It is important to clarify that we must avoid a potential collapse of the hospital and health system caused by a resurgence of infections brought about by the reopening of businesses. For this reason, all measures to be taken must strictly comply with the established health parameters.

WHEREAS:

In order to prevent and control the spread of the virus in Puerto Rico, it is imperative to implement difficult, but necessary

measures that guarantee the right to life of all citizens.

WHEREAS: This administration recognizes that these measures must be accompanied by mechanisms that will allow for the operation of industries, services, and other sectors of the economy that are necessary for an adequate and effective response to this emergency.

WHEREAS: Even though hospital occupancy levels show that the spread of COVID-19 has been contained satisfactorily, the risk of infection persists in Puerto Rico. The strategies implemented by the Government have worked to protect lives and keep our health system at a manageable level of cases. This has definitely allowed the health system to prepare for the medical management of the pandemic.

WHEREAS: While there are no effective treatments or a vaccine for the prevention of COVID-19, the new social and workplace rules will include physical distancing, which will have an impact on our day-to-day activities and on the way we carry out business activities.

WHEREAS: The Medical Task Force recommends establishing this second phase of reopening for a period of approximately twenty-one (21) days or three (3) weeks. Even though the virus has an incubation period of up to fourteen (14) days, the medical sector, epidemiologists, and personnel from the health sector addressing the emergency recommend an additional week for monitoring the behavior of the virus and/or the increase in the number of weekly cases, test results, hospital usage, intensive care units, usage of ventilators, and increases in general hospital capacity, in addition to the number of deaths related to the virus during this period.

WHEREAS: Constitutionally guaranteed rights do not prevent the State from reasonably regulating the enjoyment of said rights, provided that these regulations are based on a compelling interest, such as public health, and that it is the least onerous means of doing so.

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: **LOCKDOWN.** A lockdown remains in effect in Puerto Rico. **ALL**



CITIZENS ARE INSTRUCTED TO REMAIN AT THEIR PLACE OF RESIDENCE OR SHELTER 24 HOURS A DAY, 7 DAYS A WEEK DURING THE LOCKDOWN PERIOD, WHICH EXTENDS THROUGH JUNE 15, 2020, INCLUSIVE.

Citizens may leave their shelter between **5:00 a.m.** and **7:00 p.m. EXCLUSIVELY** under the following circumstances, during which the use of a face mask, scarf, or mouth cover shall be required at all times:

- (a) to go to a doctor's appointment or to visit hospitals, laboratories, or hospital-medical service centers.
- (b) to purchase food, pharmaceutical products, and essential supplies.
- (c) to visit one of the exempted establishments for necessary or urgent business.
- (d) to receive exempted services, which are specified in subsequent sections of this Order.
- (e) to provide any of the exempted services specified to be in subsequent sections of this Order.

While this Order is in effect, any homeowner and/or person in charge of the house who allows people other than its cohabitants to congregate in order to hold meetings, gatherings, parties, or any activity not allowed under this order in said property and its surroundings, shall be considered to be in violation of the executive order and shall be subject to the penalties established by law. Given that public health represents a compelling interest that the State is required to preserve, and even more so when scientific evidence shows that the main way in which the virus spreads between humans is through droplets produced and expelled when an infected person coughs, sneezes, or talks, the least expensive means to control the risk of spreading the virus is to regulate this type of activity. In addition, some recent studies suggest that COVID-19 can spread through people who are asymptomatic, which makes it important to maintain proper social distancing to prevent the spread of this disease.

Furthermore, between 7:00 p.m. and 8:00 p.m., supermarkets and small grocery stores ("colmados"), including businesses with supermarket or grocery store components, which are authorized to operate until 8:00 p.m., may only receive and provide services to



people who have been confirmed and identified as hospital and technical laboratories employees and law enforcement officers.

Section 2:

QUARANTINE ORDER. Under the authority granted by the Constitution of Puerto Rico, by Act 20-2017, as amended, *supra*, and by Act 81 of March 14, 1912, as amended, *supra*, we reiterate that **any person who is reasonably suspected to have been exposed to COVID-19, regardless of whether or not they show signs of infection, is hereby ordered to remain in quarantine for a period of 14 days in order to prevent or limit the transmission and spread of the virus.** This means that the person must remain strictly at home and restrict their movement outside their home in order to prevent the risk of infection in the community. **It is further ordered that any person who has been diagnosed with COVID-19, or who is reasonably suspected to have been infected with COVID-19 must socially isolate for a period of 14 days. The purpose of this confinement or restriction of movement, in conformance with medical instructions, is to prevent putting public health at risk and preventing the spread to people who are not infected.**

Section 3:

GOVERNMENTAL OPERATIONS. Agencies shall continue to carry out their functions and provide any services that may be offered without compromising the health and safety of employees through telework and in conformance with the work schedule established by each agency head, as provided on May 4, 2020. It was further provided that, due to the nature of certain governmental functions, a maximum of five (5) people shall be allowed to be physically present at their respective workplace two days per week, where necessary, in accordance with the work plan established by the Appointing Authority. In addition, it was stated that essential employees shall continue with the work plan already established by their Agency and shall accrue compensatory time or receive overtime pay, as appropriate, for services rendered in excess of their regular daily or weekly work schedule. The provisions regarding the accrual of compensatory time or overtime pay do not apply to exempt employees, as defined in the Fair Labor Standards Act (FLSA).

In order to prepare public agencies and instrumentalities for continuing governmental operations and leading the efforts towards a gradual reopening, on May 5, 2020, each Head of

Agency was requested to develop a COVID-19 Risk Management and Exposure Control Plan (hereinafter, the "Plan") and a Self-Certification of its contents, to be submitted to the Governor's Chief of Staff by May 15, 2020, with a copy to PR-OSHA and exclusive representatives. In view of the foregoing, all Agency Heads are hereby ordered to complete all necessary requirements and actions by May 29, 2020, in accordance with their respective plans. The aim is to begin the gradual, careful, and orderly process for the return of public employees to their workplace.

Employees who work in Human Resources, Finance, Budget, and Procurement shall resume their work on June 1, 2020, taking all safety, health, and infection control measures established under the Plan. Each Agency Head shall perform an assessment of the number of employees needed in these areas.

Both during the first reopening phases and prospectively, agency operations shall be aimed at accomplishing the following:

- a. Logistical aspects of Agency operations: number of employees designated to work each day (reduced staffing, staggered shifts, and teleworking are recommended, among other measures).
- b. Monitoring and/or screening employees prior entering their workplace.
- c. Modifying office areas, including designated eating areas.
- d. Implementation of control measures to achieve physical distancing between employees and customers/public.
- e. Cleaning and disinfection of facilities.
- f. Adequate ventilation and effective air filtration in air-conditioned areas.
- g. Establishment of hygiene measures and processes for employees.
- h. Availability of all personal protection equipment (PPE) determined to be necessary for employees. This includes the mandatory use of face masks.
- i. Procedure to be followed in the event of a suspected case of infection or the detection of an employee who shows symptoms or who tests positive for COVID-19 (closure, disinfection, or quarantine). This includes monitoring of



positive cases and their inclusion in the Log of Work-Related Injuries and Illnesses (OSHA's Form 300).

- j. Employer management of employees in high-risk groups (pregnant women, people over the age of 65, employees with co-morbid or chronic conditions).
- k. Providing guidance to employees regarding the Plan and training on the proper use, limitations, and disposal of PPE.
- l. Designating a person who will regularly assess all workspaces in order to monitor the development of new risk areas and needs related to the COVID-19 pandemic.
- m. Discussing the Plan with labor unions, if any, prior to its implementation.

If a public employee is required to work, whether onsite or remotely, and is not able to do it for a valid reason justified by law, said time shall be deducted from any leave in accordance with all applicable legal provisions. The Puerto Rico Human Resources Management and Transformation Office (DTRH, for its Spanish acronym) shall issue a special memorandum on this matter.

Section 4:

THE ESTABLISHMENT OF GUIDELINES BY AGENCIES. The provisions contained herein may be defined, reinforced, and supplemented in detail through guidelines issued by any agency called upon to establish rules and regulations for the services discussed herein once approval has been received from the Governor, who shall be able to delegate this function to the Chief of Staff. Similarly, any head of an agency who identifies essential or emergency services that are not covered under the exemptions must submit a request for this purpose to the Governor's Chief of Staff, who may approve it at his discretion. Any agency that issues guidelines in order to explain in more detail the provisions set forth in this Order must publish them as widely as possible once they have been approved.

Section 5:

BUSINESSES EXEMPT FROM CLOSURE. With a lockdown established and in effect, and as long as they comply with the hours established in the lockdown, businesses dedicated to the following activities are exempt from the provisions of this Order:

- 1. **Food:**



a. Prepared foods sales (restaurants). Drive-through and/or delivery and carry-out services continue to be the preferred methods. As for restaurant delivery services, EXCLUSIVELY, these shall be allowed until 12:00 midnight, in order to promote home delivery and prevent the public from visiting their establishments. However, beginning on May 26, 2020, restaurants are authorized to open their dining rooms, provided that their operation is kept below twenty-five percent (25%) of their maximum occupancy, as defined by the building code currently in force in Puerto Rico (PR Building Code 2018). Occupancy shall be managed through reservations, in order to control de number of customers dining at the same place. In the case of fast-food restaurants, measures must be taken to ensure that the required six (6)-feet distance is kept while waiting in line, requiring both customers and employees to use face masks consistently and wash their hands frequently. All other restaurants must ensure to prevent the crowding of people in the reception area, keeping the required six (6)-feet distance between customers, and enforcing the compulsory use of face masks and the frequent washing of hands by both customers and employees.

b. Wholesale or retail food sales.

c. Businesses related to the food and drink supply chains (including farmers and the agricultural and livestock industry employees), including food for animals, food and drink processors and manufacturers, businesses dedicated to the distribution of food and drinks, hydroponic farms, and general agricultural and livestock activity, including home gardens.

d. Supermarkets and small grocery stores (“colmados”), including businesses with supermarket or grocery store components. Supermarkets may remain **OPEN TO THE PUBLIC** Monday to Saturday from **5:00 a.m. to 8:00 p.m.** However, in the case of supermarkets exclusively, delivery services shall be allowed until **12:00 midnight.** in order to incentivize home delivery services and to reduce the number of citizens physically visiting said establishments. These establishments shall remain **CLOSED TO THE**



PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise

. It is important to clarify that, between 7:00 p.m. and 8:00 p.m., only people who have been confirmed and identified as working hospital and technical laboratories employees and law enforcement officers may be received and provided services at these establishments.

e. With regard to retail points of sale such as fresh produce kiosks (fruits, greens, and vegetables) established prior to March 15, 2020, they shall be allowed to open provided that they take preventive measures in order to safeguard the health of the public (e.g. through the use of masks, gloves, disinfectant, etc.) and that they serve the public without the need for gathering people together.

2. **Health, medications, and medical and pharmaceutical items or equipment:**

a. This includes businesses dedicated to the production, sale, or provision of services related to medications, medical supplies or equipment, or the provision of medical care services, in addition to those in their supply chain, including:

- i. Pharmaceutical manufacturing and sale operations.
- ii. Medical devices manufacturing and sale operations.
- iii. Biotechnology and agricultural biotechnology facilities (manufacturing and sale).
- iv. Manufacturing operations for supplies used by hospitals, health care providers, and other institutions.
- v. Manufacturing and sale of cleaning products, disinfectants, and personal protective equipment for addressing the COVID-19 crisis.
- vi. Hospitals.
- vii. Clinical laboratories.
- viii. Emergency rooms.
- ix. Medical services clinics.
- x. Medicinal cannabis dispensaries.
- xi. Medicinal cannabis cultivation and processing facilities.
- xii. Healthcare centers.

- xiii. Blood banks.
- xiv. Pharmacies, which are authorized to operate normally Monday to Sunday.
- xv. Elderly care centers.
- xvi. Companies or insurers that provide health insurance plans.
- xvii. Veterinary clinics, by appointment, including grooming services.
- xviii. Primary care physicians and medical specialists, including mental health specialists.
 - a. Although it is still preferable for primary care physicians and medical specialists to use digital means like phone and video to offer their services, keep appointments, and maintain the continuity of care, medical visits shall be allowed in person. Physicians may open their offices for appointments as long as they can certify the adoption of strict safety and mitigation protocols recommended by the medical community and the Department of Health. They must receive patients by appointment while preventing the gathering of patients at their offices, respecting the social distancing protocols, and implementing all necessary measures to safeguard the health of all employees working at their offices.
 - b. Regarding the resumption in the scheduling of elective surgeries at hospitals, they must comply with the COVID-19 health and safety protocols established for medical services at hospital institutions, including the Local Resumption of Elective Surgery Guidance (April 17, 2020) issued by the American College of Surgeons. In addition, they must certify the adoption of strict safety and mitigation protocols recommended by the medical community and the Department of Health. For the protection of physicians and support personnel, patients must be tested for COVID-19 before their procedures.



c. As for the resumption in the scheduling of elective surgeries at outpatient surgery centers, they must comply with the COVID-19 health and safety protocols established for medical services at outpatient facilities, including the Local Resumption of Elective Surgery Guidance (April 17, 2020) issued by the American College of Surgeons. In addition, they must certify the adoption of strict safety and mitigation protocols recommended by the medical community and the Department of Health. For the protection of physicians and support personnel, patients must be tested for COVID-19 before their procedures. The above, provided that the number of occupied intensive care units, beds and ventilators do not exceed fifty percent (50%) of each hospital facility's capacity.

xix. Dental clinics. Their operations shall be governed by the guidelines issued by the ADA, the Dental Board of Puerto Rico, and the Department of Health. They may take measures to carry out emergency procedures, for which they must provide a number that patients can call to coordinate their services by appointment. They must prevent patients from gathering at their clinics or waiting areas, respect the social distancing protocols, and implement all measures necessary for safeguarding the health of all employees working at their offices.

xx. Optometrist offices may operate taking the proper precautions and measures to ensure social distancing and preventing the spread of COVID-19. Services shall be provided by appointment, preventing patients from gathering at their offices or waiting areas, respecting the social distancing protocols, and implementing all measures necessary for safeguarding the health of all employees working at their offices.

3. Gas stations and their supply chain

a. Fuel (processing, sale, and distribution)

- b. Refining: gasoline, diesel, jet fuel, AV-Gas, propane gas, butane gas, natural gas, liquified gas, kerosene, among others
- c. Blending (intermediate fuels, blended fuels)
- d. Production, distribution, wholesale, retail sales (gas stations)
- e. Electronic lottery sales
- f. Vehicle inspection centers

These establishments are authorized to operate normally from Monday to Sunday.

4. **Financial Institutions**

- a. Depository institutions that offer banking services, such as banks and credit unions, for deposit, withdrawal, or payment activities.
- b. Pawn shops.
- c. Mortgage banks and other lenders. Loans and mortgages may be closed by appointment, in a way that prevents clients with scheduled appointments from gathering close together in waiting areas. Clients must have their appointments processed one (1) at a time, and appointments shall be limited to requirements that could only be met in person. All other processes must be completed either remotely or electronically.

5. **Organizations or groups that provide services to address the basic needs of vulnerable populations.**

- a. Homeless shelters
- b. Food banks
- c. Victim shelters
- d. Shelters, including animal shelters
- e. Temporary housing

6. **Textiles:**

- a. Any textile business that manufactures clothing/footwear or components/equipment for the Department of Defense may continue to operate, provided that it complies with the protocols and regulations of the Puerto Rico Occupational

Safety and Health Administration (PROSHA) concerning the protection of employees from the spread of COVID-19. Accordingly, PROSHA issued a communication on March 31, 2020 establishing guidelines for the contingency plan to be implemented by employers and the mechanism for obtaining the corresponding authorization to operate.

b. All textile businesses that manufacture personal protection equipment (e.g. masks, surgical caps, gowns, gloves, and other items used to protect a person's health), may continue to operate as long as they comply with the protocols and regulations of the Puerto Rico Occupational Safety and Health Administration (PROSHA) concerning the protection of employees from the spread of COVID-19. Accordingly, businesses in this industry sector are encouraged to take notice of a communication issued by PROSHA on March 31, 2020, establishing guidelines for the contingency plan to be implemented by employers and the mechanism for obtaining the corresponding authorization to operate.

7. **Laundry and Laundromat Businesses**

These businesses shall be able to operate **Monday to Saturday** from 9:00 a.m. to 5:00 p.m., **establishing some method for being contacted by phone or email in order to coordinate the drop-off and pick-up of clothes in an orderly manner, without being open to the general public.** Laundromats shall be required to have up to three (3) employees working at the same time, wearing face masks, and following all precautionary methods to coordinate the drop-off, laundry, and clothes pick-up services in an orderly manner, but without being open to the general public. **These establishments shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities.**

8. **Official Vehicle Inspection Centers**

These centers shall be able to operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., establishing some method for being contacted by phone or email in order to coordinate

inspection services in an orderly manner, wearing a face mask and following all precautionary measures, without being open to the general public. The people in charge of these establishments must ensure to take all necessary control measures to avoid having more than one customer at a time.

It is important to clarify that the extension of the deadline for vehicle registration renewals remains in effect.

9. **Ornamental horticulture businesses.**

These businesses shall be able to operate Monday to Saturday, from 9:00 a.m. to 5:00 p.m., by establishing some method for being contacted by phone or email in order to coordinate their sales in an orderly manner, without being open to the general public. The people in charge of these establishments must ensure to take all necessary control measures to avoid taking care of more than one (1) customer at a time. **These establishments shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.**

10. **Safety.** Refers to private security agencies and companies.

11. **National security.**

a. Manufacturing operations, sales, or services related to the Aerospace Industry.

b. Manufacturing operations, sales, or services related to any federal agency, including the United States Department of Defense.

12. Supply chains related to exempted goods and services pursuant to Sections 5 and 6 of this Executive Order.

13. **Businesses dedicated to the washing and cleaning of vehicles (car wash businesses).** These may operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., in strict compliance with precautionary measures regarding the use of face masks, avoiding the gathering of people, and adhering to the social distancing guidelines.

14. **Barber shops and beauty salons.** These establishments

may operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., **by appointment**. The gathering of people in waiting areas is prohibited. This must be taken into consideration when scheduling appointments. Strict compliance with all precautionary measures regarding the use of face masks, frequent handwashing, and following social distancing rules is required. The owner, person in charge, administrator, or similar person shall be responsible for disinfecting all beauty supplies to be used with the customer prior to providing any service. **These establishments shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities.**

15. **Retail sales businesses**. Online sales continue to be the safest and most recommended method to make purchases and shall continue to be the first choice, giving priority to delivery or curbside pickup services. However, starting on May 26, 2020, these establishments shall be able to operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., in strict compliance with all precautionary measures regarding the use of face masks, frequent handwashing, and following social distancing rules. This includes hardware stores and vehicle parts and repair businesses, which were not allowed to receive public at their facilities under previous Executive Orders. To this end, they must ensure not to exceed fifty percent (50%) of the maximum capacity laid down in the building code currently in force in Puerto Rico (PR Building Code 2018).

In the case of businesses that sell clothing and footwear, customers will not be allowed to try on clothes or shoes, except for tailoring purposes once items have been purchased. Therefore, businesses are encouraged to review their return policies. All businesses must comply with CDC, Department of Health, and PROSHA protocols, as well as the COVID-19 guidelines. Businesses shall not be allowed to reopen if they have not submitted the self-certification required herein to the Department of Labor and Human Resources. **These businesses shall remain CLOSED TO THE PUBLIC on Sundays, when, as an**

exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.

16. **Open-air shopping malls.** From May 26, 2020, these establishments will be allowed to operate exclusively for the purposes of training and preparing employees and tenants to receive the general public.

Shopping malls shall be allowed to open to the public starting on June 8, 2020, and they will be able to operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., except for movie theaters, playgrounds, and valet parking services, if applicable. The above, in strict compliance with the precautionary measures to control the spread of the virus, including, without limitation, the mandatory use of face masks and, frequent handwashing, and following social distancing rules. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy established under the building code currently in force in Puerto Rico (PR Building Code 2018). Any tenant or shopping mall that has not submitted the self-certification required herein to the Department of Labor and Human Resources shall not be allowed to reopen. Shopping malls who are in compliance with all safety protocols, the Department of Labor, the CDC guidelines, the Department of Health, PROSHA, and the COVID-19 protection guidelines regarding the provision of hand sanitizer at their establishments, as well as those which have set up an enforcement process, which have met the employee training requirements, and which hold the DTRH self-certification, may begin the reopening of businesses starting on June 1.

These businesses shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.

17. **Enclosed shopping malls.** Acknowledging that sixty percent (60%) of shopping mall tenants are local small and medium-sized retailers, these businesses are hereby allowed to operate from May 26, 2020, exclusively for the purposes of training and preparing employees and tenants

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to receive the general public.

Shopping malls shall be allowed to open to the general public Monday to Saturday from 9:00 a.m. to 5:00 p.m. starting on June 8, 2020, except for movie theaters, playgrounds, and valet parking services, if applicable. The above, in strict compliance with all precautionary measures to control the spread of the virus, including, without limitation, the mandatory use of face masks, frequent handwashing, and following social distancing rules. All tenants and shopping malls must follow all CDC, Department of Health, and PROSHA protocols, as well as the COVID-19 guidelines established by the shopping mall. Any tenant or shopping mall that has not submitted the self-certification required herein to the Department of Labor and Human Resources shall not be allowed to reopen.

Each shopping mall must establish designated entrances for staff, vendors, and customers. **In order to safeguard the health and safety of customers, employees, and visitors It is necessary to limit occupancy to one (1) person for every hundred (100) square feet of floor space, which shall be implemented by the shopping mall's management. These businesses shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.** Shopping malls who are in compliance with all safety protocols, the Department of Labor, the CDC guidelines, the Department of Health, PROSHA, and the COVID-19 protection guidelines regarding the provision of hand sanitizer at their establishments, as well as those which have set up an enforcement process, which have met the employee training requirements, and which hold the DTRH self-certification, may begin the reopening of businesses starting on June 1.

18. **Wholesalers.** The resumption of wholesale activities not previously authorized is hereby authorized. These businesses may operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., in strict compliance with all precautionary measures regarding the use of face masks, frequent

handwashing, and following social distancing rules. Occupancy of buildings and retail spaces shall be limited to fifty percent (50%) of the maximum occupancy established under the building code currently in force in Puerto Rico (PR Building Code 2018). **These businesses shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.**

19. **Car Dealerships**: These businesses may operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., in strict compliance with all precautionary measures regarding the use of face masks, frequent handwashing, and following social distancing rules. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy established under the building code currently in force in Puerto Rico (PR Building Code 2018). Car dealerships shall not be allowed to reopen if they have not submitted a preventive measures plan to the Department of Labor and Human Resources and have not obtained the self-certification required herein.

These businesses shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.

20. **Travel Agencies**: These businesses may operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., in strict compliance with all precautionary measures regarding the use of face masks, frequent handwashing, preventing the gathering of people, and following social distancing rules. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy established under the building code currently in force in Puerto Rico (PR Building Code 2018). **These businesses shall remain CLOSED TO THE PUBLIC on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities and the handling of merchandise.**

21. **IT Businesses**: Telework should be encouraged. These

businesses may operate Monday to Saturday from 9:00 a.m. to 5:00 p.m., by appointment, in strict compliance with all precautionary measures regarding the use of face masks, frequent handwashing, preventing the gathering of people, and following social distancing rules. These businesses shall remain closed to the public on Sundays, when, as an exception, their operations shall be LIMITED to cleaning and disinfection activities.

Failure to comply with the Price Freeze Orders or any other Order issued by the Department of Consumer Affairs (DACO, for its Spanish acronym) shall be subject to the fines and penalties mentioned herein and in DACO's enabling law.

Section 6:

SERVICES EXEMPT FROM CLOSURE: The following services **may continue to be provided** as long as they are offered **in an emergency situation** and that a phone number or email is made available for them to be contacted **without opening their locations or establishments to the public**; taking into account the preventive measures described below to safeguard health, safety, and hygiene, and establishing the necessary controls in order to achieve social distancing and prevent the spread of COVID-19:

1. Plumbers, electricians, people who repair, maintain, or replace home appliances, exterminators and pest control services, pool cleaning services, businesses and independent contractors who provide landscaping services, elevator repair and maintenance, security gate maintenance and repair, and other services that are necessary to maintain health, safety, and essential operations at an individual, residential, commercial, industrial, or public level. When carrying out their work, they must wear masks to cover their mouths and gloves in order to guarantee their protection and that of the clients they are serving. Gated communities and their administrators must faithfully fulfill the directives of this Executive Order or be held liable.
2. Roadside assistance and locksmith service companies **may only continue to operate to**

address emergency cases, and they must provide a phone number or email address as contact information for making appointments.

Any establishment that is normally open to the public in connection with these services shall not be authorized to open and must remain closed.

3. Courier companies may continue to operate while following health, safety, and hygiene guidelines and implementing the necessary measures for maintaining social distancing and preventing the spread of COVID-19.
4. Regarding funeral services, body collection and transfers, embalming, cremation, and burials may continue to be performed. Wakes may be conducted, limiting their occupancy to ten (10) persons per family and in strict compliance with all precautionary measures, using face masks, practicing frequent handwashing, and following social distancing rules. The use of common areas, such as cafeterias, is prohibited. Likewise, only one wake may be held at a time and children under the age of twelve (12) shall not be allowed.
5. As for critical telecommunications infrastructure, all installation, repair, maintenance, and facility restoration services shall be permitted. This includes:
 - a. Infrastructure related to the Puerto Rico Electric Power Authority, the Puerto Rico Aqueduct and Sewer Authority, telecommunications, road systems, solid and biomedical waste, seaports, and airports.
 - b. As part of the critical telecommunications infrastructure and after coordinating THROUGH THE CALL CENTERS AND WITH A PREVIOUSLY SCHEDULED APPOINTMENT, always preventing the gathering of people and maintaining all necessary safety measures, each provider shall be allowed to establish

strategic points by region, in coordination with the Puerto Rico Telecommunications Bureau, in order to provide the repair, delivery, and equipment and technology replacement services necessary for maintaining phone landlines, cellphone services, internet, cable TV, or satellite service. These services shall be provided by following all health, safety, and hygiene guidelines and establishing the necessary controls to achieve social distancing and prevent the spread of COVID-19 as a result of their physical presence. To this end, the Puerto Rico Telecommunications Bureau is hereby ordered to publish the list of service locations and establishments as widely as possible. The provisions in this section shall only apply to providers that are registered, certified, or franchised by the Telecommunications Bureau. Any establishment that is normally open to the public in connection with these businesses shall not be authorized to open and must remain closed.

c. Sales, installation, repair, and maintenance of renewable or alternative energy systems.

d. Street, road, and highway repair and maintenance services.

e. Repair and maintenance of private infrastructure to ensure the continuity of exempted services and operations under this Executive Order.

f. Sales, installation, and maintenance of the necessary infrastructure and equipment to address the hurricane season.


6. Garbage collection (public or private); recycling services; maintenance and cleaning services.

7. Services related to any federal agency, including the

United States Department of Defense (DOD).

8. The export of non-essential merchandise, provided that it is part of the current inventory.
9. Moving services.
10. Services to ports and airports.
11. Electronic transaction processing services.
12. Telephone or online sales, for which warehouses shall be allowed to operate in order to fill orders for curbside pickup or delivery only. They shall ensure control over the number of people for whom appointments have been scheduled, in order to avoid taking care of more than one (1) customer at a time and must take all appropriate safety measures to prevent infection.
13. Supply and distribution of items for industries exempt from closure, provided that all precautionary measures are taken to mitigate the risk of infection.
14. Logistics and transportation: customs brokers; ocean or ground freight consolidation services, third-party storage and distribution services, and distribution of detergents, disinfectants, and hygiene and cleaning products.
15. Fire prevention design, sales, and installation services.
16. Armory services, by appointment. Shooting ranges' occupancy may not exceed fifty percent (50%) of the maximum occupancy established in the building code currently in force in Puerto Rico (PR Building Code 2018).
17. Air conditioning repair and maintenance services.
18. Transportation services by taxi drivers and public drivers interested in providing merchandise (freight) delivery services in accordance with NTSP regulations.
19. Data center operations.
20. Call center operations.



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21. Notary services for all types of transactions required in their ordinary course of business.
 22. Legal, accounting, and other similar professional services necessary for the exempted sectors and activities that cannot be provided remotely. These service providers shall only operate by appointment and shall avoid the gathering of people in their offices or waiting areas. They must also wear face masks and take all precautionary measures, while respecting the social distancing protocols. It is important to take all the necessary measures to safeguard the health of all employees working at their offices.
 23. College/university distance or remote learning services. This sector is authorized to use their facilities only to provide remote educational programs and student services. These institutions shall not offer in-person courses or services and their facilities shall remain closed to the public. Only information systems and telecommunications personnel shall be authorized to work at the facilities, as well as all teaching and administrative staff **that may be necessary** to maintain adequate remote operations, provided that social distancing protocols are followed and taking all necessary measures to safeguard the health of all employees and personnel.

Furthermore, the opening of practice laboratories is hereby authorized in order for students to be able to complete their academic programs, provided that all precautionary measures and safety protocols are strictly complied with and that all physical distancing and social distancing rules adopted by the different college institutions are followed.

Likewise, the partial opening of private schools is hereby authorized in order for administrative employees, teachers, and counselors working in virtual summer camps to be able to visit the facilities, taking all necessary precautions. This shall in no way

be interpreted as authorizing students to visit school premises.

24. Real estate brokers, agents, and administrators may resume their work by keeping all established precautionary and social distancing measures, provided that their activities are limited to vacant properties and structures. These services shall be provided virtually if the property is occupied.

26. Electronic lottery. The Secretary of Treasury is hereby ordered to issue orders or circular letters to regulate this activity.

26. Item repair services.

Section 7:

CORPORATIONS. Article 7.12(A) of Act 164 of December 16, 2009, as amended, known as the "General Corporations Act," hereinafter referred to as the Corporations Act, provides that when a corporation's shareholders are required or allowed to participate in a meeting, a written notice must be issued confirming the location where the meeting is to be held, if any, the date and time of the meeting, and the remote means of communications, if any, through which said corporation's shareholders and their representatives may attend and vote at said meeting.

Subsection (B) of the aforementioned article requires that said written notice be delivered to each shareholder with voting rights in said meeting no less than ten (10) days and no more than sixty (60) days before the date of the meeting. It further provides that, if the notice is sent by mail, it shall be considered to be delivered when placed in the U.S. mail, signed, and addressed to the shareholder to the address shown in said corporation's records.

It is therefore provided that, if as a result of the COVID-19 pandemic and its effects on Puerto Rico, the board of directors of any corporation organized under the laws of Puerto Rico wishes to change the date or location of a previously notified shareholders' meeting, said corporation may notify its shareholders of the change by email, press release, radio ads, ads in newspapers of general circulation in Puerto Rico, phone call, and/or a combination of the above, or, in the case of public corporations, through documents publicly filed by the corporation with the Securities and Exchange

Commission, as required by law, and a press release that shall also be posted on said corporation's website immediately after its publication.

It is hereby provided that the notification of changes to dates and locations shall be allowed until the end of the state of emergency is declared.

Section 8:

OUTDOOR RECREATIONAL AND SPORTS ACTIVITIES.

Outdoor physical activities shall be allowed under the lockdown with the use of face masks, staying at least six (6) feet away from other people, and taking all necessary precautionary measures to safeguard public health. Outdoor physical activities shall include walking, jogging, biking, and walking with kids or pets. However, any center of facility where these physical activities are performed an/or which promote the gathering of people, such as running tracks and gyms, among others, shall remain closed to the public.

Similarly, the use of beaches, reserves, and golf courses shall be allowed, using face masks and **strictly for professional or recreational sports purposes** (runners, walkers, cyclists, surfers, sailing and rowing athletes, and golfers). The use of golf club houses for socializing or gathering purposes shall not be allowed. Beaches will not be open to bathers for sunbathing, socializing or social gatherings at this time. Horse training is also authorized.

People must ensure to keep the recommended six (6)-feet distance from other persons. If exercising at the same time as another person, they must position themselves diagonally so as not to face each other. To the extent possible, a face mask, scarf, or bandanna must be used to cover their mouth and nose, as recommended.

The rental of equipment, garments, or athletic ware for the authorized sports activities shall not be permitted. Any individual interested in performing a sports or recreational activity must do so by using their own equipment.

The Puerto Rico Department of Sports and Recreation (DRD, for its Spanish acronym) shall issue a circular letter stating the specific rules and guidelines for each of the authorized activities and detailing all applicable protection measures and rules.

Section 9:

HORSE RACING INDUSTRY AND EQUESTRIAN SPORTS: The horse racing industry is hereby authorized to resume their operations for the purposes of holding official races, subject to the implementation of safety and health measures to mitigate the risk of infection and to protect the health and safety of workers, as well as of all individuals who participate in equestrian activities, including bettors, against COVID-19. These measures shall be in line with the guidelines issued by the Centers for Disease Control and Prevention (CDC), the United States Department of Health, the Occupational Safety and Health Administration (OSHA), and the United States Department of Labor. These businesses shall be required to provide training and continuous monitoring of employees with regard to the new safety and health measures, as well as all work guidelines. The supply of materials and inventory is hereby authorized, as well as the provision of support services for this sector. Official horse races may be held at Hipódromo Camarero. However, public access to the racetrack facilities shall not be allowed. Races shall be broadcast on television and/or via Internet. Bets may be placed using the “GanaDondeSea” (InterBet) online platform or at an off-track betting location, provided that all necessary measures are taken to control the number of persons entering these locations to place their bets. Only one (1) customer may enter the establishment at a time, provided that a distance of six (6)-feet is kept between each person and following adequate safety and health measures to prevent infection, including the use of face masks. Lastly, the operation and use of electronic gambling machines under the Electronic Video Gaming System (SVJE, for its Spanish acronym) is prohibited, in order to prevent people from staying inside the off-track betting locations.



Section 10:

VIRTUAL CONCERTS AND THEATRICAL ACTIVITIES. Proposals to hold virtual concerts and theatrical activities without public may be submitted to the Governor’s Chief of Staff for their approval and authorization. These proposals shall be evaluated subject to the implementation of safety and health measures aimed at mitigating the spread of the virus and safeguarding the health and safety of employees, as well as of all individuals participating in these activities, which will be broadcast on television and/or internet.



Section 11:

PRECAUTIONARY MEASURES. Any person who visits the establishments or offices authorized to open to the public under this Executive Order during specific hours must observe the following precautionary measures:

- a) Cover their mouth and nose with a mask or scarf made of fabric or other materials. Each person shall be responsible for utilizing this protective item in conformance with the recommendations issued by the Department of Health for its proper use.
- b) Every person who visits an establishment shall maintain a distance of six (6) feet from other people.
- c) In order to protect the public and avoid unnecessary gatherings, citizens should not visit establishments authorized to open in large numbers. In order to achieve this objective, the number of people who may visit a business is limited to one (1) per household. People who depend on another person's assistance to visit an establishment, either because of a physical disability or other health condition, are exempted from complying with the above.

Private establishments authorized to open to the public during specific hours in accordance with the exceptions established in this Executive Order must enforce and ensure compliance with these precautionary measures. They must also safeguard the health and safety of their customers and employees. For this reason, **they are instructed to comply with the following measures:**

- a) Ensuring that all employees wash their hands for 20 seconds or use a hand sanitizer prior to beginning their work and periodically during their work shift. They must also disinfect their working stations upon arrival and at the end of their shift.
- b) Ensuring that people who visit their establishments wear masks, mouth coverings, or fabric scarfs, or other forms of protection for the mouth and nose area. Businesses must implement measures to prevent people who are not complying with the aforementioned precautionary measures from entering their establishments.



Employees working at these establishments must be protected in the same manner.

- c) Providing on-site stations or mechanisms for people to disinfect their hands while they are on the premises.
- d) Ensuring that people who visit the establishment maintain the recommended distance of six (6) or more feet from other people, both inside and outside of the establishment; and The appropriate measures must therefore be implemented to ensure compliance with the recommended physical distancing in queues to enter the establishment and queues within the establishment; and
- e) In the case of supermarkets and pharmacies, consideration should be given to the establishment of special operating hours for customers over the age of 65.

Section 12: **PREFERENTIAL SERVICE**. It is hereby recommended that, to the extent possible, all businesses authorized to operate under this Executive Order provide preferential service to people who work in hospitals and medical laboratories, and law enforcement officers.

Section 13: **EXEMPTED PERSONS**. With the lockdown and its exceptions in place, all individuals authorized under this Order due to work and/or emergency reasons shall be exempt from this lockdown.

The provisions of this Order shall not apply to:

- 1. Individuals who provide assistance, care, food, and transportation to senior citizens, children, dependents, people with disabilities or particularly vulnerable persons who require some type of medical care, provided that proper precautions are taken to prevent infection.
- 2. Individuals duly identified as employees of public or private safety agencies at the state or federal level.
- 3. Health professionals, including mental health professionals and people working in hospitals, pharmacies, pharmaceutical companies, bioscience facilities or healthcare centers.
- 4. Personnel working in the wholesale goods and food



manufacturing and supply chain, including those necessary for agricultural activity, such as agricultural centers, from the source up to consumer retail establishments where products are sold to consumers, including retail points of sale such as fresh produce (fruits, greens, vegetables) stands established prior to March 15, 2020.

5. Personnel working with utilities or critical infrastructure.
6. Providers of exempted services (Section 6) while performing their official duties.
7. Call center and sensitive data center personnel.
8. Ports and airports personnel.
9. Members of the press and the media.
10. Citizens who are addressing health or emergency situations.
11. Officials who are carrying out critical duties in the Executive, Legislative, and Judicial Branches. These employees shall be authorized to travel on public roads in order to go to work and return home on the days and times that may be necessary.
12. Municipal police officers.
13. Members of the DNER Ranger Corps.
14. Puerto Rico Department of Treasury's Internal Revenue Agents.
15. Legal representatives of citizens who have been charged with offenses with summons to appear before the court, bail reductions, or *habeas corpus*.
16. Legal representatives in civil cases duly summoned to appear before the court.
17. Notaries in the exercise of their duties as authorized by the Supreme Court of Puerto Rico by means of Resolution EM-2020-09 of April 24, 2020.
18. People with autism spectrum disorders are authorized to conduct therapeutic outings consisting of short walks in the area near their homes, accompanied by only one person

and taking all social distancing precautionary measures.

19. Department of Consumer Affairs (DACO) inspectors.
20. Personnel performing essential electoral work as determined by the Puerto Rico State Election Commission (CEE, for its Spanish acronym), composed of each party's Electoral Commissioners and their Presidents.
21. Researchers from university laboratories, provided that they abide by the social distancing rules and follow all precautionary measures in discharging their duties.
22. Autoexpreso toll recharging and collection personnel.

As previously stated, the rest of the population may leave their homes **EXCLUSIVELY** to visit any of the exempted establishments or businesses in order to meet a specific need, or to receive any of the exempted services, provided that all required hygiene and social distancing measures are taken. **EXCEPT IN CASES OF EMERGENCY, EVERYONE MUST STAY AT HOME THE REST OF THE TIME.**

Section 14:

TEMPORARY PROVISIONS REGARDING THE LOCKDOWN.

In the interest of ensuring that Puerto Rico's workers are paid in accordance with their contracts and the applicable laws, up to five (5) employees per employer shall be exempt from the lockdown provisions **EXCLUSIVELY on Thursday, May 28 and Thursday, June 11, 2020 between 5:00 a.m. and 2:00 p.m.** for the purpose of processing payments for the payroll periods or cycles payable during the month of May 2020. Employers must identify the necessary personnel, who shall be able to visit their workplace exclusively for this purpose and for any related tasks. In addition, employers must take all necessary preventive measures to safeguard the health and safety of said employees at their workplace. Any employer who uses this provision as a subterfuge to carry out work not related to the processing and payment of wages shall be subject to penalties in accordance with this Order.

Additionally, in order to promote teleworking so that Puerto Rico's workforce can continue to generate an income during the emergency created by COVID-19, employers may visit their workplace **EXCLUSIVELY on Thursday, May 28, 2020,**

between 5:00 a.m. and 2:00 p.m. to gather the necessary materials and equipment, as well as to deliver them to the corresponding employees. Employers must identify the necessary personnel who shall be allowed to visit their workplace exclusively for this purpose and any tasks related to it. In addition, employers must implement preventive measures in order to safeguard the health and safety of said employees at the workplace. Employers who use this provision as a subterfuge to carry out work not related to the collection and delivery of the materials and equipment necessary for telework shall be subject to penalties in accordance with this Order.

Section 15:

TOLLWAYS. Tolls shall continue to be collected at tollways on the roads of the Government of Puerto Rico. Although no fines shall be imposed for passing through a tollway without having sufficient balance in an Autoexpreso account while this Order is in effect, the reopening or reactivation of all recharging lanes is hereby authorized, provided that they are able to certify the adoption of strict safety and mitigation protocols, and that all necessary measures are taken to safeguard the health of all employees.

Section 16:

THE HOSTING OF RELIGIOUS EVENTS. Priests, pastors, reverends, bishops, imams, rabbis, and/or any leader of a religious entity who do not show flu-like symptoms or symptoms associated with COVID-19 may leave their residence outside of the limitations imposed in this Order exclusively in emergency or crisis situations in order to carry out their ministerial duties, when said duties cannot be fulfilled by phone or other communication methods. They shall be responsible for using protective equipment (e.g. masks, gloves, disinfectant, etc.) and shall take all necessary measures to maintain social distancing and prevent the spread of COVID-19. Any church, temple, mosque, and/or synagogue that can communicate by radio, television, or digital methods may hold services, masses, cults, or any of its religion's primary events at said places without the participation of its congregation, in order to broadcast it live or in a recorded format. **The number of necessary staff (e.g. sound technicians, camera operators, or assisting personnel) may not exceed 10 people and they must not have flu-like symptoms or symptoms associated with COVID-19.** In addition, proper

social distancing (4 to 6 feet apart) must be maintained and the entity shall be responsible for implementing all required cleaning and disinfection measures to prevent infection. This activity shall be authorized to the extent that it is strictly necessary.

Digital or online services are still the safest method and shall continue to be the first choice. However, all churches, temples, mosques, and/or synagogues may hold in-person services on Saturdays and Sundays during exempt hours, provided that they comply with the provisions of the Guidelines for the Reopening of Religious Services, which are available at La Fortaleza's Third Sector and Faith-Based Office. They shall ensure not to exceed twenty five percent (25%) of the maximum occupancy stated for their establishments/facilities in the building code currently in force in Puerto Rico (PR Building Code 2018).

Parrish or administrative offices may operate from 9:00 a.m. to 5:00 p.m. with the minimum staff necessary (no more than 5 people).

Section 17:

THE CLOSING OF PRIVATE BUSINESSES AND ENTITIES.

This total closure order shall apply 24 hours a day to movie theaters, clubs, concert halls, theaters, gaming halls, casinos, theme parks, gyms, bars, spas, and any other similar establishment or event that promotes the gathering of citizens in one place.

Section 18:

CONSTRUCTION INDUSTRY. The construction industry is hereby authorized to operate, subject to the implementation of strict safety measures to safeguard the health and safety of all of our workers from COVID-19, and based on the Guidelines from the CDC, the Federal Department of Labor, and OSHA. Prior to the commencement of work, they shall be required to provide workers with training, guidance, and constant supervision regarding the newly implemented occupational safety measures. Construction work at businesses and establishments not exempted under this Order is hereby authorized, provided that these activities are aimed at implementing the necessary precautionary measures to prevent the spread of COVID-19 when they begin their operations. This includes construction work performed at marinas in preparation for the hurricane season; repair and reconstruction projects due to natural disasters or

emergencies; and private, residential, and governmental construction work.

The supply of building materials for the construction industry, including the distribution of cement and related products, is also authorized.

Section 19: **MANUFACTURING**. The manufacturing industry segment is hereby authorized to operate, subject to the implementation of safety measures to mitigate the risk of infection and to protect the health and safety of workers from COVID-19, based on the guidelines issued by Centers for Disease Control and Prevention (CDC), the Occupational Safety and Health Administration (OSHA) and the U.S. Department of Labor. Prior to the commencement of work, they shall be required to provide workers with training, guidance, and constant supervision regarding the new safety measures implemented at work. The supply of materials, inventory, and support services for this sector is hereby authorized.

Section 20: **JUDICIAL BRANCH**. The Judicial Branch shall continue working under special operating hours, from 12:00 noon to 4:00 p.m., to hear special matters, as well as working remotely and through videoconference all through the day and part of the evening. The Office of Courts Administration shall be announcing the phased expansion of operations in accordance with their outlined plan.

Section 21: **MARITIME TRAFFIC OF RECREATIONAL VESSELS**. The Department of Natural and Environmental Resources (DNER) is hereby ordered to:

- a) Issue and publish orders, guidelines, and circular letters, among others, to allow recreational boating and fishing in Puerto Rico, by applying the restrictions imposed by the lockdown to navigation and fishing hours, as well as all precautionary measures and social distancing practices to combat the spread of COVID-19.
- b) In coordination with the Puerto Rico Police Bureau and any Municipal Police Department, establish a costal surveillance plan to ensure that all vessels comply with this Executive Order and/or all DNER orders, guidelines, and circular letters, among others.

The DNER Ranger Corps, the Puerto Rico Police Bureau, and any Municipal Police force in Puerto Rico are authorized to intervene with any person who disembarks from any type of vessel and who enters and/or attempts to enter our shores in violation of the Executive Order established herein and/or in violation of the DNER's orders, guidelines, and circular letters, among others. However, the use of boats and vessels for personal recreation purposes is hereby authorized during lockdown hours in order to travel from one marina to another, without going ashore. The anchoring of boats and vessels less than 15 feet apart from each other is not permitted. Also, the use of jet skis and/or personal watercraft shall not be allowed during this phase of reopening.

Mayors of coastal municipalities who can receive boats or any other means of maritime transportation shall be authorized to prevent the entry of any person to Puerto Rico through these methods. They may coordinate their efforts with their Municipal Police, the DNER, and the Puerto Rico Police Department.



Section 22:

WORKPLACE INFECTION CONTROL RISK MANAGEMENT PLANS.

It is hereby ordered that employers from all exempt sectors prepare an infection control risk management plan **prior to the commencement of work**, based on the OSHA 3990 Occupational Health and Safety Guidance published in March 2020 and adopted by the Puerto Rico Occupational Safety and Health Administration (PROSHA) of the Department of Labor and Human Resources (DTRH, for its Spanish acronym) and the Centers for Disease Control and Prevention (CDC). All employers shall be required to submit their employer compliance self-certification to the Department of Labor and Human Resources (DLHR). To this end, the DLHR Secretary is hereby ordered to lay down the procedure to be followed to comply with this Order and to inform this procedure as widely as possible, in coordination with the Department of Economic Development and Commerce (DDEC, for its Spanish acronym). This self-certification shall be a prerequisite to be able to start operations. Once a self-certification has been submitted, it shall be understood that the facilities meet the parameters set out above



and the employer shall be able to commence operations.

It is important that all employers who are currently operating due to them being exempted from the lockdown under previous executive orders meet the self-certification requirement and submit this form to the DLHR as soon and as diligently as possible. While the foregoing shall not halt these employers' operations, they must fulfill this requirement.

It is important that employers limit the number of employees in common areas during working hours, such as cafeterias/break rooms, dining rooms, and terraces or outdoor spaces, where employees shall be required to comply with social distancing rules and follow all precautionary measures.

Employers who are operating under the parameters of this Order may not terminate, discipline, or otherwise discriminate against an employee for exercising their rights under recently adopted acts such as the Families First Coronavirus Response Act and Act No. 37-2020, as well as for taking any available leave, or for filing a claim, testifying, or trying to testify in a case in connection with the above. Similarly, employers must seek to protect employees who are vulnerable to being infected with COVID-19, by taking into account these circumstances in reintegrating their staff.

Section 23:

Modifications. Meetings with the Medical Task Force and the Economic Task Force shall continue to be held during the term of this Order in order to discuss the results of the measures taken and to adopt any modification that may be required on a timely basis. If at any time a substantial increase in the risk of infection is identified, or if healthcare facilities are reaching their capacity limit, the implementation of the reopening plan will have to be halted or delayed, and the Executive Order shall be amended to that end. On the other hand, if the above does not occur, the reopening of other sectors may be continued. The increase or reduction in the risk of infection will depend largely on the cooperation of all citizens. Therefore, failure to observe strict compliance with these precautionary measures shall result in the imposition of all necessary restrictions.

Section 24:

NONCOMPLIANCE. Failure to comply with the provisions of this Executive Order by any person or business shall result in the

imposition of the criminal penalties and fines defined under the provisions of any applicable law and of Act 20-2017, as amended, which sets a penalty of imprisonment not to exceed six (6) months, or a fine of not more than five thousand dollars (\$5,000), or both penalties, at the discretion of the court and/or any applicable law. Furthermore, in accordance with the provisions of Art. 33 of the Health Department Act, "Any natural or juridical person who violates the provisions of this Act or the regulations issued by the Department of Health thereunder shall incur a misdemeanor, and upon conviction, may be sentenced to imprisonment that shall not exceed six (6) months, or a fine of not more than five thousand dollars (\$5,000), or both penalties in the discretion of the court." Lastly, failure to comply with the Price Freeze Orders issued by the DACO shall result in the sanctions and fines imposed by said agency, as well as the ones mentioned in this section.

The Puerto Rico Police Department and the Puerto Rico Department of Public Safety are hereby ordered to take all necessary measures to enforce compliance with the provisions of this Executive Order.

Section 25: **DEFINITION OF "AGENCY"**. For the purposes of this Executive Order, the term "Agency" refers to any agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of its name.

Section 26: **DEROGATION**. This Executive Order supersedes any other executive order that may be inconsistent with the provisions herein, to the extent of such inconsistency.

Section 27: **VALIDITY**. This Executive Order shall enter into force on May 26, 2020 and shall remain in force until June 15, 2020 and/or until further notice.

Section 28: **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 29: **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 30: **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 21st day of May of 2020.

**WANDA VÁZQUEZ-GARCED
GOVERNOR**

Enacted in accordance with the law on this 21st day of May of 2020.

**ELMER L. ROMÁN-GONZÁLEZ
SECRETARY OF STATE**