

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

Administrative Bulletin Number: OE-2020-044

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, FOR THE PURPOSES OF ESTABLISHING A NEW LOCKDOWN, CONTINUING THE ECONOMIC REOPENING, AND OTHER COVID-19-RELATED PURPOSES.

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

WHEREAS: 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: 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.

WHEREAS: Following the emergency declaration issued by the President of the United States, Honorable 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, 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:**

During the second phase of economic flexibility, some of the economic sectors that had been subject to total closure and strict safety protocols under previous executive orders to minimize the risk of infection were allowed to open. On May 21, 2020, Administrative Bulletin OE-2020-041 was issued to include these economic sectors in the gradual reopening of businesses, with the approval of the Medical and the Economic Task Force. The aforementioned Executive Order was valid until June 15, 2020.

WHEREAS:

In order to set certain parameters 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, 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").

WHEREAS:

The purpose of the Guide is 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. Economic flexibility needs to go hand-in-hand with an increase in risk control measures in each of the sectors that are gradually being integrated into the economy.

WHEREAS: The Economic Task Force has been working on the development of a model to issue recommendations for 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'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.

WHEREAS: 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 which, among other things, laid down the general parameters under which the gradual reopening of our economy will be managed. These recommendations are aimed at establishing 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:

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 and second phases 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:

Given that the demand for hospital infrastructure has remained within applicable tolerance parameters, we are ready to begin the third phase and to continue stimulating the economy while looking after the health of our people. For this reason, after holding several meetings with the Economic Task Force and the Secretary of the Department of Health, and upon receiving their recommendations based on the provision of general guidelines regarding COVID-19 risk factors and the intervention measures suggested by reliable sources, such as the Centers for Disease Control and Prevention (CDC), the Puerto Rico Department of Health, PROSHA and OSHA guidelines, and the World Health Organization (WHO), consensus has been reached to welcome their suggestions to continue the partial reopening of different economic sectors and to resume operations in certain industries.

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. Getting used to our new reality requires empathy and sensitivity from all of us; therefore, in providing services, it is important to consider the needs of each person who visits an authorized establishment.



Employers are encouraged to make all necessary adjustments in order to address the needs of people with disabilities and the elderly. This includes, but is not limited to, the need for these individuals to be accompanied by their caregiver, or by any other person who may be currently caring for them, when entering an establishment.

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: 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 new lockdown is established in Puerto Rico from **10:00 p.m. to 5:00 a.m.** and shall remain in effect **until June 30, 2020.** The previous 24-hour, 7 days a week lockdown is hereby lifted.

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. It is 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, in addition to the ones already authorized, in accordance with the needs determined by the Appointing Authority. Essential employees shall continue with the work plan already established by their Agency and shall accrue compensatory time or receive overtime pay, as the case may be, 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).

Meanwhile, in order to continue the gradual and orderly return of public employees to their workplace, all employees in positions of trust must begin work at their respective agencies from June 16, 2020, in addition to those who started working on site on June 1, 2020. Each Agency Head must maintain all the safety, health, and infection control measures established in the COVID-19 Risk Management and Exposure Control Plan. Agencies must ensure compliance of the following measures in every phase of the return

of public employees to their workplace:

- 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 to 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, he/she must report to their workplace, whether onsite or remotely. In the case of employees

who are not able to report to work so for a valid reason justified under a state or federal 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.

All Heads of Agencies must coordinate their COVID-19 Risk Management and Exposure Control Plan with the Department of Health.

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 agency head 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:

AUTHORIZED BUSINESSES. With a lockdown established and in effect, and as long as they comply with the hours established in the lockdown, the following businesses shall be authorized to operate:

1. **Food:**

a. Establishments selling prepared foods and alcoholic beverages. Starting on June 16, 2020, during the hours of operation authorized under the lockdown, dining rooms may remain open for customers, provided that their operation is kept below fifty percent (50%) of their maximum occupancy, as defined by the building code currently in force in Puerto Rico (PR Building Code 2018). As for outdoor spaces, these may only be opened if they meet all social distancing rules, have received authorization from the Department of Health, and comply with all CDC and PROSHA's COVID-19 guidelines.



It is recommended that occupancy be managed through a reservation system, in order to control the number of customers dining in the establishment at the same time. Strict compliance of the recommended six (6)-feet distance between customers is required, as well as following all precautionary measures regarding the mandatory use of face masks, disinfecting all areas, and washing hands frequently.

Establishments selling alcoholic beverages may operate during the hours of operation authorized under the lockdown, provided that their operation is kept below fifty percent (50%) of their maximum occupancy, as defined by the building code currently in force in Puerto Rico (PR Building Code 2018). The gathering of people outside these establishments is hereby prohibited.

In the case of fast-food restaurants, measures must be taken to ensure that the required six (6)-feet distance between customers 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 mandatory 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 during regular business hours as authorized by the lockdown. As part of the infection control plan, each

establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

e. Regarding retail points of sale, such as fresh produce kiosks (fruits, greens, and vegetables) established prior to March 15, 2020, these 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.

f. Family-owned agricultural markets may operate provided that they follow all precautionary measures and social distancing rules to prevent the spread of COVID-19.

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 sales operations.
- ii. Medical devices manufacturing and sales operations.
- iii. Biotechnology and agricultural biotechnology facilities (manufacturing and sales).
- 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.
- 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 phones and video to provide 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 all 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.
- xx. Therapy Centers. Onsite therapies are allowed for patients who cannot receive their therapy online. It is important that all precautionary measures regarding the use of face masks by therapist, employees, and patients are taken, as well washing hands frequently, avoiding the gathering or people in waiting areas, and

following social distancing rules.

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, liquefied 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

4. **Financial Institutions**

- a. Depository institutions that provide 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 customers with scheduled appointments from gathering close together in waiting areas. Customers 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. **Dry Cleaning and Laundromat Businesses**

a. Dry Cleaners: These businesses shall be able to operate during regular business hours as authorized by the lockdown, 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, avoiding the gathering of people in the establishment, and following all precautionary rules regarding the constant use of face masks, frequent handwashing, and keeping the required six (6)-feet distance between customers.

b. Laundromats: These establishments shall be able to operate during regular business hours as authorized by the lockdown, in strict compliance of the precautionary measures regarding the use of face masks, frequent handwashing, and social distancing rules. They must ensure that the establishment's maximum occupancy does not exceed fifty percent (50%) of the capacity stated in the building code currently in force in Puerto Rico (PR Building



Code 2018). As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

8. **Official Vehicle Inspection Centers**

These centers shall be able to operate during the hours of operation authorized under the lockdown, by establishing some method for being contacted by phone or email in order to coordinate inspection services 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 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 during the hours of operation authorized under the lockdown, by strictly following all precautionary measures regarding the use of face masks, frequent handwashing, and social distancing. To accomplish this, they must make sure not to exceed fifty percent (50%) of the maximum occupancy established in the building code currently in force in Puerto Rico (PR Building Code 2018). As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

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 businesses may

operate during regular business hours as authorized by the lockdown, in strict compliance with all 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 businesses may **open by appointment** during regular business hours as authorized by the lockdown. 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 adhering to social distancing guidelines 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. As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

15. **Spas and aesthetics salons**. These businesses may operate during regular business hours as authorized by the lockdown, **by appointment and with each service provider taking care of one customer at a time**. 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 adhering to social distancing guidelines 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. As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

There must be compliance with all COVID-19 protocols and guidelines established by the CDC, the Department of Health, and PROSHA. Any businesses that have not yet submitted the self-certification required by this Executive Order to the Department of Labor and Human Resources

and which have not received the approval of the Department of Health shall not be allowed to reopen.

16. **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, these establishments shall be able to operate during regular business hours as authorized by the lockdown, 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).

All businesses must follow the COVID-19 protocols and guidelines established by the CDC, the Department of Health and PROSHA. Any businesses that have not yet submitted the self-certification required by this Executive Order to the Department of Labor and Human Resources and which have not received the approval of the Department of Health shall not be allowed to reopen.

17. **Open-air shopping malls**. These establishments will be allowed to remain open to the general public and may operate during regular business hours as authorized by the lockdown, in strict compliance of all precautionary measures to control the spread of the virus, which includes, without limitation, the mandatory use of face masks, frequent handwashing, and following social distancing rules, except for playgrounds and valet parking services, if applicable. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy stated by the building code currently in force in Puerto Rico (PR Building Code 2018). Tenants and shopping malls that have not yet submitted the self-certification required by this Executive Order to the Department of Labor and Human Resources shall not be allowed to reopen.

As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

18. **Enclosed shopping malls.** Acknowledging that sixty percent (60%) of shopping mall tenants are local small and medium-sized retailers, these businesses will continue to be allowed to open to the general public, 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, except for playgrounds and valet parking services, if applicable. 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 seventy-five (75) square feet of floor space, which shall be implemented by the shopping mall's management.**

As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

19. **Wholesalers.** The resumption of wholesale activities not previously authorized is hereby authorized. These businesses may operate during regular business hours as authorized by the lockdown, 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 stated by the building code currently in force in Puerto Rico (PR Building Code 2018). As part of the infection control plan, each

establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

20. **Car Dealerships**: These businesses may operate during regular business hours as authorized by the lockdown, in strict compliance with all precautionary measures regarding the use of face masks, 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 stated by 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.

As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

21. **Travel Agencies**: These businesses may operate during regular business hours as authorized by the lockdown, in strict compliance with all precautionary measures regarding the use of face masks, 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 stated by the building code currently in force in Puerto Rico (PR Building Code 2018). As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

22. **IT Businesses**: Telework should be encouraged. These businesses may operate during regular business hours as authorized by the lockdown, by appointment, in strict compliance with all precautionary measures regarding the use of face masks, preventing the gathering of people, and following social distancing rules. As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

23. **Advertising Agencies**: These businesses may operate



during regular business hours as authorized by the lockdown, by appointment, in strict compliance with all precautionary measures regarding the use of face masks, 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 stated by the building code currently in force in Puerto Rico (PR Building Code 2018). As part of the infection control plan, each establishment must set aside some time at the end of their daily operations to clean and disinfect their facilities.

24. **Movie Theaters**: These businesses may operate during regular business hours as authorized by the lockdown, by promoting the sale of tickets and concession stand items by electronic means and in strict compliance with all CDC and Department of Health recommendations, PROSHA's COVID-19 guidelines, and the COVID-19 protocols established by their industry, including the six (6)-foot distance parameter, the mandatory use of face masks, the frequent washing of hands, and the daily disinfection of the facilities.
25. **Drive-In Movie Theaters**: These businesses may operate during regular business hours as authorized by the lockdown, by promoting the sale of tickets and concession stand items by electronic means and in strict compliance with all CDC and Department of Health COVID-19 recommendations.
26. **Museums**: These businesses may operate during regular business hours as authorized by the lockdown, by promoting the sale of tickets and concession stand items by electronic means and in strict compliance with all CDC and Department of Health COVID-19 recommendations and PROSHA's COVID-19 guidelines, including the six (6)-foot distance parameter, the mandatory use of face masks, the frequent washing of hands, and the daily disinfection of the facilities. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy stated by the building code currently in force in Puerto Rico (PR Building

Code 2018).

27. **Gyms and Fitness Clubs**: These businesses may operate during regular business hours as authorized by the lockdown, by promoting the sale of tickets and concession stand items by electronic means and in strict compliance with all CDC and Department of Health COVID-19 recommendations and PROSHA's COVID-19 guidelines, including the six (6)-foot distance parameter, the mandatory use of face masks, the frequent washing of hands, the COVID-19 protocols established by the industry, and the daily disinfection of the facilities. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy stated by the building code currently in force in Puerto Rico (PR Building Code 2018).

In the case of gyms located within residential projects or developments ("urbanizaciones"), the administrators or managers must ensure compliance with all COVID-19 precautionary measures and social distancing rules.

28. **Childcare Centers**: Childcare facilities shall be allowed to operate exclusively for employee training and preparation purposes from June 16, 2020. These businesses may operate during regular business hours as authorized by the lockdown starting on July 1, 2020, in strict compliance with all precautionary measures; following all CDC, Department of the Family, and Department of Health recommendations; and PROSHA's COVID-19 guidelines, including the six (6)-foot distance parameter, the mandatory use of face masks, the frequent washing of hands, the COVID-19 protocols established by the industry, and the daily disinfection of the facilities.

It is hereby ordered that all relevant agencies issue the necessary circular letters, guidelines, and administrative orders to set up a reopening plan.

29. **Film industry**: These businesses may operate during regular business hours as authorized by the lockdown, following all CDC and Department of Health recommendations and PROSHA's COVID-19 guidelines, including the six (6)-foot distance parameter, the mandatory

use of face masks, the frequent washing of hands, and the COVID-19 protocols established by the industry.

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.

To this end, the DACO Secretary is hereby ordered to review the orders issued to safeguard consumers' rights during the pandemic, in order to amend, repeal, or enact those necessary for the sectors that have been authorized to operate.

Section 6:

AUTHORIZED SERVICES: The following services may continue to be provided **during the business hours authorized under the lockdown**, provided that a phone number or email is made available for them to be contacted, 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 customers 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 must provide a phone number or email address as contact information for making appointments.

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 be performed. Wakes may be conducted in strict compliance with all precautionary measures, using face masks, practicing frequent handwashing, and following social distancing rules. To this end, they must ensure not to exceed fifty percent (50%) of the maximum occupancy stated by the building code currently in force in Puerto Rico (PR Building Code 2018). The use of common areas, such as cafeterias, is prohibited, 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 based on the essential nature of the services, these businesses shall provide services to the general public during regular business hours as authorized by the lockdown, by following the strictest health, safety, and hygiene guidelines and establishing the necessary controls to achieve social distancing, implement precautionary measures, and prevent the spread of the virus.
6. Sales, installation, repair, and maintenance of

renewable or alternative energy systems.

7. Street, road, and highway repair and maintenance services.
8. Repair and maintenance of private infrastructure to ensure the continuity of exempted services and operations under this Executive Order.
9. Sales, installation, and maintenance of the necessary infrastructure and equipment to address the hurricane season.
10. Garbage collection (public or private); recycling services; maintenance and cleaning services.
11. Services related to any federal agency, including the United States Department of Defense (DOD).
12. The export of non-essential merchandise.
13. Moving services.
14. Services to ports and airports.
15. Electronic transaction processing services.
16. 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.
17. Supply and distribution of items for industries exempt from closure, provided that all precautionary measures are taken to mitigate the risk of infection.
18. 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.
19. Fire prevention design, sales, and installation services.
20. Armory services, by appointment. Shooting ranges' occupancy may not exceed fifty percent (50%) of the maximum occupancy established in the building code

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currently in force in Puerto Rico (PR Building Code 2018).

21. Air conditioning repair and maintenance services.
22. Transportation services by taxi drivers and public drivers interested in providing merchandise (freight) delivery services and transporting passengers, provided that they follow all COVID-19 precautionary measures in accordance with NTSP regulations. This includes the Puerto Rico Department of Transportation and Public Works' "Llame y Viaje" program.
23. Data center operations.
24. Call center operations.
25. Notary services for all types of transactions required in their ordinary course of business.
26. Legal, accounting, and other similar professional services. These service providers must prevent the gathering of people in their offices or waiting areas, 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.
27. College/university distance or remote learning services, including services provided by professional colleges or continuing education institutions. 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 and research 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. In order to prepare college campuses and public and private school facilities for the upcoming semester, the activation of the personnel necessary to prepare the facilities in compliance with the CDC and Department of Health's recommendations and PROSHA's COVID-19 guidelines.

28. 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.
29. Electronic lottery. The Secretary of Treasury is hereby ordered to issue orders or circular letters to regulate this activity.
30. Item repair services.
31. General management and processing 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 shall 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 such 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.

Sports and recreational training activities are hereby allowed during regular business hours as authorized by the lockdown, both individually and as a group, for the following sports: mixed martial arts and combat sports, such as judo, taekwondo, karate, boxing, and other similar activities, in addition to basketball, volleyball, baseball, handball, soccer, football, and swimming, without this being understood as an exhaustive list. All authorized activities shall be carried in strict compliance of the guidelines and standards issued by the Secretary of the Puerto Rico Department of Sports and Recreation for these purposes. **COMPETITIVE SPORTS ACTIVITIES ARE NOT YET PERMITTED.**

The limited use of beaches, natural reserves, golf courses, parks and sport courts, pools, gyms, and cockfighting arenas shall be allowed, subject to the directives and limitations imposed by the Government of Puerto Rico, the Secretary of the Puerto Rico Department of Sports and Recreation, or the Municipality where



the facility is located.

In carrying out the authorized activities, people must make sure to keep the recommended six (6)-feet distance from other people. 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 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:

BEACHES AND PUBLIC BATHING BEACHES: The opening of beaches and public bathing beaches (“balnearios”) is hereby authorized. However, people shall not be allowed to socialize or gather without taking precautionary measures and practicing social distancing. The use of coolers and beach chairs is allowed for individual or family use only. It is important to note that cooperation from all citizens is required during the performance of these activities, since failure to follow precautionary measures increases the collective risk of infection.

Section 10:

HORSE RACING INDUSTRY: 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 regarding 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 the Camarero Race Track and public access to the horse racing track facilities will be allowed, provided that they do not exceed fifty percent (50%) of the maximum occupancy stated

by the building code currently in force in Puerto Rico (PR Building Code 2018). Races may 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 (“agencia hípica”), 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 that adequate safety and health measures are followed 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 11:

TOURISM. Our efforts aimed at keeping the spread of COVID-19 at manageable levels in Puerto Rico even with limited hospital resources, as compared to other jurisdictions, is our best advertisement. With the timely implementation of a strict lockdown, in accordance with the parameters established by the CDC, the WHO, and the Department of Health, Puerto Rico has been able to position itself as a safe Caribbean destination. Efforts shall be made to boost local tourism starting in June 16, 2020, by promoting passive outdoor recreational activities, in strict compliance with all precautionary measures regarding the use of face masks, frequent handwashing, and the required six (6)-feet distance to be consistent with social distancing rules. Given that certain outdoor activities have been allowed, and allowing the Department of Sports and Recreation to draft specific guidelines for each sport, the rental of equipment, sports gear, and apparel for the authorized sports activities is hereby authorized and tour operators shall be allowed to operate, provided that the protocols designed by the Puerto Rico Tourism Company for the prevention of COVID-19 are followed. In this regard, the reopening of adventure tourism attractions is hereby authorized, provided that they do not exceed fifty percent (50%) of the maximum occupancy stated by the building code currently in force in Puerto Rico (PR Building Code 2018).

The use of common areas at hotels and inns (“paradores”) shall be

allowed, provided that they do not exceed fifty percent (50%) of the maximum occupancy stated by the building code currently in force in Puerto Rico (PR Building Code 2018).

Subject to the management and development of COVID-19 on the Island, Puerto Rico will be available to coordinate incoming tourism activities beginning on July 15, 2020.

Section 12:

ENTERTAINMENT. the use of open spaces or public and private parking lots is hereby authorized Starting on June 16, 2020 in order to hold events in “drive-in” mode, film screening, graduations, concerts, stand-up comedy shows, and pre-recorded shows, provided that all precautionary measures are taken to mitigate the risk of infection; developing access, distancing, and vehicle location logistics; in addition to a plan for using and disinfecting bathroom facilities (portable toilets). The holding of events that are not in compliance with CDC protocols and COVID-19 guidelines shall not be authorized.

The opening of music and concert venues for in-person events shall be authorized from July 1, 2020, in strict compliance with CDC and Department of Health standards and PROSHA’s COVID-19 rules, including the six (6)-feet distance parameter, the mandatory use of face masks, frequent handwashing, and daily disinfection of the facilities, according to established industry protocols. Producers shall be responsible for following PROSHA and the Department of Health’s COVID-19 general guidelines.

Section 13:

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 wear a face mask and 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, 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. 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 14: **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, people over the age of 65, and people with disabilities.

Section 15: **EXEMPTED PERSONS**. With the lockdown in place, all individuals authorized under this Executive 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 authorized services, activities, or events, 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. Individuals who are addressing health or emergency

situations.

11. Officials who are carrying out critical duties in the Executive, Legislative, and Judicial Branches.
12. Municipal police officers.
13. Members of the Department of Natural and Environmental Resources (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.

Section 16:

TOLLWAYS. Tolls shall continue to be collected at tollways on the roads of the Government of Puerto Rico. However, no fines shall be imposed for passing through a tollway without having sufficient balance in an Autoexpreso account while this Order is in effect. All recharging lanes shall continue to operate, 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 17:

THE HOSTING OF RELIGIOUS EVENTS. It is hereby recommended that they implement all means of protection (e.g. mandatory use of masks, gloves, disinfectant, etc.) and enforce compliance of all necessary measures to maintain social distancing (six feet distance) 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 in order to broadcast it live or in a recorded format. The entity shall be responsible for implementing all required cleaning and disinfection measures to prevent infection.

Churches, temples, mosques, and/or synagogues may hold in-person services during the hours authorized by the lockdown, 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.

Parrish or administrative offices may operate during the hours authorized by the lockdown.

Section 18:

THE CLOSING OF PRIVATE BUSINESSES AND ENTITIES.

This total closure order shall apply 24 hours a day to clubs, gaming halls, casinos, and any other similar establishment or event that is not authorized under this Executive Order and which promotes the gathering of a large group of citizens in the same place. These sectors shall be under analysis in order to include them in subsequent reopening phases.

Section 19:

CONSTRUCTION INDUSTRY. The construction industry shall continue 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 the Occupational Safety and Health Administration (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 20:

MANUFACTURING. The manufacturing industry segment shall continue 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 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 hereby 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.

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. All measures taken shall continue to be analyzed during the term of this Order, in order to discuss their results and to adopt any modifications that may be required on a timely basis. If at any time a substantial increase in the risk of infection is identified due to the reopening of any of the sectors, 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, “[a]ny 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 June 16, 2020 and shall remain in force until June 30, 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 12th day of June of 2020.

**WANDA VÁZQUEZ-GARCED
GOVERNOR**

Enacted in accordance with the law on this 12th day of May of 2020.

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