

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

**Administrative Bulletin Number: OE-2020-038**

**EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, EXTENDING THE LOCKDOWN AND ESTABLISHING OTHER MEASURES NECESSARY TO CONTROL AND PREVENT THE SPREAD OF THE CORONAVIRUS (COVID-19) IN PUERTO RICO.**

**WHEREAS:** The global COVID-19 pandemic has made it necessary to implement measures intended to prevent an increase in the spread of the disease and to safeguard the health of all citizens. Without a doubt, the spread of COVID-19 represents a serious and immediate threat and a situation that must be addressed with the utmost priority considering that this virus has claimed the lives of over 230,000 people globally.

**WHEREAS:** For its part, the Government of Puerto Rico has made all necessary efforts and 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. For these reasons, 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. Through said 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 extended to be effective until May 3, 2020.

**WHEREAS:**

Also, in order to address the health emergency that Puerto Rico is facing, Administrative Bulletin OE-2020-026 (OE-2020-026) was issued, which created an 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. Said Medical Task Force was also created 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, have recommended extending the measures taken by the Governor to contain the spread of COVID-19 for an additional period, subject to certain modifications.

**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"). Throughout this Guide, the suggested parameters were established to help state and local government determine which activities, businesses, jobs, and industries can be considered necessary in the context of the emergency caused by COVID-19.

**WHEREAS:**

The aforementioned 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 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 Department of Public Safety 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 *Department of Health Act*, empowers the Department of Health to take any measures it deems necessary to combat the 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:** It is a well-established rule that the State may limit some of the rights of its citizens when said restriction constitutes the least onerous option to safeguarding or furthering a compelling State interest. In this case, the compelling interest is to guarantee public health and wellbeing in light of the spread of a dangerous medical condition 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, 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

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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 stages. 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 done in stages 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.

**WHEREAS:**

Understanding the duty to balance the public’s health and economic needs, 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. In order to achieve this goal, the workplace risk mitigation protocols or plans will be published by the Department of Labor and Human Resources in coordination with the Department of Economic Development and Commerce.

**WHEREAS:**

In order to evaluate the sectors to be included in the gradual reopening, the Economic Task Force took three factors into account. These are: 1. Infection Risk Index prepared 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:** On April 25, 2020, a meeting was held with the Medical Task Force and Economic Task Force to discuss the economic sectors that may begin to reactivate in addition to the ones that are currently exempt based on the virus infection risk mitigation parameters. These sectors include construction activities not exempted from the lockdown, manufacturing activities that had not been exempt from the lockdown, and some health services.

**WHEREAS:** The sectors that will resume operations in this phase of the economic reopening 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:** 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.

**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 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 first 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 and/or 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:**

During the period in which this Executive Order is in effect, we will inform the people of Puerto Rico that we are working together with the medical and economic sectors to evaluate the possibility of reopening or loosening of the lockdown in a safe and gradual manner for other sectors and businesses not included in this Order, which may include: retailers, restaurants, barbershops, beauty salons, funerary services (wakes), automotive sales, and religious services, among others.

**WHEREAS:**

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. **EVERY CITIZEN ON THE ISLAND OF PUERTO RICO IS 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 MAY 25, 2020, INCLUSIVE.** Any citizen who does not qualify for any of the specific exemptions described below herein may leave their shelter between **5:00 a.m.** and **7:00 p.m. EXCLUSIVELY** under the following circumstances:

- (a) to go to a medical appointment, 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 owner and/or person in charge of a residence who allows people other than cohabitants to congregate in order to hold meetings, gatherings, parties, or any activity not permitted under this order in said residence 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 throughout asymptomatic people who are, which makes it important to maintain proper social distancing to prevent the spread of this disease.

Outdoor exercise activities shall be allowed from 5:00 a.m. to 3:00 p.m., as long as individuals maintain at least six (6) feet of distance between each other, wear masks, and use hand sanitizer. Outdoor exercise activities shall be limited to walking, jogging, cycling, and strolling with children or pets. However, any centers or facilities where these exercise activities are conducted and/or that promote gatherings, such as parks, athletic tracks, beaches, beach resorts, gyms, among others, shall remain closed to the public.

**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:**

**GOVERNMENT 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. Work schedules shall be understood to be the same ones in place before the emergency, in conformance with each agency, or whichever one has been determined by each nominating authority. Due to the nature of certain government functions, a maximum of five (5) people shall be allowed to be physically present at their respective workplace two days per week. The head of each agency shall issue instructions and establish a work plan for their employees, which shall be notified by their supervisors. This applies to non-essential employees. 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).

It is important that the head of each agency or nominating authority review their teleworking plan in order to guarantee services to the sectors authorized to operate under this Order.

**Section 4:**

**THE ESTABLISHMENT OF GUIDELINES BY AGENCIES.** The provisions contained herein may be defined 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 Secretary of State. 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 Puerto Rico 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. The sale of prepared foods, **EXCLUSIVELY** through drive-throughs or delivery and carry-out services, without allowing the public to dine in at their establishments.

b. Wholesale or retail sale of food.

c. Businesses related to the food and drink supply chains (including farmers and the agricultural and livestock industry employees), including food for animals, including food and drink processors and preparers, 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 whose components include a supermarket or general store. 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 **10:00 p.m.** 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, and as an exception, they shall **LIMIT** their operations on Sundays to cleaning, disinfecting, and managing 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 offered service 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, medicine, medical, and pharmaceutical items or equipment:**

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 chain of supply, 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. Authorized to operate normally Monday to Sunday.
- xv. Elderly care centers.
- xvi. Companies and insurers that provide health insurance



plans.

xvii. Veterinary clinics, by appointment.

xviii. Primary care physicians and medical specialists, including those in the field of mental health.

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, receive 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. In addition, they must certify the adoption of street safety and mitigation protocols recommended by the medical community and the Department of Health. In this initial phase, surgeries must be ambulatory and non-cosmetic. For the protection of physicians and support personnel, patients must be tested for COVID-19 before their procedures.

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 through appointments. They must prevent patients



from gathering at their clinics or waiting rooms, respect the social distancing protocols, and implement all measures necessary for safeguarding the health of all employees working at their offices.

- xx. Optometrist offices, taking the proper precautions and measures to ensure social distancing and preventing the spread of COVID-19. By appointment, preventing patients from gathering at their offices or waiting rooms, 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 (blends, intermediate fuels)
- d. Production, distribution, wholesale, retail (gas stations)
- e. Electronic lottery
- f. Vehicle inspection centers

They are authorized to operate normally from Monday to Sunday.

4. **Financial Institutions**

- a. Institutions that offer banking services, such as banks and credit unions, for deposits, withdrawals, or payments.
- b. Pawnshops, only for receiving goods to be pawned and for debt repayment services (the sale of goods and/or merchandise is not allowed).
- c. Mortgage banks and other lenders. Loans and mortgages may be closed by appointment, in a way that prevents the gathering of clients whose appointments are scheduled close together in waiting rooms. Clients must have their appointments processed one (1) at a time, and they must be limited to requirements that can only be met



in person. All other processes must be completed either remotely or electronically.

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

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

6. **Vehicle parts and repairs:** Businesses that offer vehicle parts and repair services, including automotive technicians, tire retailers, and parts distributors, may operate in order to address emergencies on **from Monday to Friday**, between the hours of 9:00 a.m. and 5:00 p.m., **by appointment, and must establish a method to be contacted by phone or by email in order to coordinate said appointments.** They must ensure to manage the people whose appointments they are handling so that they have no more than one (1) customer at a time and maintain appropriate safety measures in order to prevent the spread of the virus **while remaining closed to the general public.**

7. **Hardware stores:** Hardware stores may open on **Fridays and Saturdays between the hours of 9:00 a.m. and 5:00 p.m., exclusively by appointment, establishing some method for being contacted by phone or email in order to coordinate the sale and delivery of merchandise in an organized manner, but without being open to the general public.** The people in charge of said establishments must ensure to manage the people whose appointments they are handling so that they have no more than one (1) customer at a time. **However, as an exception, from Monday to Thursday**, they shall be authorized to dispatch orders received by phone or by any electronic communication method, orders placed by a government agency due to an emergency, or orders from businesses or service providers that are exempt under this Order.

8. **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.

9. **Laundry and Laundromat Businesses**

These businesses shall be able to operate **Monday to Friday** 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.** They must also follow all Department of Labor and Human Resources guidelines as provided in this Order.

10. **Official Vehicle Inspection Centers**



These centers shall be able to operate Monday to Friday 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; in addition to complying with all Department of Labor and Human Resources guidelines as provided in this Order.

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

11. **Businesses dedicated to ornamental horticulture.**

These businesses shall be able to operate Monday to Friday, 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, while taking all precautionary measures. They must also comply with all Department of Labor and Human Resources guidelines as provided in this Order.

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

13. **National security.**

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

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

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

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

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, but wakes where the public may gather are hereby prohibited.
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 gatherings 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

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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. Sale, 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, without opening their establishments to the general public.

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 for the security sector.
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. Datacenter operations.
20. Call center operations.
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 rooms. 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 its 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 able 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.

**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 the meeting 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 established 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:**

**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 protective 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 scarfs made of fabric 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 protective 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 9:** **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 10:** **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 a 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 (DCA) inspectors.
20. Puerto Rico State Election Commission (CEE, for its Spanish acronym).
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 11:**

**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 May 4 and 13, 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 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 Tuesday, May 5, 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 12:**

**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. It is hereby ordered that all recharging lanes be reopened or reactivated, provided that they are able to certify the adoption of strict safety and mitigation protocols and taking all necessary measures to safeguard the health of all employees.

**Section 13:**

**THE HOSTING OF RELIGIOUS EVENTS ELECTRONICALLY.** Priests, pastors, reverends, bishops, imams, rabbis, and/or any leader of a religious entity who does 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, disinfectants, 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, without the participation of its congregation, 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 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.

**Section 14: 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, and any other similar establishment or event that promotes the gathering of citizens in one place.

**Section 15: CONSTRUCTION INDUSTRY.** 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, the segment of the construction industry not previously exempted from the lockdown order is hereby authorized to operate from May 11, 2020. 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 16: MANUFACTURING.** The manufacturing industry segment not

previously exempted from the lockdown is hereby authorized to operate starting on May 11, 2020, 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 17:**

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

- a) Issue orders, guidelines, and circular letters, among others, for the **closure of all marinas** in Puerto Rico in order to discourage the maritime traffic of recreational vessels in our territorial waters and establish exceptions to the above based on emergency, commercial fishing, residents in vessels, and federal regulations criteria.
- 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 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.

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 18:**

**WORKPLACE INFECTION CONTROL RISK MANAGEMENT PLANS.**

It is hereby ordered that employers from all exempted sectors prepare an infection control risk management plan prior to the commencement of work, based on 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 fill out and submit the employer compliance self-certification document, which will be available on DTRH's website. To this end, the DTRH 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 DTRH as soon and as diligently as possible.** While the foregoing shall not halt these employers' operations, they must fulfill this requirement.

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.

It is important that employers make sure to 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 wear face masks, comply with social distancing rules, and follow all precautionary measures.

**Section 19:**

**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 20:**

**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 21:**

**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 22:**

**DEROGATION.** This Executive Order supersedes any other executive order that may be inconsistent with the provisions



herein, to the extent of such inconsistency.

**Section 23:** **VALIDITY.** This Executive Order shall enter into force on May 4, 2020 and shall remain in force until May 25, 2020 and/or until further notice.

**Section 24:** **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 25:** **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 26:** **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 1<sup>st</sup> day of May of 2020.



  
**WANDA VÁZQUEZ-GARCED**  
**GOVERNOR**

Enacted in accordance with the law on this 1<sup>st</sup> day of May of 2020.

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

CERTIFIED TRANSLATION



I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.