



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF ECONOMIC DEVELOPMENT AND COMMERCE

May 6, 2020

TO ALL THE INDUSTRIAL, COMMERCIAL AND BUSINESS SECTORS

A handwritten signature in blue ink, appearing to read "M. Laboy Rivera".

Hon. Manuel A. J. Laboy Rivera

Secretary of Economic Development and Commerce

Circular Letter No. 2020-08

**APPLICABILITY OF THE CLOSING OF OPERATIONS IN THE PRIVATE SECTOR
PURSUANT TO ADMINISTRATIVE BULLETIN NO. OE-2020-038**

I. Background

On March 12, 2020, the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, issued Administrative Bulletin No. OE-2020-020, in order to declare a state of emergency in the face of the imminent impact of the Coronavirus (COVID-19) on our island. Through it, a state of emergency was declared throughout Puerto Rico regarding the COVID-19 outbreak, to carry out all efforts and implement all necessary measures to safeguard the health, welfare and public safety of our citizens, with the purpose of minimizing or avoiding the risk of any situation that represents or constitutes a threat to public health or safety.

After the aforementioned emergency declaration, on March 15, 2020, the Governor of Puerto Rico issued Administrative Bulletin No. OE-2020-023, establishing additional measures to prevent the spread of COVID-19 in Puerto Rico (“OE -2020-023”), including, among other measures, the implementation of a curfew applicable to all citizens starting at 9:00 pm on Sunday, March 15, 2020, which was in effect until March 30, 2020. Likewise, a closure of government and private operations in Puerto Rico was ordered, except those related to essential services from 6:00 pm on March 15, 2020, until March 30, 2020, with several exceptions. The curfew, as well as the government private sector closures, has been extended by the Governor until May 3, 2020 by means of Administrative Bulletins No. OE-2020-029, OE-2020-032, OE-2020-033, OE-2020-034 and OE-2020037.

On May 1, 2020, the Governor of Puerto Rico issued Administrative Bulletin No. OE-2020-038 (“OE-2020-038”), with the purpose of extending the curfew and the closure of governmental and private sector operations until May 25, 2020. Due to the success of the measures taken by this Administration to attend this emergency, and in accordance with the recommendations made by



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the *Medical Task Force* and the *Economic Task Force* created by the Governor to attend this health and financial crisis caused by COVID-19, OE-2020-038 makes a first reopening phase of the private sector viable, allowing additional operations related to construction, manufacture and some health services, among other activities with minimal risk of propagation and contagion of COVID-19. This period of time will serve to evaluate whether other economic sectors now included in OE-2020-038 could open, depending on citizenship behavior, COVID-19 related statistics and the subsequent recommendations by *Medical Task Force and the Economic Task Force*.

In keeping with the foregoing, since March 17, 2020, the Department of Economic Development and Commerce (“DEDC”) has been given the task of issuing several circular letters to provide additional guidelines to the industrial, commercial and business sectors regarding the applicability of executive orders issued by the Governor, specifically regarding the closure of private sector operations and applicable exemptions, including Circular Letters No. 2020-002, 2020-03, 2020-04, 2020-05 and 2020-07. The aforementioned circular letters from the DEDC contain a list of activities, businesses or industries that are considered exempt from the total closure of operations decreed for the different periods covered by the executive orders issued from time to time by the Governor. Consequently, after the publication of the circular letters, the DEDC has received countless emails related to questions from industries, merchants and entrepreneurs of all kinds, regarding the applicability of the total closure decreed by the applicable executive orders. In response to the above, the DEDC has dedicated itself to providing guides, clarity and tranquility to the different economic sectors affected by the total closure of operations, responding to emails received in response to what is expressed in the executive orders and circular letters of the DEDC and serving as a liaison with other government agencies, including, among others, the Department of Public Security and its Police Bureau, and the Department of Labor and Human Resources.

Section 4 of OE-2020-038, establishes that the provisions established in it may be defined and reinforced in detail through guidelines issued by the agencies once they are previously approved by the Governor or the Governor’s Chief of Staff. In accordance with the foregoing, the purpose of this Circular Letter is to provide additional guidelines to the entire industrial, commercial and business sector, regarding the applicability of the provisions of OE-2020-038 to their operations.

II. Legal Base

This Circular Letter is issued in order to provide additional guidelines to the industrial, commercial and business sector regarding the applicability of OE-2020-038 and exemptions to the provisions therein. It is promulgated under the Reorganization Plan No. 4-1994, as amended, and the aforementioned executive order and will be effective will be effective from May 4th until the 25th, 2020, or until otherwise provided.



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III. Provisions of OE-2020-038 related to the closing of businesses and their exceptions

Section 1 of OE-2020-038 extends the curfew (lockdown) in Puerto Rico from May 4th until May 25, 2020, instructing all citizens on the Island to remain in their place of residence or accommodation 24 hours a day, 7 days a week, with the intention of extending this curfew to the total closing of private sector operations. Likewise, Section 14 of OE-2020-038 provides a total closing of shops and private entities, which will apply 24 hours a day to cinemas, clubs, concert halls, theaters, gaming halls, casinos, parks of attractions, gyms, bars or any similar place or event that encourages the gathering of a group of citizens in the same place.

Nonetheless, each exempt company will have to adjust the contingency plan to comply with measures to avoid the propagation of COVID-19, avoid the gathering of employees and seek to work remotely as long as if possible, and to **comply with all cautionary measures and the self-certifications required in Sections 8 and 18 of OE-202-038. Regarding the referenced self-certification, please refer to Circular Letter No. 2020-03, emitted by Department of Labor and Human Resources on May 1, 2020.** For more measures that can be taken as a company or employer, please refer to Guidelines for Companies and Employers to Prevent Workers Exposure to Coronavirus (*Guías para Empresas y Patronos para Prevenir la Exposición de los Trabajadores al Coronavirus*), published on April 12, 2020, by the Medical Task Force created to attend the emergency caused by COVID-19 in Puerto Rico.

However, Sections 5, 6, 15 and 16 of the OE-2020-038 recognizes certain exceptions to the application of the closing of business operations and the established curfew. The following is a non-exhaustive list of those industries, shops, businesses, services or activities that are considered to be **exempt from the total closing of operations:**

1. Foods

- a. Selling of prepared foods, EXCLUSIVELY by means of carry-out or delivery, without allowing diners inside the establishments.
- b. Selling of food in retail or wholesale
- c. Businesses that are related to food distribution chains (includes farmers and employees of the agricultural industry) and beverages, including animal food, food and beverage processors, and businesses dedicated to the distribution of food and beverages, hydroponic farms and agricultural activity in general.
- d. Supermarkets and grocery stores, including businesses whose components include supermarkets or grocery stores. They may remain open to the public from Monday to Saturday from 5:00a.m. until 8:00p.m., and those who have a delivery system, can dispatch orders until 10:00p.m. However, between the hours of 7:00 and 8:00 p.m., only properly identified hospital staff, laboratory technicians and law enforcement officers can be allowed in and sold to. Additionally, supermarkets and



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grocery stores must remain closed to the public on Sundays, limiting their operations to cleaning, disinfection, inventory, receiving and handling of merchandise.

- e. Retail outlets such as fresh food kiosks (fruits and vegetables) established prior to March 15, 2020

2. Health, medicines, medical equipment or products and pharmacies

- a. Includes businesses that are engaged in the production, sale, or provision of services related to medications, medical items or equipment, or provision of health care services, and those that are in its distribution chain, including:
 - i. Pharmaceutical manufacturing and sales operations
 - ii. Manufacturing and sales operations of medical devices
 - iii. Biotechnology and agricultural biotechnology facilities (manufacturing and sales)
 - iv. Manufacturing operations and selling of supplies for hospitals and other health institutions and providers
 - v. Manufacture and selling of cleaning products, disinfectants and personal protective equipment necessary to deal with the COVID-19 crisis
 - vi. Hospitals
 - vii. Clinical laboratories
 - viii. Emergency rooms
 - ix. Medical services clinics
 - x. Pharmacies
 - xi. Medical cannabis dispensaries
 - xii. Medical cannabis cultivation and processing facilities
 - xiii. Health centers
 - xiv. Blood banks
 - xv. Pharmacies
 - xvi. Elderly centers
 - xvii. Companies or insurers that provide health plan coverage
 - xviii. Primary care physicians and specialists, including those in the mental health area. Although the provision of medical services through telemedicine is favored, physical medical visits will be allowed by appointment, avoiding the gathering of patients, respecting all social distancing protocol and safeguarding the health of all employees, and subject to the adoption of strict security and mitigation measures issued by the medical community and the Department of Health. During this first phase, services will be limited to non-aesthetic,



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ambulatory procedures, and testing the patient for COVID-19 before any procedure is suggested for the protection of the doctors and supporting staff.

- xix. Offices offering specialized treatments, including, among others, centers for dialysis and cancer treatment, and other serious or catastrophic diseases
- xx. Dental offices, by appointment. Operations must be conducted according to the American Dental Association, the Dental Examining Board and the Department of Health Guidelines, avoiding the gathering of patients and taking the necessary measures to safeguard the health of all employees.
- xxi. Veterinary clinics, by appointment
- xxii. Optometry offices, by appointment, taking all necessary precautions and measures to ensure social distancing and avoid the propagation of COVID-19, avoiding the gathering of patients and taking the necessary measures to safeguard the health of all employees.

3. Gas stations and their distribution chain

- a. Fuel (processing, selling and distribution)
- b. Refined: gasoline, diesel, jet fuel, AV-Gas, propane gas, butane gas, natural gas, liquid gas, kerosene, among others.
- c. Mixed (intermediate fuels, blended);
- d. Production, distribution, wholesale, retail (gas stations);
- e. Electronic lottery sale;
- f. Vehicular inspection centers and/or the sale of car tags (even while the moratorium is in place).

4. Financial institutions

- a. Depository institutions that offer banking services such as banks and cooperatives.
- b. Mortgage banks and other lender entities, for which loan closings and mortgage loans will be permitted by appointment so as to avoid gathering people for scheduled closings. Client appointments must be scheduled one (1) at a time and only for those matters that must be attended to in person. All other matters will be attended to electronically or remotely (in mortgage closings in which it is necessary, the presence of the representative agent or licensed real estate broker that participated in the transaction will be guaranteed).
- c. Pawn shops, only as for the receipt of goods as a pawn through a pledge contract and for the payment of debts (the sale of goods and / or merchandise will not be allowed).



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5. Organizations or groups that provide services to meet needs for economically disadvantaged populations

- a. Homeless shelters;
- b. Food banks;
- c. Shelters for victims;
- d. Shelters, including animal shelters;
- e. Temporary residences.

6. Security

- a. Private security agencies and companies;
- b. Roadside assistance, to the extent that it is requested by the subscriber of the service or by a law enforcement officer.

7. National Security

- a. Manufacturing, selling or service operations related to the Aerospace Industry;
- b. Manufacturing operations, sales, or related services to any federal agency, including the United States Department of Defense;
- c. Textile industry, in regard to the manufacture of uniforms, shoes, components and / or equipment for the Department of Defense, as well as the manufacture of personal protection equipment such as masks, caps, gowns, gloves and other articles used for health protection.

8. Critical infrastructure

- a. Infrastructure related to the Electric Power Authority, the Aqueduct and Sewer Authority, telecommunications, road system, solid and biomedical waste, seaports, airports;
- b. Repair, replacement, maintenance and rehabilitation of critical infrastructure and equipment to have access to said infrastructure, including, in the case of telecommunications infrastructure, cell phones, tablets, cable TV boxes, and other similar and necessary equipment so that consumers can use such critical infrastructure, by prior appointment coordinated by telephone or any electronic means, for which each company will be allowed to establish strategic points by region, in coordination with the Puerto Rico Telecommunications Bureau, to offer repair, delivery, replacement services equipment and technology necessary to maintain communication via landline, cell phone, internet, cable TV or antennas, limited to existing or new customers;
- c. Repair and maintenance of streets, roads and highways;
- d. Sale, installation, repair and maintenance of renewable or alternative energy-based energy production systems;
- e. Repair and maintenance of private infrastructure to ensure the continuity of operations and services authorized by OE-2020-038;



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- f. Sale, installation and maintenance of infrastructure, equipment and services necessary for hurricane season preparation.

9. Goods and services

- a. Elderly centers;
- b. Call centers;
- c. Public, private, state and federal security companies;
- d. Services related to any federal agency, including, without limitation, the United States Department of Defense;
- e. Roadside assistance services, only in case of emergency;
- f. Locksmith services, only in case of emergency;
- g. Delivery and shipping companies for packages, merchandise and correspondence;
- h. Closed circuit services and alarms;
- i. Services to ports and airports;
- j. Electronic transaction processing services;
- k. Data centers;
- l. Businesses providing services related to the information and technology sector, including programming and software development, computer systems architecture and hardware, networks and mass-distribution and transmission vehicles like internet and similar systems, smart phones, tablets, among others;
- m. Press and media;
- n. Travel agencies operating with call centers;
- o. Recycling services;
- p. Plumbing services, electrician, refrigeration technicians, repair, maintenance or replacement of household electrical appliances, extermination and pest control, cleaning of swimming pools, companies and independent employees dedicated to the maintenance of green areas, gardening, landscaping, maintenance and elevator repair, access control maintenance and repair, and other services necessary for the maintenance of health, safety, and essential operation at an individual, residential, commercial, industrial, or public level. When performing their work, the service provider should have their mouth covered with a mask and gloves. Any establishment whose purpose is to receive the public, must remain closed;
- q. Air conditioning maintenance and cleaning services;
- r. Garbage collection (private or public);
- s. Maintenance and cleaning services;
- t. Ornamental agriculture businesses will be permitted to operate between 9:00 a.m. and 5:00 p.m., coordinating sales by phone or electronically, in an orderly fashion, tending to one (1) customer at a time and without being open to the general public;
- u. Funeral services related to the collection or transfer of corpses, embalming, cremations and burials (not funerals), as well as services of construction and installation of niches in cemeteries, delivery of units and maintenance and cleaning of facilities;



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- v. Manufacture of non-essential goods for export purposes, as well as export of non-essential goods that are part of the current inventory;
- w. Companies and individuals who offer vehicle parts and repair services, including automotive technicians, rubber dealers, and parts dealers, may operate only in emergencies Monday through Friday between 9:00 a.m. and 5:00 p.m., by appointment, serving one (1) only client at a time for sales and merchandise dispatch by way of curbside pickup or delivery. Not open to the general public;
- x. Companies that offer hardware services and products, may operate Monday through Friday between 9:00 a.m. and 5:00 p.m., only by prior appointment to coordinate the sale and delivery of the merchandise, serving only one (1) customer at a time. for sales and merchandise dispatch by way of curbside pickup or delivery. Not open for general public.
- y. Online or telephone sales, warehouses and stores to only dispatch orders by way of pick-up and curbside pickup or shipping (delivery);
- z. Companies that sell electronic equipment or office supplies, by appointment for curbside pickup or shipping (delivery) only;
- aa. Laundromat and laundry services can operate Monday through Friday between 9:00 a.m. and 5:00 p.m. through prior telephonic or email coordination, for purposes of delivery and pickup of clothing in an orderly fashion without being open to the general public. In the case of laundromats, no more than three (3) employees may work simultaneously;
- bb. Official vehicular inspection centers can operate Monday through Friday between 9:00 a.m. and 5:00 p.m. through prior telephonic or email coordination of the inspection services in an orderly fashion, to avoid serving several clients at a time and without being open to the general public;
- cc. Moving services;
- dd. Insurance industry related services;
- ee. Notary services for any type of transaction necessary in ordinary business affairs;
- ff. Individuals or legal firms offering legal services, accounting services and/or authorized public accountants, as well as other individuals or firms necessary for the sectors and activities exempt from closure of operations that may not be carried out remotely, in accordance with OE-2020-038. In those cases, in which it is necessary to meet with a client in offices, a prior appointment must be coordinated, thus avoiding gathering people and taking the necessary precautions to safeguard employee and client health;
- gg. Higher education remote or at a distance services, on the basis that the people working in this sector are only authorized to use facilities to offer educational and student services remotely. They may not offer presential courses or services and physical facilities must remain closed to the public. Furthermore, only information and telecommunication systems personnel, tenured personnel and administrative personnel necessary to maintain adequate remote operations may be permitted to work from the facilities, taking all necessary measures to safeguard employee health.



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10. Construction

- a. The construction sector is authorized to operate as long as it is to offer critical services, maintenance or repair, or new construction, related to hospitals, drinking water, sewage, transportation, road system, electricity and communications, subject to the implementation of strict safety measures to protect the health and safety of workers against COVID-19 and based on the Guidelines of the Centers for Disease Control and Prevention (CDC), the federal Department of Health, the Occupational Safety and Health Administration and the federal Department of Labor;
- b. The construction sector is also authorized to operate for the construction of manufacturing or other facilities related to the management, prevention, treatment or studies related to COVID-19, subject to the implementation of strict security measures to protect health and worker safety against COVID-19 and based on Guidelines from the Centers for Disease Control and Prevention (CDC), the federal Department of Health, the Occupational Safety and Health Administration and the federal Department of Labor;
- c. As of May 4, 2020, the construction sector is authorized to operate in businesses and establishments that are not exempt from closure in accordance to OE-2020-038, as long as such is for the purpose of taking precautionary measures to prevent the spread of COVID-19 when they continue operations, including construction in marinas related to preparations for the hurricane season, repair and construction projects due to natural disasters or other emergencies, or private, residential or governmental constructions in preparation for emergencies or hurricane season, subject to the implementation of strict safety measures to protect health and security of workers against COVID-19, based on the CDCs, Federal Health Department, Occupational Safety and Health Administration and the Federal Department of Labor Guidelines;
- d. As of May 11, 2020, the entire construction sector will be authorized to operate in all sectors, meaning those exempt and not exempt from operating in accordance with OE-2020-038, subject to the implementation of strict safety measures to protect health and security of workers against COVID-19, based on the CDCs, Federal Health Department, Occupational Safety and Health Administration and the Federal Department of Labor Guidelines;
- e. The supply of materials for the construction sector is also authorized as established in OE-2020-038, including the manufacturing and distribution of cement and related products.

11. Manufacture

- a. As of May 11, 2020, the entire manufacturing sector will be authorized to operate, subject to the implementation of strict safety measures to protect health and security of workers against COVID-19, including but not limited to the self-certification required by the Department of Labor and based on the CDCs, Federal Health Department, Occupational Safety and Health Administration and the Federal Department of Labor Guidelines;



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- b. The supply of materials and support services will also be authorized in accordance with OE-2020-038.

11. Supply chains related to exempt goods and services pursuant to the preceding paragraphs

- a. Companies that provide goods or services to the sectors exempt from closure, limiting their operations to supplying such goods or services;
- b. Supply of articles for sectors exempt from closure;
- c. Distribution of products for the sectors exempt from closure;
- d. Logistics and transportation: customs brokers, the consolidation service for sea or land cargo, warehousing and distribution services to third parties, and the distribution of detergents, disinfectants and hygiene and cleaning products;
- e. Design services, selling and installation of fire prevention;
- g. Employment agencies operating as call centers.

The activities exempt from the closing of operations will continue to operate under their regular hours, including those that operate 24/7, unless otherwise stipulated in OE-2020-038 and the lists provided above. Pursuant to Section 9 of OE-2020-038, those businesses authorized to operate must, when possible, offer preferential turns to those working in hospitals, tech laboratories and law enforcement agents. In the case of markets, supermarkets and pharmacies, establishing special opening hours for clients over the age of sixty-five (65) should be considered, in accordance to Section 8 of OE-2020-038.

If you are part of the supply chain of goods or services to these exempt sectors, you must ask yourself: if your product is not supplied, will the exempt businesses be affected? If the answer is yes, strictly supplying these services. However, it is only authorized to supply directly to exempt businesses, it cannot be open to the general public. Each company has a commitment to society and must segregate the services it provides so that only essentials are provided during this emergency. For example, a hardware store that provides services to a hospital or a supermarket must open to fulfill these services, although it does not open or serve the general public. The company must contact its supplier and make the corresponding arrangements.

IV. OE-2020-033 provisions related to curfew

A. Departures during established curfew hours

As previously mentioned, Section 1 of OE-2020-033, as amended by OE-2020-034, extends the lockdown in Puerto Rico until May 3, 2020, instructing all citizens on the Island to remain in their place of residence or accommodation for 24 hours a day, 7 days a week. However, the same Section 1 of OE-2020-033 establishes certain exceptions to the curfew, providing that during this period, a citizen may leave their residence or accommodation exclusively between 5:00 am and 7:00 pm, when the need warrants it in the following circumstances:



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1. Go to a medical appointment, attend hospitals, laboratories, hospital medical service centers;
2. Acquisition of food, pharmaceuticals and basic necessities;
3. Go to any of the exempt establishments for necessary or urgent procedures;
4. Receive any of the exempt services, specified in the subsequent sections of OE-2020-038;
5. Provide any of the exempt services, specified in subsequent sections of OE-2020-038.

Any person who leaves their residence as previously provided must follow the precautionary measures provided in Section 8 of OE-2020-038.

Furthermore, to attend to citizens' mental health, Section 1 of OE-2020-038 will also allow outdoor physical activities, which will be limited to walking, jogging, cycling and walking with children or pets, between 5:00 a.m. and 3:00 p.m. and as long as people remain within six (6) feet of each other diagonally, besides using masks and disinfectants. Nonetheless, OE-2020-038 clarifies that all centers or facilities where the aforementioned physical activities are practiced, or where the gathering of people is promoted, like parks, athletic tracks, beaches, gyms, among others, must remain closed to the public.

Furthermore, the owner or person in charge of a residence that allows people who do not reside there to congregate for meetings, parties or any other activity that is not permitted in said residence, could be considered in violation of OE-2020-038 and will be subject to the penalties established by law.

B. Work or emergency curfew exclusions

On the other hand, Section 10 of OE-2020-038 provides that those authorized by the Executive Order itself for work reasons or in case of emergency are excluded from the lockdown.

Specifically, the provisions of OE-2020-038 will not apply, without being considered as an exhaustive list, to the following cases:

1. People who provide assistance, care, food, or transportation of citizens to the elderly, minors, dependents, people with disabilities or especially vulnerable people who require some type of medical or professional care;
2. Persons duly identified as employees of public or private security agencies, at the municipal, state and federal levels;



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3. Health professionals, including mental health professionals, personnel who work in hospitals, pharmacies, pharmacies, bioscience facilities or health centers;
4. Personnel who are working in the wholesale distribution chain and the manufacture of goods and food, including those necessary for agricultural activities such as agricultural centers, from the origin to the establishments for sale to the consumer, including points of sale at list as fresh food kiosks (fruits, vegetables and vegetables) established prior to March 15, 2020;
5. Personnel who are working with utilities or critical infrastructure;
6. Call and data centers;
7. Port and airport personnel;
8. Members of the press and media;
9. Members of the Corps of Watchers of the Department of Natural and Environmental Resources;
10. Internal Revenue Agents of the Department of the Treasury;
11. Department of Consumer Affairs Inspectors;
12. State Election Commission Personnel;
13. *Autoexpreso* personnel with regards to recharging accounts or charging tolls;
14. Legal representatives of citizens accused of crimes with subpoena before the courts, with request for reduction of bail or habeas corpus resources;
15. Legal representatives in civil cases duly summoned before the courts;
16. Notaries exercising their functions for any transactions that requires such in the course of ordinary in the course of business affairs;
17. People with Autism Spectrum Disorder, who will be authorized to make therapeutic outings that consist of short walks in areas near their home, accompanied by a single person and taking precautionary measures of distancing;
18. University institution laboratory investigators;



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19. Officials who carry out essential tasks in the Executive Branch, Legislative Branch or Judicial Branch;
20. Those citizens who are attending emergency or health situations;
21. Employees and service providers of the industries, businesses, companies or services exempt from the closure in accordance with Sections 5, 6 and 15 of OE-2020-038 and part III of this Circular Letter.

Regarding the aforementioned exceptions, these people will be authorized to transit on public roads on the way to work and return home at the time and days that are necessary. All persons excepted in the previous list must follow the precautionary measures provided in Section 8 of OE-2020-038.

22. Transitory dispositions

Section 11 of OE-2020-038 allows that on May 4th and 13th, 2020 between 5:00 a.m. and 2:00 pm, up to five (5) employees per employer will be exempt from the curfew, in order to process payments or payroll cycles that expire during the month of May 2020. In addition, and with the purpose of promoting remote work so that the private sector and its employees can continue to generate income, on May 5th, 2020 between 5:00 a.m. - 2:00 p.m., people will be able to go to the workplace to collect those necessary materials and equipment and deliver them to the corresponding employees.

In both cases, employers must identify the necessary personnel, who can only go to the workplace only for such purposes and related procedures. In addition, employers must take the necessary precautionary measures to guarantee the health and safety of all employees who come to the workplace for the aforementioned purposes and procedures. It is important to clarify that any employer who uses the provisions of Section 11 of OE-2020-038 to carry out tasks unrelated to the provisions therein, may be penalized in accordance with the law.

23. Conclusion

If you have any questions about the applicability of OE-2020-038 to your business, you can write an email to the following address: emergencias@ddec.pr.gov. Similarly, if you understand that your business must be exempt for reasons of being an essential or emergency service, please send a document to the email address above that explains the relevant circumstances. However,



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the business must remain closed while your application is being evaluated, unless it causes harm to life and/or property.

It is necessary to clarify that the provisions of this Circular Letter and the responses issued by email to your questions should under no circumstances be considered as an awarding procedure or granting of a license or permission from the DEDC to operate your company, or instead, as an order that it must remain closed. The sole purpose of this Circular Letter and the responses of the DEDC by email is to provide additional guidelines to citizens in these times of crisis, in coordination with the Office of the Governor's Chief of Staff. In other words, the DEDC does not grant exemptions to the provisions of OE-2020-038, but all responses are tied to the provisions of said Executive Order, as clarified by this Circular Letter, subsequent circular letters, or additional clarifications or exemptions. from the Office of the Governor or the Office of the Governor's Chief of Staff, in accordance with the provisions of OE-2020-038. It is important to emphasize that each industry, commerce or company must carry out its own analysis regarding its operations and act in accordance with what is expressed in OE-2020-038, as well as any subsequent pronouncement of the Office of the Governor, the Office of Governor's Chief of Staff, the DEDC, or any other government agency, related to the crisis created by COVID-19.

We express our willingness to serve as a liaison with other government agencies. Any additional request, we are at your service. Our best wishes for health to you and your loved ones, and we urge everyone to closely follow developments related to the crisis management of COVID-19.