

Puerto Rico Goes on Lockdown, Imposes Mandatory Curfew in Response to Outbreak of COVID-19

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Amid the global spread of Coronavirus (COVID-19), Puerto Rico Governor Wanda Vázquez-Garced has issued Executive Order 2020-023, ordering a drastic lockdown of non-essential commerce and mandatory round-the-clock curfews until March 30, 2020, among other measures targeted toward detaining the spread of COVID-19 in Puerto Rico.

Quarantine

Under EO 2020-023, beginning March 15, 2020, anyone diagnosed with COVID-19, or with reasonable suspicion that they have been exposed to COVID-19, regardless of whether there are signs or symptoms of contagion, must remain in quarantine for 14 days.

Mandatory Business Shutdown, Exceptions

All businesses must close from 6:00 p.m. on March 15 through March 30. Businesses relating to the following are excepted:

1. Sale of retail/prepared food (but only through carry-out, drive-thru, or delivery) and wholesale food
2. Drugs or medical equipment
3. Pharmacies
4. Supermarkets
5. Gas stations
6. Banking or financial institutions
7. Nursing homes
8. Businesses in the chain of distribution of food, medications, medical articles, or fuel

Shopping malls, movie theatres, discotheques, concert halls, theaters, game rooms, casinos, amusement parks, gyms, bars, or any similar place or event that encourages group gatherings must close.

Mandatory Curfew

Between 9:00 p.m. and 5:00 a.m., people can leave their homes for emergency purposes only.

Between 9:00 p.m. and 5:00 a.m., people may be on public roads and walkways only for the following purposes:

1. To obtain food, pharmaceuticals, and articles of first necessity
2. For medical appointments, or visiting hospitals, laboratories, or medical service centers
3. For transportation to and from workplaces that may be open under the terms of EO 2020-023
4. For returning home from a permitted activity
5. To offer help, care for, or transport senior citizens, minors, dependents, people with disabilities, or especially vulnerable people who require some type of medical or

professional care, as long as precautions are taken to prevent contagion

6. To go to financial institutions

People excluded from the mandatory curfew and allowed to publicly commute between work and home are people identified as:

1. Employees of public or private security agencies
2. Health professionals
3. Those who work in hospitals, pharmacies, pharmaceuticals, bioscience installations, or health centers
4. Those who work within the wholesale distribution chain and manufacturing of goods and food
5. Those who work with utilities and critical infrastructure
6. Those who work at call centers
7. Port and airport personnel
8. Members of the press
9. Persons addressing emergency or health situations

According to guidance issued by the Puerto Rico Telecommunication Regulations Board, “critical infrastructure” is that related to telecommunications, such as communications towers, antennas, microwaves, central offices, centers of network vigilance, cable, fiber optics, and modems. The Board also clarified that all employees of telecommunication, cable television, and VoIP companies and whose services are needed outside the curfew hours may travel to and from their homes and the places where they are required to install, repair, or to continue to place underground fiber optic lines.

Tourism

The Puerto Rico Tourism Company issued its own guidance regarding the scope of EO 2020-023.

Airports will remain open for inbound and outbound travel, and passengers arriving outside of curfew hours may travel to and from the airport.

Hotels will remain open, but public areas and amenities in hotels, such as spas, pools, and recreational areas, must remain closed. Casinos must remain closed. Restaurants, both inside and outside hotels, may remain open, but are limited to carry-out or delivery.

Finally, transportation is considered an essential service such that rideshare and taxi drivers will be allowed to operate as long as they are not infected, or have reasonable suspicion of infection, with COVID-19.

Penalties

Failure to follow the provisions of EO 2020-023 may result in fines of up to \$5,000, imprisonment of up to six months, or both.

To better support clients as they respond to this challenging public health issue, Jackson Lewis has established a dedicated [COVID-19 Task Force](#) that is continually assessing risks, preparing employee communications, and providing practical advice on the compliance issues flowing from Coronavirus [workplace concerns](#) and the [travel restrictions and new facts](#) we are continuing to learn about COVID-19. Contact a Jackson Lewis attorney if you have any questions.

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