

**DEPARTMENT OF LABOR AND HUMAN RESOURCES  
WORKPLACE SAFETY AND HEALTH ADMINISTRATION OF PUERTO RICO  
[www.trabajo.pr.gov](http://www.trabajo.pr.gov)**

**WHAT DOES THE LAW COVER?**

On August 5, 1975, the Legislature approved Law 16, in order to guarantee, to the extent possible, safe and healthy work conditions to all employees in the Commonwealth of Puerto Rico so as preserve our human resources.

**THE EMPLOYER**

The employer must provide each of their employees with employment and a workplace that is free of known hazards that are causing or may cause, death or physical harm to employees. They must also comply with the occupational safety and health standards provided by the Law.

**THE EMPLOYEE**

The employee must comply with all occupational safety and health standards, and furthermore, with all rules, regulations and orders issued under the Law which apply to his/her own actions and behavior at work.

**SCOPE**

This Law will apply to all work performed at every work site in the Commonwealth of Puerto Rico, excluding employees in the maritime industry, the United States Postal Service (USPS) and Federal Agencies.

**INSPECTION**

The Law requires that an opportunity be given to a representative of the employer as well as a representative authorized by the employees to accompany the Compliance Officer for the purpose of helping with the inspection. If there is no representative authorized by the employees, the Compliance Officer must consult with a reasonable number of employees regarding the safety and health conditions at the workplace.

**CITATIONS**

If after an inspection or investigation, PR OSHA has found that an employer has violated the Law, it will issue a citation to the employer, with reasonable promptness, alleging these violations. Each citation must include a correction period for the alleged violation. This citation must be visibly displayed at each site where the alleged violation has occurred, or near it, to warn employees about the hazards that may exist at this location.

**PENALTIES**

The Law stipulates mandatory fines of up to \$7,000 for each serious violation, and optional penalties of up to \$7,000 for each violation classified as not serious in nature. In addition, fines of up to \$7,000 per day may be imposed for each day that the employer does not correct the violation within the period established for its correction. Any employer that willfully or repeatedly violates the Law, may be fined by an amount that will not exceed \$70,000 for each violation. The Law also provides penalties for any employer that intentionally violates the law, and this violation causes the death of an employee. Once convicted, the punishment is a maximum fine of \$10,000 or imprisonment for a maximum term of three years, or both penalties. A repeated offense by an employer will double the fine, or there will be punishment by imprisonment for a period not to exceed four and a half years, or both penalties.

**VOLUNTARY ACTIVITY**

The Law encourages the joint efforts by employers and employees in lowering the number of occupational safety and health hazards. It further encourages both employers and employees alike to establish new programs and enhance existing ones to provide safe and healthy working conditions.

**COMPLAINTS**

Employees or their representatives who believe that the violation of a safety and health standard exists may request an inspection, by filing a complaint with the Area Office of the Occupational Safety and Health Administration of Puerto Rico of the Department of Labor and Human Resources nearest to their workplace. The complainant's name will not be disclosed to the employer unless authorized by the complainant.

**DISCRIMINATION COMPLAINTS**

The Law stipulates that employees may not be terminated or discriminated against by exercising their rights under the Law. Any employee who believes that he or she has been discriminated against under this Law or under the Federal Occupational Safety and Health Act of 1970 may file a complaint with the Occupational Safety and Health Administration of Puerto Rico or to the address for federal jurisdiction.

**COMPLAINTS ABOUT THE ADMINISTRATION OF THE STATE PROGRAM**

The administration of this Law is being evaluated by OSHA. Any person may file complaints about the administration or operations by calling or writing the aforementioned Agency.

**FEDERAL JURISDICTION**

**PUERTO RICO AREA OFFICE**

**B7 CALLE TABONUCO, SUITE 1105 GUAYNABO, PR 00968**

[t] (787) 277-1560 [F] (787) 277-1567

**ADDITIONAL INFORMATION**

For additional help and information, including copies of the Law, state occupational safety and health standards and other applicable regulations, contact the nearest PR OSHA Area Office. These are located in Arecibo, Caguas, Carolina, Mayagüez, Ponce and San Juan. Phone numbers for these Offices can be found in the corresponding telephone directories.

**Hon. Carlos J. Saavedra Gutiérrez**  
Secretary

**PUERTO RICO  
OSHA**

**STATE JURISDICTION**

**DEPARTMENT OF LABOR AND HUMAN RESOURCES,  
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION OF PUERTO RICO**

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