

(S.B. 22)

(No. 140)

(Approved November 15, 2005)

AN ACT

To amend Section 5 of Act No. 43 of June 21, 1988, as amended, known as the “Puerto Rico Firefighters Act,” in order to give the members of the Puerto Rico Firefighters Corps an increase of double the rate in payment of the hours worked in excess of the legal working day only in emergency situations and an increase of time and a half in situations not of emergency but of need, and to establish the maximum term in which the payment of said hours must be liquidated.

STATEMENT OF MOTIVES

The obligation of the Puerto Rico Firefighters Corps is, among other things, to prevent and fight fires, save lives, guarantee to the citizens in general adequate protection against fires as well as to determine the origin and causes of a fire once it has occurred.”

In order to fulfill their obligations and duties, the members of the Puerto Rico Firefighters Corps frequently risks their lives, exposing themselves to innumerable dangers and situations which could cause them serious injury and in many cases even lead to their death.

Regardless of the sacrifices they make as part of their duties, the salaries of the members of the Firefighters Corps are low and the hours they work in excess of the working day provided by Act No. 43 of June 21, 1988,

as amended, which should not exceed eight (8) hours per day or forty (40) hours per week, are compensated at the rate of time and a half.

The service hours of the members of the Puerto Rico Firefighters Corps are hard and exhausting, full of dangers and physical and emotional tension. However, the aforementioned law is silent about the maximum period of time required for paying the overtime firefighters work.

It is of interest to this Legislature that, in order to fairly compensate the members of the Firefighters Corps, Section 5 of Act No. 43 of June 21, 1988, as amended, be amended to increase to double the payment of overtime of the members of the Firefighters Corps only in emergency cases and at the rate of time and a half (1.5) in situations not of emergency but of need and to establish a maximum term of sixty (60) days for paying said hours.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Subsection (b) of Section 5 of Act No. 43 of June 21, 1988, as amended, is hereby amended to read as follows:

“Section 5.-Working Day

- (a) ...
- (b) Any member of the Puerto Rico Firefighters Corps who works in excess of the legal working day established in subsection (a) of this Section shall be entitled to receive payment for the hours worked in excess of said working day at the rate of double time only in emergency situations and at the rate of time and a half (1.5) in situations not of emergency but of need. Provided, that the payment of the hours shall be made within a maximum term of sixty (60) days.

- (c)
- (d)
- (e)
- (f)
- (g)”

Section 2.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No.140 (S.B. 22) of the 2nd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 5 of Act No. 43 of June 21, 1988, as amended, known as the “Puerto Rico Firefighters Act,” in order to give the members of the Puerto Rico Firefighters Corps an increase of double the rate in payment of the hours worked in excess of the legal working day only in emergency situations and an increase of time and a half in situations not of emergency but of need, and to establish the maximum term in which the payment of said hours must be liquidated,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 9th of February of 2006.

Francisco J. Domenech
Director