

(H.B. 2395)

(No. 209)

(Approved September 27, 2006)

AN ACT

To add a clause (t) to subsection 2 of Section 4.3 of Act No. 184 of August 3, 2004, as amended, known as the “Public Service Human Resources Administration Act of the Commonwealth of Puerto Rico,” to provide that the Office of Human Resources of the Commonwealth of Puerto Rico shall include among its duties and powers the duty of providing information and promoting the diffusion and understanding of the scope and provisions of Act No. 426 of November 7, 2000, as amended, known as the “Act to protect the rights of public employees and officials who report, accuse, or witness alleged acts which constitute corruption,” of Act No. 115 of December 20, 1991, known as the “Act for the Protection of employees against reprisals for offering testimony and causes for action,” and of Act No. 14 of April 11, 2001, known as the “Act for the Protection and Compensation of Persons Who Denounce Acts of Corruption against Public Funds and Property,” to every employee or official who is required to appear and testify as witness.

STATEMENT OF MOTIVES

The Legislature of Puerto Rico, with the approval of Act No. 426 of November 7, 2000, as amended, known as the “Act to protect the rights of public employees and officials who report, accuse, or witness alleged acts which constitute corruption,” declared that ethical responsibility and moral integrity are guiding principles for the public officials and the institutions, agencies, dependencies and instrumentalities of the Government of Puerto

Rico. Said Act also established that it is imperative to guarantee that government management at all levels embody and ordain the highest standards of sound public administration as an effective measure for counteracting and eradicating Government corruption.

Act No. 426, *supra*, is directed toward preventing public employees or officials from being discharged, threatened, discriminated against or in any manner becoming objects of reprisals in relation to their employment or public service terms, conditions, compensation, location, benefits or privileges when they offer information or testimony about alleged illegal or improper acts in the use and administration of public property or funds.

The provisions of Act No. 426, *supra*, apply to the public employees and officials of the public instrumentalities, the municipalities and the public corporations as well as of any dependencies of the Legislative, Executive and Judicial Branches of Puerto Rico.

Besides said Act No. 426, our body of laws provides other statutes that protect the rights of those persons who report illegal conduct, to wit, Act No. 115 of December 20, 1991, known as the “Act for the Protection of employees against reprisals for offering testimony and causes for action,” and Act No. 14 of April 11, 2001, known as the “Act for the Protection and Compensation of Persons Who Denounce Acts of Corruption against Public Funds and Property.”

It is necessary and convenient for the public interest that the Office of Human Resources of the Commonwealth of Puerto Rico be entrusted with the duty and power for providing information and promoting the diffusion and understanding of the scope and the provision of Act No. 426, *supra*, Act No. 115 *supra*, and Act No. 14 *supra*, so that every public employee and official may be duly informed as to the terms and scope of these statutes.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-A clause (t) is hereby added to subsection 2 of Section 4.3 of Act No. 184 of August 3, 2004, as amended, to read as follows:

“Section 4.3.-FUNCTIONS AND POWERS OF THE OFFICE OF THE DIRECTOR

In addition to the functions and powers conferred by other provisions of this Act, the Office and the Director shall have the following:

1. Functions and powers of the Director:

- a.
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2. Functions and powers of the Office:

- a.
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t. Provide information and promote the diffusion and understanding of the scope and provisions of Act No. 426 of November 7, 2000, as amended, known as the ‘Act to protect the rights of public employees and officials who report, accuse, or witness alleged acts which constitute corruption,’ of Act No. 115 of December 20, 1991, known as the ‘Act for the Protection of employees against reprisals for offering testimony and causes for action,’ and of Act No. 14 of April 11, 2001, known as the ‘Act for the Protection and Compensation of Persons Who Denounce Acts of Corruption against Public Funds and Property,’ to every employee or official who is required to appear and testify as witness.”

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. 209 (H.B. 2395) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to add a clause (t) to subsection 2 of Section 4.3 of Act No. 184 of August 3, 2004, as amended, known as the “Public Service Human Resources Administration Act of the Commonwealth of Puerto Rico,” to provide that the Office of Human Resources of the Commonwealth of Puerto Rico shall include among its duties and powers the duty of providing information and promoting the diffusion and understanding of the scope and provisions of Act No. 426 of November 7, 2000, etc.,

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

In San Juan, Puerto Rico, today 15th of November of 2006.

Francisco J. Domenech
Director