

(H. B. 2131)

(No. 217)

(Approved September 29, 2006)

AN ACT

To implement the Protocol for Managing Domestic Violence Situations at the workplace or the place of employment in order to strengthen the efforts for the prevention of and intervention in domestic violence cases; provide that the Office of the Women's Advocate offer assistance in drafting and implementing the same and that the Department of Labor and Human Resources ensure its faithful compliance.

STATEMENT OF MOTIVES

Domestic violence continues to be a serious social and public health problem that affects thousands of victims and families in Puerto Rico. This is so in spite of the advances achieved with the approval of Act No. 54 of August 15, 1989, as amended, known as the "Act for the Prevention of and Intervention with Domestic Violence."

The statistics provided by the Puerto Rico Police reveal the urgent need for increasing the resources within our reach to achieve greater effectiveness in the prevention and eradication of domestic violence.

The number of domestic violence cases reported by the Puerto Rico Police for recent years is: year 2000 = 18,271 incidents; year 2001 = 17,796 incidents; year 2002 = 20,048 incidents; year 2003 = 21,164 incidents; and year 2004 = 22, 274 incidents.

From the total number of women murdered under all motives, a total of 44% were murdered by domestic violence (the average for years 1993-2004). For the year 2004, that percentage increased to 51% of the total of women murdered (61 women murdered; 31 by domestic violence). The number of murders by domestic violence (including the category of crime of passion) reported to the Puerto Rico Police for more recent years is: year 2000 = 32; year 2001 = 23; year; year 2003 = 26; year 2004 = 31; and for the current year 14 cases have been reported to October 3.

In recognizing the need to promote the public policy of zero tolerance for domestic violence of the Government of Puerto Rio, the implementation of a Protocol for Managing Domestic Violence Situations at the workplace or the place of employment shall provide uniformity to the measures and the procedure to follow when an employee of either sex is victim of domestic violence. Taking preventive and security measures shall allow for the proper management of cases that may bring elements of danger into the workplace.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-The promulgation and implementation of a Protocol for Managing Domestic Violence Situations at the workplace or the place of employment in recognition of and harmony with the public policy of the Government of Puerto Rico, pursuant to Act No. 54 of August 15, 1989, as amended, known as the ‘Act for the Prevention of and Intervention with Domestic Violence,’ is hereby required.”

Section 2.-Every agency, department, office or workplace of the Government of the Commonwealth of Puerto Rico and of the private sector is responsible for complying with the requirement of establishing and implementing a Protocol for Managing Domestic Violence Situations at the workplace, which shall include the following minimum requirements: a

public policy statement, a legal and applicability basis, personnel liability and uniform procedures and measures to follow in the management of cases.

Section 3.-The Office of the Women's Advocate shall provide the technical advice needed to draft and implement these Protocols for Managing Domestic Violence Situations and the Department of Labor and Human Resources shall be responsible for overseeing their faithful compliance.

Section 4.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 217 (H.B. 2131) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to implement the Protocol for Managing Domestic Violence Situations at the workplace or the place of employment in order to strengthen the efforts for the prevention of and intervention in domestic violence cases; provide that the Office of the Women's Advocate offer assistance in drafting and implementing the same and that the Department of Labor and Human Resources ensure its faithful compliance,

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

In San Juan, Puerto Rico, today 27th of November of 2006.

Francisco J. Domenech
Director