



LOCAL BOARD OF SOUTHEAST LABOR DEVELOPMENT

PUBLIC POLICY FOR THE STANDARD HEALTH AND SAFETY COMPLIANCE VERIFIED WITH THE USE PERMIT OF THE PHYSICAL FACILITIES IN WHICH PARTICIPANTS ARE PLACED

I. INTRODUCTION

As part of its commitment to increase the local area labor development, the Local Board of Southeast Labor Development is responsible of attracting a myriad of new employers in order to develop effective sources that back up the system utilization.

With the established strategies, we have achieved an increase of employers interested in the system utilization, which results in job opportunities increase for our participants. However, various employers indicate that the use of permits are not being authorized in the established period. This adversely affects the proposal evaluation process and, therefore, hiring. To these ends, this policy is issued.

II. LEGAL BASE

Workforce Innovation and Opportunity Act (WIOA, for its English acronym), Public Law 113-128 of July 22, 2014 – Section 181 (b) (4)

Federal Regulation 20 CFR of August 19, 2016 – Part 683.280

Law No. 19 of 2017 to amend the Law for the Puerto Rico Permits Process Reform

Joint Regulation for the evaluation and issuance of permits related to development, land use, and business operations, valid on June 7, 2019

Administrative Order No. OGPe 2019-11: Derogating Administrative Order No. OGPe 2019-10 and issuing new directives for requests related to the issuance and renovation of the single permit

III. PURPOSE

To establish policy to expedite the proposal evaluation process of the employers that have not obtained the Single Permit or the renovation to operate businesses.

IV. GENERAL PROVISIONS

1. WIOA establishes that health and safety standards determined by the federal and state laws applied to the working conditions of the employees will be the same that apply to the participants' working conditions. To certify this, employers are required copy of the Use Permit and others, such as the Fire Prevention Certification, Environmental Health Certification, and Sanitary License, among other licenses.
2. In relation to these certifications the Law for the Puerto Rico Permits Process Reform, as amended, establishes that every new or existing business will obtain the Single Permit to begin or continue its operations, which will include permit use, categoric exclusion certification, Fire Prevention Certification, Environmental Health Certification, Sanitary Licenses, and any other applicable type of license or authorization required for the operation of the business activity or business use.
3. The purpose of the single permit to consolidate and incorporate processes in only one request so that to simplify the procedures and reduce the time of evaluation and award of the requests required to begin or continue its business operations. Through the Unified Information System (SUI, for its Spanish acronym), the presented requests are processed and evaluated.
4. The renovation requests to be evaluated and awarded will be presented to the Permit Management Office (OGPe, for its Spanish acronym) within not less than forty (40) days prior to its expiring date. Every Single Permit whose renovation has been requested before its expiring date will be considered valid until the final determination is issued. During this period the inspectors of the concerned governmental organisms verify that the use is in conformity with what is authorized in the Single Permit.

V. PUBLIC POLICY

To the ends of making sure that the physical facilities where the participants are placed comply with the health and safety standards, the Single Permit will be requested. If OGPe or the Autonomous Municipalities, as applicable, have not granted the permit, the employers can present one of the following:

- A. For new requests or to add uses:

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- a. Conditional Use Permit
- b. Occupation Authorization

B. For Single Permit Renovation Request whose inspection is pending

- a. Renovation Request – All renovation requests have the effect of extending the validity of the Single Permit.

The Job Promoter or the designated official will be responsible of giving follow up to the employers that do not hand in the approved Single Permit within thirty (30) days after the contract signature. This official will continue giving follow up until the Single Permit is approved. It will also certify in the proposal's file the steps taken.

The employer is responsible of handing in the Single Permit not later than five (5) days after receipt. The latter will be stipulated in the contract. If the permit is not received in the stipulated time, one of the following actions can be done:

- a. The Fiscal Agent can retain the last payment,
- b. Cancel the contract or
- c. Apply any other remedy deemed convenient.

VI. APPROVAL AND VALIDITY

This public policy was approved by ALDLSoutheast Local Board in a regular meeting held on March 4, 2020. This policy will take effect immediately after its approval. This Public Policy nullifies the policy approved on December 4, 2019. The Local Board's Executive Director will be responsible of informing its personnel within the five (5) days following its approval.

For the record, I hereby sign the present in Humacao, Puerto Rico, on the 4th day of the month of March of the year 2020.

[Signed]

Jesús Delgado Morales
Local Board President
Southeast Labor Development

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