

**GOVERNMENT OF PUERTO RICO
DEPARTMENT OF LABOR AND HUMAN
RESOURCES
OFFICE OF LABOR STANDARDS
www.trabajo.pr.gov**

WHAT DOES THE LAW COVER?

On September 27, 2006, the Legislative Assembly approved Law No. 207, to prohibit the use of an employee's Social Security Number on identification cards or in any document for general or routine circulation, or for other purposes.

SCOPE

This law will apply to all private employers and to public corporations of the Commonwealth of Puerto Rico.

RESTRICTIONS

The Law requires that no employer, of a private company or of public corporations of the Commonwealth of Puerto Rico, may show or display an employee's Social Security Number, regardless of the nature of his/her position or appointment, on his/her identification card, nor may it show or display this data in any place visible to the general public or a generally circulating document.

The Social Security Number may not be included in personnel directories or in any similar list that is made available to persons that have no need or authority for access to this information.

EXCEPTIONS

The Social Security Number will only be requested in circumstances where collecting it is mandatory for a governmental entity.

The Social Security Number will not be disclosed by the employer to entities, except under the following circumstances:

- i. When it is permitted by law; or
- ii. When the employee grants the employer permission; and
- iii. When the external entity acts as a contractor or agent of the employer and has adequate security measures in place to prevent disclosure.

In these cases, the employer shall maintain a list of entities approved for managing this information.

When a document that contains the Social Security Number of a worker must be made public for a purpose that does not require this information, that document will be edited so that this information is partially or completely illegible, without it being considered an alteration of the contents of the document.

The Social Security Number will only be transmitted in digital documents or electronically when there are mechanisms that guarantee confidentiality.

Any document or application of the employer in which the Social Security Number is collected shall indicate whether this requirement is a voluntary or mandatory one.

Any paper or electronic document that contains social security numbers shall be securely destroyed.

COMPLIANCE CERTIFICATION

The Law and its Regulations stipulate that employers and Public Corporations of the Commonwealth of Puerto Rico are granted a period of six (6) months starting from the recording date of the Regulation at the Department of State for all employers to certify implementation of the provisions of the Law with the Department or for them to submit a work plan for achieving this within a term of no more than one (1) year from the approval and coming into effect of the Regulations.

INSPECTIONS

As per the rights and duties conferred to the Secretary or his/her representative, the Labor Standards Inspector may, by his/her own initiative, through audits or by means of a complaint by an employee, verify any pertinent record or document in order to assess compliance with the Law.

In any case where the Investigator determines a violation of the Law, he/she shall notify the employer that it will be issued a fine under the provisions in the Regulations.

WAIVER

These protections may be waived, voluntarily and in writing, by the employee, but this waiver may not be imposed as a condition of employment.

PENALTIES

Violation of the provisions of this Law, including a failure to protect the confidentiality of the Social Security Number, shall bring with it a fine of no less than five hundred (500.00) and up to five thousand (5,000) dollars per case.

The Department of Labor and Human Resources shall be the agency charged with policing compliance with this Law.

ADDITIONAL INFORMATION

For more information, including a copy of the Law and its Regulations, contact your local branch of the Office of Labor Standards. These are located in San Juan, Arecibo, Mayagüez, Ponce, Caguas, Humacao, Carolina and Bayamón. Find the telephone numbers for these offices by visiting our web page www.trabajo.pr.gov

Hon. Carlos J. Saavedra Gutiérrez
Secretary