



PUBLIC POLICY No.: WIOA-05-2020

DATE: APRIL 23, 2020

SUBJECT: PUBLIC POLICY FOR COMPLIANCE WITH THE HEALTH AND SAFETY STANDARD VERIFIED BY THE SINGLE PERMIT OF THE PHYSICAL FACILITIES IN WHICH THE PARTICIPANTS ARE LOCATED

I. INTRODUCTION

The Manatí/Dorado Local Workforce Development Board, as part of its commitment to increase the area's workforce development, has the responsibility to engage a range of diverse employers to develop effective linkages to support the utilization of the system.

Efforts are being made to increase the number of employers or service providers. This results in increased training and/or employment opportunities for our participants. However, several employers report that single permits are not being authorized within the established period. This adversely affects the proposal evaluation process and consequently the hiring process. This public policy is issued for this purpose.

II. LEGAL BASIS

- Workforce Innovation and Opportunity Act (WIOA) Public Law 113-128 of July 22, 2014-Section 181(b)(4).
- Federal Regulation 20 CFR of August 19, 2016-Part 683.280.
- Act No. 19-2017, known as the Puerto Rico Permit Process Reform Act of 2017, amending Act No. 161-2009.
- Joint Regulations for the Evaluation and Issuance of Permits Related to the Development, Use of Land, and Operation of Businesses effective June 7, 2019.
- Permits Management Office (PMO or “OGPe”, as per its Spanish acronym) Administrative Order 2019-11: Repealing OGPe Administrative Order 2019-10 and issuing new guidelines for applications related to the issuance and renewal of the single permit.

III. PURPOSE

Establish policy to expedite the evaluation process of proposals whose employers have not obtained the Single Permit or renewal to operate their businesses.

IV. GENERAL PROVISIONS

1. WIOA states that the health and safety standards determined by federal and state laws, as applied to the working conditions of employees, shall be the same as those applied to the working conditions of participants. To certify this, employers are required to provide a copy of the Single Permit and others such as Fire Prevention Certificate, Environmental Health Certificate, Sanitary License, and other licenses.
2. In connection with these certifications, the Puerto Rico Permitting Process Reform Act, as amended, establishes that every new or existing business shall obtain the Single Permit to start or continue its operations, which shall include: single permit; categorical exclusion certification; fire prevention certification; environmental health certification; sanitary licenses; and any other type of applicable license or authorization required for the operation of the activity or use of the business .
3. The purpose of the single permit is to consolidate and incorporate procedures into a single application, in order to simplify procedures and reduce the evaluation and adjudication time of applications required to start or continue operating a business. The Unified Information System (“SUI”, as per its Spanish acronym) is used to process and evaluate the applications submitted.
4. Renewal applications for evaluation and adjudication shall be submitted to OGPe no less than forty-five (45) days prior to expiration. Any Single Permit whose renewal has been requested prior to its expiration shall be considered valid until the final determination is issued. During this period, the inspectors of the concerned governmental entities verify that the use is in compliance with what was authorized in the Single Permit.

V. PUBLIC POLICY

The Single Permit will be requested for the purpose of ensuring that the physical facilities in which participants are located meet health and safety standards. If the Permit Management Office (“OGPe” as per its Spanish acronym) or the Autonomous Municipalities, as applicable, have not granted the Single Permit, employers may submit one of the following:

- A. For new applications or add uses:
 - a) Single Conditional Permit
 - b) Occupancy Authorization
- B. For Single Permit Renewal Applications pending inspection:
 - a) Renewal Application - any renewal application has the effect of extending the validity of the Single Permit

The Job Promoter and/or the official designated by the Title I-B Service Provider shall be responsible for following up with employers who fail to submit the approved Single Permit thirty (30) days after

the signing of the contract. In cases in which the approved agreements do not exceed thirty (30) calendar days, the follow-up will be carried out no later than ten (10) calendar days after approval. While the contract is in force, the employer will continue to be monitored until it is approved and we receive a copy of the Single Permit, as approved. The steps taken will be certified in the proposal file.

The employer is responsible for delivering the Single Permit no later than five (5) calendar days after receipt, and it shall be specified as a contract provision. If the permit is not received within the stipulated period, one of the following actions may be taken:

- a) The Fiscal Agent may withhold the last payment;
- b) Cancel the contract, or
- c) Apply any other remedy deemed convenient, such as conditioning the approval of future proposals submitted by the defaulting employer.

VI. AMENDMENTS TO PUBLIC POLICY

When policies promulgated by the Workforce Development Program or directly from the Federal Government represent a need to amend part or all of the content of this public policy, the Executive and Planning Committee of the Local Workforce Development Board may amend it to conform to the promulgated policies.

VII. REQUIRED ACTION

The Executive Officer of the Local Board shall be responsible for informing the appropriate governing bodies of the approval of the policy so that they may direct the staff under their supervision to execute the policy as established. The Executive Officer shall be responsible for informing the appropriate governing bodies of the approval of the policy so that the latter may orient the personnel under their supervision and execute the policy as established.

VIII. EFFECTIVE DATE

This Public Policy shall be effective upon approval by the members of the Local Workforce Development Board and the Board of Directors of Mayors of the Manatí/Dorado Local Workforce Development Area.

Any Public Policy, in whole or in part, relating to the health and safety standard as verified by the Single Permit of the physical facilities in which participants are located, and existing at the time of approval of this Public Policy, is hereby repealed upon approval of this Public Policy.

IX. APPROVAL

Signed and approved on Thursday, April 23, 2020, in Barceloneta, Puerto Rico.

SIGNED

Mr. Erasmo Rafael Lamberty-Sánchez
President
Local Workforce Development Board

SIGNED

Hon. Wanda Judith Soler-Rosario
President
Board of Directors of Mayors

Note: In this document the masculine gender will be used to refer to both genders in order to facilitate the reading of the document. This style of writing is not intended to imply the supremacy of one gender over the other.