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MEMORANDUM

TO : Clients and Friends

FROM : Labor and Employment Law Department of McConnell Valdés

RE : **Amendments to the P.R. Unjust Dismissal Act**

DATE : October 11, 2005

On October 7, 2005, Act No. 128 of 2005 became effective upon the Governor's signature. Act No. 128 amends the Puerto Rico Unjust Dismissal Act, Act No. 80 of May 30, 1976, to significantly increase the amount of the statutory unjust dismissal indemnity. Pursuant to this amendment, any employee hired for an indefinite period of time, and discharged without just cause will be entitled to the following:

(a) two months' salary, if the employee has less than five years of service; or three months' salary if the employee has at least five but less than 15 years of service; or six months' salary after 15 years of service; plus

(b) depending on the years of service, an additional progressive compensation of: one week of salary for each year of service, if the discharge occurs within the first five years; or two weeks of salary for each year of service, if the discharge occurs after five years and before 15 years of service; or three weeks of salary for each year of service, if the discharge occurs after 15 or more years of service.

Act No. 128 also purports to modify the preliminary steps a Judge may take in order to expedite judicial proceedings under Act No. 80.

If you have any questions, or wish additional information regarding this matter, please contact any of the attorneys at the Labor and Employment Law Department of McConnell Valdés.

McV LABOR AND EMPLOYMENT LAW DEPARTMENT

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* Admission Pending

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