Proposed 'paternity leave' opposed by business groups

House measure would give male parents employed in private sector 4-6 weeks' paid time off; similar Senate bill was pocket-vetoed by governor

BY EVA LLORÉNS VÉLEZ
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The proposed paid "paternity leave" for male parents employed in the private sector has resurfaced in the island Legislature, but the measure faces opposition from business groups that say their sector is already overburdened by laws providing a variety of employee benefits.

"Not all employers can grant this leave," said Olga de la Torre, the Puerto Rico Chamber of Commerce's official in charge of legislation, quoting from remarks made by the chamber.

After a similar Senate bill was pocket-vetoed by the governor, the House Work & Labor Relations Committee has brought to life a measure that would grant fathers between four and six weeks of paternity leave to take care of their children.

The House committee recently evaluated House Bill 150, which had been idle in the panel since 2009.

Penned by Rep. Liza Fernández, the legislation would grant fathers four weeks of paid time off to care for their newborns or adopted preschool children. To qualify, the employee must present his marriage certificate and the child's birth certificate to the employer. If he is not married, then he must show to his employer a sworn statement to the effect that he is living with his child's mother as well as the child's birth certificate.

The male employee who adopts a preschooler with his wife will be able to take four weeks of paternity leave after the court grants the adoption. If a single male employee adopts a preschooler, he will be able to take six weeks of paternity leave.

The employee must notify his employer of his desire to take paternity leave 30 days in advance. The proposed bill doesn't establish as a condition that the male worker must have worked for his employer for a certain amount of time before obtaining the benefit.

Male public servants in Puerto Rico already have the right to a five-day paternity leave by virtue of Law 165 of 2002. Current law also allows male parents in the public and private sectors to take a medical leave without pay to take care of a newborn of a relative who is ill.

Gov. Luis Fortuño recently vetoed Senate legislation that would have granted male workers in the private sector paternity leave if their children were born prematurely or if the mother of the newborn had a post-birth complication.

The Chamber of Food Marketing, Industry & Distribution (MIDA by its Spanish acronym) objected to the Senate bill, contending it would be too onerous for employers. However, some private-sector employers do grant some form of paternity leave as a benefit to their male workers.

Paternity leave exists in other jurisdictions. Most European countries, including Great Britain, Denmark, Finland and Italy, have paid paternity leave. Italy grants fathers 13 weeks of paternity leave.

While the Chamber of Commerce said the bill's aims are laudable, officials noted it would make doing business in Puerto Rico more costly.

De la Torre said the bill hurts Puerto Rico's competitiveness. She noted that Puerto Rico is already a country that provides numerous benefits to employees, and that many employers can't grant additional benefits to their workers. ■

Lawmaker to refer names to P.R. Justice in Cossec probe

Possible irregularities at co-op regulator involve data tampering, destruction of documents, recordings; case could lead to changes in laws regulating savings & loans, co-ops

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New Progressive Party Rep. Bernardo "Betito" Márquez will be referring individuals to the Justice Department who engaged in criminal wrongdoing as part of the controversy surrounding the resignation of José González Torres as director of the Cooperatives Supervision & Insurance Corp. (Cossec by its Spanish acronym).

Márquez declined to reveal names, but Puerto Rico House of Representatives sources say he may be referring Cossec board President Melvin Carrión to Justice even though the nature of his alleged criminal wrongdoing wasn't immediately clear.

The investigation by the House Education, Nonprofit Organizations & Cooperative Committee had led to two other possible angles regarding irregularities at Cossec. The first entails possible tampering with the entity's information systems that contain private data about the co-ops. The second involves the possible destruction of tapes and documents from Cossec board meetings, he said. At press time, a private consultant hired to manage Cossec's information systems was slated to testify at the hearings.

"We have been working these angles, and it is worrisome," Márquez said.

Cossec is the local government agency that supervises and insures the accounts, for up to $250,000 each, of some 950,000 members of the island's savings & loan co-ops. It plays a similar role as the Federal Deposit Insurance Corp. plays with commercial banks.

Amid the scandal, the government appointed Wilfredo Torres Pinto as the new head of Cossec. Last year, González Torres abruptly resigned because he no longer had the trust of Cossec's board of directors. After several days of silence, he said he was pushed into resigning by Carrión and adviser Ángel Cintrón, who pressured him into approving certain transactions benefiting Integra Co-op that could have hurt the cooperative movement's assets because they involved the use of Cossec's cash reserves.

The first transaction involved the purchase of a $105 million loan portfolio from the Retirement System Fund. The other was a $250 million federal loan considered too risky because it lacked data on repayment rates.

Integra Co-op's President José Marrero had confirmed to the House panel that Carrión had pushed forward two purchasing transactions worth $350 million, even though several financial-consulting firms deemed them too risky. He said Carrión had approached them about the federal loan and González had talked to them about the Retirement System loan portfolio.

During the hearings, Chief Information Officer Héctor L. Ocasio pleaded the Fifth Amendment against self-incrimination, after saying that upon González Torres' departure, Cossec's information systems, which contain sensitive information about the co-ops, were managed by an external consultant, Alejandro Sánchez.

Meanwhile, two former Cossec employees testified that Integra Co-op files had disappeared and recordings of Cossec board meetings possibly had been tampered with, specifically one involving González's resignation.

Sánchez, at press time, was slated to testify about the reasons he was asked to manage Cossec's information systems. Last week, he declined to appear at a hearing, contending he wanted to get a lawyer, Márquez said.

Márquez didn't dismiss introducing legislation to make changes to Law 255 of 2002, which covers savings & loans, and to Law 114 of 2001, which regulates Cossec. ■