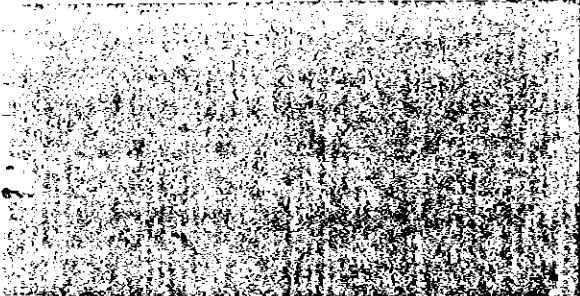




Commonwealth of Puerto Rico  
**DEPARTMENT OF LABOR AND HUMAN RESOURCES**

July 2, 1990



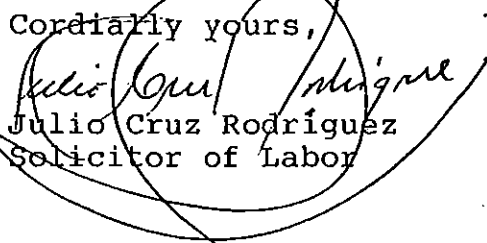
Re: Consultation Number 13370

Reference is made to your recent letter asking for our opinion regarding the following matter:

"... industry HTL close its doors in August of this year (the 31st), according to Mandatory Decree #81 under which we operate every Nov. 31st of each year we must pay the excess of 10 working days (80 hours) to all employees meeting the requirement. My question goes with the intention to know is as the closing of the enterprise ¿we must as a legal obligation pay the excess of 80 hours accumulated for sick leave by the employees?" (Our translation).

The letter of Mandatory Decree No. 81 is clear in the sense that the cash payment of the above-mentioned excess of accumulated sick leave must be made after November 30 of each year and not later than December 15th. Therefore, we are of the opinion that the answer to your question must be in the negative. It is a general rule of legal construction that when a law is clear and free from all ambiguity, the letter of the same shall not be disregarded, under the pretext of fulfilling the spirit thereof. Civil Code, 1930, Article 14.

Cordially yours,

  
Julio Cruz Rodríguez  
Solicitor of Labor