

Bill reforming the Federal Labor Law regarding Telework

Yesterday the Commission of Labor and Social Welfare, and of Legislative Studies of the Chamber of Deputies approved the bill reforming and adding various provisions to the Federal Labor Law regarding Telework, which has become relevant due to the health emergency we are experiencing and was not included in the labor reform of May 1, 2019.

The most relevant changes are the following: *(i)* the definition of “Home Office” (added in the 2012 full reform of the Federal Labor Law) is changed; *(ii)* Chapter XII Bis is added, in which the concept of “Telework” and “Teleworker” are defined; and *(iii)* the minimum elements that the telework agreement must contain are stipulated, such as the conditions of the service, the technological media and environment required, the responsibilities for custody of equipment, programs and handling of information given by the employer, supervision procedures and delivery of the work, as well as security and productivity measures.

In addition, the transitory articles establish that the following steps must be taken within a period of twelve months from the entrance into force of the Decree: *(i)* create the “National network of promotion and encouragement of telework” to promote telework among social, private and public organizations, in order to facilitate the labor inclusion of youth, women, disabled persons and older adults; and *(ii)* establish the guidelines for determining the accidents or illnesses related to the work activities of those insured to be included in the telework measures.

The bill is still being processed and its approval is pending; therefore, we will be following its progress and will inform you when it is approved and can enter into force.

Regardless the above and considering the current situation, it is important that companies have “Home Office” policies or guidelines that establish clear rules and parameters for carrying out the activities.

To obtain additional information contact our experts:

Rodolfo Trampe, Partner:

+52 (55) 5258 1054 | rtrampe@vwys.com.mx

Alix Trimmer, Associate:

+52 (55) 5258 1016 | atrimmer@vwys.com.mx

Alejandro Pérez, Associate:

+52 (55) 5258 1054 | alopez@vwys.com.mx

VON WOBESER Y SIERRA, S.C.
Mexico City, July 22, 2020.

SINCERELY