

Implementation of the labor reform

Following up on the labor reform of May 1, 2019, derogating and reforming various provisions of the Federal Labor Act and other secondary laws, we inform you that the first stage of implementation of said labor justice reform begins tomorrow.

In this first stage, the new form of imparting labor justice will commence in the following states: Zacatecas, Durango (*except for some municipalities*), Campeche, Chiapas, San Luis Potosí, Hidalgo, State of Mexico, Tabasco (*except for some municipalities*) and Mexico City (*only for federal collective matters arise in the municipalities of the aforementioned states*).

In those states, the competency of the Conciliation and Arbitration Boards (*belonging to the Executive Branch*) will be transferred to the Labor Courts, establishing an ordinary single instance labor proceeding under the federal and local Judicial Branch, respectively. In this new procedure, a mandatory pre-judicial conciliatory stage is established; the parties must include any evidence with the initial claim brief and the response brief, as applicable; in addition, the procedural strategy of offering reinstatement in the job will not reverse the burden of proof; the termination of employment without liability for the employer will be subject to the new regulations; among other relevant changes.

The Federal Conciliation and Labor Registry Center will also begin to function, which will be responsible for the registration of the collective bargaining agreements and unions, internal work regulations, and the conciliatory function on the federal level. Locally, the Conciliation Centers will only have the conciliatory function.

Please let us know if we can help you in this transition and to implement new preventive and defense strategies for possible labor lawsuits.

We will continue to follow this matter and keep you informed.

To obtain additional information contact our experts:

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S I N C E R E L Y

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