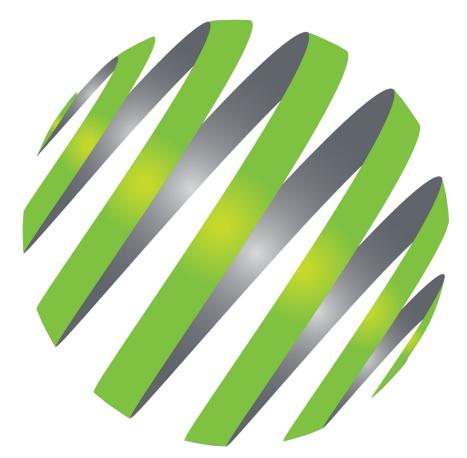
# **Deloitte.** Legal



# The initiative to reform the Federal Labor Law has been approved

On February 24, 2017, a reform to the Constitution of the United Mexican States was approved, through which the spectrum of the principles of freedom of association and collective bargaining were extended, as well as a series of adjustments were made to the system of labor justice.

Subsequently, on September 20, 2018, the Senate ratified the Convention 98 of the International Labor Organization ("ILO"), adopted in Geneva in 1949, concerning the application of the principles of the right to organize and to bargain collectively.

In this regard, on April 12, 2019, a series of reforms to the Federal Labor Law were

approved by the Chamber of Deputies, as well as other reforms to several regulatory laws that provide continuity and firmness to the constitutional reforms of 2017, as well as the 98 ILO Convention.

# Key aspects of the reforms

Among others, the most relevant aspects of the reform to consider are the following:

- The use of information technology is recognized and regulated to process official actions and procedural notifications.
- The creation of an abbreviated and one sole-procedure that may be executed through the Federal Judicial Branch. This

procedure has the particularity that the evidence must be exhibited from the presentation of the lawsuit, as well as in the statement of defense.

- A conciliatory activity is established as a prerequisite to the judicial action.
- The Federal Center for Conciliation and Arbitration (the "FCCA") is created as the authority in charge of keeping the registry of the collective bargaining agreements.
- The FCCA will have the conciliatory function for federal labor matters.
- A "Record of Representation" is established as a requirement to execute any collective bargaining agreement

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- To obtain the "Record of Representation" the favorable vote of the workers is required.
- It is established that the lack of delivery of the notice by which the worker is notified of the rescission, or the lack of delivery to the labor authorities results in the presumption of an unjustified dismissal.
- The FCCA will be empowered to hear the ratifications of the termination agreements.
- It is established that the directives of the labor unions must be elected through a personal, free and secret vote.
- It is established that the labor unions will not be able to have lifetime directives, as well as the obligation to provide accountability of their administration to the workers.
- The revision of the collective bargaining agreement within four years of the start of the validity of the reforms to the law, is determined as an obligation.

# **Sent to the Chamber of Senators**

The reforms approved by the Chamber of Deputies will be assigned to the Chamber of Senators for their analysis and, if appropriate, approval, which is expected to happen before the end of this legislative period on April 30.

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