



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

Legal Services

Legal Alert 07/2019 | April 16th, 2019

- 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.

Contacts:

Legal Services

Mauricio Oropeza

Tel. +52 55 5080 6000
moropeza@deloittemx.com

César Morales

Tel. +52 55 5080 6000
cesmorales@deloittemx.com

Flor Rodríguez

Tel. +52 55 5080 6000
florodriguez@deloittemx.com

Francisco Hleón

Tel. +52 55 5080 6000
fhleon@deloittemx.com

www.deloitte.com/mx
www.deloitte.com/mx/legales



tax@hand App

Download our tax@hand app.
Available on: www.taxathand.com

For: IOS, Android and Blackberry



Aguascalientes

Universidad 1001, piso 12-1
Bosques del Prado
20127, Aguascalientes, Ags.
Tel: +52 (449) 910 8600
Fax: +52 (449) 910 8601

Cancún

Avenida Bonampak SM 6, M 1, lote 1,
piso 10, 77500 Cancún, Q. Roo
Tel: +52 (998) 872 9230
Fax: +52 (998) 892 3677

Chihuahua

Av. Valle Escondido 5500
Fracc. Des. El Saucito E-2, piso 1,
31125, Chihuahua, Chih.
Tel: +52 (614) 180 1100
Fax: +52 (614) 180 1110

Ciudad Juárez

Baudelio Pelayo No. 8450
Parque Industrial Antonio J. Bermúdez
32400, Ciudad Juárez, Chih.
Tel: +52 (656) 688 6500
Fax: +52 (656) 688 6536

Culiacán

Insurgentes 847 Sur, Local 103
Colonia Centro Sinaloa
80128, Culiacán, Sin.
Tel: +52 (33) 1454 2000

Guadalajara

Avenida López Mateos Norte 2405
piso 29
Colonia Italia Providencia
44648, Guadalajara, Jalisco.
Tel: +52 (33) 3669 0404
Fax: +52 (33) 3669 0469

Hermosillo

Blvd. Eusebio Francisco Kino No. 315
Piso 8, Suite 804, Colonia Lomas del Pitic
83010, Hermosillo, Son.
Tel: +52 (662) 109 1400
Fax: +52 (662) 109 1414

León

Paseo de los Insurgentes 303, piso 1
Colonia Los Paraísos
37320, León, Gto.
Tel: +52 (477) 214 1400
Fax: +52 (477) 214 1405 y 1407

Mazatlán

Avenida Camarón Sábalo 133
Fracc. Lomas de Mazatlán
82110, Mazatlán, Sin.
Tel: +52 (669) 989 2100
Fax: +52 (669) 989 2120

Mérida

Calle 56 B 485 Prol. Montejo Piso 2
Colonia Itzimna
97100, Mérida, Yuc.
Tel: +52 (999) 913 4032
Fax: +52 (999) 913 4052

Mexicali

Calzada Francisco López Montejano 1342
Piso 7 Torre Sur
Fracc. Esteban Cantú
21320, Mexicali, B.C.
Tel: +52 (686) 905 5200
Fax: +52 (686) 905 5231 y 5232

Ciudad de México

Paseo de la Reforma 505, piso 28
Colonia Cuauhtémoc
06500, México, D.F.
Tel: +52 (55) 5080 6000

Monclova

Blvd. Harold R. Pape # 307-C
Colonia Guadalupe
25750 Monclova, Coah.
Tel: +52 (866) 190 9550
Fax: +52 (866) 190 9553

Monterrey

Av. Juárez 1102, piso 40
Centro
64000, Monterrey, N.L.
Tel: +52 (81) 8133 7300

Puebla

Edificio Deloitte, Vía Atlixcayotl 5506, piso 5
Zona Angelópolis
72190, Puebla, Pue.
Tel: +52 (222) 303 1000
Fax: +52 (222) 303 1001

Querétaro

Avenida Tecnológico 100-901
Colonia San Ángel
76030, Querétaro, Qro.
Tel: +52 (442) 238 2900
Fax: +52 (442) 238 2975 y 2968

Reynosa

Carr. Monterrey-Reynosa 210-B, PA
Fracc. Portal San Miguel
88730, Reynosa, Tamps.
Tel: + 52 (899) 921 2460
Fax: +52 (899) 921 2462

San Luis Potosí

Av. Salvador Nava Martínez 3125, 3-A
Fracc. Colinas del Parque
78294, San Luis Potosí, S.L.P.
Tel: +52 (444) 102 5300
Fax: +52 (444) 102 5301

Tijuana

Misión de San Javier 10643, Piso 8
Zona Urbana Río Tijuana.
22010, Tijuana B.C.
Tel: +52 (664) 622 7878
Fax: +52 (664) 681 7813

Torreón

Independencia 1819-B Oriente
Colonia San Isidro
27100, Torreón, Coah.
Tel: +52 (871) 747 4400
Fax: +52 (871) 747 4409

Deloitte.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee and its network of member firms, each of which is a unique and independent legal entity. Please consult our website at www.deloitte.com/mx/conozcanos for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms.

Deloitte renders professional services in the areas of audit, taxes and legal services, consulting and advisory, to public and private clients from different industries. With a global network of member firms in over 150 countries, Deloitte offers world-class capacities and high quality service to its clients, providing the experience necessary to deal with the most complex business challenges. The more than 264,000 employees of Deloitte are committed to achieving significant impacts in their communities.

As utilized in this document, "Deloitte" means Galaz, Yamazaki, Ruiz Urquiza, S.C., which has the exclusive legal right to become involved in, and limits its business to, the provision of services of audit, tax consulting, advisory and other professional services in Mexico, under the name "Deloitte".

This publication contains only general information and neither Deloitte Touche Tohmatsu Limited, its member firms, nor any of their respective affiliates (collectively the "Deloitte Network"), render advice or services through this publication. Before taking any decision or measure which may affect your finances or business, you should consult a qualified professional adviser. No entity of the Deloitte Network will assume responsibility for losses suffered by any person or entity that consults this publication.