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Labor, Social Security and Immigration Practice Group Newsletter



New way to work – Home office

Since the Covid-19 crisis, companies have been rethinking their labor relations and making their hiring processes more flexible to resume activities.

During the health emergency, home office was adopted in a massive way, and we are sure that it will remain the main alternative for companies, not only in the return to the new normal, but as a way of granting employees a better quality of life.

One of the main lessons of Covid-19 is that it will break the resistance of employers to remote work. It will also mean that organizations invest in work tools that allow employees to adapt to this way of working.

Today working from home is necessary to face the problem that Mexico and other countries are experiencing, since it enables the conservation of jobs and the operation of companies.

In Mexico, home office regulations are practically nonexistent. The Federal Labor Law includes the concept of working from home, but it is basically a concept for manual labor. The Law is not designed for new technologies, but we believe that it will not take long for our Congress take out of the freezer such legal reforms.

We consider that to implement home office modality, it is necessary to modify the corresponding legal instruments such as the employment agreement, internal work regulations, internal policies, and various other labor instruments, in order to guarantee adequate protection to employers from claims of excessive working hours, discrimination, work risks, supply of work tools, safe workplace conditions, remuneration based on results, among other issues.

At Sanchez Devanny, our Labor, Social Security and Immigration practice area has extensive experience in these matters. Please do not hesitate to contact us with any questions.

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Labor, Social Security and Immigration Practice Group

This practice advises clients on compliance with labor and social security laws, and in the design and implementation of labor structures to avoid risk. We assist in processing immigration documentation for top-level executives and their families, with employment agreements, terminations, and fringe benefit planning, and represent clients in employment litigation.

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