

Mexico: Federal Technical Guidelines Regarding Strategy for Reopening of Activities

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The technical guidelines described below are a follow up to the order establishing the strategy for the reopening and return to social, educational, and economic activities published on May 14, 2020, which was subsequently amended (the “Order”). Our alert on the Order and its amendment can be found [here](#) and [here](#).

On May 29, 2020, the order was published establishing the technical guidelines for the reopening of activities at a federal level (the “Technical Guidelines”). The Technical Guidelines provide the following:

- The gradual reopening of activities will begin on June 1, 2020. The opening will occur by steps according to the epidemiologic risk level by region as established by the streetlight system in accordance with the provisions of the Order. This streetlight system will be updated weekly by municipality.
- The Technical Guidelines will be generally applicable to all working spaces in the country. They provide the specific measures that must be taken to return to work activities in a safe manner.
- In order to identify the specific measures that must be taken, the following four matters must be taken into account: (i) whether the activity is essential or not; (ii) the size of the workplace in relation to the number of workers (micro, small, medium or large size company); (iii) the level of the epidemiological alert of the region where the work place is located; and (iv) the internal features of each working space.
- Working spaces must adopt a plan that considers, among others: (a) the health of employees, including training to workers to avoid propagation of COVID-19; (b) any person with any symptom related to COVID-19 must stay at home; (c) social distancing in the work place of at least 1.5 meters between persons; decrease the frequency of encounters; adapt the work place to reduce human density; (d) implement enter and exit controls; (e) implement measures to avoid contagions within the work place, including, providing liquid hand sanitizer with at least 60% alcohol; have proper places for cleaning hands and proper cleaning conditions; establish permanent cleaning and maintenance programs in the workplace; favor ventilation of common spaces, among others, and (f) providing the personal protection equipment.
- Work places located in regions with orange and yellow stages in the epidemiologic streetlight system must establish additional measures to protect people in a vulnerable situation and must consider suspending operations or providing flexibility to attend to the work place to people living in the same house or taking care of minors and persons with vulnerable conditions, including the elderly.

- The Technical Guidelines have a detailed list of measures that companies must take according to the size of the company, distinguishing between mandatory and recommended measures.

As of June 1, 2020, and as it may be allowed according to the epidemiologic stage of the streetlight system in each region, companies and work places may reopen or continue their activities without any prior authorization. Businesses must comply with all the safety measures provided in the Technical Guidelines as applicable, and the federal authority may carry out inspections to ensure their correct compliance.

The Federal Government will also make a self-evaluation system, available [here](#), so that companies may self-evaluate their compliance and correct application of the measures provided in the Technical Guidelines.

It is possible that additional health guidelines in specific industries may be published soon; however, those will be in addition to the Technical Guidelines.

The Technical Guidelines went into effect on May 29, 2020.

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Should you have any questions, please feel free to contact any of the lawyers listed below.