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## Update on the Amendment to Article 29 of the INFONAVIT Law

As a result of the amendment to Article 29 of the INFONAVIT Law, employers were required to withhold and remit payments for housing loan amortizations for employees on medical leave or with absences.

This legal modification created uncertainty for companies and potentially imposed a financial burden. However, on March 13, 2025, INFONAVIT issued a Clarifying Criterion regarding this amendment, establishing the following:

- i) Employers must adjust the calculation of deductions applied to employees during medical leave or absences proportionally, ensuring that the deduction matches the amount stated in the “notice of deduction withholding.”
- ii) In line with the above point, deductions cannot exceed the salary actually paid to the employee or the limits established in Article 97 of the Federal Labor Law.
- iii) **If the employee’s salary does not allow for the full deduction, the employer is not required to cover the unpaid amount.**

It is worth noting that INFONAVIT is currently determining the timeframe for employers to implement this Clarifying Criterion. We will remain attentive to any updates and will inform you immediately.

Although **the criterion is not binding**, it provides legal certainty to companies regarding the non-payment of amortizations. Consequently, the legal grounds for challenging the amendment through an amparo lawsuit are weakened. Therefore, we recommend focusing efforts on the correct implementation of these changes.

The Tax and Social Security partners at **Pérez-Llorca México** are at your disposal for any further clarification regarding this note. The Tax and Social Security partners at Pérez-Llorca México are at your disposal for any further clarification regarding this note.

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