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Operational Inspection Guidelines 2025: Key changes and compliance

On February 28, 2025, the Ministry of Labor and Social Welfare (Secretaría del Trabajo y Previsión Social) (the “STPS”) published its Operational Inspection Guidelines 2025 on its website. These Guidelines govern the programming, execution, evaluation, and follow-up of inspections to be conducted by the Directorate General of Federal Labor Inspection (Dirección General de Inspección Federal del Trabajo) (the “DGIFT”) and the Federal Labor Representation Offices (Oficinas de Representación Federal del Trabajo) (the “ORFT”).

Among the most relevant features of these guidelines are:

I. The issuance of an annual inspection program

- This will be prepared each November by the DGIFT in coordination with the Dignified Work Unit (Unidad de Trabajo Digno) (the “UTD”) of the STPS.
- Inspection protocols will be developed on the basis of past experience and results.

II. The scheduling of inspections in the Inspection Process Information and Support System (Sistema de Información y Apoyo al Proceso Inspectivo) (the “SIAPI”), which may be:

a) Random scheduling

- This will be conducted monthly and will be generated between the 16th and 19th of the previous month.
- It provides for immediate initial inspections for workplaces with no prior inspection history.
- It also provides for periodic inspections on the basis of a workplace’s inspection history; if a closure agreement was issued in the previous year, the inspection may be canceled.
- In matters of health and safety, the regulatory scope must be determined on the basis of the workplace’s inspection history, taking into account inspections conducted at the workplace in the last three years.
- If the workplace falls under a local jurisdiction, only inspections relating to workplace safety, health, training, and instruction will be scheduled.

b) Direct scheduling

- This involves extraordinary inspections, such as special operations, complaints and reports, supervision, and workplace accidents.

c) Suggested scheduling

- For follow-up inspections to verify compliance with corrective measures, conducted within five business days of the expiration of the deadline granted for compliance.

III. Health and safety inspections

- Preventive measures will be applied when an imminent risk is detected during ordinary or extraordinary inspections.
- Verification inspections will be conducted upon the expiration of the longest compliance period granted to the employer.
- If compliance is verified, documentary and photographic evidence will be attached to lift the preventive measure.
- The DGIFT is authorised to assume jurisdiction over specific cases.

IV. Inspections due to a worker's death

- These inspections are conducted when a fatal workplace accident is reported.
- Workplace health and safety conditions will be verified through a health and safety inspection conducted within 24 hours of the report.

V. Subcontracting inspections

- Verification visits regarding subcontracting compliance will continue.
- These inspections will only be carried out at the request of the DGIFT, the Inspection Directorate, or the Directorate for the Registry of Specialized Service Providers (Registro de Prestadores de Servicios Especializados u Obras Especializadas) (the "REPSE").
- If non-compliance is detected in specialized service providers registered in the REPSE, the DGIFT will be notified to assess the potential cancellation of the registration without prejudice to the continuation of the inspection process or administrative sanction proceedings.
- Non-compliance in subcontracting will be reported monthly to the DGIFT to maintain oversight of regulatory compliance in this matter.

VI. Alternatives to inspection

- The STPS offers voluntary tools for regulatory compliance:
 - » Self-Management Program in Occupational Safety and Health (Programa de Autogestión en Seguridad y Salud en el Trabajo) ("PASST").
 - » Voluntary Labor Verification (Verificación Laboral Voluntaria) ("VELAVO").
 - » Conformity assessment bodies.
- The DGIFT will directly oversee the information provided by employers.

Impact and key points

- These guidelines strengthen labor inspections, granting labor authorities the power to verify regulatory compliance in workplaces through scheduled, random, and suggested inspections.
- The guidelines also reinforce inspection measures, particularly regarding compliance with health and safety regulations and subcontracting rules.
- Inspections will become more transparent and documented due to the SIAPI system.
- There will be stricter inspections of specialized service providers.
- Fines for non-compliance in labor inspections can reach up to 50,000 times the Unit of Measure and Update (Unidad de Medida y Actualización) (“UMA”) and may be multiplied by the number of affected workers, in addition to the cancellation of registrations such as the REPSE.
- Additionally, the STPS, in exercising its coordinating powers, may notify the Tax Administration Service (Servicio de Administración Tributaria) (“SAT”), the Mexican Social Security Institute (Instituto Mexicano del Seguro Social) (“IMSS”), and/or the National Workers’ Housing Fund Institute (Instituto del Fondo Nacional de la Vivienda para los Trabajadores) (“INFONAVIT”). These entities, given their fiscal authority, may initiate audit proceedings based on the STPS findings.

Prevention is key

Anticipate inspections and avoid penalties. At **Pérez-Llorca México**, we provide specialized advisory services which include:

- The assessment of regulatory compliance levels and risk prevention regarding inspections of general working conditions, training and instruction, health and safety, and subcontracting.
- Guidance in implementing the necessary measures to ensure that your company operates within a framework of labor compliance.
- The design and preparation of strategies and defense mechanisms required for labor inspections by the STPS.

Our team comprises the best specialists to help you protect your company and ensure regulatory compliance to avoid the imposition of significant fines.

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