



ROEL
ASOCIADOS
DESDE 1883





Since the year

1888

there has been a family tradition of lawyers in our family. Our firm has extensive experience in Labor Law, representing the employer sector especially in the Automotive Industry. We have 30 years of experience in providing our services in the State of Guanajuato, and we have offices in Mexico City and Torreón, Coahuila.



Our firm provides a complete range of high quality services related to the area of Labor Law with excellent prices, through which we advise our clients, we update them in the application of the Labor Law and the Jurisprudence, we represent them before the Courts and Labor Authorities and we train the Human Resources staff.

We have participated in the logistic of starting operations of Japanese companies and we continue to advise them in matters of labor law such as:



DNCサービス株式会社
DNCSservice Co., Ltd.

We have also participated in the logistics of starting operations and we are lawyers for companies such as: them in matters of labor law such as:



GETRAG



FERRERO



The current **Federal Labor Law** was issued in 1970 and has had some modifications, the most recent being those of the year 2012, it is a law that has its basis in the Political Constitution of Mexico which has its origins in a revolutionary movement, so that the Constitution and the Federal Labor Law have a protectionist sense towards the working class.

The **Federal Labor Law** is federal because it applies throughout Mexico, there are two Jurisdictions for the application of the law, one of federal nature in which the **Federal Government** is aware of labor disputes of companies that it considers important such as the Automotive industry, and other of local character that the State Government acknowledge and that are those companies that are not considered of federal jurisdiction.

Labor Justice in Mexico is applied by the **Conciliation and Arbitration Boards** that are organizations integrated by representatives of the Government, the Employers and the Workers.






OPERATIONS OF FOREIGN COMPANIES IN MEXICO



WORK RELATIONSHIP



PRINCIPLES OF GOOD INDIVIDUAL RELATIONSHIP

- 
- **KNOW**
 - **SELECT**
 - **CONTRACT**
 - **QUALIFY / INSTRUCT**
 - **KEEP UP WITH COMPETITIVE SALARIES AND BENEFITS IN THE MARKET**
 - **HAVE GOOD WORK ENVIRONMENT**
 - **PROGRESS IN CATEGORIES**
 - **END THE RELATIONSHIP**

Currently there is staff rotation mainly because there is a lot of work offer in some areas.

To avoid this rotation it is recommended:

- 1.- That there is a good work environment.
- 2.- That salaries and benefits are competitive.
- 3.- That benefits such as pantry vouchers, savings fund and seniority bonuses are granted, benefits that create permanence in the workplace.
- 4.- If there are going to be company creation projects, try not to be positioned in areas of high workforce demand.

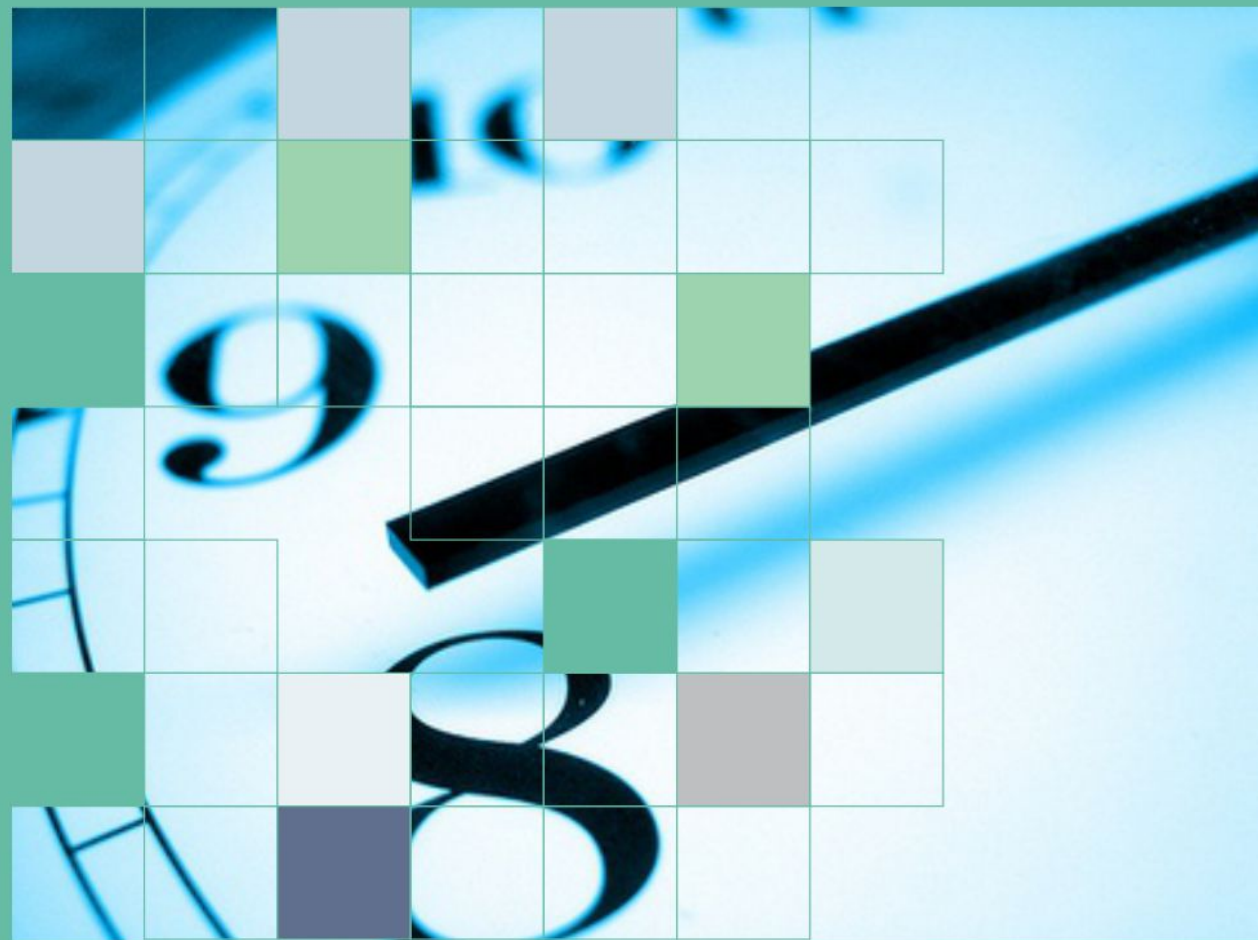


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WORK CONTRACTS

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WORKING DAY

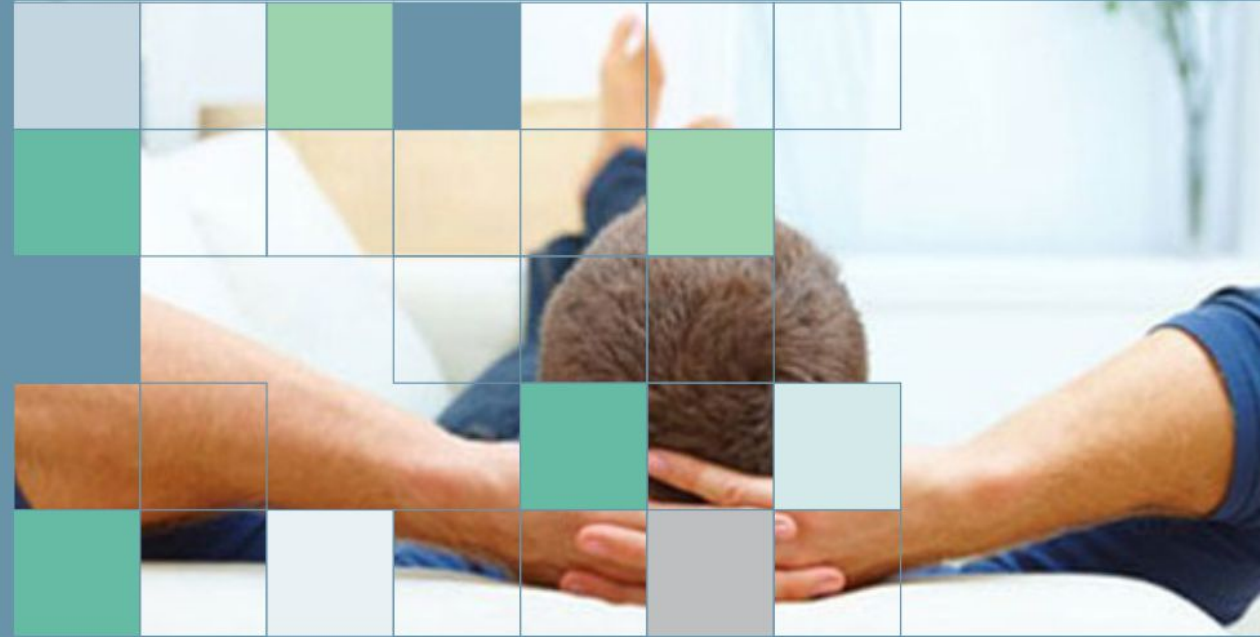
I.- Day shift is the one between six and twenty hours and can be worked 48 hours per week.

II.- Night shift is between twenty and six hours and 42 hours per week can be worked.

III.- Mixed shift is the one that includes periods of time of day and night shifts, as long as the night period is less than three and a half hours, because if it comprehends three and a half hours or more, it will be considered a night shift and 42 hours can be worked weekly.



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DAYS OF REST



These are mandatory rest days:

I. January 1st;

II. The first Monday of February in commemoration of February 5;

III. The third Monday of March in commemoration of March 21st;

IV. May 1st;

V. September 16;

VI. The third Monday of November in commemoration of November 20;

VII. The 1st of December of every six years, when it corresponds to the transmission of the Federal Executive Power;


VIII. December 25;

IX. The one that the federal and local electoral laws determine, in the case of ordinary elections, to carry out the electoral day.

A paternity leave of five working days with pay is given to working men, for the birth of their children and in the same way in the case of the adoption of an infant.



SALARY



The time limit for the payment of the salary can never be greater than one week for the people who perform a material work and fifteen days for the other workers. There can be no fines or penalties on the salary. Normally salaries and benefits are paid through transfers to debit cards.

The discounts in the salaries of the workers, are prohibited except in some cases and the main ones are:

I.- Payment of debts contracted with the employer in advance of salaries, payments made with excess to the worker, errors, losses, breakdowns or acquisition of articles produced by the company or establishment. The amount due under no circumstances may exceed the amount of a month salary.

II. Payment of INFONAVIT intended for the acquisition, construction, repair, expansion or improvement of houses.

III. Payment of fees for the establishment and promotion of cooperative societies and savings banks, as long as the workers expressly and freely declare their agreement and that they are not greater than thirty percent of the surplus of the minimum wage;

IV. Payment of alimony in favor of food creditors, decreed by the competent authority.

The debts contracted by the workers with their employers will not accrue interests in any case.



**MAIN BENEFITS
ESTABLISHED BY THE LFT
(FEDERAL LAW OF LABOR)**



PROFIT SHARING



VACATIONAL BONUS



CHRISTMAS BOX



IMSS



VACATIONS



PAYROLL TAX



AFORE



INFONAVIT



**PRINCIPLES TO HAVE
A GOOD COLLECTIVE
RELATIONSHIP**



- SELECT A GOOD UNION

- ESTABLISH CLEARLY THE CONDITIONS OF THE RELATIONSHIP.

- WRITE CORRECTLY THE COLLECTIVE WORK CONTRACT.

- DEPOSIT THE AGREEMENT BEFORE THE CONCILIATION AND ARBITRATION BOARD.



AVERAGE SALARY IN GUANAJUATO

150 to 180 pesos per day when hiring

180 to 250 pesos per day positions 3 months to 6 months

260 to 350 pesos per day, positions 6 months and up.

350 or more for trained workers.



THE MOST COMMON BENEFITS OF COLLECTIVE CONTRACTS

Vouchers of pantry
Savings fund
Punctuality Award
Attendance Award
Food



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OUTSOURCING

This type of services must comply with the following conditions:

a.- It cannot cover all activities, equal or similar in their entirety, that occur in the workplace.

b.- It must be justified by its specialized nature.

c.- It cannot include tasks that are the same or similar to those performed by the rest of the workers at the contractor's service.





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