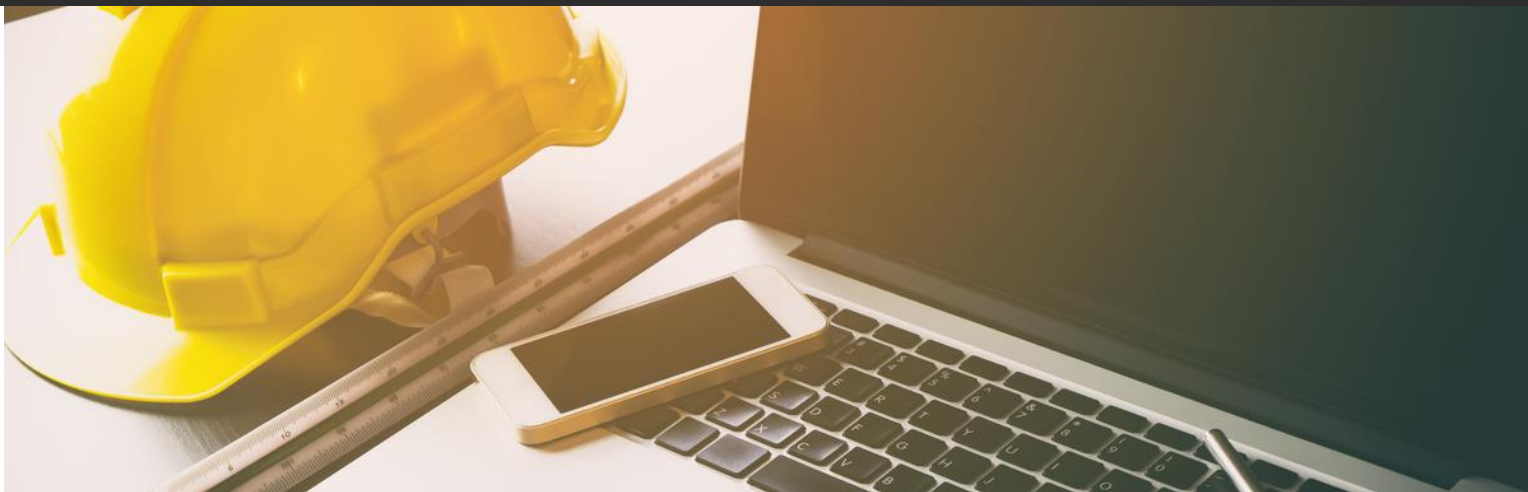


Alert | Labor & Employment



December 2022

Mexico Approves Increase to Paid Vacation Days

[Read in Spanish/Leer en Español.](#)

Go-To Guide:

- Effective Jan. 1, 2023, employees in Mexico with more than one year of service will be entitled to not less than 12 working days’ yearly paid vacation, increasing by two working days, until reaching 20 days, for each subsequent year of service.
- Starting in the sixth year, the vacation period will increase by two days for every five years of service.
- Employees shall continuously be entitled to at least 12 days of vacation per year.

On Dec. 27, 2022, the Official Gazette of the Federation published reform to Articles 76 and 78 of the Federal Labor Law, entitling workers to more mandatory paid vacation days as follows:

Year 1	12 days
Year 2	14 days
Year 3	16 days
Year 4	18 days
Year 5	20 days

From 6 to 10 years	22 days
From 11 to 15 years	24 days
From 16 to 20 years	26 days
From 21 to 25 years	28 days
From 26 to 30 years	30 days
From 31 to 35 years	32 days

Following are the approved amendments to the Federal Labor Law:

PREVIOUS TEXT	APPROVED TEXT
<p>Article 76.- Employees with more than one year of service will enjoy an annual period of paid vacation, which in no case may be less than six working days, and which will increase by two working days, until reaching 12, for each subsequent year of service.</p> <p>After the fourth year, the vacation period increases by two days for every five years of service.</p>	<p>Article 76.- Employees with more than one year of service shall enjoy an annual period of paid vacation, which in no case may be less than 12 working days, and which shall increase by two working days, until reaching 20, for each subsequent year of service.</p> <p>Starting from the sixth year, the vacation period shall increase by two days for every five days of service.</p>
<p>Article 78.- Employees shall continuously enjoy at least six days of vacation.</p>	<p>Article 78.- Of the total period corresponding to the employees in accordance with the provisions of Article 76 of this Law, the employee shall enjoy at least twelve days of continuous vacation.</p> <p>Said period, at the discretion of the employee, may be distributed in the manner and time required.</p>

Considerations

- The approved decree states that it must be applied to each employee in accordance with their anniversary, i.e., the new vacation computation may be exercised as of its publication in the Official Gazette of the Federation and after having completed their anniversary. The employer must grant the vacation days in the six-months period after completion of the year of services rendered.
- The reform will take effect Jan. 1, 2023.

Compliance and Regulations

As background, Congress approved the aforementioned initiative in order to comply with the following regulations:

- The International Pact on Economic, Social and Cultural Rights [PIDESC], Article 7, subsection D.
- The Political Constitution of the United Mexican States, Articles 1, 123 and 10.
- The Universal Declaration of Human Rights, Articles 23 and 24.

Additionally, the World Health Organization (WHO) has pointed out in an analysis that long working hours can affect the physical and mental health, as well as the safety and well-being of workers, while the employer also suffers as a result of employees not having sufficient rest days, such as: interruption of production due to accidents, damage to equipment and materials, reduction in the quality of the product or service, and reduction in the productivity of the affected workers. In view of the foregoing, Congress has approved an increase in rest periods for workers, to advance human rights, it seeks formal adoption of the International Labor Organization standard established in Convention 132.

** This GT Alert does not apply to U.S. matters or laws, or to other jurisdictions outside of Mexico.*

Authors

This GT Alert was prepared by:

- **Leslie Palma** | +52 55.5029.0000 | palmal@gtlaw.com
- **Jorge Andazola** | +52 55.5029.0000 | andazolaj@gtlaw.com
- **Karla Copka** | +52 55.5029.0000 | copkak@gtlaw.com

Albany. Amsterdam. Atlanta. Austin. Boston. Charlotte. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Germany. [~]Houston. Las Vegas. London. ^{*}Long Island. Los Angeles. Mexico City. ⁺Miami. Milan. [»]Minneapolis. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Portland. Sacramento. Salt Lake City. San Francisco. Seoul. [∞]Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv. [^]Tokyo. [»]Warsaw. ⁻Washington, D.C.. West Palm Beach. Westchester County.

This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. [~]Greenberg Traurig's Berlin office is operated by Greenberg Traurig Germany, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ^{}Operates as a separate UK registered legal entity. ⁺Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. [»]Greenberg Traurig's Milan office is operated by Greenberg Traurig Santa Maria, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. [∞]Operates as Greenberg Traurig LLP Foreign Legal Consultant Office. [^]Greenberg Traurig's Tel Aviv office is a branch of Greenberg Traurig, P.A., Florida, USA. [»]Greenberg Traurig's Tokyo Office is operated by GT Tokyo Horitsu Jimusho and Greenberg Traurig Gaikokuhojimbengoshi Jimusho, affiliates of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. [~]Greenberg Traurig's Warsaw office is operated by GREENBERG TRAUIG Nowakowska-Zimoch Wysokiński sp.k., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. Certain partners in GREENBERG TRAUIG Nowakowska-Zimoch Wysokiński sp.k. are also shareholders in Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2022 Greenberg Traurig, LLP. All rights reserved.*