









# Mexico\*

\* information updated as of December 2019

## REFORM AGENDA

LEGAL TEXT	AREA FOR WOMEN'S ECONOMIC EMPOWERMENT	ACTION	CURRENT TEXT (TO BE REFORMED)
Political Constitution of the United Mexican States of 1917 (last reform: DOF 6 June, 2019)	Maternity protection 	Reform 	<b>Article 123 A.</b> Among workers, day workers, domestic workers, artisans and, more generally, all employment contracts:  V. During pregnancy, women shall not perform jobs that require considerable effort and represent a danger to their health with regard to the pregnancy; they shall enjoy a compulsory rest period of <b>six weeks before the approximate expected due date and six weeks after the same</b> , and must receive their full salary and keep their job and any rights they may have acquired in relation to the job (...).  <b>RECOMMENDATION:</b> Increase maternity leave to the minimum amount of 14 weeks established in ILO Convention 183.
Federal Labour Law (1 April, 1970) (last amendment: DOF 2 July, 2019)	Equal pay 	Reform 	<b>Article 5.</b> The provisions of this Law are on Public Order, meaning that the stipulation shall not have any legal effect, nor shall it prevent the enjoyment and exercise of rights, either written or verbal, establishing:  <b>XI. A salary that is less than the salary paid to another worker in the same company or establishment with equal performance, in the same type of work or the same working hours, on the grounds of age, sex or nationality.</b>  <b>Article 86. Equal pay for equal work, performed in positions, working hours and efficiency conditions that are also equal.</b>  <b>RECOMMENDATION:</b> Extend the principle of equal remuneration for work of equal value (and not only for equal work), in line with the provisions of ILO Convention 100.
	Maternity protection 	Reform 	<b>Article 170.</b> Working mothers shall have the following rights:  II. <b>They shall benefit from a break of six week prior to the birth and six weeks after the birth.</b>  <b>RECOMMENDATION:</b> Increase maternity leave to the minimum amount of 14 weeks established in ILO Convention 183.
	Paternity leave 	Reform 	<b>Article 132.</b> The obligations of employers are: XXVII Bis. <b>To grant paternity leave of five working days, with pay, to male workers, for the birth of their children and equally in the event of adoption of an infant.</b>  <b>RECOMMENDATION:</b> Extend paternity leave.

# LEGAL FRAMEWORKS FOR WOMEN'S ECONOMIC AUTONOMY AND EMPOWERMENT IN IBERO-AMERICA AND THE CARIBBEAN



LEGAL TEXT	AREA FOR WOMEN'S ECONOMIC EMPOWERMENT	ACTION	CURRENT TEXT (TO BE REFORMED)
	Protection of domestic workers 	Reform 	<p><b>Article 127.</b> The right of workers to participate in profit sharing shall be revised in the following regulations: VI. Domestic workers shall not participate in profit sharing.</p> <p><b>Article 334.</b> Except where expressly agreed, the remuneration of domestic workers comprises, in addition to the cash payment, food and board. For the purposes of this Law, food and board shall be estimated as equivalent to 50% of the salary that is paid in cash.</p> <p><b>RECOMMENDATION:</b> Ensure domestic workers the same conditions and labour rights enjoyed by other workers.</p>
Federal Law for the prevention and elimination of discrimination (11 June, 2003) (last reform: DOF 21 June, 2018)	Equal pay 	Reform 	<p><b>Article 9.</b> Based on the provisions of the first constitutional article and Article 1, paragraph 2, section III of this Law, discrimination shall be considered, among others, to be:</p> <p>IV: Establishing differences in remuneration, provisions and working conditions <b>for equal work.</b></p> <p><b>RECOMMENDATION:</b> Extend the principle of equal remuneration for work of equal value (and not only for equal work), in line with the provisions of ILO Convention 100.</p>
Federal Law on the Remuneration of Public Servants, Regulating Articles 75 and 127 of the Political Constitution (5 November, 2018) (last reform published on 12 April, 2019)	Equal pay 	Reform 	<p><b>Article 3.</b> All public servants must receive an appropriate and irrevocable remuneration for the performance of their function, job, position or commission, which is proportional to their responsibilities.</p> <p><b>V. Labour equality: Remuneration compensates in equal conditions jobs that have equal functions, responsibility, working hours and efficiency conditions, without prejudice to the rights acquired.</b></p> <p><b>RECOMMENDATION:</b> Extend the principle of equal remuneration for work of equal value (and not only for equal work), in line with the provisions of ILO Convention 100.</p>
Social Security Law of 1995) (last amendment: DOF 2 July, 2019)	Care 	Reform 	<p><b>Article 201.</b> The branch of nurseries covers the risk of not being able to provide care during working hours for their children during early childhood, on the part of working women, widowed or divorced male workers, or those who have been legally entrusted with looking after the children, through the granting of the provisions established in this chapter.</p> <p><b>RECOMMENDATION:</b> Extend childcare centers for minors, regardless of the sex of the employees.</p>