CREEL GARCÍA-CUÉLLAR AIZA Y ENRÍQUEZ

Official Mexican Standard in connection with health and safety conditions applicable to remote work

Mexico City, June 12, 2023.

Please be informed that on June 8, 2023, the Ministry of Labor and Social Welfare published in the Official Gazette of the Federation, the Mexican Official Standard NOM-037-STPS-2023 in connection with health and safety conditions applicable to remote work (the "NOM" as per its acronym in Spanish).

The purpose of the NOM is to set forth the health and safety conditions that must be applied in the places where employees working under a remote work modality provide their services.

The NOM applies to all companies with employees working under a remote work modality. This is, those employees who provide their services from a location different to the company's workplace, for over 40% of their time.

In addition to the requirements set forth by the Mexican Federal Labor Law in connection with remote work, some of the most relevant obligations imposed to employers by the NOM, are:

1. Implement a remote work policy.

2. Prepare an updated list of remote workers

3. Apply a verification list regarding health and safety conditions, to the places where remote workers provide their services.

4. Provide remote workers with the necessary tools for the provision of their services, including an ergonomic chair.

5. Provide training in connection with health and safety conditions, at work, at least once a year.

The NOM will enter into force 180 days following its publication in the Official Gazette of the Federation, this is, in December 2023.

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