CREEL GARCÍA-CUÉLLAR AIZA Y ENRÍQUEZ

Amendments to INFONAVIT Law

Mexico City, March 03, 2025.

On February 21, 2025, the "Decree that reforms, modifies and repeals certain dispositions of the Law of the Institute of the National Fund for Employees' Housing and the Federal Labor Law, regarding housing with social perspective" (the "Decree") was published in the Federal Official Gazette ("DOF").

Among other aspects, the Decree modified the obligation for employers to pay housing contributions to the Institute of the National Fund for Employees' Housing ("INFONAVIT"), in case of absenteeism or disabilities of employees.

Prior to the Decree, the Law of the Institute of the National Fund for Employees' Housing ("LINFONAVIT") provided the suspension of such discounts, in case of absenteeism or due to disabilities granted by the Mexican Social Security Institute. The Decree modified the LINFONAVIT to introduce the obligation for employers to make salary discounts to their employees, in where such are destined to pay the housing loans granted by the INFONAVIT, in case of absenteeism or due to disabilities per the provisions of the Social Security Law.

The latter could imply that, even in case that the employer obligation to pay salaries is suspended, employers will be required to make salary discounts destined to pay the housing loans to the INFONAVIT.

We recommend reviewing the scope of this Decree, especially regarding salary discounts of employees destined to cover the housing loans, in case there are no payments of salaries, per the abovementioned dispositions, to determine if such could economically impact employers.

The Decree entered into force the following day after being published in the DOF.

For more information, please feel free to contact Francisco Peniche Beguerisse and Julio Álvarez at:

Tel: (52-55) 4748-0600
francisco.peniche@creel.mx
julio.alvarez@creel.mx

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