

Quick Guide for inspection visits practiced by the Ministry of Labor and Social Welfare (STPS) in order to ensure compliance with **COVID-19** related measures.



EXTRAORDINARY INSPECTION VISITS PRACTICED BY THE STPS

Objective

- Verify the suspension of “non-essential” activities
- Verify the implementation of preventive health & safety measures in essential companies that continue operating.
- Attend complaints related to the existence of a danger or risk for employees.

Legal Basis

- Regulations of General Workplace Inspection and Application of Sanctions
- STPS Internal Regulation.
- Various criteria issued by the STPS with regards to the health emergency.

LEGAL PROCESS:

01

The inspector will show-up at the workplace in a business or non-business day.

02

The inspector must (i) identify himself; (ii) deliver the inspection order (signed) to the employer and (iii) deliver the rights and obligations guide document.

03

An "Inspection Report" must be drawn up.

04

The employer's representative must provide all the facilities to allow practicing the inspection.

05

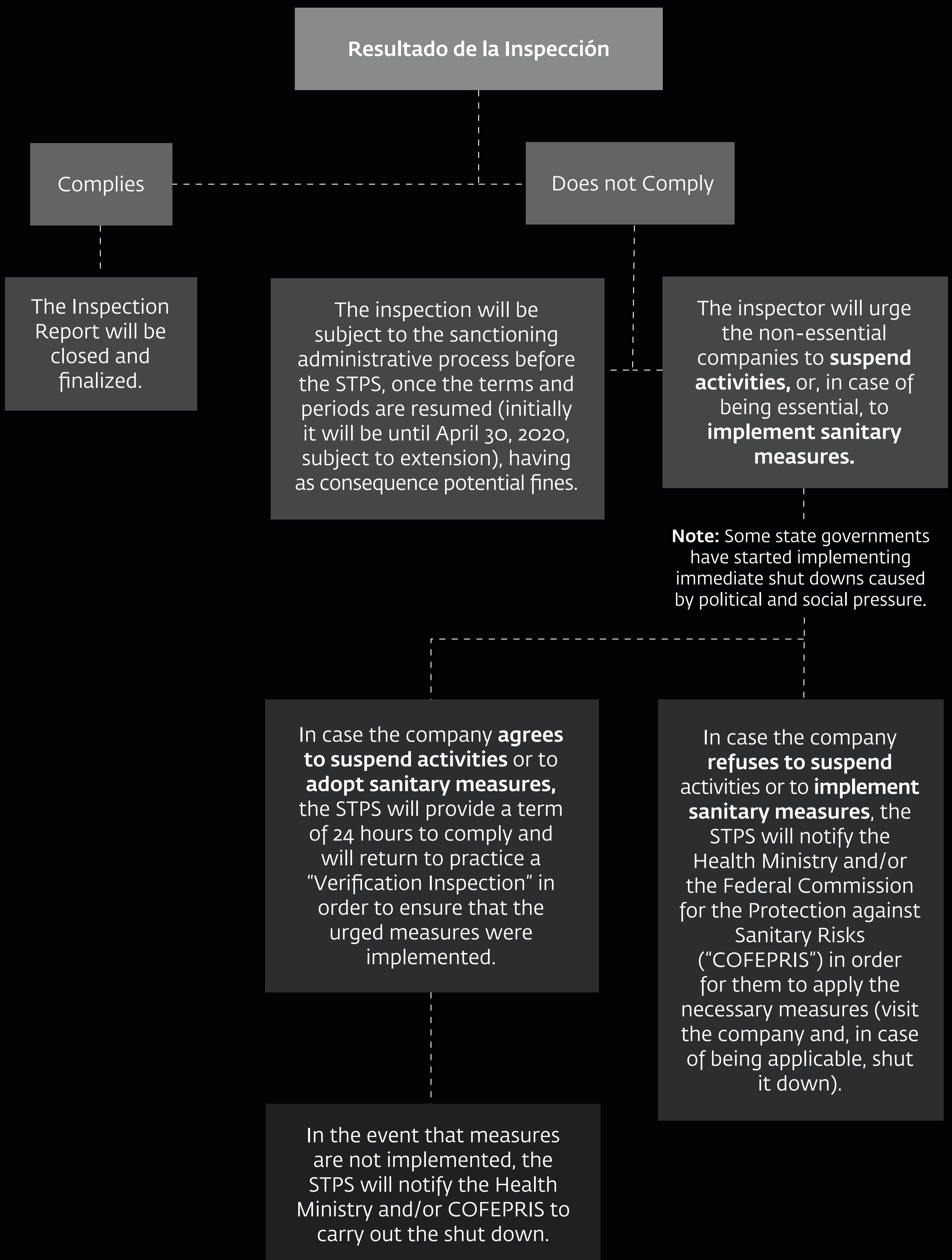
The inspector will complete the Inspection Report and will determine if the work center complies or not with applicable obligations.

06

Once the employer's compliance or non-compliance is determined, the inspector must close the Inspection Report and provide a copy of it to the employer's representative.

NOTE: The STPS does not have the competence to suspend nor to shut down a company, except that a competent authority empowers it.

COURSES OF ACTION

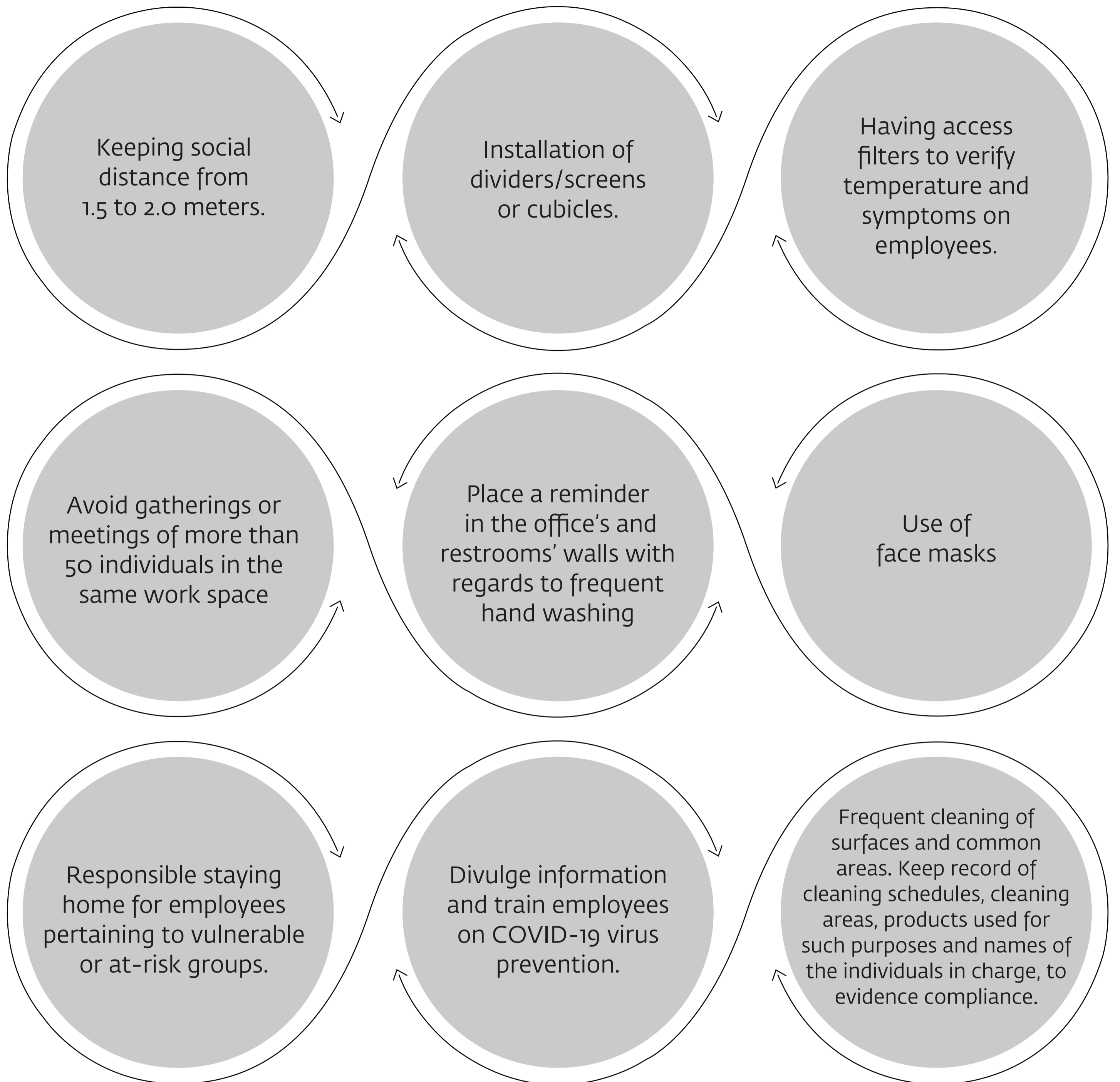


WHICH ASPECTS ARE IMPORTANT TO CONSIDER?

- Once the Inspection visit begins, the inspector must deliver to the employer an **“Inspection Order”** (original), as well as a **“Rights and Obligations Guide”**;
- The referred **Inspection Order** must include:
 - i) Wet signature of the public officer who has ordered it;
 - (ii) Name and domicile of the Company;
 - (iv) Name of the inspector in charge of practicing the inspection;
 - (v) Purpose and scope of the inspection.
- The inspector must fulfill an **Inspection Report**;
- The inspector must **identify himself/herself with an official ID** issued by the STPS, which must state the following caption “This credential do not authorizes its user to practice any inspection without the correspondent order”.
- The inspection must be practiced by the **Federal Labor Delegate**, or in such case, by a STPS representation office.

- The inspection must start in **date and time** stated in the Inspection Order, otherwise, the inspector will be obliged to reschedule its visit;
- In case the **name and/or domicile are incorrect**, request correction of these in the Order and Report (in this case, the inspector should close the Report and start a new process);
- The employer must provide **all the facilities** to allow practicing the inspection, otherwise an “employer’s negative” will be recorded;
- The STPS does not determine if the activities carried out by the company are **essential or non-essential**; this is determined by the Health Ministry and/or Economy Ministry;
- The STPS does not have powers to **suspend nor to shut down businesses based on “essentiality”**;
- The STPS has the competence to order the suspension of the activities carried out at the work center and restrict workers’ access in the event of danger or risk;
- The STPS may exhort essential companies to suspend activities in case of outbreaks or confirmed covid-19 cases.

SANITARY MEASURES TO BE REVIEWED TO PREVENT CONTAGION



Galicia

Mexico City  Monterrey