ibañezparkman ABOGADOS

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IS OCTOBER 1ST A NON-WORKING DAY?

To all our clients, collaborators, and friends.

Derived from the reform to the electoral laws by which the change of the federal executive power in Mexico will take place on October 1st every six years, which until now, including the six-year term that is coming to an end, had been on December 1st of each six-year term. We consider that the above is no longer applicable since, as of 2024, the date for the change of powers will be October 1st.

This is due to the modification in the calendar of holidays of a reform in the General Law of Electoral Institutions and Procedures (LGIPE), approved by the Congress on November 17, 2021, which became effective as of January 1st, 2023. Consequently, October 1st will be a day dedicated to the presidential transition ceremony, an event that will be repeated every six years.

For its part, the Federal Labor Law has not been harmonized in this regard, since its Article 74 states: The following are mandatory rest days: VII. December 1st of every six years, when it corresponds to the transfer of the Federal Executive Power. Notwithstanding this legislative and governmental blunder, it is considered that the correct and applicable is to give October 1st as a mandatory day of rest.

At the bottom of this message is added the link of the Secretary of Labor on the subject, although it erroneously states that the LFT establishes October 1st as a mandatory day of rest.

Of course, and consequently, as of this year, December 1st is no longer an official day of rest. For any questions, please contact: laboral@iparkman.com.mx

Sincerely,
Ibáñez Parkman, S.C.

Link of consultation: https://www.gob.mx/profedet/articulos/sabes-cuales-son-los-dias-de-descanso-obligatorio-para-este-2024