

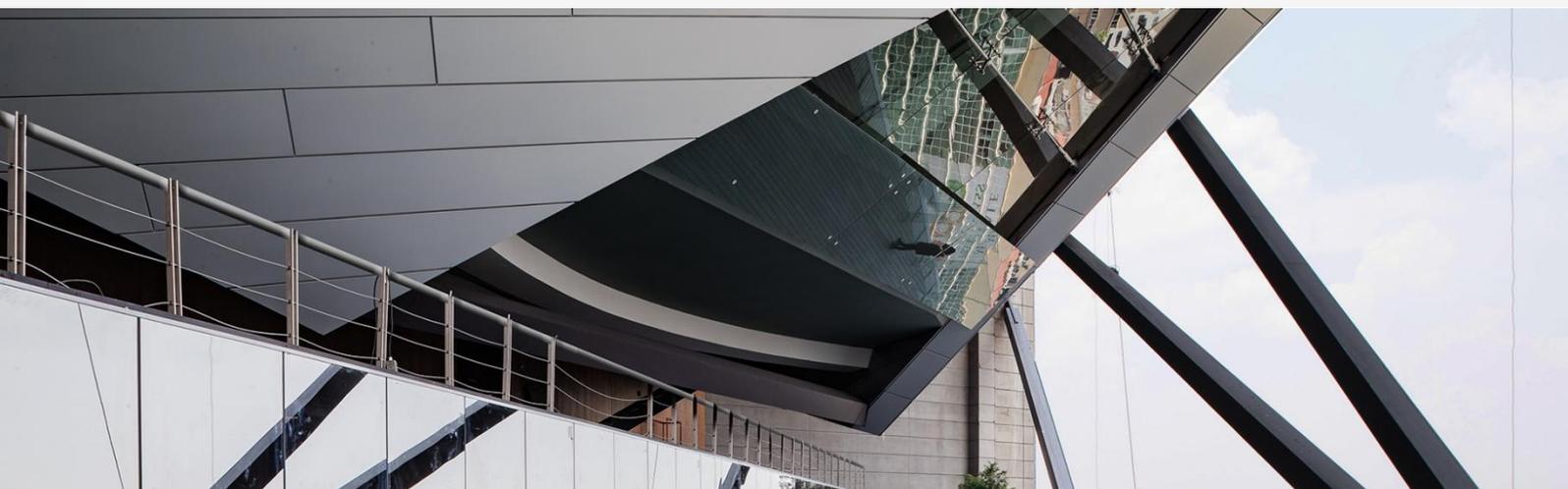
# Reduced working hours in Mexico

The start of 2026 brings significant developments to Mexican labor law.

Mexico City | Legal Flash | March 2026

## KEY ASPECTS

- On March 3, 2026, the evening edition of the Official Gazette of the Federation of Mexico (“GFM”) published the **decree amending sections IV and XI, paragraph A of article 123 of the Political Constitution of the United Mexican States** (the “Constitution”), **on reducing the working day** (the “Constitutional Reform”).
- The key points of the Constitutional Reform are as follows:
  - Maximum working week of 40 hours.
  - Gradual reduction of working hours (2026–2030).
  - New regulation on working overtime.
  - Prohibition on salary reductions.
- The Constitutional Reform **entered into force on March 3, 2026**. The Congress of the Union has 90 days from this date to enact amendments to secondary legislation. The contents of these amendments will be communicated at the appropriate time.
- The impact of collective bargaining agreements (“CBAs”) and individual employment agreements.
- Connection with the General Law to Prevent, Punish, and Eradicate Crimes related to Human Trafficking.
- Recommendations for companies.





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## Reform context and background

The Constitutional Reform is a measure aimed at **improving work-life balance** and is a **focal point of labor and employment policy** for the 2026–2030 period. The decree was passed by the President of the Mexican Republic and approved by the Congress of the Union, in the terms of article 135 of the Constitution, along with the ratification by the majority of state legislatures and Mexico City legislature.

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## Key points from the Constitutional Reform

### > Maximum working week

**Under section IV, paragraph A of article 123 of the Constitution**, the **working week** will be reduced to **40 hours per week**. The right to at least one rest day with full pay for every six days worked remains unchanged. The Constitution has fixed the new weekly limit but refers to Mexico's Federal Labor Law ("FLL") for its development and daily distribution.

### > Gradual reduction in working hours

The Constitutional Reform has implemented a staggered schedule to gradually reduce working hours to 40 hours per week. The decree's third transitory article establishes that the duration of the working week will gradually reduce from January 1, 2027, as outlined in the following table:

Year	Working week
2026	48 hours
2027	46 hours
2028	44 hours
2029	42 hours
2030	40 hours

### > New regulation on working overtime

Section XI, paragraph A of article 123 of the Constitution also establishes a new regulation on working overtime. The main aspects are the following:

- Overtime pay within constitutional limits. **Double-time pay will** continue to apply in the case of **overtime** within the constitutional limits. When extraordinary circumstances require an increase in working hours, employees will receive double-time pay.
- Overtime limits. **Overtime cannot exceed 12 hours a week**. This can be distributed for up to **4 hours per day** over a maximum of **4 days** within the same period.
- Consequences of exceeding overtime limits. If there is **extension of overtime** exceeding the limits established, employers must provide **triple-time pay**, as outlined in the FLL. Companies should implement internal controls to monitor compliance with these limits.



- Overtime is prohibited for children under 18. **Children under 18** are **not permitted** to work **overtime**. Companies that hire minors must ensure that they never work overtime.

➤ Prohibition on wage reductions

The decree's **fourth transitory article** establishes that “**under no circumstances can the reduction of working hours result in a decrease in wages, salaries, or benefits** for workers.” Consequently, the decrease in hours cannot be used to adjust remuneration or benefits.

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## Entry into force and secondary legal reforms

The decree's **first transitory article** stipulates that it will enter into force from March 3, 2026—having been published in the GFM—however the **maximum 40-hour working week** will be phased in gradually in line with the schedule outlined above.

The decree's **second transitory article orders** the Congress of the Union to enact **amendments to the secondary legislation** within 90 days of publication. This deadline expires on June 1, 2026. The contents of these amendments will be communicated at the appropriate time.

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## Impact on CBAs and individual employment agreements

The Constitutional Reform and the eventual approval of the FLL will have an impact on existing individual employment contracts and CBAs. Companies must review and, where appropriate, amend clauses relating to working hours to align them with the staggered scheme established in the decree's transitory articles. The clauses establishing **more favorable working hours** than those established in the Constitutional Reform **will continue to be valid**, in application of the **principle of the most beneficial condition for employees**. Internal work rules must also be updated, and employers should consider possible **adjustments to shifts and schedules**, particularly in industries that operate continuously.

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## Connection with the General Act to Prevent, Punish, and Eradicate Crimes related to Human Trafficking

The **Constitutional Reform** has a relevant connection with the **General Law to Prevent, Punish, and Eradicate Crimes related to Human Trafficking** (“GLPPECHU”). **Article 10** of GLPPECHU punishes with a **sentence** of 5 to 15 years of **prison** and a penalty of 1,000 to 20,000 days **fine** for any **acts or omissions committed intentionally** for **exploitation purposes**, and includes labor exploitation in section IV, in the terms of article 21.

➤ Conduct considered labor exploitation

Article 21 GLPPECHU punishes with a sentence of 3 to 10 years of prison and a penalty of 5,000 to 50,000 days fine for anyone exploiting one or more persons in the workplace. GLPPECHU defines that labor exploitation occurs when an unjustifiable benefit is obtained through the work of others by subjecting the individuals to practices that violate their dignity, including: **(a) dangerous and unsanitary conditions** without the necessary protection, **(b) manifest disproportion** between the **work** carried out and the **payment** made, **(c) salary below** legal minimum, and **(d) working days longer** than as established by law.

In the context of the Constitutional Reform, section (d) is particularly relevant because, as the staggered scheme progresses, noncompliance with the new weekly maximums could result in the offense of labor exploitation. In the case of individuals belonging to indigenous and Afro-Mexican peoples and communities, the sentences increase to between 4 and 12 years of prison and a penalty of 7,000 to 70,000 days fine.



> Forced labor and salary reduction.

Article 22 GLPPECHU punishes with a sentence of 10 to 20 years of prison and a penalty of 5,000 to 50,000 days fine for anyone that keeps individuals in forced labor, understood to be those obtained through the use of force, physical coercion, serious harm or abuse of immigration reporting.

In addition, the constitutional prohibition on reducing wages, salaries and benefits based on the new working hours must be read along with section III, article 21 GLPPECHU, which classifies as labor exploitation the payment of a salary below the legal minimum. A salary reduction based on the new working hours could be considered both a constitutional infringement and a crime of labor exploitation.

> Labor inspection and protection of minors.

Under section VIII of article 89 GLPPECHU, the Mexican Ministry of Labor and Social Welfare "will increase its **inspections to work centers**, within its scope of authority, to prevent and detect that crime in a timely manner." This mandate is complemented by the new obligation to electronically register working hours established in secondary legislation, which could facilitate the detection of noncompliance.

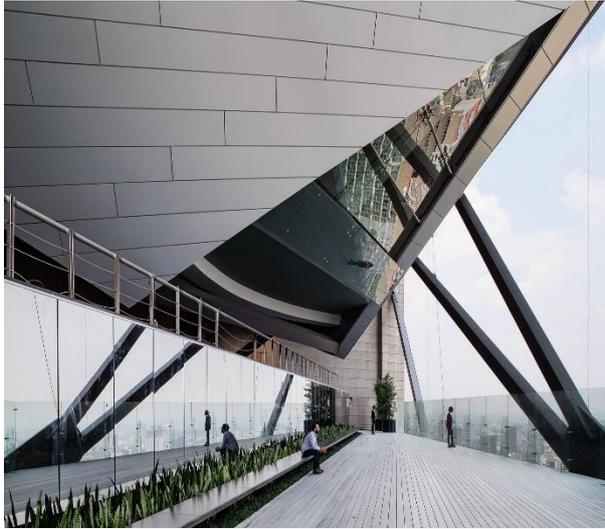
Likewise, the constitutional prohibition on overtime for minors under 18 is consistent with the **principle of the best interests of the child** established in GLPPECHU. Under section VII of article 10, GLPPECHU punishes the use of minors under 18 in activities that violate their rights.

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## Recommendations for companies

Based on the above, the following is recommended:

- > Contract reviews. Adapt individual contracts and CBAs, as well as internal rules, to the gradual reduction plan in line with the transitory articles of the decree.
- > Salary protection. Ensure that the reduction of working hours does not involve a reduction of wages, salaries or benefits, in line with the decree's fourth transitory article.
- > Monitoring overtime. Monitor compliance with the new limits on overtime and the prohibition on overtime for minors under 18.
- > Monitoring digital recording of working hours. Implement a digital system for recording working hours, in line with the obligation that will come into force on January 1, 2027, which enables the reliable recording of every worker's working day start and finish times.
- > Compliance regarding human trafficking. Review labor practices in light of GLPPECHU, considering that excessive working hours could be considered labor exploitation in line with article 21 GLPPECHU.
- > Training. Train human resources staff on the new obligations and the administrative and criminal consequences of noncompliance.



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