

AMENDMENTS REGARDING SUBSTANTIVE EQUALITY AND VIOLENCE AGAINST WOMEN

JANUARY 2026

- On January 15, 2026, a cross-cutting reform on substantive equality and the prevention of violence against women was published in the Official Gazette of the Federation, introducing reinforced obligations for employers, particularly under the Federal Labor Law, to ensure workplaces free from discrimination and violence.
- A key aspect of the reform is the express obligation for employers to train their personnel to prevent and eliminate violence against women, requiring companies to review and adjust their internal programs to mitigate compliance and sanction risks.

On January 15, 2026, a Decree was published in the Official Gazette of the Federation ("DOF") amending, adding, and repealing various provisions of different laws in Mexico, introducing changes to strengthen substantive equality and to prevent, address, and eradicate violence against women. For private-sector employers, notable adjustments to the Federal Labor Law ("FLL") reinforce the duty to ensure a workplace free of discrimination and violence, and impose an express obligation on employers to provide training to their personnel to prevent and eliminate violence against women.

The Decree will come into force on the business day following its publication in the DOF, this is, January 16th, 2026. Additionally, authorities at all three levels of government have 180 business days to make legislative and regulatory adjustments and implement what is necessary to ensure compliance.

The reform to the FLL reinforces the objective to promote decent work by providing that work should be carried out in an environment free of discrimination and violence, with full respect for human rights, and with recognition of the differences between women

and men in order to achieve their substantive equality before the law. It provides that both workers and employers must contribute to maintaining a workplace free from discrimination and violence against women.

Specifically, employers must train their personnel to prevent and eliminate violence against women. The FLL requires companies with more than 50 workers to form Joint Commissions on Training, Instruction, and Productivity, composed of an equal number of worker and employer representatives, responsible, among other things, for implementing training and instruction systems and programs for workers.

Companies with up to 50 workers would comply by adopting the programs established for that purpose by the Ministry of Labor and Social Welfare (Secretaría del Trabajo y Previsión Social), and conducting the related training.

It will be important to review internal processes in order to make the modifications or adjustments necessary to comply with this new specific training obligation, incorporating specific modules to prevent and eliminate violence against women into the

relevant program, with a focus on substantive equality and gender perspective, determining the periodicity of such training, linking it to the protocol to prevent gender-based discrimination and to address cases of violence and harassment or sexual harassment, and to the guidelines related to prevention of psychosocial risk factors and workplace violence, as well as to the mechanisms that must be implemented to receive complaints regarding practices contrary to a favorable organizational environment and to report acts of workplace violence.

In any case, plans, programs, content, and evidence of training to the workers, as applicable, should be documented in order to avoid sanctions by the labor authorities, reinforcing the need to have effective prevention, response, and sanctioning protocols and action plans.

Furthermore, the Decree includes rules that should guide public policies and actions to guarantee women's right to a life free of violence, driving cultural change and effective access to justice with a gender perspective, which anticipates greater scrutiny of internal prevention and response practices in workplaces.

The combination of the employer training obligation and the standard for an environment free of violence and discrimination raises the diligence requirement, and as such it is expected that the authorities will focus on the existence and effectiveness of training and protocols in the workplaces.

At S+S, we are available to discuss the implications of this reform and to support compliance.

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