

## Specific technical guidelines for the reopening of economic activities

On May 29, 2020, was published in the Federal Official Gazette (“DOF”) the “Decree establishing the Specific Technical Guidelines for the Reopening of Economic Activities” (the “Guidelines”)<sup>1</sup>.

These Guidelines are supplementary to the provisions of the “Decree establishing the strategy for the reopening of social, educational and economic activities, as well as a spotlight system by regions to weekly assess the epidemiological risk related to the reopening of activities in each federal entity” and of the “Technical Guidelines for Health Safety in the Work Environment” (“**LTSSSEL**”).

The Guidelines are of general application for all workplaces and their objective is to establish the specific measures that economic activities must implement within the framework of the general strategy for the “New Normal”.

The aforementioned Guidelines **mandates the self-assessment to all essential activities** (on the page [www.gob.mx/nuevanormalidad](http://www.gob.mx/nuevanormalidad)), in the understanding that the companies of the construction, mining and manufacturing of transportation equipment sectors, which have already obtained authorization according to the previous guidelines, will not require to reobtain it. **The rest of the workplaces (non-essential) may do so voluntarily** (obtain IMSS stamp), regardless of their size. The Guidelines also update the checklist of sanitary measures to be implemented and training and advisory programs from the IMSS (CLIMSS).

The Guidelines also establish the possibility of developing and publishing specific guidelines for the protection and promotion of health depending on each sector of the economy

In addition to the provisions of the LTSSSEL, the Guidelines state the following:

a) In the Third Stage (from June 1, 2020) all companies may restart operations provided they implement the provisions of the Guidelines and comply with the provisions of the epidemiological spotlight, without the need for prior authorization.

The obligation of the workplaces is limited to complying with the measures established in the Guidelines. Therefore, in the event that they are inspected by the competent federal authority, they must demonstrate that they comply with such measures.

b) In order to identify the mandatory measures for the return or continuity of their activities, workplaces must take into account: i) *their type of activity* (essential or non-essential in accordance with the Decrees published in the DOF on March 31, April 6, May 14 and 15,

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<sup>1</sup> [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5594138&fecha=29/05/2020](http://www.dof.gob.mx/nota_detalle.php?codigo=5594138&fecha=29/05/2020)



2020); ii) *the size of its economic unit* (micro, small, medium or large) depending on the trade, industry or services sector; iii) *the level of sanitary alert or epidemiological risk* according to its location, pursuant to the Sanitary Alert System (maximum, high, intermediate or ordinary); and iv) *its internal characteristics*, considering its personnel in vulnerability or greater risk situation; its areas or departments; and the personnel in charge of caring for minors, older adults and people in vulnerable situations.

c) Regarding the **General Control Strategies**, the following were added:

1. Health promotion:

- Promote the importance of not going to work or social gatherings with symptoms compatible with Covid-19 to avoid being a risk of potential contagion to other people;
- Establish a training program for the directive or management personnel on the actions and measures of prevention and contagion of Covid-19; and
- Publicize the emergency telephone number of the health authority (911).

2. Health protection:

- *Healthy distance*: Stay home! If a person presents symptoms of respiratory disease or related to Covid-19, they should stay home, seek medical assistance and, if appropriate, their disability using online means.
- *Entrance-exit control*: provide a 60% alcohol-based solution for handwashing and verify the appropriate use of facemasks for all persons entering or leaving the workplace.
- *Contagion prevention measures in the company*: The implementation of the policy for the use of stairs and elevators was modified, to refrain from touching surfaces as much as possible and to strive for their constant cleaning.
- *Use of Personal Protective Equipment*: It was added to the list that jobs with very high exposure to known and suspected sources of Covid-19 (such as health care personnel), that perform procedures that generate aerosols, must wear N95 facemasks, gloves, gown, and eye and face protection.

d) Surveillance and Supervision: It was added that the committee or the person designated to verify the correct implementation of all the measures in the workplace shall keep the record and follow-up of the staff in voluntary home sheltering, and evaluate possible contagion cases.



e) Protective measures for vulnerable population in workplaces located in high and intermediate alert regions: The Guidelines establish that consideration must be given to suspend or make more flexible the attendance to the workplaces of people that live with or are in charge of minors, older adults and people in vulnerable situations or with increased risk of contagion. The following people were mentioned as examples: breastfeeding people, people with transplants, or with liver or lung diseases, or with neurological or neurodevelopmental disorders (epilepsy, vascular accidents, muscular dystrophy, spinal cord injury). It is recommended that prior to their return or within the first month, they attend to a medical consultation and that people with diabetes, hypertension and heart disease attend at least every 3 months for a check-up.

f) Health safety measures are straightforward and according to the size of the companies. In addition, they are classified in essential and recommended, in order for employers to ponder its implementation order according to the instructions of the federal authority. Such measures must be fully implemented. The effective compliance to the measures will be the determining factor at the time of the inspection by the authorities.

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