

May 15, 2020

EY LAW Flash

Decree of the Ministry of Health – Strategy for the Reopening of Activities



Errata to the statement dated May 13, 2020, on the Decree of the General Health Council – Staged reactivation of activities

On May 13, 2020, the Decree through which the construction, mining and manufacture of transport equipment shall be considered as essential activities while the health emergency prevails was published in the morning version of the Official Journal of the Federation (DOF, for its acronym in Spanish).

Such decree was canceled and withdrawn from the publication of the DOF, to be replaced for a new decree, which was published on May 14, 2020, under the heading: *“Decree that provides a strategy for the reopening of social, educational and economic activities, as well as a traffic light system by regions to weekly assess the epidemiological risk related to the reopening of activities in each state, as well as providing extraordinary actions”* (hereinafter, the “Decree”).

The Decree provides the generalities of the strategy for the gradual reopening of social, educational and economic activities, providing for it three stages for its implementation:

- ▶ Stage 1. Begins on May 18, 2020, with the reopening of activities in municipalities with no impact¹
- ▶ Stage 2. From May 18 to May 31, 2020, with the preparation for the reopening of essential and non-essential activities, through the implementation of labor actions by companies
- ▶ Stage 3. Begins on June 1, 2020, according to the traffic light system by regions for the reopening of social, educational and economic activities (see image)

In preparation for the reopening of activities provided in Stage 2, companies will be required to have, no later than May 31, 2020, the following:

- (i) Health protocols for the safe restart of activities
- (ii) Train personnel for safety in the work environment
- (iii) Readjustment of spaces and production processes
- (iv) Implementation of entrance filters, sanitation and hygiene of the workplace

Likewise, the extension of the catalog of essential activities was provided as an extraordinary action, by including the industries dedicated to the construction, mining and manufacture of transport equipment. The aforementioned activities may start activities on June 1, 2020, with the implementation of health security guidelines in the workplace².

The issuance of this new Decree confirms the need of the companies to carry out immediate actions to confirm and evidence their character as essential activity, as well as the implementation of sanitary protocols, in order to carry out the process of staged reactivation of activities.

The foregoing is essential to solve possible labor inspections, objections of employees and unions to the progressive reactivation plan and to guarantee the health of the personnel.

Region	Activity	Description of activities
Red	Schools	Suspended
	Public Space	Suspended
	Economic Activities ONLY ESSENTIALS	Only work activities considered essential
Orange	Schools	Suspended
	Public Space	Capacity allowed in public space activities in open places. Suspended in closed places
	General Economic Activities	Work activities considered essential and non-essential activities with a reduced operation
Yellow	Schools	Suspended
	Public Space	Capacity allowed in public space activities in open places and with restrictions in closed places
	General Economic Activities	All work activities
Green	Schools	Without restrictions
	Public Space	
	General Economic Activities	

¹ Municipalities without confirmation of cases of infection by COVID-19 and that, additionally, do not adjoin municipalities that have experienced cases of infection by COVID-19. In these municipalities, school activities, mobilization in public spaces, either close or open, as well as all work activities, essential and non-essential, may be resumed without restrictions. The Ministry of Health, no later than May 17, 2020, through a technical statement to be published on the website www.salud.gob.mx, will announce which municipalities have zero impact.

² The guidelines will be published by the Ministry of Health, in coordination with the Ministry of Economy and Labor and Social Welfare, as well as with the Mexican Institute of Social Security.

For further information about this bulletin, please contact any of the following professionals:

Diego González Aguirre
diego.gonzalez.aguirre@mx.ey.com

Lilliana González
lilliana.gonzalez.flores@mx.ey.com

Alejandro Caro de la Fuente
alejandro.caro2@mx.ey.com

Juan Carlos Curiel
juan.curriel@mx.ey.com

Yeshua Gómez Bretón
yeshua.gomez2@mx.ey.com

EY

Assurance | Tax | Transactions | Advisory

About EY's Tax Services

Your business will only succeed if you build it on a strong foundation and grow it in a sustainable way. At EY, we believe that managing your tax obligations responsibly and proactively can make a critical difference. Our global teams of talented people bring you technical knowledge, business experience and consistency, all built on our unwavering commitment to quality service – wherever you are and whatever tax services you need.

We create highly networked teams that can advise on planning, compliance and reporting and help you maintain constructive tax authority relationships – wherever you operate. Our technical networks across the globe can work with you to reduce inefficiencies, mitigate risk and improve opportunity. Our 45,000 tax professionals, in more than 150 countries, are committed to giving you the quality, consistency and customization you need to support your tax function.

For more information about our organization, please visit www.ey.com/mx

© 2020 Mancera, S.C. EYGM Limited All Rights Reserved ©

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients.

This bulletin has been prepared by the professionals of EY and contains general comments on the application of various accounting, tax and financial standards, as applicable. Since the contents of this bulletin are informative in nature and do not represent a specialized study of any specific situation, this bulletin must in no case be construed as being professional advice on any concrete case. At EY, we are committed to providing you with reliable and timely information; however, we cannot guarantee that the contents of this document will be valid at the time you receive or consult this document, or that they will continue to be valid in the future. Therefore, EY assumes no responsibility whatsoever for any errors or inaccuracies that may be contained in this document and the decision to use the information contained herein is entirely the recipients. All rights reserved (currently being processed).