

Late last night, March 30, 2020, the government of Mexico issued a decree declaring a Health Emergency, with seven basic measures. While the decree leaves many details to be filled – especially what an “essential industry” is and what happens to manufacturing plants involved in the Health and National Security industries, the government has stated that employers are not to stop paying salaries and that labor relations remain in effect, while reiterating that all employees who can work from home in some way should continue working.

The Mexican government listed seven measures associated with this Health Emergency:

- Measure 1: Suspension of non-essential activities from March 30 to April 30, 2020
- Measure 2: The social distancing order is extended until April 30 and requests not to hold meetings of more than 50 people
- Measure 3: The population should take voluntary shelter; this is not a shelter at home order
- Measure 4: People over 60 years of age, people diagnosed with hypertension, diabetes, immunosuppression, pregnancy status and diabetes should not go to work
- Measure 5: Return to work activities will be staggered
- Measure 6: The 2020 Census involving physical interaction is suspended
- Measure 7: All these measures are not to be done while not affecting the full protection of the population’s human rights

During this morning’s press conference (March 31, 2020), the Under Secretary of Health added some details on what essential industries are, including:

- The Healthcare Sector: Those that are directly necessary to address the health contingency, such as the activities of the medical, paramedical, administrative and support branches throughout the healthcare sector, both public and private. This list includes those who participate in the health industry supply chain, services and other vendors. This also includes the pharmaceutical sector, both in its production and distribution (pharmacies); the manufacture of supplies, medical equipment and healthcare technologies; as well as those involved in the disposal of hazardous biological-infectious waste (RPBI); as well as the cleaning and sanitization of medical units at different levels of attention.
- Security and Justice: All areas related to security and safety and national security.

- Economy: Sectors considered essential for the fundamental functioning of the economy include financial, tax collection; distribution and sale of energy, gas and gas stations; generation and distribution of drinking water, food and non-alcoholic beverage industry, food markets, supermarkets, self-service stores, groceries and the sale of prepared foods; passenger and cargo transportation services; agricultural and livestock production, agro-industry, chemistry, cleaning products; hardware stores, courier services, private security companies; nurseries, nursing homes and care for the elderly; telecommunications and the media; private emergency services, burial and funeral services, storage and cold storage of essential supplies, logistics (airports, ports and railways); as well as activities whose suspension may have irreversible effects for its continuation.
- Critical Infrastructure: The conservation and maintenance of critical infrastructure that ensures the production and distribution of essential services such as drinking water, electricity, gas, oil, gasoline, jet fuel, basic sanitation, public transportation, and first-class hospital and medical infrastructure, among others that could be defined under this category.

The Secretary of Health will issue further details during the day, and the decree will be issued this evening, March 31, 2020, at approximately 8 p.m. EDT.

We will provide more information as it becomes available.

Contact

Jose Martin
Of Counsel, Miami
T +1 305 577 2816
E jose.martin@squirepb.com