



CHANGES IN THE WORKING HOURS

Two additional changes immersed and not visible in the law for the reduction of Working Hours.

On July 15, 2021, Law 2101 was issued, with which the Government reduced the working day from 48 to 42 hours per week; this law, while allowing the gradual reduction of the working day, starting the year 2023, it also invites those companies that can implement it before, to take advantage of the reduction of 42 hours without further formalities. Nevertheless, within the same law, there are two important points that companies should take into account, since due to their wording, they could be overlooked, this is, "Article 6. Exoneration", which explicitly indicates that the employer who carries out the reduction of the working hours is exonerated from implementing the paragraph of article 3 of Law 1857, 2017 which refers to the six-monthly session that employers must manage and grant its workers a space to spend time with their families. It is therefore understood that for those companies that implemented the reduction it is no longer mandatory to grant the workday per semester to its employees.

The other point of the sixth article of exemption refers to article 21 of Law 50, 1990, which forced companies with more than 50 employees to allocate 2 hours within the working week to recreational activities. Therefore, if these companies reduce their working hours, they are no longer required to comply with the provisions of said Law.

The aforementioned exemption must be applied gradually for those companies which also reduce gradually their working hours, and employers are recommended to socialize with their employees regarding the application and effects of Law 2101, 2021, and by doing so, to make clear for both parties the implications of working 42 hours per week.