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*Artículos Científicos*

## **El impacto de las reformas a la ley del trabajo sobre la calidad de vida de los trabajadores**

*The Impact of the reforms to the Labour Law on The Quality of Life of Workers*

*O impacto das reformas da legislação trabalhista na qualidade de vida dos trabalhadores*

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### **Resumen**

Introducción: En la década de los años setenta se consideró al neoliberalismo como la respuesta para paliar los problemas económicos mundiales, el cual pugnaba por la disolución progresiva de las fronteras económicas y políticas. Se pensaba que el libre flujo de dinero desde los países ricos en la región de Europa y Norteamérica hacia las vastas regiones pobres de África, América Latina y Oceanía era suficiente como estrategia para eliminar la pobreza y acabar con las crisis económicas recurrentes. A la par se desarrolla la globalización como un proceso de integración de todas las comunidades alrededor del mundo en los ámbitos económico, político, tecnológico, social y cultural, logrado por el desarrollo sin precedentes de los sistemas de comunicación. Este



avance tecnológico favoreció el intercambio de productos y servicios, así como la conexión o movimiento de personas, y facilitó las inversiones y transacciones financieras entre mercados distantes o emergentes, acciones que antiguamente resultaban muy difíciles, altamente costosas o inviables.

La combinación de ambos fenómenos ha modificado la forma en que interactúan los países, las empresas y los individuos, de modo que, en esta última parte, ha impactado directamente en el mercado laboral, que a su vez ha modificado el ámbito jurídico y político de muchas regiones del planeta. Para lograr la competitividad solicitada internacionalmente uno de los factores clave fue la aplicación de modificaciones legislativas en materia laboral. En otras palabras, fue el concepto de flexibilización del empleo la base de modificación de la antigua ley para dejar que las fuerzas del mercado definieran su calidad.

**Objetivo:** En este estudio se realiza un comparativo entre la Ley Federal del Trabajo vigente en México respecto a la normativa antecesora, para lo cual se tomaron en cuenta el concepto *calidad de vida*, así como los indicadores propuestos por diferentes entidades internacionales.

**Método:** Se analizaron los indicadores mencionados bajo un sistema binario de calificación para realizar el acumulado (indicador acumulativo), elemento de comparación. La innovación de esta tarea fue la calificación de cada artículo de la ley en función de los conceptos *calidad de vida* y *bienestar* tipificados por las entidades internacionales. Esta propuesta de evaluación de las condiciones laborales de los trabajadores en México se considera más objetiva al abordar el bienestar material, los elementos de seguridad social y de realización personal.

**Resultados y conclusiones:** Se identifica una pérdida de elementos relacionados con la seguridad alimentaria, acceso a salud y educación, así como un retroceso en materia de seguridad laboral según los indicadores internacionales, lo que genera una precariedad laboral. Esto, en términos de desarrollo, constituye un retroceso en cuanto a las características del concepto *bienestar*.

**Palabras clave:** bienestar, competitividad, flexibilización, globalización, neoliberalismo.

## Abstract

**Introduction:** In the decade of the 70's, neoliberalism was considered the answer to alleviate world economic problems, which fought for the progressive dissolution of economic and political borders. The free flow of money from rich countries in the Europe and North America region to the vast poor regions of Africa, Latin America and Oceania was thought to be sufficient as a strategy to eliminate poverty and end recurring economic crises. At the same time, globalization is developing as a process of integration of all communities around the world in the economic, political, technological, social and cultural spheres, achieved by the unprecedented development of communication systems. This technological advance favored the exchange of products and services, the connection or movement of people, also facilitated investments and financial transactions between distant or emerging markets, actions that were previously very difficult, highly expensive or unviable.

The combination of both phenomena has modified the way in which countries, companies and individuals interact in such a way that, in this last part, it has had a direct impact on the labor market, which in turn has modified the legal and political environment of many regions of the planet. To achieve the competitiveness requested internationally, one of the key factors was the legislative changes in labor matters. The concept of flexible employment is the basis for modifying the old law, to let market forces define its quality.

**Objective:** In this study, a comparison is made between the current Federal Labor Law, with respect to the predecessor regulations, taking as the basis of comparison the concept of quality of life and the indicators proposed by different international entities, which are used for its evaluation.

**Method:** The aforementioned indicators were analyzed, under a binary rating system, to make the accumulated (cumulative indicator) and which is the element of comparison. The innovation is based on qualifying each article of the Law according to the concepts of quality of life and well-being typified by international entities; This proposal for the evaluation of the working conditions of workers in Mexico is considered more objective when addressing material well-being, the elements of social security and personal fulfillment.

**Results and conclusions:** A loss of elements related to food safety, access to health and education, setback in terms of occupational safety is identified, which in global terms is lower than international indicators, causing job insecurity, and in terms of development represents a throwback of the concept of well-being.

**Keywords:** well-being, competitiveness, flexibility, globalization, neoliberalism.

## Resumo

Introdução: Nos anos setenta, o neoliberalismo era considerado a resposta para amenizar os problemas econômicos mundiais, que lutava pela dissolução progressiva das fronteiras econômicas e políticas. O fluxo livre de dinheiro dos países ricos da região da Europa e América do Norte para as vastas regiões pobres da África, América Latina e Oceania foi considerado suficiente como estratégia para eliminar a pobreza e acabar com crises econômicas recorrentes. Ao mesmo tempo, a globalização se desenvolve como um processo de integração de todas as comunidades do mundo nas esferas econômica, política, tecnológica, social e cultural, alcançado pelo desenvolvimento sem precedentes dos sistemas de comunicação. Esse avanço tecnológico favoreceu a troca de produtos e serviços, bem como a conexão ou movimentação de pessoas, e facilitou investimentos e transações financeiras entre mercados distantes ou emergentes, ações antes muito difíceis, onerosas ou inviáveis.

A combinação de ambos os fenômenos modificou a forma como países, empresas e indivíduos interagem, de forma que, na última parte, impactou diretamente no mercado de trabalho, o que por sua vez modificou o ambiente jurídico e político de muitas regiões do país. Para alcançar a competitividade exigida internacionalmente, um dos fatores-chave foi a aplicação de mudanças legislativas em matéria trabalhista. Em outras palavras, o conceito de emprego flexível foi a base para modificar a antiga lei para permitir que as forças de mercado definissem sua qualidade.

Objetivo: Neste estudo, é feita uma comparação entre a Legislação Federal do Trabalho vigente no México a respeito das normas anteriores, para as quais foi levado em consideração o conceito de qualidade de vida, bem como os indicadores propostos por diferentes entidades internacionais.

Método: Os referidos indicadores foram analisados sob um sistema de classificação binária para constituir o acumulado (indicador cumulativo), elemento de comparação. A inovação desta tarefa foi a qualificação de cada artigo da lei com base nos conceitos de qualidade de vida e bem-estar tipificados por entidades internacionais. Esta proposta de avaliação das condições de trabalho dos trabalhadores no México é considerada mais objetiva quando se trata de bem-estar material, elementos de seguridade social e realização pessoal.

Resultados e conclusões: Identifica-se uma perda de elementos relacionados com a segurança alimentar, o acesso à saúde e educação, bem como um retrocesso em termos de segurança do

trabalho segundo indicadores internacionais, o que gera insegurança no emprego. Isso, em termos de desenvolvimento, constitui um retrocesso em termos das características do conceito de bem-estar.

**Palavras-chave:** bem-estar, competitividade, flexibilidade, globalização, neoliberalismo.

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## Introduction

Neoliberalism is the political-economic theory that sought to respond to the economic problems of the last century, postulating that these inconveniences were the result of the state's over-regulation of production processes. Consequently, one of its principles indicates that the economy is the only engine of development, so that everything that affects human well-being must be subordinated to the laws of the market. This means that the relationships between individuals and social groups must depend solely on the flows of money between them.

However, the current model of economic development struggles with an ever-growing economic dynamic —expressed in an increasing gross domestic product (GDP)—, which in theory should generate quality of life conditions for society. In this new scenario, the market would provide the basis for development for individuals to obtain these services, although for this the person must have the individual economic capacity to pay for them, which can only be achieved with a job.

In Mexico, neoliberalism emerged in the midst of the economic crises of the 1970s caused by an unpayable foreign debt. The visible effect was the opening of the economy to the investment of foreign capital that demanded labor and tax regulations in their favor (what they called flexibility), as well as highly qualified labor (included in the concept of competitiveness). This resulted in various modifications of the labor legislation in order to make the country highly attractive for foreign investment, which generated a significant impact on the labor market and in the legal and political sphere. However, the final result of these public policies was the creation of companies with poorly regulated working conditions, where the value of employment depended on the economic efficiency of the company, which in its highly competitive phase incorporated outsourcing, thereby Market forces were allowed to define the quality of employment.

For this reason, in this study a comparison is made between the current Federal Labor Law and the predecessor regulations, taking as axes of analysis the concept of quality of life and

the indicators proposed by different international entities for its evaluation. To do this, a binary rating system was used for each element of both versions of the law to compare them with each other. The innovation of this process lies in qualifying each article of the law according to the concepts of quality of life and well-being typified by international entities. This proposal for the evaluation of working conditions in Mexico is considered important because it examines material well-being, as well as the elements of social security and personal fulfillment.

## Context

Neoliberalism takes up the classic liberalism of the 19th century to insert it into current capitalism. It arises as a countercultural reaction to the control of the State as a guarantor of social justice, equity and distribution of wealth, a representative paradigm of the sixties of the last century. At that time, the State acted as a protector of vulnerable social groups against the interests of other economic actors (e.g. companies).

However, due to the economic misfortunes of the 20th century generated by the state's over-regulation of productive systems, neoliberalism arises indicating that the functions of the aforementioned entity should be reduced to controlling and organizing society, since the market was capable of supplying the other social relationships.

Neoliberalism, therefore, affirms that man is in essence a homo economicus, so if he is not a participant in the market, he is simply not useful for society and, consequently, he does not exist (Foucault, 2010, 365). In other words, only when an individual does not attend commercial relations and is not able to establish any type of relationship is it up to the State to incorporate him into the economic circuits, but without intervening in the functioning of the economy, since this is the only engine of political and social development. In this way, if all the aspects associated with the human being must be subordinated to the laws of the market, then free trade would be the basis of the relations between individuals and social groups, and the flows of money between them the only way to establish relations. healthy.

Neoliberalism, therefore, struggles for a growing economic dynamic, which—in theory—should generate better conditions of material wealth for individuals and, therefore, of quality of life. To achieve this high dynamic, he proposes that regulations on trade and finance be very lax, and urges the privatization of companies and services that are in the hands of the government, arguing that the private sector is more efficient to create wealth and offer services.

Another element that promotes neoliberalism is the reduction of social spending, since it considers that the market must provide the basis for development and that each individual must access these services through their individual economic capacity, which is based exclusively on competitive capacity. .

With these principles, neoliberalism spread worldwide in the eighties and nineties thanks to the precepts of globalization to form a single process of an economic nature and supported by technology and the emergence of new social groups. The objective was to create a world where money and merchandise transfers were faster, regardless of the geographical point or social group from which the products came to make them available to whoever had the money to buy them, including natural resources and labor .

In Mexico, neoliberalism emerged in the 1970s due to the decline in oil prices, which made it difficult to maintain a huge state payroll that was difficult to afford. In this way, the Government began to implement a series of actions to “correct” the aspects that caused the recurring crises, which led to the privatization of a large group of state-owned companies related to energy, communications and transportation. This required the reform of laws related to these sectors and even of the Constitution itself.

This process continued with the thinning of the State apparatus, which left a significant volume of highly trained people without formal employment, who were left at the mercy of the labor market. The oversupply of skilled labor had a direct impact on wages, as well as on the loss of access to employment benefits. Subsequently, public spending was reduced, which decreased the quality of health and education services, as well as the volume of the population served. Finally, the government economy was opened to foreign investment from multinational companies that demanded permissive labor and tax regulations and highly skilled workers. The final results were companies with little or no regulated working conditions, as well as a job value that depended not on the worker's ability, but on the economic efficiency parameters that the company reported to the tax system.



## Concepts

### Legitimation

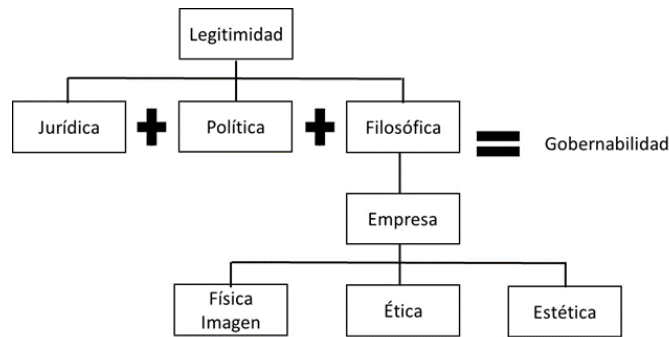
The company is a purely economic entity that makes decisions considering only the profits that it must report to investors and owners, although administrative theory indicates that other internal actors (such as workers) and external (such as customers) must also be considered. In this sense, Freeman, Harrison and Stelios (2010) explain that it is essential that companies legitimize their actions for society to accept and value their activity, which is called corporate social responsibility. That is, “if they can do positive things like help the community, share the big slice of cake with workers, and make products more environmentally safe for consumers, then making money is not bad” (Freeman et al. , 2010, p. 201). This means that legitimation becomes a social act, and not an economic one, when it is achieved through a process of acceptance and evaluation; therefore, it depends on the way the individual perceives the company, which can be approached from three areas:

- *Legally*: It is associated with the monitoring of norms that safeguard individuals and society to generate a harmonious interaction between them.
- *Politically*: It refers to decision-making and how those decisions are articulated, aimed at the well-being of society above individuals, but incorporating the individual.
- *Philosophically*: It is linked to individual acceptance, by the conviction that legal and political actions are good for society, beyond the regulatory imposition. It is the psychosocial process of obeying orders in the search for a common welfare.

In the case of the company, the legal is embodied in the Federal Labor Law, the political in corporate social responsibility, and the philosophical in the indicators of development and employee well-being that every government tries to induce, and which are reflected in the quality of life and well-being of the worker. However, many companies try to obtain acceptance through their image, which in many cases is merely advertising and based on their relationship with their consumers. When the three areas mentioned are given and articulated, the concept of governance can be applied; In the company, employees abide by company policies by recognizing that company management is legally, politically, and ethically responsible (Figure 1).



**Figura 1.** Estructura de la legitimidad empresarial



Fuente: Elaboración propia

From the point of view of a critical society, the lack of any of these aspects translates into the decline of the company. In this regard, Freeman et al. (2010) point out the following: "no manager could face allowing the difference between public development expectations and the company's economic development to become very large, because then it would lose its ethical justification" (p. 238). So, corporate social responsibility, in general terms, can be defined as the set of voluntary actions of the company that contribute to the social, economic and environmental improvement of the community with the aim of improving both the corporate image it projects and its value situation. .

The aforementioned concepts come from guidelines generated by international organizations such as the German Agency for Technical Cooperation [Gtz], the Organization for Economic Cooperation and Development [OECD], the Economic Commission for Latin America and the Caribbean [ECLAC], among others. . In the country, the Mexican Center for Philanthropy [Cemefi] defines corporate social responsibility as follows:

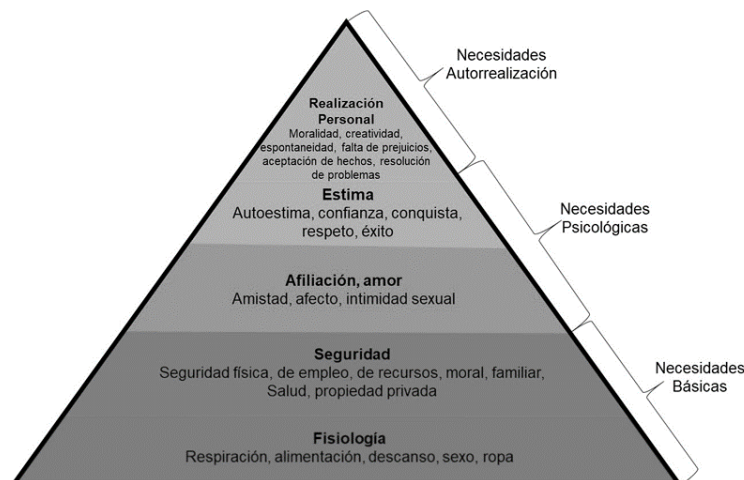
A business vision that integrates respect for people, social ethical values, the community and the environment, with the management of the company itself, regardless of the products or services it offers, the sector to which it belongs, its size or nationality (Cajiga, 2010, p. 2).

Contrary to this, the notion of the term well-being does not depend on how the investor-client perceives the company's performance, but on the employee himself and the way in which he is incorporated into the company's decision-making processes.

## Wellness

Well-being is an integrating concept of variables that measure the elements that give quality of life to the individual and their immediate social group: the family. According to Maslow, the individual needs to satisfy basic needs such as food, housing and health; To achieve this, he seeks to obtain financial and material resources that allow him to access them through a job. The individual, depending on the degree of satisfaction that he achieves from the coverage of his basic needs, will establish the next level of psychosocial relationships such as affection and filiation, that is, the formation of a family. And when he manages to satisfy each level of needs, he concentrates on obtaining the next level of satisfiers until he reaches self-realization (Figure 2).

**Figura 2.** Pirámide de necesidades Maslow



Fuente: Finkelstein (s. f)

The combination of the results of all these satisfiers generates the notion of well-being, which can be evaluated by adding the indices that determine the quality of life in combination with the perception that the individual has of their psychosocial condition. Only when an individual is fully satisfied with the living conditions they have, is they capable of living harmoniously in communities, and if the host community gives them spaces for effective participation in decision-making, it will be considered a good development. In short, depending on the level of quality of life, his well-being will be perceived, while the degree of participation in his social group will determine the way in which he perceives the conditions for his human development.

According to the Mexican Legal Dictionary, social welfare is defined in this way:

The contribution of modern society to the improvement of the person so that they depend less and less on their individual effort and obtain greater satisfactions that allow them a healthy life, without serious worries and with the maximum social conditions that it is possible to enjoy (Carpizo, 1982, p. 296).

In this context, it is the responsibility of the State to ensure the development conditions of the people in order for each individual to have a dignified and safe existence through the provision of public services that make the relationship with others pleasant, attractive and hygienic to achieve a peaceful social coexistence.

### Human development

These concepts have been transferred to the workplace, where they have become a fundamental and inalienable right: "The granting of a remunerative salary that is enough for the worker to cover his own needs and those of his family" (Carpizo, 1982, 296 ). It is up to the company to grant that remunerative salary that allows the worker a) to achieve the satisfaction of his basic needs, b) to ensure a healthy work environment so that c) can achieve his human development.

This means that the worker must have a sufficient economic income, a work environment where they are allowed to function, feel accepted and valued, develop their skills and generate a sense of belonging and coexistence. When the company is able to grant these conditions, a virtuous circle is established that results in a human development map (Table 1).

**Tabla 1.** Mapa de desarrollo

Calidad de vida = Calidad de las condiciones objetivas de vida	Bienestar = Satisfacción del individuo con sus condiciones de vida
Calidad de vida + Satisfacción con las condiciones de vida = Satisfacción personal	Calidad de vida + Satisfacción con las condiciones de vida + Satisfacción personal = Valores personales

Fuente: Galván y Guadarrama (2017, p. 82).

In the previous table, from left to right and from top to bottom, field 1 belongs to the individual; field 2 is the individual's performance in her job; field 3 is the individual, his work and his immediate community, and field 4 is the sum of the previous three plus the global conditions of society, which generate positive values when all are positive. Therefore, the

objective that the company should seek is to seek human development through its business policies to influence field 2.

### **Quality of life**

According to the National Institute of Statistics and Geography [Inegi] (2000), “the elements that determine the quality of life are health care, food, education, housing and employment. The combination of these factors allows us to know the welfare conditions of the population”(p. 11).

Each factor in turn is made up of individual measurement items; for example, health is the basis of people's social and economic performance, in such a way that it conditions work efficiency. Food is the basis of health and, therefore, the first that must be satisfied to maintain good health and good work efficiency. In the case of education, the basic elements of measurement are the illiteracy rate, number of years of formalized education and degree of training for work. This is because such training is essential for technological development. Housing is measured as the sufficient existence of housing units per family, as well as the quality of life elements that the dwelling must cover: privacy, sanitation and security. Finally, employment refers to the evaluation of how and under what activities the individual manages to have the resources that determine her level of well-being. All these elements, called dimensions, produce the indicators of quality of life and, in the second level, of well-being of the population.

### **Methodology**

The economic, social and material conditions of a company are the result of its actions in the search for economic growth. When the government allows market forces to be the only ones to determine company-society relations, both positive and negative results are obtained. A company must consider not only the effect of the aforementioned actions on its image and economic performance, but also the relationships it establishes with its employees and the environment, since the way in which society perceives its actions will determine the acceptance of its work and It will guarantee the subordination necessary to achieve its corporate objectives.

The changes made to labor legislation in Mexico are intended to guarantee the competitiveness of companies through labor flexibility. However, this process is considered hostile by the employee, and has generated asymmetries in terms of income and obligations, which has led to confrontations between the worker and his employer. The question, therefore, is

whether these modifications contain elements that guarantee the well-being of the workers, expressed as quality of life.

To find an answer, first, the reference base (reference matrix) was built from the indicators that the different international organizations propose to determine decent work; Later, two more matrices were made: the cited law was taken in its current version (matrix to be evaluated) and its antecedent (comparison matrix), and for each article a binary evaluation (0 or 1) was given to create a map that It reflects in each case whether it contributes elements to quality of life and well-being (according to Maslow's definitions). In this way, an attempt was made to determine what level of needs were being covered. Both maps were then compared with the reference matrix to determine if they met the postulates of decent work or if there are gaps.

## Results

Labor legitimation has its legal basis in the Mexican Political Constitution of 1917. In December 1916, Venustiano Carranza opened the debate in the sessions to reform the Constitution of 1857 when he declared before the Constituent Congress the following:

The protection and protection of the individual is the object of every government (...); the first unquestionable requirement (of every government) must be this protection of human freedom in a precise and clear, direct and necessary way (...); the constitution of a people should not seek to put artificial limits between the State and the individual as if it were trying to increase the field of free action of one (of the State) and restrict the (capacity of action) of the other (individual), in such a way that what is given to one is the condition of the protection of what the other reserves (...). It should be sought that the authority granted to representatives (of governments and companies) cannot be turned against society (Carranza, 1916, p. 5).

Based on this postulate, the four primary axes of the Federal Labor Law are established, namely: protection of the individual (individual guarantees), social justice (inclusion), equity and income (Minimum Wage Law).

The analysis carried out is a comparative scheme between the immediate previous legislation and the current Federal Labor Law. To do this, those elements associated with quality of life aspects in both work settings were identified, and it was assessed whether the article in

question guarantees the worker the coverage of their basic needs (quality of life) under the scheme developed by Maslow.

### Federal Labor Law 1970

Only 14 articles were taken from the Federal Labor Law decreed in 1970, since it was considered that they are explicitly related to the quality of life indicators, as they were defined before the most significant labor reforms: Labor Reform 2012 (Inegi, 2000 ). Considering the elements identified by Maslow as a basis, N1 was defined as basic needs (physiological and security), N2 as psychological needs (affiliation and love, and esteem) and N3 as self-realization needs (personal fulfillment). In short, for each article, the element it was covering was identified. Table 2 presents this identification.

**Tabla 2.** Necesidades de Maslow consideradas en la Ley Federal del Trabajo de 1970

Artículo	Concepto	Nivel
Artículo 3	El trabajo no es artículo de comercio. “Exige respeto para las libertades y la dignidad de quien lo presta y debe efectuarse en condiciones que aseguren la vida, la salud y un nivel económico decoroso para el trabajador y su familia”.	N1
Artículo 22	“Queda prohibida la utilización de los menores de 14 años y de los mayores de esta edad y menores de dieciséis que no hayan terminado la educación obligatoria”.	N1
Artículo 47	Son causas de rescisión de la relación de trabajo, sin responsabilidad para el patrón cuando en horario laboral, el trabajador: “Falta de probidad u honradez, en actos de violencia, amagos, injurias o malos tratamientos en contra del patrón, sus familiares o del personal directivo o administrativo de la empresa o establecimiento, salvo que medie provocación o que obre en defensa propia”.	N3
Artículo 48	En el caso de un juicio: “Si... el patrón no comprueba la causa de la rescisión, el trabajador tendrá derecho (...) a que se le paguen los salarios vencidos desde la fecha del despido hasta que se cumplimente el laudo”.	N1
Artículo 50	Las indemnizaciones... III. “Además de las indemnizaciones a que se refieren las fracciones anteriores, en el importe de tres meses de salario y el de los salarios vencidos desde la fecha del despido hasta que se paguen las indemnizaciones”.	N1
Artículo 93	Los trabajadores de campo, dentro de los lineamientos señalados en el artículo 90 (salario mínimo), disfrutarán de un salario mínimo adecuado a sus necesidades.	N1
Artículo 132	Obligaciones de los patrones XVI... “Adoptarán los procedimientos adecuados para evitar perjuicios al trabajador, procurando que no se desarrollen enfermedades epidémicas o	N1

	<p>infecciosa, y organizando el trabajo de modo que resulte para la salud y la vida del trabajador la mayor garantía compatible con la naturaleza de la empresa o establecimiento”.</p> <p>XVI. Bis No existe</p> <p>XVII. “Observar las medidas adecuadas y las que fijen las leyes, para prevenir accidentes en el uso de maquinaria, instrumentos o material de trabajo”.</p>	
Artículo 154	<p>Adicionado en 1978: Si no existe contrato colectivo o no contiene cláusula de admisión “los patrones estarán obligados a preferir, en igualdad de circunstancias, a los trabajadores mexicanos respecto de quienes no lo sean, a quienes les hayan servido satisfactoriamente por mayor tiempo, y a los sindicalizados respecto de quienes no lo estén”.</p>	N1
Artículo 280	<p>“Los trabajadores que tengan una permanencia continua de tres meses o más al servicio de un patrón, tiene la presunción de ser trabajadores de planta”.</p>	N1
Artículo 283	<p>Los patrones tienen las obligaciones especiales siguientes:</p> <p>II. “Suministrar gratuitamente a los trabajadores habitaciones adecuadas e higiénicas, proporcionadas al número de familiares o dependientes económicos, y un terreno contiguo, para la cría de animales de corral”.</p> <p>V. “Proporcionar a los trabajadores y a sus familiares asistencia médica o trasladarlos al lugar más próximo en el que existan servicios médicos”.</p>	N1
Artículo 451	<p>Para suspender los trabajos se requiere:</p> <p>III. Que se cumplan previamente los requisitos señalados en el artículo siguiente:</p>	N2
Artículo 452	<p>“Escrito de emplazamiento a huelga dirigida al patrón indicando las peticiones y enviada a la JCA, con 6 días de anticipación o 10 en caso de servicio público”.</p>	N2
Artículo 459	<p>La huelga es legalmente inexistente si:</p> <p>III. No se cumplieron los requisitos señalados en el artículo 452.</p>	N2
Artículo 525	<p>“La STyPS organizará un Instituto del Trabajo para la preparación y elevación del nivel cultural para el personal técnico y administrativo”.</p>	N2

Fuente: Elaboración propia

The table above shows 13 articles aimed at providing quality of life and well-being, enough to reach at least two elements of the human development map, while there is only one article aimed at promoting values (N3).

### Labour reform

The same exercise is carried out as in the case of the previous law; Table 3 presents this identification.



**Tabla 3.** Necesidades de Maslow consideradas en la reforma de 2012 Ley Federal del Trabajo

Artículo	Concepto	Nivel
Artículo 3	“Es de interés social promover y vigilar la capacitación, el adiestramiento, la formación para y en el trabajo, la certificación de competencias laborales, la productividad y la calidad en el trabajo, la sustentabilidad ambiental, así como los beneficios que éstas deban generar tanto a los trabajadores como a los patrones”. <i>Artículo reformado DOF 28-04-1978, 30-11-2012</i>	N3
Artículo 22	Artículo 22bis: “Queda prohibido el trabajo de menores de quince años; no podrá utilizarse el trabajo de mayores de esta edad y menores de dieciocho años que no hayan terminado su educación básica obligatoria, salvo los casos que apruebe la autoridad laboral correspondiente en que a su juicio haya compatibilidad entre los estudios y el trabajo” <i>Artículo adicionado DOF 30-11-2012. Reformado DOF 12-06-2015</i>	N1+
Artículo 47	Cuando en horario laboral, el trabajador “falte de probidad u honradez, en actos de violencia, amagos, injurias o malos tratamientos en contra del patrón, sus familiares o del personal directivo o administrativo de la empresa o establecimiento, a clientes y proveedores del patrón, salvo que medie provocación o que obre en defensa propia”. <i>Fracción reformada DOF 30-11-2012</i>	N3-
Artículo 48	En el caso de un juicio “Si... el patrón no comprueba la causa de la rescisión, el trabajador tendrá derecho (...) a que se le paguen los salarios vencidos computados desde la fecha del despido hasta un periodo máximo de doce meses. Si al término del plazo señalado en el párrafo anterior no ha concluido el procedimiento o no se ha dado cumplimiento al laudo, se pagarán también al trabajador los intereses que se generen sobre el importe de quince meses de salario, a razón del dos por ciento mensual, capitalizable al momento del pago”. <i>Artículo reformado DOF 30-11-2012</i>	N1-
Artículo 50	Las indemnizaciones... III. “Además de las indemnizaciones a que se refieren las fracciones anteriores, en el importe de tres meses de salario y el pago de los salarios vencidos e intereses, en su caso, en los términos previstos en el artículo 48 de esta Ley”. <i>Fracción reformada DOF 30-11-2012</i>	N1-
Artículo 93	Los salarios mínimos profesionales regirán para todos los trabajadores de las ramas de actividad económica, profesiones, oficios o trabajos especiales que se determinen dentro de una o varias áreas geográficas de aplicación. <i>Artículo reformado DOF 21-01-1988</i>	N3
Artículo 132	Obligaciones de los patrones XVI... “Instalar y operar de acuerdo con las disposiciones establecidas en el reglamento y las normas oficiales mexicanas en materia de seguridad, salud y medio ambiente de trabajo, a efecto de prevenir accidentes y enfermedades laborales. Asimismo, deberán adoptar las medidas preventivas y correctivas que determine la autoridad laboral”. XVII. Cumplir el reglamento y las normas oficiales mexicanas en materia de seguridad, salud y medio ambiente de trabajo. <i>Fracción reformada DOF 28-04-1978, 30-11-2012</i>	N3

Artículo 154	“Los patrones estarán obligados a preferir en igualdad de circunstancias a los trabajadores mexicanos respecto de quienes no lo sean, a quienes les hayan servido satisfactoriamente por mayor tiempo, a quienes no teniendo ninguna otra fuente de ingreso económico tengan a su cargo una familia, a los que hayan terminado su educación básica obligatoria, a los capacitados respecto de los que no lo sean, a los que tengan mayor aptitud y conocimientos para realizar un trabajo y a los sindicalizados respecto de quienes no lo estén”. <i>Párrafo reformado DOF 30-11-2012</i>	N2
Artículo 280	“El trabajador estacional o eventual del campo que labore en forma continua por un periodo mayor a veintisiete semanas para un patrón, tiene a su favor la presunción de ser trabajador permanente”. <i>Artículo reformado DOF 30-11-2012</i>	NA
Artículo 283	Los patrones tienen las obligaciones especiales siguientes: II. “Suministrar gratuitamente a los trabajadores habitaciones adecuadas e higiénicas, proporcionales al número de familiares o dependientes económicos que los acompañen y, en su caso, un predio individual o colectivo, para la cría de animales de corral”. <i>Fracción reformada DOF 30-11-2012</i> VI. “Proporcionar a los trabajadores y a sus familiares que los acompañen asistencia médica o trasladarlos al lugar más próximo en el que existan servicios médicos”. <i>Fracción reformada y recorrida DOF 30-11-2012</i>	N1-
Artículo 451	Para suspender los trabajos se requiere: III. Que se cumplan previamente los requisitos señalados en el artículo siguiente:	N2
Artículo 452	Se deroga <i>Artículo derogado DOF 04-01-1980</i>	NA
Artículo 459	La huelga es legalmente inexistente si: III. No se cumplieron los requisitos señalados en el artículo 452	NA
Artículo 525	Se deroga <i>Artículo derogado DOF 30-11-2012</i>	NA

Fuente: Elaboración propia

In this case, there are only six items that can be associated with the development map indicators. An important aspect is that in the previous law there were 13, four are level N3 and four are without effect; Of the latter, article 280 provides the guidelines for a temporary field worker to acquire the status of a plant worker, but is hampered in compliance with article 279 Ter, by indicating that the time that a worker can work for an employer or more cannot exceed what is required in article 280. In addition, (emergent) articles were added for factors that were not considered in the previous law, so they cannot be compared. Table 4 presents the emerging articles.

**Tabla 4.** Artículos emergentes de la reforma de 2012 a la Ley Federal del Trabajo

Artículo	Concepto	Nivel
Artículo 15 <sup>a</sup>	<p>Sobre el régimen de subcontratación: “El trabajo en régimen de subcontratación es aquel por medio del cual un patrón denominado contratista ejecuta obras o presta servicios con sus trabajadores bajo su dependencia, a favor de un contratante, persona física o moral, la cual fija las tareas del contratista y lo supervisa en el desarrollo de los servicios o la ejecución de las obras contratadas”.</p> <p>Este tipo de trabajo, deberá cumplir con las siguientes condiciones: a) No podrá abarcar la totalidad de las actividades, iguales o similares en su totalidad, que se desarrollen en el centro de trabajo. b) Deberá justificarse por su carácter especializado. c) No podrá comprender tareas iguales o similares a las que realizan el resto de los trabajadores al servicio del contratante. “De no cumplirse con todas estas condiciones, el contratante se considerará patrón para todos los efectos de la Ley” <i>Artículo adicionado DOF 30-11-2012</i></p>	N3
Artículo 15B	<p>“El contrato que se celebre entre la persona física o moral que solicita los servicios y un contratista, deberá constar por escrito”.</p> <p>“La empresa contratante deberá cerciorarse al momento de celebrar el contrato a que se refiere el párrafo anterior, que la contratista cuenta con la documentación y los elementos propios suficientes para cumplir con las obligaciones que deriven de las relaciones con sus trabajadores”. <i>Artículo adicionado DOF 30-11-2012</i></p>	N3
Artículo 15C	<p>“La empresa contratante de los servicios deberá cerciorarse permanentemente que la empresa contratista cumple con las disposiciones aplicables en materia de seguridad, salud y medio ambiente en el trabajo, respecto de los trabajadores de esta última”.</p> <p>“Lo anterior, podrá ser cumplido a través de una unidad de verificación debidamente acreditada y aprobada en términos de las disposiciones legales aplicables”.</p> <p><i>Artículo adicionado DOF 30-11-2012</i></p>	N3
Artículo 15D	<p>“No se permitirá el régimen de subcontratación cuando se transfieran de manera deliberada trabajadores de la contratante a la subcontratista con el fin de disminuir derechos laborales”.</p> <p><i>Artículo adicionado DOF 30-11-2012</i></p>	N1
Artículo 153A	<p>“Los patrones tienen la obligación de proporcionar a todos los trabajadores, y éstos a recibir, la capacitación o el adiestramiento en su trabajo que le permita elevar su nivel de vida, su competencia laboral y su productividad, conforme a los planes y programas formulados”.</p> <p><i>Artículo adicionado DOF 28-04-1978. Reformado DOF 30-11-2012</i></p>	N3
Artículo 279 Ter	<p>“Los trabajadores estacionales del campo o jornaleros son aquellas personas físicas que son contratadas para laborar en explotaciones agrícolas, ganaderas, forestales, acuícolas o mixtas, únicamente en determinadas épocas del año... Puede ser contratada por uno o más patrones durante un año, por periodos que en ningún caso podrán ser superiores a veintisiete semanas por cada patrón”.</p>	N3

	<i>Artículo adicionado DOF 30-11-2012</i>	
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Fuente: Elaboración propia

As can be seen, the emerging articles are directed at the tertiary level: the transcendence and self-realization of the individual, thus neglecting quality of life indicators. Only article 15D would be considered primary level, but lacking importance for what is specified in article 15A last paragraph.

The table of occupational diseases so far includes 161 conditions, which in some cases leave the window open to be applied in various jobs, although in others they are limited to a few work areas. Just to mention a few situations, in the case of dermatosis, consider skin diseases caused by mechanical, physical, inorganic or organic chemical agents, or biological agents; Stress-induced dermatitis, one of the consequences of working with high-pressure activities, is left out. The neurosis leaves her open for positions similar to pilots aviators or telephone operators, which can be understood to apply to aviation or call center jobs, although it can also mean positions that work under pressure or of great responsibility. The same happens with the leg cutaneous vascular complex that indicates some professions and their similar ones. In the case of tetanus, he only mentions seven professions. On pulmonary emphysema due to mechanical factors, only to wind instrument musicians and glass blowers. Regarding tuberculosis, brucellosis, tetanus, viral diseases, it is also limited to jobs in hospitals, laboratories, farmers, veterinarians, despite the fact that there are other jobs whose conditions can put the acquisition of these diseases at risk. that these limitations or lack of them may open the possibility of exempting the declaration of occupational disease for an employee and his due disability with responsibility for the employer.

The permanent disability validation table was withdrawn from the law to be published in the Official Gazette of the Federation [Dof] (2018), for which the National Consultative Commission on Safety and Health at Work [Ccsst] was created, whose Its function is to assist in the definition of public policies regarding safety, health and the environment at work, which gives the power to comment on said table.

## Discussion

In essence, both laws share ten articles (3, 22, 47, 48, 50, 93, 132, 154, 280 and 283) referring to the preservation of the worker's well-being at the N1 level, but they were reformed. The obvious changes are that they go from covering basic needs (N1) to tertiary needs (N3); of the first level in 1970 there were 10 and only one level 3, in 2012 there are four level 1s, but with diminished guarantees such as the limit to the time of salary coverage to which the worker is entitled in a claim process in the event of a justified dismissal (articles 48 and 50), which further violates the worker by reducing the safety margin of not being fired, considering his time in the company, because when determining a ceiling on wages due during an award, seniority or the presumption of worker does not matter of plant for a field worker mentioned in the results (article 280), who will no longer be able to do so. Article 47 increased the margin of action of companies to carry out dismissals without falling into legal responsibility. Only Article 22 increased the guarantees to avoid child labor by raising the minimum age for work, and increased to five at level 3.

There is a 60% loss in the quality of life indicators (primary level), and a 400% increase in the tertiary level, and an entire quality of life indicator is eliminated through the repeal. Table 5 shows the differences that result from comparing the articles, at this level, of the Federal Law (1970) and that resulting from the 2018 reforms, which in the case of those that compete in the study occurred in the year 2012.

**Tabla 5.** Comparativo de cobertura de necesidades. Ley Federal de Trabajo 1970 y sus reformas a 2012

Artículo	Nivel	
	1970	2012
Artículo 3	N1	N3
Artículo 22	N1	N1+
Artículo 47	N3	N3-
Artículo 48	N1	N1-
Artículo 50	N1	N1-
Artículo 93	N1	N3
Artículo 132	N1	N2-
Artículo 154	N1	N2
Artículo 280	N1	NA
Artículo 283	N1	N3

Nota: El signo negativo significa que el artículo, aun contemplando la cobertura de dicho nivel de necesidad, se vio disminuido en garantías y el positivo que las incrementó.

Fuente: Elaboración propia a partir de las tablas 2 y 3

Regarding the articles that do not appear in the previous table, we have 11: six are newly created (table 4) and five are no longer effective (Table 6).

**Tabla 6. Artículos**

Artículo	Nivel	
	1970	2012
Artículo 15A	No existe	N3
Artículo 15B	No existe	N3
Artículo 15C	No existe	N3
Artículo 15D	No existe	N1
Artículo 132 BIS	No existe	N1
Artículo 153A	No existe	N3
Artículo 279 Ter	N2	No tiene efecto
Artículo 451	N2	Desaparece
Artículo 452	N2	Desaparece
Artículo 459	N1	Desaparece
Artículo 525	N2	Desaparece

Fuente: Elaboración propia a partir de la tabla 4

As can be seen, an article associated with quality of life is eliminated and six are added in the 2012 reform in favor of outsourcing (now called outsourcing), which although it existed before said reform, was given more legal support for that at present it is common practice in all types of companies, including government, which does not cover all the quality of life indicators, with which an automatic self-realization of the worker derived from the possession of a job is expected.

In the case of well-being (N2), the associated items disappear or are rendered ineffective, thereby reducing the quality of life in favor of self-realization. Likewise, there is a loss of elements of worker protection in articles 451, 452, 459 and 525 when they are repealed, which are related to the right to welfare and the protection of the family nucleus.

Another highly relevant aspect is that in 1980 Articles 451 and 452 were canceled: the first without automatic effect as the second was canceled, and both are related to the right to strike. The language is modified to disappear the concept of strike, which is replaced by suspension of work, which leads to a contradiction in the current law: in article 451 it is specified that the strike is legally non-existent if the requirements of article 452 are not met. , which, in turn, has been repealed.

Regarding international regulations, there are various spaces for worker protection; One of them is the Universal System for the Protection of Human Rights with the International Covenant on Economic, Social and Cultural Rights through which it is intended to achieve



material equality that meets the basic needs of people and provides the highest possible level of dignified life. Mexico has been one of the adherent countries since 1981, where access to work is established as a right under the following conditions:

- The enjoyment of equitable and satisfactory working conditions that ensure a sufficient, equitable and equal salary for work of equal value (N1).
- Decent living conditions for themselves and their families, which requires that the salary be capable of providing an adequate standard of living for themselves and their family, including adequate food, clothing and housing (N1, N2).
- Grant the family the widest possible protection and assistance; special protection for mothers before and after childbirth (N1, N2).
- The enjoyment of free time, the reasonable limitation of working hours and periodic paid vacations, as well as the remuneration of public holidays (N2).
- A continuous improvement of the conditions of existence (N2).
- Equal opportunity for all to be promoted without other considerations than the factors of time of service and capacity (L3).

On the other hand, income is defined as income paid in cash and in other ways that is received by at least one member of a household. This must be periodic and does not cover unforeseen income. In Mexico, in addition, it is considered that it should be sufficient to cover the needs of the worker and his family.

According to the International Labor Organization, the international poverty line set by the World Bank is US \$ 1.90 / day. This means that if a worker receives a salary less than this limit, he will not be able to cover his needs or those of his family, so his quality of life will be low or null, so he will not have well-being . In Mexico, \$ 1.90 dollars is equivalent to \$ 36.27 Mexican pesos, according to an exchange rate of \$ 19.08 pesos per dollar (November 2019 price) (Government of Mexico, 2018).

The general daily minimum wage in force in Mexico as of January 1 of the same year is \$ 102.68, which means that jobs in the country, by law, are paid above the poverty line; however, and in frank contradiction, these salaries are not sufficient to cover the needs of an employee and his family. This means that even though the salary is above the poverty line, it is not the only element that must be considered to classify a job as decent, sufficient and / or decent. The OECD (2013), in its study How's life, estimates that well-being in the workplace is essential, since it is not only about having a job, but also that this contribution to life satisfaction (L3) in people is In



other words, it supplies tertiary-level elements. In other words, the type of work, salary and job security conditions must be taken into account, as well as interaction with colleagues and the company.

In particular, job security refers to the type of contract (temporary or permanent), which determines job stability; that is to say, a periodic salary that offers the employee the certainty regarding the ability to pay the elements of quality of life, which will grant them social stability. The combination of both aspects allows the worker to develop a decent life. There are additional factors such as social assistance, family and housing benefits, which determine the quality of employment and are crucial for a worker to choose it. In contrast, a precarious job is defined as having few hours of work, differentiated pay per hour among full-time workers, low wages, absence of benefits, lack of job security or abuse and / or absence of labor and human rights.

Finally, remember that neoliberalism joined globalization, bringing all these concepts to as many countries as possible; However, as a result of the loss of job quality at the global level, a process of systematic impoverishment began, which in turn leads to the migration of large sectors of the population from poor countries to countries that offer better jobs.

This phenomenon impacts developed countries because they become the target regions for migratory flows. In an effort to understand and stop these flows, international organizations have developed indicators for the analysis of the qualitative life situation in the countries, which includes the labor aspect in a very specific way. From the bulk of programs, eight related to quality of life and work have been chosen (Table 7).

**Tabla 7.** Indicadores sobre el trabajo, calidad de vida y bienestar social

Índice	BIENESTAR EN EL TRABAJO DE LA Ocde	CALIDAD EN EL EMPLEO DE LA CEPAL	TRABAJO DECENTE DE LA OIT	MEJORES TRABAJOS DEL *Bid	INCENTIVO ESR	BIENESTAR DE LA Ocde	DESARROLLO HUMANO DEL **Pnud	REPORTE DE FELICIDAD 2018
INDICADORES	Sueldo	<i>Ingresos</i>	Oportunidades de empleo (1+2)	CUANTITATIVO	ÁMBITOS	Vivienda	Salud	GDP per cápita
	Horas de trabajo y tiempo de trabajo	Salarios	Ingresos adecuados y trabajo productivo (1+3)	Tasa de participación laboral	Gestión de la RSE	Ingresos	Esperanza de vida	Soporte social
		Beneficios salariales		Tasa de ocupación	Calidad de vida en la empresa	Empleo	Educación	Expectativa de vida saludable
	Seguridad en el trabajo	<i>Estabilidad de trabajo e ingresos</i>	Horas de trabajo decentes (1+3)		Ética empresarial	Comunidad	Tasa de alfabetización de adultos	Libertad para tomar decisiones
	Aprendizaje de largo plazo	Tipo de contrato	Conciliación del trabajo, la vida familiar y la vida personal (1+3)	CUALITATIVO	Vinculación de la empresa con la comunidad	Educación		
	Higiene y seguridad en el trabajo	Tipo de pago		Tasa de formalidad		Medio ambiente	Tasa bruta de matriculación	Generosidad
	Organización del trabajo	<i>Protección sociolaboral</i>	Trabajo que debería abolirse (1+3)	Tasa de trabajos con salario suficiente	Cuidado y preservación del medio ambiente	Compromiso cívico	Nivel de vida	Percepción de corrupción
	Relaciones en el lugar de trabajo	Salud	Estabilidad y seguridad del trabajo (1, 2+3)			Salud	Dólares per cápita	Distopía (1.92) + residual
	Sistema de seguridad social	Maternidad				Satisfacción		
	Seguro de desempleo	Jubilación	Igualdad de oportunidades y de trato en el empleo (1, 2+3)		EVIDENCIAS DOCUMENTALES	Seguridad		
	Política de asistencia familiar	Discapacidad			Políticas, códigos y reglamentos.	Balance vida-trabajo		
	Pensión	Desempleo	Entorno de trabajo seguro (1+3)		Manuales y procedimientos.			
	Seguro de gastos médicos	Igual pago para igual trabajo	Seguridad social (1+3)		Evidencias de acción certificadas.			

Contexto económico y social	Cumplimiento de legislación	Diálogo social y representación de trabajadores y de empleadores (1+4)	Evidencias de acción no certificadas			
Desempeño del mercado laboral	<i>Organización del trabajo</i>		Reconocimientos de terceros.			
	Número y organización de horas de trabajo		Reportes públicos auditados.			
Diálogo social en el trabajo	Intensidad de trabajo	Contexto económico y social del trabajo decente	Reportes públicos no auditados			
Situación social	Riesgos ocupacionales (salud, accidentes)					
Desempeño macroeconómico	Ambiente físico (calor, ruido)					
Desigualdad y ética laboral	Interés del trabajo (monotonía)					
Tratamiento equitativo	<i>Integración social</i>		(1) Derechos en el trabajo			
Trabajo que debe ser abolido	Participación en las decisiones		(2) Oportunidades de empleo			
	Organización de intereses laborales		(3) Protección social			
	Ambiente social del trabajo (trato digno, libre de acoso)		(4) Diálogo social			
	<i>Desarrollo personal</i>					
	Capacitación					
	Perspectiva de trayectoria					

\* Banco Interamericano de Desarrollo [Bid]

\*\*Programa de las Naciones Unidas para el Desarrollo [Pnud]

Fuente: Elaboración propia



Those related to work that can be taken as references to improve working conditions are the welfare at work of the OECD, quality in the employment of ECLAC and decent work of the ILO, which consider the coverage of basic needs at the same level as esteem and self-realization. In the rest, although their title implies the concept of improving conditions, the results are poor because their construction is totally perceptive, and they do not include the concepts of quality of life and well-being, necessary for the development of the individual. Finally, the Inter-American Development Bank's best jobs index is limited to a general analysis of the labor market situation from the companies' perspective and at the macro level, thus giving weight to precarious conditions globally.

## Conclusions

In 2012, significant changes were made to Mexico's labor law that have not only impacted on the international qualifications that the country has achieved in terms of labor competence, but have also become a topic of discussion for the signing of agreements with other countries, such as the Treaty between Mexico, the United States and Canada [T-Mec].

In this sense, in the comparison made in the present work between the previous legislation and the current one, it was found that the former covered nine of the nine variables considered for the evaluation of the quality of life of the United Nations Organization [UN] (1961), while the new legislation only covers five, and in a reduced way. Furthermore, comparing these findings with the indicators of international organizations (second objective of this document), it was found that there is a great distance between them. All this change is the basis of the competitiveness developed from the year 2000 with the aim of attracting greater investments to the country by promising greater profits to companies from the precariousness of the employee.

In the case of Mexico, the Government, in its eagerness to provide a development framework at the country level, changed the laws in favor of the company. From this position, the elements in favor of quality of life were reduced or eliminated in the reform of the law to eliminate expenses associated with a) the subsistence of the employee and b) the construction and strengthening of the company's human capital.

The increase in profits, consequently, does not come from the generation of goods and services or from a better quality of services / products, but from the subtraction of volumes of money from the spaces of the value chain associated with the employee. Specifically, the reform of the labor law translates into a lack of job security, with the figure of subcontracting that

eliminates a) certainty in employment and b) all additional elements that improve the quality of life and well-being, such as social security, support to food and housing.

The comparison made between the immediate previous legislation and the current Federal Labor Law shows that the elements considered in the new labor framework do not guarantee that the worker can cover the basic needs to obtain quality of life, according to the scheme developed by Maslow, since it went from a concrete measurement of the standard of living based on health, nutrition, education, employment, working conditions, housing, social security, clothing, recreation and human freedoms to an opening of the market to the international environment supported by an index for a lifetime better [OECD] and based on macroeconomic indicators and external aspects such as environment, security, civic commitment and satisfaction with life. In short, the discourse was assumed that high competitiveness in the private sphere is the basis for the public sphere.

From all the above it can be deduced that the current law assumes that the worker has the primary needs covered (N1), so results of level 3 (self-realization) are expected; However, the Government does not provide the basic elements either, hence this public policy of competitiveness causes economic-labor asymmetries, which are reflected in the systematic impoverishment of the communities receiving the maquiladora and resource extraction industries, which are they have become expelling regions of human resources. In other words: the State has abandoned the worker in this confrontation for balance in worker-employer relations.

Finally, based on what is taught in table 7, we note that international bodies have taken up the quality of life indicators that were eliminated 25 years ago for the sake of economic competitiveness. Apparently, the effects of globalization (poverty, forced migration, armed confrontations for the protection of natural resources, stagnant formal economy and growth of the illegal economy) have forced an analysis of the current macroeconomic model to promote a new one of international public policies supported by an index for a better life (Ocde, 2013), which is based on education, housing, employment and macroeconomic indicators and external aspects such as environment, security, civic commitment and satisfaction with life, that is, the conjunction of the microeconomic and macroeconomic universes.

Mexico has adopted part of these indicators, but they do not affect the quality of employment in a practical way. In fact, if these are compared with the 1970 law, both contain what is necessary for the worker to meet their needs at basic levels and filiation, and therefore would cover those of self-realization. The current trend in labor matters is to return to the

previous scheme, emphasizing that employment should “ensure an adequate standard of living for workers and their families” (ILO 2007 in Bid, 2017, p. 3).

This means that the construction of the space for integral development and well-being depends on the indicators of quality of life (N1) and well-being (N2), but the approval of the structural reforms in the search to be a competitive country was at the expense of the detriment to working conditions. Ultimately, this public policy was able to attract foreign investment, but the worker was no longer seen as a human being and considered as a factor of production.

### **Future lines of research**

Based on the effects of pauperization of the worker, in 2019 the current federal administration has carried out reforms in the sector to comply with international treaties such as the T-Mec, where the following modifications stand out:

1. Disappearance of the Conciliation and Arbitration Board to establish courts in each federative entity, with open competitions to designate the holders.
2. Creation of a Federal Center for Labor Conciliation and Registration that will be in charge of matters related to unions and conciliation processes at the federal level, separating the conciliatory function (administrative authorities) from the judicial one.
3. Review of collective contracts and the binding nature of their content in the Federal Center for Conciliation and Labor Registry and delivered to all workers.
4. Social security and trade union rights for domestic workers, and also trade union rights for employers.
5. Reinforcement of elements of orality and the use of technologies in labor processes, reducing procedural times, with the requirement of a judge to remain in hearings, and with the right of the parties to freely question witnesses without submitting to written questions from the jurisdictional body.
6. Creation of the Trade Union Representation Certificate, which will indicate that the workers support the decisions of the unions in the execution of collective rights (strike, collective contract, etc.).
7. Written notice of dismissal to workers.

These actions are part of the 2017 reforms aimed at complying with international treaties (T-Mec). Although they do suppose some protection for the worker, they do not consider the basic elements of quality of life and well-being, so they do not represent a real improvement for

the individual. In this context, it is expected to continue with the evaluation of working conditions as the goals set in the reform are implemented.

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