



Adecco

Analysis of the work environment
in **Latin American countries**

Introduction

This study presents a detailed analysis of the labor situation and the regulation of agency work in Latin American countries.

The analysis covers Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Peru and Uruguay considering various key aspects for each country. Each chapter focuses on a specific country and covers the following tasks:

General file of the country: Includes information on the Executive branch and relevant indicators in labor matters.

Executive Branch: The work of the Executive is summarized and the person in charge of labor issues is identified along with the main institutions in the field.

Legislative Branch: An updated view of the correlation of forces in Congress is offered.

Legislative process: The route that a bill or reform follows until its enactment is detailed.

Work environment: The main actions in labor matters during the last years are summarized. Subsequently, each of them is analyzed in depth.

Agency work regime: The current situation of agency work is described in each country.

General balance: The future scenario of the country is analyzed, contemplating declarations and intentions of reforms in labor matters.



An aerial photograph of South America is shown with a semi-transparent red overlay. The map displays various geographical features such as rivers, fields, and urban areas. Overlaid on the right side of the map is a list of South American countries in white, bold, uppercase letters. The countries listed are Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Peru, and Uruguay.

ARGENTINA
BRAZIL
CHILE
COLOMBIA
ECUADOR
MEXICO
PERU
URUGUAY

An aerial photograph of a region in Latin America, likely a coastal or river valley, showing a complex network of roads, fields, and waterways. The entire image is overlaid with a semi-transparent red filter. A white, thick, curved line starts from the left side, arcs across the bottom, and ends on the right side, framing the text.

Analysis of the work environment in Latin American countries

Adecco assessment and positioning

In our organization, we decisively support all actions that contribute to improving the working conditions of workers in **Latin America and the world**. We recognize that the region is going through a process of regulatory transformation that seeks to balance labor rights and economic competitiveness. However, we firmly believe that any reform or new legislation must be implemented gradually, allowing companies to adapt in a sustainable way. This approach avoids negative impacts that could harm both organizations and the workers themselves.

In addition, we highlight the importance of promoting a labor framework that combines flexibility, formality and training. These elements are essential to meet the challenges of current markets and to maximize the results of these reforms. Only through a balanced and collaborative approach will we be able to strengthen labor and economic development in the region, benefiting all sectors involved.

In this context, temporary employment agencies represent an alternative model that not only generates formal job opportunities, but also facilitates the flexibility that current markets require. In Europe, for example, this model has proven to be an effective tool to combat labor informality and promote inclusion in the labor market. Countries such as the Netherlands and Germany have integrated temporary employment as a solution to respond to demand spikes in strategic sectors, allowing workers to access social benefits and training, while offering companies the agility they need to compete.

In Latin America, where levels of labor informality exceed 50% in some countries, temporary employment agencies can be a key driver to reduce this problem. These models promote formality by guaranteeing that hired workers enjoy labor rights and social security, closing the gap between informal employment and decent employment.

Another significant trend in Latin America is the regulation of employment through digital platforms. This movement seeks to improve the benefits and security of workers who depend on these platforms while ensuring fair competition in the labor market. However, it is essential to safeguard the labor flexibility that these models offer, as it provides opportunities for many individuals who need adaptable working conditions to balance their personal and professional lives. A balanced approach will be key to ensuring that these regulations benefit workers without compromising the dynamic nature of platform-based work.

Therefore, we consider that any labor reform must recognize and support these schemes as part of an inclusive and dynamic labor ecosystem. **By combining flexibility, formality and training, labor and economic development in the region is strengthened, benefiting workers, companies and society in general.**

We hope that this analysis of the regional work environment becomes a useful reference tool for key decision makers in their organizations. Our objective is to offer a clear and informed perspective that facilitates the design of labor strategies aligned with market needs and that promote sustainable development in Latin America.



CHILE





CHILE - Country File

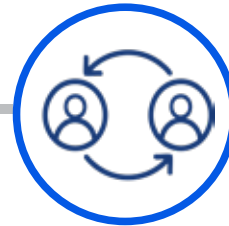
Labor Indicators



19.6
Population
millones (2023)



9.0 %
Unemployment rate
(2023)



27.4 %
Informal trade
% empleo total (2023)



0.2 %
Working poverty rate*
(2023)



31.2 %
Women in management positions
(2023)

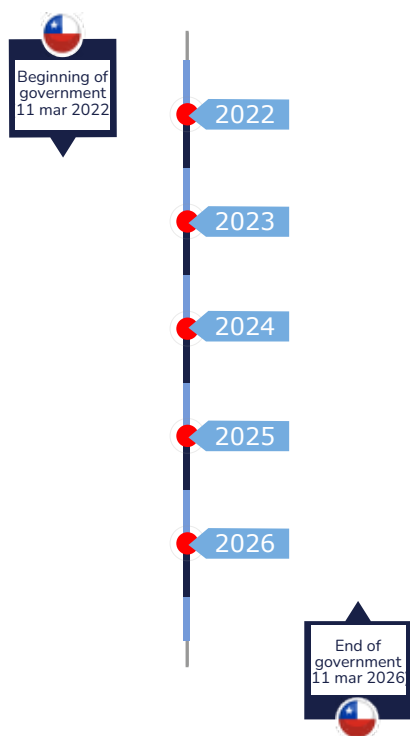


50.4 %
Labor market
(% of GDP)
(2021)

*Percentage of employees living on less than US\$2.15 a day



CHILE - Executive Branch



President
Gabriel Boric Font
(2022 - 2026)

Gabriel Boric, member of the left-wing coalition Frente Amplio, is **halfway through his 4-year term** and has **no chance of being re-elected in 2026**.

With a 30% approval rating (Mitofsky, July) and **without a majority in Congress**, Boric has managed to **increase the minimum wage and approve the project to reduce the working day to 40 hours**; however, he has suffered important defeats such as the **constituent process** that ended up maintaining the current Constitution.

Ministry of Labor and Social Welfare



Minister
Jeannette Jara

Jara has been Minister of Labor since the beginning of Boric's administration. She was Undersecretary of Social Welfare during the government of Michelle Bachelet.

Currently, she is responsible for carrying out the **pension reform** presented by the president.

Ministry Institutions

- **Superintendence of Social Security**
- **Social Security Institute**
- **Commission of the National System of Certification of Labor Competencies**
- **Superintendence of Pensions**
- **Institute for Occupational Safety**
- **General Directorate of Pledge Credit**
- **National Training and Employment Service**
- **Labor Directorate**



CHILE - Composition of Congress

Chamber of Deputies

63

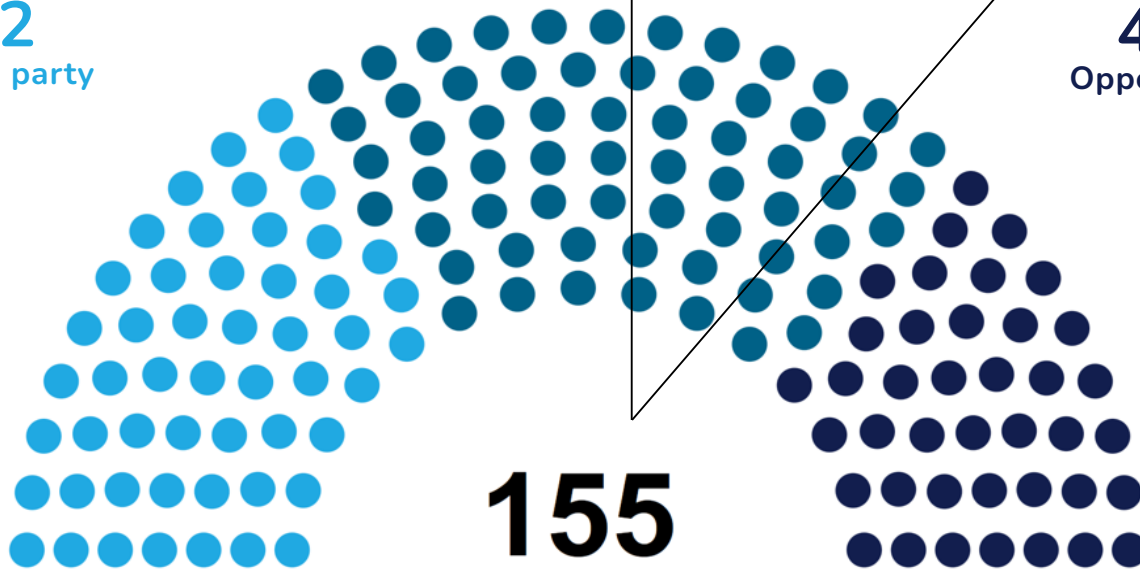
Out of Coalition

Absolute majority (79)

Qualified majority (104)

52
Ruling party

40
Opposition



155

Ruling

Out of Coalition

Opposition



Chile currently has a Chamber of Deputies divided into 19 political parties, with the ruling party holding only 33% of seats.

Not having a majority within the House, the ruling party needs to reach agreements with other parties to achieve the approval of reforms.



CHILE - Composition of Congress

Chamber of Senators

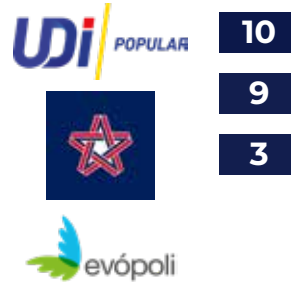
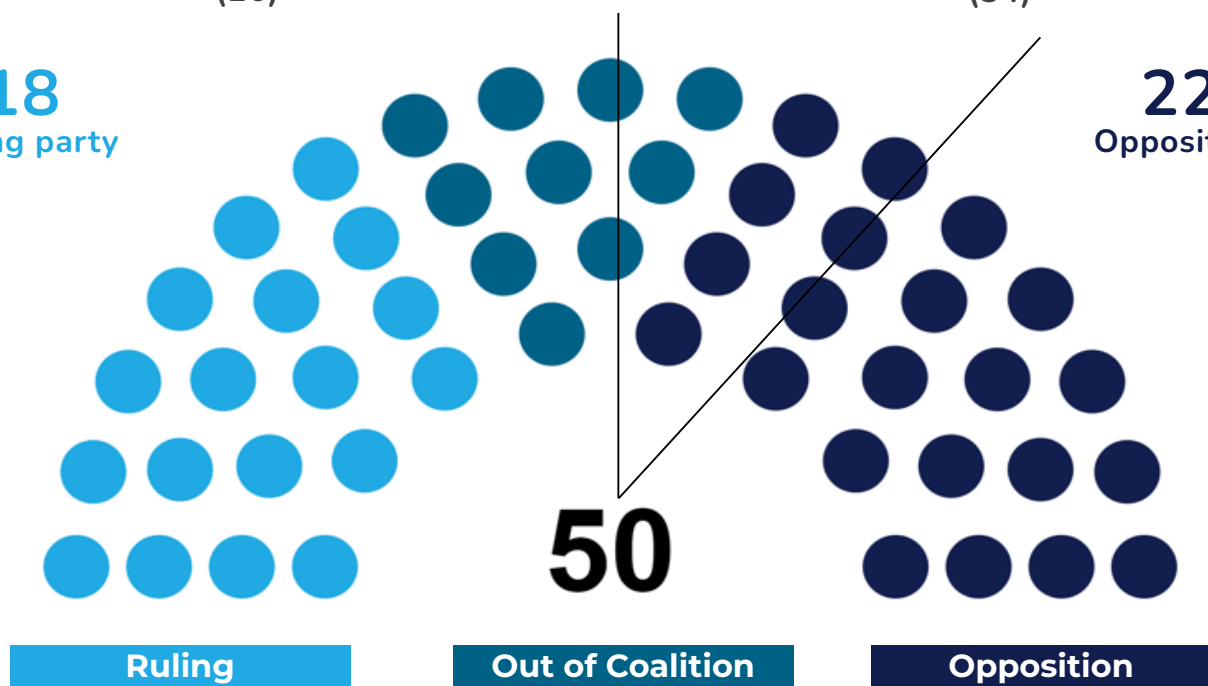
10
Out of Coalition

Absolute majority
(26)

Qualified majority
(34)

18
Ruling party

22
Opposition



Chile currently has a Senate divided into 13 political parties, with the ruling party holding only 36% of seats. Since it does not have a majority in the Chamber, the ruling party needs to reach agreements with other parties to get reforms approved.



CHILE - Legislative Process

1st Constitutional Procedure

01 **Right of initiative**
Presented in the House of Origin which can be the Senate or the Chamber of Deputies.

The bill is drafted

02 **House of origin**
The bills are first discussed in working commissions and later in the Senate.

It includes the discussion and vote in general on its fundamental ideas, the reports of commissions and the discussion in particular that it reviews article by article.

2nd Constitutional Procedure

If there are differences or corrections between the cameras or if rejected.

03 **Review Chamber**
Bills passed in the House of Origin go to the Reviewing House.

The reviewing chamber also hears and votes in general and in particular.

3rd Constitutional Procedure

If there are no differences between the approved texts

04 **Joint Commission**
Resolve differences between the two chambers.

If there is no agreement or if the proposal is rejected by the House of Origin, the previous project can keep going if two thirds of the parties approve it.

05 **Executive enactment, observation, or veto**

Enactment: The Executive promulgates the law in the DOF.
Remarks: They must be voted on by both Houses.
Veto: Block or full veto.



CHILE - Work Environment

Relevant Labor Reforms during the government of Gabriel Boric

In recent years, Chile has experienced a significant transformation in the labor field thanks to the policies and reforms implemented by the Government of President **Gabriel Boric**.

The **reduction of the working day and the historic increase of the minimum wage with support for MSMEs** are some of the measures promoted by the Government to improve the working conditions of Chileans.

Currently, the approval of **the pension reform** is on the horizon.

40-hour working day	As of April 26, 2024, the Law that gradually reduces the working week from 45 to 40 hours per week came into force.
Minimum wage increase	As of July 1, 2024, the minimum wage increased from \$460,000 to \$500,000 (\$9,550-10,380 Mxn), benefiting about 1 million people in the country.
Wage subsidy	Measures have been implemented to support MSMEs , through the creation, extension and increase of the subsidy that allows to comply with the increase in the minimum wage. From May to November 2023, about 140 thousand companies have received benefits for a total of \$82,615 million pesos (\$1,715 million pesos).
Law of Reconciliation of Personal, Family and Work Life	It mainly regulates remote work for workers who care for children under 14; dependent adolescents under 18; or a dependent adults of any age.
Karin Law	Prevents and punishes harassment and violence in the workplace. It seeks to create safe and respectful work environments for all workers.
Pension reform (Unresolved – 2nd Step)	It seeks to improve the pensions of current and future retirees, with an emphasis on improving the situation of women.



CHILE - Work Environment

40-Hour Working Day

Law 21.561

Approved by Congress:
11 April 2023

Entry into force:
26 April 2024

Gradually reduce the weekly workday from 45 to 40 hours, making Chile the Latin American nation with the shortest working week along with Ecuador.

Working hours in South America

40 hours	147
44 hours	107
46 hours	147
48 hours	107



The reform will **gradually reduce** weekly working hours over a period of five years. In 2024, it will be reduced to 44 hours per week; in 2025, to 43 hours; in 2026, to 42 hours; in 2027, to 41 hours; and **in 2028, it will be 40 hours per week**.

The law provides for the possibility of **four working days and three of rest** (unlike current legislation, which requires a minimum of five working days). It also provides for the possibility of working a **maximum of 5 overtime hours** per week (currently, 12 overtime hours are allowed).

Working hours reduction came into force on April 26, 2024. In some workplaces, the discount was distributed throughout the week, that is, by reducing the amount of time per day by 10-12 minutes or by incorporating the same amount of time into the lunch break; However, considering this situation, the Labor Board established through a ruling that the deduction of one hour per week must be made in a comprehensive manner.

Legal Basis

Labor Code

Art 22
Labor Code

“The duration of the ordinary working day shall not exceed forty hours per week and its distribution may be made in each calendar week or on the basis of weekly averages in periods of up to four weeks”.

Art 22 Bis
Labor Code

“If the parties agree that the working day indicated in the first paragraph of the previous article may be distributed on the basis of a weekly average of forty hours in a cycle of up to four weeks, it may not exceed forty-five regular hours in each week, nor extend with this limit for more than two continuous weeks in the cycle”.

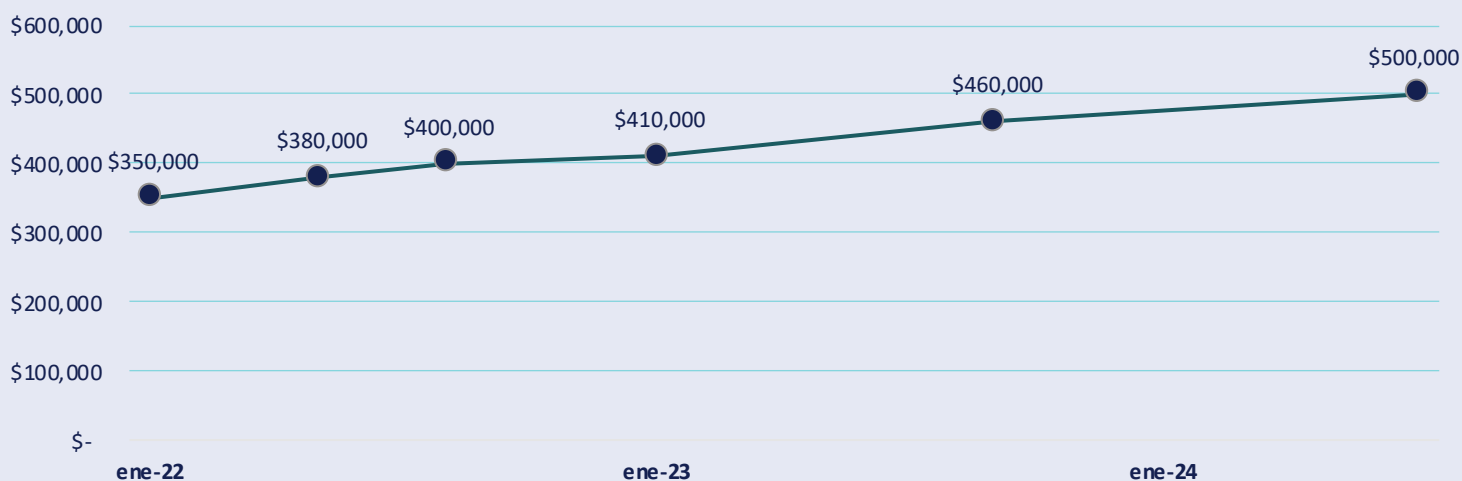


CHILE - Work Environment

Minimum Wage Increase

Law 21.578

Evolución del salario mínimo en el gobierno de Gabriel Boric



Prepared by the author with data from the government of Chile.

During **Gabriel Boric's** administration, there have been **5 salary increases in two years of government**. The last three increases are part of the approval of **Law No. 21,578** in 2023. The project entered Congress in April 2023, after an agreement reached by the Executive with the Central Unitaria de Trabajadores and with SME organizations.

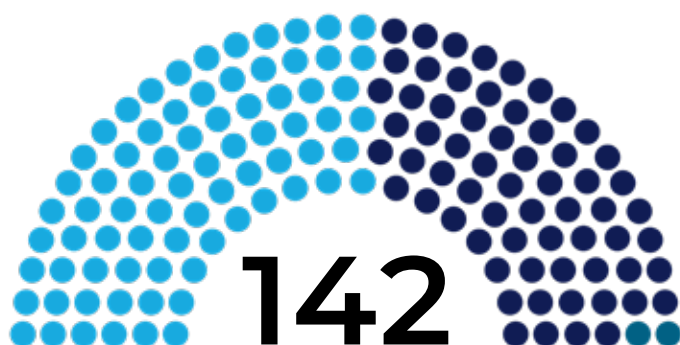
Approved by Congress: 30 may 2023

The law readjusts the amount of the Minimum Monthly Income, increases the universe of beneficiaries of the Family and Maternal Allowance, and extends the Guaranteed Minimum Income and the temporary subsidy to MSMEs.

It readjusted the income amount from \$410,000 to \$440,000 (8,500 to 9,135 Mxn) on May 1, 2023; then, to \$460,000 (9,550 Mxn) on September 1, 2023; and, subsequently, to \$500,000 (10,380 Mxn) on July 1, 2024.

The Government claims that going from \$350,000 (7,266 Mxn), the minimum wage in effect when Boric took office, to \$500,000 (10,380 Mxn) is the largest increase in the last 29 years and represents a nominal increase of 43% compared to when Boric took office and a real increase of 20%, excluding inflation.

Voting during the third Constitutional procedure



Law No. 21,578 was approved with:

85 votes in favor,

55 against

2 abstentions

13 deputies were absent from the session



CHILE - Work Environment

Wage Subsidy

Law 21.578

To support micro, small and medium-sized enterprises to comply with the readjustment of the minimum monthly income, a subsidy was designed that consists of a scheme of amounts for each of the minimum wage increase periods, which varies according to the size of the company.

In addition, a protection mechanism was created to be activated if the country's macroeconomic conditions worsen and has, as an immediate effect, increasing the amounts that smaller companies will receive.

The discussion in the Senate of Law 21,578 made it possible to strengthen the design of this subsidy that included the original government project, increasing the number of beneficiary companies.

The subsidy was also extended for those workers who register a salary between \$411 thousand and \$500 thousand (8,533 and 10,380 Mxn).

There was no longer a distinction between old beneficiaries (from the previous subsidy) and new ones, for the different aspects of the subsidy.

Period		No protection mechanism			With protection mechanism		
		Micro	Small	Medium	Micro	Small	Medium
2023	May - August	45,000	29,000	14,500	45,000	29,000	14,500
	Sept - Dec	50,500	32,500	17,500	50,500	32,500	17,500
2024	Jan- Jun	31,000	20,000	9,500	32,000	20,500	12,500
	Jul - Dec	36,500	23,500	12,500	57,500	37,000	20,000
2025	January	49,000	31,500	17,500	82,500	53,000	30,000
	February	42,000	27,000	15,000	70,000	45,000	25,000
	March	25,000	16,000	10,000	42,000	27,000	15,000
	April	7,000	4,500	2,500	12,500	8,000	5,000

The way the number of workers is considered has been updated. The best month between January and April 2023 that allows the beneficiary to obtain the highest possible total amount is determined. This adjustment guarantees that it will always be the best scenario for the company, within the framework of the law.

The subsidy will be in force until April 2025. With all these adjustments, the subsidy will benefit nearly 180,000 MSMEs and Cooperatives. This represents a State effort of more than \$320,000 million, which if the protection mechanism were activated would be close to \$400,000 million



CHILE - Work Environment

Work-Life Balance

Ley 21.645

Approved in Congress:
20 december 2023

Entry into force:
29 january 2024

The Law regulates remote work for workers who have in their care:



Children under
14 years old



Dependent
adolescents under
18 years old



Dependent people
of any age

Rights established in the Law

1. Right to remote work or telework.
2. The right to have the entire working day or part, whether daily or weekly, carried out under the modality of **remote work**, to the extent that the nature of their work allows it.
3. Recognizes unpaid care work.
4. Right to preferential use of vacations.
5. Right to temporarily modify shifts or distribution of working hours during school vacation periods.
6. Employer's duty to raise awareness about the reconciliation of personal, family and work life.
7. Possibility of establishing an agreement with unions to temporarily reduce working hours during school vacation periods.
8. Incorporates the protection of the reconciliation of personal, family and work life in the Labor Code.
9. Incorporates the principles of positive parenting, social co-responsibility and protection of motherhood and fatherhood.



CHILE - Work Environment

Karin Law

Law 21.643

The Karin law modifies the Labor Code in terms of **prevention, investigation and punishment of workplace harassment, sexual harassment and violence at work.**

It establishes various provisions that modify and incorporate legal definitions, adds prevention and safeguarding measures in the matter and perfects investigation procedures, implementing and adapting national regulations to the parameters established in the recently ratified Convention No. 190, on Violence and Harassment, of the International Labor Organization - ILO.

Approved in Congress:
13 december 2024

Entry into force:
1 august 2024

Law No. 21,643, popularly known as Karin Law, was sanctioned in honor of **Karin Salgado**, a nursing technician who committed suicide in 2019 after reporting persecution and hostility in her workplace.

Key aspects of the Law

1. It incorporates new legal definitions and improves existing ones, such as **workplace harassment, sexual harassment, violence at work by third parties outside the employment relationship, and non-discrimination**, in addition to incorporating the gender perspective in labor relations explicitly in Art. 2 of the Labor Code.
2. The role of the Labor Directorate (DT) and the General Comptroller of the Republic is reinforced in the corresponding investigation procedures, with the aim of providing **guarantees to the complainants.**
3. It establishes as an **obligation for companies** and State entities, a protocol for the prevention of workplace and/or sexual harassment and violence at work, reinforcing a preventive approach that was absent in the regulation. This must be done under the guidelines established by the Superintendence of Social Security (SUSESO).
4. It establishes new standards and incorporates modifications **in the processes of reporting**, investigation and sanctioning sexual harassment, workplace harassment and violence at work.



CHILE - Agency Work

Temporary Work Regime

Law 20.123

Chile defines and regulates agency work in Law 20,123 that regulates the regime, the operation of Temporary Services Companies, and the temporary services employment contract.

Art. 183-A Definition

Subcontracted work is work carried out under an employment contract by a worker for an employer, called a contractor or subcontractor, when the latter, by virtue of a contractual agreement, is responsible for carrying out works or services, at its own risk and expense and with workers under its dependency, **for a third natural or legal person** who owns the work, company or task, called the main company, in which the services are developed or the contracted works are carried out. However, works or services that are carried out or provided in a discontinuous or sporadic manner will not be subject to the rules of this Paragraph.

If the services provided are performed without being subject to the requirements indicated in the previous paragraph or are limited only to the intermediation of workers at a site, it will be understood that the employer is the owner of the work, company or site, without prejudice to the corresponding sanctions by application of article 478.

Art. 183-B

Solidarity
responsible
companies

The main company shall be jointly liable for the labor and social security obligations affecting the contractors in favor of their workers, including any legal compensation that may be due for the termination of the employment relationship. Such liability shall be limited to the time or period during which the worker(s) provided services under a agency work regime for the main company.

Under the same terms, the contractor shall be jointly liable for the obligations affecting its subcontractors, in favor of their workers.

The main company shall be liable for the same obligations affecting the subcontractors, when the liability referred to, in the following paragraph, cannot be enforced.

The worker, when filing a claim against his direct employer, may do so against all those who may be liable for his rights, in accordance with the rules of this Paragraph.

In cases of construction of buildings for a single pre-established price, these responsibilities shall not apply when the person commissioning the work is a natural person.

Art. 183-E Obligation of the main company

Without prejudice to the obligations of the main enterprise, contractor and subcontractor with respect to its own workers under the provisions of Article 184, **the principal enterprise shall adopt the necessary measures to effectively protect the life and health of all workers working on its site, enterprise or site, regardless of its dependency**, in accordance with the provisions of Article 66 bis of Law No. 16,744 and Article 3 of Supreme Decree No. 594 of 1999 of the Ministry of Health.



CHILE - **Agency Work**

Temporary Work Regime

Law 20.123

The other regulated agency work modality in Chile is through the figure of a **temporary services company**.

Art. 183-F Definition

For the purposes of this Code, the following definitions apply:

A) Temporary Services Company: **any legal entity, registered in the respective registry, whose exclusive corporate purpose is to make workers available to third parties**, called user companies for these purposes, **to perform temporary or occasional tasks, as well as the selection, training and formation of workers**, as well as other related activities in the field of human resources.

B) User: any natural or legal person who contracts with a temporary services company to make workers available to perform temporary or occasional tasks or duties, when any of the circumstances listed in article 183-Ñ of this Code occur.

C) Temporary Services Worker: any person who has agreed to an employment contract with a temporary services company to be made available to one or more users of the latter, in accordance with the provisions of this Paragraph 2.



CHILE - **Job Prospects**

General Balance



Gabriel Boric has made great progress in labor matters with the **reduction of the workday** from 45 to 40 hours by law, the increase in the **minimum wage and subsidies** for micro, small and medium-sized companies.

However, his government **has not managed to reform the pension system**, a proposal presented since November 2022 in Congress. **The Executive and the Senate** are close to reaching an agreement on the form and timing of processing the reform. If the agreement in principle is reached, it is expected to end the second legislative process of the pension reform in **January 2025**.

Boric's government has made **significant progress in labor regulation** with important benefits for workers.



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Approved reforms in Latin America in recent years

Reform	Argentina	Brazil	Chile	Colombia	Ecuador	Mexico	Peru	Uruguay
Reduction of working hours			✓	✓				
Minimum wage			✓			✓		
Remote Work			✓			✓		
Pension Reform				✓		✓		✓
Labor Rights			✓		✓	✓	✓	✓
Labor Flexibility	✓						✓	✓
Incentives for Companies	✓		✓		✓		✓	✓
Agency Work					✓*	✓	✓	✓
Digital Application Workers			✓					

* In Ecuador, agency work was prohibited in 2008.

Reforms in discussion in Latin America

Reform	Argentina	Brazil	Chile	Colombia	Ecuador	Mexico	Peru	Uruguay
Reduction of working hours						✓		
Increase in minimum wage						✓		
Remote Work				✓				
Pension Reform			✓					
Labor Rights				✓		✓		
Labor Flexibility and Job Creation				✓				
Agency Work				✓				
Digital Application Workers	✓	✓		✓	✓	✓	✓	✓

In terms of work in digital applications, **there is an evident tendency to regulate the issue in the region**. 7 of the 8 countries analyzed have dialogues or initiatives promoted by the Executive or by the National Assembly. It is expected that in the coming years there will be significant progress on the subject.

LATAM AGENCY WORK ANALYSIS

Country	AGENCY WORK STATUS	PARTICULARITIES OF AGENCY WORK	JOINT LIABILITY
Argentina	Yes agency work	Allows agency work even in core activities of the contracting company.	The contracting company is jointly liable for the obligations contracted with the workers.
Brasil	Yes agency work	Allows agency work even in core activities of the contracting company.	The contracting company is subsidiarily responsible for the obligations contracted with the workers.
Chile	Yes agency work	Allows agency work even in core activities of the contracting company.	The parent company is jointly liable for the employment and provisional obligations.
Colombia	Yes agency work	Allows agency work even in core activities of the contracting company.	The beneficiary of the work will be jointly liable with the contractor, except when the work is different from the line of business of the contracting company.
Ecuador	No agency work is not allowed.	It allows agency work for complementary activities (Surveillance-security, food, courier and cleaning).	The company that hires workers for complementary activities will be jointly liable.
México	No agency work is not allowed.	Outsourcing of specialized services that are not part of core activity is allowed.	The parent company is jointly liable for the employment and provisional obligations.
Perú	Yes agency work	Prohibits core business outsourcing (This could change if decree 001-2022 TR is repealed).	The contracting company is jointly liable.
Uruguay	Yes agency work	Allows agency work even in core activities of the contracting company.	The contracting company is jointly liable for the subcontracted workers.

* **In Ecuador and Mexico**, the agency work is prohibited. In Ecuador it is allowed only in complementary activities, and in the case of Mexico, only the subcontracting of **Specialized Services** is permitted in activities complementary to the corporate purpose of the company.

** **In Brazil**, it is subsidiarily responsible.



Adecco

Analysis of the work environment
in Latin American countries



<https://institutoadecco.com.mx/public-affairs/>