



NOBOA, PEÑA & TORRES
ABOGADOS ECUADOR

FLASH LEGAL # 001103

“PROCEDURE FOR THE REGISTRATION OF AGREEMENTS TO MODIFY WORK SCHEDULE DUE TO ELECTRIC SHORTAGE”

Dear Clients and Friends:

On October 22, 2024, the Ministerial Agreement No. MDT-2024-200 from the Ministry of Labor, published the *"Procedure for the registration of agreements to modify work schedule due to the current electric shortage."* This agreement states the following:

Employers and employees may, by mutual agreement, establish a different work schedule than that stipulated in the employment contract due to the national electrical sector emergency. The modification of the working hours may be temporary

The work schedules available are:

1. From 7:00 AM to 5:00 PM (10 hours daily), from Monday to Thursday.
2. From 7:00 AM to 5:00 PM (10 hours daily), from Thursday to Sunday.

Agreements cannot exceed 40 hours per week. If they do exceed this limit, any supplementary and overtime hours incurred must be compensated.

Those who adhere to the mentioned work schedules will be entitled to one additional day (24 hours) in addition to the mandatory 48 consecutive hours of rest.

Any modifications must be registered on the SUT platform within 30 days. The employer is obligated to post the new schedules in a visible location at the workplace in advance.

The modification of working hours will end due to: (i) the end of the electrical shortage; and (ii) by agreement between the parties.

Any non-compliance should be reported to the Ministry of Labor. The SUT platform will be available to register modifications within 10 days.

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The Ministerial Agreement came into effect on October 22, 2024, and will remain in force for as long as the electrical shortage lasts.

We hope that this information, which does not entail advice because it is of a general nature, will be of use to you. If you have any specific concerns, we will be happy to answer them.

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