



Reduction of Working Hours and Mental Health in Mexico



Reducción de la Jornada Laboral y Salud Mental en México

Adriana Lorena Fierros Lara¹ , María Nancy Esmeralda Arredondo Mata¹ ,
Ana Elizabeth Flores Lara¹ , Alma Gabriela Martínez Moreno¹

¹ Universidad de Guadalajara, Guadalajara, México. Email: adrianaf@cusur.udg.mx,
nancyam@cusur.udg.mx, anaelizabeth.flores@academicos.udg.mx, alma.martinez@cusur.udg.mx

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Corresponding author

Av. Juárez 976, Col. Americana,
Americana, C. P. 44100 Guadalajara,
Jalisco, México. Email: alma.martinez@cusur.udg.mx

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Abstract

The difference in the working day between Mexico and Germany is 779 hours per year. While Germans work an estimated 1,349 hours annually, Mexicans work 2,128 hours in the same period. Currently, a bill aims to reduce the work-week in Mexico from 48 to 40 hours and provide two days of rest for every five days worked. This measure is stated to be for the benefit of workers. However, there is a lack of detailed analysis on its effect on the mental well-being of the population through evidence-backed social policies and interventions. Despite being a topic of interest to all workers, academic information and analysis on the subject are scarce. Therefore, this paper analyzes some key elements to better understand this proposal and outlines some approaches that the academic and research community should engage in to contribute to the discussion.

Keywords: Decent work; Working hours; Reconciliation of family life; Mental health.

Resumen

Setecientos setenta y nueve horas al año es la diferencia de la jornada laboral entre México y Alemania; mientras que los germanos trabajan un estimado de 1,349 horas al año, los mexicanos laboran 2,128 horas por el mismo tiempo transcurrido. Actualmente, existe un proyecto de ley que busca reducir la jornada laboral en México de 48 a 40 horas y otorgar dos días de descanso por cada cinco trabajados. Se manifiesta que esta medida es en beneficio de los trabajadores; no obstante, no se da mayor detalle respecto al efecto en el bienestar mental de la población mediante políticas sociales e intervenciones respaldadas por evidencia. A pesar de ser un tema de interés para todos los trabajadores, es escasa la información y el análisis desde la academia al respecto. Por lo anterior, analizamos en este escrito algunos elementos clave para entender más sobre esta propuesta, así como algunos planteamientos en los que debería involucrarse la clase académica e investigadora para contribuir a la discusión.

Palabras clave: Trabajo decente; Jornada laboral; Conciliación de la vida familiar; Salud mental.

Introduction

Employment and workers are the economic and productive foundation of a nation, essential for its sustenance and progress. The implications of employment also play a fundamental role in social cohesion by improving the levels of individual, community, and especially, family well-being of workers (World Health Organization [WHO], 2019).

Modern work life is extremely demanding, with workers putting in longer hours compared to pre-COVID-19 pandemic schedules. The need to be constantly available dramatically increased the workload and working hours in almost all fields (Bueno-Notivol et al., 2021). It's no secret that the COVID-19 pandemic significantly impacted the mental health of the general population and workers (Santabárbara et al., 2021).

Even before the pandemic, studies showed that working longer hours negatively impacts both physical and mental health (Bannai & Tamakoshi, 2014). The quality of life for workers is undesirably affected by long working hours, leading to sleep disturbances and impacting an individual's social role efficiency (Afonso, 2017; Ervasti et al., 2021). Extended work hours have even been shown to contribute to a higher risk of suicide (Solano et al., 2016).

For these reasons, the length of the workday has become a global concern, as it can have serious consequences for the health and well-being of workers. The International Labour Organization (ILO) has suggested a specific number of working hours, which many countries have legislated through their labor laws (International Labour Organization [ILO], 2018a). The recommended working hours in many developed countries range from 35 to 40 hours per week. However, not all countries have followed these recommendations. The European Commission (2022), specifically the area of Employment, Social Affairs & Inclusion, has suggested that the duration should not exceed 48 hours per week, including overtime. The Occupational Safety and Health Administration (2024) defines a normal, healthy workday as "a period of work of no more than eight consecutive hours during the day, five days a week, with at least an eight-hour break". The ILO (2018a) also advises that working hours be limited to an eight-hour shift per day and not exceed a total of 48 hours per week.

In this context, the duration of the workday in Mexico has been a subject of intense debate. This debate revolves around the need to reduce working hours or make their measurement more flexible, given changes in production methods; the progress of communication technology; the globalization of the economy; the needs and forms of current work; the massive incorporation of women into the workforce; the significant change in traditional male and female family roles with the consequent redistribution of rights and responsibilities; and the importance placed on personal well-being in recent years (Topp et al., 2015).

Therefore, this article examines the proposal to reduce working hours in Mexican labor law and argues how this measure can benefit the mental health of workers, which in turn will benefit society and the state.

Development of the reflection

Decent Work

The concept of decent work has gained prominence in socioeconomic development discussions in recent decades. The notion of decent work, promoted by the ILO, goes beyond simply having a job and includes aspects such as fair pay, safe and healthy working conditions, social protection, and equal opportunities (ILO, 2015).

According to the ILO (2018b), decent work is that which allows people to fulfill their aspirations during their working life. It becomes the means to access productive employment that provides sufficient economic income, a safe, risk-free work environment, access to social protection for the family, opportunities for personal growth and social inclusion, freedom of workplace expression, the ability to organize and participate in decisions of interest, and equal employment opportunities for all genders.

In Mexico, the discussion and promotion of decent work intensified in the 1990s, and by 1999, the Mexican government officially adopted the National Decent Work Agenda, which sought to improve working conditions and promote social justice. Since then, the topic has been part of the agenda of various union, governmental, and non-governmental organizations in the country.

In 2015, the United Nations (UN) General Assembly presented a resolution known as “Transforming our world: the 2030 Agenda for Sustainable Development”. This agenda consists of 17 Sustainable Development Goals (SDGs) based on the fundamental principles of universality, integrity, and the transformation of the planet’s living conditions (United Nations [UN], 2016). Within these goals, SDG 8, focused on decent work and economic growth, aims to promote inclusive and sustainable economic development and the creation of dignified jobs that contribute to improving living standards (ILO, 2015).

In 2023, the Latin American Network of Studies in Administration and Business (RELAYN) conducted research that addressed decent work from the perspective of directors of Latin American micro and small enterprises (MSEs). The study highlighted that despite being MSEs, they are concerned with providing their workers with the relevant legal conditions to have decent work (Peña et al., 2023).

Well-being and Sustainability of Decent Work

Access to decent work not only benefits individuals in terms of income and job security but also contributes to the general well-being of society. It also provides a sense of dignity and self-esteem to workers, thus strengthening the social fabric and reducing socioeconomic disparities (Duffy et al., 2019).

The tenth objective of the 2030 Agenda states that it is the responsibility of governments to promote public policies that ensure both sustainable development and decent work. This would facilitate people's progress toward higher levels of social, economic, and environmental well-being. In a society where a large proportion of the population are workers, helping them advance toward higher levels of social well-being generates positive effects on society, economic development, and the environment (UN, 2016).

A study concluded that, in Mexico, millions of people do not have decent work that provides them with access to social security, do not receive a remunerative salary, do not have continuous training, and the safety and hygiene conditions to prevent risks to their integrity are inadequate (Arteaga Dirzo, 2018).

On the other hand, the Mental Health Quotient (MHQ) has been shown to be directly associated with productivity at work (Newson et al. 2020; 2022). The MHQ measures problems or symptoms covering 10 different mental health disorders and places scores on a continuum of well-being: 1) Distressed, 2) Struggling, 3) Enduring, 4) Managing, 5) Achieving, and 6) Thriving. Categories 1 and 2 represent the poorest mental well-being, while 5 and 6 are the most prosperous.

Countries with a workweek that does not exceed 1,400 hours annually, such as Germany, Denmark, Finland, Norway, and Sweden, tend to have greater emotional and mental well-being, which in turn translates into increased productivity. These countries also have the most productive workers in the world, in addition to having the lowest scores in terms of gender inequality in the labor market. In contrast, countries that exceed 1,400 working hours annually, such as Mexico, Chile, Greece, and Spain, tend to be less productive. The numbers are obvious: in one hour of paid work, a Finnish worker produces double the value of a Mexican worker, while a Norwegian worker produces triple that of a Mexican. In other words, as workers become more productive, countries can reduce the workday; however, the observed result (fewer hours worked and increased productivity) can only be achieved once certain levels of economic development are reached.

However, it is not as simple as it seems to expect greater productivity with fewer working hours. A key question is how to finance these conditions without productivity gains. The argument is often made that the cultural work ethic in Northern Europe is stronger, while Latin America and Mediterranean Europe are not seen as particularly hardworking. This cultural argument would, colloquially, prevent the much-desired productivity from being achieved.

The Discussion on the Workday

The Centenary Declaration for the Future of Work (ILO, 2019) states that all workers should enjoy adequate protection in accordance with the Decent Work Agenda, respecting their fundamental rights, an adequate minimum wage, established by law or negotiation, maximum limits on working time, and occupational safety and health. This necessitates a review of the workday, as a key component of decent work is establishing maximum limits on it.

In 1919, after World War I, the ILO was created under the Treaty of Versailles. Through Convention No. 1, it recommended, as a matter of primary importance, limiting the working day to eight hours and the workweek to forty-eight hours for industrial work. Its creation was a response to humanitarian, political, and economic reasons, with the main objective of creating better conditions and fostering international social peace (ILO, s.f.). This Convention 01 entered into force in 1921 but was not ratified by Mexico (Juárez, 2023).

In 1930, the ILO Conference, at its Fourteenth Meeting, Convention No. 30 concerning the regulation of working hours in commerce and offices (Ackerman, 2006), established that the workday could not exceed eight hours per day and forty-eight hours per week. This convention was ratified by Mexico and has been in force since May 12, 1934 (Juárez, 2023).

The ILO (2018a) has established a total of eight conventions to regulate working hours in different labor contexts. These instruments serve as a basis for countries to implement labor hours, weekly rest days, and paid annual leave in their legislation. Although most government, union, and business representatives within the ILO have approved their content, many of these agreements have not been ratified by all countries. In Mexico's case, only four of these conventions related to working hours are in force.

In 1935, the ILO established Convention No. 047 on the 40-hour workweek, but this convention has not been adopted by many member countries, including Mexico, and is the subject of the initiative to reduce the workday.

Initiative in Mexico to Reduce the Workday

For over 50 years in Mexico, Article 61 of the Ley Federal del Trabajo and Article 123 of the Constitución Política de los Estados Unidos Mexicanos have established a workday of up to 8 hours a day and 48 hours a week. In January 2023, Senator Miguel Ángel Mancera Espinosa from the Party of the Democratic Revolution (PRD) parliamentary group presented a constitutional reform proposal to fractions I and II of section B of Article 123 of the Constitution. The goal was to reduce the daytime and nighttime working hours for public sector workers to six and five hours, respectively, and to a five-day workweek with two days of rest. This initiative seeks to

provide government workers with a better work-life balance and increase their productivity by giving them more time to rest, exercise, and engage in other activities.

In March 2023, Representative Susana Prieto Terrazas, from the political ruling party in Mexico, presented a reform initiative to Articles 59 and 71 of the Federal Labor Law. This law is considered of general and mandatory application throughout the country. The initiative aims to establish a maximum workweek of 40 hours and ensure that rest days are Saturday and Sunday, not just Sunday as is currently provided (Prieto Terrazas, 2023).

The initiative by Representative Prieto refers to the “Guide to establishing a balanced work time arrangement”. The guide proposes that:

Measures to make working time compatible with family life should be designed to meet the needs of parents, women, and men, to have enough time to take care of their family on a daily basis. Allowing individuals to flexibly adjust their work schedules to meet these essential family obligations benefits workers and their families, as well as society as a whole. (ILO, 2019, p. 8).

The available evidence increasingly indicates unfavorable repercussions from prolonged working hours, both for the individual’s physical and mental health and for maintaining safety in the workplace. Multiple studies agree that extending working hours leads to adverse consequences in both the short and long term. According to the ILO (2019):

Acute reactions include physiological reactions, such as increased levels of stress, fatigue, and sleep disorders, as well as unhealthy habits like smoking, alcohol abuse, an irregular diet, and lack of exercise. Long-term effects include an increased incidence of cardiovascular diseases, gastrointestinal and reproductive disorders, musculoskeletal disorders, chronic infections, and mental illnesses. In addition to these health consequences, it is evident that long working hours reduce safety in the workplace, as the risk of accidents and work-related injuries increases with a longer work schedule. This situation has a significant financial cost for companies and can be easily avoided. Workers who habitually have excessively long workdays show reduced productivity per hour due to greater fatigue, and those with long hours and/or heavy workloads show decreased job satisfaction and motivation, as well as higher rates of absenteeism and staff turnover. These factors eventually result in additional hiring and training costs for employers. (p. 6 -7).

The Constitutional Points Commission of the Mexican Chamber of Deputies has already approved an opinion that proposes reducing the workweek from 48 to 40 hours and extending rest from 1 to 2 days for every 5 days of work. The initiative is currently in the final stage of approval in the Plenary of the Chamber of Deputies.

Once approved there, it will be sent to the Senate for its review and corresponding vote. Subsequently, according to the legislative procedure in Mexico, the approval of local legislatures will be required before it is sent to the Head of the Federal Executive for approval, and, where applicable, promulgation in the *Diario Oficial de la Federación* for it to come into force.

Mexico has not ratified ILO Convention 156 on equal opportunities and treatment for male and female workers with family responsibilities. This convention could influence the design of appropriate policies and measures to reconcile work and family life, favoring female employment and the incorporation of men into care and domestic work. According to data from the National Survey of Occupation and Employment (ENOE) by the Instituto Nacional de Estadística y Geografía (INEGI) in 2023, during the third quarter of the year, 26.2% of Mexicans worked more than 48 hours a week, which could have affected their health and quality of life (INEGI, 2024).

Working Schedule

There is growing evidence that various types of workplace stressors, including schedules and workplace conditions, can influence the onset and progression of mental health problems (Deloitte Center for Health Solutions, 2017). As already mentioned, one of the main conditions affecting workers' mental health is the workday (Kuroda & Yamamoto, 2016). However, besides the number of working hours, other characteristics of the work schedule, such as the frequency of night work and short rest periods per day, can also affect workers' health (Vedaa et al., 2016). Apparently, working unusual hours also affects emotional health. It is a fact that an increasing number of workers are forced to work night shifts or have irregular schedules.

Recent literature has examined the relationship between work schedule characteristics and workers' mental health (Sato et al., 2020) but establishing the causal effect of these characteristics has been a challenge. For example, some mentally and emotionally strong workers remain healthy despite working long hours. Conversely, workers with mental health problems are likely to have lower productivity, which in turn forces them to work longer than healthy workers. In this scenario, there are not many studies that control for these variables, making it difficult to draw useful conclusions for the workday discussion.

It is important to reflect on some work schedule characteristics that affect workers' mental health problems, such as general working hours, night work, the duration and frequency of rest periods, weekend work, and the combination of in-person and at-home working hours.

The theory of job stressors states that job characteristics and workload are key factors in the deterioration of workers' health (Siegrist, 1996). According to Caruso et al. (2006), it is possible to establish a comprehensive framework for the study of long

workdays and their health effects, in which longer workdays, night and/or weekend shifts, with short rest periods, increase the probability of work-related stress and a reduction in time for other activities that allow for work recovery. This imbalance between workload and recovery from exhaustion can be associated with a wide variety of physical, mental, and emotional symptoms.

It is known that the number of people working irregular hours has increased due to changes in macro-level social factors, such as the growth of the service industry (Johnson & Lipscomb, 2006). As a result, night work can have a negative effect on workers' health and well-being in terms of both biological and social dimensions. From a biological point of view, night work can alter normal circadian rhythms related to the sleep/wake cycle. Regarding the social dimension, workers on night shifts have difficulty maintaining healthy family relationships.

Getting enough rest after work can prevent workers' fatigue from reaching levels harmful to their health. One possible solution could be to optimize work schedules and short breaks. Most employees usually use weekends as an opportunity to recover from accumulated fatigue during the workweek.

Regarding the relationship between night work and workers' mental health, there is evidence that night shift work increases the risk of depression (Angerer et al., 2017). In this regard, it would be important to review the prevalence of these workers, because, assuming that not everyone is affected by night work, it would be necessary to apply psychological measurement instruments that allow employers to identify what type of workers can perform their night shift without being affected.

Considering rest periods, an interesting work by Nabe-Nielsen et al. (2011) shows that shift workers have greater vitality and better mental health than daytime workers. For their part, Vedaa et al. (2016) reviewed articles on shift work and found no associations between short rest periods and mental health. Ikeda et al. (2017) and Tsuchiya et al. (2017) are two of the few studies that examine the association between a daily rest period and the mental health of administrative workers without shifts or rotating work. Based on observations of fifty-four daytime employees of a company for a month, Ikeda et al. (2017) found that a short daily rest period of less than 13 hours is not adequate for participants to recover from fatigue. Tsuchiya et al. (2017) examined 1,811 daytime employees and found that short daily rest periods are associated with a high level of psychological distress. However, this association disappears after controlling for covariates such as age, gender, hours worked per week, workload, and social support.

As for the effect of weekend work, it is noted that working on weekends can deprive workers of the opportunity to recover from fatigue and can reduce the time they spend with family and friends. Tucker et al. (2015) show that weekend work is not significantly associated with burnout, stress, and fatigue, but they warn that the results may be biased due to the "healthy worker effect".

Conclusions

The purpose of this paper was to examine the proposal to reduce working hours in Mexican labor law and argue how this measure can favor workers' mental health, which will result in the benefit of the well-being of all working people.

Undoubtedly, the analysis of this proposal is not finished; more elements must be contributed to the discussion before decisions are made. For now, it seems prudent to review what the Federal Labor Law states about the workday and its relationship with mental health:

1. The worker and the employer will determine the duration of the workday.
2. The worker and the employer can distribute the working hours to allow the worker to rest on Saturday afternoon or any equivalent arrangement.
3. During the continuous workday, the worker will be granted a break of at least half an hour.
4. When the worker cannot leave the workplace during rest or meal hours, the corresponding time will be computed as effective working time.
5. The workday can also be extended under extraordinary circumstances, never exceeding three hours a day or three times a week.
6. The worker is not obligated to work for a time longer than that permitted for each of the mentioned workdays.
7. The extension of overtime that exceeds nine hours a week obliges the employer to pay the worker the excess time with two hundred percent more than the salary corresponding to each of the hours of the workday.

Working time is the condition that has the most direct impact on workers' daily lives. The number of hours worked and how they are distributed not only affect the quality of work but also life outside the workplace. Working hours and their organization can have serious consequences for the physical and mental health and well-being of workers, as well as for their safety at work and during commutes, and for their income (ILO, 2018a).

That means, an individual's mental health can be severely compromised as a result of constant work pressures and related stressors (Virtanen et al., 2018). Working long hours is one of the main work stressors that negatively impacts mental health, particularly about anxiety and depression (Tomioka et al., 2011). These mental health problems often result in poor concentration and attention quality, as well as ineffective work performance, which in turn increases the risk of making mistakes (Joules et al., 2014).

Although there are no conclusive studies on the association between long workdays and depression or anxiety, some publications indicate that, in the case of depression, all categories of working hours of 48 hours or more were associated with more than double the odds of having depression compared to 40 hours per week

(Bondagji et al., 2022). This is not surprising; however, it makes further prospective research with a longitudinal design necessary to investigate this relationship. We must also consider factors that vary over time and would affect both changes in mental health status and working hours. For example, workers in a growing market may find many opportunities to develop businesses that lead to long workdays, but at the same time may find the work rewarding and feel committed to achieving performance goals. As this example shows, a positive or negative work environment could cause a spurious correlation between mental health and working hours.

The study by Kuroda and Yamamoto (2016) is one of the few attempts to examine the causal relationship between working long hours and workers' mental health using the aggregate level of average working hours as an instrumental variable to control for unobserved time variation and time-invariant individual heterogeneity. However, it is difficult to find valid and robust instruments to control for factors that vary over time. The control of time-varying factors through the use of appropriate instruments remains for future work.

At this time, no one can debate the importance of regulations on working hours to maintain the mental health and well-being of workers. The prevention of mental disorders is crucial to producing greater efficiency in work performance and, therefore, greater productivity.

So far, the authors propose that reducing the workday will generate greater productivity as long as workers have optimal levels of emotional well-being. If there is an investment in mental health, more productive hours will be generated. The formula is: if there is greater emotional well-being → there will be greater productivity, resulting in, less working hours. Certainly, it is require systematic evidence to facilitate the understanding of this proposal.

The effort of some societies and networks in administration and business is highlighted, which are trying to address decent work from the perspective of directors of Latin American micro and small businesses. One of their most recent results indicates that small and medium-sized enterprises are the most concerned with providing their workers with the relevant legal conditions to have decent work (Peña et al., 2023).

Transdisciplinary research between economics, administration, and psychology is necessary, including variables such as decent working hours and the reconciliation of work with family life. This will allow for the provision of evidence demonstrating that social benefits that contribute to mental health precede labor productivity and not the other way around.

Conflict of Interest

The authors declare no conflict of interest.

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