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LAW NO.21.275 MODIFIES THE CHILEAN LABOR CODE CREATING THE OBLIGATION OF ADOPTING MEASURES TO FACILITATE THE LABOR INCLUSION OF DISABLED EMPLOYEES

Law No.21,275 (the "Law") which includes article 157 quater to the Labor Code, that creates a number of obligations destined to facilitate the labor inclusion of disabled employees, has been published in the Official Gazette on October 21st, 2020.

Companies to which the law applies

The Law is applicable to those companies that, in accordance to article 157 bis of the Labor Code, have 100 or more employees, and therefore at least 1% of its total workforce must be comprised of disabled employees or people who are entitled to a disability pension under any applicable social security system.

Obligations created by the Law

The following obligations, applicable to companies indicated in number I above, were introduced by the new Law:

• They must maintain at least 1 employee, from among those performing human resource-related functions, with specific knowledge in matters that promote the labor inclusion of people with disabilities (understood as those who are in title of the corresponding certification issued by ChileValora);
• They must promote internal policies on matters of inclusion and annually inform those policies through a communication to the Labor Board;
• They must develop and implement annual training programs providing tools for an effective labor inclusion within the company; and
• The activities organized by the company, during or outside workday, must consider the rules on equal opportunities and social inclusion of people with disabilities from law No.20,422 and other general principles contained in the existing regulation on this matter.

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The obligations created by the Law will enter into force from the first day of the twenty-fifth month as from the day of its publication in the Official Gazette, this is, November 1st, 2022.

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