

Guide to On-the-Job Injuries

in Mexico

In Mexico, all workers, including foreign workers and workers without valid permits, are entitled to participate in the social security program. The Mexican Social Security Institute (Instituto Mexicano de Seguro Social, IMSS) is responsible for providing several benefits for all insured workers.

This guide talks about insurance for on-the-job injuries.

For information about health insurance, disability insurance and health care, see [Guide to Disability and Health Care in Mexico](#). For information about maternity insurance and child-care center benefits, see [Women's Guide to Work and Pregnancy in Mexico](#). For information about retirement and life insurance, see [Guide to Social Security and Retirement in Mexico](#).

I got hurt on the job. What can I do?

On-the-job accidents and illnesses that occur because of your job are covered by Social Security.



You have a right to Social Security coverage even if the accident was your fault, the fault of one of your co-workers, or your employer's fault.

Accidents that occur while you are on your way to and from work are also considered to be on-the-job accidents, and are covered.



If I am hurt on the job how do I collect insurance for on-the-job injuries?

There are two steps that you must take before receiving your benefits.

First, report your on-the-job injury to your employer immediately.

Your employer must inform IMSS of the accident or work-related illness.

Then, go to your IMSS clinic to report your injury and see a doctor immediately.



If you are in pain because of your work but no accident has taken place, notify your employer and go to your IMSS clinic to see your doctor.

Can I choose my own doctor?

Normally, the IMSS will assign a doctor to you. If you are dissatisfied with your doctor, you may file a complaint with the Service and Orientation Module for Insured Workers. The IMSS will investigate the issue and resolve your complaint with 50 working days.

If you have questions regarding Social Security, you can go to the Service and Orientation Modules for Insured Workers.

- These modules are located at the entrances to the main medical units in each state and in Mexico City.
- The people who work in these modules give you advice and answer all your questions on social security and your rights.
- These people are called Insured Worker Service and Orientation Technicians. They are easy to identify because they wear green or navy blue uniforms and neckerchiefs with the IMSS initials.
- They also give talks and show videos on these topics in the waiting rooms.

What benefits do I receive if I am hurt on the job?

Medical benefits

- Medical treatment, surgery, and medicines
- Hospitalization
- Prosthetic and orthopedic apparatuses
- Rehabilitation



Temporary wage benefits

- If you are unable to work for a period of time, you will receive 100 percent of your wages while you are disabled.
- This benefit lasts up to 52 weeks, until you recover, or until the doctor says that you are partially or totally disabled.

Permanent Total Disability benefits

If you are considered to have a *permanent total disability*, you will receive a pension for life that is equivalent to 70 percent of your salary.

Permanent Partial Disability benefits.

If your disability is permanent but partial, your pension will be calculated based on the Federal Labor Law disability table.

Prevent injury by working safely

- You and your employer share the responsibility for a safe workplace.
- Carefully follow the safety instructions on all equipment and materials you use at work.
- If you do not follow safety procedures, you put yourself, your coworkers and your job in jeopardy.
- For more information about on-the-job safety, see [Guide to On-the-Job Safety and Health in Mexico](#).

What happens if I die because of an on-the-job injury?

If you die because of an on-the-job injury, the IMSS will give the following to your beneficiaries.

Widow's pension

- Your husband or wife will receive this pension. Your domestic partner can also receive it if you do not have a husband or wife.
- This pension would be equivalent to 40 percent of the money you would have earned during your lifetime had you been permanently and totally disabled.

Orphan's pension

- Your children will receive a pension up to age 16, or up to age 25 if they are still attending school. The pension is given for life to any of your children who are totally disabled.
- This pension is equivalent to 20 percent of the money you would have earned during your lifetime had you been permanently and totally disabled.

Pension for family members

- If you have no widow or widower, orphans or domestic partner, your parents are insured if they depend on you economically.
- In this case, the pension would be equivalent to 20 percent of the money you would have earned during your lifetime had you been permanently and totally disabled.

If you die because of an on-the-job hazard, your beneficiaries are also entitled to:

- Medical insurance.
- Choose an insurance institution to administer the money in your individual pension account.
- If you have more money in your individual pension account than is required to cover your beneficiaries' pensions, they can decide whether to:
 - a) receive a higher pension; or
 - b) withdraw the extra money from your account.

For more information about individual pension accounts, see *Guide to Social Security and Retirement in Mexico*.

Do I have to pay anything to be entitled to Social Security?

No. Your employer is responsible for paying premiums for insurance for on-the-job injuries.

For more information on wage deductions, see the *Guide to Minimum Employment Standards, Pay Deductions and Severance Pay for Unjustified Firing in Mexico*.

What happens if the IMSS rejects my claim for an on-the-job injury?

You can go to the Federal Public Labor Defender's Office or local offices for Labor Defense (PROFEDET), where you will receive legal consultation and orientation, support for reaching conciliation, and defense in labor courts. These services are free.

You may also file a claim with your local Conciliation and Arbitration Board (Junta de Conciliación y Arbitraje, JCA).

For more information on how the PROFEDET and JCA work, consult *Guide to Resolving Labor Disputes in Mexico*.

Social Security for farm workers

Farm workers work for an employer in farming, livestock and forestry activities.

Farm workers can be:

- permanent salaried workers with an indefinite working relationship; or
- temporary salaried workers hired for a particular job or period.

I am a farm worker. Am I entitled to Social Security benefits?

Yes. Farm workers are entitled to Social Security benefits.

What benefits am I entitled to?

Farm workers are entitled to the same benefits as all other workers, including insurance for on-the-job injuries.

