



NOBOA, PEÑA & TORRES  
ABOGADOS ECUADOR

**FLASH LEGAL # 001180**

## MINISTERIAL AGREEMENT No. MDT-2026-046

Dear Clients and Friends:

We advise that, on February 18, 2026, the Minister of Labor issued Ministerial Agreement No. MDT-2026-046, regulating the authorization procedure for special work shifts or schedules. Its key provisions state:

Special shifts consisting of **(i)** work exceeding 5 consecutive days with accumulated rest periods; and **(ii)** work of fewer than 5 consecutive days with fewer than 2 consecutive rest days require Ministry of Labor authorization.

Shifts not falling within these categories require only party consent, not authorization.

Rotating schedules (day, night, or mixed) require Ministry of Labor authorization. Non-rotating schedules require only party agreement.

Daily hours of up to 12 may be agreed, compensated by additional rest and without surcharges if legal limits are not exceeded.

The Ministerial Agreement establishes the authorization application procedure, requiring (among other documents) worker consent.

Where special shifts or schedules create new positions, the Ministry of Labor will prioritize applications demonstrating hires of 18- to 29-year-olds, particularly those with first formal employment experience or certification from public skills programs.

Employers must use the mandatory "Encuentra Empleo" platform for new hires to obtain authorization.

The Efficient Workweek is introduced, allowing distribution of the 40-hour weekly limit across up to 10 daily hours over 5 days, to be documented in the contract or addendum and registered within 30 days.

Sin perjuicio de que se deroga el Acuerdo Ministerial Nro. MDT-2018-0219 y su reforma, los horarios especiales autorizados al amparo del referido acuerdo continuarán vigentes.

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Ministerial Agreement No. MDT-2018-0219 and its amendment are repealed, but previously authorized special schedules remain valid.

We hope that you find this general information helpful. Please note that it is not intended to constitute legal advice. Should you have any specific inquiries, we would be pleased to provide further assistance.

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