



Newsletter

Decree 0720 of 2026 Strengthens the Ministry of Labor's Capacity to Adopt Immediate Preventive Measures in Companies.

The National Government issued Decree 0720 of 2026, through which Chapter 4 is added to Decree 1072 of 2015 and the procedure, scope, and criteria for the adoption of preventive measures by labor inspection, surveillance, and control authorities are regulated.

These measures are preventive and precautionary in nature and are intended to prevent the violation or aggravation of workers fundamental rights in situations involving a serious or imminent risk.

Unlike an ordinary sanctioning proceeding, preventive measures may be adopted during inspection visits or inspection actions and become effective immediately upon notification, without the filing of appeals suspending their enforcement.

Main Considerations for Employers

In practice, these regulations require companies not only to understand the measures that may be adopted by the labor authority but also [to have internal protocols in place to respond immediately, in a documented manner, and in a coordinated fashion.](#)

Topic	What does the Decree establish?	Practical impact on companies
Purpose and Scope	Regulates the procedure and criteria for labor inspectors to adopt preventive measures within inspection, surveillance, and control proceedings. It applies to both the public and private sectors in matters concerning individual and collective labor law.	Companies must be prepared to respond immediately to visits from the Ministry of Labor, particularly in matters related to occupational health and safety, harassment, violence, discrimination, freedom of association, or collective workforce reduction processes.
Nature of the Measures	The measures must be necessary, appropriate, and proportionate to the identified risk. They are precautionary and provisional in nature and do not constitute a sanction or prejudgment.	Although they do not constitute sanctions, these measures may have significant operational effects, such as the suspension of activities, restrictions on the use of machinery, evacuation of work areas, or suspension of certain labor-related proceedings.
Criteria for Their Adoption	The authority must assess the seriousness of the risk, the imminence of the harm, the existence of sufficient prima facie evidence, and the proportionality of the measure.	The evidentiary standard is preventive and does not require a final determination regarding the existence of a violation. Accordingly, maintaining updated documentary support and traceability of internal actions is essential.
Measures with the Greatest Business Impact	The Decree contemplates measures such as suspension of activities, reassignment of personnel, immediate provision of PPE, urgent correction of physical conditions, suspension of high-risk work, evacuation of the workplace, temporary separation of alleged aggressors, suspension of voluntary separation plans or collective dismissals, and suspension of acts that may affect freedom of association.	The measures with the greatest practical exposure are those that may affect business continuity, restructuring processes, separation plans, collective dismissals, management of harassment cases, and collective labor relations.
Procedure and Appeal	Measures may be adopted ex officio or upon request by a party through a reasoned administrative order. The only available remedy is a motion for reconsideration filed within ten (10) business days following notification, granted with devolutive effect (i.e., filing the appeal does not suspend enforcement of the measure, which remains in effect while the appeal is under review).	The company must comply with the measure while the appeal is pending. This requires internal protocols to immediately escalate Ministry visits, assess the legality of the notification, document the proceeding, and prepare the defense within the statutory term.

Notification, Compliance, and Follow-Up	The measure becomes effective immediately upon notification. Total, or partial non-compliance may result in successive fines, temporary suspension of activities, and additional measures. The authority may conduct follow-up activities, request information, and carry out verification visits.	Compliance must be immediate, complete, and properly documented. The company should create a compliance file from day one, including meeting minutes, OSHMS evidence, communications, PPE delivery records, evidence of corrective actions, and responses to requests from the authority.
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What should companies review?

Considering this new regulatory framework, we recommend that employers conduct a preventive review of their internal processes, particularly in the following areas:

1. **Protocols for Ministry of Labor Inspection Visits:**

Define who will handle the inspection, how the visit will be documented, what information may be provided, and the internal escalation channel for any order or requirement.

2. **Occupational Health and Safety Management System:**

Verify the updating of risk matrices, critical controls, evidence of personal protective equipment delivery, machinery maintenance records, training records, reports of unsafe conditions, and action plans.

3. **Workplace Harassment, Sexual Harassment, and Gender-Based Violence Procedures:**

Review whether there are clear reporting channels, protective measures, confidentiality mechanisms, traceability of actions, and coordination with the Workplace Coexistence Committee or other responsible area, as applicable.

4. **Voluntary Separation, Restructuring, or Collective Dismissal Processes:**

Properly document voluntariness, justification, communications, and supporting records for any separation plan or business reorganization in order to mitigate allegations of an intention to circumvent legal authorizations.

5. **Collective Labor Relations and Freedom of Association:**

Strengthen documentation of company decisions adopted in contexts involving collective bargaining, union membership, strikes, or collective labor disputes in order to prevent interpretations of anti-union risk.

6. **Compliance File:**

In the event of any preventive measure, the company should organize from the outset a file containing evidence of compliance, internal communications, technical support documents, minutes, photographic records where applicable, and responses to the authority.

Decree 0720 of 2026 strengthens the Ministry of Labor's capacity for immediate intervention in situations that may compromise workers' fundamental rights. Although preventive measures do not constitute sanctions, they may generate significant operational, administrative, and reputational impacts for companies. Therefore, prevention, documentary traceability, and timely responses to visits or requests from the labor authority will be critical to mitigating risks.

Accordingly, we recommend that companies implement or review their internal labor inspection response protocols, strengthen their documentary support, and update their labor-related procedures, particularly those concerning [harassment, violence, discrimination, workforce separation, and collective labor relations](#). Preventive, traceable, and well-documented management will enable companies to [respond more effectively](#) to any measures adopted by the labor authority.

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