



Acta de Infracción y su Incidencia en el Procedimiento Administrativo Sancionador en la Inspección del Trabajo de la Superintendencia Nacional de Fiscalización Laboral [

2024

text (article)

Analítica

The Infraction Report is the document issued by Labor Inspectors when they conclude their inspection actions and determine violations due to non-compliance with socio-labor regulations, occupational safety and health, or inspection duties. It includes the verified facts that constitute potential violations, the specific acts that fall under these violations, the affected regulations, their classification and typification as violations, as well as the proposed sanction, along with the respective criteria for quantification and grading. It specifies the responsibility of the inspected party, with the appropriate factual and legal justification. Therefore, the Infraction Report constitutes the central axis upon which the administrative sanctioning procedure is based. As such, it must adhere to the guidelines established by the Labor Inspection, fulfilling each of the requirements set forth in the General Labor Inspection Law, its regulations, and other provisions governing the inspection procedure. However, currently, many Infraction Reports are not issued in compliance with the legal framework. This leads to the violations listed in the report not being upheld, and in some cases, the procedure being archived, thereby impacting the service provided by the Labor Inspection

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