

What is domestic work?

Domestic work is work carried out in the home of a person or family, as long as it does not generate profit for the employer. Domestic service involves a number of activities, including those performed by housekeepers, cleaners, cooks, drivers, gardeners, nannies, caregivers for the elderly and people with disabilities, and many others.

What is the minimum working age in Brazil?

The minimum age for domestic work is eighteen (18) years old. Domestic work performed by people under this age is considered one of the Worst Forms of Child Labor (TIP List).

What are the rights of domestic workers?

Domestic workers are entitled to:

- The registration of their new employment contract in the eSocial platform as of the first day of the provision of services, including the probationary period;
- A salary which meets the national minimum wage and is paid by the 7th of each month;
- Compensation for evening/night work, at a rate at least 20% higher than the daytime work rate;
- Normal working hours of 8 hours per day and up to 44 hours per week, which may be extended in accordance with the law;
- Overtime pay which is at least fifty percent (50%) higher than the normal hourly rate;
- Control of working hours by tracking their start and end times;
- A paid weekly day off, preferably on Sundays;
- Meal and rest breaks of at least 1 hour and at most 2 hours. In certain exceptions, through a prior agreement, the rest break may last 30 minutes;
- A minimum rest period of 11 hours between the end of one shift and the beginning of the next;
- Vacation leave, paid at a rate of 1/3 of the normal salary, which can be divided into two periods;
- A 13th salary (Christmas bonus);
- Public transportation vouchers;
- A monthly deposit of FGTS and compensatory indemnity;

- Prior notice of dismissal without cause;
- The payment of severance within 10 days of termination;
- Stability for pregnant women from confirmation of pregnancy up to 5 months after delivery.

All these rights are provided for in Complementary Law No. 150/2015, the Brazilian Code of Labor Laws (CLT) and ILO Convention No. 189.

What is the Carteira de Trabalho Digital (Digital Employment Card) app? How can it be accessed?

The Digital Employment Card is an app for smartphones and computers that works like the old physical Work and Social Security Card (CTPS), and has been available since 2019. The Employment Card will be issued primarily in digital format and in physical format only in exceptional cases, for notes on previous employment relationships prior to the establishment of the digital model. To learn more, visit <https://www.gov.br/pt-br/servicos/obter-a-carteira-de-trabalho>

Can a domestic employee reside in the workplace? What should be observed?

Yes. However, the employing party must provide dignified, safe and accessible living conditions, and any deduction of housing expenses from the employee's salary is prohibited. In the case of an employee residing in the workplace, they are permitted to stay at the house during vacations, since this is also their residence.

What are the main duties of the domestic worker?

Domestic employees must attend work and perform their duties as instructed by the employer. Upon receiving their salary, they must sign a receipt to confirm the amount has been paid, and note down the times of entry and exit from work, as well as breaks. Additionally, if they wish to leave their job, they must hand in their notice at least 30 days in advance.



What is domestic slave labor?

It is work undertaken in one or more of these situations: forced labor, exhaustive working hours; degrading working conditions; any means of restricted movement due to debt to the employer, at the time of hiring or over the course of the employment contract; confinement at the workplace due to restriction of the use of any means of transport, continuous surveillance, or confiscation of personal documents or belongings, as provided for in Article 149 of the Penal Code. Click here to see a primer on the topic.

It should be noted that migrants rescued from working conditions analogous to slavery are entitled to have their immigration status legalized, if applicable.

How can labor irregularities be reported?

To report labor irregularities, go to denuncia.sit.trabalho.gov.br or call the 100 Hotline, the channel for complaints about human rights violations, free of charge.



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