

TEMPORARY EMPLOYMENT CONTRACT

What is temporary work in Brazil?

Temporary work is where a worker is hired by one company (a temporary staffing agency), to provide services to another (a client company hiring a temporary worker).

Who's who

- A temporary worker is the individual hired by the temporary employment agency, which provides services to the client company;
- The temporary employment agency makes its workers available to provide services in other companies;
- The client company is where (and with whom) the temporary worker will perform their activities.

When is temporary work valid?

Workers under the age of eighteen (18) are prohibited from engaging in activities that are unhealthy, dangerous, arduous, or occur at night-time, or that are harmful to morality, school attendance, or physical, psychological, moral and social development, as well as the activities listed among the Worst Forms of Child Labor.

Duration

Your temporary contract must expressly provide the date of termination of the provision of services.

The maximum duration of your temporary employment contract is one hundred and eighty (180) days, extendable for another ninety (90) days, if the conditions that motivated your hiring are still in effect.

At the end of this maximum period, you can only return to work for the same company as a temporary worker ninety (90) days after the end of the previous contract.

Know Your Rights

- **Salary:** you are entitled to receive a salary equivalent to that of the permanent employees of the company employing the temp worker performing the same duties.
- **Working hours:** The working hours are limited to 8 hours per day and 44 hours per week. You are also entitled to overtime, which cannot exceed two hours per day, and is fifty percent (50%) higher than the normal hourly salary. Special working hours provided for in law (as in the case of bank employees, with a 6-hour workday) also apply to temporary workers.

- **Paid leave:** you are entitled to paid leave plus one third of your normal salary. This amount will be calculated in proportion to your length of service.
- **Unemployment Compensation Fund (FGTS):** the worker is entitled to a payment of the FGTS equivalent to eight percent (8%) of their monthly salary. If the contract is terminated early, they are also entitled to a forty percent (40%) termination fine on the FGTS balance.
- **Compensation:** You are entitled to receive compensation equivalent to 1/12 of the pay received in the event of termination without cause or normal termination of the contract.
- **Other labor rights:** you are also entitled to all the other labor benefits received by employees of the company hiring a temporary worker who perform an equivalent role, such as a proportional 13th salary (Christmas bonus) and night shift premium, an unhealthy work bonus and hazard pay, if applicable, as well as a paid weekly rest period, occupational accident insurance, Social Security benefits, transportation vouchers and the Digital Employment Card, among others.

Pregnant employees

A pregnant woman hired under a temporary employment contract does not have the right to job security, which occurs from the confirmation of pregnancy up to five (5) months after delivery.

To find out more

In Brazil, there is the Temporary Labor Law [No. 6,019/1974](#), regulated by Decree [No. 10,854/2021](#).



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