

Temporary Work in Brazil

What is temporary work in Brazil?

Temporary work is the employment arrangement in which you are hired by an outsourcing provider called “temporary work company” to work for another company, called “client company”.

Who is who

- A temporary worker is the employee of a temporary work company, who provides services to a client company.
- A temporary work company is the one that provides its employees to work for other companies.
- A client company is where temporary workers perform their tasks.

When is temporary work applicable?

In Brazil, temporary work may be used in three situations:

- a) When the client company needs to replace its permanent staff members for a short period of time, such as on vacations or leaves;
- b) When the client company needs to meet a complementary demand for services, that is, when there is an occasional increase in entrepreneurial activities, and extra workforce is needed;
- c) When the client company needs to replace employees due to UNLAWFUL strikes by its employees. Attention! If work stoppage happens through a lawful strike, the law prohibits companies from hiring temporary workers to replace the permanent staff.

In all three situations, the temporary work contract is to be terminated as soon as the above-mentioned conditions cease to exist.

Employment period

The temporary work contract must determine the time period for the provision of services.

The maximum duration of a temporary work contract is 180 days, with possibility of extension up to 90 additional days, should the hiring conditions remain the same.

Once the maximum duration is reached, you may only work as a temporary worker for the same company again after a 90-day period from your previous contract.

Know your rights

- **Wages:** even if you are not an employee of the client company, you are entitled to the same wage as that of permanent employees performing equal work.
- **Benefits:** you are also entitled to all bonuses received by the client company's permanent employees performing equal work, including proportional 13th salary, hazard pay and health risk premium, if applicable, among others.
- **Working hours:** you cannot work longer hours than the client company's permanent employees. This means that the workday is up to 8 hours and the workweek is up to 44 hours. You are also entitled to overtime pay with a 50 percent increase to your regular pay rate. In the case of special work hours (such as for bank tellers, who work 6 hours a day), the same arrangement must be applied to temporary workers.



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- **Vacation days:** you are entitled to paid vacations, with a bonus of one-third of a month's salary. These rates are calculated proportionally to the working period: for every working month (or fraction superior to 15 days), you are entitled to 1/12 of your monthly salary.
- **FGTS:** in case of contract termination, as well as in case of unfair severance, you are entitled to withdraw funds from your unemployment insurance savings account (FGTS) by the end of the contract term.
- **Compensation:** in case of unfair severance or upon regular contract termination, you are entitled to compensation equivalent to 1/12 of the wages received.

- **There's more:** you are also entitled to paid weekly rest, additional pay for night work, employment injury insurance, social security, transportation allowance, and formal registration at the employment book (CTPS), among other benefits.

Pregnant employees

Differently from contracts of indefinite duration, employment stability during pregnancy is not guaranteed by temporary work arrangements.

To know more

In Brazil, temporary work is governed by the Temporary Employment Law (Law no. 6,019/1974), which has been amended by Laws no. 13,429/2017, 13,467/2017 and regulated by Decree no. 10,060/2019.



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