

Domestic Work in Brazil

What is domestic work?

Domestic work is the one performed within the scope of a household of an individual or a family, provided that the work does not generate profit for the employer.

Domestic service encompasses several activities, such as those carried out by housekeepers, cleaners, cooks, drivers, gardeners, nannies and babysitters, caregivers of seniors and people with disabilities, among others.

What is the minimum age to work in Brazil?

The minimum age for domestic work is 18 (eighteen) years. Any domestic work performed by people under this age is considered one of the Worst Forms of Child Labour (aka Lista TIP).

Who is considered a domestic worker?

The person who provides services on a continuous basis (habitual), subordinately (receiving orders), with compensation (receiving payment) and individually within a household for more than 2 (two) days a week.

What are the rights of domestic workers?

Domestic workers are entitled to:

- *Registration of the employment contract on eSocial as of the first day of service provision, including the probation period;*
- *Wages not lower than the national minimum wage and paid by the 7th of each month;*
- *Up to a 44-hour workweek, which may be extended in accordance with the law;*
- *Paid weekly rest;*
- *Rest and meal breaks;*
- *Paid vacations, with a bonus of one-third of a month's salary;*
- *13th salary;*
- *Transportation voucher;*
- *Monthly deposit of FGTS (unemployment insurance) and of compensatory indemnity;*
- *Prior notice in case of unfair severance;*
- *Payment of severance package within 10 days of termination;*
- *Stability for pregnant employees since confirmation of pregnancy to 5 months after delivery;*

All these rights are provided for in Complementary Law No. 150/2015, CLT and Convention No. 189 of the ILO.

How to use the Digital Employment Book? How can I access eSocial?

The Digital Work Permit (Carteira de Trabalho Digital) is a mobile and computer app equivalent to the former physical Work Permit and Social Security (CTPS) and has been in use since the publication of Ordinance No. 1,065, of 23 September 2019, which regulates Law No. 13,874/2019. To know more, access: <https://www.gov.br/pt-br/servicos/obter-a-carteira-de-trabalho>.

Can domestic workers reside in the workplace? What must be observed?

The employer must offer the employee decent, safe, and accessible conditions, being the deduction of housing expenses prohibited. In the case that the worker resides in the workplace, remaining in the household during vacation time is allowed since it is also their residence.

What are the duties of domestic workers?

Domestic workers must attend work regularly and perform their duties as per their employers' instructions; after receiving the salary, they must sign a receipt, acknowledging the perceived amount and, upon leave request, they must communicate their intention at least 30 days in advance.

What is domestic slavery?

It is the work carried out in one or more of these situations: forced labour; exhaustive working hours; degrading working conditions; restriction, by any means, of movement due to debt owed to the employer or agency, incurred at the time of hiring or in the course of the employment contract; being held in the workplace due to restrictions on the use of any means of transportation, maintenance of overt surveillance or retention of documents or personal effects, as prescribed in Article 149 of the Brazilian Criminal Code.

[Click here](#) and read the booklet on the theme.

It is important to highlight that undocumented migrants who have been rescued from a working condition analogous to slavery have the right to migratory regularization.

How to report labour irregularities?

To report labour irregularities, access denuncia.sit.trabalho.gov.br or call for free **Disque 100**, the official channel to report human rights violations.



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