

iGlobal Law 2021 Annual Alert : Brazil

Initial remark: The Brazilian National Congress does not maintain an organized and reliable agenda. Therefore, it is not possible to confirm or anticipate any change regarding labour legislation in Brazil for the calendar year of 2021. With that said, we present below one bill that may be voted next year and may become effective law.

Legal Change	Effective Date	Action required
<p>Remote Work Regulations Bill No. 3512/2020 proposes changes into the rules of remote work (especially home office systems), increasing the responsibility of companies that adopt such work practices.</p> <p>The Bill provides that employers must make available all the equipment necessary to the performance of remote work, including technical assistance. Additionally, it demands that employers reimburse the expenses incurred by employee with electricity, internet and others deemed necessary to the work.</p> <p>Another relevant change is that employees under remote work regime would be subject to working hours control and eligible to the payment of overtime.</p> <p>The relevance of this bill stems from the considerable increase of remote work systems due to the Covid-19 pandemic.</p>	<p>Bill has not been voted by the Congress yet, but is expected to be in 2021.</p>	<p>Nothing at this stage, but keep updated on the possible approval of the bill in order to take necessary steps to regularize the situation of employees under remote work regime.</p>
<p>Union System Reform There are about 50 different bills to be voted in the Congress regarding changes in the current Brazilian Union Systems. This is one of the main political projects of the current Federal Government.</p> <p>Among those bills, stands out the Bill No. 171/2019, which is actually a proposal to amend the Constitution in order to revoke the principle of “union unicity”, allowing the constitution of multiple unions regardless of the existence of other representative union in the same territory.</p> <p>Furthermore, the bill intends to limit the benefits of collective bargaining agreements to those employees who are effectively members of the union and contribute with union dues.</p> <p>Currently in Brazil, employees and employers are mandatorily represented by only one union in each territory, based on the main economic activity developed by the employer.</p>	<p>Bill has not been voted by the Congress yet. No exact expectation on when it will be voted.</p>	<p>Nothing at this stage, but keep updated on the possible approval of the bill as it may represent several impacts to union relations.</p>