LABOR & EMPLOYMENT

CLIENT ALERT

OCTOBER/2019

NEW REGULATION ON TEMPORARY WORK

The Federal Government has just edited the Decree 10,060/2019 regulating the Law 6.019/1974 as recently amended by Law 13,429/2017.

The Decree plays the role of regulating the innovations brought by Law 13,429, naturally. It thus limits the possibilities of creative interpretation of the brief text of the Law. As way of example, the permission to engage temporary workers for seasonal predictable work and equivalent employment rights between temporary and permanent workers.

Besides that, the following aspects of the Decree are worth mentioning because the add relevant aspects to the provisions of the Law:

- **Art. 11.** The temporary services invoices shall discriminate the amounts corresponding to the employment and tax dues from its administration fee.
  → Such was already good business practice, though not always observed due to lack of clarity of the law. It provides the contracting company with more clarity.

- **Art. 12.** Permission to subcontract temporary workers from another agency.
  → While it was not prohibited, lack of clarity made such possibility it very uncertain.

- **Art. 18 and 19.** Permission to engage temporary workers in any job, whether core business work or not.
  → There was no prohibition to date, but the lack of clarity made the engagement of ancillary work confusing with outsourcing.

PRACTICE AREA
Labor & Employment

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For further information, please send a message to **news@veirano.com.br**

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- **Art. 20.** Temporary workers shall have the right to compensation equivalent to the permanent workers professional category.
  → Such was a traditional best practice and it shall not be mistaken by the provision of § 1st of art. 4-C of the Law providing for the possibility of the temporary services agreement stipulating equivalent salary between the temporary workers and the permanent ones.

We are at your disposal if you have any questions or need additional information.

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