

WORKERS' RIGHTS

ENGLISH



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CREDITS

Development: **Ministério Público do Trabalho - MPT**

Coordination: **Ana Gabriela Oliveira de Paula e Tatiana Leal Bivar Simonetti**

EText editing and creation: **Ana Carolina Gebara Spinelli e Ludmila di Bernardo**

Graphic design: **Crioula Design**

Translation: **VGL Translations & Publishing**

Illustration: **Crioula Design**

Revision: **Cáritas Brasileira e Aline Larissa de Oliveira**

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ABBREVIATIONS

- CLT** – Consolidação das Leis do Trabalho (Consolidation of Brazilian Labour Laws)
- CPF** – Cadastro de Pessoas Físicas (Individual Taxpayer Registration in Brazil)
- CNPJ** – Cadastro Nacional de Pessoas Jurídicas (National Legal Entity Registration in Brazil)
- MPT** – Ministério Público do Trabalho (Public Ministry of Labour)
- MTE** – Ministério do Trabalho e Emprego (Brazilian Ministry of Labour and Employment)
- SRTE** – Superintendências Regionais do Trabalho e Emprego (Regional Superintendence of Labour and Employment) - the SRTEs operate under the MTE).
- CTPS** – Carteira de Trabalho e Previdência Social (Work and Social Security Registry)
- CIE** – Carteira de Identidade de Estrangeiro (Foreigner ID Card)
- PIS** (see page 9) – Programa de Integração Social (Social Integration Programme)
- PASEP** (see page 9) – Programa de Formação do Patrimônio do Servidor Público (Civil Servants' Social Security Programme)
- FGTS** (see page 9) – Fundo de Garantia por Tempo de Serviço (Length-of-Service Guarantee Fund)
- INSS** – Instituto Nacional de Previdência Social (Brazilian Institute of Social Security)
- CAT** – Comunicado de Acidente de Trabalho (Occupational Accident Report)
- TRTC** – Termo de Rescisão do Contrato de Trabalho (Employment Agreement Termination)
- CD** - Comunicação de Dispensa (Dismissal Notification) (brown sheet)
- SD** - Requerimento do Seguro Desemprego (Request for Unemployment Security) (green form)

ACKNOWLEDGEMENTS

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WHAT DO I HAVE TO KNOW BEFORE I START WORKING?

Labour in Brazil is regulated by the CLT, a group of laws developed to ensure basic rights to all workers. These rights can be expanded with agreements unions make with companies, but they should never be reduced.

The first thing you should know about working in Brazil is that nothing can deprive you of your labour rights. **Even if you work without documents, you have the same rights as every other Brazilian worker, and you should demand them.** Read this brochure to know about these rights.

If you realize any employer is exploring you and your work, inform this fact with no fear! You won't be deported or arrested because of that! Several bodies and institutions can help you with your complaint - see the list on pages 26 and 28.

For employers, the situation is different. If they keep workers in irregular situations and are caught, they will be fined a high amount of money, and they will have to compensate the workers involved and correct their labour situation.

CARTEIRA DE TRABALHO (CTPS) AND THE TYPES OF EMPLOYMENT AGREEMENT

The CTPS (labour registry), looks like a passport. It acts as an ID and it contains records of your employment history. For every job you have, the employer should record: start date, end date, start salary amount, function, salary corrections, vacations, etc.

When you take your CTPS to an employer for signature, the employer has 48 hours to return it. **The employer cannot keep your CTPS for more than 48 hours!** The CTPS is very important! Do not allow it to become torn, wet, dirty, etc. It is not allowed to change your photo or make alteration to the records on your CTPS.

To issue a CTPS, take two 3x4 photos, a Brazilian ID document (CIE or CIE submission slip), your CPF and a proof of residence to one of the MTE bureaus (www.mte.gov.br)

Types of employment agreement - An employment agreement is a contract between an employee and an employer. Verbal agreements are also considered employment agreements, involving rights and obligations as well. The agreement may be for a non-fixed period (*indeterminado*) or for a fixed period (*determinado* – it has a date to end and may last for maximum 2 years).

If, before the end of the agreement for a fixed period, the worker is dismissed without cause, the employer must pay a compensation in the amount corresponding 50% of all the salaries due from the dismissal up until the end of the agreement.

SPECIFIC EMPLOYMENT AGREEMENTS

PROBATION AGREEMENT

It is an employment agreement for a fixed period in which the worker's skills are tested for that job. For this reason, this agreement may last maximum 90 days. When this period is over, either the agreement is terminated or the worker is hired, now for a non-fixed period. During the probation agreement, a worker may be dismissed with no prior notice when the agreement ends. For example, if the agreement is for 45 days, an employer may dismiss the worker on the 45th day.

If you are dismissed before the end of the probation agreement, you have the right to 50% the salary corresponding to the days to fulfil the total period. For example, if you are dismissed 8 days before the probation agreement ends, your employer should pay the amount corresponding to 4 days plus the days you have worked. It is called "Compensation".

On the other hand, if you quit your job before the probation agreement ends, you should compensate the employer, paying 50% of the days until the end of the period. For example, if you decide to leave this job 8 days before the probation agreement ends, the amount corresponding to 4 days is deducted from your salary for the days you have worked.

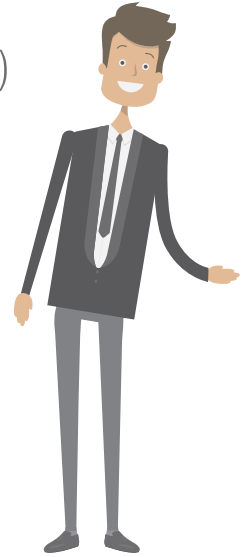
TEMPORARY EMPLOYMENT AGREEMENT

It is made by agencies specialized in temporary work: you are hired by one of these agencies to provide service to other companies. This type of agreement may last maximum three months, and these agencies should be accredited by the MTE.

THE 13TH SALARY (“13º SALÁRIO”)

Every worker has the right to the 13th salary (“13º salário”), including domestic and rural workers. This salary is usually paid in two portions (one between February and November and one in December).

Workers terminated for cause do not have the right to the 13th salary.



PIS/PASEP, UNEMPLOYMENT INSURANCE, FGTS AND SALARY BONUS

PIS and PASEP are programmes created by the federal government to promote income distribution in the country through benefits like the Unemployment Insurance (“Seguro Desemprego”), Salary Bonus (“Abono Salarial”) and FGTS. PIS is for workers in the private sector and PASEP are for civil servants and public employees.

Attention: you are entitled to the Unemployment Insurance, Salary Bonus and FGTS only if you are registered in PIS/PASEP.

You will be registered in this programme by your first employer in Brazil, when admitted to your first job. The registration is made at any agency of the banks Caixa Econômica Federal (for PIS) or Banco do Brasil (for PASEP).

When you are registered in the programme, your employer receives a card with your PIS/PASEP registration number. This card should be handed to you. Without this registration number, you won't be able to receive benefits like FGTS or the Unemployment Insurance or Salary Bonus.

If you don't have the PIS/PASEP card, go to any agency of Caixa Econômica Federal (for PIS) or Banco do Brasil (for PASEP) to check if your registration has been made. Otherwise, ask the company where you work to provide it. If you have lost your card, you can order a copy at the agency with your CTPS or CPF.

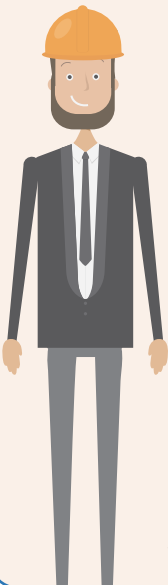
Unemployment Insurance

Every worker dismissed without cause has the right to the unemployment insurance, as well as workers rescued from conditions of slavery and workers who have had their employment agreement suspended to participate in a training program offered by the employer.

Workers who quit their jobs are not entitled to receive the unemployment insurance (except for indirect termination, see page 20).

HOW TO RECEIVE THE UNEMPLOYMENT INSURANCE

The unemployment insurance is provided to employees who have worked for the last 12 months uninterruptedly (receiving a salary every month, over the last 12 months). To claim it for the second time, the period is 9 months, and for the third time, 6 months. To request it, go to an agency of Caixa Econômica Federal (www.caixa.gov.br) or a bureau of MTE (www.mte.gov.br) and take the following documents with you, between 7 and 120 days after the date of your dismissal:



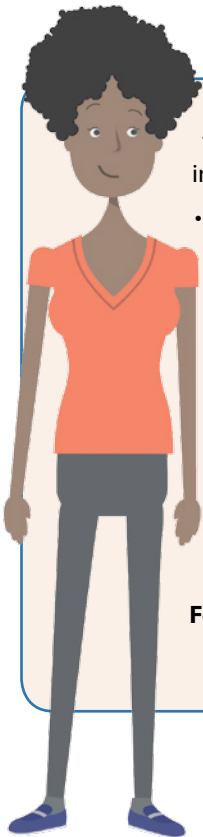
- CD (termination notice - brown sheet) and SD (request for unemployment insurance – green form);
- TRCT (employment agreement termination) ;
- CTPS - Carteira de Trabalho e Previdência Social (Work and Social Security Registry);
- Brazilian ID document (ID card for foreigners or ID submission slip);
- PIS/PASEP card;
- Report of FGTS deposits;
- CPF;
- The two last payslips or receipts of payments made to formal workers.

FGTS – Fundo de Garantia por Tempo de Serviço (Length-of-Service Guarantee Fund)

The FGTS acts as a savings account to a worker; it is a right ensured to all workers who have a formal employment agreement, according to the rules of CLT (Consolidação das Leis do Trabalho).

Also entitled to the FGTS are: rural workers, temporary workers, independent workers (workers who provide occasional services to different companies and are hired through trade unions or a workforce management body, with no employment bond), professional athletes (such as soccer players) and domestic workers.

A FGTS account is created at any agency of Caixa Econômica Federal by the employer, who deposits every month the amount of 8% (eight per cent) of the salary paid to workers. These deposits are monetarily corrected and provide 3% interest a year.



HOW TO RECEIVE THE FGTS

The FGTS can be withdrawn at any agency of Caixa Econômica Federal in the following situations:

- If you are in a probation agreement and you do not continue at this job.
- If you are dismissed without cause.
- If you remain three years (uninterrupted) out of the FGTS system;
- When you retire, after working for 35 years or after you turn 65 years old (men) or 60 years old (women). Or when you turn 70 years old, even if you don't retire;
- If you or your child has a serious disease, such as cancer or HIV-AIDS;
- When you buy or finance a house.

The documents required to withdraw the FGTS vary with the case. To learn more about it, contact the MTE or Caixa Econômica Federal.

PIS/PASEP Salary Bonus

The PIS/PASEP salary bonus is an additional amount paid to workers once a year. This amount is proportional to the time worked in the year before the salary bonus payment, and its maximum value corresponds to a minimum wage. That is, if you are employed for the whole year, you will receive one minimum wage. If you worked for six months, you will receive half of this amount.

Workers employed by private entities and public bodies who contribute to PIS and PASEP are entitled to receive this bonus. In addition, to receive this bonus, workers should first contribute for at least 5 years PIS/PASEP, receive on average up to two minimum wages a month, and work for at least 30 days with signed CTPS.

For example, a worker who received up to two minimum wages a month in 2013 has the right to PIS/PASEP salary bonus related to the period of 2014/2015.

HOW TO RECEIVE THE SALARY BONUS

You can withdraw the PIS/PASEP bonus at any agency of Caixa Econômica Federal or Banco do Brasil, according to the calendar published by these banks. The calendar is based on the worker's birth date and PIS/PASEP registration number. You can check this calendar at any agency of Caixa Econômica Federal or Banco do Brasil.

This bonus cannot be withdrawn after the dates defined for every year. If you have not withdrawn your bonus until the defined date for bonus payment, you will lose this right. For this reason, it is important to pay attention to the calendar and the average salary received in the reference year.

WORKING HOURS

In Brazil, the normal daily working time is 8 hours and the weekly working time is 44 hours, but depending on specific laws or agreements in writing between the company and the employee, these hours may vary. For example, for employees working in uninterrupted shifts, the maximum daily time is 6 hours.

Rest periods

Se você trabalha 8 horas por dia, tem direito a um descanso de pelo menos 1 hora. If you work 8 hours a day, you have the right to a rest period of at least one hour during the daily working hours. If you work 6 hours a day, you have the right to a rest period of at least 15 minutes during the daily working hours. After a working day, you have the right to a rest period of at least 11 hours before you start working

again. Every worker has the right to a weekly rest day, which is usually Sunday, but it depends on the place. For example, if you work in a restaurant on Sundays, your rest day may be another day of the week.



Extra hours

Extra hours are those hours exceeding your normal working time. **According to the Brazilian legislation, you can work up to two extra hours a day.**

If you work more than 44 hours a week, for every extra hour you work, you have the right to an additional payment of 50% in relation to your normal hour. For example, if you receive R\$ 10 for one normal working hour, your employer has to pay you R\$ 15 for every extra hour exceeding your normal working time.

If you work on your rest day (for example, Sunday or a holiday), your employer has to pay twice the normal hour.

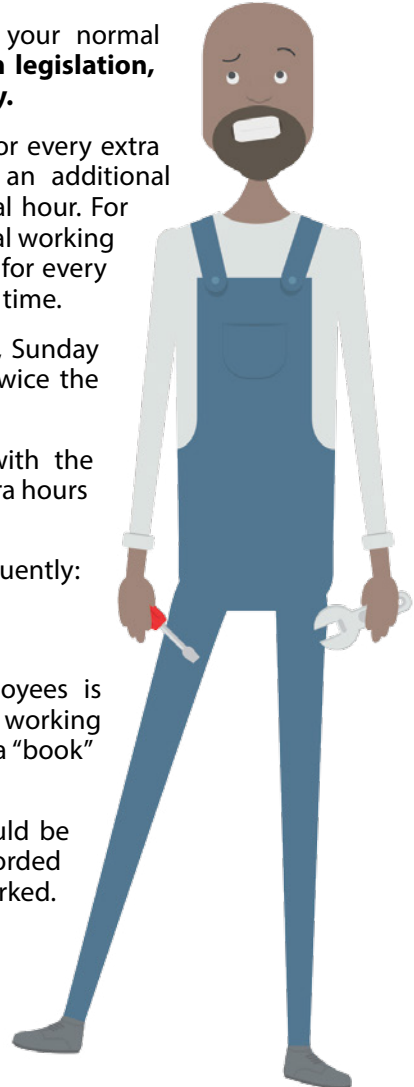
Some companies make an agreement with the union to exchange the amount paid for extra hours for additional rest.

Nobody can force you work extra hours frequently: they are an exception, not the rule!

Working time control

An employer with more than ten employees is obliged to have a system to control the working time of employees, such as " a time card", a "book" or another system.

The start and end of a working time should be recorded by the worker, and time recorded should correspond to the hours actually worked.



REMUNERATED WEEKLY REST AND VACATION

Workers have the right to a weekly rest (24 consecutive hours), preferably on Sundays.



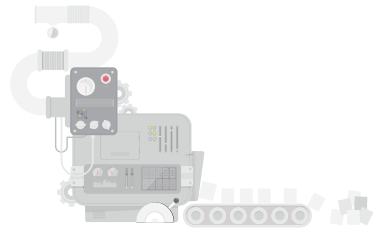
Vocation

After working for 12 months, workers have the right to vacation of maximum 30 days, and the employer should grant it in the following period of 12 months. When going on vacation, workers have the right to a normal salary plus one third of its value.

NIGHT WORK

All employees with night work (between 10 pm and 5 am for urban workers, between 9 pm and 5 am to farm workers and between 8 pm to 4 am to livestock workers) have the right to an additional payment of night work. For urban workers, this additional payment corresponds to 20% of the regular day hour. For rural workers, it is 25%.

UNHEALTHY WORK AND DANGEROUS WORK



Unhealthy work

When employees work in an unhealthy environment, such as exposed to excessive noise, toxic chemical products, biological agents, etc., they have the right to an extra payment, that is, an additional value for unhealthy work. This additional amount varies with the degree of unhealthiness, and it may be 10%, 20% or 40% of the regular minimum wage.

Dangerous work

When employees work in a risky environment, with exposure to flammable products, explosives, electrical energy and in activities of personal or patrimonial security (where workers are subjected to robberies or other acts of physical violence), they have the right to an extra payment, that is, an additional value for dangerous work, which corresponds to 30% of remuneration.

MATERNITY/PATERNITY LEAVE



A maternity leave or pregnancy leave is the right a pregnant working woman has to be away from work for 120 days; in this case, she keeps receiving her payment, and she is allowed to use this benefit up to 28 days before her child's birth.

A pregnant woman has the right to job stability from the moment her pregnancy is confirmed until five months after the child's birth. In this period, she can be dismissed only if terminated for cause.

This benefit is also granted in case of adoption or legal guardianship. If the child is up to one year old, the maternity leave is of 120 days; if the child is aged 1 to 4 years, 60 days are granted, and if the child is aged 4 to 8 years, 30 days. Important: this benefit will be granted only if the adopter or guardian submits the legal document of adoption/guardianship.

A paternity leave is the right a father has to be away from work for 5 days after his child is born to help his wife and newborn baby.

THE WORKPLACE

The workplace is where workers perform their work-related activities. An employer should guarantee a healthy and safe workplace, in compliance with the general and specific standards of **health** and **safety** related to the activities the workers perform.

An employer should also adopt collective protective measures and provide and inspect the use of personal protection equipment and training to workers.

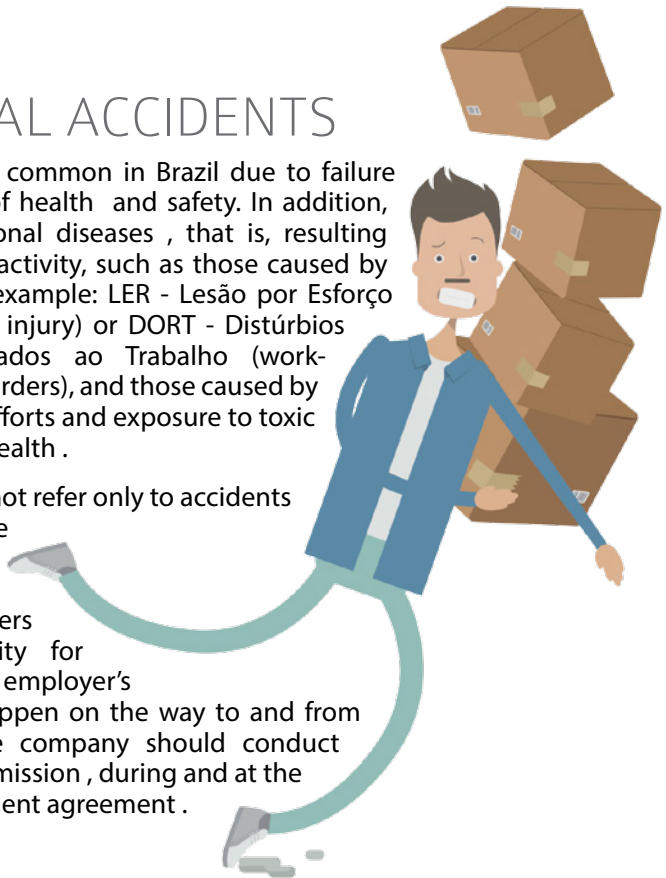
Some examples of workplace regulations are provided below:

- The workplace and the dwelling place cannot be the same, they should be physically separated.
- Every workplace should have a CIPA - Comissão Interna de Prevenção de Acidentes de Trabalho (Internal Commission for the Prevention of Accidents), which guides workers on safety issues and prevention of occupational accidents.
- The workplace should not have broken or overloaded wiring, or objects and furniture that may cause accidents. The machines should have mechanisms to prevent accidents.
- The personal protection equipment should not be used by more than one person. **Attention: A worker that refuses to use an item of personal protection equipment can be dismissed and terminated for cause.**

OCCUPATIONAL ACCIDENTS

Occupational accidents are common in Brazil due to failure to comply with standards of health and safety. In addition, there are several occupational diseases, that is, resulting from work or occupational activity, such as those caused by repetitive movements, for example: LER - Lesão por Esforço Repetitivo (repetitive strain injury) or DORT - Distúrbios Osteomusculares Relacionados ao Trabalho (work-related musculoskeletal disorders), and those caused by great physical and mental efforts and exposure to toxic agents that are harmful to health.

Occupational accidents do not refer only to accidents that occur during the working time, they also include those accidents that happen when workers are performing an activity for the employer outside the employer's facilities, and those that happen on the way to and from work. For this reason, the company should conduct medical examinations at admission, during and at the termination of the employment agreement.



IF AN ACCIDENT OCCURS



If you or a colleague is involved in an occupational accident, seek for medical attention immediately and inform your manager or employer about the accident. Then, the employer will have 24 hours to fill in a document and confirm what happened. This document is called CAT - Comunicação de Acidente de Trabalho (Occupational Accident Report) and it should be submitted to the INSS - Instituto Nacional de Seguridade Social (Brazilian Institute of Social Security), which will determine if you have any right to benefits as a result of this accident.

If the company refuses to submit a CAT, the employee can do it by him or herself on the INSS website (www.previdencia.gov.br), and the company may be fined for such refusal. Contact your union or the INSS. The worker may also make a complaint about the company to the Ministério do Trabalho e Emprego (MTE) or Ministério Público do Trabalho (MPT).

If an employee has to be away from work because of an occupational accident, he will be on a medical leave. In this case, the employer will pay the salary corresponding to the first 15 days. After that, the INSS will pay the benefit until the worker's inability ends.

If the accident causes the employee to become permanently unable to work, he may request an invalidity pension. But, if this employee recovers, then he should return to work, as the law guarantees his job stability for one year after the accident.

An employer who is found responsible for an occupational accident should pay an indemnification for the damage caused to worker(s). Depending on the case, the employer may be sued as well.

RIGHT TO TEMPORARY JOB STABILITY

The temporary stability is an employee's right to hold his job even against the employer's will for a certain period, which varies according to the situation. In the temporary stability, workers may be dismissed only if terminated for cause. See below who has the right to temporary job stability:

- Workers involved in an occupational accident who have to be away from work for more than 15 days, under the benefit from INSS have the right to job stability for one year after getting back to work.
- Pregnant women, from the moment pregnancy is confirmed until the baby is five months old.
- Union managers, from the moment of registration to run for this position until one year after the end of their term.

- Members of CIPA - Comissão Interna de Prevenção de Acidentes de Trabalho (Internal Commission for the Prevention of Accidents), from the moment of registration to run for a CIPA position until one year after the end of their term.

Workers in these situations who are dismissed without cause have the right to get their jobs back and should seek for support from the Justiça do Trabalho (Labour Justice) to have their jobs back.

MORAL HARASSMENT AND SEXUAL HARASSMENT IN THE WORKPLACE

Moral harassment

It occurs when a worker is submitted to recurring humiliating, hostile, intimidating, abusive, vulgar or aggressive situations in the workplace by the employer, boss, manager from a higher hierarchical level or colleagues of the same hierarchical level.

The following behaviours, when recurring, characterize moral harassment: yell, curse, call by nicknames, mock, ridicule and humiliate, order to conduct impossible tasks or incompatible with the professional ability, repeat criticisms and improper comments that underestimate the worker's efforts, isolate the worker in the corridor or in a room, among other situations. The excessive pressure for goal achievement may also be moral harassment.

Sexual harassment

It refers to embarrassing colleagues by constantly using unwanted words or actions of sexual nature aiming to obtain advantages or sexual favour. This behaviour can be evident or subtle, clearly spoken or insinuated, written or gestural, in the form of coercion or blackmail.

The intention of the attacker may be expressed in many ways in the workplace. Attitudes such as jokes, pictures of naked women, "macho" jokes or embarrassing comments about the female figure should be avoided.

Example of sexual harassment: if a boss offers a salary raise in exchange for sexual favours or threatens to dismiss an employee that refuses to engage in any flirtation. In Brazil, sexual harassment is a crime!



PRIOR NOTICE OF TERMINATION

A prior notice of employment agreement termination is a mandatory notice issued in advance by the party, either the employee or the employer, that decides to terminate the employment agreement.

Prior notice of termination issued by an employer

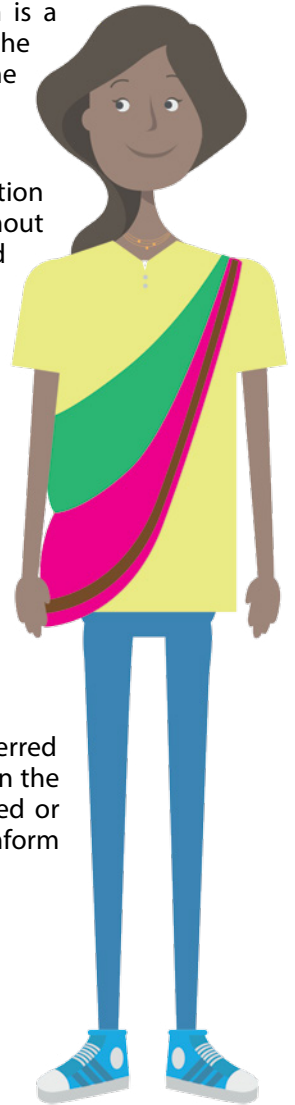
An employer is obliged to issue a prior notice of termination in the following situations: 1) when the dismissal is without cause, if the company will close down, for instance, and 2) when an employer's fault leads to a termination for cause (called indirect termination).

When an employer issues a prior notice of termination, he should allow the employee to leave two hours earlier or allow the employee to skip work for seven days. The employer may also liberate the employee from work during the period related to the prior notice.

Prior notice of termination issued by an employee

An employee should issue a prior notice of termination to his employer at least 30 days before leaving the job; otherwise, the employer may deduct the days at dismissal, as a compensation. But there are some exceptions in which the prior notice is not mandatory.

The prior notice of termination is not required in cases referred to as a "serious fault" of the employer (for instance, when the employer had not paid the due amount, has threatened or humiliated the employee). In these cases, you should inform official bodies about the employer.



EMPLOYMENT AGREEMENT TERMINATION

In employment agreements for a non-fixed period, the employment relation may be terminated by the employer, that is, the employee is "terminated without a cause" but it may be also terminated by the employee, that is, a "request for dismissal". But, in some other cases, like termination for cause, which may be due to an employer's fault (indirect dismissal) or an employee's fault, as the case may be. It may also occur as a result of a company closedown.

Important: if you have worked for more than one year, the employment agreement can only be terminated with the support of the **corresponding trade union** (for instance: if you work in a civil construction company, then civil construction is your sector. Then, contact the civil construction union of your state). This service should be performed by the trade union free of charge, **even if the employee is not a member of the union**. When an activity is not supported by a trade union to perform this service, the termination should be performed at one of the MTE bureaus, www.mte.gov.br.

Termination without cause

An employer should inform a dismissal in writing on the employee's CTPS, and the end date of the employment agreement should be the end date of the prior notice, even if the worker did not work in the period of prior notice. In a termination without cause, workers have the right to the following **labour payments**: salary corresponding to worked days, salary for the period of prior notice (even if not worked), vacation amount (proportional) and the 13th salary (proportional), plus a fine for wrongful termination (the amount will depend on the FGTS deposits).

In addition, a dismissed employee may withdraw their money from their FGTS account and receive the Unemployment Insurance. The employer has to issue the documents that allow a dismissed employee to receive their Unemployment Insurance. After that, the employer should take the TRTC and the employee's CTPS to an agency of Caixa Econômica Federal.

Termination for cause due to an employee's fault

It occurs when an employee makes serious fault(s) , for example, in cases of dishonesty, serious misconduct, indiscipline, negligence, job abandonment, disclosure of company's confidential information, drinking during working hours, physical aggression and insult to colleagues, boss and employer, among others. In this case, the employee will only receive the salary corresponding to worked days and the accrued vacation amount. The employer cannot make notes on the CTPS related to the termination for cause.

Request for dismissal

It occurs when an employee wants to leave the job. However, when an employee submits this request, he loses his right to withdraw the FGTS money or receive the Unemployment Insurance.

Indirect Dismissal

In some situations, a worker may request for dismissal and even so have the right to the same labour payments from a termination without cause. What are these situations? When an employer or his agents (boss, manager, etc.) imposes services that exceed the employee's forces, that are prohibited by law or contrary to good sense; when an employee is treated with excessive rigour by professionals of higher hierarchical position, or when the employer does not fulfil his contractual obligations.

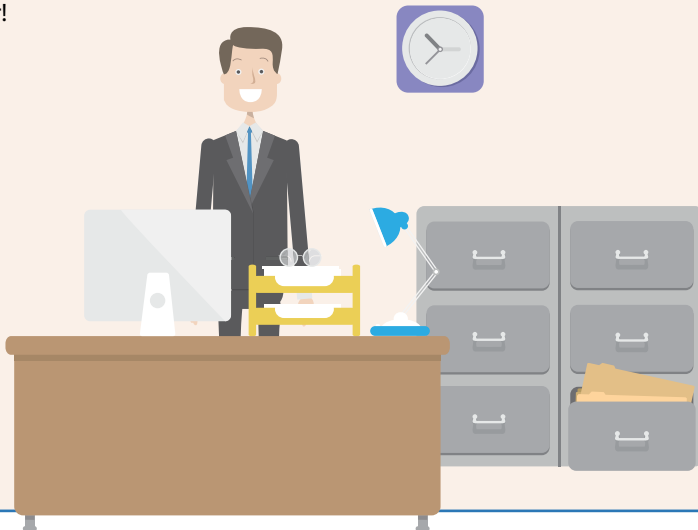
TRADE UNIONS AND UNION SUPPORT

A trade union is supported by contributions the workers pay. These contributions allow better services offered by the unions, such as legal support . Seek **information about the union for your professional sector**. For example, if you work in a civil construction company, then civil construction is your sector. Then, contact the civil construction union of your state.

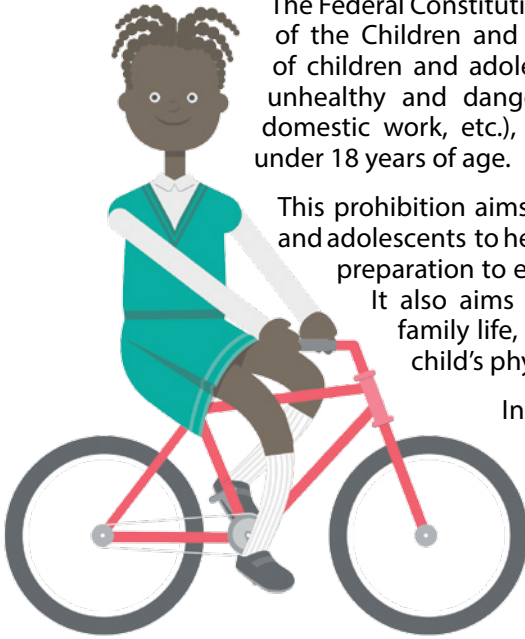
Attention: Unions have the obligation to defend all workers free of charge, even if they are not union members.

At the employment agreement termination, the corresponding union is obliged to provide support to a worker who has worked for more than one year, regardless if he was dismissed or decided to leave the job. The support should always be free. The termination of an employment agreement can only be performed in the presence of a union representative. If, for any reason, you cannot have the union support, the termination should be performed at one of the MTE bureaus, www.mte.gov.br.

Workers should always seek support from their union for any questions they have. **Never seek help from a lawyer recommended by the company or employer.** Workers should always be alert and learn about their rights. **Attention:** At an employment agreement termination, do not sign any documents before having the support of your union, do not return any amount of money or checks to your employer!



ADOLESCENTS AND CHILDREN



The Federal Constitution, the CLT and the Brazilian Statute of the Children and Adolescents prohibit employment of children and adolescents under 16 years of age. For unhealthy and dangerous work (such as night work, domestic work, etc.), the prohibition is for adolescents under 18 years of age.

This prohibition aims to guarantee the right of children and adolescents to healthy growth, education and proper preparation to enter the labour market in due time. It also aims to guarantee time for leisure and family life, as working at an early age affects a child's physical and mental development.

In addition, there are children and adolescents working in highly dangerous activities, many times in the worst forms of child labour, such as sexual exploration, drug trafficking and unhealthy and harmful activities that could destroy their future.

In some cases, adolescents aged 14 years and older may have a technical or professional training as apprentices, through learning agreements with specific provisions. They work under the supervision of adults, in safe environments, with fixed working schedules and the obligation to attend school every day.

Working adolescents (aged 16 to 18 years of age) and adolescents in apprenticeship programmes (14 years of age and older) work with all rights guaranteed, but they receive a special protection : they cannot work in night hours or unhealthy and dangerous activities that may affect their health or physical, psychic, moral and social development. In addition, they are not allowed to work at times and places that affect their school attendance and work on streets, in squares and other public areas and services that demand muscle strength with more than 20 kilos for continuous work or 25 kilos for occasional work.



SLAVERY

Unfortunately, there are still many employers who submit workers to slave-like conditions. To prevent this situation, pay attention to some indications of slavery:

- If someone offers you a job that is very far from your city, or in isolated or unknown areas, be alert and try to have more information about it. It may be a trap.

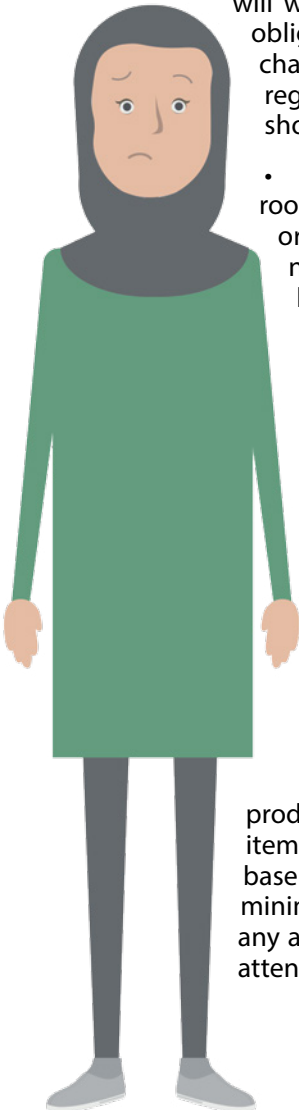
- If an employer offers to pay your ticket to the place where you will work plus housing and meal costs, beware. You may be obliged to work for years to pay this “debt” and never have a chance to leave. If someone forces you to work to pay a debt, regardless of the nature of the debt, this is a crime and you should inform the official bodies about that!

- There are many cases of workers who are locked in rooms or a shed and not allowed to leave the place of work or home the employer has provided. Sometimes, they are not locked, but threatened by the employer and cannot leave, even in their hours and days of rest. This situation is called “freedom restriction” and it is a crime! Everyone has the right to move about at any moment.

- Pay attention to precarious work conditions: very dirty areas, with rats and insects, scarce, improper or spoiled food, lack of potable water and restrooms, and lodgings with no beds, are some indications of precarious work.

- Slavery situations usually involve physical punishment and/or humiliations of all kinds, as well as deportation threats. Remember: nobody can deport you just because you are working without documents! If an employer makes this type of threat, inform the official bodies!

- If the salary is paid according to a worker’s production (for example, according to the number of clothing items produced in a sewing factory), the minimum wage or base salary for that activity should be respected. In 2015, the minimum wage in Brazil was R\$ 788. And the base salary of any activity will never be lower than the minimum wage. Pay attention!



- In almost all cases of slavery, people are forced to work 15 hours a day or more, with a short rest period, or no rest at all. But remember: in Brazil, the working hours should be 6 to 8 hours a day (depending on the activity), with maximum 2 extra hours.
- Do not allow employers or other people to withhold your documents for more than 48 hours.

Any of the conditions above may characterize slavery, even if the worker agrees with them. Slavery is a crime, and the employer who practices it will be punished!

PLEASE INFORM THE OFFICIAL BODIES OF ANY SLAVE-LIKE SITUATIONS!

LABOUR-RELATED COMPLAINTS

You can make an official labour-related complaint about your employer in several places, including the union for your professional activity, the MTE, the MPT and the Labour Justice.

When you complain about your employer, provide as many details as possible, such as full name and address of the company or employer in question. Make an account of what is going on. The details you provide will support a better investigation.

The MPT The MPT defends the labour rights of collective workers, groups, classes and categories. For example, if someone is discriminated for being an immigrant, it involves all workers and all immigrants. If a company forces someone to work on dangerous conditions without personal protection equipment, it may be a collective problem of workers from that company!

You can issue a complaint against your employee on MPT's website (www.mpt.mp.br), or personally, at the addresses listed at the end of this brochure. The complaints are investigated and, if the investigation proves that companies have violated rights, they will be forced to correct the situation immediately and will be fined. The MPT may also sue a company that has violated rights, if it refuses to observe the law.

The MPT can receive many types of complaints, including:

- Racism and xenophobia in labour relations;
- Moral and sexual harassment in labour relations;
- Exploitation of child and adolescent labour;
- Slave-like work conditions;

- Unhealthy or dangerous work environment without proper personal protection equipment;
- Excessive working hours, and many other situations.

Anyone can make a complaint on the MPT, even if the complainant has no relation to the fact reported.

You can submit a complaint anonymously or request confidentiality for your data. The complaints may be submitted on the MPT website: www.mpt.mp.br or personally – see the list of addresses and telephone numbers of MPT at the end of this brochure.

The MTE The MTE is different from the MPT, but they work together in many situations. The MTE checks if companies are complying with the Labour Laws, and it may fine employers who violate these laws. In some cases, the company may be even closed down. The MTE also answers questions about the labour legislation to workers and receives complaints.

The MTE has, in many cities, regional offices of employment and labour (SRTEs - Superintendências Regionais do Trabalho e Emprego), which can answer questions about the labour legislation and receive complaints, but you have to schedule a time to go there. Visit www.mte.gov.br to schedule a visit or find the nearest SRTE bureau.

The Labour Justice

The Labour Justice judges labour-related lawsuits. It operates through Regional Labour Courts (Tribunal Regional do Trabalho) of the Labour Justice. There, urban workers, rural workers, independent workers, temporary workers, domestic workers, individual entrepreneurs and others can claim their rights, such as labour records on the CTPS. You don't need a lawyer to claim your rights at the Labour Justice (although one is recommended). Check here the nearest Regional Labour Courts (Tribunal Regional do Trabalho): <http://www.tst.jus.br/justica-do-trabalho>.

Where else can I go to file a complaint?

There are many bodies and institutions in Brazil that can help you (besides the MPT, the MTE and the Labour Justice). Contact the union of your activity to obtain information, free legal support and submit labour-related complaints. You can also contact the Defensoria Pública da União and many Non-Governmental Organizations (Organizações Não Governamentais - ONGs). See a general list below.

LISTA 1

LIST OF BODIES AND INSTITUTIONS THAT CAN HELP WORKERS:

<p>MINISTÉRIO DA JUSTIÇA – MJ www.mj.gov.br</p>
<p>DEFENSORIA PÚBLICA DA UNIÃO www.dpu.gov.br/imigrantes-e-refugiados</p>
<p>MINISTÉRIO DO TRABALHO E EMPREGO – MTE www.mte.gov.br Attendance: www3.mte.gov.br/cnes/atendimento_srt.asp</p>
<p>JUSTIÇA DO TRABALHO www.tst.jus.br/justica-do-trabalho</p>
<p>POLÍCIA FEDERAL – PF www.dpf.gov.br</p>
<p>SECRETARIA ESPECIAL DE DIREITOS HUMANOS – SEDH www.sedh.gov.br Email: direitoshumanos@sedh.org.br</p>
<p>COMITÊ NACIONAL PARA OS REFUGIADOS – CONARE www.mj.gov.br/conare Email: conare@mj.gov.br</p>
<p>CENTRO DE INTEGRAÇÃO E CIDADANIA DO IMIGRANTE – CIC do Imigrante (São Paulo) R. Barra Funda, 1.020 - Barra Funda - São Paulo/SP Telephone: (11) 3115-2048 Email: sppereira@sp.gov.br</p>
<p>CENTRO DE REFERÊNCIA E ACOLHIDA PARA IMIGRANTES – CRAI (São Paulo) R. Japurá, 232/234 - Bela Vista - São Paulo/SP Telephone: (11) 3112-0074 Email: recepcao.crai@franciscanos.org.br</p>
<p>ASSOCIAÇÃO ANTÔNIO VIEIRA (Porto Alegre, Rio Grande do Sul) Telephone: (51) 3254-0140 www.asav.org.br Email: refugiados9474@yahoo.com.br</p>

CASA DO MIGRANTE (SÃO PAULO)

Telephone: (11) 3208-4109 / 3340-6950

Email: carla@casadomigrante.com.br / cdm@missaonspaz.org

CENTRO DE DEFESA DOS DIREITOS HUMANOS (São Paulo)

Telephone: (11) 2358-9606

Email: cddh.guarulhos@gmail.com

INSTITUTO MIGRAÇÕES E DIREITOS HUMANOS – IMDH (Brasília, Distrito Federal)

Quadra 7 Conjunto C Lote 1 - Vila Varjão - Lago Norte - Brasília/DF - CEP: 71.540-400

Telephone: (61) 3340-2689 - Fax: (61) 3447-8043

Email: imdh@migrante.org.br

POSTO AVANÇADO DE ATENDIMENTO HUMANIZADO AO MIGRANTE (São Paulo)

Aeroporto Internacional de São Paulo/Guarulhos – Terminal 2 – Asa A – Mezanino

Telephone: (11) 2445-4719

Email: paaguarulhos@gmail.com

CÁRITAS BRASILEIRA (Brasília)

SGAN Quadra 601 Módulo F - Asa Norte - Brasília/DF - CEP: 70830-010

Telephone: (61) 3521-0350

Email: caritas@caritas.org.br

CARITAS ARQUIDIOCESANA DE SÃO PAULO (São Paulo)

R. Major Diogo, 834 - Bela Vista - São Paulo/SP

Near “São Joaquim” subway station

Telephone: (11) 3241-3239

Email: casp.refugiados@uol.com.br

CARITAS ARQUIDIOCESANA DO RIO DE JANEIRO (Rio de Janeiro)

R. São Francisco Xavier, 483 - Maracanã - Rio de Janeiro/RJ - CEP: 20550-011

Telephone: (21) 2567-4105

Email: caritas@caritas-rj.org.br

CENTRO DE DIREITOS HUMANOS E CIDADANIA DO IMIGRANTE – CDHIC (São Paulo)

R. Bernardo Magalhães, 203 – Tatuape – São Paulo/SP

Telephone: (11) 2384-2274 ou (11) 2384-2275

CENTRO DE APOIO AO MIGRANTE - CAMI (São Paulo)

Alameda Nothmann, 485 - Campos Elíseos - São Paulo/SP

Telephone: (11) 2694-5428

CENTRO DE ACOlhIDA DE IMIGRANTES – MISSÃO SCALABRINIANA (São Paulo)

R. Teresa Francisca Martim, 201 - Canindé - São Paulo/SP

Telephone: (11) 2539-5593

ASSOCIAÇÃO BRASILEIRA DOS COREANOS (São Paulo)

R. dos Parecis, 107 - Cambuci - São Paulo/SP - CEP: 01527-030

Telephone: (11) 3208-6860

ASSOCIAÇÃO DE RESIDENTES BOLIVIANOS (São Paulo)

R. Padre Bento, 56 – Canindé – São Paulo/SP

Telephone: (11) 3311-8910

INSTITUTO DE REINTEGRAÇÃO DO REFUGIADO - ADUS (São Paulo)

Av. São João, 313, 11º Andar - Centro - São Paulo/SP - CEP: 01035-000

Telephone: (11) 3225-0439 / (11) 94744-2879

ACNUR – AGÊNCIA DA ONU PARA REFUGIADOS

www.acnur.org/

BANKS

CAIXA ECONÔMICA FEDERAL: www.caixa.gov.br – Telephone: 0800 726 0101

BANCO DO BRASIL: www.bb.com.br – Telephone: 0800 729 0001

LISTA 2

MPT ADDRESSES IN BRAZIL

MINISTÉRIO PÚBLICO DO TRABALHO EM ALAGOAS

R. Prof. Lourenço Peixoto, 90 - Loteamento Stella Maris, Qd. 36 – Maceió

CEP 57.035-640 – Telephone: (82) 2123-7900

www.prt19.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO AMAZONAS E EM RORAIMA

Av. Mário Ypiranga, 2479 - Bairro Flores - Manaus

CEP: 69.050-030 – Telephone: (92) 3194-2800

www.prt11.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NA BAHIA

Av. Sete de Setembro, 308 - Corredor da Vitória - Salvador

CEP: 40.080-001 – Telephone: (71) 3324-3444/3400

www.prt5.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM CAMPINAS (SP)

R. Umu, 291 - Alphaville - Campinas/SP

CEP 13.098-325 – Telephone: (19) 3796-9600

www.prt15.mpt.mp.br

MINISTÉRIO PÚBLICO DO TRABALHO NO CEARÁ

Av. Padre Antônio Tomás, 2110 - Aldeota - Fortaleza

CEP: 60.140-160 – Telephone: (85) 3462-3400

www.prt7.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO DISTRITO FEDERAL, BRASÍLIA E TOCANTINS

Via W3 Norte SEPN 513, Bloco D, 30 - 4º Andar- Salas 401 A 420

CEP: 70.760-524 – Telephone: (61) 3307-7200

www.prt10.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO ESPÍRITO SANTO

Av. Adalberto Simão Nader, 531 - Mata da Praia – Vitória
CEP: 29.066-900 – Telephone: (27) 2125-4500
www.prt17.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM GOIÁS

Av. T-63, 1680, Qd. 572, esquina com Rua C-253 - Setor Nova Suíça - Goiânia
CEP 74.280-230 – Telephone: (62) 3507-2700
www.prt18.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO MARANHÃO

Av. Ignácio Mourão Rangel, Lote 07, Qd. 15, Loteamento Jaracaty
Renascença II – São Luís
CEP: 65.076-831 – Telephone: (98) 2107-9300
www.prt16.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM MATO GROSSO

Rua R, esquina com a Rua S, s/nº, Jardim Aclimação - behind the São Mateus Hospital – Cuiabá
CEP: 78.050-258 - Telephone: (65) 3613-9100
www.prt23.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM MATO GROSSO DO SUL

R. Pimenta Bueno, 139 - Bairro Amambai - Campo Grande
CEP 79.005-020 – Telephone: (67) 3358-3000
www.prt24.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM MINAS GERAIS

R. Bernardo Guimarães, 1615 – Funcionários – Belo Horizonte
CEP: 30.140-081 – Telephone: (31) 3304-6200
www.prt3.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO PARÁ E AMAPÁ

Av. Governador José Malcher, 652 - Bairro de Nazaré – Belém/PA
CEP: 66.040-282 – Telephone: (91) 3217-7500
www.prt8.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NA PARAÍBA

Av. Almirante Barroso, 234 - Centro - João Pessoa
CEP: 58.013-120 – Telephone: (83) 3612-3100
www.prt13.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO PARANÁ

Av. Vicente Machado, 84 - Centro – Curitiba
CEP 80.420-010 – Telephone: (41) 3304-9000
www.prt9.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM PERNAMBUCO

R. Quarenta e Oito, 600 – Espinheiro - Recife
CEP: 52.050-380 – Telephone: (81) 2101-3200
www.prt6.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO PIAUÍ

Av. Miguel Rosa, 2862/n - Ed. Humberto Cavalcante – Centro - Teresina
CEP: 64.000-480 – Telephone: (86) 4009-6400
www.prt22.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO RIO DE JANEIRO

Av. Churchill, 94 - 7º ao 11º andares – Centro – Rio de Janeiro/RJ
CEP: 20.020-050 – Telephone: (21) 3212-2000
www.prt1.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO RIO GRANDE DO NORTE

R. Poty Nóbrega, 1941 - Lagoa Nova – Natal
CEP: 59.056-180 – Telephone: (84) 4006-2800
www.prt21.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO NO RIO GRANDE DO SUL

R. Ramiro Barcelos, 104 - Bairro Floresta – Porto Alegre
CEP 90.035-000 – Telephone: (51) 3284-3000
www.prt4.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM RONDÔNIA E ACRE

Av. Presidente Dutra, 4055 - Bairro Olaria - Porto Velho/RO
CEP: 76.801-327 – Telephone: (69) 3216-1200
www.prt14.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM SANTA CATARINA

R. Paschoal Apóstolo Pítsica, 4876 - Agronômica - Florianópolis
CEP: 88.025-255 – Telephone: (48) 3251-9900
www.prt12.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM SÃO PAULO

R. Cubatão, 322 – Paraíso - São Paulo/SP
CEP 04.013-001 – Telephone: (11) 3246-7000
www.prt2.mpt.mp.br/

MINISTÉRIO PÚBLICO DO TRABALHO EM SERGIPE

Av. Desembargador Maynard, 72 – Bairro Cirurgia - Aracaju
CEP: 49.055-210 – Telephone: (79) 3226-9100
www.prt20.mpt.mp.br/



www.mpt.mp.br