



Law &amp; Policy Group

GRIST

# Chile provides requirements for teleworking agreements

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Chile's Labor Directorate recently issued Ordinario No. 1197 to clarify the provisions that must be included in teleworking agreements between employers and their employees.

## Highlights

- Employers and employees can agree on remote work either at the start of employment, or later by amending the employment contract. Changes to these arrangements must be agreed to by both parties in cases where the employee started their employment as a remote worker, or unilaterally where employment contracts were later amended, subject to 30 days' notice. Employers must register teleworking agreements with the labor directorate within 15 days of the contract signing.
- Teleworkers can work from their home or another location, and they can do so full-time or for part of their working day.
- Teleworkers are entitled to the employee protections set out in the labor code, and salaries cannot be reduced. Occupational health and safety regulations applicable to teleworkers will be issued by the labor ministry.
- Teleworkers have the right to disconnect from their workplace outside of working hours, and this right extends to employees who are not normally subject to working time laws. The right to disconnect means that employees do not have to respond to employer communications for a minimum period of 12 consecutive hours in any 24-hour period.
- Teleworkers are allowed to access their employer's premises, and employers must ensure they can participate in collective activities.
- Employers must pay for the equipment necessary for teleworkers to work, including operating and maintenance costs. Employers do not have the right to enter the homes of teleworkers.

## Related resource

- [Law on teleworking Ordinario 1197](#) (Spanish) (Government of Chile, 5 Apr 2021)

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