



Law & Policy Group

GRIST

Portugal employers prohibited from contacting employees after hours

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Employers face new penalties if they contact employees outside of working hours, and must generally allow employees to work remotely under measures included in a decree-law that passed parliament on 3 Nov 2021 — the effective date is pending. The measures generally apply to employers with more than 10 employees.

Employers may not contact their employees — by email, text or telephone — outside of working hours, and unless there is an emergency, employers who continue to make contact will face fines for labor law violations.

Employers and employees must agree to remote working, and the terms and conditions must be included in the employment contract. Remote-working agreements can be for fixed-term periods up to six months, or open-ended arrangements that can be terminated with 60 days' notice.

Employees can refuse an employer's request to work remotely, but must justify their decision. Employer consent to remote working is not required for parents with children under eight years of age as long as their role is compatible with remote working. Employers must pay for remote workers' additional energy usage, internet and IT costs (the law does not include any information about how the costs will be calculated), and must meet face-to-face with them at least once every 60 days. Employers must respect remote workers' privacy and ensure they are treated the same as other workers, for example, with regard to working time, employee representation, vacation entitlement, insurance benefits, training, and occupational health and safety.

Related resource

- [Bill and accompanying parliamentary documentation \(Portuguese\) \(Parliament\)](#)

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