

EMPLOYMENT&LABOR LAW

KEY TRENDS FOR 2022 AND HOW TO ACT

It's clear that COVID-19 will still rule the Employment & Labor law agenda in 2022. Nevertheless, we have tried to see beyond the pandemics. You can find below some of the topics that will be on the employers' agenda in 2022 and how we advise them to act:

1. **Telework**

- (i) Amendments to the Portuguese Labour Code have entered into force on the 1st of January 2022;
- (ii) Parties must enter into a written agreement, which may be included in the initial employment contract or in an amendment to it, on which they agree on a vast range of topics (e.g., place of work, expenses, work schedule).

→ **Employers call to action:** Review the employment contracts in order to assure they comply with the law.

2. **Right to disconnect**

- (i) Amendments to the Portuguese Labour Code have entered into force on 1st January 2022;
- (ii) Employers shall refrain from contacting any employee, regardless of the place he/she works, during his/her rest period, except in cases of *force majeure*.

→ **Employers call to action:** Discuss internally this topic with the team and clarify it at the company's internal regulation.

3. **(New) general framework for the protection of whistle-blowers**

- (i) On the 20th of June 2022 a new legal framework will enter into force, which will have direct impact in all entities with more than 50 employees;
- (ii) Employers are obliged to create and implement internal reporting channels and procedures to ensure compliance with the principles underlying the new legal framework.

→ **Employers call to action:** Start planning the creation and implementation of a reporting channel.

4. **Gig economy and Digital Nomads**

- (i) It's expected a legal framework for professionals who work through digital platforms (e.g., Uber, Glovo and Bolt) and for digital nomads;

→ **Employers call to action:** Anticipate the amendments by assessing the proposals made by the European Commission on these topics.