



Domestic Work Regulation

The Decree No. 52/2026, of 3 September, approved the new Domestic Work Regulation, which will enter into force in March 2027. This Decree revokes Decree No. 40/2008, of 26 November, thereby replacing the previous framework and introducing clearer and updated rules governing the employment relationship between domestic employers and workers serving household units.

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Domestic Work Regulation

5. Definition of Domestic Work

Domestic work is defined as subordinate service, performed regularly (i.e., not occasionally) in the household's residence, including: preparation of meals, washing and treatment of clothes, cleaning and tidying of the home, supervision and assistance to children, elderly persons, persons with disabilities, or the sick, feeding and care of domestic animals, gardening, external tasks related to the above, any other related activities, provided they do not violate fundamental rights, freedoms, and guarantees.

6. Scope of Application

The Regulation applies to:

- ✓ Workers who perform domestic services for a household or equivalent entity.
- ✓ Domestic workers hired by non-profit legal persons, when providing services to household units.
- ✓ Workers employed by third parties who occasionally perform domestic services for individuals, legal persons, or household units, provided such application is agreed between the parties.

7. Admission

- ✓ Minimum age: 18 years.
- ✓ Exception: Admission from 15 years, with authorization from the legal representative.

8. Domestic Employment Agreement

Nature: A domestic employment contract is the agreement under which the worker performs domestic activities under the direction and authority of the employer, in exchange for remuneration.

Form

- ✓ General rule: Written contract.
- ✓ Exception: Fixed-term contracts for execution tasks lasting no more than 90 days.

Modalities

- ✓ With or without accommodation and food.
- ✓ Full-time, part-time, or day work.

9. Agreement Duration

Fixed-Term Contracts

- ✓ Duration: 2 years.
- ✓ Maximum of two renewals.
- ✓ Automatic conversion into an indefinite-term contract if the worker remains in service after the term or final renewal.

Indefinite-Term Contracts

- ✓ Termination depends on the occurrence of a future and uncertain event.

1. Probationary Period

- ✓ Maximum: 60 days.
- ✓ May be excluded or reduced, but never extended.
- ✓ Exclusion or reduction must be in writing.

2. Rights of Domestic Workers

Remuneration

- ✓ Agreed between the parties.
- ✓ May be paid in cash and/or in kind.
- ✓ Cash portion must represent at least 75% of total remuneration.
- ✓ May be set per hour, day, week, or month
- ✓ The Government will establish the minimum wage for domestic workers.

Holidays

- ✓ 12 days in the first year.
- ✓ 30 days per year from the second year onwards.
- ✓ Fixed-term contracts between 3 months and 1 year: 1 day per month of service.

Holiday Substitution

- ✓ Only exceptionally, through a written agreement.
- ✓ Worker must take at least 5 working days.

Leave

- ✓ Maternity leave: 90 consecutive days (may begin 20 days before expected delivery).
- ✓ Paternity leave: 7 consecutive days after the child's birth.

Working Hours

- ✓ Maximum: 48 hours per week / 8 hours per day.
- ✓ Minimum rest/meal breaks: 30 minutes, counted as working time.
- ✓ Resident workers: right to 8 consecutive hours of night rest, except in cases of force majeure or when hired to assist the sick or children.

Weekly Rest

- ✓ One day per week, normally Sunday, unless otherwise agreed.

Work on Public Holidays

- ✓ Right to enjoy mandatory public holidays.
- ✓ Work may be agreed, with compensatory rest or equivalent remuneration.

3. Termination of the Agreement

The domestic employment contract may terminate by mutual agreement, expiry, notice with prior warning, termination for just cause or dismissal.

4. Social Security

The employer must ensure the worker's registration and payment of mandatory social security contributions, in accordance with applicable law.