

INFORMATION

It was published in the Official Gazette of March 26 and enters into force today, the Decree N.º 10-K/2020, which establishes a new exceptional and temporary regime of justified absences motivated by family assistance or by the performance of functions of volunteer firefighter with an employment contract with a private or social sector employer, in the context of the COVID-19 pandemic.

1. Exceptional regime of justified absences

Justified absences are considered:

- I. Those motivated by assistance to:
 - Child or other dependent under 12 years of age or, regardless of the age, with disability or chronic illness;
 - Grandson who lives with the worker in a shared household and being the child of a teenager under the age of 16,

On periods of school interruption defined by the Order No. 5754-A/2019, or defined by each school.

- II. The ones motivated by assistance to:
 - Spouse or person who lives in a non-marital partnership or common economy with the worker, relative or similar in an ascending straight line that is in charge of the worker and who attends social facilities whose activity is suspended by determination of the health authority, or by the Government, provided that there is no possible continuity of support through alternative social response;

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- III. Those motivated by the provision of aid or transport, within the scope of the covid-19 disease pandemic, by volunteer firefighters with an employment contract with a private or social sector employer, proven to be called by the respective fire department.
- ✓ Justified absences do not determine the loss of any rights, except for remuneration.
 - ✓ Procedure: the worker communicates the absence to the employer, with at least 5 days in advance, or as soon as possible, in a case of unpredictable absence.
 - ✓ These absences do not enter into the calculation of the annual limit of absences provided for the assistance to a child, grandchild or member of the household.

2. Exceptional Holiday Booking Scheme

- ✓ Except for workers who provide essential services (Art. 10 of the Decree-Law No. 10-A/2020), workers may, for family assistance, proceed for the appointment of their holidays, without the need for an agreement with the employer, though a writing communication, two days before the beginning of the vacation period.
- ✓ On this case, it is due the same remuneration correspondent to the period that the worker would receive if he had been working;
- ✓ The vacation allowance can be paid in full until the fourth month following the start of the enjoyment of holidays.

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**TELLES DE ABREU E ASSOCIADOS
SOCIEDADE DE ADVOGADOS, SP, RL**

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