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Brazil will cut the legal workweek to 42 hours on Dec. 16

The amendment preserves pay, grants two paid rest days, presses hospitality businesses to recast shifts before a 40-hour cap

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Brazil will cut the standard legal workweek from 44 hours to 42 hours starting December 16, a change that is already forcing bars, restaurants and lodging businesses to revise schedules for long operating days and weekend service.

The measure was established in Constitutional Amendment 141, which Brazil’s National Congress promulgated on October 16. The amendment also guarantees two paid days of weekly rest and says the reduction in hours cannot come with a pay cut. A second stage is scheduled for December 16, 2027, when the general limit will fall again to 40 hours a week.

The change applies across the labor market, but it has drawn particular attention in food service and hospitality because those businesses often depend on rotating shifts, late hours and heavier staffing on nights, weekends and holidays. In those sectors, even a small cut in the weekly limit can affect how managers distribute hours, cover peak periods and decide whether they need more workers.

The first phase removes 2 hours from the current weekly ceiling, a 4.55% reduction from 44 hours. If pay remains unchanged, the arithmetic result is a 4.76% increase in the hourly wage. That does not mean every employer’s total payroll or labor cost will rise by the same amount, because the final effect depends on staffing models, overtime use, shift patterns, collective agreements and the ability of each business to reorganize work without adding headcount.

For bars and restaurants, the main issue is operational. Many establishments open across lunch and dinner service and depend on teams that move between preparation, table service, cleaning and closing tasks. A lower weekly cap means owners and managers will need to spread those duties differently or add workers to maintain the same hours of operation. Hotels and other lodging businesses face a similar problem because reception, housekeeping, maintenance and food service often run on staggered schedules throughout the day.

The labor change was already approved, so the debate has shifted from legislation to implementation. Reporting published on November 21 by Brasil 61 focused on the business adaptation now underway and the difficulty some employers expect as the December start date approaches. The immediate concern in the sector is not whether the rule will take effect, but how quickly businesses can adjust staffing plans in time.

The amendment changes two core parts of the work schedule at once: the maximum number of weekly hours and the weekly rest structure. For employers, that means compliance is not limited to trimming 2 hours from a worker’s schedule. Companies also need to make sure rest periods are organized under the new constitutional terms while preserving pay. In sectors with heavy staff turnover or informal scheduling practices, that may require more formal shift planning and closer payroll control.

The reform also raises broader questions about hiring and prices, though the final effects are still uncertain. Businesses that can absorb the change through tighter scheduling may face a smaller cost increase. Those that need extra workers to cover service hours could see larger labor bills. In restaurants and bars, where margins can already be narrow and demand can vary by day and season, even a modest change in labor structure can influence staffing levels, menu pricing and opening hours.

So far, the available information defines the legal timetable and the basic conditions, but it does not measure the final effects on employment or consumer prices. That will likely depend on how businesses respond over the next several months and whether they offset the shorter workweek with productivity changes, new hiring or reduced overtime.

Brazil’s Congress approved the amendment through the country’s constitutional process, giving the measure stronger legal standing than an ordinary statutory change. That matters for employers because it reduces uncertainty about the rule’s durability and limits the room for short-term reversal. For workers, the amendment sets a clear path toward shorter hours over two years while protecting nominal pay.

The service sector now faces the practical side of that policy. Businesses with long opening hours must decide how to cover service without violating the new weekly limit, and they must do so before the first phase begins on December 16. The second reduction, to 40 hours on December 16, 2027, means that whatever adjustments companies make now may only be the first step in a longer reorganization of work.