



Imminent Implementation of the 40 Hours Labour Law (Law Nr. 21.561)



Main aspects of the law:

1. Progressive reduction of the workday to 44 hours in April 2024, 42 in April 2026, and 40 hours in April 2028.
2. Reform of positions exempt from the workday limit and review of disputes by the Labour Directorate.
3. Creation of 4-week cycles averaging 40 hours with a maximum of 45 hours. For unionized workers, agreement with the union is required, and the maximum may be 52 hours.
4. 2-hour time bands for mothers and fathers of children up to 12 years old.
5. Weekly schedule 4x3 distributing a maximum of 40 hours over 4 weekly days.
6. Overtime compensation for up to 5 additional days of annual holiday.

Main criteria of the Labour Directorate for the implementation of the law:

Ruling Nr. 81/02 of February 1, 2024. Interpretations and general effects of Law Nr. 21.561.

Ruling Nr. 82/03 of February 1, 2024. Agreements with unions for the implementation of workday cycles.

Ruling Nr.84/04 of February 6, 2024. On criteria for exemption from the workday.

- Exceptionality of exemption from the workday limit.

Ruling Nr. 199/05 of March 28, 2024. On compensation for overtime and additional holiday.

- Consider the annuality of the employment contract.
- Holiday cannot be divided into half-days or hours.
- Written agreement and 48-hour advance notice to use the days.

Ruling Nr. 213/07 of April 5, 2024. On agreements for the reduction of the workday and the supplementary application of a unilateral reduction.

- Need for prior dialogue process.
- Written record of proposal and rejection to proceed with proportional reduction.
- Dialogue does not end with rejection; counterproposals may exist.

Pending: Labour Directorate resolution on the requirements for electronic attendance control systems.

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