Work organization

PORTUGAL

Rome

May 28 – 30 2012
Determinants of demographic change:

Marked decrease in the birth rate 
+ 
Increase in life expectancy 
+ 
Zero migration flows 

= 

2025 - ageing at the bottom of the pyramid

2050 - double ageing population (bottom and top)

Source: INE (National Statistics Institute)
## Active Ageing: Background

<table>
<thead>
<tr>
<th>YEAR</th>
<th>INITIATIVES</th>
<th>MEASURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>Recommendation from the Commission</td>
<td>To attract more people to the labour market and make employment a real option for all – To develop a global strategy of active ageing.</td>
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<tr>
<td>2006</td>
<td>National Strategy for Active Ageing</td>
<td>To stimulate the maintenance of older workers in the labour market; to recognise the value of older workers and gather know-how on this target group; to prevent and fight older workers’ unemployment.</td>
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</table>
| 2009 | Initiative to promote Investment and Employment | - Employment-Insertion Contracts” and “Employment-Insertion Contracts +”;
- Support to recruit workers aged 45 years old or over;
- Programme Supporting Entrepreneurship and the Creation of Self-Employment. |
| 2010 | Initiative Employment 2010 | - Incentives to recruiting unemployed over 40 years old, with permanent contracts;
- Reinforcement of the number of people with Employment - Insertion Contracts and Employment-Insertion Contracts +. |
| 2011 | Tripartite Agreement Competitiveness and Employment | - Incentives to recruiting unemployed over 40 years old, with permanent contracts (with some adjustments);
- Reinforcement of the number of people with Employment - Insertion Contracts and Employment-Insertion Contracts +. |
|      | External Financial Aid Programme (Troika) | - Stronger restrictions to the public expense - with serious negative impacts on private investment, on our economic growth and on employment and unemployment levels. |
THEMATIC AREA: ADEQUATE WORK ORGANISATION

INSTRUMENTS / INITIATIVES

Legal Framework: LABOUR CODE (Law 7/2009, from 12th February) – NOW BEING REVIEWED

Measures comprise, in general, all workers regardless of their age

Focus on flexibility improvement:

- advantages for workers (eg: better conciliation between work and private life)

- advantages for employers/companies: better adaptation of workers’ work needs and productivity
PORTUGUESE SYSTEM OF SOCIAL BARGAINING

Permanent Commission of Social Bargaining

- SOCIAL PARTNERS

- 4 Employer Confederations
  - CAP (Agriculture)
  - CCP (Commerce and Services)
  - CIP (Industry)
  - CTP (Tourism)

- 2 Trade Union Confederations
  - CGTP-IN
  - UGT

Foundation Seminar Series 2011-2012
“Improving working conditions: Contribution to active ageing”
RECENT DEVELOPMENTS

“Commitment for Growth, Competitiveness and Employment”

• Tripartite agreement (January 2012)

• Transversal measures (not specific to older workers)

• General principle of adaptation of the work to the worker should be respected

• Working time organisation: preservation of the health and safety of the workers (including: limits on working hours - daily and weekly rests, annual period of paid vacation)
MEASURES FORESEEN BY THE AGREEMENT

- Possibility of implementing a “bank of hours” scheme
  - Now possible by individual agreement (employer/worker)
  - Allows the increase of up to 2 hours daily
  - Maximum limits: 50 hours/week + 150 hours/year
  - May be established by group (if 60% or 75% of workers are covered, resulting from collective regulation or following an agreement by both parties - respectively)

- Rest brake: period of work exceeds 10 hours → the employee may not work over 6 consecutive hours (pause of no less than 1 hour or more than 2 hours)
Compensations for additional work

✓ **Compensatory rest:** has been suppressed (not affecting daily rest and weekly rest)

✓ **Additional remuneration for overtime work:**
  - reduced, by half: 25% in the 1st hour of fraction thereof and 37.5% per subsequent hour or fraction thereof
  - weekly day of rest / holiday: 50% for each hour or fraction thereof

✓ **Additional remuneration for additional work:** reduced, by half

✓ **Normal remuneration for work performed on a holiday:** reduced, by half
MEASURES FORESEEN BY THE AGREEMENT (cont.)

✓ Changes to holidays and vacations: three or four public holidays will be cut

✓ Addition of up to 3 days to the minimum vacation period (22 days): suppressed

✓ Dismissal due to unsuitability or extinction of job position
  - when the section or equivalent company structure includes various work positions with the same functional content, and if the employer wishes to proceed with the suppression of only one of some of these, he will be able to select the concrete job to be suppressed
  - decision: based on a relevant non-discriminatory criterion

✓ Reduction, for future contracts, of the financial compensation in case of termination
PARLIAMENT’S RECOMMENDATIONS TO THE GOVERNMENT (MAY 2012)

- Resolution nº 61/2012 – “For an active ageing”
- Resolution nº 66/2012 – “Work Programme of the European Year for Active Ageing”:

3. To develop measures giving importance to the healthy relationship between generations, for the improvement of society, either in familiar, social or labour levels, making it brotherwoodly better.
Plastic industry company - non stop working, organising working time in 3 shifts of 8 hours/each, from Monday to Friday and from Wednesday to Sunday.

When moving from the 1st to the 2nd shift, workers have a rest period of 4 consecutive days, being previously informed of which days these will be, so that they may organise their family lives taking this into consideration.
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Thank you for your attention!