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Author: Heloísa Perista, Paula Carrilho and Maria da Paz Lima (CESIS – Centro de Estudos para a Intervenção Social)

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European Foundation for the Improvement of Living and Working Conditions

Telephone: (+353 1) 204 31 00
Email: information@eurofound.europa.eu
Web: www.eurofound.europa.eu
Political context affecting working life aspects

No information.

The government(s) in office during 2016

<table>
<thead>
<tr>
<th>Government 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>In office since / to</td>
</tr>
<tr>
<td>Name of the head of government (prime minister / chancellor / …)</td>
</tr>
<tr>
<td>Name all the parties that are forming this government</td>
</tr>
<tr>
<td>List the changes in the composition of the government in 2016</td>
</tr>
</tbody>
</table>

Elections and referenda

<table>
<thead>
<tr>
<th>Election 1</th>
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<tbody>
<tr>
<td>When did the elections take place?</td>
</tr>
<tr>
<td>What kind of election it was? (parliamentary / presidential / referendum / local / …)</td>
</tr>
<tr>
<td>Outcomes of the election (mention also % of the votes achieved by the major participants in the election)</td>
</tr>
</tbody>
</table>

Forthcoming significant elections or political events in 2017

Municipal elections will take place in September / October 2017.
http://www.cne.pt/content/calendario
Reactions from the social partners on new government’s working life policies
No Government took office during the year.

Developments in social dialogue and collective bargaining 2016

Major developments in national/peak-level social dialogue 2016

Changes affecting the social dialogue actors and institutions in 2016

Representativeness
No.

Major developments affecting the main actors
No.

Legislative or institutional changes to the main social dialogue institutions
No.

Changes in the social dialogue processes
No.

Main social dialogue topics and outcomes in 2016

<table>
<thead>
<tr>
<th>Themes</th>
<th>Description of issue</th>
<th>Main result</th>
</tr>
</thead>
<tbody>
<tr>
<td>General labour market topics</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Job creation, reduction of unemployment</td>
<td>The government presented to the social partners on 25 November 2016 the draft version (not public yet) of the Green Paper on Labour Market and Industrial Relations (Livro Verde do Mercado de Trabalho e das Relações Laborais - <a href="http://www.ces.pt/agenda/380">http://www.ces.pt/agenda/380</a>) that includes a diagnostic of the situation and trends regarding the two themes and highlights the main critical issues.</td>
<td>Debate to be continued Consultation ongoing</td>
</tr>
<tr>
<td>Active labour market policies</td>
<td>The draft version of the Green Paper on Labour Market and Industrial Relations presented to the social partners includes an evaluation of active labour market policies, aiming at improving the system.</td>
<td>Debate to be continued Consultation ongoing</td>
</tr>
<tr>
<td>Benefits (unemployment, sickness schemes)</td>
<td>These issues are addressed in the draft version of the <strong>Green Paper on Labour Market and Industrial Relations</strong> presented to the social partners. The Tripartite Commitment for a Mid-term Concertation Agreement <em>(Compromisso Tripartido para um Acordo de Concertação de Médio Prazo)</em> - draft version 22 December 2016; final version 17 January 2017, includes the debate on the unemployment benefit regime as one of the priorities.</td>
<td>Debate to be continued Consultation ongoing</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>Taxation and non-wage related labour costs</td>
<td>Reduction of employers contributions to social security in connection with the minimum wage increase for 2016 <em>Decree-Law No. 11/2016</em></td>
<td>Tripartite agreement reached <em>Acordo relativo à aplicação da Retribuição Mínima Mensal Garantida</em></td>
</tr>
<tr>
<td>Pension reforms</td>
<td><em>Ordinance no. 65/2016</em> increased by 0.4% the pensions and social benefits equal to or less than € 628.83; and increased by 0.4% the minimum amount of survivors' pensions of global value equal to or less than € 314.42. And <em>Ordinance No. 67/2016</em> updated to 66 years and 3 months the normal age for access to old-age pension scheme of general social security.</td>
<td>Legislation passed after debate</td>
</tr>
<tr>
<td>Labour market participation of different groups</td>
<td>The draft version of the <strong>Green Paper on Labour Market and Industrial Relations</strong> presented to the social partners includes an evaluation of the trends and critical issues related with labour market participation.</td>
<td>Debate to be continued Consultation ongoing</td>
</tr>
<tr>
<td>Working life related themes</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>
| Wage setting systems, including the setting of minimum wages | Implementation of Minimum wage increase to 530 Euros for 2016 (22 January 2016)  
Decree-Law no. 254-A/2015  
Decree-Law No. 11/2016 | Tripartite agreement on the implementation of minimum wage for 2016  
Acordo relativo à aplicação da Retribuição Mínima Mensal Garantida (22 January 2016);  
Included in the Tripartite Commitment for a Mid-term Concertation Agreement (Compromisso Tripartido para um Acordo de Concertação de Médio Prazo), and Amendment to the Tripartite Commitment Agreement (Adenda ao Acordo Tripartido para um Acordo de Concertação de Médio Prazo) 3 de February 2017. |
| --- | --- | --- |
| Public sector- wages | Definition of Minimum wage for increase 2017 (December 2016)  
Decree Law no. 86-B/2016 |  |
|  | The Law no. 159-A/2015 that came into force in January 2016 defined the phased quarterly reversal of nominal cuts over the year 2016, in the following terms: reversal of 40% in salaries paid out from 1 January 2016; reversal of 60% in salaries paid out from 1 April 2016; reversal of 80% in salaries paid out from 1 July 2016; complete elimination of the reduced remuneration from 1 October 2016 |  |
| Working time regulations | Law no. 8/2016 amending the Labour Code re-establishing the four holidays (two civil and two religious) that had been eliminated in 2012 (austerity measure).  
Law no.18/2016 re-established the 35 hours week as normal working hours of employees in the public sector, proceeding to the second amendment to the General Labour Law on Public Functions | Legislation passed following debate |
<p>|  |  | Legislation passed following debate |</p>
<table>
<thead>
<tr>
<th>Terms and conditions of employment, including different forms of contracts</th>
<th>The draft version of the <strong>Green Paper on Labour Market and Industrial Relations</strong> presented to the social partners includes an evaluation of the trends and critical issues related with labour market segmentation. The Tripartite Commitment for a Mid-term Concertation Agreement (<em>Compromisso Tripartido para um Acordo de Concertação de Médio Prazo</em>), includes the debate on this issue as one of the priorities.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health, safety and well-being at work</td>
<td>In line with the <strong>National Security Strategy and Health at Work 2015-2020</strong> the <strong>Green Paper on Labour Market and Industrial Relations</strong>, presented to the social partners, evaluates the progress made highlighting the critical issues.</td>
</tr>
<tr>
<td>Work-life balance related themes, incl. family leaves</td>
<td>Increasing of child benefit (Abono de Familia) in the first three levels – <strong>Decree Law no. 2/2016</strong>. Legislation passed following debate</td>
</tr>
<tr>
<td>Skills, training and employability</td>
<td>The draft version of the <strong>Green Paper on Labour Market and Industrial Relations</strong> presented to the social partners includes an evaluation of the trends and critical issues related with skills, training and employability. Debate to be continued Consultation ongoing</td>
</tr>
<tr>
<td>Any other relevant themes/topics addressed in the national level/peak level social dialogue</td>
<td>Resetting the benchmark for the Social Integration Income (Rendimento Social de Inserção, RSI) and the replacement of equivalence scales – <strong>Decree Law no. 1/2016</strong>; Bipartite agreement between trade union and employer confederations (extended also to the state as an employer) to compromise their constituencies (unions, employer associations, single employers) <strong>not to require unilaterally the expiry of collective agreements during a period of 18 months</strong> (starting January 2017). Legislation passed following debate</td>
</tr>
</tbody>
</table>
Portugal: Developments in working life 2016

Assessment of the legal regime of extension of collective agreements defined as a priority for the first quarter 2017.

Included in the Tripartite Commitment for a Mid-term Concertation Agreement Consultation ongoing

Examples of selected significant social dialogue debates

- **The turbulent path towards a tripartite commitment allowing for Minimum Wage recovery**
  
  The policy regarding mandatory minimum wage was at the centre of social dialogue. Not only regarding the level of the increase, but also about the conditions claimed by employers to implement it. The program (2015-19) of the government of the Socialist Party (PS), defining the goal of reevaluating the mandatory minimum wage (frozen three years, between 2012-2014), envisaged to propose, at tripartite concertation, a path of increasing to reach 600 euros in 2019. The proposed path of recovery was based on parliamentary agreements between the PS and the left parties that support the government (the Left Block, the Communist Party and the Green Party), and in particular with basis on the agreement with the Left Block envisaging annual increases by 5% for 2016 and 2017.

  - In the last quarter of 2016, the government proposal of an increase by 5% for 2017, in line with the parliamentary commitments, raised the debate. The tensions mounted in November 2016 when some of the employer confederations suggested that either the government revised the parliamentary agreements to lower the proposed increase, or they would demand compensations for such increase, in a number of areas (fiscal, economic and labour regulation). In the beginning of December a joint proposal of the four employer confederations made the last ‘offer’: they would accept an increase of the minimum wage by 1.8% provided that the government would guarantee a reduction of 1% in the contributions for social security paid by employers in relation to workers receiving the minimum wage. Along the way, the largest employer confederation, the Confederation of Portuguese Business (CIP), stated in different occasions they would only accept a minimum wage increase if the government made a compromise not to reverse the labour legislation published during troika intervention.

On 22 December 2016 the government succeeded to reach a commitment with the social partners on the minimum wage increase by 5% and on a reduction of employer contributions for social security by 1.25%, and on other issues including collective bargaining and labour market policies (see Major social dialogue debate 2). The Tripartite Commitment for a Mid-term Concertation Agreement (Compromisso Tripartido para um Acordo de Concertação de Médio Prazo) would be formally signed on 17 January 2017. The largest trade union confederation the General Confederation of Portuguese Workers (CGTP) opposed to the agreement, among other reasons, considering unacceptable to give compensations to employers for paying the mandatory minimum wage.

However, the debate around the compensations for employers was not closed with the tripartite agreement. The left parties opposed strongly to the reduction of employer contributions to social security arguing that to allow it once again (as in 2015 and 2016) would turn the exception into the “new normal”. Therefore, the Left Block and the Communist Party required at the parliament the discussion of the Decree Law no.11-A/2017, following which the measure was rejected by the parliament and withdrawn. This was the first time in Portuguese democracy that a government resolution following a tripartite commitment was withdrawn by the parliament.
The government responded to the mounting tension among the social partners by proposing a new measure, a fiscal measure reducing the level of the special advance tax payment (Pagamento especial por conta, PEC) for small and medium companies. This measure was accepted by the social partners as an Amendment to the Tripartite Commitment Agreement (Adenda ao Acordo Tripartido para um Acordo de Concertação de Médio Prazo), which was signed on 3 February 2017. Despite the fact that CGTP supported this new measure, they did not sign the tripartite commitment as they did not agree with measures regarding other issues (see Major social dialogue debate 2). Furthermore, the left parties supported as well this new measure that subsequently was approved by the parliament with the favourable votes of all left parties. Eventually, the socialist government succeeded to conjugate the agreements with the left parties on the minimum wage path with social concertation.

- A tripartite commitment of variable geometry: from minimum wage to collective bargaining and labour market policies

The Tripartite Commitment for a Mid-term Concertation Agreement included not only the minimum wage update and the fiscal measure targeting SMES but also the compromise to promote joint actions to improve collective bargaining and modernize the labour market:
A bipartite commitment between trade union and employer confederations (extended also to the state as an employer) to commit their constituencies (unions, employer associations, single employers) not to require unilaterally the expiry of collective agreements during a period of 18 months (starting January 2017);

The discussion during the year 2017, with basis on the Green Paper on Labour Market and Industrial Relations – which first draft was presented to the social partners in November 2016 – in order to share a common integrated evaluation (first quarter 2017) and to reach a tripartite agreement on the following issues: definition of measures to combat labour market segmentation and improve collective bargaining; discussion of a government proposal revising the regime of Wage Guarantee Fund (Fundo de Garantia salarial) which has the objective of ensuring the payment of the debts of employers to their employees; and Discussion of a government proposal regarding the framework on the extension of collective agreements and legal deadlines for the issuance of ordinances.

The agreement includes also a section identifying themes to debate during the first semester 2017 at the Standing Committee for Social Concertation such as financing of the economy and capitalization of enterprises, priorities of public investment, promoting entrepreneurship, improving vocational training and qualifications, and assessing the unemployment benefit regime for independent workers.

It is relevant to notice that CGTP criticized the agreement stressing, that although suspending the requests for expiry of collective agreements during 18 months, the agreement does not include reversing the legal rules of expiry and does not re-establish the principle of more favorable treatment (favor laboratoris), two changes that are central for this trade union confederation. In addition CGTP claims that the unemployment benefit regime should be altered not only to improve the protection of independent workers but all the unemployed. Also the left parties have been claiming at the parliament in-depth changes of the legal framework to improve collective bargaining and guarantee its progressive and protective role. CGTP expressed the agreement with the two separate proposals of law presented in April 2016 by the Left Block and the Communist Party to re-establish the principle of more favorable treatment and to change the regime of expiry of collective agreements eliminating the possibility of unilateral expiry.

**Sectoral and company level social dialogue 2016**

In 2016, around 749,348 workers were covered by collective agreements updates and related extension procedures, increasing by 32% compared with 2015 (with 568,875). In 2015 around 25 % of the employees (total of wage earners not including public administration) were covered by collective agreements updates and related. Equivalent data on employment for
2016 (Quadros de Pessoal) is not yet available to calculate the coverage in % for 2016, but the increase in the number of workers covered that year suggests it has increased as well. However, in 2016 the number of collective agreements updated at the sector and company level was similar to 2015, as well as the number of extension ordinances published. In contrast, the number of initiatives/agreements by trade unions to join existing collective agreements (acordos de adesão) they had not previously signed increased significantly. This fact and the fact that some of the sector agreements encompassed a large population, like in construction sector explained the increase of the number of workers covered compared with 2015. (Relatório sobre a Regulamentação Coletiva de Trabalho publicada no ano 2016, Ministry of Labour, DGERT. http://www.dgert.msess.pt/wp-content/uploads/2017/01/2016_vmpi_anual.pdf).

Main developments - other than wages and working time - from important collective agreements or bargaining rounds

It is relevant to highlight that the observed recovery in 2016 is significant compared with the dramatic results of austerity policies since 2011 and their impact in collective bargaining during the following three years, with a drop in coverage down to 10% in 2013 and 2014 (Campos Lima, 2016, http://www.europarl.europa.eu/RegData/etudes/STUD/2016/569980/IPOL_STU(2016)569980_EN.pdf). Nevertheless, it is equally relevant that the observed recovery is still far from the situation in 2008, when the international crisis broke in. The number of the workers covered by collective bargaining updates was more than the double (1.894.800 in 2008 against 749,348 in 2016), the coverage rate in 2008 was 65,5%, the number of sector agreements was more than the double (172 in 2008 against 69 in 2016) and the number of company agreements was also clearly above (97 in 2008 against 58 in 2016).

Examples of innovative collective agreements (at any level) made during 2016

No information yet available for 2016.
Policies and actions to address pay-inequalities

The recent public debate on pay gaps at the workplace

Pay inequalities continue to be a persistent reality in Portugal. The last two years (2015-2016) were marked by the political and public debate on precarious work, income inequalities, gender pay gap and statutory minimum wage, namely:

The link between low wages and temporary jobs was debated by different researchers in the seminar ‘The collective bargaining and representativeness of temporary workers in Europe’: on average, temporary workers earned 60% of the salary of those who have a permanent job.

Income inequality between younger and older people has never been higher. Over the past 20 years, the income of young people diverged from the national average. Between 1989 and 2009 (latest data available), income of the youngest increase 65%, 15 percentage points below the average. Additionally, between 2009 and 2013 the average monthly earnings of young employees decreased: those aged 25-29 lost 6% of their average monthly earnings and those aged 30-34 lost 9%.

Portugal is a country with low incomes and a wide income inequality. In 2012, the average available income per adult equivalent was 9,897 euros in Portugal, much less than on average in the countries of UE28 (17,617 euros). Not only the average and median income of Portugal is comparatively low, as their distribution is unequal internally: the income per adult equivalent of the 10% richest in Portugal was, in 2012, 10.6 times higher than that earned by the 10% poorest, while the income of the 20% richest was 6.0 times that of the 20% poorest.

In 2015, men earned on average €1,207.8 per month while women earned €966.9, less 19.9% than men (which includes other components of salary, such as compensation for overtime, bonuses and other benefits, usually discretionary). Regarding basic remuneration (without any other components of salary), women earned less 16.7% than men.

In April 2016, the value for the estimated total percentage of full-time employees covered by the statutory minimum wage was 25.3% (3.9 pp. more than in April 2015). Most were women, 32% compared with 19.7% of men.

The gap in wages, particularly between those who have an open-ended contract and those with a fixed-term contracts was a general matter of concern: In the first quarter of 2015, the average wage of a worker with a fixed-term contract was €641, less €230 than the average wage of a worker with an open-ended contract, representing a pay gap of 26.4%.

Positions regarding the posted workers directive

In Portugal, there has been a delay on the process of ‘transposition’ of the Directive 2014/67 ‘enforcement’. Law no. 29/2017 ‘transposing’ this directive came only into force on 30 May 2017. Therefore, the debate on the Proposal for a directive of the European parliament and of the Council (COM/2016/128) amending Directive 96/71/EC took place before the ‘enforcement’ directive was implemented in Portugal. The government asked the social partners to express their views and contribute for a common understanding on the proposal.

Positions of trade unions

Trade union confederations CGTP and UGT supported the Commission’s proposal of revision of posted workers directive, considering that it takes concrete steps further, although they pointed to the difficulties of its implementation and claimed additional measures to guarantee labour individual and collective rights. They asked the government to support and participate actively in the European dialogue to improve the Commission proposal, in line with protecting labour rights.
**Positions of employers organisations**

In contrast, the employer confederations CIP, CCP and CTP considered that the proposal could create problems in relation to the competitiveness of Portuguese companies in the European single market. In general, the employer confederations suggest that the ‘enforcement’ directive is sufficient to respond with efficiency to the problems. Employer confederations rejected the proposal and asked the government to oppose to it. CIP, the most relevant employer confederation in manufacturing industry, but also covering other sectors, made a statement on 21 July 2016, reacting against the Commission’s proposal, where it is said that this confederation “(…)regrets the European Commission's decision to move forward with its Proposal for the Revision of the Directive on the Posting of Workers, creating a framework that hinders growth and job creation (…) despite the contrary opinion of more than one third of the national parliaments of the Member States (…)”. CIP considers that no changes to the existing Directive are necessary and the reopening of the process will lead to uncertainty for companies and their employees, in the European context of turbulence, both political and social, and far from economic recovery.

**Position of the government**

On 5 May 2016 the Parliamentary Committee of Labour and Social Security (Comissão de Trabalho e Segurança Social) issued a report declaring that the Commission proposal respected the principles of subsidiarity and proportionality. In annex were presented the positions of the social partners represented at Social Concertation Standing Committee (CPCS).

**Pay gaps at the workplace**

**Evidence**

According to our desk research only one paper was identified (during the period 2015-2016) regarding pay inequalities at the workplace:


The authors emphasise that Portugal is facing a degradation of labour and living conditions since 2008, a trend that intensified since 2011. This impacts namely on wages and the gender pay gap:

- In 2014, the average basic wage in Portugal was 820.25 euros for women and 985.02 euros for men.
- In 2014, the monthly basic female wage was 16.7 % lower than that of men, slightly below the gap in 2010 (18 %) and in 2005 (19.3 %).
- In line with the severe degradation of labour conditions among men, the reduction in the gender pay gap – particularly between 2010 and 2014 – was due to a relative stagnation of men’s wages and a slight increase in the very low wages of women (variation rates of 0.8 and 2.3, respectively).
- The monthly earnings gap (including bonuses and other payments) was higher – 20 % in 2014 (a slight decline in relation to 2010 – when the gap was 20.9% – and 2005 – 22.6%).
- The gender pay gap asymmetry is more pronounced at the top of the qualification ladder: among those in upper management positions, as far as overall monthly income is concerned, women earned 26.3 % less than men in 2014.
Pay inequalities and pay discrimination at the workplace are not explored in detail in the labour inspectorate reports issued by Authority for Working Conditions (Autoridade para as Condições de Trabalho - ACT). The most recent reports reveal that between 2014 and 2015, the number of visits related to equality and non-discrimination at the workplace and in the access to the labour market decreased (from 510 in 2014 to 256 in 2015). In 2014, 48 of those visits were made in cases of gender pay inequalities or pay discrimination (more 23 than in 2015).

Additionally, the Report on the Progress of Equality between Women and Men at Work, Employment and Vocational Training, issued by the Commission for Equality in Labour and Employment (Comissão para a Igualdade no Trabalho e no Emprego - CITE) in July 2015 shows that:

- The wage gap between men and women persisted in 2013.
- In 2013 women earned about 82.1% of men's average monthly basic wage and about 79.2% of average monthly earnings (which includes other components of salary, such as compensation for overtime, bonuses and other benefits, usually discretionary).
- Considering the qualification levels, the wage gap between women and men is lower at the base and higher at the top, and is substantially higher among the managers. At this level of qualification, the average monthly earnings of women accounted for 73.6% of the remuneration earned by men.
- The full-time hourly wages of the employed population are higher among men: on average, men received 20.8% more per hour than women in terms of basic wage and a further 24.5% in terms of earnings.
- Between 2012 and 2013, the differential between the hourly remuneration of men and women decreased by 0.6 pp in basic wage and 0.5 pp in earnings.
- Between 2011 and 2014, a total of 7 complaints were made to CITE regarding pay inequality (an average of 2 complaints by year).

**Policies to address pay inequalities at the workplace**

Several important legislative changes addressing pay inequalities at the workplace have been introduced already since 2013. The most recent, since 2014, are briefly presented in the following paragraphs:

- Resolution of the Council of Ministers 18/2014 of 7 March states the government’s commitment to eliminate the gender pay gap and intensify efforts to encourage a debate on this issue among the social partners.
- Resolution of the Council of Ministers 11-A/2015 of 6 March 2015 aims at the celebration of a commitment with quoted companies aiming at a more balanced representation of women and men in their boards, with a target of 30% of the underrepresented sex until the end of 2018. It also provides for a mechanism to support companies in the identification and analysis of the gender pay gap as a tool to promote equal pay.

A relevant policy initiative was launched by CITE and ACT on September 2016 – the National Action for the Promotion of Gender Equality at Work. Equal pay is one the four thematic axis chosen for this awareness-raising action.
Social partner’s involvement in addressing pay inequalities at the workplace

The joint actions of social partners in this area were very limited. Mainly it were the trade union confederations that stressed the importance of combating income inequality. The most relevant joint decisions referred to the minimum wage increase (although very limited) that was part of three tripartite agreements (one in 2014, and two in 2016).

The policy increasing the mandatory minimum wage has been subject to recent evaluation. The 1st report ‘Monitoring the Agreement on Mandatory Minimum Wage’ (Acompanhamento do Acordo sobre a Retribuição Mínima Mensal Garantida), published on 10 May 2016, by the Office of Strategy and Planning (Gabinete de Estratégia e Planeamento, GEP) of the Ministry of Labour, Solidarity and Social Security. According to this report 12.0% of the workers (full time) received the minimum wage in 2013. In April 2015 this proportion reached 21.4%. The proportion of women to receive the minimum wage is higher than men and between October 2014 and April 2015 rose slightly (1.9 percentage points), above the increase observed, both in total and in the proportion of men (1.8 percentage points).

Trade unions concern with inequality increased during the economic crisis and the implementation of Troika MoU by the centre right government PSD/CDS. Among the measures they contested were: the freeze of the minimum wage during three years; the reduction of overtime payment; the restriction of extension of collective agreements that provoked a dramatic decline of the workers covered, in particular by wage updates; the measures facilitating the use of temporary work; and the cuts in social benefits including child benefits. The main claims issued by unions referred to updating minimum wage and social benefits, to stress the importance of adequate overtime payment in a country where wages are extremely low; to limit temporary work combating its misuse, and to lift the limitations to the extension of collective agreements in order to promote their inclusiveness.

Furthermore, as pointed in the CSR 2016 “Portugal is (…) among the countries with the highest minimum wage as a percentage of the median wage. This suggests that wage distribution in Portugal is very biased towards lower wages (…)”. Collective bargaining could play a very important role to correct such unbalance. Although the developments in 2015 and in 2016 show a certain recovery of collective bargaining, the situation is still very critical, as a large part of the employees do not benefit from wage agreed updates.
Promoting the reconciliation of working families and caregivers

Recent policies

- Several legislative changes have been introduced in national policies in this domain:
  - Law 120/2015 of 1 September, proceeds to the ninth amendment to the Labour Code reinforcing the rights of maternity and paternity, as well as includes several measures to promote a better work/family reconciliation. Some specific articles will be mentioned below given their relevance:
    - Sharing of parental leave between mother and father (Article 40): Both mother and father may use the initial parental leave simultaneously between the 120 and the 150 days. Before this new amendment, mother and father may share the initial parental leave between them, but they could not enjoy this leave at the same time. With this amendment, the law allows parents to enjoy part of the parental leave together. However, when mother and father who work in the same company (micro enterprise) the use of the initial parental leave simultaneously depends on the employer's agreement.
    - Extended parental leave - either the mother or the father can enjoy another 3 months leave (Article 51);
    - Granting grandparents the right to be absent from work to care for minor grandchildren (Article 50); Social security pays an allowance, which corresponds to 100% of the reference wage.
    - Justified absences to be present in school meetings, up to four hours per quarter, for each child (Article 249);
    - Justified absences, up to 15 days per year, to provide urgent and essential care in case of illness or accident of family member (Article 49).
  - A National Campaign about Reconciliation and Time Use “Let’s better reconcile time between work and family” was launched by CESIS in partnership with CITE, under the INUT project. This campaign intends to draw attention to the gender inequalities in time use and raise awareness of the need to promote a balanced distribution of unpaid care work between women and men, as a tool for gender equality.

There were no new measures/policies with regard to caring for dependent relatives in need of long-term care during 2014/2016.

Rights to request special working time arrangements, place of work etc.

- Law 120/2015 of 1 September proceeds to the ninth amendment to the Labour Code and includes several newly introduced measures to improve a better conciliation work/family, namely the:
  - Possibility of flexible working time or part-time work for employees with children up to 12 years (Articles 55 and 56).
  - Possibility of teleworking for working parents, through the use of information and communication technologies (Articles 165 and following).
The role of collective agreements

In general, collective agreements include clauses identical to those provided by labour legislation supporting work-life balance of working families or caregivers. Mostly collective agreements reproduce labour law regulations on areas such as flexibility of working time and part-time work, restrictions on overtime, parental leave, and absence from work for caring responsibilities of family members. The Labour Code include specific rules regarding parental rights and children’s care and care of other family members, establishing the number of days caregivers have the right to be absent from work, without losing their rights (seniority and career advancement), except the right to remuneration. Within the limits (number of days of absence) they are entitled, workers are granted the payment of 65% of their remuneration by Social Security (from the 5th day of absence). Employers are not obliged to complement that payment. For instance caregivers are entitled up to 15 days a year to provide urgent and basic assistance in case of illness or accident to a spouse or a person living in a de facto union or to relatives in the ascending straight line or in the 2nd degree of the collateral line; 15 days a year are added, in the case of disability or chronic illness. Prolonged leaves beyond the limits set by these rules fall in another category (licença sem vencimento) where the worker does not receive any remuneration compensation, from social security, and which period does not count in terms of seniority and career rights. Family assistance or family care count only in this case as one of the possible justified reasons to require the employer to allow a long period of absence. Collective agreements in general include the same provisions.

Labour law guarantees that caregivers with children below 12 years of age, or independently of age and those with children with disabilities or chronical diseases (independently of age) are entitled to choose flexible schedules or reduced working time, and to refuse night work or overtime work. Assistance to other family members is also considered a reason to benefit from such schemes. In general collective agreements include these provisions.

Collective agreements might be in some cases slightly more generous or introduce additional measures. However there are not recent studies mapping extensively specific measures that support work-life balance of working families in collective agreements.

The closest theme that has been studied recently refers to equality and non-discrimination measures and collective agreements. The draft version of the Green Paper on Labour Market and Industrial Relations comprises a chapter including the analysis of the content of a sample of 76 collective agreements that were in force in August 2016 and which potential coverage was around 959 121 employees. The draft paper concludes that collective agreements refer to the principles of equality and non-discrimination included in the Labour Code, but in most cases provisions are lacking to enshrine measures aimed at their effective implementation. The collective agreements with more detailed provisions include the following measures (among other less relevant for the topic work-live balance or caregivers):

- Priority to recruitment of the less represented gender, when there is no parity between men and women in any category or level of qualification (2 sector collective agreements in Restaurants and Hotels sector)
- Preference to the recruitment of disabled workers when they are on equal footing with other candidates (1 collective agreement in Garment sector).
- Inclusion of 2 workers with limited work capacity for each 100 workers, and at least one in companies between 50 and 100 workers (1 sector collective agreement in Restaurants and Hotels sector)
- Respect the principles of equality and non-discrimination in relation to procedures of recruitment and of professional progression (1 multi-employer agreement – ACT health sector; 1 company agreement – AE Communications) and 3 company agreements in Transports);
Equality of opportunities regarding recruitment and promotions, independently of gender and disability (3 agreements with the same company – AE road transports)

Respect of the principles of equality and non-discrimination with regard to vocational training (1 company agreement – AE Communications)

With regard to remuneration, should be no discrimination based on trade union activity, on the exercise of rights of maternity and paternity, of rights of student workers and other rights provided for in the law and in the agreement (multi-employer collective agreement - ACT banking sector).

Employers should guarantee a gender balanced participation in vocational training (multi-employer collective agreement - ACT banking sector).
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