



# EMCC

European Monitoring Centre on Change

## Portugal: Selection of employees for (collective) dismissals

[Go to list page](#)

[Portugal](#)

Phase:

Management

Type:

Selection of employees for (collective) dismissals

Last modified: 16 February, 2021

Native name:

Código do Trabalho; Lei 27/2014 de 8 de Maio de 2014

English name:

Labour Code; Law 27/2014 of 8 May 2014

### Article

Labour Code, articles 360 (2c), 368 (2)

### Description

The employer intending to proceed with collective redundancies must announce this intention, in writing, informing about the criteria for the selection of workers to be dismissed. Collective dismissal is defined as the dismissal of at least two workers in micro and small companies, and at least five workers in larger companies.

List of criteria used to determine which employees are selected for dismissal:

- lower level of performance, pursuant to criteria pre-disclosed to the employee;
- lower academic and professional qualifications;
- higher cost of keeping the employment relationship in place;
- lower work experience in the job;
- lower seniority.

### Comments

For more information on collective dismissal see '[definition of collective dismissal](#)'.

#### Cost covered by

Not applicable

#### Involved actors other than national government

National government only

#### Thresholds

Company size by number of employees:

2

Number of affected employees:

2

#### Sources

- [Law 27/2014 of 8 May 2014](#)
- [Labour Code \(Law 7/2009, of 12 February\) – updated version](#)
- [ILO EPLex - Substantive requirements for dismissals](#)

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