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European Monitoring Centre on Change

Portugal: Public authorities information and consultation on dismissals

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Portugal

Phase:

Anticipation

Type:

Public authorities information and consultation on dismissals

Last modified: 16 February, 2021

Native name:

Código do trabalho

English name:

Labour Code

Article

360, 362, 363 (3)

Description

The beginning of a collective dismissal (at least two workers in micro and small companies, and at least five workers in larger companies) process has to be communicated to the Directorate-General for Employment and Labour Relations (Direção-Geral do Emprego e das Relações de Trabalho - [DGERT](#)), of the Ministry of Labour, Solidarity and Social Security (Ministério do Trabalho, Solidariedade e Segurança Social - [MTSS](#)).

There is an administrative intervention during the procedure of collective dismissal: the relevant services of the government will only participate in the negotiation with the purpose of ensuring the regularity of the substantive and procedural aspects and promoting the conciliation of the parties' interests.

In practical terms, the DGERT must participate in the bargaining meetings in order to guarantee that all procedures are followed, and to promote understanding between both parties. Furthermore the Institute for Employment and Vocational Training (Instituto do Emprego e Formação Profissional - [IEFP](#)) and the Regional Employment Service may indicate support measures for employment and vocational training.

In addition, on the same date the final decision is communicated to the employees, the employer is required to send to the DGERT the minutes of the consultation meeting, the rationale behind the lack of agreement, and the final position of the parties, as well as information on each employee affected by the collective dismissal (including name, address, date of birth, hiring date, social security situation, occupation, category, salary, the measure decided and its planned implementation date).

Comments

No information available.

Cost covered by

Not applicable

Involved actors other than national government

Trade union
Works council
Other

Involvement others

Institute for Employment and Vocational Training (Instituto do Emprego e Formação Profissional - [IEFP](#)); Directorate-General for Employment and Labour Relations (Direção-Geral do Emprego e das Relações de Trabalho - [DGERT](#))

Thresholds

Company size by number of employees:

2

Number of affected employees:

Sources

 Labour Code (Law 7/2009, of 12 February) – updated version

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