

Disclaimer: This factsheet has not been subject to the full Eurofound evaluation, editorial and publication process.

Factsheet for case **PT-2020-14/312**

Reinforcement of resources and powers of the Authority for Working Conditions (ACT)

Factsheet generated on 24 April 2020, 18:12

Country	Portugal, applies nationwide
Time period	Temporary, started on 03 April 2020
Type	Legislation or other statutory regulation
Category	Employment protection and retention – Changes to dismissal law or employment protection legislation
Case created	06 April 2020 (updated 21 April 2020)

Background Information

Decree Law No. 2-B/2020 of 02 April, which renewed the state of emergency concerning COVID-19 pandemic (declared on 18 March 2020), established in article 24 the reinforcement of resources and powers of the Authority for Working Conditions. Paragraphs 1 to 3 of Article 24 of the Decree give more power to the Authority for Working Conditions in order to ensure workers' rights and prevent and control illegal dismissals, and notify employers when required to regularize the situation.

Content of measure

Paragraph 1 of Article 24 establishes that, during the term of Decree Law No. 2-B/2020 of 02 April, in order to reinforce the rights and guarantees of workers, whenever the labour inspector verifies the existence of evidence of a dismissal in violation of articles 381, 382, 383 or 384 of the Labour Code (approved by Law no. 7/2009, of February 12), in its current wording, draws up a report and notifies the employer to regularize the situation. Paragraph 2 establishes that after that notification to the employer and until the situation of the worker is regularized or the judicial decision is *res judicata*, as the case may be, the employment contract in question does not end, maintaining all the rights of the parties, namely the right to remuneration, as well as the inherent obligations under the general social security regime. To this aim the provisions of paragraph 3 speed up the processes of requisition of services and geographical mobility of labour inspectors and of experts of labour inspection and envisages also the recruitment of external services.

Use of measure

Not applicable.

Actors, target groups and funding

Actors	Target groups	Funding
National government Trade unions Employers' organisations Company / Companies Public employment service	employees All companies	No special funding required

Social partners

Role of social partners	Informed
Form of involvement	Bi-or tripartite social dialogue bodies

Employer and trade union confederations were informed at the tripartite Standing Committee for Social Concertation.

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 02 April 2020: Decreto n.º 2-B/2020, Diário da República n.º 66/2020, 2º Suplemento, Série I de 2020-04-02 ([dre.pt](#))