

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

Factsheet for case **PT-2020-14/316**

Exceptional suspension of termination of employment contracts in Health National Service

Factsheet generated on 25 April 2020, 20:40

| | |
|--------------|--|
| 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 29 measures applying to the National Health Service suspending the termination of any employment contracts (open ended or fixed term) as well as of contracts for the provision of services with independent workers, and prorogates any kind of term contracts, during the state of emergency

Content of measure

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 29 measures applying to the National Health Service suspending the termination of any employment contracts (open ended or fixed term) as well as of contracts for the provision of services with independent workers, and prorogates any kind of term contracts, during the state of emergency.

Article 29 of Decree Law No. 2-B/2020 of 02 April suspends, temporarily and exceptionally, the possibility of terminating the employment contracts of professionals linked to services and establishments integrated in the National Health Service, regardless of the legal nature of the employment relationship, either at the initiative of the employer or by initiative of the worker, except in exceptional situations duly substantiated and authorized by the governing body.

The provisions of the preceding paragraph also apply to the termination of individual contract and termination of employment contracts in public functions. Fixed-term employment contracts, whose expiry should operate in this period are considered automatically and exceptionally extended until the end of the state of emergency and possibly renewed. While the declaration of a state of emergency is in force, the possibility of terminating service provision contracts is also suspended, temporarily and exceptionally.

Use of measure

Not yet evaluated

Actors, target groups and funding

| Actors | Target groups | Funding |
|--|----------------------------|-----------------------------|
| National government Local / regional government Public support service providers | employees self-employed | No special funding required |

Social partners

| | |
|-------------------------|---------------------|
| Role of social partners | Informed |
| Form of involvement | Direct consultation |

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

Sectors and occupations

This case is sector-specific.

| Economic area | Sector (NACE level 2) |
|---|-----------------------------|
| Q - Human Health And Social Work Activities | Q86 Human health activities |

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)