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## ROUND TABLE PLATFORM PROJECT TRASDEM-

**Empowerment of social dialogue in trade sector as a contribution to the  
overarching EU employment and social policy challenges**

**COUNTRY: Portugal**

**PARTNER: Confederation of Commerce and Services of  
Portugal**

TOPICS	FILL IN WITH YOUR DATA, DESCRIPTION, COMMENTS OR TABLES
<b>I. GENERAL COUNTRY INFORMATION – latest statistic data</b>	This data is related to the fourth semester 2012.
Population number	10.594,5 million (decrease of 0,6% compared to the fourth semester of 2011 (less 59,3 thousand people), and less 0.004% compared to the third semester 2012 (less 3,5 thousand people).
Active population number	5.455,0 thousand people in total (decrease of 0,9% compared to the fourth semester of 2011 (less 51,5 thousand people), and decrease of 1,3% compared to the third semester 2012 (less 72,2 thousand people).
Retired population number	5.139,5 million people in total (decrease of 0,2% compared to the fourth semester of 2011 (less 7,8 thousand people), and increase of 1,4% compared to the third semester 2012 (68,7 thousand people).
Persons in employment - total (in paid employment, self-employed persons)	<u>In total:</u> 4 531,8 million (decrease of 4,3% compared to the fourth semester 2011 and decrease of 2,7% compared to the third semester 2012);  <u>In paid employment:</u> 3 538,2 in paid employment (decrease of 5,5% compared to the fourth semester 2011 and decrease of 2,9 % compared to the third semester 2012);  <u>Self employed persons:</u> 1) <u>As isolated worker:</u> 725,9 thousand (increase of 1,4% compared to the fourth semester 2011 (increase of 10,1 thousand) and decrease of 3,9%



	<p>compared to the third semester 2012 (less 29,3 thousand));</p> <p>2) <u>As employer</u>: 239,5 thousand (2,4 decrease of 2,4% compared to the fourth semester 2011 (less 6 thousand) and increase of 5,9% compared to the third semester 2012 (increase of 13,4 thousand);</p> <p>3) <u>As familiar worker without wage</u>: 28,2 thousand (decrease of 2,8% compared to the fourth semester 2011 (less 8 hundred) and decrease of 8,1% compared to the third semester 2012 (decrease of 2,5 thousand).</p>
Persons in employment – trade sector (in paid employment, self-employed persons)	<p>667,5 thousand employees</p> <p><u>In paid employment</u>: 490,5 thousand</p> <p><u>Self employed persons</u>: 170 thousand</p>
Persons in employment – by sex in total	<p>4 531,8 thousand employees in the fourth semester 2012 (2 391,2 masculine and 2 140,6 feminine). Compared to the fourth semester of 2011, there has been a decrease of masculine workers of 4,9% compared to the fourth semester of 2011 (123,7 thousand less) and 3,6% (79,9 thousand) in the case of the feminine workers.</p> <p>Compare to the third semester 2012, the number of employed masculine workers decreased 2,5% (60,3 thousand) and 2,9% feminine workers (64,2 thousand).</p>
Persons in employment – by sex in trade sector	<p>347,6 thousand men and 319,9 women in the 4<sup>th</sup> semester 2012.</p>
Registered unemployed persons/total population	<p>923,2 thousand unemployed in the fourth semester 2012</p>
Registered unemployed persons/active population	<p>923,2 thousand unemployed in the fourth semester 2012</p>
Registered unemployed persons by age groups	<p>923,2 thousand unemployed in the fourth semester 2012, from which:</p> <ol style="list-style-type: none"> <li>1) From 15 to 24 years old: 164,9 thousand</li> <li>2) From 25 to 34 years old: 260 thousand</li> <li>3) From 35 to 44 years old: 222,4 thousand</li> <li>4) From 45 to the end of active life: 276,0 thousand</li> </ol>
Registered unemployed persons by educational attainment	<p>923,2 thousand unemployed in the fourth semester 2012, from which:</p> <ol style="list-style-type: none"> <li>1) Below secondary: 551,2 thousand</li> <li>2) Secondary and post secondary: 223,4 thousand</li> <li>3) Graduate: 148,6 thousand.</li> </ol>
Registered unemployed persons duration of unemployment	<p>923,2 thousand unemployed in the fourth semester 2012, of which:</p>

	<p>1) Less than 1 month: 23 thousand;                  2) One to six months: 254,8 thousand;                  3) Seven to 11 months: 125,5 thousand;                  4) twelve to twenty four months: 188,4 thousand;                  5) twenty five months or more: 331,5 thousand.</p>
<b>II. GENERAL INFORMATION ON SOCIAL DIALOGUE</b>	
<b>Social dialogue on national level (if it is organised)</b>	
<ul style="list-style-type: none"> <li>• legal basis</li> <li>• attendants</li> <li>• scope of action</li> <li>• working principle (sessions, debates,....)</li> </ul>	
<b>Social dialogue on regional level (if it is organised)</b>	
<ul style="list-style-type: none"> <li>• legal basis</li> <li>• attendants</li> <li>• scope of action</li> <li>• working principle (sessions, debates,....)</li> </ul>	
<b>Social dialogue in trade sector on national/regional level (if it is organised)</b>	
<ul style="list-style-type: none"> <li>• legal basis</li> <li>• attendants</li> <li>• scope of action</li> <li>• working principle (sessions, debates,....)</li> </ul>	
<b>III. PUBLIC AUTHORITIES THAT COVER LABOUR RELATIONS, LABOUR MARKET AND EMPLOYMENT</b>	
<b>Ministry/-ies (name)</b>	
<ul style="list-style-type: none"> <li>• sectors and directorates - list</li> <li>• bodies within the ministry - list</li> </ul>	
<b>Other organisations and institutions - list</b>	
<ul style="list-style-type: none"> <li>• for example:</li> <li>• Employment Service of Slovenia</li> <li>• Pension and Disability Insurance Institute of the Republic of Slovenia ...</li> </ul>	
<b>IV. LEGISLATION PLATFORM – labour relations, labour market and employment</b>	
<b>International documents</b>	
<ul style="list-style-type: none"> <li>• ILO Convention 158 – Termination of</li> </ul>	<p>Ratified by the country: <b>YES</b>                  D.P.R. 68/94, of the 27<sup>th</sup> August (D.R. I Série nº 198,</p>



Employment Convention, 1982	de 27.08.94)
<ul style="list-style-type: none"> <li>European Social Charter (revised) - 1996</li> </ul>	Ratified by the country: <b>YES</b> D.P.R. nº 54-A/2001, de 17.10. (D.R. I Série A nº 241/2001, 1º suplemento)
<b>National laws and regulations (if there are any) – list and short description</b>	
<ul style="list-style-type: none"> <li>Labour relations</li> </ul>	
<ul style="list-style-type: none"> <li>Labour market and employment</li> </ul>	Please, see points <b>V</b> and <b>VII</b> .
<b>Regional laws and regulations (if there are any) – list and short description</b>	
<ul style="list-style-type: none"> <li>Labour relations</li> </ul>	
<ul style="list-style-type: none"> <li>Labour market and employment</li> </ul>	<p><b>“Programa Formação-Algarve” (Portaria nº 297/2012, de 28 de Setembro)</b></p> <p>This measure aims to respond to the unemployment of the Algarve region (south), reinforcing the qualification of the employers of those economic sectors that are most affected by the seasonality changes in business. It assures financial support to employers that make fixed-term contracts, renew them, or convert these fixed-term contracts to non-fixed-term, simultaneously providing vocational training to the respective workers.</p>
<b>Collective Agreements for Trade Sector - list</b>	
<ul style="list-style-type: none"> <li>Title</li> </ul>	
<ul style="list-style-type: none"> <li>Parties on the employee side</li> </ul>	
<ul style="list-style-type: none"> <li>Parties on the employers side</li> </ul>	
<ul style="list-style-type: none"> <li>Concluded for a definite/indefinite period of time</li> </ul>	
<ul style="list-style-type: none"> <li>In force from - to</li> </ul>	
<ul style="list-style-type: none"> <li>Is valid for the parties of collective agreement or its members</li> </ul>	YES NO
<ul style="list-style-type: none"> <li>Has an extending validity to all employers in an activity or activities for which has been concluded</li> </ul>	YES NO
<b>V. RECENTLY ADOPTED REFORMS OR CHANGES OF LEGISLATION - SINCE 2010 – pensions, labour relations, labour market and employment, collective agreement - list and short description</b>	
<ul style="list-style-type: none"> <li>PENSIONS</li> </ul>	
<ul style="list-style-type: none"> <li>LABOUR RELATIONS</li> </ul>	
<ul style="list-style-type: none"> <li>LABOUR MARKET AND EMPLOYMENT</li> </ul> <p>The Labour Market Active Policies are being reviewed. We here present the most recent</p>	<p><b>“Estímulo 2013”, replacing a similar measure implemented in 2012 (Portaria nº 106/2013, de 14 de Março)</b></p>



cross-sector incentives – 2012/2013 - that cover the trade sector; please, see also point VII – specific incentives for young employment and for employment of elderly people).

Beside the referred incentives, there are cross-sector actions specifically focused on the employment of *people with disabilities*.

Financial support to employers who hire unemployed workers registered in the Public Employment Services, with full-time or part-time contracts, fixed term or non-fixed term. This support is provided for a maximum period of 6 months (fixed-term contracts) or 18 months (non-fixed term contracts), corresponding to 50% of the salary (60% for specific situations, like unemployed below 25 or over 50 years-old, with low income, people with disabilities, low qualified...).

**“Apoio à contratação de trabalhadores por empresas startups” (Portaria nº 432/2012, de 31 de Dezembro)**

This measure provides reimbursement of the social tax (TSU) paid by employers that hire qualified workers with a full time contract, fixed term or not, but for a minimum period of 18 months. For people unemployed for 4 or more months, the support is: 75% of the TSU for fixed term contracts and 100% for other ones, maximum period of 18 months, maximum monthly amount of 300€/worker, maximum 20 workers/employer.

**Enlargement of the action “Estágios Profissionais” (Traineeships) – Portaria nº 3-b/2013, de 4 de Janeiro**

This measure, traditionally focused on young people, was enlarged in order to cover – regardless of their age – mono-parental families and couples which both members are unemployed.

**“Programa Nacional de Microcrédito” (Portaria nº 985/2009, de 4 de Setembro, com as alterações da Portaria nº 58/2011, de 28 de Janeiro, e da Portaria nº 95/2012, de 4 de Abril)**

This measure gives technical and financial support to business ideas that create sustainable employment, for the maximum of 10 working places and 20.000€ of investment.

**“PAECPE – Apoio ao Empreendedorismo e à Criação de Empresas” (regulated by the same legislation as the previous measure)**

This incentive, created in 2009, was changed in 2011 and 2012. It supports small entrepreneurial projects that create employment, through technical advice and specific bank credit lines.

**“Incentivo à aceitação de ofertas de emprego” (Portaria nº 207/2012, de 6 de Julho)**

This measure aims to promote the return to the labour market of unemployed people receiving the unemployment benefits, registered in the public employment service (PES) for more than 6 months. The measure provides financial support to these unemployed, if they accept employment offers

	presented by the PES, for a full time contract (3 or more months), with a salary below the unemployment benefit that they are receiving. The financial support can be provided for a maximum period of 12 months for each period of unemployed benefit conceded, and decreases over that period.
• COLLECTIVE AGREEMENTS	
<b>VI. CHANGES OF LEGISLATION IN NEGOTIATION OR LEGISLATIVE PROCEDURE – pensions, labour relations, labour market and employment, collective agreement - list and short description</b>	
• PENSIONS	
• LABOUR RELATIONS	
• LABOUR MARKET AND EMPLOYMENT	
COLLECTIVE AGREEMENT	
<b>VII. ACTIONS FOR ENCOURAGING FLEXICURITY</b>	
<b>Actions to encourage youth employment</b>	Portugal has a very high youth unemployment rate (40% - 4 <sup>th</sup> trimester 2012). Following the E.U. recommendations in this regard, the Government, in dialogue with the Social Partners, has created in 2012 a new specific programme to promote youth employment, called <b>"IMPULSO JOVEM"</b> . Its main measures/actions are described below.
• Reimbursement of contributions/taxes (social, pension, income taxes...) <b>"IMPULSO JOVEM"</b>	<b>"Apoio à contratação via reembolso da TSU para jovens desempregados" (Portaria nº 229/2012, de 3 de Agosto)</b> This measure provides reimbursement of the social tax (TSU) paid by employers that hire young people (18-30 years-old) with a partial or full time contract, fixed term or not, but for a minimum period of 18 months. The support is: 75% of the TSU for fixed term contracts and 100% for other ones, maximum period of 18 months, maximum monthly amount of 175€/worker, maximum 20 workers/employer.
• other incentives for employment <b>"IMPULSO JOVEM"</b>	<b>"Passaportes-Emprego" (Portaria nº 65-B/2013, de 13 de Fevereiro)</b> This measure provides financial support for 12 months <b>traineeships</b> of young people (18-24 years-old; and 18-35 years-old in case of the agriculture sector), complemented by financial support to the entities that hire them - with non-fixed term contracts – after the traineeship. The level of support depends on the trainee level of qualification. <b>"Passaportes Emprego 3i" (Portaria nº 408/2012, de 14 de Dezembro)</b> <b>"Passaporte para o Empreendedorismo" (Portaria nº 370-</b>



	<p><b>A/2012, de 15 de Novembro)</b> This action provides several technical and financial tools for qualified young entrepreneurs to develop their entrepreneurship project, including: a more easy access to credit; a financial grant for the development of the company project; and access to a net of helping mentors.</p> <p><b>“COOP-JOVEM – Programa de Apoio ao Empreendedorismo Cooperativo” (Portaria nº 432-E/2012, de 31 de Dezembro)</b> This incentive provides technical and financial support to young people creating cooperatives, or involved in investment projects that will create employment in already existing cooperatives.</p>
<ul style="list-style-type: none"> <li>other incentives for employment</li> </ul>	<p><b>“Estágios Profissionais” (Portaria nº 120/2013, de 26 de Março)</b> This measure provides financial support for 12 months <b>traineeships</b> of:</p> <ul style="list-style-type: none"> <li>- unemployed young people (25-30 years-old);</li> <li>- other unemployed people that have finished a new qualification in the latest 3 years;</li> <li>-unemployed couples;</li> <li>-unemployed mono-parental families.</li> </ul>
<p><b>Actions to encourage employment of elderly people</b></p>	
<ul style="list-style-type: none"> <li>reimbursement of contributions/taxes (social, pension, income taxes...)</li> </ul>	<p><b>“Apoio à contratação de desempregados com idade igual ou superior a 45 anos, via reembolso da TSU” (Portaria 3-A/2013, de 4 de Janeiro)</b> This measure provides total/partial reimbursement of the employers’ social tax for those who hire unemployed workers aged 45 or more – with fixed or non fixed term contracts, part-time or full-time – during a maximum period of 18 months.</p>
<ul style="list-style-type: none"> <li>other incentives for employment</li> </ul>	<p>Other active measures - though not specifically created for this target public - provide higher financial incentives for employers who choose to contract unemployed people over 50 years-old.</p>
<p><b>Lifelong learning actions and incentives – list and short description</b></p>	



<p>• <b>“Programa Operacional Potencial Humano”</b></p> <p><b>Priority Axel 1 Initial Qualification</b></p> <p><b>Intervention Typology</b></p> <p><b>1.3. Education Training Courses for Young People</b></p>	<p>Axel 1 has the purpose of raising the qualifications of young people, promoting their employability and the adequacy of their qualifications to the needs of sustainable development, increase of competitiveness and social cohesion of the portuguese economy.</p> <p>1.3. Education Training Courses for Young People (Despacho n.º 18228/2008 de 8 de Julho) Main goal: to promote double certification training offers among young people, in risk of early school leaving, integrating the goals for professional qualification and insertion and/or the continuation of the studies.</p>
<p>• <b>“Programa Operacional Potencial Humano”</b></p> <p><b>Priority Axel 2 – Life-Long Adaptability and Learning</b></p> <p><b>Intervention Typologies</b></p> <p><b>2.2 - Education Training Courses for Adults</b></p> <p><b>2.3 – Certificated Modular Training</b></p>	<p>Axel 2 has as main goal the improvement of the qualifications of the adult active population - employed and unemployed, contributing for the development of competences which are fundamental for the economic and entrepreneurial modernization and for the adaptability of the workers. This intervention Axel is included in the strategy of the “Novas Oportunidades” initiative, expressing the ambition of giving a new opportunity to those adults who are already in the labour market without completing the 9th or the 12th grade.</p> <p>2.2 - Education Training Courses for Adults (Portaria n.º 283/2008, de 24 de Outubro) Main goal: to raise the qualification levels of the assets - employed and unemployed - having secondary school as the qualification reference.</p> <p>2.3 – Certificated Modular Training (Portaria n.º 283/2008, de 24 de Outubro) Main goal: to guarantee the capitalization of short duration trainings carried out in the framework of a certain training path, in order to obtain a qualification corresponding to a certain job opportunity.</p>
<p>• <b>“Programa Operacional Potencial Humano”</b></p> <p><b>Priority Axel 3 - Professional Management and Further Training</b></p> <p><b>Intervention Typology</b></p> <p><b>3.1.1 – Training-Action Programme for SME</b></p>	<p>Axel 3 has as main goal to development of a set of trainings associated to organizational modernization processes, productive restructuring and conversion including the innovation, management and modernization capability of the companies and other entities, as a fundamental condition for modernizing the productive fabric, jobs quality improvement and increase of competitiveness.</p> <p>3.1.1 – Training-Action Programme for SME (Despacho n.º 18363/2008 de 9 de Julho) Main goal: to support organizational modernization and innovation processes by training workers /entrepreneurs of the micro and SME's and also by providing on job consulting services. This intervention typologie is adressed to companies with 100 or less then 100 workers.</p>
<p><b>Quality of work actions and incentives – list and short description</b></p>	
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<p>•</p>	





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<b>Mobility and migration actions and incentives – list and short description</b>	
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<b>Planned future actions on the field of flexicurity – list and short description</b>	
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<b>VIII. SPECIFIC LEGISLATIVE SOLUTIONS REGARDING EMPLOYMENT RELATIONS AND EMPLOYMENT MARKET</b>	<b>DESCRIBE AND NAME THE LEGISLATIVE BASE</b>
• <b>Conditions for a fixed-term employment contract</b> (replacing a temporary absent worker, project work...)	
• <b>Limitation of duration of fixed-term employment contract</b>	
• <b>Reasons for ordinary termination of employment contract</b> (non-achievement of expected work results, violation of the contractual obligations...)	
• <b>Reasons for extraordinary termination of employment contract</b> (violation of contractual obligations, worker is at least 5 days in succession without informing the employer...)	
• <b>Procedure for dismissal</b> (obligatory period advance notification, formal defence argument, offering another suitable job...)	
• <b>If you have any samples of documents needed in a procedure, please enclose</b>	
• <b>Minimum periods of notice</b>	
• <b>Severance pay</b>	
• <b>Inner flexibility</b> (possibility of assigning tasks to employees which are not part of their job description)	
• <b>Is a period of break for lunch included in a work time? If not, how is organised.</b>	YES NO



• <b>Is the worker entitled to extra payment for years of service? If yes, what is the amount or %?</b>	YES	NO
• <b>Must employer reimburse worker's expenses for meal, travel to and from work...? If yes, what is the amount or %?</b>	YES	NO
• <b>Possibility of occasional and short time work for unemployed, retired persons...</b>		
• <b>Duration of the unemployment cash benefit (for different groups regarding insurance period)</b>		
<b>IX. YOUR COMMENTS AND RECOMMENDATIONS</b>		

Present in discussion and preparation of the platform:

**Employer' s Organisations:**

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**Employees Organisations:**

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**Prepared and finalised by:**

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