

iGlobal Law Annual Alert 2023 : Portugal

| Legal Change | Effective Date | Action required |
|---|---|---|
| <p>Changes to the Labour Code</p> <p>The Government had announced further amendments to the labour legislation, most notably those included in the “<i>Agenda for Decent Work and Valuing Young People in the Labour Market</i>”, especially in the following matters which are currently under discussion:</p> <p><u>Temporary agency work</u> Greater rigidity in the rules for renewing and for successive temporary contracts.</p> <p><u>Digital platforms</u> To provide increased guarantees to workers working in digital platforms, as well as to allow the labour relationship to be recognised not only with the platform operator, but also with the intermediary company that effectively plays the role of employer towards the workers (adding a presumption of employment to the law under certain circumstances).</p> <p><u>Work-life balance</u> Granting greater protection regarding the prohibition of discrimination, especially regarding the enjoyment of parental rights, as well as promoting equality between men and women and enabling mechanisms to improve the management of working time with the conciliation between professional and personal life.</p> <p><u>Combating false self-employment</u> Ensuring greater protection for individual service providers, with the possibility of applying the CBA to which the employer is bound and increasing the accessory penalties for situations of subordination disguised as provision of services.</p> <p><u>Trial period</u> Reducing the trial period in some situations as well as the increasing of the notice period for termination during the trial period</p> <p><u>Fixed-term employment contracts</u> Preventing a consecutive new hire or assignment of an employee/worker through a contract (fixed-term, temporary or service provision) whose execution is carried out in the same professional activity as well as increasing the compensation for expiry/non-renewal of such contracts</p> | <p>No date yet but anticipated in first quarter of 2023</p> | <p>Nothing at this stage but keep an eye out for the draft legislation.</p> |

| | | |
|---|--|---|
| <p>Redundancy payments</p> <p>An income agreement was signed between the Government, employer confederations and trade unions, which foresees the increase of compensation for collective dismissal and individual redundancy of permanent employees from 12 to 14 days of salary per year of seniority, as well as the suspension of monthly contributions to the Labour Compensation Fund.</p> | <p>Publication date has not yet been announced but is expected in first quarter of 2023.</p> | <p>Nothing at this stage but keep an eye out for the entrance into force of this change</p> |
| <p>Pilot experiment four-day work week</p> <p>This initiative will be open to all private sector companies that wish to participate. During three to four months, several briefing sessions will be conducted with companies to explain how the study will work. At the end of this period, companies will register to participate in a voluntary, reversible, six-month pilot of the four-day week, with the express support of the employees. The experiment cannot involve a pay cut and must involve a reduction in weekly hours. However, the Government will not offer any financial compensation.</p> | <p>2023</p> | <p>Private sector companies may register to participate</p> |