

Portugal

Definition of collective dismissal

Phase	Labour Code (Law 7/2009 of 12 February)
Native name	Código do Trabalho (Lei 7/2009 de 12 de fevereiro)
Type	Definition of collective dismissal
Added to database	08 May 2015
Access online	Click here to access online

Article

359

Description

Collective dismissal occurs as a result of termination of the employment contract by the employer operated simultaneously or successively within a three-month period of either:

- At least two employees, if the company has fewer than 50 employees;
- At least five employees, if the company has 50 or more employees.

The grounds for collective dismissal which must be demonstrated by the employer are the following:

- market reasons - the reduction of business activity
- structural reasons - economic or financial unbalance, activity change, restructuring of productive organisation or replacement of dominant products
- technological reasons

Commentary

No information available.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: 2 Company size: 2 Additional information: No, applicable in all circumstances

Sources

- [Labour Code \(Law 7/2009, of 12 February\) - updated version](#)~~~ Sargant, M., 2007, Implementation Report Directive 80/987 EEC amended by Directive 2002/74/EC [protection of employees in the event of the insolvency of their employer], Human European Consultancy/Middlesex University Business School~~~

Citation

Eurofound (2015), Portugal: Definition of collective dismissal, Restructuring legislation database, Dublin