

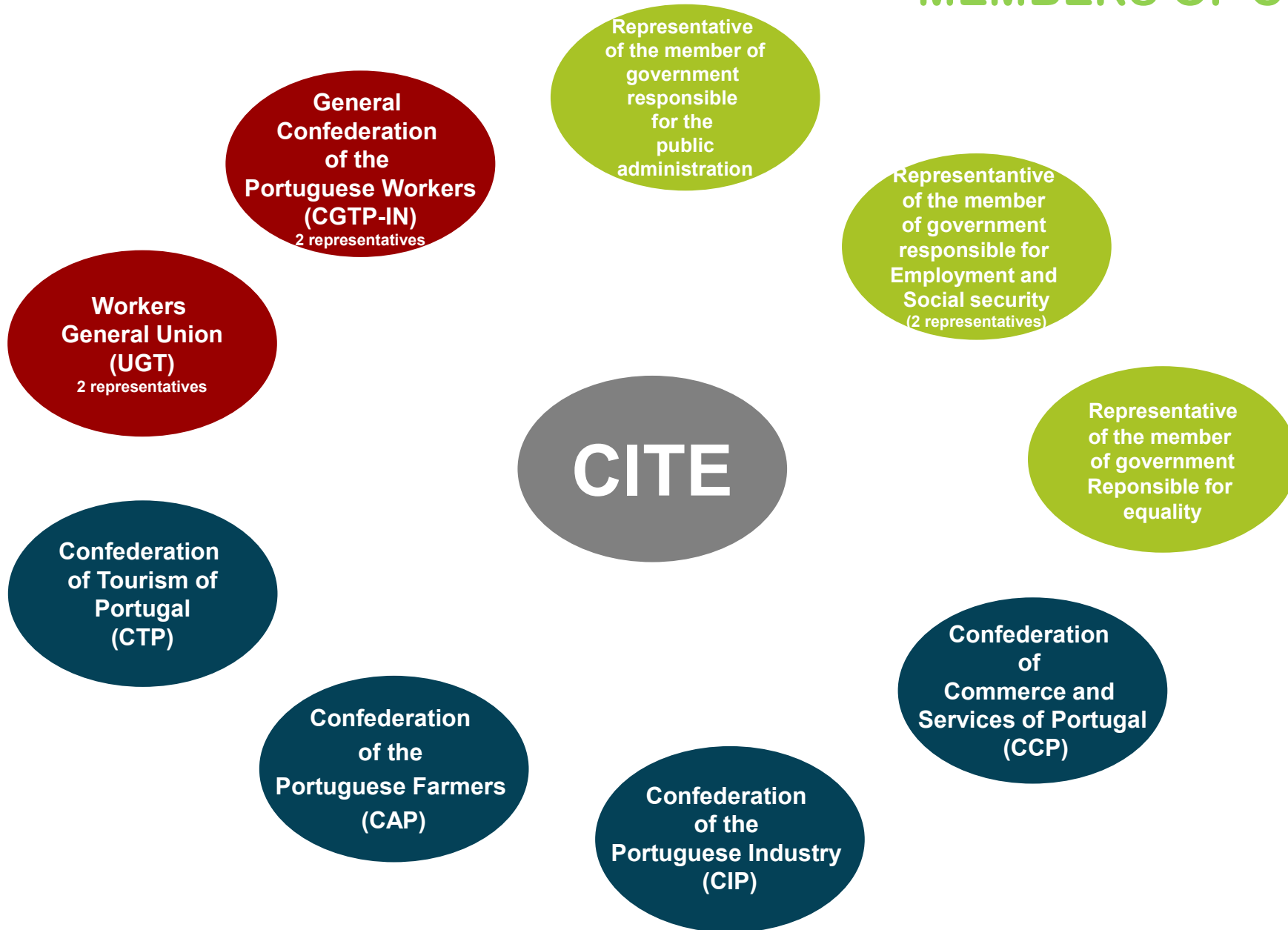
**COMMISSION FOR EQUALITY
IN
LABOUR AND EMPLOYMENT**

17/10/2018



- Entity created in 1979
- National mechanism for equality between men and women in work and employment
- Structure supervised by the government official responsible for the area of employment in conjunction with the government official responsible for the area of Equality
- Tripartite and equilateral composition: 4 representatives of the State, 4 trade union's representatives and 4 employers' representatives

MEMBERS OF CITE



THE CITE'S MEETINGS

- All members meet once or twice a month, or exceptionally by the initiative of the Presidency or by request of a third of its Members;
- The tripartite commission may validate a deliberation if the majority of its members are present. The deliberations are always based on the votes of the majority. The president is entitled to casting vote;

- Pursue **equality and non discrimination between men and women in labour, employment and vocational training;**
- Collaborate in the implementation of legal provisions and conventions in this field, as well as those concerning **the protection of parenthood;**
- **Reconciliation between professional, family and personal life** in the private, public and cooperative sectors.

WHAT CITE DOES

- Promote studies, research and projects concerning equality and non-discrimination in labour, employment and vocational training, as well as good practices for reconciling professional, personal and family life;
- Cooperate at national and international levels with public and private organisations in activities and projects related with CITE's mission;

- Develop and organise training and awareness-enhancing activities in the field of equality in labour, employment and vocational training and of reconciliation of professional, personal and family life;
- Provide legal services and information;
- Appraise the legality of collective bargaining provisions with regards to their compliance with equality between men and women in labour requirements;

WHAT CITE DOES

- Receive complaints and issue legal opinions concerning equality and non-discrimination in labour and employment;
- Issue a legal opinion (within 30 days) which employers must obligatorily request before dismissing any pregnant worker, any worker who has recently given birth or who is breastfeeding, or male worker during the parental leave (paternity leave);
- Issue a legal opinion (within 30 days) which employers must request in advance when they disagree with part-time or flexitime work for male or female workers with one or more children under the age of 12.

WHAT CITE DOES

- Monitoring victims of discrimination based on sex at work, employment or vocational training in cooperation with judicial bodies;
- Mediation of small conflicts, in the case of individual conflict, when requested by both parties;



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**TOOLS FOR PROTECTION THE DISMISSAL OF WORKERS
WHO HAVE RECENTLY GIVEN BIRTH, ARE PREGNANT OR
BREASTFEDING, AND WORKERS ON PARENTAL LICENSE**



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TERMINATION OF THE WORK AGREEMENT

- **Protection in case of dismissal - Article 63.º of the Labour Code;**
- **Information concerning a fixed-term contract - Article 144.º of the Labour Code**



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LABOUR CODE

THE LAW

- **Article 63.º of Labour Code (Protection in case of dismissal)**

“(...) 1 - The dismissal of a pregnant worker, a pregnant or breastfeeding worker on parental leave requires the prior opinion of the entity equality of opportunities between men and women.

2 - The dismissal for a fact attributable to a worker who is in any of the situations referred to in the preceding paragraph shall be presumed just cause. (...)”

“(...) 9 - Violation of the provisions of paragraphs 1 or 6 constitutes a serious misconduct. (...)”



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Data relating to preliminary opinions on intention to dismiss workers who are specially protected - 2012 - 2017 (%)

* Opinions on collective redundancies may relate to more than one working person.

Previous Dismissal Advice	2012	2013	2014	2015	2016	2017
Unanimity	87	73	90	67	70	76
Maioity	13	27	10	33	30	24
Favorable to Dismissal	61	64	48	38	41	54
Unfavorable to dismissal	39	36	51	62	59	46
Men	9	2	7	4	3	6
Women	91	98	93	96	97*	94



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LABOUR CODE

THE LAW

- **Article 144.º of Labour Code (Information concerning a fixed-term contract)**

“(...) 3 - The employer must communicate, within five working days, to the with competence in the area of equal opportunities between men and women the reason for the non-renewal of a fixed-term employment contract concerned is a pregnant worker, who has recently given birth or is breastfeeding.(...)”

“(...) 5 - It is a slight misconduct to violate the provisions of n. 1, 2 and 4 and serious breach of the provisions of paragraph 3.



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The decrease in complaints since the year 2014 is related to the fact that there has been an increase in requests for information, either in writing or by telephone, through the green line.
In the year 2018 and with regard to non-renewals of the contract, the CITE sent 60 participations to ACT.

Evolution of the number of complaints sent to ACT

Ano	N.º
2012	36
2013	23
2014	17
2015	12
2016	12
2017	3



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JOIN ACTIONS WITH ACT



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JOIN ACTIONS WITH ACT

**YEAR 2012 IN
CONJUNCTION WITH ACT**

(Instruments to Support Inspective Action in Combating
Gender Discrimination at Work)

**INSTRUMENTOS DE APOIO À
AÇÃO INSPETIVA NO COMBATE
À DISCRIMINAÇÃO DE GÉNERO
NO TRABALHO**



In 2012 CITE and ACT developed the project "Tools and methodologies to support inspection activities on gender equality at workplace," which aimed to create tools that enable the identification of gender based discriminatory practices at workplaces and increase labour inspectors knowledge on gender equality.

In the project were developed the following activities/materials:

- A training course in gender equality for labour inspectors and a tool to support labour inspection in the identification and characterisation of situations of discrimination based on gender at workplace
- 6 workshops for labour inspectors for the analysis of the difficulties in identifying situations of discrimination based on gender;
- Workshop for the presentation of the results collected in the six reflection workshops held with the labour inspectors, with the participation of some of these inspectors, ACT's regional branches leaders and members of CITE, namely the social partners;
- Pilot training course for the use of the tool built to support labour inspection in the identification and characterisation of situations of discrimination based on gender on workplace;
- Validation of the tools;
- Final conference to disseminate the project results.



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YEAR 2014

Course on gender equality in work
and employment, protection of
parenthood and reconciliation work /
family / personal life for labor
inspectors





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YEAR 2016

The CITE - Committee for Equality in Work and Employment, in a joint initiative with ACT – Authority Working Conditions, will launch the National Action for the Promotion of Gender Equality at Work, with the objective of raising public awareness and the importance of promoting gender equality and decent work, based on four thematic axes: equal pay, harassment, protection in parenting /conciliation and access to work, employment and vocational training, under the high sponsorship of the State Secretariat for Employment.

 IGUALDADE DE GÉNERO
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YEAR 2018

Among other subjects, the training sessions will focus on Protection in parenthood (licenses, exemptions «Law N. 102/2009), September 10» and faults) - Protection in dismissal - Reconciliation of professional activity with family and personal life work schedules, arrangements for work contracts, organization of working time for workers and workers with family responsibilities)





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YEAR 2018

Code of good conduct

Is a instrument that has as its principle the of all employees or employees of the organization / entity respect for diversity, cooperation and teamwork.

The Porpose: aims to prevent and combat the practice of harassment and sexual harassment at work, contributing to the workplace recognized as an example of integrity, accountability and rigor.





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