**WRITTEN ANSWER OF PORTUGAL**

**Questionnaire on ‘Women’s Human Rights**

**in the Changing World of Work’**

**Core questions**

* What are the main trends influencing women’s human rights in the world of work in your national context and their impact:
* on the types of and quantity work available to women, and the quality and conditions of work (including access to social protection and equal pay)?
* for women’s safety (including violence and sexual harassment) at work?
* on women’s rights to organize and claim rights?

The first legal diplomas dealing with women’s human rights in the world of work in Portugal are from 1973. The Commission for Equality in Labour and Employment was established in 1979. Since then, a significant amount of legislation has been approved concerning work-life balance, employment discrimination, parenting protection, harassment at work, gender pay gap, balanced representation of women and men in the workplace, domestic violence prevention and victim’s protection.

The Commission for Citizenship and Gender Equality (CIG) is the national body in charge of promoting and upholding the constitutional principle of equality between women and men. CIG is responsible for executing the public policies in the areas of citizenship, promoting gender equality and and combatting violence against women and domestic violence, as well as trafficking in human beings.

In this context, CIG coordinates the implementation of the National Strategy for Equality and Non-Discrimination 2018-2030 “Portugal + Igual” (ENIND), which was approved in 2018 by a Resolution of the Council of Ministers. Aligned with the 2030 Agenda, ENIND started a new cycle in the promotion of women’s rights and in eliminating discrimination based on a systemic and comprehensive approach to public policy in three major areas: on a) promoting equality between women and men; b) preventing and combating violence against women and domestic violence (including harmful practices such as female genital mutilation (FGM) and forced and early marriages); c) and combating discrimination on the basis of sexual orientation, gender identity and expression, and sex characteristics. These 3 areas correspond to ENIND’s three action plans 2018-2021. For the first time, Portugal has an umbrella long-term equality and non-discrimination national strategy, that brings together and articulates these three areas.

**Labour Market Participation**

In 2018, Portugal´s active population was estimated at 5.2 million people approximately, of which 50.8% were men and 49.2% women. Compared to the previous year, there was an increase of 13.2 thousand people, as a result of the increase in the number of active women (+19.2 thousand) and the decrease in the number of active men (-6 thousand).

The active population, between 2017 and 2018, presented a differentiation according to sex and age, namely:

• Increase in female active population (+ 0.8%) and decrease in male active population (-0.2%);

• Higher increases in the 65 years old and older segments (+ 3.7%) and from 45 to 64 years old (+ 2.0%), while the youngest increased slightly (+ 0.2%) and between 35 and 44 years old (-1.7%) and between 25 and 34 years old (-1.6%) decreased.

• Significant increase in the female active population in the 65 years old and older segments (+ 9.7%), and from 45 to 64 years old (+ 4.0%).

Table 1 – Active population in Portugal, by sex, from 2012 to 2018 (thousands)

***Source:***INE, IP, Inquérito ao Emprego

The activity rate decreased by 1.1 pp between 2012 (60. 2%) and 2018 (59.1%), with the drop being bigger for men (-1.9 pp), from 66.3%. to 64.4%, than for women which had a decrease of 0.2 pp in the same period. Over the past year, the activity rate has increased by 0.1 pp compared to 2017, increasing by 0.4 pp for women and decreasing by 0.1 pp for men.

The inactive population (aged 15 and over) increased in the period between 2012 and 2017 (+ 1.9%, +68.8 thousand people), having decreased in 2018 (-0.4%) with 14.5 thousand fewer people.

It is also worth highlighting:

• A more pronounced increase in inactivity among men than among women, although the inactive population is still mostly female (59.4%);

• A rise (0.8 pp) of the inactive population in the “65 and older” group compared to 2017;

• A decrease between 2017 and 2018 of inactivity in most other age groups, most notably in the “45 to 64 years” (minus 0.4 pp).

**Employment and unemployment**

The employed population (15 years and over), in 2018, was estimated at 4,866.7 thousand people, of which 51.1% men and 48.9% women. After a period of contraction observed between 2011 and 2013, the employed population in Portugal started to face successive records, with an estimated 9.9% growth of that population between 2013 and 2018, around 437.3 thousand people, including mostly over women (11.2%).

Table 2- Employed population (15 and more) in Portugal by sex, 2012-2018

***Source:***INE, IP, Inquérito ao Emprego

Since 2013 the employment rate has maintained a rising trend. The employment rate for the 15-64 age group in 2018 was 69.7%, corresponding to 66.9% for women and 72.7% for men. Compared to 2017, there was an increase of 1.9 pp, higher in women (2.1 pp) than in men (1.6 pp). The rate differential between sexes decreased from 6.3 pp in 2017 to 5.8 pp in 2018.

Comparing the last two decades, data shows an increase in the feminization of employment in Portugal (15-64), from 54.31% in 1995 to 61.6% in 2005, 61, 1% in 2015 (due to economic and financial crisis there was a decrease from 2009 to 2013, from 61,5% to 57,9%) and as stated above to 66.9% in 2016. However, patterns of sexual segregation of employment continue to exist, with male-dominated occupations and female-predominant occupations (Eurostat).

Among the professions of male preponderance stand out those associated with economic and political decision, and that of specialists in information and communication technologies (ICT). In the feminized professions, those related to care and social reproduction stand out.

These trends are reflected in lower wages and pensions for women than men (wage inequality between women and men in 2017 was 14.8% for base salary and 18.2% for gross salary) and the level of social protection, as part of the care work is still carried out in an informal setting.

It is also important to underline that the employment rate by levels of education shows that, with the increase in education, the differences between the employment rates of men and women decrease. Between 2017 and 2018, the employment rate differential between men and women in the most educated segment (ISCED 5-8) remained unchanged from last year's (1.4 pp), but narrowed in the lower education segment (ISCED 0-2) from 13.3 pp to 13.0 pp, due to the increase in the female employment rate (1.6 pp), which surpassed that of men (1.3 pp).

On the other hand, there is an increase in the differential in the secondary and post-secondary education segment (ISCED 3-4), from 4.9 pp in 2017 to 5.1 pp in 2018.

Table 3 – Employment rates (15-64 years) by education levels and sex, 2012-2018

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2012** | **2013** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **Total** | | | | | | | |
| **ISCED 0-2** | 56,2 | 54,7 | 55,4 | 56,3 | 57,0 | 59,8 | 61,3 |
| **ISCED 3-4** | 62,9 | 63,5 | 65,9 | 66,9 | 68,3 | 70,5 | 72,0 |
| **ISCED 5-8** | 78,7 | 76,9 | 79,4 | 80,4 | 81,8 | 83,5 | 85,5 |
| **Homens** | | | | | | | |
| **ISCED 0-2** | 61,2 | 59,4 | 60,6 | 61,6 | 62,4 | 66,1 | 67,4 |
| **ISCED 3-4** | 65,2 | 65,7 | 68,5 | 69,6 | 71,3 | 73,0 | 74,6 |
| **ISCED 5-8** | 79,0 | 78,7 | 81,9 | 81,2 | 83,1 | 84,4 | 86,4 |
| **Mulheres** | | | | | | | |
| **ISCED 0-2** | 50,7 | 49,5 | 49,6 | 50,5 | 51,3 | 52,8 | 54,4 |
| **ISCED 3-4** | 61,0 | 61,5 | 63,4 | 64,4 | 65,5 | 68,1 | 69,5 |
| ISCED 5-8 | 78,4 | 75,8 | 77,9 | 79,9 | 81,0 | 83,0 | 85,0 |

**Source:** EUROSTAT (30/4/2019)

Discrepancies were most visible in people with the lowest and highest levels of education. Thus, in 2018, in the 3rd cycle of basic education, men presented a difference of 14.0 pp above women, while in higher education, women presented a variation of 13.5 pp in their favor (plus 0.5 pp than in 2017).

Between 2017 and 2018, the highlight is the 6.3% (1.3 pp more than men) employment growth of female graduates, as well as the 1.6% reduction in female employment with qualifications up to the 3rd. cycle of primary education (0.4 pp more than men). Also the growth in employment in the secondary education segment, both for men (5.5%) and for women (5.4%).

Table 4- Employed population with 15 and more years old, by level of education and sex, 2012-2018 (thousands)

***Source:*** INE, IP, Labour Force Survey

Regarding self-employed persons and according to the 2017 Quadros de Pessoal[[1]](#footnote-1) (GEP / MTSSS), the feminization rate decreased slightly, from 46.1% to 45.8%, between 2016 and 2017. However, there was an increase in the feminization rate from 40.9% to 41.8% in Qualified Professionals; from 37.2% to 37.8% in Managers, Masters, Team Leaders and Senior Management from 45.7% to 45.9%.

On the other hand, female representation decreased more significantly in non-qualified professionals, from 49.2% to 47.1%; in semi-qualified professionals, from 55.1% to 53.7%; among Interns, Practitioners and Apprentices, from 48.0% to 47.3% and Highly Qualified Professionals, from 49.7% to 49.4%.

From this analysis, it appears that although women have higher levels of educational attainment, the feminization rate of employment still does not reflect it.

In addition, the Labour Force Survey 2018 shows a trend towards continuity in differences between man and women in the distribution by skill level of occupations and economic activities.

Women (35.1%) continue to be better represented than men in non-manual skilled occupations which, compared to 2017, means an increase in the feminization rate of 1.7 pp. In elementary professions women (4.0%) decreased 1.2 pp compared to 2017, with men (6.1%) following the same trend by decreasing 0.4 pp.

In the so-called manual skilled professions, men (40.8%) are overrepresented, while women (13.2%) decreased by 0.2 pp from the previous year.

It should also be noted that between 2017 and 2018, and observing the trend of previous years, the growth of the employed population in the highly qualified professions (+ 1.5%) was more significant in females (2.2%) than in males. (0.8%).

Table 5 – Employed population by level of qualification by sex 2013-2018 (percentage)

***Source:*** INE, IP, Labour Force Survey

It is worth highlighting the growth of female employment in the group of workers of personal services, protection and security and salesmen (55.5 thousand people), in the group of specialists of intellectual and scientific activities (24,5 thousand) and the group of skilled workers from industry, construction and craftsmen (7,7 thousand).

With regard to the distribution of employment by sector of economic activity, there is still evidence of segregation of the Labour market. As such, in 2018, and according to data from the Labour Force Survey, women were more represented than men in the “Human health and social support activities” (83.3%, plus 0.5 pp). than in 2017), in “Education” with 78.5% of employment (+1.3 pp compared to 2017), in the “Other service activities” sector (70.2%, 1.4 pp less than 2017); “Accommodation, catering and similar” (58.1%, 0.5 pp more than in 2017) and also “Consulting, scientific, technical and similar activities” (55.2%, 4.6 pp less than in 2017).

**Work Remuneration**

These trends are reflected in lower wages and consequently in lower pensions for women than men.

According to national data collected by the Ministry of Labour (Quadros de Pessoal), between 2012 (18.5%) and 2017 (14.9%), the average gender pay gap decreased 3.6pp in basic salary. The 1.8pp decrease from 2015 and 2017 was mainly due to the improvement of women’s salaries which grew more than men’s.

In this context, the [Barometer of Pay Differences between Women and Men](http://www.gep.mtsss.gov.pt/trabalho) (issued for the first time in June 2019 by the Ministry of Labour - [www.gep.mtsss.gov.pt](http://www.gep.mtsss.gov.pt/)), shows that, according ot national data collected in the Quadros de Pessoal 2017:

* the gender pay gap in 2017 was 14.8% for base salary and 18.2% for gross salary
* the adjusted gender pay gap (pay gap that does not derive from diferences in the distribution of women and men by sector of economic activity, profession, level of professional qualification, educational level, and senitority).

According to the latest Eurostat data, the gender pay gap in Portugal in 2017 was 16.3% (1.2 pp less than 2016 and 1.5 pp less than 2015), making Portugal the first country with values just above the EU average, with just over 0.3 pp.

**Collective bargaining**

The principle of equality and non-discrimination is enshrined in the Constitution Law of the Portuguese Republic, namely in the general principle set out in Article 13 and by Articles 59, 63, 67 and 68 that were later developed through Labour legislation.

Within this framework there are 3 main issues addressed in collective agreements:

• Harassment in the workplace, addressed by Articles 29 and 127 (1) (k) and (l) of the Labour Code. The prevalence of sectoral or group of companies’ negotiations gives the issue more visibility. In 2018, a compulsory arbitration addressed a specific case.

• Balance between work, personal and family life, addressed by Articles 33 and following of the Labour Code, with effects in a variety of work schemes: from working time arrangements to holidays, overtime work, part-time work, vocational training and occupational safety and health conditions;

• Equality of working conditions in general, gender equality and positive discrimination measures for disabled workers, addressed by Articles 23 and following, and Article 85 and following of the Labour Code.

The existence of a legal regime positively influenced Labour conventions over the last three years.

The most recent legislation being:

* Labour Code amendment by Law No. 73/2017, 16 August, on the regime of protection against workplace harassment;
* Law 120/2015, of September 1, on the extension of maternity and paternity rights;
* Law 62/2017 of 1 August followed more recently by Assembly of the Republic Resolution 72/2018 of 20 March, on the promotion of equal pay between women and men.

**Participation in structures of collective representation of work**

Pursuant to Article 404 of the Labour Code, workers may, for the collective defense and prosecution of their rights and interests, form trade unions, committees and subcommittees of workers, and elect representatives for occupational safety and health conditions at work or other structures provided for by specific law, such as European Works Councils.

**Compliance with Legislation**

The Commission for Equality in Labour and Employment is the national mechanism for equality between men and women at work and employment, created by Decree-Law 392/79 of 20 September. Decree-Law No. 124/2010 of 17 November and, more recently, by Decree-Law No. 76/2012 of 26 March, as amended by Law No. 60/2018, August 21, strengthened its competences as a promoter of social dialogue on gender issues in the workplace.

The Commission is a tripartite body with administrative autonomy and legal personality. It is composed of four State representatives, 4 Union representatives and four Employers organization’s representatives. Decisions are taken by majority vote of the members that attend the plenary meetings, if a quorum is met.

The purpose of the Commission is to pursue equality and non-discrimination between men and women at work, employment and vocational training and to assist in the application of relevant legal and conventional provisions, as well as in the protection of parenting and the reconciliation of work, personal and family life in the private, public and cooperative sectors.

Among other things, the Commission has been empowered to give a reasoned assessment of the legality of Labour provisions as regards their compliance with the requirements of respect for equality and prohibition of discrimination, as provided for in the Labour Code

In addition, the Authority of Working Conditions (ACT) is responsible for verifying the compliance with the rules regarding equality at work and access to employment, in particular the legal provisions contained in the Labour Code and its Regulations that embody the principle of equal treatment and establish a legal framework for combating discrimination.

In this domain, control and enforcement actions result, on the one hand, from a proactive and essentially preventive action, as defined in the ACT Inspective Action Plan, and, on the other hand, from a reactive action resulting from complaints.

Inspection actions are carried out with the purpose of promoting the improvement of working conditions. In the course of the inspection activity, information, technical advice or recommendations are provided to employers and workers.

The purpose of providing information and control in the context of gender equality and non-discrimination at work and employment is to protect the guarantees associated with parenting, the prevention of discrimination at work and employment based on sex and to guarantee equal pay for men and women for equal work.

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* What are the promising practices emerging from your country to ensure the realization of women’s rights to work and women’s rights at work, in the context of technological and demographic change, as well as continuing globalization and the shift towards sustainability? (Laws; economic, labour market and social policies; programmes).

Concerning Public Policies, we highlight the adoption of the following measures aimed at ensuring the realization of women's rights at work based on a systemic approach to the promotion of equality and non discrimination:

* Adoption of the **National Strategy for Equality and Non-Discrimination - Portugal + Equal (2018-2030)**

The National Strategy for Equality and Non-Discrimination 2018-2030 “Portugal + Igual” (ENIND), which was approved in 2018 by a Resolution of the Council of Ministers. Aligned with the 2030 Agenda, ENIND started a new cycle in the promotion of women’s rights and in eliminating discrimination based on a systemic and comprehensive approach to public policy in three major areas: on a) promoting equality between women and men; b) preventing and combating violence against women and domestic violence (including harmful practices such as female genital mutilation (FGM) and forced and early marriages); c) and combating discrimination on the basis of sexual orientation, gender identity and expression, and sex characteristics. These 3 areas correspond to ENIND’s three action plans 2018-2021. For the first time, Portugal has an umbrella long-term equality and non-discrimination national strategy, that brings together and articulates these three areas.

These three action plans are based on the definition of strategic objectives that translate into a total of 131 very concrete measures for the first four years of ENIND’s implementation (2018-2021), to be followed by a revision exercise for the following four years. In turn, these measures translate into indicators with measurable yearly targets, following an approach that is more action-based and operational.

Also, for the first time, ENIND emphasizes the multidimensional nature of disadvantage stemming from the intersection of various discrimination factors, such as sex with age, disability, race and national or ethnic origin. As such, it expressly mainstreams intersecionality as a transversal approach to all three plans, creating specific actions that recognize the specific intersectional needs of women and girls.

Under ENIND, several strategic areas have been pursued, with tangible results, namely at legislative level.

In the area of equality between women and men:

* Concerning balanced representation of women and men in decision-making:
  + In terms of political participation, [Law 1/2019](https://dre.pt/web/guest/pesquisa/-/search/121712770/details/normal?q=Lei+Org%C3%A2nica+n.%C2%BA%201%2F2019), of march 29, raising from 33% to 40% the minimum threshold of women and men in the electoral lists to national and European parliament, elective bodies of municipalities, and members of the Parish Councils
  + Law 26/2019, of March 28, which defines a minimum 40% threshold of women and men among top civil servants in public administration, and in public higher education institutions and public associations.
  + These laws followed the adoption, in 2017, of [Law 62/2017](https://dre.pt/home/-/dre/107791612/details/maximized), of august 1, which defines minimum thresholds of women and men in boards of public companies (33% as of 1 January 2018) and listed companies (20% as of 1 January 2018; 33% as of 1 January 2020). This law has already produced very positive impacts in 1,5 years of implementation, raising the number of women in the boards of listed companies from 12 to 18%, in State companies from 28 to 32% and in local public companies from 20 to 32%.
* Concerning equal pay for women and men:
  + Law 60/2018, of August 21, which creates mechanisms to promote equal pay between women and men for equal work and work of equal value. This law contains four types of mechanisms that reinforce the principle of equal pay for equal work and work of equal value. First, the annual availability of statistical information on the differences in remuneration by company (balance sheet) and by sector of activity (barometer); Secondly, This law creates a duty for companies to have transparent pay policies based on the application of gender-neutral job evaluations; Third, once differences are identified, companies must submit to the Working Conditions Authority (ACT) a plan to assess these differences, to be implemented over a year; Finally; fourth, any worker may ask the Committee on Equality at Work for an opinion on the existence of gender-based pay discrimination.
  + Raising the minimum income over the years from 505€ in 2015 to 600€ in 2019.
* Concerning the desegregation of education and professions, the Government has been implementing, since 2017/18 school year (started as a pilot), the project “Engineers for a day” across the country, that works directly with lower secondary and secondary students to challenge stereotypes in the areas of engineering and ICT, through practical exercises, mentoring and work experiences, to incentivize more girls to choose these areas. Altogether, the project has already involved around 3520 students, 37 schools across the country, 28 companies, 12 higher education institutions, and several others stakeholders such as municipalities, foundations and associations.
* Concerning work-life balance, in December 2018, the Government launched an innovative [work-life balance (WLB) programme](https://www.portugal.gov.pt/pt/gc21/comunicacao/documento?i=3-em-linha-programa-para-a-conciliacao-da-vida-profissional-pessoal-e-familiar-2018-2019-) (*3 em Linha – Programa para a Conciliação da Vida Profissional, Pessoal e Familiar 2018-2019)*, to foster conditions for women and men to be able to balance professional, personal and family life. Its 4 axes (with a total of 33 actions) are intersectoral and range from promoting WLB practices in private and public organizations, including through dialogue with social partners; developing specific action measures in the public administration; improvement of infrastructures, services and incentives in the care, education, transport and health sectors; and producing knowledge.

This programme involves public and private actors in the implementation of very concrete actions. The following can be highlighted:

* Project called *Pacto para a conciliação* (WLB Pact) that brings together public and private organistations (currently 58 and increasing) that voluntarily commit to implementar and certify a WLB management system according to the Portuguese standard NP NP4552:2016. This includes central and local public administration organizations, public companies and private companies. 5 organizatins have already been certified.
* In 2019 the Government launched two funding lines to support SME and public administration organizations in implementing and certifying this WLB management system, in a total of 31.5M€.
* Upon a proposal by the Government, social partners agreed to create a working group to develop WLB measures throughout 2019 and 2020, starting in september 2019.
* In May 2019, the National Parliament approved several changes to the Labour Code, namely: increasing to 20 compulsory days the leave for fathers; in cases of hospitalisation of the newborn, parental leave is extended for the period of hospitalisation up to a maximum of 30 days or for the whole period of hospitalisation if the birth occurs before or at 33 weeks; in all cases where birth occurs before or at 33 weeks, parental leave is extended for 30 days more.
* Granting of a new right to public administration workers to a justified absence of up to three hours to accompany their children up to 12 years of age in their first school day of the academic year- approved by Decree law in June 2019
* Introduction of WLB KPI for public administration services
* Creation of a WLB training module for top civil servants
* Increase of cash benefits for children
* Public investment to reinforce coverage of day cares.
* Preparation of a new fertility survey to be launched at the end of 2019 (last survey was done in 2013)
* Launch of specific funding for the production of studies to evaluate the economic impact of inequalities in the segregation of professions, in pay, and in unpaid work.
* Also, the 2019 State Budget establishes that Government develops support measures for informal carers and cared persons, namely by strengthening their social protection, providing training opportunities for carers, and preventing poverty and social exclusion. A pilot project is being prepared to study and implement a public support network for informal carers and cared persons, namely in terms of house support, counselling, support and training, psychosocial support, support networks, and carers’ right to rest.

In this context, the National Parliament recently approved a Law establishing the status of the informal carer.

* Concerning education, the Government approved a National Strategy for Citizenship Education. Launched in 2017, this strategy aims to give students the tools to understand, value and practice equality in interpersonal relationships, human rights and democratic citizenship. This Strategy develops students’ knowledge and skills regarding themes such as human rights; gender equality (including the issues of violence against women and domestic violence); interculturalism; sustainable development; environmental education; health education; sex education; media education; institutions and democratic participation; financial literacy and consumer education; road safety and risk; entrepreneurship; security, defense and peace; animal welfare; and volunteering.

According to Decree-Law nr 55/2018, of July 6, Citizenship Education is now generalized for all compulsory education levels and vocational education courses. Each school sets a School Strategy for Citizenship Education, defining which themes and projects will be developed by the school community. Several tools have been developed to support schools, including teaching and non-teaching staff, in the implementation of this Strategy, namely:

* + In March 2018, Citizenship Education e-learning training activities for the 235 schools involved in a pilot project on autonomy and curricular flexibility, which were the first to implement the Strategy.
  + In July 2018, a new card game “Agora Falo Eu” (“Now It’s My Turn”) aimed to assess which Citizenship Education themes interest 6-11 year old children more.
  + In September 2018, training courses for the 936 teachers responsible for citizenship education in all public schools.
  + In November 2018, a new smartphone app to be used inside or outside the classroom to help students learn about the strategy’s contents and stimulate collaborative projects with the community.
  + Since December 2018, preparation of a set of projects and resources for each of the Strategy’s themes, as well as diverse learning methodologies for schools, to be made available online.
* In terms of funding, Portugal has been set on channeling public funding to develop specific actions under ENIND’s strategic objectives. For example, in the first semester of 2019 alone, this has translated into the opening of lines of funding totaling 51.9M€, namely to: a) train professionals; support civil society organizations; support projects that combat discrimination in workplaces through tools to eliminate pay discrimaintion and to self assess inequalities; support projects at local level to develop sectoral policies that promote gender equality and to enhance political and civil participation of women and girls; evaluate the economic impact of inequalities in the segregation of professions, in pay, and in unpaid work; to support public and private organizations in implementing and certifying WLB management systems under a national standard; support projects to prevent and eliminate violence against women and domestic violence (VAWDV); to support structures that are part of the national support network for domestic violence victims, namely for support and shelter.
* Government has been gradually implementing gender budgeting. The 2019 State Budget establishes that all public administration services and bodies’ budgets integrate a gender perspective, and should identify which programs, activities or measures will be subject to gender impact analysis in 2019. In 2018 this process has translated into training of relevant public administration and ministerial staff (including on the job training) in a number of sectors, and the production of the corresponding sectoral and global gender budgeting reports.
* Other examples of recent legislation that addresses different aspects of the objectives referred to in the question are:

Resolution of the Council of Ministers no. 114-A / 2018, of 4 of September, approves the National Youth Plan;

Ordinance No. 235/2018 of August 23, fourth amendment to the Specific Regulation in the field of Social Inclusion and Employment, approved in an annex to Ordinance No. 97-A / 2015 of 30 March;

Decree-Law No. 53/2018, of July 2, amends legal social protection schemes in the event of sickness, unemployment and parenting;

Resolution of the Assembly of the Republic No. 244/2018, of August 8, recommends to the Government to combat discrimination against women and to promote gender equality within security forces and services;

Ordinance No. 197/2018, of July 6, regulates Regulatory Decree No. 2/2018, of January 24, a diploma that regulates the conditions of organization and operation of care structures, emergency reception responses and shelters that are part of the national support network for women. victims of domestic violence, as provided for in Law No. 112/2009 of 16 September, as amended;

Resolution of the Council of Ministers no. 80/2018, of 19 of June, approves the IV Plan of Action to Prevent and Combat Trafficking in Human Beings 2018-2021;

Resolution of the Council of Ministers no. 72/2018, of 6 of June, approves the Program of Action to Combat Precariousness and Promote Collective Bargaining;

Resolution of the Council of Ministers no. 61/2018, of 21 of May, approves the National Equality and Non-Discrimination Strategy - Portugal + Equal (ENIND) and its Action Plans;

Decree-Law No. 23/2018, of April 10, changes the distribution of net results of social games operated by Santa Casa da Misericórdia in Lisbon;

Law No. 4/2018 - Official Gazette No. 29/2018, of February 9, gender impact assessment legal framework of normative acts;

Ordinance No. 41/2018, of February 1st, third amendment to the Specific Regulation in the field of Social Inclusion and Employment, approved as an annex to Ordinance No. 97-A / 2015 of 30 March;

Regulatory Decree No. 2/2018, of January 24, regulates the conditions for the organization and operation of care facilities, emergency response and shelters within the national support network for victims of domestic violence.

**Specific questions**

*Technology*

* How is technological change impacting on women’s experiences of work in your national context? (e.g. increasing access to ICTs, robotics, machine learning, automation)
  + What are some of the good practices for supporting women to benefit equally from technological advances? *(laws, economic and social policies, institutional measures, regulation, actions by employers)*

*‘Gig’ and ‘On Demand’ Economy*

* How is the rise of more flexible forms of labour, including the ‘gig’ and ‘on demand’ economy impacting on women’s experiences of work in your national context?
* What are the implications for job security for increased flexibility and women’s caring responsibilities, and for harassment and violence?
* Which groups of women are most likely to be impacted by this type of work?
* What are some of the good practices for ensuring access to social protection for women in informal and ‘on demand’ work? *(laws, economic and social policies, institutional measures, regulation, actions by employers)*
* What are the good practices for women’s collective organising in the context of more flexible forms of labour?

New forms of work as well as more flexible work patterns and organization create new challenges for gender equality. In fact, crowd-work, gig economy, platform work, etc. and their impact on employment and working conditions, in particular in relation to place and time of work, can bring benefits but also harm to work, particularly to women's work.

If there is a risk that is profoundly real to the ongoing changes in industrial relations, it is to break the link that has been created in recent decades between work and social protection. Social protection systems must ensure the necessary adjustments to change labour relations standards in order to effectively protect all eventualities arising from new and atypical forms of employment. Indeed, ensuring access to social protection is also responding to new models of informality in labour relations that tend to increase with technological progress. This is why it is essential to strengthen and reinvent this link between labour relations and social protection, with particular attention to self-employed workers in jobs not associated with conventional employment contracts. In Portugal, we have already taken a step in this direction. A new self-employed contributory scheme has recently entered into force based on a structural change in the contributory relationship between these workers and the social security system, which will enable them to form higher-paying contributory career and thus have access to decent social protection, by the end of their contributory career (Decree-Law nº 2/2018)

The challenges to gender equality in this new reality could be further addressed having in mind that:

• New, more flexible individual work patterns can influence work and personal and family life reconciliation, both positively and negatively.

These new work patterns may give workers more freedom to adapt their work patterns to their needs or preferences. However, these flexible forms of work can also blur the line between work and personal and family life, thus making it more difficult to ensure a healthy balance between work and family life, particularly for women, who still ensure the largest share of housework and care work;

• These new forms of work can also influence gender pay gaps and pension disparities.

Some short- and long-term consequences for men and women may be smaller or less predictable gains, as well as a lack of lifelong social protection rights, which may increase gender inequalities and potentially poverty in retirement age. Hence the importance of reflecting on the adaptation of our social models to new forms of work, especially from the point of view of gender equality.

Regarding national policy to increase the participation of women in engineer and ICT educational and professional areas, through the deconstruction of associated gender stereotypes, see the above reference to the national project “Engineers for a Day”.

*Demographic change*

* How is demographic change in your national context impacting on women’s experience of work?
* What are the implications of an ageing population and of the ‘youth bulge’?
* What economic and social policies are needed to ensure that the growth in the care sector creates decent work opportunities for women? What are some emerging promising practices? *(laws, economic and social policies, institutional measures, regulation, actions by employers).*

Responsibilities and unpaid care work are a major obstacle for women to gain access to the labour market and to advance their careers. To counteract this it is important, on the one hand, that men are encouraged to take up their share of unpaid care responsibilities and work, and that employers allow them to assume and benefit from this caregiving role. On the other hand, it is important to value paid care work, which is underpaid and undervalued because the skills required are often considered “natural” female characteristics.

There is a potential for employment in caregiving work in Portugal, as with an increasingly aging population the demand for care work will grow, but it must be ensured that it is accessible, of quality and developed in a decent work environment.

Therefore, it seems fundamental:

- To promote the professionalization of care and caregivers by providing them with personalized vocational training and regular updates on specific topics and ensuring that they enjoy their full employment rights. Portugal has recently approved the Statute of the Informal Caregiver, which establishes the rights and duties of caregivers, and strengthens support measures for dependent persons.

- To invest in the “care economy” and setting common minimum standards on the rights and social protection of people working in the care sector. That would help to bring visibility and value to this work and better address the demographic challenges associated with the rapid aging of the population;

- To formalize the informal care, namely by the professionalization of the role of informal caregivers;

- To establish adequate working conditions and wages and promote measures to combat undeclared work;

- To better monitor legislation to ensure decent work and the rights of women and men to equal pay for equal or equivalent work.

Regarding national policy in this area see above references to the new national programme on work-life balance which follows an objective of promoting equality between women and men and the equal division of care work, as well as references to recent policy on informal carers.

*Transition to sustainability*

* What measures are necessary to ensure that women benefit equally from the transition to sustainability in your national context? What are some of the promising practices to ensure that green jobs do not replicate existing gender inequalities in other sectors (e.g. occupational segregation, gender pay gap)?

1. An annually compulsory survey to firms on employees. [↑](#footnote-ref-1)