

National Report Portugal

Socio-economic trends and welfare policies

Deliverable 3.1 – November 2006

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Quality is an innovative, quantitative and qualitative research project that aims to examine how, in an era of major change, European citizens living in different national welfare state regimes evaluate the quality of their lives. The project will analyse international comparative data on the social well-being of citizens and collect new data on social quality in European workplaces in eight strategically selected partner countries: UK, Finland, Sweden, Germany, the Netherlands, Portugal, Hungary and a candidate country for EU enlargement, Bulgaria.

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Introduction

This deliverable is part of Workpackage 3. ‘Analysis of the Institutional Context for the project Quality of life in a changing Europe’. Its purpose is to provide the necessary contextualisation for the analysis of the quantitative and qualitative data which would be gathered in the Quality project. It builds upon the work already done in the project: Deliverable 1.1. ‘Literature Review. Theoretical Concepts and Methodological Approaches of Quality of Life and Work’ and Deliverable 7.1. ‘Gender Checklist’. The reports in this collection present information about macro level trends in order to interpret research findings on the meso level (that of the companies under investigation) and the micro level (the values and lifestyles of individual employees). Other reports will examine existing data sources on objective and subjective indicators for the quality of life (D 1.2.) and offer comparative cross-national analysis (D 1.3.). Here we focus on the institutional framework in terms of resources and challenges in front of the quality of life in each partner country involved in the Quality team. The concrete objectives of this exercise were:

- To map current socio-economic and demographic trends concerning changes in work, employment patterns, institutional structures and practices of human resources management, family life, community and leisure, with an expected impact on the quality of life;
- To examine trends in public policies regarding employment and family life related to work-life balance;
- To get insight into the way different policy regimes stimulate or restrain quality of life.

Each report presents the major concerns and opportunities for the quality of life in the national context and makes an attempt to evaluate the impact of the national policy regime (the combination of social rights and services delivered by the state, the market and the family) on the quality of work and the quality of life. The time frame of the analysis is the last ten years. Where relevant, reports refer to major policy and economic changes in a longer time frame, as is the case of the two post-communist countries Bulgaria and Hungary which explore employment, demographic and policy trends since the regime change in 1989. Gender, as well as class (social status) and age (life course), act as the main cross cutting factors in the analysis.

The national reports made use of the following main sources of information:

- statistical data provided by the national statistical offices, Eurostat or other agencies;
- official documents of the national governments, programmes and reports of various ministries and non-governmental organisations;
- research reports and academic publications of national and international sociological agencies, research centres and universities;
- reviews of public debates in the media concerning quality of life and the policy measures deemed necessary to address the challenges;
- consultations with stakeholders and experts from the academia, policy makers and practitioners in the partner countries.

All national reports have similar structure in order to ease the task of international comparison which will be addressed in the next stage in Deliverable D 3.2. ‘Combined comparative report on socio-economic trends and welfare policies in the partner countries’. The reports’ introduction addresses the strategic

topics of national academic and policy debates about quality of life and most pressing issues in each country. The first chapter analyses significant trends in the economic activity patterns and population developments from the mid 1990s to the present and the prospects for the near future. The issues covered are activity rates by gender, age and education, patterns of employment, self-employment and flexible work, unemployment, trends in retirement, disability, sickness, family transitions and fertility rates, diversity of family forms and trends in social inequalities. The second chapter explores the employment policies in the country and elaborates on the patterns of social protection the state is providing for its citizens. Discussed are labour market, unemployment and self-employment policies, programmes for flexibility of work, measures for life long learning and safety at work, wage policies and the practices of social dialogue and their impact on the quality of work. The third chapter focuses on the trends in family policies and the kinds of provisions there are for maternity, paternity and parental leaves. This section of the reports examines the models of care policies (primarily for children but also for other dependents) and family friendly measures offered by the state, employers, community and wider families. It also includes a brief presentation of the significance attached to trends and challenges in health, housing, and leisure policies and policies for the safety in the community and society as a whole, and how these affect the wellbeing of citizens. The conclusion contains the authors' evaluation of the influence of policy interventions (current and in the past ten years) on the quality of life and quality of work and the prospects for the future.

The national reports in this collection represent countries selected before the start of the project with the understanding that they correspond to the main policy regimes. Thus Finland and Sweden have social democratic welfare states, the Netherlands and Germany stand for the corporatist regime, the UK represents the liberal regime and Portugal – the sub-protective regime. Hungary and Bulgaria are post-communist countries moving away from the centralized one-party regimes and are currently combining elements from all the four models above. The ongoing changes in their policy systems make it unclear which welfare regime they are moving toward. However, as the reports attest to, transformations are underway in all other countries under the influence of demographic and economic changes, new technologies and globalisation. Which model of citizenship best provides for the quality of work and life is to be further explored in the course of the study.

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Introduction

In analysing the main employment, demographic and political trends in articulation with the QoL in Portugal we need to bring into focus some factors and dynamics which have been changing the economic structures and cultural features of the country in the last 40 years. From the 1960s onwards, Portugal has witnessed a sea-change in multiple domains of life: in employment, in the family, in cultural values and identities, in the quality of life and work of its inhabitants; in a number of areas, the country has been approaching the patterns of developed countries of Europe. Nevertheless, to properly understand the main trends which have been shaping the Portuguese's QoL we also have to acknowledge, alongside the existence of real movements of change and modernization, the notable permanence of traditional economic and social structures, ways of life and patterns of behaviour which characterized virtually the whole of Portuguese society in a recent past (Almeida, Costa & Machado, 1994; Ferrão, 1996; Machado & Costa, 1998; Almeida et al., 1998; Sebastião, 1998; Almeida et al., 2000; Costa et al., 2000; Martins, 2005).

Three historical moments can be identified which have had extensive political, social, economic and cultural implications and are therefore closely linked with the multiple changes occurring in Portugal in the preceding decades, changes which are still crucial in understanding the main trends of the last ten years: the colonial war of the 60s (in Angola, Mozambique, Cape Verde and Guinea), the Carnation Revolution of April 1974 and the accession to the EU in 1986. All can be seen as being closely linked to important and extensive transformations in cultural values, expectations, ways of living and the QoL, and structural mutations in the political, economic and demographic realms which have changed the main features of the country.

Undoubtedly, Portugal has changed rapidly and extensively in the last thirty years. At the same time there exist, at all levels of the political, economical and cultural structures of the country, traditional societal patterns, which in a certain level can be seen as deficits of modernization. This very specific coexistence of more traditional and modernized characteristics encompasses the main employment, demographic and political trends analysed in this report, which means that to speak of the last decade in Portugal it is necessary to look further back when the main dynamics of change still active today started to take shape.

1. Employment and demographic trends

Employment

Until the 1960s around a third of the population still lived and worked in the rural interior; an associated feature of the population of the time, which is still a persistent structural characteristic of Portuguese society, was the low level of schooling. In recent decades, there has been a reorganisation and redistribution of the Portuguese working population in the different sectors of business activity (Table 1.1): the importance of agriculture has diminished dramatically (4,9% total employment in 2001), while the service sector has rapidly become the most important one (60%). In industry, the evolution of the last ten years has somewhat eluded previous expectations of rapid decline: while the creation of jobs in this sector has in fact diminished, its importance is still considerable and from 1981 (38,7%), through 1991 (37,9%) to 2001 (35,1%), its relative weight has remained remarkably stable. This has much to do with the fact that in Portugal low-qualification jobs and low wages are still very common in industry, making the existence of cheap labour a factor of economic competitiveness. Nevertheless, the last five years have witnessed a big wave of delocalization and labour unrest in industry, coupled with a rapidly increasing unemployment rate in general and in that sector of business activity in particular. This will undoubtedly have an impact on the occupational structure of the country, accentuating the decline of industry's importance in Portuguese employment.

On the other hand, the growth of the tertiary sector is related to the increase of private services offered to consumers, companies and institutions (in areas such as banking, insurance, supermarkets and telecoms, for instance) as well as to the expansion of the public sector in the last thirty years in the domains of education, health and social security.

Table 1.1 *Employment in agriculture, industry, and services (% total employment)*

	Year	1960	1981	1991	2001
Agriculture	M	49,4	19,6	11,7	6,0
	W	17,6	20,0	9,4	3,7
	T	43,6	19,7	10,8	4,9
Industry	M	28,9	43,9	43,3	43,8
	W	29,2	28,5	29,7	24,1
	T	28,9	38,7	37,9	35,1
Services	M	21,7	36,5	45,0	50,2
	W	53,2	51,4	60,9	72,2
	T	27,5	41,6	51,3	60,0

Source: INE [National Institute of Statistics], Censos 1960, 1981, 1991, 2001

It's important to stress that, despite these profound changes in employment in forty years, the Portuguese occupational structure still stands in contrast with some European patterns (Table 1.2A)¹: the % of population employed in agriculture (12,6%/3,9%) and industry (32,3%/24,3%) is still considerably higher

¹ There are some discrepancies between the data of the Portuguese National Institute of Statistics (INE) and the numbers of the European Commission. However the main trends of employment point to the same phenomena.

than the average of the EU15, while the % of population employed in services is much lower (55,0%/71,9%). Alongside schooling patterns, which will be analysed in more detail later, the contrast between the Portuguese occupational structure and EU patterns points to crucial elements of the economic and social features of the country which strongly, and negatively, impact on the QoL and, specifically, the quality of work of its inhabitants: important modernization deficits both in industry and in the services sector, coupled with a slower rhythm of change of the global occupational structure in the last decade stand in contrast with a competitive and rapidly changing European and global context of knowledge and service economies. Furthermore, in Portugal a very large portion of employment in the service sector offers small wages in low-qualification and precarious jobs, mainly performed by women and immigrants.

Table 1.2A Employment indicators (1994 & 2004) – Portugal in the European Context

Indicators		Activity rate (% pop. 15-64) ²		Employment in agriculture (% total employment) ³		Employment in industry (% total employment) ⁴		Employment in services (% total employment) ⁵	
		1994	2004	1994	2004	1994	2004	1994	2004
EU15	M	78,2	78,6	5,7	4,7	36,7	34,1	57,6	61,2
	W	56,3	62,5	4,3	2,8	15,2	12,1	80,5	85,1
	T	67,2	70,6	5,1	3,9	27,7	24,3	67,2	71,9
Finland	M	75,4	76,4	10,8	6,8	38,4	38,2	50,8	55,0
	W	68,7	72,0	6,0	3,0	14,3	12,2	79,8	84,8
	T	72,0	74,2	8,5	5,0	26,8	25,6	64,8	69,4
Germany	M	80,1	79,2	3,2	2,9	44,2	37,0	52,6	60,2
	W	61,3	65,8	2,8	1,6	18,3	14,1	78,9	84,3
	T	70,8	72,6	3,0	2,3	33,1	26,4	63,9	71,3
Hungary	M	66,6	67,2	10,5	7,3	41,9	41,6	47,7	51,1
	W	49,7	54,0	4,1	2,6	25,3	22,6	70,6	74,9
	T	57,9	60,5	7,6	5,1	34,4	32,9	58,0	62,0
Netherlands	M	79,7	83,9	5,4	4,2	31,5	27,7	63,2	68,0
	W	57,7	69,2	2,6	2,1	8,8	7,8	88,5	90,1
	T	68,8	76,6	4,3	3,3	22,3	18,9	73,4	78,2
Portugal	M	78,4	79,1	10,5	11,9	40,7	42,3	48,8	45,9
	W	60,5	67,0	12,4	13,5	25,7	20,5	61,9	66,0
	T	69,3	73,0	11,4	12,6	34,1	32,3	54,5	55,0
Sweden	M	79,1	79,1	5,4	3,7	36,0	34,5	58,6	61,8
	W	74,4	75,2	1,2	1,0	11,1	9,8	87,7	89,2
	T	76,7	77,2	3,3	2,4	23,6	22,5	73,1	75,1
United Kingdom	M	84,3	82,0	1,8	1,3	31,6	26,7	66,6	72,0
	W	66,3	68,6	0,7	0,4	11,7	7,9	87,6	91,6
	T	75,3	75,2	1,3	0,9	22,3	17,9	76,4	81,3

² Hungary: 1996 & 2004.

³ Portugal & Netherlands: 1994 & 2003; Hungary: 1998 & 2004.

Source: European Commission, Employment in Europe, 2004, 2005

Men and women's life courses combine the traditional situation in older generations with the new life-course profiles of the generations born during the second half of the twentieth century. Women's life courses in particular have changed significantly since they entered the labour market. Male recruitment for the colonial wars, their migration to foreign countries, escaping from the war or looking for better life conditions, promoted early female employment from the end of the 60's.

Table 1.2B *Employment indicators (1994 & 2004) – Portugal in the European Context*

Indicators		Employment rate		Unemployment rate		Self-employed (% total employment)		Part-time employment (% total employment) ⁹		Fixed term contracts (% total employment) ¹⁰	
		(% pop. 15-64) ⁶		(% labour force 15+) ⁷		8					
Countries		1994	2004	1994	2004	1994	2004	1994	2004	1994	2004
EU15	M	70,4	72,7	9,1	7,1	18,7	18,1	4,9	7,2	10,7	12,9
	W	49,3	56,8	12,2	9,3	12,6	10,8	30,4	35,1	12,6	14,4
	T	59,8	64,7	10,4	8,1	16,2	14,9	15,4	19,4	11,5	13,6
Finland	M	62,0	69,7	18,1	8,7	18,1	15,0	8,2	9,0	15,3	12,6
	W	58,7	65,6	14,8	8,9	9,6	7,7	14,9	18,4	21,0	19,5
	T	60,3	67,6	16,6	8,8	14,0	11,5	11,5	13,5	18,1	16,1
Germany	M	74,1	70,8	5,9	8,7	11,4	13,3	3,3	6,5	9,8	12,7
	W	55,1	59,2	11,4	10,5	7,8	7,9	33,2	41,6	11,0	12,2
	T	64,7	65,0	8,3	9,5	9,9	10,9	15,8	22,3	10,4	12,4
Hungary	M	59,5	63,1	10,2	5,8	19,5	17,6	2,0	3,2	7,0	7,5
	W	45,2	50,7	8,8	6,0	11,6	10,1	5,6	6,3	6,1	6,1
	T	52,1	56,8	9,6	5,9	16,0	14,2	3,7	4,7	6,6	6,8
Netherlands	M	74,5	80,2	6,0	4,3	17,1	16,4	16,3	22,3	8,6	13,4
	W	53,2	65,8	7,9	4,8	14,3	11,2	66,1	74,7	15,1	16,5
	T	64,0	73,1	6,8	4,6	15,9	14,1	36,7	45,5	11,3	14,8
Portugal	M	74,5	74,2	6,1	5,9	29,1	28,4	4,5	7,1	9,8	18,7
	W	54,4	61,7	7,9	7,6	28,2	25,2	12,3	16,3	12,4	21,1
	T	64,1	67,8	6,9	6,7	28,8	26,9	7,9	11,3	11,0	19,8
Sweden	M	72,0	73,6	10,8	6,5	8,2	7,0	7,3	12,0	13,7	13,5
	W	68,5	70,5	7,8	6,1	2,8	2,6	36,2	36,3	14,5	17,5
	T	70,2	72,1	9,4	6,3	5,6	4,9	20,8	23,6	14,1	15,5
United Kingdom	M	74,5	77,8	11,0	5,1	18,4	17,2	7,5	10,3	5,9	5,5
	W	61,2	65,6	7,1	4,2	8,1	7,6	44,4	43,9	7,9	6,5
	T	67,9	71,6	9,3	4,7	13,8	12,8	24,0	25,8	6,9	6,0

⁴ Portugal & Netherlands: 1994 & 2003.

⁵ Portugal & Netherlands: 1994 & 2003.

⁶ Hungary: 1996 & 2004.

⁷ Hungary: 1996 & 2004.

⁸ Portugal: 1994 & 2003; Hungary: 1998 & 2004.

⁹ Hungary: 1997 & 2004.

¹⁰ Finland & Hungary: 1997 & 2004.

Source: European Commission, Employment in Europe, 2004, 2005

In Portugal, as in other countries of Europe, the entrance of progressively larger numbers of women into the labour force and the increase of the female activity rate (Tables 1.2A & 1.3) has been one of the main driving forces of change and restructuring in a great number of domains, both in the “public sphere” of employment as in the “private sphere” of family relations, as well as in the overarching demographic domain (Costa et al., 2000). Obviously, this phenomenon has to be read in association with the changes that occurred in the occupational structure, namely the expansion of the tertiary sector; also, the country’s global activity rate (73,8% pop. aged 15-64 in the 2nd trimester of 2006, according to the National Institute of Statistics) has been growing in recent years due to the continuous increase in the female activity rate (68,4% in 2006, same source), which is, remarkably, one of the highest in the EU, especially when compared with other Southern Europe countries. Furthermore, when we look at the various age groups of women aged 25 to 39 (Table 1.3), we see that the activity rate has been increasing steadily, reaching notable values in the ultimate census: 85% (25-29), 83,3% (30-34) and 79,9% (35-39). As we will see shortly, the relative unimportance of part-time work in Portugal means that these very high activity rates are usually coupled with full-time work for Portuguese women and mothers, something which has a considerable impact in terms of work-family reconciliation and QoL.

Table 1.3 Activity rates

Years	1960	1970	1981	1991	2001	2006 ¹¹
Activity rate (% each population group)						
Male activity rate	63,8	62,1	57,1	54,3	58,4	58,3
Female activity rate	13,1	19,0	29,0	35,5	45,5	47,6
pop. aged 25-29	19,8	33,1	62,4	74,1	85,0	-
pop. aged 30-34	16,6	29,0	56,3	72,3	83,3	-
pop. aged 35-39	15,3	23,1	49,2	69,0	79,9	-
M	-	-	-	-	79,6	79,4
Pop. aged 15-64						
F	-	-	-	-	64,8	68,4
T	-	-	-	-	72,1	73,8

Sources: INE [National Institute of Statistics], Censos 1960, 1970, 1981, 1991, 2001; Inquérito ao Emprego; European Commission, Employment in Europe, 2002, 2005

The Portuguese labour market is characterized by marked patterns of horizontal segregation: women work largely in very specific levels of the service sector, especially personal and administrative services. There are fewer women in top jobs as managers and professionals and more in elementary occupations, on one side, while on the other side they are strongly present as workers in services (clerks, sales workers, in personal services) and less present as industrial workers. Nevertheless, although 66% of female employment is in the service sector, that number is still far from the average for the EU15, 85% (Table 1.2A).

An important element that helps to characterize the employment patterns and main trends in Portugal has to do with the limited importance of part-time employment, especially female part-time employment, in which the country stands in marked contrast with other members of the EU. Until very recently, part-time

¹¹ 2nd trimester.

work was not recognised in Portugal as a form of work; it was accorded recognition in Decree-law 103/99 of the 26th July, following European Directive 97/81/CE. Because this situation has only recently been regulated, and also due to the generally low level of wages practiced, which makes part-time work an unattractive option, even an economically impracticable one for individuals and their families, Portugal is one of the European Union states with the lowest rates of part-time work. Although it's expanding, it represents no more than 16% (EU15: 35%) of female and 7% of male labour, with the average rate of part-time work for both sexes being 11% (EU15: 19%). Nevertheless, part-time employment has been on the rise in recent years – from 7,9% in 1994 to 11,3% in 2004 – and its importance will continue rising.

Still regarding part-time employment, it's worthy of mention that the Portuguese and the European male profiles are similar among the age groups older than 24 years, while among younger workers Portugal has a lower proportion of part-time male workers. This means that Portuguese young people do not combine part-time work and education as much as those from other countries, and when most of them began to work they had already finished or interrupted the course of their education. In other words, it can be said that for a very important number of Portuguese young people the phase in their life course dedicated to education is shorter than it should be nowadays, in what is called the “knowledge society”; the various shortcomings identifiable in the patterns of schooling of the Portuguese population (Martins, 2005) are obviously articulated with this phenomenon. Furthermore, this is also related to the types of jobs available to young people who enter the labour market after a relatively short period of formal schooling, something which points to the various topics discussed previously concerning the country's occupational structure.

On the other hand, the differences are greater between Portuguese and other European women younger than 50 years. Only among older women can we see similar rates of part-time work between Portugal and the EU15 average. The figures lead us to conclude that part-time work is not generally used in Portugal to combine work and caring for the children, as it is in other European countries. This pattern seems to be more common among older women, who may assume responsibility for caring for the elderly and sometimes their grandchildren, but in a proportion similar to the European average. In any case, nearly 30% of those who work part-time say that they have family obligations, not specifying if they are referring to children or to other family members.

Part-time workers are mainly those with the least education and they mostly work in the services sector, besides those who work in agriculture. Nearly 17% of men and 27% of women would prefer to work on a full time basis (Labour Force Survey, 2001) and some of them, mainly men, hold more than one job. Some national case studies found that nearly 40% of part-time workers interviewed were interested in a full time job (Santana et al, 2000).

As we said, the low salaries in Portugal seem to be incompatible with a certain fixed level of expenses that a part-time worker has to cover for transport, meals, care services, etc. Some of them, nevertheless, use this facility to combine work and education or training. Part-time work is also common among those who do undeclared work in domestic service, for instance. Sometimes these workers hold more than one job: one is legal, in order to give them access to insurance schemes, while the others may remain undeclared. These may also be better paid, sometimes three times more than the declared job. Eurostat data only mention those with a second declared job: around 6% of the employed population.

The patterns of employment status in Portugal differ from the European average in the lower weighting for employees, in the number of family workers - probably associated with agriculture, but also with the number of micro-firms and the extent of self-employment – and in the significant percentage of independent workers, many of them no more than employees in a precarious situation who frequently declare their activities as independent in order to get an occupation. That helps to explain the high rates of self-employment in Portugal (26,9%) when compared to the average in the EU15 (14,9%) (see Table 1.2B). The weighting for managers and directors is relatively low, much less than the European average.

The course of working life tends to begin earlier and stop later in Portugal: behaviour in relation to work shows differences in Portugal and the EU15, mainly between men and women during their life courses. A higher percentage of Portuguese young people is already in the labour market on a full time basis between the ages of 15 and 24, and at the same time almost 20% of the older generation keep working after their sixties. In all age groups the Portuguese population has a greater participation in the labour market. Among women the gap between Portugal and the EU15 is even bigger, with the exception of the 15-24 year age-group. It is to be noticed that less than 2% of European women work after the age of 65, whereas in Portugal this is the case for more than 13% of women in this age group.

In comparison with other European countries, Portugal has one of the highest rates of fixed term contracts (Table 1.2B), 19,8% vs. 13,6% in the EU15, which is another relevant pattern of employment. Particularly in women's work, the % of that type of contract is very significant (21,1%) and has to be understood in the light of other patterns and trends already mentioned: low-qualification and precarious jobs, etc. The negative impact these various factors have on the quality of life and quality of work is very strong, especially when, in Portugal, the possession of a stable job remains a potent social value most people adhere to.

Regarding sick-leaves and temporary incapacity for work, the data available from the National Inquiry of Health (1998/99)¹² shows that from the total number of workers interviewed (21930) 10,4% were temporarily incapacitated for work in the two weeks prior to the moment of inquiry, although less than 40% of those needed to stay in bed 1 or 2 days; 82,6% of those workers who needed to stay in bed did so during less than a week (Graça, 2002).

About 18% of those interviewed received social security support for sickness. Also, the average number of days per year covered by social security support decreased 23,8% between 1991 and 1998; 63% on average of those days were taken by female beneficiaries. The number of sick-leaves decreased also between 1990 and 1998 – about 1.000.000 to 850.000 – while the relative proportion of women taking those sick-leaves increased in the same period – 55% to 60% (op. cit.).

Nevertheless, the average duration of sick-leaves per worker – 62,9 days in 1998 (68,2 days to women and 55,7 days to men) – has been on the rise since 1990.

The general patterns of absenteeism in Portugal also show that the younger workers (20-39 years old) tend to miss work more often due to sickness but for shorter periods of time (less than 30 days), while older

¹² Data from the latest National Inquiry of Health (2005/6) isn't available at the time of writing. In Portugal there subsist large lacunae in the data publicly available regarding absenteeism, sick-leaves and disability.

workers tend to miss work less frequently due to sickness but for longer periods of time (more than 30 days).

29% of the working population missed work due to sickness, accident or other motives for temporary incapacity (10,4%) or went to work despite having complaints about their health state (18,2%) (Graça, 2002). The social and economic implications of these two situations, as well as its consequences over the quality of life of workers and their families are important: they have detrimental impacts, both direct and indirect, on well-being, health, safety, productivity, social security spending, etc.

The Portuguese patterns of absenteeism, sickness and disability remain an understudied phenomenon, and much more needs to be known about the various causes underlying it. Tentatively, a number of economic and social factors can be listed which give some hints to the sociological understanding of absenteeism, namely to the high number of sick-leaves and to their increasing average duration: aging population in general and ageing working population in particular, feminization of the work force, economic crisis and restructuring, the prevalence of low quality precarious and disqualified jobs, importance of the informal economy, growing unemployment and especially of long-term unemployment, non-negligible levels of poverty and social exclusion among the working population, the low level (or non-existence) of health protection and vigilance programs in Portuguese small companies, very long working hours being the norm among Portuguese workers, the lack of an efficient network of formal childcare facilities, an incomplete national health system.

An effective national strategy directed to ameliorate the health problems of the working population is still lacking in Portugal. Fragmentary efforts have been made by companies and by the government to battle against absenteeism, namely through efforts to tighten inspection of sick-leaves, monetary incentives to assiduity, and the creation of increased legal and administrative barriers to absenteeism due to sickness.

Education

Although the last 3 decades have been of rapid and positive evolution in the schooling patterns of the Portuguese population, which thirty years ago were very low and completely out of time in the European context, this is still a domain where there is much to be done in order to reach European standards in such a crucial dimension of contemporary societies (Costa et al., 2000). As we said earlier, despite the profound and encompassing changes towards modernization that have been occurring in Portugal in the last 30 years in multiple domains, there subsist remarkably resistant traditional structures and difficulties. They are clearly visible in the domain of schooling/education where, notwithstanding a very rapid evolution between two generations, there remain many obstacles, dissonances and marked deficits of modernization regarding the qualification of the population (Machado & Costa, 1998; Sebastião, 1998; Costa et al., 2000; Martins, 2005). Although relatively quick, the rhythm of change hasn't been as fast as desired and not up to par with European patterns, and the trends and effects of schooling aren't the same all over the country, with considerable differences existing between regions and social groups; also, the various policy strategies relevant to this domain of Portuguese society have been fragmented, incoherent and largely insufficient in the last two decades (Sebastião, 1998). These factors have strong impacts on the patterns of qualification, employment, competitiveness, development and, ultimately on the QoL.

Using the terms of Martins (2005), who recently analysed various crucial indicators of schooling in Europe, Portugal remains in a highly contrasting position in relation to the majority of EU members (Table 1.4).

Portugal is very far behind the average EU patterns: the population aged 25-64 which possesses secondary education was only 13% in 2002; in the EU15, that number reached 43%; regarding higher education, the differences are smaller but still very significant: 11,4% vs. 21,7%. This gaping deficits remain even when comparing the Portuguese situation of 2002 with the European standards as they where in 1992, something which clearly shows not only the features of what some have called the “incomplete modernity” of the country (Machado & Costa, 1998), but also that it’s evolution in this crucial dimension of contemporary societies has slowed down in the last decade, in absolute contrast with other European countries (Costa et al., 2000; Martins, 2005).

Another indicator which gives a very palpable measure of the schooling deficit of the country is the illiteracy rate, which in 2001 still reached 9%, only 2% less than in 1991 (INE [National Institute of Statistics], Censos 2001). This is an issue which was solved in other EU societies decades ago and which, at least regarding some of the more dispossessed and fragile social groups in Portugal, especially older people, puts into question some basic premises regarding the QoL compared to other EU countries.

Compulsory schooling currently involves 9 years of education. Although there are significant dropout rates at this stage, the number of young people extending their schooling to 11 or 12 years is rising, as is the number of those at university although, as we said, the rhythm of evolution in the last decade has been slower than previously foreseen. In 2001, of young people between the ages of 15-24, 54,5% attended some level of education or training (European Commission, 2001), but only 7,9% of those aged 25-34 years and 1,6% of those aged between 35 and 59 years were in education. On the other hand, among those aged 25-34 years, only 12,8% had a high education degree. In 2004, close to 40% of the population aged 18-24 years wasn’t in the official school system or other systems of education, a number that more than doubles the EU15 figure; in Portugal this pattern hasn’t changed significantly in the last decade (Martins, 2005).

Table 1.4 Schooling indicators pop. 25-64 (1992 e 2002) – Portugal in the European Context

Years	Countries	1992			2002		
		M	W	T	M	W	T
EU1513	Secondary ed.	38,9	34,1	36,5	44,3	41,7	43,0
	Higher ed.	18,5	13,9	16,2	22,7	20,7	21,7
Finland	Secondary ed.	-	-	-	44,0	40,5	42,2
	Higher ed.	-	-	-	28,9	36,0	32,4
Germany	Secondary ed.	59,4	58,5	59,0	60,5	60,9	60,7
	Higher ed.	27,0	14,8	21,0	26,7	17,8	22,3
Hungary	Secondary ed.	-	-	-	62,4	52,5	57,3
	Higher ed.	-	-	-	13,7	14,5	14,1
Netherlands	Secondary ed.	-	-	-	43,7	41,7	42,7
	Higher ed.	-	-	-	27,4	22,3	24,9

Portugal	Secondary ed.	10,7	8,3	9,4	13,3	12,7	13,0
	Higher ed.	9,8	11,2	10,5	9,9	12,8	11,4
Sweden	Secondary ed.	-	-	-	56,7	53,3	55,0
	Higher ed.	-	-	-	22,8	30,0	26,4
United Kingdom	Secondary ed.	35,9	24,6	30,5	53,9	50,7	52,4
	Higher ed.	20,1	17,5	18,9	30,1	28,6	29,4

Source: Martins, 2005

An interesting phenomenon that has emerged in recent years is the increased schooling of the younger generations of women, compared to men. Although in the over-50 age groups women still have much higher illiteracy rates than men, young women now tend to predominate in the upper levels of secondary and higher education: 35,6% of women against 28,6% of men, among those aged 25-34 years.

Demographic trends

As in other countries of Europe, the last decades in Portugal have been of progressive population aging¹⁴ (Table 1.5) (Costa et al., 2000): in the last ten years, the 65+ population group became the second most important, quantitatively, overtaking the ≤14 group. Fertility and birth-rates have also been in continuous decline over the last decade (Table 1.6). Other demographic trends are coupled with these, such as diminishing natural growth rates and infant mortality rates and the rise in life expectancy at birth.

These demographic trends are inevitably articulated with other domains already analysed, and here Portugal has rapidly, from the 1960's onwards, attained patterns characteristic of EU societies. Furthermore, in terms of general demographic evolution and trends in family formation and diversification of family forms, patterns in Portugal are very much aligned with European ones.

Table 1.5 Demographic evolution (%)

Age groups	Years	1960	1981	1991	2001
≤14	M	31,0	27,0	21,3	17,0
	W	27,5	24,1	18,5	15,1
	T	29,2	25,5	19,8	16,0
15-24	M	16,5	17,3	17,1	15,0
	W	16,2	15,9	15,9	13,6
	T	16,3	16,6	16,5	14,3
25-64	M	45,9	46,1	49,9	53,9
	W	47,1	46,9	50,2	52,9
	T	46,5	46,5	50,1	53,4
65 +	M	6,6	9,6	11,7	14,2
	W	9,2	13,1	15,4	18,4
	T	8,0	11,4	13,6	16,4

Source: INE [National Institute of Statistics], Censos 1960, 1981, 1991, 2001

Trends in family formation and diversity of family forms

Family structures in Portugal have suffered profound changes since the 1970s, the general direction being one of modernization and rapid accession to European patterns although, now as in the past, one must stress the existence of plural family structures and non-negligible regional differences (Almeida et al., 1998; Torres, 2002; Aboim, 2003; Wall, 2005). Those trends can be analysed with the help of a set of key structural indicators in domains such as marriage, divorce, fertility, and family forms (Table 1.6).

Demographic statistics reveal that the average age of men on their first marriage in 2005 was 28,9 years, while for women it was 27,3 years. Higher rates of schooling, longer years in the school system and greater difficulties facing young people in finding stable employment, as we have seen, mean that people enter adult life and form their own families later in life (Lewis et al., 1999; Guerreiro & Abrantes, 2005).

Table 1.6 Indicators of family formation and family forms

Years	1960	1970	1981	1991	2001	2005
Indicators						
Marriage rate (°/°° pop.)	7,8	9,4	7,7	7,3	5,7	4,6
Average age of men on their first marriage	26,9	26,6	25,4	26,2	27,7	28,9
Average age of women on their first marriage	24,8	24,3	23,3	24,3	26,1	27,3
Catholic weddings (% total weddings)	90,7	86,6	74,0	72,0	63,0	57,015
Divorce rate (°/°° pop.)	0,1	0,1	0,7	1,1	1,8	2,216
Birth-rate (°/°° pop.)	24,1	20,1	15,4	11,8	11,3	10,417
Fertility index	3,2	3,0	2,1	1,6	1,5	1,4
Fertility rate (°/°° females 15-49)	94,9	86,6	63,9	47,2	49,5	41,718
Births outside marriage (% total births)	9,5	6,9	9,5	15,6	23,8	30,1
Average dimension of family households	3,8	3,7	3,3	3,1	2,8	-
% of households with more than 5 members	17,1	15,9	10,6	6,6	3,3	-
Type of household:						
Households with lone persons – total	16,4	-	-	16,6	19,5	-
People living alone	11,5	-	-	13,9	17,3	-
Several persons with no kinship relation	4,9	-	-	2,7	2,2	-
Single families household – total	68,2	-	-	69,5	70,1	-
Couples without children	14,8	-	-	20,0	22,0	-
Couples with children	47,5	-	-	43,9	41,1	-
Single parent families	5,9	-	-	5,6	7,0	-
Complex kinship households - total	15,4	-	-	13,9	10,4	-

Source: Almeida et al., 1998; INE [National Institute of Statistics], Censos 1960, 1981, 1991, 2001, Estatísticas Demográficas

The marriage rate in Portugal is falling (it dropped from 7,3 marriages per thousand in 1991 to 4,6 in 2005), and although catholic weddings continue to predominate (57%), they are also declining; the divorce rate, on the other hand, has been rising markedly in the first years of this century (2,2 per thousand in 2004, while remarriages constituted 12% of the total number of marriages [Aboim, 2003]).

Births have fallen in a dramatic fashion in the last decades, with the birth rate standing at 10,4 per thousand and the fertility rate at a very low 41,7 per thousand in 2004; also, the number of children born outside marriage has continued to rise since the 1970s, reaching 30% in 2005. All these are clear indicators of the mutations in family relations and cultural values that have occurred in Portugal. Evidently, these changes are also articulated with the transformations in employment and education analysed earlier, namely the entrance of women into the labour force, extended schooling patterns and the rapid rise in the educational levels of Portuguese women.

In the last decades, demographic changes and mutations in the patterns of birth, marriage and divorce, family formation and family relations in Portugal have originated multiple changes and an increasing plurality of family forms (Aboim, 2003): lower average dimension of family households, a sharp decline in the number of family households with more than five members, and a rise in the number of couples without children, of single parent families and of people living alone (Guerreiro, 2003), while atypical family households have not fallen significantly. Many of the latter may include single parent families.

Some of these indicators of family formation and family forms are associated with a high percentage of women in full-time employment who do not take career breaks for the care of young children, as stated earlier. This appears to be a distinctive feature of contemporary Portuguese society in comparison both with the low female participation rates in other southern European countries and with the very high percentages of part-time work for women with children in other central and northern European countries, as we have also seen.

As can be expected, the coupling of high activity rates in women aged 25-39 years with a low % of part-time employment (Guerreiro, 1995) has a considerable and specific impact on the QoL of Portuguese women, even more so when the “double shift” continues to be part of everyday life for the majority of them (Guerreiro, Caetano & Rodrigues, 2006), who have to continuously reconcile work and family responsibilities, sometimes in very stressful conditions. It should also be noted that men carry out very few domestic tasks in Portuguese households. Several studies at national level show that it is the women who, in around 70% of the cases, take care of the household duties (Guerreiro & Perista, 2001; Wall (ed), 2005).

On the other hand, the network of female family mutual support still seems to function for some Portuguese families, while only a few others (12%) can rely on paid domestic help (Guerreiro & Perista, 2001). In the large majority of situations, however, women are burdened with both professional and household work. There has also been a rise in the elderly population and in households of older people living alone who need care services that, often, cannot be provided by family members, since the men and women are in the labour market, something which relates directly to the (lack of) QoL for some of the more fragile social groups in Portugal (Guerreiro, 2003).

Social inequalities

Alongside the schooling deficits already analysed, one dimension of Portuguese society which can have a significant and negative impact on the quality of work and QoL of its inhabitants is the persistence of extensive forms of poverty and social exclusion (Almeida et al., 1992; Machado & Costa, 1998; Capucha, 1998; Capucha, 2005), which affect about 1/3 of the population and are themselves related to the economic modernization of the last decades, especially when strong social mechanisms of protection for

some of the more dispossessed and fragile groups are still lacking (Machado & Costa, 1998). Marked inequalities and an increasing polarization are therefore part of the social fabric of the country, strongly and negatively influencing the QoL of considerable fractions of the population¹⁹.

Within the EU15 context, Portugal remains as one of the countries where poverty and social exclusion have the greatest extent, coupled with some of the lowest levels of purchasing power and the highest levels of inequality (Capucha, 1998, 2005; Fagnani et al., 2004). Also, the difference between the 5% richer and the 5% poorer has been on the rise during the course of the last 10 years even when, from 1974 to 1990, the general tendency was one of slow convergence.

In Portugal, having a job doesn't automatically mean being safe from poverty. In fact, a large fraction of people working in the lowest levels of the various activity sectors – in agriculture, industry, and services – are considered poor, due to various characteristics of the Portuguese economic and employment structure already discussed: low wages, long working hours, precarious working conditions, low quality self-employment, etc. In Portugal, around 40% of the poor are employees or self-employed, a pattern typical of intermediate development societies; these are social categories that, despite being integrated in the social and productive structures, have low levels of quality of work and quality of life, limited future perspectives, ambitions and references, as well as being political conservative or apathetic and vulnerable to paternalism (Capucha, 1998, 2005).

Other, more recent forms of poverty are also a problem in contemporary Portuguese society.

The long-term unemployed tend to be an especially vulnerable group: although only slightly higher in 2004 (3% of labour force) than in 1994 (2,6%), the long term unemployment rate has been on the rise in recent years, following the sharp climb in unemployment and considerable turbulence in the Portuguese economy. Also, for many people the solutions to unemployment are few, often being limited to taking up very low quality and precarious jobs, sometimes in the parallel economy without formal guaranties.

A large group of poor single mothers as been on the rise in Portugal and is also particularly vulnerable to social exclusion, due to persistent negative social images and structural inequalities between men and women regarding wages, quality of work, etc.

Disabled people, which make up about 9% of the population, are also disproportionately present in the more dispossessed groups, and frequently have many difficulties finding (and maintaining) jobs, even ones without quality. This is expressed by low employment rates among disabled groups.

Social inequalities and social exclusion in Portugal also tend to disproportionately affect some immigrant social groups, although migration to the country has been diversifying in recent years and hasn't reached the quantitative importance it has in other European countries (Machado, 1997, 1999, 2002, 2003; Pires, 2002). This happens because the first wave of migration to Portugal, from the 1970s onwards and mainly from the former African colonies, was chiefly composed of young males seeking for work and who usually, although not exclusively, entered occupational sectors characterized by low qualifications as employees, who made low wages for very long hours and were subjected to precarious working conditions, or where absorbed by the informal market (Baganha, Ferrão e Malheiros, 2002; Machado, 1999, 2002, 2003): in 1998, 85% of working immigrants from Cape Verde, 81% from Guinea and 74%

from Angola where in the industry, construction and transportation sectors. Those immigrants are, therefore, vulnerable to social exclusion and poverty. Furthermore, some studies have showed that they tend to stay in those working situations throughout their life-courses, something which contributes to their greater and prolonged exposure to social exclusion. The fact that many immigrants are recruited to work in a non-regulated manner makes them even more unprotected in terms of social and labour rights.

Other indicators that point in the same directions have to do with the “second generation” of immigrants, that is, the sons and daughters of the first generation: in Portugal, students from African ethnic minorities tend to have considerably lower rates of attainment in school; young males with African origins are also overrepresented in the prison population (Machado, 2003).

Nevertheless, the majority of the Portuguese population in a situation of poverty isn't composed by migrants, although most immigrants can be seen as being poor, which means that in Portugal, at least until now, social exclusion, immigration and ethnicity aren't exactly synonyms.

In more recent waves of migration the geographical origin of workers has changed somewhat, with many coming from Eastern Europe, especially from Ukraine, and a second wave of migrants arriving from Brazil (Pires, 2002). Although these workers are usually more qualified than the first wave of African migrants and are more dispersed throughout the industry and business sectors of activity, they also tend to be in precarious working conditions and to earn low wages in construction, tourism and personal services.

Few studies of the migrant groups living in Portugal have been carried out, although this situation is slowly changing; data which would permit us to draw conclusions about the relationships between ethnicity, migration and QoL is not readily available. Nevertheless, we can say that low levels of quality of work and QoL are very likely to be found among some of these minority ethnic groups working and living in Portugal.

Furthermore, the political attention given to migration in Portugal as well as the policy strategies in this domain in recent years have been almost exclusively centred on the migration fluxes and the entrance of immigrants; issues of social integration and labour market regulation have been largely secondary, something which not only helps to explain the dearth of studies about ethnicity and migration, but also, on the medium and long term, will certainly have increased negative consequences in terms of illegal immigration, labour market segmentation, social exclusion and polarisation (Machado, 2002, 2003; Pires, 2002), and of course, the quality of work and the QoL.

2. Employment policies

General labour law in Portugal is seen as having a whole range of measures which are of benefit to the workers and protect them more than the laws in other European countries. Workers cannot be dismissed without good reason; overtime is paid at a 50% higher rate for the first two hours and a 75% higher rate for the third hour; night shifts are compensated for with extra holiday time; both men and women are entitled to use nearly one month each year (around 2 days/month) for the care of family members.

Leave may also be claimed for marriage, the birth or adoption of children and the death of family members. Arrangements for feeding during the first year after the birth of a child are also to be mentioned as entitlements dating from the 70s. New changes have been made since 1996 (Law 21/96). The duration of a normal working week has gone down from 42 to 40 hours and flexible working time has been introduced.

Flexible working hours and night shifts were only allowed in specific sectors, like (Fernandes, 2002):

- protection and security
- hotels
- hospitals
- prisons
- airports
- telecommunications
- postal services
- energy and water distribution
- non-stop industrial production
- agriculture
- research activities

Law 73/98 developed the concept of flexibility but from the economic perspective that companies have different work needs at different times. The average amount of time that a worker can work is calculated for a four-month period, not exceeding an average of 48 hours /week in that period.

Following EC Directive 97/81/CE, Law 103/99 introduced the concept of part-time work, not allowed in Portugal until then.

- a) Part-time work is defined as a period of work not exceeding 75% of the full-time work;
- b) The benefits of a part-time worker are proportional to those of a full-time worker;
- c) Part-time work is allowed for those situations when a full-time worker is not necessary or for female workers who have to combine work with family responsibilities, workers with disabilities or students;
- d) Someone who works full-time can ask to change to another working regime, and vice-versa;
- e) Part-time work can be done some days in the week or during the whole week.

Portuguese collective agreements more often discuss wages than other kinds of benefits and conditions such as quality of work issues. A recent report from the Labour Ministry (2002) mentions that only 22% of the changes occurring in collective agreements between 1997 and 2001 did not deal with financial

matters. Another study about the content of collective work agreements also mentions the low incidence of agreement on other subjects than wages (Lima et al, 1999).

Working hours and the organisation of flexible working time are topics that were discussed after 1997, when the law reduced the working hours from 42 to 40 a week. Paternity and maternity leave has also been the subject of new agreements, since the stipulations of the new laws: Law 142/99 and Decree-law 70/2000.

However, most of the good practices that companies have are no more than compliance with the law. And sometimes the law is not well regarded in many other companies. However some companies may allow:

- flexible time arrangements at the beginning or at the end of the working day (very common in a wide range of firms).
- the temporary replacement of women during maternity leave, instead of loading colleagues with their work (e.g. CAIXA ECONÓMICA MONTEPIO GERAL, a not-for-profit bank).
- a reduction in working time (1 hr/day) with the corresponding reduction in pay for some women seeking to reconcile work and family life (e.g. ACCENTURE).
- special time schedules for parents, mainly mothers, with disabled children (e.g. AUCHAN, a French distribution chain established in Portugal).
- time to study. In accordance with the law, employees who are raising their educational levels are entitled to up to 2 hours a day, with 2 more days to study per course unit (very common, despite being not possible in many companies).
- a reduction in the working week or a compressed working week with a free Friday afternoon (e.g. Salvador Caetano)

In the public administration all these measures have been implemented, with the following arrangement also being very common: the continuous working day. Mainly women, but also other employees, request this type of time schedule, which corresponds to 6 working hours a day, without any reduction in pay.

Another recently implemented arrangement in the public administration, though not used very much is: pre-retirement part-time employment. A 20% reduction in the time schedule is accompanied by a proportional reduction in pay. Created in 1997, this policy is not very popular among employees.

3. Family policies

Discussions about the balance between work and personal life in Portugal deal with different positions: those of politicians, those of employers, those of unions and those of social movements conducted by NGOs campaigning for equal opportunities for men and women or by family associations.

The balance between work and personal life

In Portugal, it is only relatively recently that legislative policy has adapted its objectives to include promotion of the reconciliation of work and family life for men and women.

The main entitlements to parental leaves provided for under Portuguese labour law are summarised below.

Table 3.1 Entitlement to leave under Portuguese law for paid workers

Leave	Duration	Provider	Observations
Maternity	4 months. 30 days extra for each twin born. Up to 30 days can be used before birth. 6 mandatory weeks for mothers. The remaining time can be shared between the mother and the father	100% paid by National Social Insurance System. The amount paid is equivalent to the salary of the mother or the father (for the time used by him)	
Paternity	5 working days. And after the 6 mandatory weeks of maternity leave father can use part or the total amount of the leave time.	National Social Insurance System	
Parental	Up to 3 years.	15 days are 100% paid to the father by National Social Insurance System, if used immediately after the 4 months of maternity/paternity leave	The remaining period is unpaid and for this reason almost never used
Feeding time	Up to 2 hours/day during the baby's 1st year, for feeding. Can be used by mother or father but is usually the mother who benefits from this.	Paid by the employer	
Adoption	100 days, for children under 15 years of age	100% paid by the National Social Insurance System	

Leave	Duration	Provider	Observations
Care for children who are under 10 and/or disabled	Up to 30 days/year	65% paid by the National Social Insurance System (as a sickness benefit)	
Care for the elderly or other close adult family members (partner, parents, children)	Up to 15 days/year	If requested via a doctor, can be considered as sick leave, 65% paid	
Care of severely disabled and chronically ill child, under 12,, including an adopted or step child	Up to 6 months for 4 years	65% paid by the National Social Insurance System	
Special needs (Death of family members)	Spouse or immediate family: 5 days 2 days for other kin or partner	Paid by the employer	
Grandparent's leave	30 days for the birth of grandchildren if parents are less than 16 years old	100% paid by the National Social Insurance System	
Marriage leave	11 days (including wedding day and weekends)	100% paid by the National Social Insurance System	
Sick leave	The necessary amount of time to be cured	65% paid by the National Social Insurance System	
Health time	Some hours during the day to see the doctor, for the employee or family members	Paid by the employer	
Study arrangements	Up to 2 hours/day and 2 days/each course unit for the exams	Paid by the employer	
Sabbatical leave or other kinds of leave without pay	To extend knowledge or for other professional reasons such as seeking alternative employment.	Not paid	Used in the public administration but not in private companies
Seasonal flexible time	Since 1997 firms can organize different time schedules for winter and summer time, but the total amount of hours worked at the end of the year is the same		Employees tend to appreciate these arrangements
Reductions in working time and pay	Workers can apply for a reduction in their working	Not paid	They earn less and in some activities

Leave	Duration	Provider	Observations
for parents with children up to 6 years of age	schedules		have to do the same amount of work. Measure requested by some women with family responsibilities
Pre-retirement part-time	20% time and pay reduction for those who work in the public administration and want to retire gradually		Not very much used

Collective agreements tend to accord with these measures but not to increase the leave or introduce flexible arrangements for the convenience of employees. When adopted by companies, flexible organisation of time is often used to adapt the working time to the profile of the firms' activity and not to the employees' needs. Companies more often give financial benefits than time. Some companies, for instance, may give their employees a childcare or children's education allowance.

In the Law on the Protection of Motherhood and Fatherhood, both parents are equal as regards care of the children (Article 3). Thus, with the exception of the six weeks following birth, which, for health reasons, the mother must take, and the father's individual and non-transferable right to leave consisting of five consecutive or separate working days, to be taken in the month following the birth of a child, the father has the right to paternity leave that is equal to and an alternative to the maternity leave due (120 days), or to the remainder of the latter if the mother has already taken a part of it.

The father may use this leave by joint decision of the two parents if the mother works or, independently of whether she worked, if she dies or suffers physical or mental incapacity following the birth. In the case of the mother's death, the minimum leave stipulated for the father is 14 days (Article in 11 (1)). In addition, if the mother is not breast-feeding, the right to absence to feed the baby may be exercised, by joint agreement, by the father or both parents (Article 14 (3)). Also, if the newborn child suffers from a congenital or acquired disability, the father or mother has the right to a reduction of five hours in his or her weekly workload until the child has completed its first year (Article 12).

When a child under the age of 15 is adopted, either member of the couple that has applied for adoption has the right to 100 consecutive days' leave to be with the child. These days may be taken by one of the parents or both, in separate periods or in succession, in accordance with the joint decision (Article 13).

In the case of sickness or an accident, a worker has the right to be absent for up to 30 days a year to provide urgent and indispensable assistance to children under the age of 10 with whom he or she lives, including adopted and step-children. In the case of hospitalisation, the right to absence exists as long as this situation prevails (Article 15). Where children, including adopted and step-children, have a disability, the right to leave to provide urgent and indispensable assistance does not depend on their age (Article 16).

Furthermore, a worker may have leave of absence for 30 days successively following the birth of grandchildren born to adolescents under 16 years of age, provided that they live under the same roof and the other parent works or is unable to take care of the grandchild through physical or mental incapacity. If both grandparents are workers, the right to leave of absence may be exercised by either of them, by common agreement (Article 27).

During the above-mentioned leaves, absences and time-off, workers (male or female) covered by the general social security system have the right to draw benefit and, in the case of civil servants, to the salary to which they would be entitled if they were actually performing their duties (Article 26 and 27 (3)). With regard to breaks to nurse or breastfeed a baby, they do not entail the loss of salary or any benefits (Article 14 (5)).

Following the transposition of Directive 96/34/EC, the Law on the Protection of Motherhood and Fatherhood then recognised the entitlement of a father and mother to parental leave to attend to a child under 6 years of age, including an adopted or step-child, who is living with them. Parental leave, of which the total duration is three months, may be taken in full-time periods, part-time periods – with normal working time corresponding to half the full-time load – or in full-time and part-time periods. Both parents may enjoy these rights without interruption or in up to three separate periods, though one parent is not permitted to accumulate the right of the other. When the rights mentioned have expired, a worker (male or female) has the right to up to two years' special leave. This may be extended to three years in the case of the birth of a third or additional child (Article 17).

The law also establishes the right of a working father or mother to up to six months' leave, which may be extended to up to four years, to be with a child, including an adopted or step-child, who lives with him or her and is disabled or chronically sick. This applies during the first 12 years of the child's life (Article 18).

The periods of parental and special leave mentioned above do not involve social security benefits or salary payments, unless, with regard to parental leave, in the first 15 days immediately following maternity or paternity leave, they are taken by the father (Article 26 (2)). The lawmakers' intention with this positive action was to encourage a more balanced division of family responsibilities and to strengthen the father's role in childcare. It is worth noting that since this measure was adopted a significant and steadily increasing percentage of men have begun to take the 15 days referred to. Periods of parental and special leave are taken into consideration for the calculation of invalidity and old-age pensions (Article 23 (3)).

Among the rights that promote the reconciliation of work and family life, particular importance is attached to the right of a worker (male or female) with one or more children under the age of 12 to have a part-time, uninterrupted or flexible work schedule (Article 19). It should be mentioned that an employer may only refuse to provide these working arrangements on precise grounds connected with the operation of the company or the impossibility of substituting a worker if he or she is indispensable. Such a refusal always requires a favourable prior opinion by the Committee on Equality in the Workplace and Employment, a tripartite body composed of government representatives and the social partners, with a seat on the Economic and Social Council's Standing Committee for the Social Dialogue.²¹

The Labour Code and complimentary legislation

In Portugal there was long-lasting opposition to labour law codification since it was felt that this field of law was particularly subject to the influence of the economic and social situation and, therefore, in a permanent state of change. On account of this, post-1974 labour law was progressively built up on the basis of the legal regime of the individual labour contract, the above-mentioned Decree-Law 49.408, which was progressively altered and added to by innumerable individual pieces of legislation. The transposition of Community labour directives created an extra element of complexity for a body of law that was itself already marked by heterogeneity and the lack of systematisation. For all these reasons, after various attempts, the Labour Code was drawn up and on 1 December 2003 came into effect, though the coming into force of certain matters remained dependent on the publication of complimentary legislation. The matters whose application was delayed included equality and non-discrimination, in general and on the basis of gender, and the protection of motherhood and fatherhood, that is to say, all the matters mentioned in the previous point. Thus, present-day labour law, in particular the part regarding equality and non-discrimination on the basis of gender and the reconciliation of family and working life, is contained in Law 99/2003 of 27 August, which approved the Labour Code, and the law that regulated it, Law 35/2004 of 29 July.

It should be stressed that, essentially, these two pieces of legislation are not far removed from what was established in Law 4/84, in its final version. Certain alterations, however, are to be noted. With respect to maternity leave, a worker may choose between 120 or 150 days' leave. In the latter case the increased time should be taken after the birth of the baby. These regulations apply equally to a father who takes paternity leave, which is available as an alternative to maternity leave.²² If the person who holds the right to maternity/paternity leave opts for the 150-day leave and is a beneficiary of the general social security system, the daily rate for maternity/paternity benefit is equal to 80% of the reference payment; if a civil servant is involved, remuneration will correspond to 80% of his or her actual salary.²³ If the person chooses the 120-day leave, the benefit will be equal to the reference payment or, in the case of a civil servant, his or her actual salary.²⁴ This solution seeks to avoid the situation that increased maternity/paternity leave will correspond to increased social security outlay.

With regard to the five days' leave to which the father is entitled in the month following the birth of a child, it becomes obligatory, i.e. it is an inalienable right, as happens with the mother during the first six weeks of maternity leave following confinement.²⁵

Furthermore, the period during which the father has the right to paternity leave, in the case of the death or mental or physical disability of the mother, whether she has worked or not, increases from 98 to 120 days. Similarly the minimum period of leave guaranteed to the father in the case of the mother's death has risen from 14 to 30 days.²⁶

The Code also introduces innovations in parental leave when it is taken on a part-time basis, i.e. with a normal working period equal to half the full-time load: this is extended from six to 12 months.²⁷ The lawmakers' intention with this measure was to encourage the use of the scheme for part-time work, given that the rate of uptake is very low. However, with regard to the right of a worker with children under the age of 12 to work part-time or according to a flexible timetable, the maximum period during which he or she may benefit from these schemes is two years²⁸, a limit that did not exist in the former legislation.

In addition, with regard to releasing a pregnant worker or a female worker with a child of less than 10 months from supplementary work²⁹, the Code raised the maximum age of the child to 12 months and recognised the same right for a father who has taken paternity leave on account of the mother's death or physical or mental disability or on account of the couple's joint decision. This terminated a regulation that, in our understanding, was partly discriminatory (Article 46 (2)).

According to the new legislation, during paternity leave a father has the right to the same protection against dismissal as a pregnant worker or a female worker who has given birth or is nursing a child.³⁰

It is to be pointed out that Law 35/2004 established the obligation that, in the appropriate place in the company, employers display information on workers' rights and duties regarding inequality and non-discrimination (Article 31) and maternity and paternity (Article 67).

It can thus be seen that, in the wake of earlier legislation, the Code and the law that regulated it generally sought to widen and deepen a father's rights and responsibilities during the first month of a child's life and, with respect to the principle of gender equality, to encourage a more balanced division of working and family life.

Some reflections on the policies of reconciling work and family

According to what has been stated above, legislative policies since 1974 have been consolidating equality between men and women at home and at work and the reconciliation of work and family life. This is not only the result of constitutional and Community demands but also a social requirement arising from the characteristics of the labour market. In effect, Portugal has one of the highest rates of female employment in the European Union, as we have seen, even though, in recent times, unemployment has been hitting women more seriously than men.

The employment rate referred to above corresponds essentially to full-time work since the figures for both male and female part-time work are fairly limited. It may be noted that the application of the Labour Code, which, as mentioned, increased part-time parental leave from 6 to 12 months, does not seem to have had much effect on this type of work: the statistics have not suffered any significant alteration. The explanation for this fact is connected with our workers' low salary levels, which demand that men and women contribute equally to the family income. According to an OECD study, though women's average pay in Portugal continues to be lower than men's, their contribution to the family income is, on average, around 81% of men's.

In addition, the statistics show that most employed workers, including those with family responsibilities, have a habitual, average working week of between 35 and 40 hours, to which considerable travelling time from home to work and vice versa must be added. Though data on this question is not known, it is also probable that a not particularly negligible number of these workers are covered by the working time adaptability regulations: this means that the normal period of work may be defined in average terms, in which case the daily maximum limit for the time worked may, under certain conditions, reach 12 hours and the weekly maximum limit 60 hours.³¹

From the point of view of the equality of men and women this situation may be considered favourable but it causes serious problems for workers of both sexes with children, old people or disabled people in their care. This is because the social facilities are not up to the desirable level. In effect, if the rate of pre-school coverage is relatively high (70.6% in 2003), the coverage rate for early infancy facilities, in spite of recent efforts, has remained low in relation to existing needs (23.2%)³² and support facilities for old and disabled people are clearly insufficient. Besides this, as a rule, the opening hours of these facilities are rigid, which means that it is difficult for them to respond to the adaptability in working time organisation that is increasingly demanded of the productive structures.

In conclusion, though legislative policies have significantly developed in the direction of reinforcing gender equality and work-family reconciliation, it is necessary to complement them with other policies, particularly in the area of salaries, the organisation of working time, town planning and transport, and the access to social facilities. If this does not happen, it will be difficult to attain the levels of “sustainable economic growth, with better jobs and greater social cohesion” recommended by the Lisbon Strategy.

Concluding remarks

As in many other dimensions of the country's life, the evolution of the quality of work and the quality of life in Portugal is becoming more heterogeneous in the last decade. While the average patterns of living have been increasing as the country approaches European patterns in a number of areas such as demographic structures, family life and urban life styles, in other dimensions such as schooling, occupational structure and poverty, there remain important deficits of modernization which hamper a more rapid and homogenous pattern of development. Portugal is also a country characterized by the existence of wide variations and contrasts, among the greatest in Europe, between social groups in terms of wealth, schooling, quality of work and QoL, and one has to keep that in mind when analysing the trends of the last ten years, as well as the current situation.

In fact, a general tendency of the last decade has been one of societal polarization (Capucha, 2005): while the quality of work and the QoL have been noticeably improving among some groups, generally living in urban centres with relatively stable and qualified employment and benefiting from the partial structural modernization of the country, near 1/4 of the population still lives in poverty and social exclusion.

The dynamics and trends of employment in the last ten years have been influencing the Portuguese working population in a number of ways: deregulation, increasing qualification and flexibility demands, pressing needs of adaptation to change and innovation, demands for greater involvement and dedication to employers. Meanwhile, the precariousness and uncertainty regarding employment has been on the rise, negatively impacting on the QoL. More recent years have been of crisis in the country's economy, with the unemployment rates sharply rising, especially long-term unemployment.

The general qualification levels and employment patterns of the working population are unlikely to change significantly in the coming years, due to the structural characteristics of employment in Portugal: low wages and qualifications, low quality of work and precarious jobs in industry and agriculture as well as in the rising services business sector, very small average dimension of companies and profusion of micro-firms, etc. Also, trends relating to employment flexibility are becoming more visible in Portugal, with negative consequences being particularly evident in the services sector, as they are connected to precarious and disqualified jobs usually done by women and immigrants. Unregulated and exploitative working practices in Portugal have also increased in recent years and will continue to rise, alongside a progressively more diverse flux of immigrants.

The entrance of women into the workforce shows no signs of weakening; this will continue to be coupled to the "double shift", as Portuguese women and mothers keep on shouldering the vast majority of domestic labour and childcare. Also, the occupational structure is still highly gendered: women are concentrated in the tertiary sector, usually in the lowest levels of employment in terms of social status, wages and quality of work (e.g. cleaning, catering, childcare and eldercare, etc.).

The modernization deficits mentioned, coupled with varying speeds of change in a number of areas, also lead to various dissonances between dynamics of change and deep-seated structures: for instance, although the schooling deficits of the country are enormous compared with European standards,

unemployment between graduates has been ever-increasing in the last few years, even when unemployment among less qualified groups decreases. This shows how the employment structures of the country are inextricably intertwined with the educational patterns and also, in this case, the difficulties posed to the country by internally differing rhythms of change, some with positive and other with negative consequences on the quality of work and QoL.

Regarding the family, trends are likely to continue along the same patterns of the last decades: informal conjugality on the rise, increasing plurality of family forms coupled with a decreasing average dimension of families, rising number of people living alone (especially elders), weaker social networks of support and externalization of childcare and eldercare.

Sustained family policies in Portugal are relatively recent, resulting in a still underdeveloped network of childcare, although this has been expanding in recent years and will continue to do so. Also, although the ideology of the state has been one of stimulation to the participation of women in the labour force, this hasn't been accompanied by similar efforts regarding the provision of childcare, the promotion of gender equality or the institution of adequate flexible working arrangements. Portuguese women continue to be employed in full-time partly because they want to, but also due to pressing economic necessities.

When analysing the impact of employment and demographic trends as well as employment and family policies on the QoL, one must take into account the specific characteristics of the state: it's generally recognized that the Portuguese welfare state has never reached the dimensions and importance it has on other countries of Europe, due to deep-rooted historical and political reasons (Santos, 1987; Mozzicafredo, 1997; Capucha, 1998). Even today, the levels of social protection are generally low and policies fragmentary, despite the boosts that occurred since the accession to the EU and especially from the middle of the 1990s onward (Capucha, 1998, 2005).

Furthermore, recent years in Portugal have been of acute economic crisis and divergence from the EU in a number of areas, in simultaneous with the retraction of state provisions.

In general, employment policies in the last ten years have stimulated deregulation and flexibility, the quality of work and the QoL being very recent issues for the state, for the companies and for the unions, the latter still very much focused on wages and recently on the loss of entitlements.

Undoubtedly, workloads, time pressures and employment uncertainties have been increasing in a context of rising flexibility in working conditions, pressing needs of adaptation to change and innovation, demands for greater involvement and dedication to employers.

Recent topics of heated debate are related to retirement, as unions are opposed to various efforts made by the government to institute longer working years and reduce retirement provisions.

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