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# PORTUGUESE CENTRAL PUBLIC ADMINISTRATION OVERVIEW

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**PORTUGUESE CENTRAL PUBLIC ADMINISTRATION  
OVERVIEW**

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## FOREWORD

Dear readers,

Through the Portuguese Central Public Administration Overview publication, we intend to present, without concern for exhaustiveness, the organisation and structure of this administration sub-sector, as well as the public employment regime, with emphasis on the area of human resources management, social protection and senior civil service.

The Portuguese administration underwent an in-depth reform in 2009, in terms of organisation, the system of employment relationship, careers and remuneration, performance assessment, managerial staff status and social protection. One of the examples to be given in this scope has to do with the merit of the employees, measured through performance appraisal, which became the determining and single factor for the development of their careers and remuneration.

One of the challenges that our public administration has been facing for some years, common to other administrations, is the ageing of the workforce, with an impact, among others, on the knowledge transfer, learning and training, motivation, health and well-being of employees. According to the latest six-monthly statistical data (BOEP), there has been an increase in the number of employees in the highest age brackets from 55 years onwards.

Equally challenging is the current context of digital transformation. At this level, the potential of digital technologies has been harnessed in the adaptive processes of public services to the Administration innovation ecosystem, reconfiguring processes, procedures and management models.

We hope this publication will arouse your interest to learn more about the Portuguese public administration. Enjoy the reading!

Directorate General for Administration and Public Employment

1.

# CENTRAL STATE ADMINISTRATIVE ORGANISATION



## 1. CENTRAL STATE ADMINISTRATIVE ORGANISATION

### 1.1. STATE ADMINISTRATIVE ORGANISATION



The Portuguese Republic is a democratic State based on the rule of law, the sovereignty of the people, plural democratic expression and organization, respect for and the guarantee of the effective implementation of fundamental rights and freedoms and the separation and interdependence of powers, all with a view to achieving economic, social, and cultural democracy and deepening participatory democracy.

The sovereign bodies are the President of the Republic, the Assembly of the Republic, the Government, and the Courts.

According to the Constitution, Portugal is a unitary State that is structured and functions under the rule of the self-governing system of the islands and the principles of subsidiarity, as well as of local authorities' autonomy and of

democratic decentralisation of the public service.

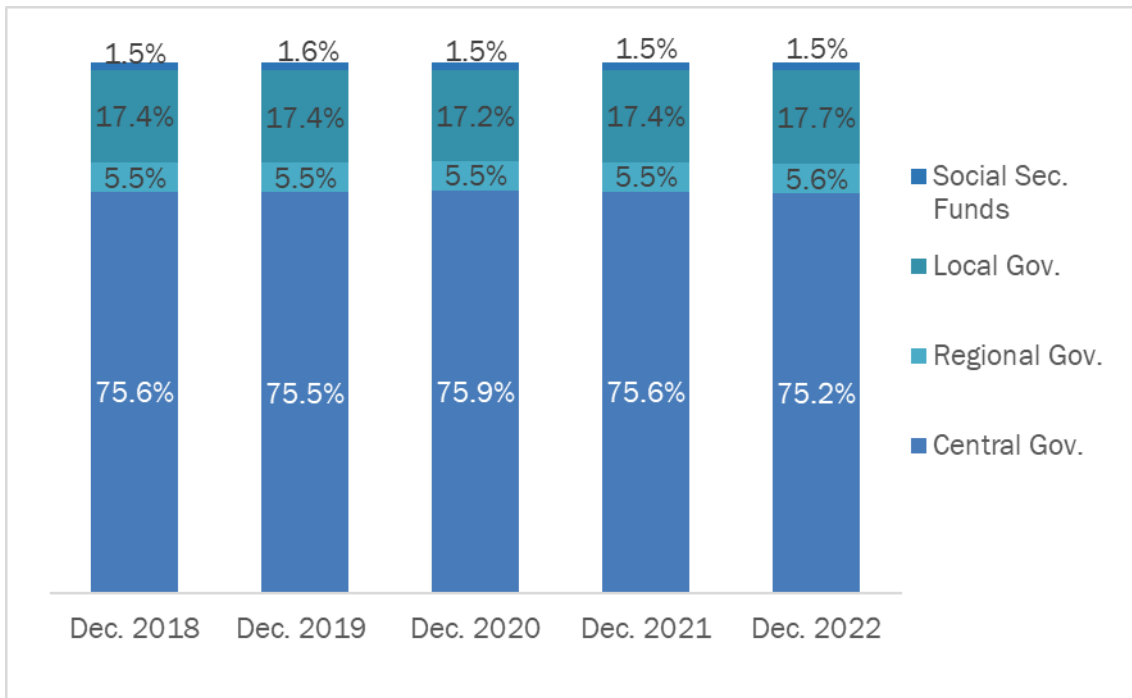
The Portuguese territory is composed of mainland Portugal and the archipelagos of Madeira and Azores that constitute autonomous regions with their own political and administrative statutes and their own institutions of self-government, namely the Regional Parliament and the Regional Government.

Mainland Portugal has three main levels of administrative division: districts (18), municipalities (308) and parishes (3092).

Municipalities and parishes are local authorities defined as territorial legal persons that seek to pursue the lawful interests of their populations. The organisational structure of local authorities comprises an elected assembly with decision-making powers and a collegial executive organ that is accountable to the assembly.

Considering these administrative divisions, there are three main levels of government in Portugal: central, regional (Azores and Madeira) and local. The Portuguese multi-level governance system is quite centralised compared with other OECD and European countries.

Chart 1| Distribution of public employment across Government levels over the last 5 years



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

The proportion of staff employed at central government shows a high public administration centralization level. This is partly justified by the fact that all teaching, health, and police staff are part of the central administration. Instead, public services provision has a relatively low local and regional delegation level, which has been undergoing changes in recent years. Nowadays, local governments are responsible for the production of many public services of major importance to the population since education, social action, land planning up to water supply and treatment, the collection and treatment of solid waste and the promotion of regional development.

## 1.2. GOVERNMENT'S ADMINISTRATIVE POWERS

The Government is the organ responsible for conducting the country general policy and the superior organ of public administration. The main administrative powers conferred on it by the Portuguese Constitution are among others:

- To prepare plans on the basis of the laws relating to the major options and to carry them out;
- To put the State Budget into effect;
- To make the necessary regulations for the proper laws enforcement;
- To manage the services and direct State administration activity, both civil and military;
- To supervise indirect State administration;
- To exercise tutelage over autonomous administration;
- To perform all the activities required by law with respect to the officials and personnel of the State and of other public corporate bodies;



- To promote economic and social development and to meet community needs.

The competence to define public employment policies lies with the Government within the scope of its normative activity. Therefore, matters relating to public employment relationships, careers, compensation, working conditions, social protection, professional development, human resources appraisal, collective labour relations, among others, and the respective regulations are set up centrally and adapted to the local and regional administrations, considering their specificities and constitutional autonomy.

However, although it is up to the Government to take the final decision on these matters, it is compulsory to consult trade unions. Social dialogue in public administration is linked to the rights of trade union organisations to take part in the drafting of labour legislation, which are guaranteed by the Constitution. That means, as is confirmed by the judgements of the Portuguese Constitutional Court that not hearing trade unions concerned implies that the rules adopted are unconstitutional.

It is recognised that social partners play a central role at all levels for the sustainable development of the economy, the labour market and society in general.



2.

## PUBLIC ADMINISTRATION STRUCTURE

## 2. PUBLIC ADMINISTRATION STRUCTURE

The Portuguese Public Administration is composed of three main administrative levels: Direct State Administration, Indirect State Administration and Autonomous State Administration.

The relationship the entities within these levels have with the Government differs and is increasingly tenuous. Direct State Administration entities are subordinate to the Government (hierarchical steering power), Indirect State Administration entities are subject to State supervision and control and Autonomous Administration entities are subject only to control (auditing and legality oversight powers).

### 2.1. DIRECT STATE ADMINISTRATION

The direct State administration comprises all organs, services and agents integrated into the legal person State which, in a direct and immediate manner and under the hierarchical dependence of the Government, develop an activity aimed at meeting collective needs.

Ministries are government departments, headed by a Minister, which include services of the direct State administration and, normally, supervise organizations of the indirect State administration.

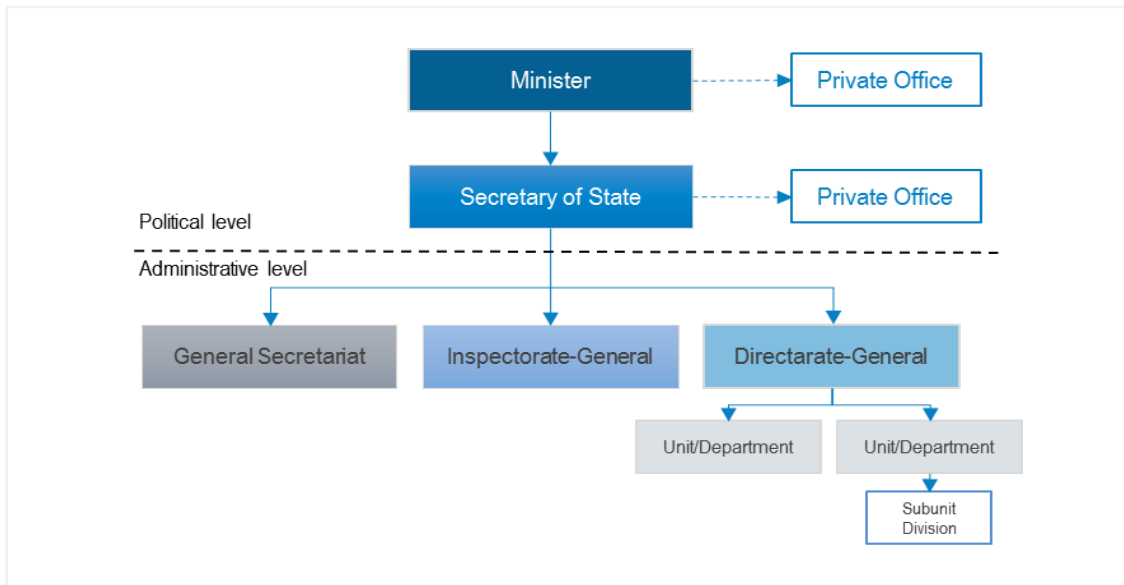
Common functions to ministries are:

- To prepare, adopt, implement, monitor and evaluate public policies in the respective area;
- To define the strategy;
- Drawing and follow up of the operational budget implementation;
- Planning of public investment and corresponding budget drawing up and implementation;
- Human and organizational resources management as well as administrative modernization;
- Technical follow up of the Portuguese participation in the European institutions and in the EU policies;
- International relations within the scope of its responsibilities.

Ministries' organic laws shall compulsory include:

- Definition of the respective tasks/responsibilities;
- Organic structure needed for the operation;
- Distinction of organizations that belong to Direct and Indirect Administration.

Figure 1 | A Ministry standard flowchart



## 2.2. INDIRECT STATE ADMINISTRATION

Indirect State administration includes public entities, other than the State legal person, with legal personality and administrative and financial autonomy, which carry out an administrative activity that pursues purposes specific to the State. It is State administration because it pursues its own ends and indirect administration because legal persons distinct from the State pursue these ends. It comprises four types of entities:

- Personalized services
- Personalised funds
- Public foundations
- Corporate public entities

Personalised services are legal persons of an institutional nature with legal personality, created by the public authorities to carry out certain functions of the State independently of the legal person. This is the case, for example, with the National Institute of Statistics whose mission is to promote and disseminate official statistical information or with the Institute of Employment and Professional Training whose mission is to promote the creation and quality of employment and combat unemployment through the implementation of active employment policies.

Personalised services are also public universities, which are not in the nature of private law foundations and non-business public hospitals.

Personalised Funds are legal persons under public law, established by act of public power, with patrimonial nature. They are earmarked for the pursuit of certain special public purposes, as is the case, for example, with the Social Services of the security forces.

Public foundations are non-profit legal persons governed by public law, with their own organs and assets and administrative and financial autonomy. The State, the Autonomous

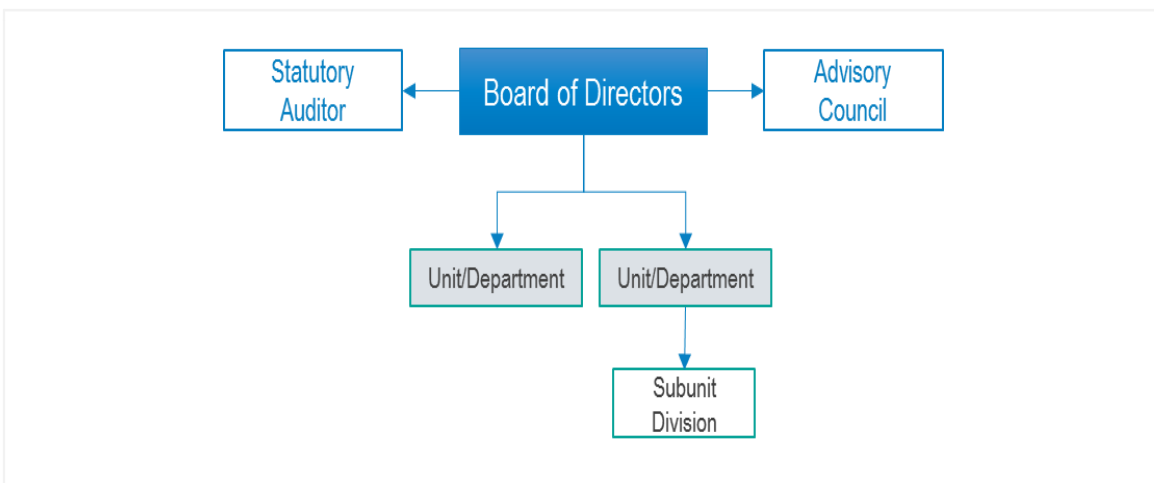
Regions, or the municipalities can only create them, alone or jointly. Their purpose is the promotion of any public interest of a social, cultural, artistic, or other similar nature.

Corporate public entities are collective persons of a corporate nature, with a profitable purpose, that aim to provide goods or services of public interest, in which the State or other State public entities hold all the capital.

A main set of entities within indirect administration level are public institutes. Public institutes pursue to provide public services and ensure public functions of operational nature.

A framework law was set up to regulate these public services defining their general and management principles, classification, legal system, purpose, setting up requirements, statutes, as well as their internal organization.

Figure 2 | Public Institute typical flowchart



### 2.3. AUTONOMOUS ADMINISTRATION

Autonomous administration is composed of a group of entities which main aim is to pursue the interests of their populations or members, holding full autonomy and independence to define their orientation and activity. Within autonomous administration are included three types of entities:

- Autonomous regions of Madeira and Azores (regional autonomous administration)
- Local authorities (local administration)
- Public Associations

Regional and local administrations' structures are identical to that of the State administration, thus making it possible to differentiate between direct (central and peripheral organisations) and indirect regional and local administration (e.g., regional, and local public enterprises).

However, these entities have their competencies limited to matters of interest to the

respective communities that are not constitutionally and statutorily limited to State administration (e.g., national defence and foreign affairs) and to the geographical division corresponding to the region or local authority.

As far as Public Associations are concerned, these are legal persons created by public authority to ensure the pursuit of non-profit making interests of a group of individuals organized to pursue such interests. Public associations are, for example, the Professional Orders and Chambers of Lawyers and Solicitors, Doctors, Engineers, Statutory Auditors, etc. since they constitute associations of members of their respective professions that regulate and discipline the exercise of their activity.

Figure 3| Summary table

PA entity groups	Definition	Composition	Government Power
Direct State Administration	Composed of organizations integrated in ministries that conduct activities to meet public needs	Central Services: have competency at national level (e.g., Directorates-General; General Secretariats).  Deconcentrated/peripheral services: have limited territorial competency (e.g., Regional Directorates: Education; Agriculture).	Steering power
Indirect State Administration	Made up of organisations with administrative and financial autonomy pursuing State specific goals	Legal bodies of an institutional nature - set up by public power to pursue specific State functions (Public Institutes: e.g., National Statistics Institute; Industrial Property Institute).  Legal bodies under public law - set up by public power act with patrimonial nature (e.g., Security Forces Social Services).  Public companies - are profit making, business-based public bodies in which the State owns the entire capital (e.g., Hospitals, Port Authorities; Transportation Companies; National Theatres).	Superintendence and supervision power
Autonomous Administration	Composed of entities pursuing their members' interests and autonomously defining their activity	Regional Administration: territorial nature (Autonomous Regions of Madeira and Azores).  Local Administration: territorial nature (local authorities: municipalities and parishes).  Public Associations: set up to ensure non-profit interests of a group of individuals (e.g., professional public associations such as the Bar Association)	Legality oversight power



3.

## PUBLIC EMPLOYMENT

### 3. PUBLIC EMPLOYMENT

#### 3.1. PUBLIC EMPLOYMENT SCHEME

Public employment scheme has been subject to a major reform in the early 2000s guided by the paradigm shift in public administration, marked essentially by the introduction of New Public Management (NPM) principles into public management, which consisted in strengthening results-oriented management rather than a procedural approach.

The main policy measures adopted in this context have focused on:

- Promoting the approximation to the private employment regime, always respecting PA specificities;
- Submission to the same regime in fundamental public employment areas, regardless of the employment relationship modality;
- HR management articulation with the organisation objectives;
- Maintenance of a career perspective for all employees;
- Strengthening of merit-based career development;
- Reinforcement of mobility;
- Convergence of PA social protection regime with the general regime.

As a result, today the major differences between public and private employment schemes can be summarised as follows:

Public employment scheme	Common scheme (private law)
Disputes arising from the public employment relationship are decided by administrative and tax courts.	Disputes arising from private employment relationships are decided by labour courts.
Contracts shall be subject to written form.	Freedom of form (with exceptions).
During the trial period, only the employee can terminate the contract.	Free termination of the contract by the parties.
Short-term contract - legal exhaustive identification of situations in which it is allowed.	Short-term contract - identification of situations only as examples.
Termination of the open-ended contract - no possibility of dismissal unless for disciplinary reasons.	Termination of the open-ended contract - different forms of dismissal are foreseen.

#### 3.2. GENERAL LABOUR LAW IN PUBLIC FUNCTIONS

Despite the approximation towards the labour law, a specific public employment scheme was established through the General Labour Law in Public Functions (GLLPF), which is justified by the specificity of the public service attributions, values, and accountabilities.



The GLLPF regulates vast matters ranging from public employment relationship, careers, mobility, remuneration, termination of the employment relationship, open competition procedure, working time, holidays, absences, disciplinary sanctions to rights, duties and guarantees of the public employee and public employer, and collective bargaining.

Other issues like performance assessment, training, recruitment procedure, work-related accidents, occupational diseases, safety and health at work and the senior civil service are regulated in separate complementary legislation.

The definition of public employment policies and the respective regulation are government responsibility.

The GLLPF applies to:

- Direct and indirect state administration entities;
- Regional autonomous administration organisations with due adaptations;
- Local administration organisations also with necessary adaptations;
- Bodies and supporting services to the Parliament;
- External peripheral services of the Foreign Affairs Ministry;
- Other public employees with public employment contract who do not fulfil functions in the above entities.

However, it does not apply to:

- Supporting offices of Government's members and holders of regional and local government bodies;
- Public corporation entities;
- Independent administrative entities with regulation functions of the economic activity of private, public and cooperative sectors;
- Bank of Portugal.



4.

## HUMAN RESOURCES MANAGEMENT

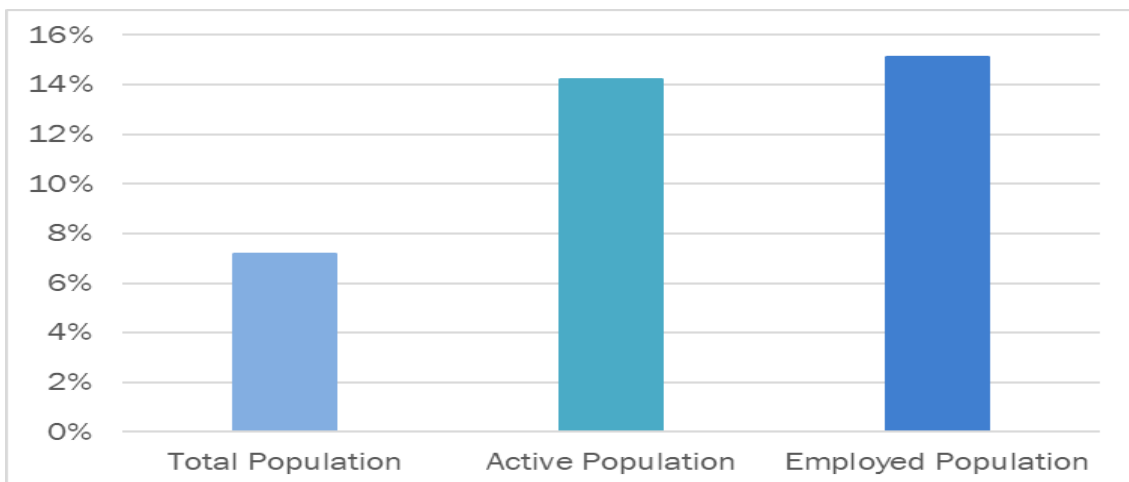
## 4. HUMAN RESOURCES MANAGEMENT

### 4.1. STATISTICAL DATA

Recognising the importance of having statistical information for employment policies definition and decision-making, central government administration produces data on a quarterly and annual basis, made public through two publications: The Statistical Synthesis of Public Employment (known as SIEP) and the Statistical Bulletin of Public Employment (known as BOEP) respectively.

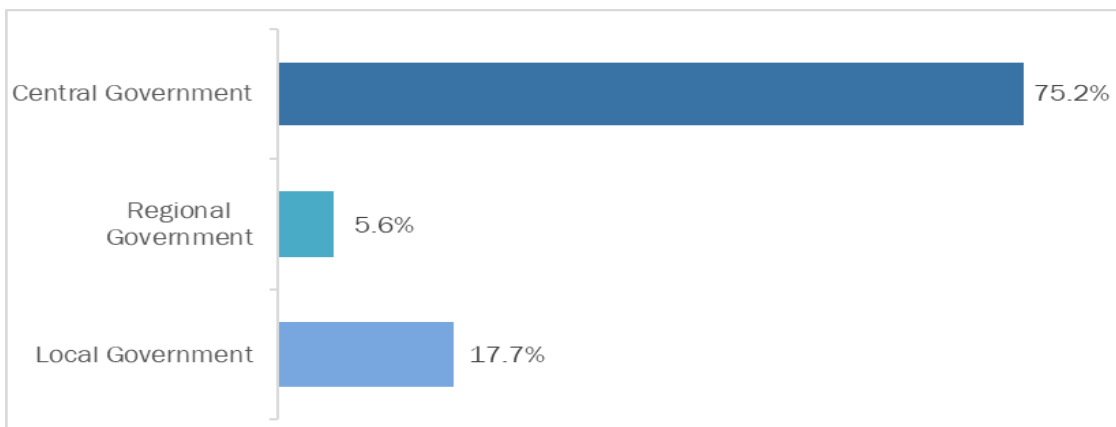
In December 2022, public administration sector represented 7.2% of the total population (administration ratio), 14.2% of the active population and 15.1% of the employed population.

Chart 2 | Public employment shares in the labour market (2022)



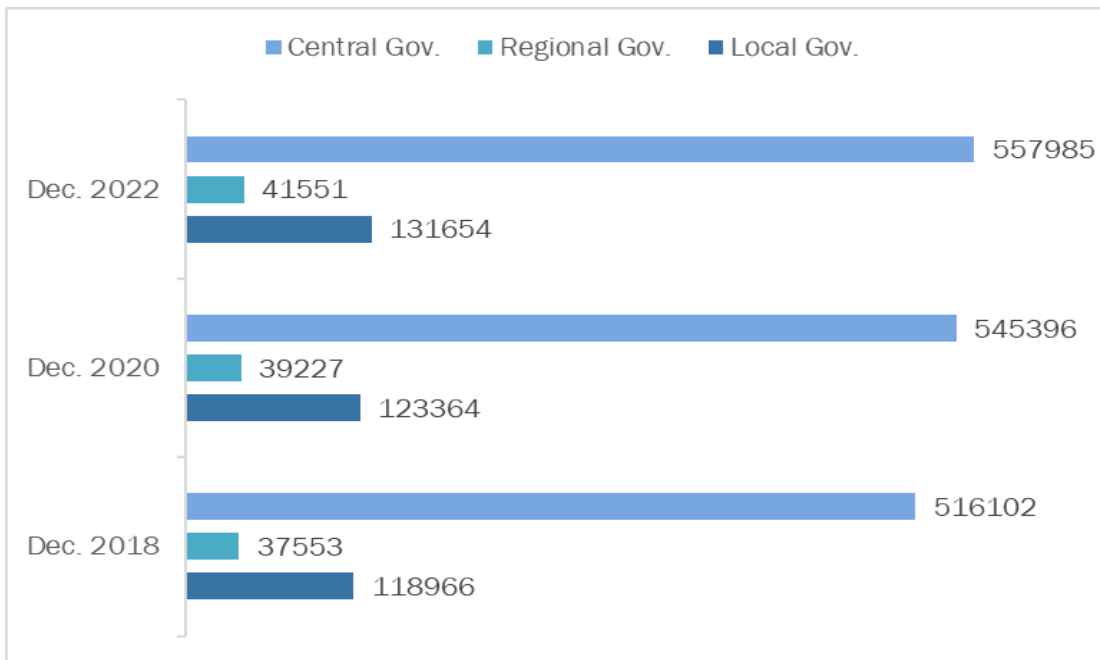
Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

Chart 3 | Public employment at Central, Regional, and Local government levels (2022)



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

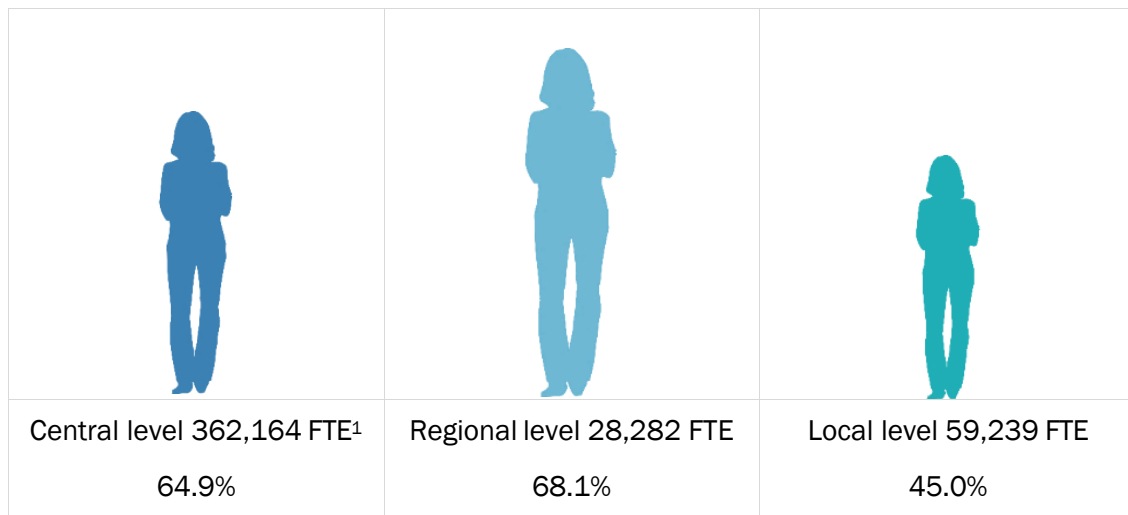
Chart 4 | Public Employment over the last 5 years



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

At the end of the 4th quarter of 2022, 61.8% of general government workforce were women. They represented 17.5% of the active population of the same sex.

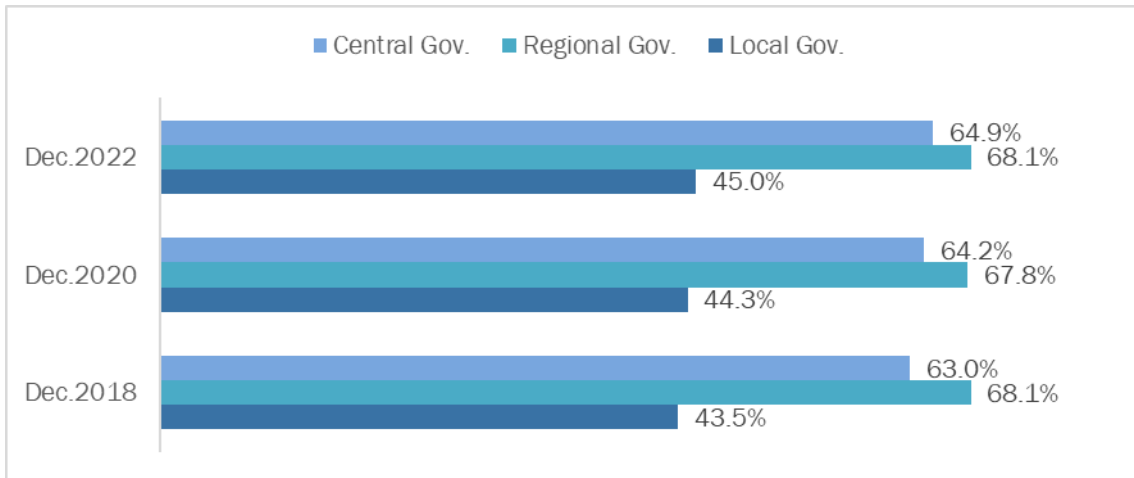
Figure 4 | Women in Central, Local and Regional governments (Dec. 2022)



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

<sup>1</sup> Full Time Equivalent

Chart 5 | Women in Central, Local and Regional governments over the last 5 years

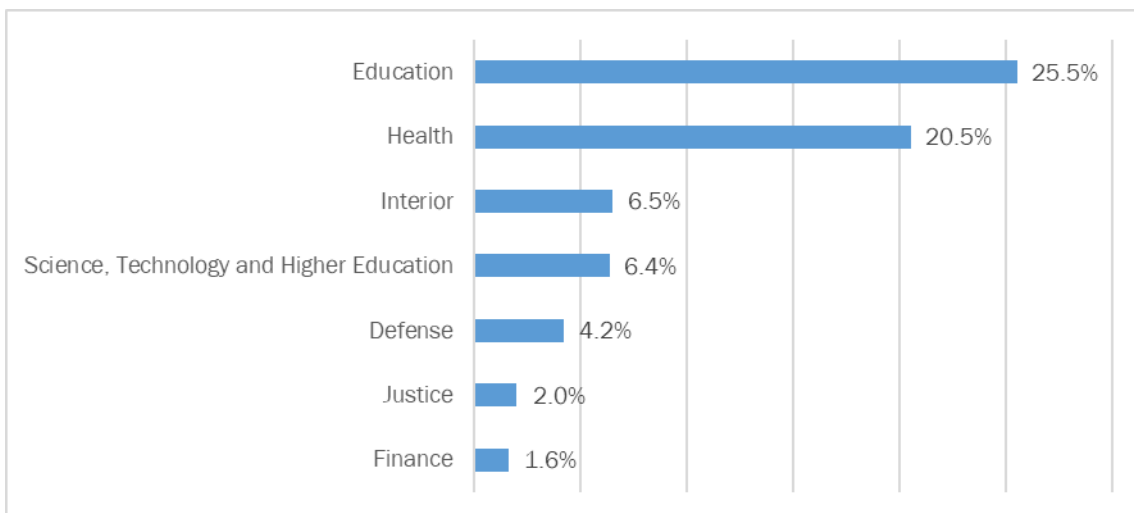


Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

The Ministry of Education accounts for a quarter of all central government employees, followed by the Ministry of Health.

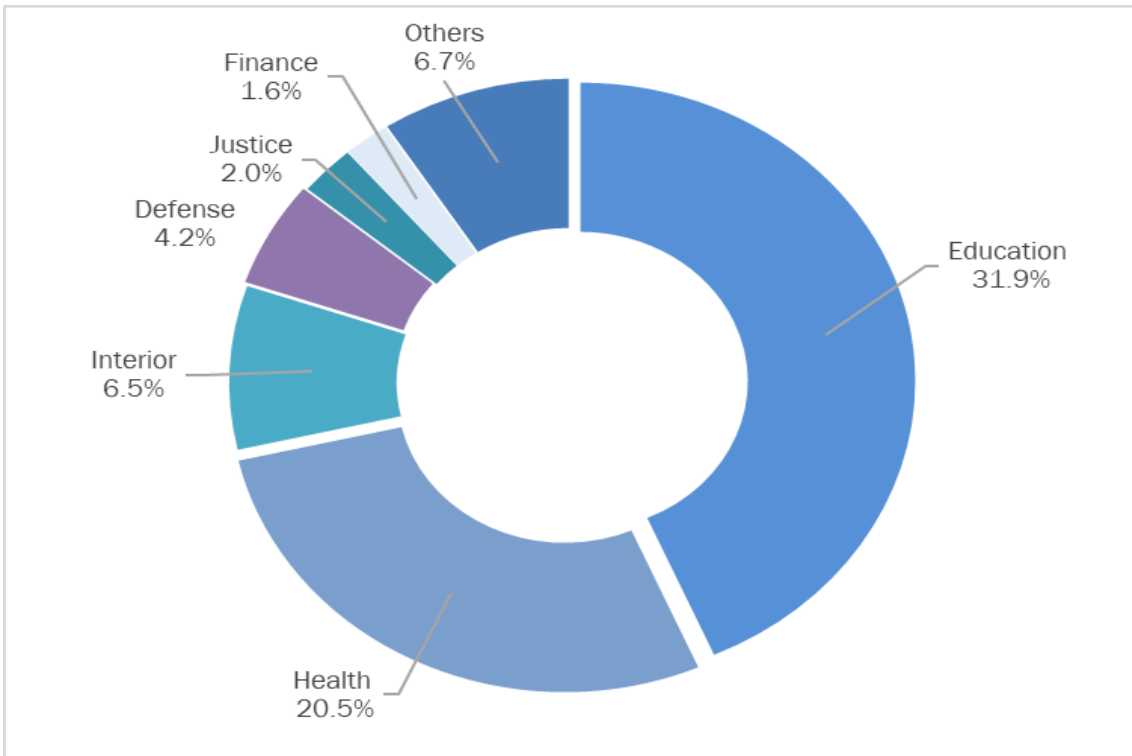
Together with the Ministry of Science, Technology and Higher Education, the education area represents 31.9% of total employment at this level of government.

Chart 6 | Employment by government areas (December 2022)



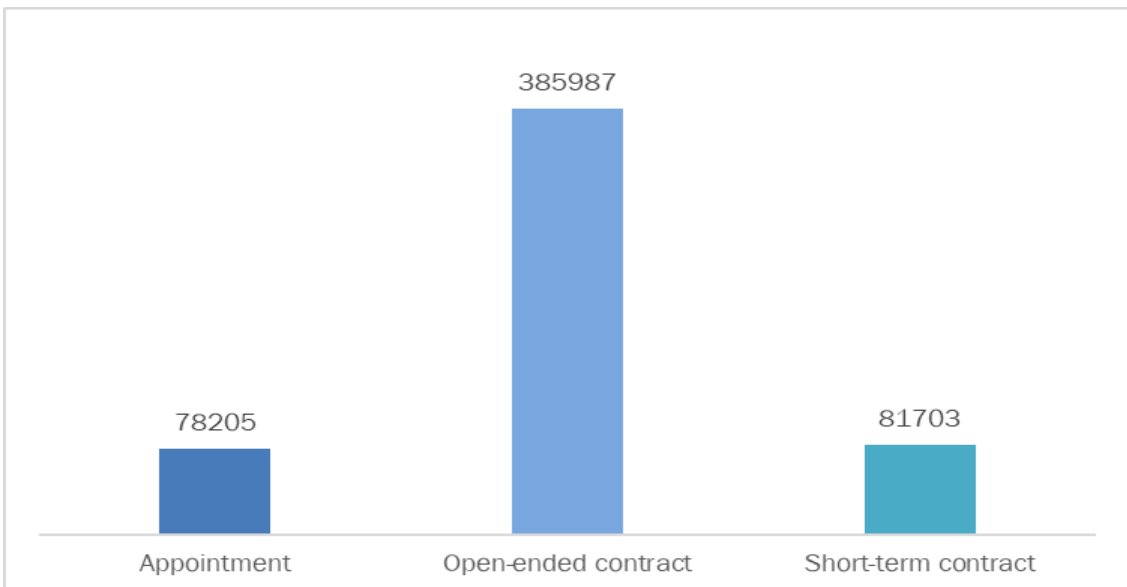
Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

Chart 7 | Work posts by policy area at Central Government Administration



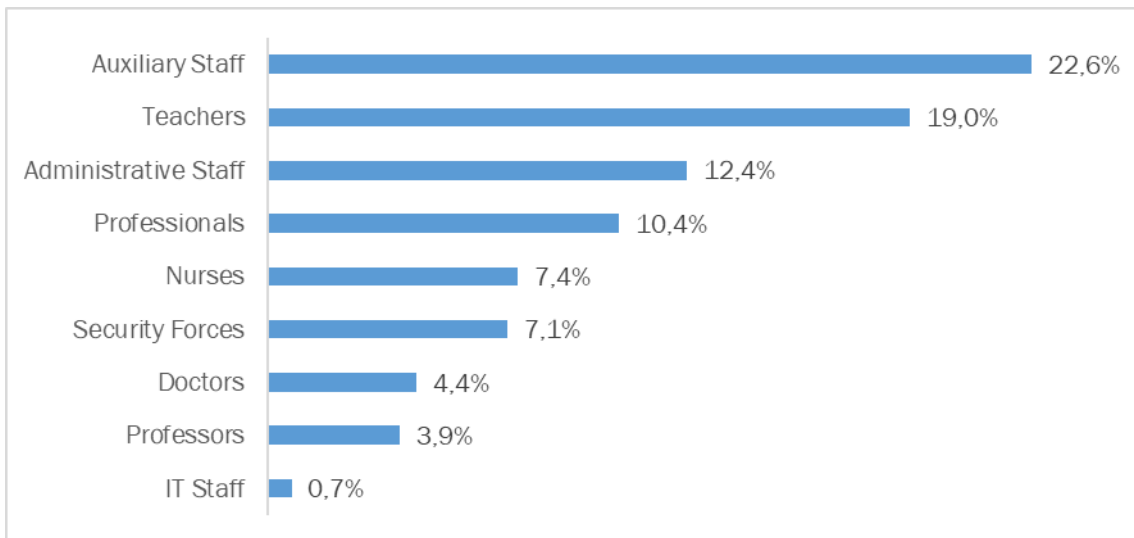
Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

Chart 8 | Types of employment status in central government (2022)



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

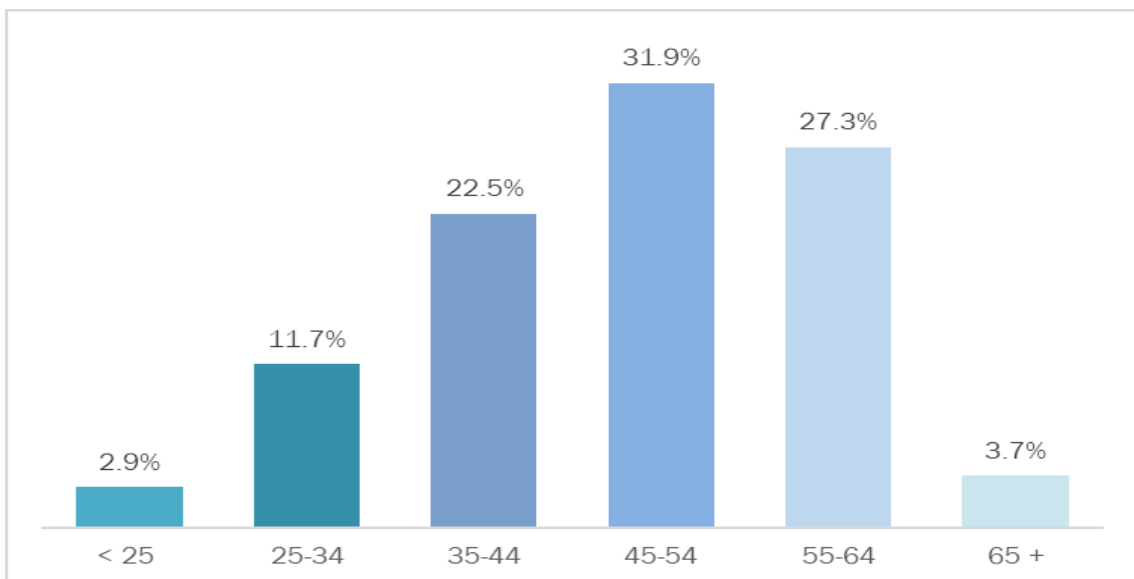
Chart 9 | Central government employment by career (2022)



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

In 30 June 2022, employees aged over 45 years old occupied 62.9% of jobs in central government administration. On the other hand, only 14.6% of employees were under the age of 35 years old. This situation essentially reflects the reduced number of new admissions in general government, particularly between 2012 and 2015.

Chart 10 | Central government administration age groups (June 2022)



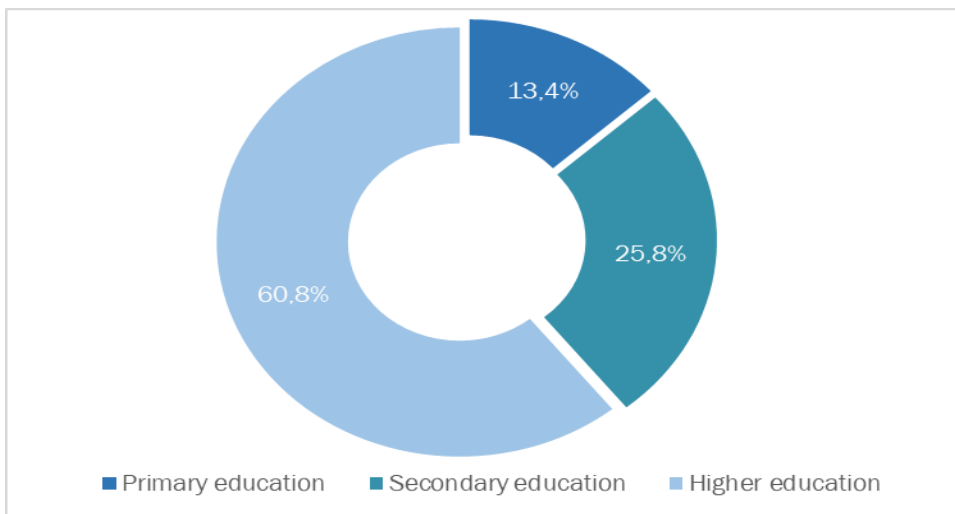
Source: DGAEP/DIOEP/BOEP N0 23/2022

The average age of central government administration staff, in December 2021, is higher (47.4/48.7 excluding armed forces and security forces) in comparison with the private sector, which was 44 years.

Overall, in the general government sector more than half of the staff has higher education (54.9%) while 26.4% had secondary education and 18.7% had only primary education. In

central government, the proportion of employees with higher education was 60.8%.

Chart 11| Central government employees by education (December.2021)



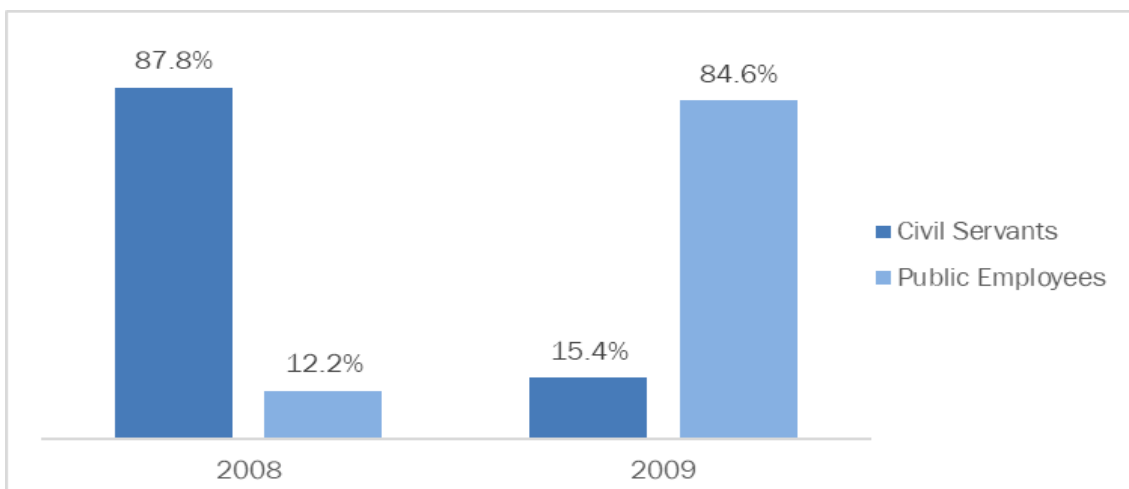
Source: DGAEP/DIOEP/BOEP NO 22/2022

#### 4.2. EMPLOYMENT RELATIONSHIP MODALITIES

As a result of a deep public employment reform, a fundamental change in the employment relationship took place since 1 January 2009. The statutory employment relationship, i.e., appointment, has ceased to be the predominant public employment relationship and its use has been limited to functions, which imply the exercise of the State sovereign or authority powers.

This has meant that all employees who did not perform said functions have seen their employment relationship automatically changed to the form of employment contract in public functions. Therefore, they have lost the civil servants' status and became public employees, as the chart below illustrates.

Chart 12| Employment by relationship modality 2008 vs 2009



Source: DGAEP/DIOEP, SIOE



Having regard to the pursuit of the public interest principle as the primary and basic objective of public administration, which justifies specific arrangements for public employment relationship, the public employment contract has an administrative nature, which distinguishes it from a private employment relationship. It is now the most widely used form of public employment relationship in public administration.

The General Labour Law in Public Functions is the basic law for public employees. The Labour Law applies to matters not regulated by this law.

Currently, there are three employment relationship types in force.

Figure 5 | Employment relationship types

<p>Employment contract in public functions</p>	<p><b>Open-ended contracts</b></p> <ul style="list-style-type: none"> <li>• The general hiring rule</li> <li>• Trial period with different terms according to the career</li> </ul> <p><b>Short-term contracts</b></p> <ul style="list-style-type: none"> <li>• Used for employees' replacement due to long term absences;</li> <li>• performance of an occasional task and development of a specific project</li> <li>• Trial period with different terms</li> <li>• For a period of up to three years and cannot be renewed more than twice</li> <li>• Lasts for the time needed to replace the employee or to complete the task, which justified its conclusion (open-ended contract).</li> </ul>
<p>Appointment</p>	<p><b>Exclusive for some functions:</b> Armed Forces, external representation of the State, security intelligence, criminal investigation, public security, and inspection.</p> <p><b>Types:</b></p> <ul style="list-style-type: none"> <li>• Definitive – includes a trial period of 1 years (general rule)</li> <li>• Temporary - for a fixed or unfixed term and includes variable trial periods</li> </ul>
<p>Tenure</p>	<p>Set up for a limited period of time (the rule)</p> <p><b>Applicable in the following cases:</b></p> <ul style="list-style-type: none"> <li>• Positions not integrated in careers (e.g. managers)</li> <li>• Attendance of a specific training course or acquisition of a degree or professional title before the trial period with which the appointment or contract begins.</li> </ul>

## 4.3. HUMAN RESOURCES MANAGEMENT

### STAFF PLANNING

Human resources management in Public Administration is the responsibility of each organisation (public employer) that within the framework of the annual activities planning defines its respective annual recruitment needs. These needs setting considers the organisations' mission and responsibilities, the annual or multi-annual strategic objectives, as well as the available financial resources.

Staff lists, while a key tool for planning and human resources management must reflect the organisation annual activity planning and can be amended according to the needs. Changes involving an increase in jobs require prior authorisation from the corresponding government member, budgetary appropriateness, and recognition of its future sustainability by the government member responsible for finance. On the other hand, changes to staff lists to reduce jobs can only be achieved by an organisation's restructuring.

Recruitment needs identified in the annual planning activity are communicated to the General Secretariats of each Ministry or to the responsible HR sectoral management service, as in the case of health and education sectors. These entities, in turn, draw up and send to Government members responsible for finance and public administration a reasoned sectoral recruitment proposal after validation from the Government member responsible for the respective area.

Based on a constitutional provision, every public employment relationship is established, as a rule, by way of an open competition procedure. The competition is thus a functional instrument for implementing the right of access to the civil service.

### RECRUITMENT

Recruitment is, as a rule, carried out through an open competition procedure restricted to employees with a public employment relationship of indefinite term. Therefore, Public Administration bodies and services may only recruit a candidate with a fixed-term public employment relationship or without a public employment relationship when it is "impossible to fill" the job with an employee with a public employment relationship of indefinite term.

Based on the sectoral recruitment proposal, which includes the jobs, to be filled through the recruitment of employees without a prior public employment relationship, the members of the Government responsible for Finance and Public Administration approve the annual global consolidated map of authorized recruitments, after the State Budget comes into force each year.

May also be filled posts through mobility, after consolidation in the destination public entity.

#### Assumptions in recruitment:

- Existence of a job on the staff list
- Current or foreseeable need (in the case of the constitution of a recruitment reserve) to occupy it
- Demonstration of budgetary availability
- Impossibility of ensuring the job by general mobility instruments
- The non-existence of a recruitment reserve
- The job, characterized according to the law in the staff list, is an essential element of the recruitment decision and a fundamental guarantee of its impartiality

In open competition procedures to which candidates without a previous public employment relationship are admitted, the legal quota of 5% of existing vacancies reserved for people with disabilities is applied.

#### COMPETITION MODALITIES

The competition procedure may have the following modalities:

- Common, whenever it aims the immediate or future filling of estimated, and unoccupied jobs in the staff list of a public employer;
- Centralised, for the formation of recruitment reserves for future use by a set of public employers.

#### COMMON COMPETITION PROCEDURE

The decision to open a common competition procedure, as a rule, shall be taken by the top manager of each organisation considering the strategy, the objectives set, the organic units' competences and the available financial resources. It also determines the appointment of a selection board to organize all operations inherent to the recruitment procedure.

It is the responsibility of the selection board to ensure that the competition procedure is conducted from the date of its appointment until the final ranking list is drawn up, even if, by initiative or decision of the top manager, the procedure may be partly carried out by a specialised public or private entity.

Open competitions are compulsorily published in the Official Gazette, in the Public Employment Pool webpage [www.bep.gov.pt](http://www.bep.gov.pt) for 10 days, and in the organization's webpage. Optionally, they may also be publicised in a nationwide coverage newspaper.

#### APPLICATIONS

The competent entity to authorize the holding of the open competition states, in each case, and in the notice, the opening date and the deadline for submission of applications, with a minimum of 10 and a maximum of 20 working days calculated as of the date of the notice's publication.

Applications shall, as a rule, be made in an electronic format through the filling in of a standard form.

After applications have been received, the selection board reviews them, checking admission requirements. Excluded applicants are notified and they can appeal of it. The appeal is analysed by the selection board that shall take the final decision, which is communicated to the candidate, who has the right to lodge a hierarchical appeal before the competent body.

The selection methods shall be initiated within 5 to 10 working days, counting from the end of the procedure for the applications analysis. For reasons of procedural speed, the selection board may summon admitted candidates, as well as candidates excluded on appeal, to take part in the selection methods, which does not prevent the subsequent confirmation of the exclusion of these candidates.

General admission requirements:

- The candidates shall be at least 18 years of age
- To have the required qualifications
- Physical and mental ability
- Not be inhibited from exercising public functions
- Nationality is not, as a rule, a requirement for the performance of public duties

Figure 6 | Common recruitment procedure phases

Phases	Features
Opening	Decided by the organization's top manager
Recruitment Area	Open to everyone with the required qualifications
Publicising	<ul style="list-style-type: none"> <li>• In the Official Gazette and in a nationwide coverage newspaper</li> <li>• On the Public Employment Pool website (<a href="http://www.bep.gov.pt/">http://www.bep.gov.pt/</a>)</li> <li>• On the organizations' website</li> </ul>
Selection board	Set up to conduct the recruitment procedure until the final ordering of approved candidates has been issued
Selection Methods	See figure below
Final Candidates' List	Candidates' ordering is unitary irrespective of the selection methods applied
Guarantees	Right to appeal is ensured

The general law on public functions determines mandatory selection methods depending on the universe in question.

Figure 7 | Compulsory Selection Methods

Employment contract	External access	Internal access	
		With the same category and functional identity	Without the same category and/or functional identity
Open-ended contract	Knowledge tests + Psychological assessment	Curriculum assessment + Competency-based interview	Knowledge tests
Short-term contract	Curriculum assessment + Competency-based interview	Curriculum assessment	
<b>COMPLEMENTARY SELECTION METHODS</b>			
To be determined by the body responsible for the selection	<ul style="list-style-type: none"> <li>• Selection interview</li> <li>• Competencies assessment by portfolio</li> <li>• Physical tests</li> <li>• Medical examination</li> </ul>		

### CENTRALISED RECRUITMENT

Centralised recruitment procedure was regulated in April 2019 and is defined as a strategic tool that allows overall planning and recruitment on a multi-annual basis according to the needs identified by each government area. The main purpose is the setting up of a recruitment pool to meet the needs of a range of public employers as well as to provide Public Administration with qualified human resources, safeguarding merit, efficiency, and transparency.

Government members in charge of finance and Public Administration are responsible for the decision to initiate a centralised recruitment. Such decision is made by a joint order and shall be carried out by the Directorate General for Administration and Public Employment, in its capacity as the centralised recruitment entity (CRE).

Figure 8 | Centralised recruitment

Phases	Features
RECRUITMENT RESERVE LIST CONSTITUTION PROCEDURE	
Opening	Decided by joint order of Government members responsible for finance and Public Administration areas.
Recruitment Area	Open to everyone that complies with the general and specific requirements.
Publicising	<ul style="list-style-type: none"> <li>• In the Official Gazette</li> <li>• On the Public Employment Pool website (PEP) (<a href="http://www.bep.gov.pt/">http://www.bep.gov.pt/</a>)</li> <li>• On the centralised recruitment entity website.</li> <li>• CRE publishes a detailed notice regarding the phases to be carried out for the recruitment reserve list constitution.</li> </ul>
Selection board	Is set up to conduct all the centralised recruitment procedure operations. It shall be composed of CRE experts.
Applications	<ul style="list-style-type: none"> <li>• Applications submission, as well as all communication and notifications are carried out by electronic means</li> <li>• Time limit for application submission set by CRE between 10 to 15 working days as of opening notice publication</li> <li>• Excluded candidates shall be notified for a prior hearing</li> </ul>
Selection Methods	Knowledge tests; psychological assessment
Final ranking of reserve candidates	<ul style="list-style-type: none"> <li>• It is presented in descending order of the knowledge test rating, for each professional profile, expressed in a scale from 0 to 20 scores</li> <li>• It is drawn up within the time limit of two working days as of the psychological appraisal completion</li> <li>• All candidates are notified, including those excluded in the selection methods application, for stakeholders hearing purpose</li> </ul>
Approval of the final ranking of reserve candidates list	<ul style="list-style-type: none"> <li>• The final ranking list is submitted to CRE's top manager approval within the time limit of two working days after the stakeholders' hearing</li> <li>• Approval shall be made within two working days by the CRE's top manager</li> <li>• All candidates are notified of the approval and it shall be publicized in the electronic platform</li> </ul>
Establishment of a recruitment reserve	<ul style="list-style-type: none"> <li>• The recruitment reserve integrates approved candidates for each professional profile as per their ordination in the final ranking list</li> <li>• The recruitment reserve is valid for a 18 months period as of the final ranking list approval date</li> </ul>

PLACEMENT OFFER PROCEDURE	
Job identification	Top managers of public services identify their recruitment needs by professional profiles, and communicate them to the CRE
Jobs publicising	CRE advertises the offer on PEP dedicated platform, indicating: <ul style="list-style-type: none"> <li>• the public services that intend to recruit;</li> <li>• the number and characterisation of each work post;</li> <li>• the workplace</li> </ul>
Job applications	<ul style="list-style-type: none"> <li>• Candidates express their preferences within three working days as of the jobs publicising</li> <li>• CRE draws up a list of candidates ordered by reference to the final ranking list</li> </ul>
Skills appraisal interview	<ul style="list-style-type: none"> <li>• Public services summon candidates for a skills appraisal interview, preferably in a number corresponding to three times the number of posts to be filled</li> <li>• Each candidate may attend up to a maximum of 10 interviews per placement offer procedure</li> <li>• The skills appraisal interview has a weight of 25% in the final valuation of the candidate (knowledge test = 75%; appraisal interview = 25%)</li> </ul>
Placement offer list	<ul style="list-style-type: none"> <li>• All candidates taking part in the skills appraisal interview are notified of the placement offer list for stakeholders' hearing purposes to be held within 10 working days</li> <li>• After such hearing the placement offer list is approved by the public service responsible for recruitment within the time limit of two working days</li> </ul>
Starting functions communication	Public services communicate to the CRE the conclusion of an employment contract in public functions within the time limit of five working days after conclusion of the placement offer procedure

Candidates excluded from the placement offer list shall remain in the reserve final ranking list keeping the corresponding rating.

The placement offer procedure is repeated as long as there are candidates in the recruitment reserve and work posts that have not been filled.

#### 4.4. CAREERS

Portuguese Public Administration shows a mixed regime of public employment by combining characteristics of a career system with an employment system. This hybrid regime is evident from the fact that, after admission to PA, employees with short-term contracts fulfil their functions by reference to a category integrated into a career.

The current career scheme classifies careers as general and special systematising them according to the degree of functional complexity required for integration into each one.

Figure 9 | General and Special Careers

General careers	Special careers
Are those whose functional contents characterize job posts that most services need for the development of their activities	Are those whose functional contents characterise job posts of which one or some services need for the development of their activities
<ul style="list-style-type: none"> <li>• Professional staff</li> <li>• Administrative staff</li> <li>• Auxiliary staff</li> </ul>	Some examples: <ul style="list-style-type: none"> <li>• Medical career</li> <li>• Teaching career</li> <li>• Nursing career</li> </ul>
<b>General and Special Careers Are Uni-Category or Multi-Category</b>	
As to the degree of complexity, considering the required academic qualifications, careers are graded as follows: <ul style="list-style-type: none"> <li>• Grade 1 – Compulsory schooling</li> <li>• Grade 2 – 12 years’ schooling or equivalent course</li> <li>• Grade 3 – University degree or higher academic qualification degree</li> </ul>	

To each career or category in which a career may be unfolded, corresponds a legally described functional content. This description shall be comprehensive skipping details regarding the tasks therein foreseen. The functional content of the upper categories integrates the lower ones.

General careers functional contents are set in the General Labour Law in Public Functions and those of special careers are defined in the legal text that establishes them.

Figure 10 | General Careers Structure

General Career	Category	Grade of functional complexity	No. Pay steps
Professional staff	Professional	3	14
Administrative staff	Technical coordinator	2	4
	Administrative Staff		9
Auxiliary staff	General operational officer	1	2
	Operational officer		5
	Auxiliary Staff		8



PROFESSIONAL DEVELOPMENT

Professional development is mostly based on merit and considers performance appraisal results. Automatic horizontal career progression linked to seniority no longer applies in the Portuguese civil service.

Therefore, professional development is only possible by two ways: category advancement - by change of the pay step resulting from performance appraisal (general rule) - and by promotion or career change.

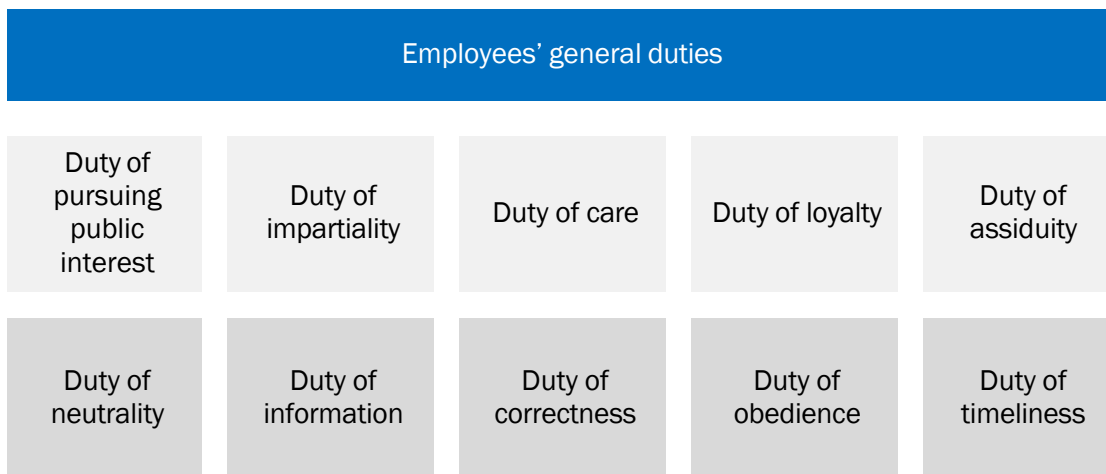
In this case, the general rule determines that is carried out within the scope of an open competition procedure and depends on existence of a vacant post, qualification requirements, training, and performance appraisal results. The exception is cross-career and cross category functional mobility. It requires adequate qualifications to the new category.

4.5. RIGHTS AND DUTIES

Public administration nature and its ultimate objective of ensuring that public needs and interests are met, shape the public employment relationship rights and duties, irrespective of its form. Meaning that a set of rights and duties were designed to safeguard that public interest is above any group or individual private interest.

Personal, economic, and labour constitutional rights, duties, freedoms, and guarantees are ensured to public employees. In addition, for employees with an employment contract in public functions, the law in force establishes rights and duties like those that apply to private sector employees. However, some specific rights and restricted freedoms (related to the right to strike) apply to appointed staff considering the exercise of sovereign powers.

In carrying out the corresponding obligations and in the exercise of respective rights public employers and employees shall act with good faith and collaborate to ensure service quality and productivity as well as the staff professional, human, and social development.



## BREACH OF DUTIES

The public employee’s behaviour, action or omission that breaches general or special duties inherent to the functions fulfilled is deemed to be a disciplinary infraction.

In the sequence of a disciplinary infraction, a disciplinary procedure starts. This one shall be secret until the charge is disclosed.

When the decision to apply a disciplinary sanction is taken it may range from a warning to the termination of the employment relationship.

In the case of management positions holders, the disciplinary sanction of termination of the tenure shall apply.

Figure 11 | Disciplinary sanctions

Written warning or reprimand	<ul style="list-style-type: none"> <li>• Consists of a critical remark for an irregularity committed;</li> <li>• Applies to minor offences of service;</li> <li>• All hierarchical superiors may apply it regarding their subordinates</li> </ul>
Fine	<ul style="list-style-type: none"> <li>• For each offence shall not exceed the amount of 6 days’ basic salary, and per year the amount of 90 days’ basic salary;</li> <li>• Applies to cases of negligence or functional duties misunderstanding;</li> <li>• Applied by the organisation’s top manager</li> </ul>
Suspension	<ul style="list-style-type: none"> <li>• Penalty term - 20 to 90 days for each offence – limit: 240 days per year;</li> <li>• Applies to cases of serious negligence, serious disinterest for the discharge of functional duties and offences to dignity and prestige of the function;</li> <li>• Effects: loss of pay and seniority</li> <li>• Applied by the organisation’s top manager</li> </ul>
Disciplinary redundancy or dismissal	<ul style="list-style-type: none"> <li>• Applies to facts that for their seriousness make the maintenance of the employment relationship unfeasible;</li> <li>• Effects: Loss of public employee’s rights, except for the retirement one.</li> </ul>
Tenure termination	<ul style="list-style-type: none"> <li>• Applies to facts that consist in inobservance of the position’s specific duties and, accessorially, whenever a penalty equal or higher than a fine is applied to managers;</li> <li>• Effects: Termination of the tenure and inability to exercise any managerial or equivalent position for three years, without prejudice to being able of resuming public functions of any other kind.</li> </ul>

## 4.6. MOBILITY

Mobility constitutes a temporary change in the functional situation of the public employee, within the same organization, or between different ones, based on reasons of public interest, with a view to increasing the efficiency of the services through the rational use and enhancement of public administration human resources.

Mobility is thus an organisational tool that aims, in a flexible and agile way, to meet the services needs within the scope of people management, also contributing to a better adjustment of the human resources deployment inside public administration at each moment.

It is grounded on public interest, also aiming to increase services' efficiency and effectiveness by way of human resources rational deployment.

Mobility may operate within the same type of public employment relationship, open-ended contract, or between both modalities (contract and appointment). It may also cover situations of full-time or part-time work and applies to all administration levels (central, local, and regional).

### MOBILITY FORMS

Mobility in the same category in which the public employee is integrated, in the same or in different activity for which holds appropriate qualifications.
--

Cross-career mobility for the fulfilment of functions in another career than the one in which the public employee is integrated, provided he/she has the appropriate qualifications.
--

Cross-category mobility for the fulfilment of functions inherent to a higher or lower category than the career of which the public employee is holder, provided he/she has the appropriate qualifications.
--

Mobility in whatever form, requires justification and shall be carried out, as a rule, with the agreement of the respective services of origin and destination, as well as the public employee acceptance. Nevertheless, in some well-defined situations the agreement of the service of origin and the public employee acceptance may be exempted. This is the case when six months have elapsed since the original service's agreement was refused for the same employee, even if for another destination service.

### MOBILITY TERM AND CONSOLIDATION

The mobility has a maximum 18-month term. However, it may be extended for a maximum period of six months when an open competition procedure aiming at the recruitment of a public employee for the work post filled under the mobility regime is running. Mobility has no maximum term in services that may not form public employment relationships for open-ended contracts.

The mobility situation may be definitive following an agreement between both public entities (origin and destination). During the mobility period, the employee's remuneration is

ensured by the host service, unless otherwise agreed by the home and host services.

#### 4.7. WORKING TIME

Working time is deemed any period during which the public employee is fulfilling the activity or remains attached to the carrying out of the service delivery. It also covers periods in which there is no effective work, as is the case of the meal break that shall not have term lower than one hour or higher than two.

Subjects related to organisation and working time are the main object of collective negotiations within PA. Moreover, the labour code covering such matters, with due adaptations and complying with provision set in the public employment general law, shall be applicable to public employees.

The normal daily and weekly working period is 7 hours and 35 hours, respectively.



As a rule, the normal public services period of functioning shall not start before 8 am nor terminate after 8 pm.

Full-time work corresponds to the normal weekly working period and is the standard working system for public employees in general careers.

Depending on the nature of their activities, public services may adopt one or more working-time arrangements.

Figure 12 | Working-time arrangements

Flexible working hours	Allows for a flexible management of working times, namely the entry and exit hours choice.
Fixed working time	The normal daily working period is divided into two daily periods of identical duration, with fixed entry and exit hours, separated by a rest break.
Irregular shifts	Enables the setting out of different fixed entry and exit hours for a determined service or workforce group, though maintaining unchanged the normal daily working period.
Continuous workday	Consists of the uninterrupted performance of work, save a rest period never higher than thirty minutes, that for all purposes is deemed working time, with reduction of a working hour, but which does not entail a reduction in pay.
Shift work	Work organization in teamwork where public employees fill successively the same work posts, according to a certain pattern.  The work may be performed at different hours in a given period of the day or weeks.
Half workday	Consists of the performance of work, in a reduced period in half of the normal work period on a full-time basis, entailing a 40% reduction in pay. Full calculation of the length of service for seniority purpose is ensured.

The normal daily and weekly working hours may be extended through overtime work and this one is subject to the limits established by law:

- 150 hours of work per year (that may be extended to 200 hours by collective labour regulation instrument);
- Two hours per normal work day;
- A number of hours equal to the daily normal work period, on weekly rest days, compulsory or complementary, and on public holidays;
- A number of hours equal to half-daily normal work.

Holders of management positions and those leading multidisciplinary teams enjoy the exemption from work schedule, as per the respective statutes. Nevertheless, they shall observe the general duty of regular attendance, and the compliance with the weekly work term legally stipulated.

The exemption from working hours is also applicable to public employees for the performance of tasks listed in the activity plan, duly scheduled, and provided they do not exceed ten working days.

## NON-WORKING TIMES

Non-working times are those in which the public employee is not required to perform work or is justifiably exempted from performing it (figure 13).

Figure 13 | Non-working times

Daily and week rest	11 followed hours' rest between two daily consecutive work periods 2-week rest days - one compulsory and one complementary weekly rest day
Public holidays	Bank holidays – those set out in the labour code plus the corresponding municipal holiday
Holidays	22 working days period + 1 day of holiday for each 10 years of service
Justified absences	<p><b>Entailing the loss of compensation</b></p> <ul style="list-style-type: none"> <li>• Those given due to illness</li> <li>• Those caused by the provision of immediate and necessary assistance to a son/daughter, grandson/granddaughter with age equal or higher than 12 years old or to a member of the public employee's household;</li> <li>• Those that by law are deemed as such, when exceeding 30 days per year.</li> </ul> <p><b>Not entailing the loss of compensation</b></p> <p>(Marriage; family members' death; tests in educational establishments; on the scope of medically assisted procreation technique; assistance to a son/daughter, grandson/granddaughter with age lower than 12 years old; accompanying a minor on the first day to school; medical appointments and examinations; prophylactic isolation; blood donation and first aid; participation in competition selection methods; during electoral campaigns, among others).</p>

## TELEWORKING SCHEME

Teleworking in civil service is based on the Labour Code and on the general career's collective agreement. It is mainly regarded as a professional, private, and family life reconciliation tool.

The possibility to work remotely applies to central, regional, and local administrations' employees since 2008.

The performance of functions in a teleworking regime is not compulsory and it is always dependent upon the employee's request. In cases where such a request is made by an employee who is a victim of domestic violence or with a child up to the age of 3, the employer should not oppose it, provided that the functions performed are compatible with

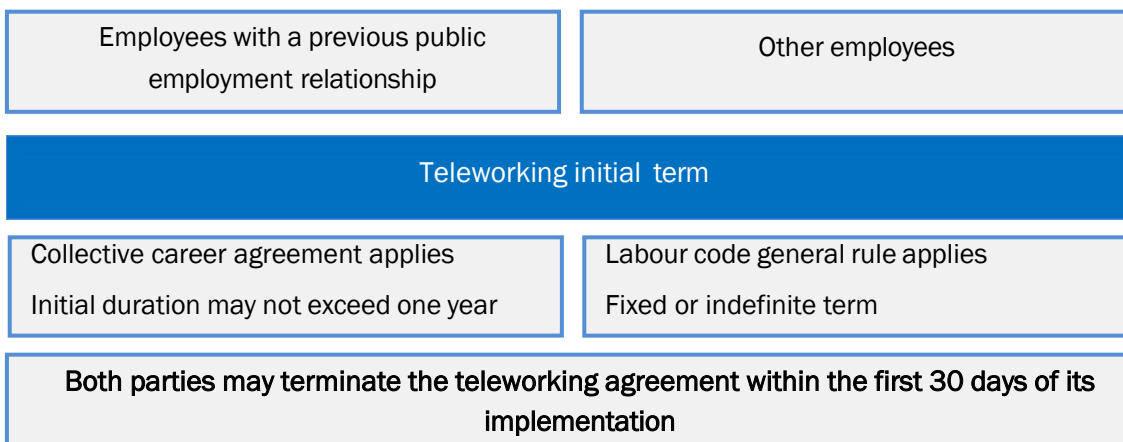
remote working and that the employer has the means to carry out the work.

With the amendment to the Labour Code in 2022, the latter right can be extended until the age of eight in the following situations:

- In cases where both parents meet the conditions for the performance of functions under teleworking, provided that it is performed by both in successive periods of equal duration within a maximum reference period of 12 months;
- Single-parent families or situations where only one of the parents is able to prove that he/she meets the conditions for teleworking.

Teleworking preferably applies to the carrying out of tasks with technical autonomy such as drawing up studies, preparation of legal opinions or other legal documents and information of a technical and scientific nature, according to the collective agreement in force.

Teleworking covers employees who already have a public employment relationship or who are specifically contracted to perform functions under that scheme. In both cases, a written agreement between the parties is required.



According to the Labour Code, the teleworking agreement with a fixed term cannot exceed 6 months, being automatically renewed for equal periods, if none of the parties declares in writing, up to 15 days before its expiry, that they do not want the renewal.

In the case of a teleworking agreement of indefinite term, each party may terminate the agreement by written notice to the other party, which shall take effect after 60 days.

In any case, each party may terminate the teleworking agreement during the first 30 days of its implementation.

The same rights and obligations as other employees apply to teleworkers. Teleworking agreement establishes the following rights and obligations for both parties:

Teleworkers	Employers
<ul style="list-style-type: none"> <li>• Training.</li> <li>• Promotion and professional development.</li> <li>• Limits of normal working period and other working conditions.</li> <li>• Safety and health at work and compensation for damages emerging from accidents at work or occupational disease.</li> <li>• Compliance with data protection rules.</li> <li>• Once the agreement is terminated, employees have the right to resume work on the same terms as before teleworking, and will not be affected in their rights.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall avoid the employee's isolation, in particular through regular contact with the service and other employees.</li> <li>• Shall provide employees with good working conditions, both physically and mentally.</li> <li>• Shall respect employees' privacy as well as their rest breaks.</li> <li>• Shall take appropriate measures to ensure the protection of information and data used and treated by the teleworker.</li> <li>• Shall inform the teleworker on legislation and rules applying to data protection, namely regarding restrictions rules on ICT tools use.</li> <li>• Shall inform the teleworker on safety and occupational health policies in place for the service.</li> <li>• Shall have access to the place where telework is carried out in order to check on working conditions after obtaining the employee's agreement.</li> </ul>

The role of this form of work was not significant in the civil service until March 2020. However, the emergency that arose due to the COVID-19 pandemic crisis has extended its use and even made it a compulsory regime for all employees whose tasks were compatible with this regime.

Data collected for central state government between March and June 2020 reveal that the number of teleworkers reached 67,406, which corresponds to 40.26% of the total number of employees at this level of government. However, if we remove essential services staff, like health and rescue personnel, the armed and security forces, the rate would be much higher.

The current crisis has shown teleworking as an efficient working tool and one of the Government's objectives is to promote its increase by 25% until the end of 2023.

The 2022 teleworking update established the "right to disconnect" and the responsibility for providing the necessary equipment, as well as the compensation of additional expenses was assigned to the employer.

#### 4.8. REMUNERATION SCHEME

Pay policy is one of the civil service most relevant human resource management tools.



Remuneration is payable on taking up employment and ceases when the public employment relationship is terminated. The right to remuneration may be suspended, in whole or in part, only in the situations and conditions provided for by law.

The Portuguese civil service pay policy definition falls within the Government normative activity scope. The law requires Government to carry out a collective negotiation for that purpose. However, such negotiation only allows trade unions to give their opinion on the measures content and to make demands they consider fair. Although reaching an agreement with the trade unions is desirable, it is not always the case. If no agreement is reached is up to the government to take the final decision.

Public employees' remuneration scheme is made of three components:

- Basic salary
- Pay supplements
- Performance bonuses

### BASIC SALARY

Definition and setting	Basic salary is defined as the cash amount equivalent to the pay step where the public employee is placed in the category or position of which is holder, and the corresponding pay level of the single pay scale.
	The single pay scale contains all the pay levels that can be used to set the employees' basic salary.
	The single pay scale levels (115) correspondence with categories' pay steps is set by regulatory decree.
	The first pay level corresponds to the minimum national salary. No public employee may have a basic salary lower than this one.
	The annual basic salary is paid in 14 monthly payments: 12 months plus Christmas and Holliday allowances.

In practice, for each career category corresponds a variable number of pay steps. To each pay step match a pay level of the single pay scale. In the table below, the example of the professional career is given.

Professional Staff career														
Pay steps	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th
Single pay scale levels	12	16	20	24	28	32	36	40	43	46	49	52	55	58

Figure 14 | General careers standard compensation (2023)

Careers		Structure	Basic Compensation Amounts	
		(pay steps)	Starting	Maximum
Professional staff	Uni-category	14	€1,111.72	€3,525.85
Administrative staff	Coordinator	4	€1,268.04	€1,632.82
	Administrative	9	€861.23	€1,268.04
Auxiliary staff	Supervisor	2	€1,111.72	€1,215.93
	Foreman	5	€899.77	€1,111.72
	Auxiliary	8	€761.58	€1,111.72

Remuneration general principles stipulate that:

- Remuneration amount setting shall observe the quantity, nature and quality of work, and the principle of equal pay for equal work in such a way as to ensure a proper living.
- Remuneration legal norms shall not be excluded or derogated by collective labour regulation instrument.

Figure 15 | Pay supplements

Definition and setting	Pay supplements are remuneration increases due to performance of functions in jobs which are more demanding with regard to other jobs characterized by identical position or career and category, but whose performance is less demanding.
	The granting of pay supplements depends on the specific characteristics of the work performed. They are only due while such conditions last and there is an effective performance of duties.
	Pay supplements shall be set in cash amounts and only exceptionally may be set as a percentage of the basic salary (e.g., night work; supplementary work).
	Pay supplements are paid 12 months per year when the situation that justifies its grant shall last for more than one year.
	Pay supplements are created and regulated by law or collective labour regulation instrument.

Figure 16 | Pay supplements nature and types

NATURE		
TYPES	Exceptional and temporary	Permanent
	Supplementary work	Hazardous, arduous, and unhealthy work
	Night work	Shift work
	Work on weekly rest days	Work in peripheral areas
	Work on complementary and public holidays	Work with exemption from work schedule
	Work outside normal workplace	Senior managers' executive assistance/ Cashier's allowance / Per diem / Meal allowance / Transport allowance

### PERFORMANCE BONUSES

Performance bonuses aim to recognise employees' good performance through the award of a monetary bonus the value of which corresponds to the employee basic monthly salary.

They are related to the performance objectively shown and assessed and shall be granted when the excellent or relevant grading is achieved by an employee.

Other performance compensation systems may be created according to the law in force, namely linked to teams' performance results or to the performance of employees who are in the last pay step of the respective category.



### CHANGE OF THE PAY STEP AND GRANTING OF PERFORMANCE BONUS

The pay step change and the grant of performance bonuses depend on budget availability and on the employee performance appraisal.

Figure 17 | Change of the pay step requirements

Budget availability	Change conditions
<p>15 days after the start of budget implementation the organisation's top manager decides on the appropriations to cover the costs resulting from changes of the pay step and the award of performance bonuses. Such decision is duly justified and sets:</p> <ul style="list-style-type: none"> <li>• The maximum charges amount that the service is proposed to bear.</li> <li>• The careers and categories where the changes of pay step and the granting of performance bonuses may take place. Such definition takes into consideration the service strategic objectives and the direct contribution made by employees to its achievement.</li> </ul>	<p>Changes in pay step occur by:</p> <p><b>Management decision (requirements)</b></p> <ul style="list-style-type: none"> <li>• Employees are included in the scope of the careers and categories defined by the organization top manager;</li> <li>• For the pay step change, employees must have obtained, in the last performance appraisals, an "excellent" rating, two consecutive "relevant" ratings or three consecutive "adequate" ratings;</li> <li>• In the case of performance bonus award, employees must have obtained in the last performance appraisal an "excellent" or "relevant" rating;</li> <li>• The budget allocations to cover these charges have not been spent.</li> </ul>
	<p><b>Compulsory change</b></p> <p>When regardless of careers and categories defined by the top manager, public employees have accumulated 10 points in performance appraisals procedures (excellent rating - 6 points; relevant rating - 4 points; adequate rating - 2 points; Inadequate rating - minus 2 points).</p>

As a rule, the pay step change is made to the following one in which the public employee is placed. In special situations, he/she may move to any other pay step within the respective career or category.

The change of the pay step is reported to 1 January of the year in which it takes place.

The top manager decision setting the possibility of changes in the employees' pay step is made public by posting it on the organization and by disseminating it on the respective electronic page.

#### 4.9. PERFORMANCE APPRAISAL

In Portuguese civil service, performance appraisal system has been designed for application to central, regional, and local administrations, providing for wide-ranging mechanisms for flexibility and adaptation to cover the specific nature of different types of administration, public organisations, employees' careers and functional areas and management demands.

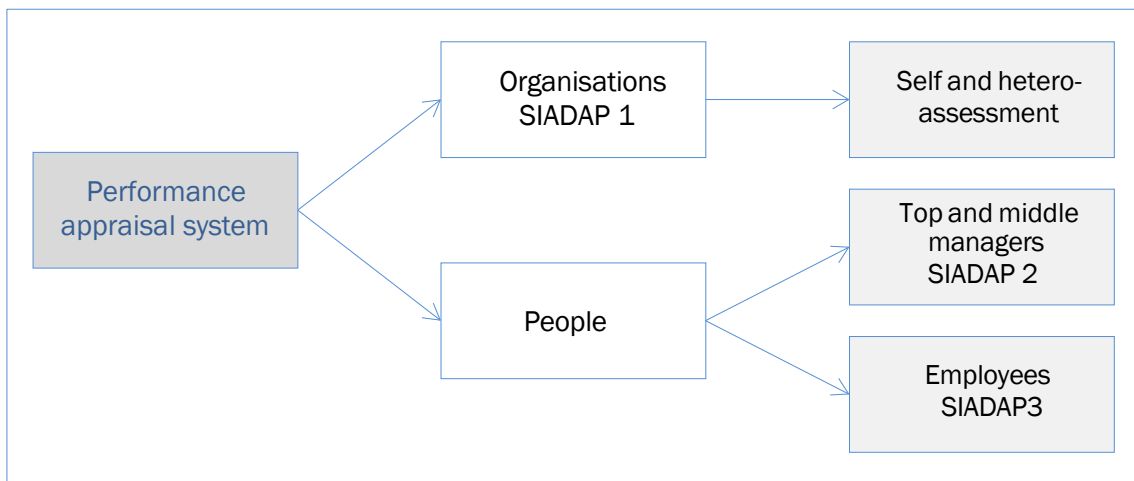
This system is based on a goal-oriented conception of public service management. Its main

features consist of citizen orientation; goal-based management; leadership concept reinforcement; accountability culture strengthening; merit recognition; people qualification promotion and continuous improvement.

The performance appraisal system is made up of three components:

- Subsystem for the Performance Assessment of Public Administration Organisations (known as SIADAP 1);
- Subsystem for the Performance Appraisal of Managers in Public Administration (known as SIADAP 2). It will be further developed in the senior civil service chapter.
- Subsystem for the Performance Appraisal of Public Administration Employees (known as SIADAP 3).

Figure 18 | Performance appraisal subsystems



As mentioned above, this system is based on a management design for civil service organisations centred upon objectives. Therefore, in the assessment of organisations and in managers and employees' performance appraisal the results achieved play a central role.

Pre-established indicators that, inter alia, enable transparency, impartiality and prevent discrimination should measure the results.

The subsystems operate in an integrated manner due to the coherence between the objectives set in the planning system, the organization management cycle's objectives, the top manager's objectives set in the respective mission charter, and in the middle managers and employees' objectives.

### SUBSYSTEM FOR THE PERFORMANCE ASSESSMENT OF PUBLIC ADMINISTRATION ORGANISATIONS (SIADAP 1)

The assessment system of public administration organisations is based on the parameters of effectiveness, efficiency and quality. It is mandatory and is carried out on an annual basis through self-assessment and hetero-assessment, showing the results achieved and

the deviations verified, according to the Assessment and Accountability Framework (known as QUAR in Portuguese).

<p><b>Self-assessment</b> is compulsory and is carried out by each organisation on an annual basis.</p> <p>Results are publicized on the organisation's internet with indication of the respective parameters.</p>	<p><b>Hetero assessment</b> has a non-mandatory nature and is carried out by the corresponding supervisory entity or external entities on the organisation's request or when it is deemed necessary (e.g. to know the causes of deviations).</p>
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The QUAR, which is subject to permanent assessment is a management tool designed to plan, analyse and assess the performance of organisations. The entity responsible for planning, strategy, and assessment in each ministry is responsible for the QUAR's monitoring. The objective is to "ensure the coherence, coordination and monitoring of the management cycle of public organisations with the overall objectives of each ministry and their articulation with SIADAP.

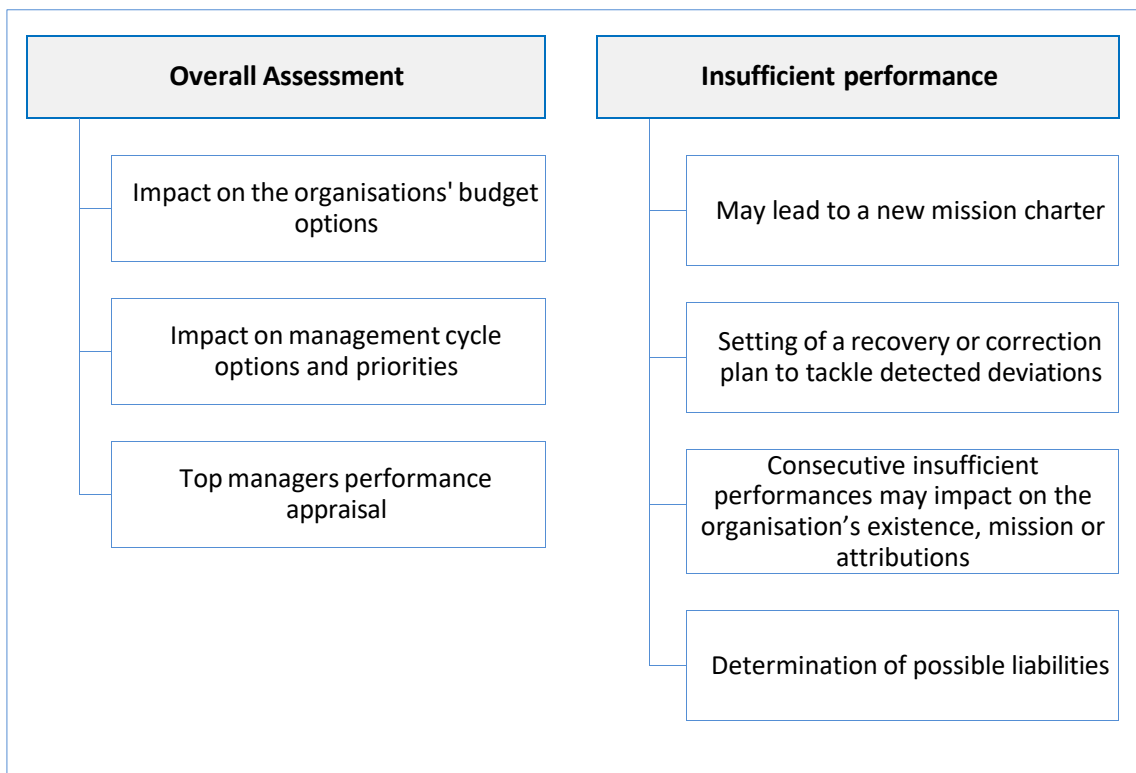
<p>QUAR main features</p>	<ul style="list-style-type: none"> <li>• The organisation's mission;</li> <li>• Long term strategic goals;</li> <li>• Annually set objectives;</li> <li>• Performance indicators and respective verification sources;</li> <li>• Available resources identification;</li> <li>• Degree of objectives accomplishment;</li> <li>• Deviations identification and respective causes;</li> <li>• Final organisation's performance assessment</li> </ul>
	<p>QUAR's updating is based on the organisation's external environment, installed capacities and development opportunities analysis, as well as on the degree of user satisfaction.</p>
	<p>It is publicised on the organisation electronic page.</p>

The organisations' assessment parameters are proposed by the organisations to the supervisory Government member that approves them.

Figure 19 | Organisation’s performance assessment

<b>Parameters</b>	Effectiveness objectives	Measures whether the organisation has reached or not the expected results or even surpassed them	<b>Objectives 'graduation levels</b>	Surpassed the objectives	<b>Organisations final qualitative performance assessment</b>	<b>Good performance</b> Achieved all objectives, even surpassed some.
	Efficiency objectives	Measures the balance between the goods provided and the services delivered, and the resources used		Achieved the objectives		<b>Satisfactory performance</b> Achieved all objectives or those, which were most relevant.
	Quality objectives	Translated in a set of goods or services properties and characteristics that enables them to meet explicit or implicit users' needs		Did not achieve the objectives		<b>Insufficient performance</b> Did not achieve the most relevant objectives.

Figure 20 | Performance assessment results effects



### SUBSYSTEM FOR THE PERFORMANCE APPRAISAL OF PUBLIC ADMINISTRATION EMPLOYEES (SIADAP 3)

Employees' performance appraisal is carried out on a biennial basis and regards the performance of the two preceding calendar years. The appraisal process is initiated with the assessment parameters (results and competences) contractualisation during the month of February of the calendar year in which the assessment cycle begins. Performance assessment is carried out during the months of January and February of the year following that in which the assessment cycle is completed.

All public employees are assessed provided the conditions set out below are fulfilled:

- Have a contract with at least one year
- Do not hold a leading position
- Had direct functional contact with the evaluator for, at least, one year
- Have contracted objectives and competencies

The employees' appraisal system establishes the following priorities:

- Individual objectives set in line with those of the organization;
- Results oriented approach;
- Enabling the identification of employees' development potential;
- Enable training needs to be diagnosed, as well as improvement of the job and work processes associated with it;
- Support professional development dynamics based on the recognition of merit and excellence in the performance of functions;
- Engage employees in setting objectives and assessing the organisation;
- Ensure the existence and intervention of a Joint Commission, when justified

Intervene in the employees' performance appraisal procedure, in the scope of each organisation:

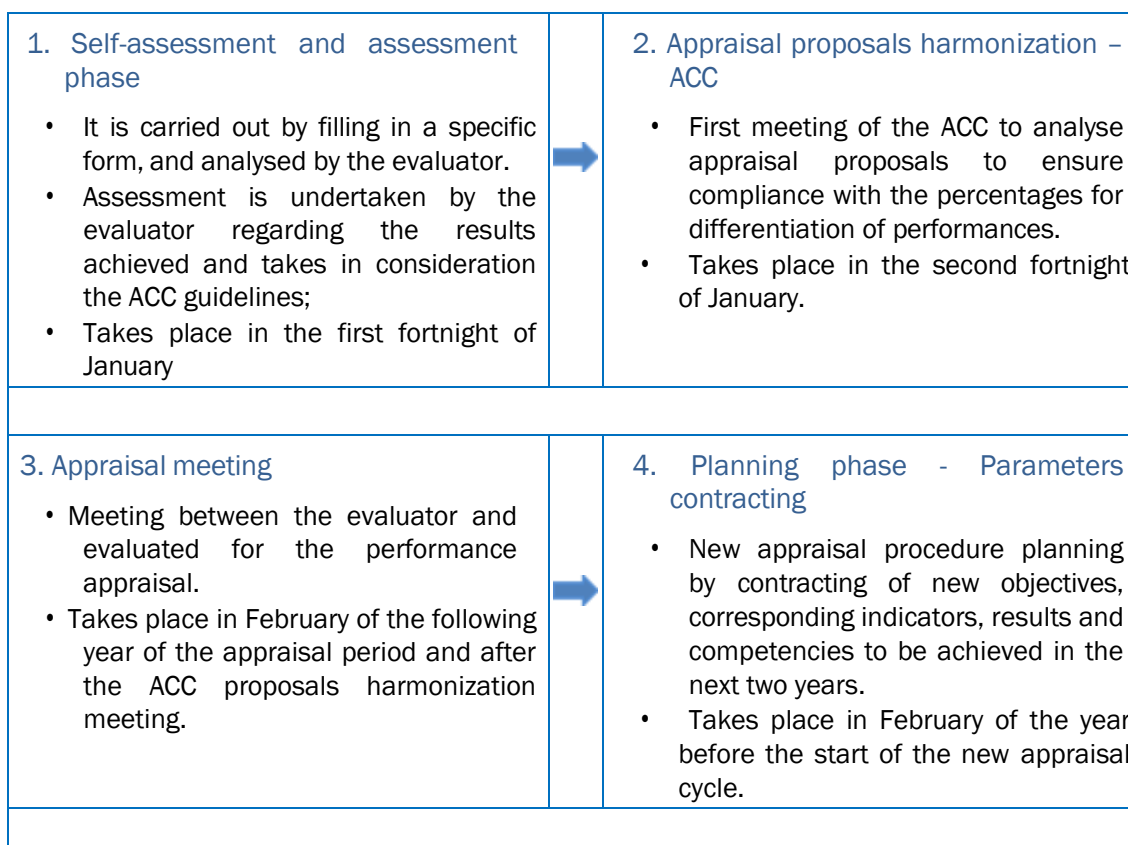
Evaluator	The organization top manager or the employee's line manager.
Evaluated	The public employee who meets all requirements to be evaluated.
Assessment Coordinator Council (ACC)	<p>Is composed of:</p> <ul style="list-style-type: none"> <li>• The organisations' top manager (chairs the Council)</li> <li>• The manager responsible for HRM</li> <li>• Three to five middle managers or deputy top managers appointed by the top manager.</li> </ul> <p>Competences:</p> <ul style="list-style-type: none"> <li>• Establish guidelines for an objective and harmonic application of employees' assessment</li> <li>• Establish general guidelines on the objectives' setting, the choice of competencies and measurement indicators.</li> <li>• Validates relevant and inadequate performance appraisals, as well as recognizes excellent grading.</li> </ul>



Mediation Commission	<p>This advisory body:</p> <ul style="list-style-type: none"> <li>• It is composed of 4 members (2 employees and 2 employers' representatives).</li> <li>• It is responsible for analysing appraisal proposals made known to the employees, prior to their official confirmation.</li> <li>• Has a 4-year term of office.</li> </ul>
Top manager	<p>Competences and duties:</p> <ul style="list-style-type: none"> <li>• To initiate, coordinate and control the assessment process</li> <li>• To establish the weighting levels of the assessment parameters</li> <li>• To ensure compliance with the maximum percentages of "Relevant Performance" and "Excellent Performance"</li> <li>• To submit the evaluation processes to the Mediation Commission when requested by the respective employee</li> <li>• To approve the appraisals</li> <li>• To grant a new appraisal when the one granted by the evaluator or by the ACC has not been confirmed</li> <li>• To decide on the employees' complaints, taking into account the reports of the mediation commission and/or of the ACC if these have been issued in due time</li> <li>• To disclose the overall result of the SIADAP application in the organisation, referring to the number of qualitative mentions granted per career.</li> </ul>

The employees' appraisal includes two different stages mentioned in the figure below.

Figure 21 | Appraisal process



<p><b>5. Appraisal recognition</b></p> <ul style="list-style-type: none"> <li>• Relevant and Excellent performances recognition carried out by the ACC.</li> <li>• Takes place after the appraisal meeting.</li> </ul>	➔	<p><b>6. Appraisal by the Joint Commission</b></p> <p>Assessment of employees' appraisal by the mediation commission takes place within a 10 working days term after disclosure of final appraisals.</p>
<p><b>7. Appraisal's validation</b></p> <p>Carried out by the organisation's top manager until 30<sup>th</sup> April.</p>	➔	<p><b>8. Complaints</b></p> <p>The time limit for lodging a complaint on the confirmation is of 5 working days after taking notice of the final assessment.</p>
<p><b>9. Monitoring and objectives revision</b></p> <ul style="list-style-type: none"> <li>• Aims to monitor and redefine or reformulate performance assessment parameters when needed.</li> <li>• It is transversal and can and should be carried out, both by the evaluator and the employee under assessment, throughout the process</li> <li>• Takes place as from the objectives contracting phase until the end of the appraisal cycle.</li> </ul>		

Employees' performance appraisal process initiates with the contracting of appraisal parameters - results and competences.

Figure 22 | Performance Appraisal parameters

Results	<p>A minimum of 3 and a maximum of 7 objectives are set for each employee. For each objective measurement indicators are established.</p>	<p>The objectives to be set are as follows:</p> <ul style="list-style-type: none"> <li>• Public goods provision and carrying out of acts or service delivery.</li> <li>• Quality - orientated towards innovation, improvement of services and end users' needs satisfaction;</li> <li>• Efficiency - simplification, rationalization of time limits and processes, and operational costs reduction;</li> <li>• Improvement and development of employees' individual, technical and behavioural competencies</li> </ul>	<p><b>Assessment criteria</b></p> <p>Degree of objectives' accomplishment in accordance with the indicators set.</p> <p><b>Scoring</b></p> <ul style="list-style-type: none"> <li>• Objective surpassed - 5</li> <li>• Objective achieved - 3</li> <li>• Objective not achieved - 1</li> </ul> <p><b>Final parameter scoring</b></p> <p>Arithmetic average of scorings obtained in all objectives.</p>
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Competencies	<p>A minimum of 5 competencies are set for each employee, chosen from the list of competencies for the respective professional group</p>	<p>20 competencies for general regime careers were defined:</p> <ul style="list-style-type: none"> <li>• Results orientation</li> <li>• Public service orientation</li> <li>• (Specialized) Knowledge and experience</li> <li>• Organization and work method</li> <li>• Team work and cooperation</li> <li>• Coordination</li> <li>• Interpersonal relationship</li> <li>• Adaptation and continuous improvement</li> <li>• Innovation and quality</li> <li>• Resources optimization</li> <li>• Initiative and autonomy</li> <li>• Responsibility and commitment to the organisation</li> <li>• Tolerance to pressure and contrarities</li> <li>• Safety orientation</li> <li>• Communication</li> <li>• Planning and organization</li> <li>• Information analysis and critical sense</li> <li>• Negotiation and persuasion</li> <li>Institutional representation and collaboration.</li> </ul>	<p><b>Assessment</b></p> <p>Compliance with defined behavioural competencies</p> <p><b>Scoring</b></p> <ul style="list-style-type: none"> <li>• Competence shown at a higher level - 5</li> <li>• Competence shown - 3</li> <li>• Competence not shown or inexistent - 1</li> </ul> <p><b>Final parameter scoring</b></p> <p>Arithmetic average of scorings granted to competences chosen for each employee</p>
	<p>Performance appraisal may be exclusively based on “competencies”, in exceptional situations and for certain careers (e.g., administrative and auxiliary staff), by way of a reasoned organisation’s top manager decision after hearing the Assessment Coordinating Council.</p>		

### EMPLOYEES’ FINAL APPRAISAL

Employees’ final appraisal consists of the weighted average of scorings achieved in the two appraisal parameters as follows:

Parameters Weight	Final Appraisal Expression
Results – minimum weighting of <b>60%</b>	Relevant Performance – <b>4 to 5</b>
Competences – maximum weighting of <b>40%</b>	Adequate Performance – <b>2 to 3,999</b>
	Inadequate Performance – <b>1 to 1,999</b>

### PERFORMANCES DIFFERENTIATION

Performance’s differentiation is guaranteed by the setting of a maximum percentage of 25% for qualitative final appraisals of *Relevant Performance*, and from among those ones, 5% of the total workforce for the recognition of *Excellent Performance*.

At the beginning of each year's management cycle, after budget approval, the organisation's top manager defines the universe of employees that are eligible for relevant performance granting based on the organisation strategic objectives set in the evaluation and accountability framework. As a rule, all careers on a proportional way shall be included on it.

Information regarding the eligible employees is disclosed to all staff.

### MERIT RECOGNITION

The initiative to recommend a relevant performance rating is the responsibility of the employee's line manager. However, in the case of excellent performance the employee may also present a proposal.

Initiatives for merit recognition must be dully grounded showing in detail the impact of the employee performance on the organisation's results.

Nevertheless, the Coordinating Council assesses the grant of Relevant Performance, specially, in cases of *Excellent Performance* recognition.

Merit recognition is disclosed within the organisation by the means deemed appropriate.

### INADEQUATE PERFORMANCE

Inadequate performance ratings must be duly justified, by parameter, to make it possible to:

- Analyse the reasons for underperformance and identify training needs and the appropriate professional development plan for improving the performance;
- Justify decisions aimed at making better use of the employee's capabilities.

The training needs identified must be translated into actions to be included in the professional development plan.

### EFFECTS OF PERFORMANCE APPRAISAL

The performance appraisal has impact on bonuses decisions, remuneration, career, and training as well as on the establishment of professional development plans.

Figure 23 | Employees' final appraisal effects

Overall performance appraisal effects	Two consecutive excellent performance rating effects
Identification of the employee's personal and professional capabilities to be developed.	Traineeship in a foreign Public Administration or in an international organisation
Training needs diagnosis.	Training attendance suitable for professional competences development.
Competences and professional behaviours identification worthy of improvement.	
Improvement of the job and related processes.	Traineeship in another public service, non-

Change of the pay step and grant of performance bonuses.	governmental organization or business entity with management and methods relevant to public administration.
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#### 4.10. TERMINATION OF THE PUBLIC EMPLOYMENT RELATIONSHIP

Public employment relationship may end due to several reasons. The legal common causes of public employment relationship extinction are identified in the figure below.

Figure 24 | Public employment relationship extinction

Expiry	<ul style="list-style-type: none"> <li>• Ending of the contract</li> <li>• Absolute and definitive impossibility of the public employee to perform his/her work</li> <li>• Public employee's retirement</li> <li>• Public employee reaches the age of 70</li> <li>• Death</li> </ul>
Agreement	It may terminate by agreement between the public employee and the public employer after previous authorization of the Government member responsible for finance and public administration and the Government member with management or supervision powers over the public employer.
Disciplinary reasons	Following a disciplinary offence, which makes impossible to maintain the job, operating by dismissal, in the case of a public service contract, or by resignation, in the event of appointment, following a disciplinary procedure.
Employee initiative	<ul style="list-style-type: none"> <li>• By termination (contract) or dismissal (appointment), irrespective of just cause, upon prior written notice to the public employer.</li> <li>• By written statement of termination for just cause, within 30 days as from the knowledge of the facts that justify it.</li> </ul>



5.

SOCIAL PROTECTION

## 5. SOCIAL PROTECTION

Social protection constitutes a right of all citizens and aims at ensuring a set of decent and dignified life conditions to persons, namely in certain social risk situations, referred to as eventualities.

Historically, a special scheme was applied to Public Administration employees, which was called the *civil service social protection scheme*, whose autonomy was maintained by successive social security framework laws. However, these laws have always made it compulsory for this special scheme to converge with the general social security scheme (GSSS) for employees.

This special social protection scheme was born exclusively for public employees and in a way intrinsically linked to the underlying employment relationship, which was also special in relation to the general labour law. Its most relevant feature consists of an employment relationship and a social security relationship established between the employee (the beneficiary of the scheme) and the same entity, which is both his /her employer and his/her social security entity (i.e., the PA bodies and services). Thus, we have the same entity (the employer) that must assume the responsibilities inherent to the working relationship and the social security/social protection relationship, unlike the general regime where these relationships and responsibilities are distinct.

It is from 1 January 2009 that the social protection of all public employees performing public duties is defined for the first time in a comprehensive, effective, and integrated manner, regardless of the public employment relationship modality, taking into account the acquired rights and future entitlements as well as the legal imperative of achieving convergence between these schemes.

A convergent social protection scheme is created as a closed scheme, covering only employees who entered in the civil service until 31 December 2005, and who were subject to civil service social protection scheme, the so-called registered to the *Caixa Geral de Aposentações* (known as CGA).

On the other hand, the progressive public employees' integration into the general social security scheme is promoted, making it compulsory for those who have started their professional activity in the civil service as from 1 January 2006, as well as for those who, in previous years, had already been registered as its beneficiaries for all eventualities.

Irrespective of whether the employee is covered by the appointment or contract scheme, he or she is included in the general social security scheme or in the general convergent social protection scheme (GCSPS), the existing social protection schemes.

The organisation of the GCSPC maintains, in essence, that of the previous civil service social protection scheme, i.e. it continues to be the employer who assumes the responsibilities and competences for the materialisation of the right to social protection, with the CGA, IP, responsible for the management of pensions.

All social rights and benefits that were part of the previous social protection scheme of civil service are maintained, as far as health and complementary social action are concerned, i.e., the new regime will not imply a diminution of the rights acquired so far by public employees.

Regardless of the scheme where public employees are registered, social protection provides cash benefits to compensate income loss in case of the following eventualities:

- Disease
- Maternity, paternity and adoption (parenthood)
- Unemployment
- Work accidents and occupational diseases
- Disability
- Old age
- Death

Benefits within the scope of family protection in the following eventualities:

- Family related expenses
- Disability related expenses
- Dependence related expenses

Figure 25 | Public Employees' social protection schemes main features

Social Protection Schemes		
	General Convergent Social Protection Scheme (GCSPS)	General Social Security Scheme (GSSS)
Scope	Public employees who were registered with the CGA, until 31 December 2005, and that were not included in the GSSS.	Employees performing public functions hired as from 1 January 2006 irrespective of the legal employment relationship modality, and those who, in previous years, had already been registered as GSSS beneficiaries for all eventualities (e.g., employees with individual employment contract).
Unemployment benefit payment	Employers (public bodies and services) Social security institutions: <ul style="list-style-type: none"> <li>• In the case of teachers<sup>2</sup> in public, pre-school, primary and secondary education and the military, on a contract basis and on a voluntary basis, on the basis of contributions paid exclusively for that purpose.</li> <li>• In the case of public employees on an appointment and public employment contract basis, who were previously civil servants, unemployment benefits are granted by social security institutions, but the respective allowances are paid by the last service where they fulfilled functions.</li> </ul>	Social security institutions

<sup>2</sup> In 2000, unemployment protection for teachers hired from public education and teaching establishments was introduced



Social Protection Schemes		
	General Convergent Social Protection Scheme (GCSPS)	General Social Security Scheme (GSSS)
Unemployment benefit amount	<p>This eventuality has not yet been regulated under the GCSPS, although the protection of all employees covered by the unemployment is guaranteed when this may occur, by application of the respective legislation in force in the General Social Security Scheme.</p> <p>The daily amount of unemployment benefit is equal to 65% of the reference pay and calculated based on 30 days per month.</p> <p>The monthly amount of unemployment benefit may not, in any case, exceed the net value of the reference salary based on which the unemployment benefit was calculated.</p>	<p>Varies according to the age of the beneficiary and the number of months with pay record.</p> <p>The daily amount of unemployment benefit is 65% of the reference pay (RP) and is calculated based on 30 days per month, without prejudice to the application of the minimum or maximum limit laid down by law.</p> <p>The RP is the value that results from the sum of the salaries declared to the Social Security for the first 12 calendar months of the last 14, starting from the month before of the date of unemployment, including holiday and Christmas benefits, to be divided by 360 days.</p> <p>After 180 days of entitlement, the daily amount of unemployment benefits whose monthly amount is higher than the SSI (social support indexer) 3 value (EUR 438.81) is reduced by 10% and cannot be less than the SSI value.</p>
Applicable contribution rates	<p>Contracted staff - 34.75% (23.75% employer and 11% employee)</p> <p>Appointed staff - 29,6% (18,6% employer and 11% employee)</p>	34.75% (23.75% employer and 11% employee)
Allocation and payment of retirement and pension benefits	CGA	Social Security
Social benefits of a contributory nature	<p>Assigned by the CGA to protect its subscribers in the event of old age, disability, and permanent incapacity resulting from an accident at work or occupational disease and death eventualities.</p> <p>(this protection takes the form of pensions and death grants)</p>	<ul style="list-style-type: none"> <li>• Disease</li> <li>• Parenthood</li> <li>• Unemployment</li> <li>• Occupational diseases</li> <li>• Invalidity</li> <li>• Old age</li> <li>• Death</li> </ul>

Social Protection Schemes		
	General Convergent Social Protection Scheme (GCSPS)	General Social Security Scheme (GSSS)
Immediate eventualities benefits	<ul style="list-style-type: none"> <li>• Disease</li> <li>• Parenthood (maternity, paternity and adoption)</li> <li>• Unemployment</li> <li>• Accidents at work and occupational diseases</li> <li>• Death allowance</li> </ul>	<ul style="list-style-type: none"> <li>• Disease</li> <li>• Parenthood</li> <li>• Unemployment</li> <li>• Occupational diseases</li> <li>• Death allowance</li> </ul>
Benefits grant responsibility	Employers	Social Security
Non-immediate eventualities benefits	<ul style="list-style-type: none"> <li>• Disability</li> <li>• Old age</li> <li>• Death (survivor's pension)</li> <li>• Benefits for permanent disabilities and death resulting from accidents at work and occupational diseases</li> </ul>	<ul style="list-style-type: none"> <li>• Disability</li> <li>• Old age</li> <li>• Death (survivor's pension)</li> </ul>
Management and payment of family benefits responsibility	CGA <sup>3</sup>	Social Security
Family Protection	Allocation of social benefits in three distinct eventualities: <ul style="list-style-type: none"> <li>• Family expenses</li> <li>• Costs related to disability</li> <li>• Burdens in the field of dependency</li> </ul>	<ul style="list-style-type: none"> <li>• Family expenses</li> <li>• Disability</li> <li>• Dependency</li> </ul>
Family benefits <sup>4</sup>	<ul style="list-style-type: none"> <li>• Prenatal family allowance</li> <li>• Family allowance</li> <li>• Scholarship</li> <li>• Funeral allowance</li> </ul> <p>The social security institutions of the beneficiaries' area of residence grant family benefits. The CGA ensures the payment of family benefits identical to those paid by social security.</p>	<ul style="list-style-type: none"> <li>• Family allowance for children and young people</li> <li>• Child benefit increase</li> <li>• Child and young people living in single-parent families benefit increase</li> <li>• Prenatal family allowance</li> <li>• Scholarship</li> <li>• Funeral allowance</li> </ul>
Disability benefits	<ul style="list-style-type: none"> <li>• Family benefit bonus</li> <li>• Special education allowance</li> <li>• Permanent monthly allowance<sup>5</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Family benefit bonus</li> <li>• Special education allowance</li> </ul>
Dependency benefits	Third person care allowance	Third person care allowance

<sup>3</sup> In the case where the holders are dependants of beneficiaries of the convergent social protection scheme.

<sup>4</sup> Protection in this eventuality is intended to offset the costs of supporting and bringing up children, to promote the birth rate and to contribute to funeral expenses

<sup>5</sup> Allocated until 31 December 2023

As regards financing, Social Security is not unified, but resorts to transfers from the State Budget (OE), to the consignment of tax revenue and to contributions. In descending order of importance, we can list the main revenues of the Social Security budget, as follows: contributions from employers; employees' contributions and transfers from the State Budget and other public entities, consigned revenues, namely from social gaming and income.

Like Social Security, the budgeting of the CGA depends on the nature of the social protection conferred. The benefits granted under the convergent social protection scheme are financed in a tripartite manner, through contributions from both employer and employees and consigned tax revenue. For example, transfers from the State budget finance non-contributory benefits (family benefits and other benefits of a special nature). Sickness, maternity, paternity and adoption benefits, accidents at work and occupational diseases are the responsibility of the employer.

## 5.1. PENSION SYSTEM

The pension system has undergone a substantial reform over the past decades aiming at promoting its financial sustainability.

The main reform measures included: the period increase to calculate the reference wage; alignment of statutory retirement ages between women and men; raising the retirement age in line with the rise in average life expectancy and gradual integration of civil servants' scheme in the general social security one. Moreover, the introduction of minimum pensions was an important step to provide adequate pensions while formalised indexation rules will stabilise benefits in real terms (in OECD Reviews of Pension systems: Portugal © OECD 2019).

Progressive convergence between the two schemes was initiated in 1993. However, the most important period is 2006 when the retirement age convergence, full career length and eligibility for early retirement between both schemes was streamlined to eliminate the last remaining differences by 2015 for most public employees.

Although past entitlements were not touched, which implies the existence of specificities, particularly as regards the calculation of pension rights, nowadays rules are aligned to those in the general scheme. Only the pension's management differs.

Among the financing models of the pension systems (pay-as-you-go, funded and mixed models), the Portuguese pension system is characterised by being a pure Pay-As-You-Go model, which is based, inter alia, on intergenerational solidarity (pensions are financed by contributions from assets) and solidarity within the same generation (assets finance the benefits of those who are unable to work).

The main risks of this system relate to vulnerability to ageing populations, the trend towards higher contribution rates and the pressure that overly generous systems may put on public finances with long-term repercussions.

Eligibility for pension benefits requires registration in one of the schemes aforementioned, compliance with the legal retirement age and a minimum of years of contributions (15

years).

Legal retirement age has increased over the years, from 60 years old in 1999 to 65 in 2015, and from this year is linked to life expectancy.

Portugal is one of the few OECD countries with a mechanism that reduces the age required to access to a full pension when there is an increase in mortality. This is the case in 2023 (66 years and 4 months), due to the impact of the COVID-19 pandemic on average life expectancy, which will also lead to a reduction in the sustainability factor.

The conditions for entitlement to retirement are set out in the table below.

Figure 26| Right to retirement

Retirement	Convergent Social Protection Scheme	Social Security Scheme
Depends upon:	Registration with CGA (Public Employees' Special Pension Scheme) up to 31 December 2005 and payment of contributions for pension purposes (11% over monthly gross compensation).	Registration as beneficiaries in the social security and payment of contributions – 11% over monthly gross compensation for all covered eventualities.
	Compliance with a minimum waiting period of 15 calendar years	Compliance with a minimum waiting period of 15 calendar years.
	Minimum legally set age (66 years and 4 months for 2023)	Compliance with the regular retirement age (66 years and 4 months for 2023).
	40 years of service	40 years of service

## 5.2. RETIREMENT PENSION CALCULATION

For the calculation of ordinary retirement pension should be considered elements such as employee's age, time of service (in years and complete months expressed in years), limited to the full career of 40 years, and the pensionable salary. Full-career length in civil service is 40 years since 2013.

The general social security scheme calculation formula applies to all beneficiaries registered with the Public Employee's Special Pension Scheme after 1 September 1993 for all years of service.

There are two main groups of CGA subscribers: public employees recruited before 31.08.1993 and whose pension calculation formula is defined in the Retirement Statute. This one provides for a pension corresponding to a percentage of the last salary. Other CGA subscribers are employees recruited after that date, to whom the rules of Social Security apply (which considers the entire contribution period for the calculation of the pension).

Within the convergent social protection scheme, the increasing weight of the pension component calculated according to the social security rules ensures a progressive

standardisation between the two schemes.

In Portugal, pensions are liable for tax purposes in the same way as labour income, according to the IRS withholding tables that apply to pensioners, but are exempt from CGA or social security contributions. The CGA must subtract from the pension the deductions for IRS and health subsystems.

### 5.3. EARLY RETIREMENT

The possibility of early retirement is provided for in the pensions scheme, but strong monetary penalties are applied, leading to a permanent reduction in retirement benefits.

However, the new early retirement scheme, implemented in 2019, was designed to ease the penalties imposed on pensioners. Its aim is to enhance the value of long contributory careers, allowing each employee to adjust their retirement age according to their own professional career.

The early retirement penalty regards a general reduction, based on the sustainability factor (since 2014 and concerns only early retirement) that is applied regardless of the number of months of early retirement.

The sustainability factor for the year of retirement is calculated as life expectancy at age 65 in 2000 divided by life expectancy at age 65 in the year before retirement. This penalty, created in 2008, was first applied to all pensions. However, as from 2014 it applies only to pensions granted before the normal retirement age.

In 2021 and 2022, this indicator was set at 15.5% and 14.1% respectively.

On top of the sustainability factor, a reduction of 0.5% is applied for each month of early retirement preceding the normal retirement age (anticipation penalty).

This penalty may, however, be reduced or waived if the worker has more than 30 years' contributions on the date on which he reaches the age of 55. For each group of 3 years of service over 30, 12 months are deducted from the missing age.

Taking into account the specific situations of the long-term unemployed, on the one hand, and employees with long contributory careers, on the other hand, changes to this scheme were introduced in order to prevent this sharp pension's reduction. For the latter, the concept of "*personal retirement age*" was set up, allowing employees with long contributory careers to retire before the legal age without the penalty imposed by the sustainability factor.

The "personal pensionable age" is calculated based on the years of deduction made and consists of the subtraction from the legal retirement age of four months for each year in addition to the 40 in the contribution career. However, the reduction may not result in access to old-age pension before the age of 60.

Early retirement depends on whether the beneficiary of the general scheme or subscriber or former subscriber to the converging scheme is in one of the following situations:

Figure 27 | Early retirement requirements

Situation	Schemes	Main features
General rule	General Social Security Scheme and Convergent Social Protection Scheme	<p>Being 60 years of age or older and having 40 years of discount or more. Two situations apply:</p> <ul style="list-style-type: none"> <li>• Anticipation by the flexibility regime in force since January 2020. It has to register both conditions simultaneously: age 60 and 40 years of discounts.</li> <li>• In this case, only the 0.5% anticipation penalty applies.</li> <li>• Anticipation by the flexibility regime in force before January 2020, at least age 60 and 40 years of discount (without requiring the condition to be simultaneous).</li> <li>• In such case the 0.5% anticipation penalty applies plus the sustainable factor reduction (14.1% in</li> </ul>
Rule maintained under the principle of safeguarding rights	Convergent Social Protection Scheme	<ul style="list-style-type: none"> <li>• 55 years of age, provided that, on the date of reaching that age, the employee had at least 30 years of service. Applicable only to those who cannot benefit from the general rule (new modality).</li> <li>• For these situations, the 0.5% anticipation penalty applies in addition to the sustainable factor reduction.</li> </ul>
Long-term involuntary unemployment	Social Security Scheme	<ul style="list-style-type: none"> <li>• Having exhausted access to unemployment benefits an early pension is possible from age 62, if the unemployed person was 57 or older when she/he became unemployed and completed the minimum qualifying period of 15 years.</li> <li>• Only the sustainable factor penalty applies to this situation.</li> <li>• Having exhausted access to unemployment benefits an early pension is possible from age 57 for those aged 52 or over when becoming unemployed with registered contributions for 22 years.</li> <li>• In this case, both penalties apply (anticipation and</li> </ul>
Long careers anticipation regime	Social Security Scheme and Convergent Social Protection Scheme (since 2019)	<p>Retirement age anticipation due to long careers has no penalty and covers:</p> <ul style="list-style-type: none"> <li>• Beneficiaries aged 60 or over and at least 48 calendar years with registered contributions;</li> <li>• Beneficiaries aged 60 or over and at least 46 calendar years with registered contributions, who has been registered with public employees' special pension scheme or in the general social security scheme at 16 years of age or younger.</li> </ul>
Having a painful or exhausting professional activity		<p>Retirement is possible at earlier ages and without penalties for employees in activities such as: seafarers, underground miners, classical ballet and contemporary professional dancers, air traffic controllers, port workers, Madeira embroiderers, workers in the quarry industry - each of these activities has its own regime.</p>

In addition to these situations, some employees, to whom special schemes or specific

protective measures apply, are exempt from such reductions and benefit from specific conditions that allow retirement at younger ages.

#### 5.4. EXTENSION OF WORKING LIFE

Under the Convergent Social Protection Scheme, and until January 2019, when the public employee reached the age limit of 70 years, retirement was compulsory. However, from February of the same year, changes were introduced regarding the conditions for retired persons to exercise public functions beyond the age of 70.

The employee that wishes to continue to work, holding a public employment relationship, expressed it through a written request addressed to the public employer at least six months before reaching that age. In cases of exceptional public interest, the public employer is responsible for justifying the continued performance of the employee's functions after the age of 70. The decision to authorize it is the responsibility of the members of the Government responsible for the finance and Public Administration areas, and produces effects for one year, except if a longer period is set due to the nature of the functions.

The retiree through the appropriate public employment relationship modality shall fulfil public functions by short-term contract, transitional appointment, or tenure (for the fulfilment of management positions). Such employment relationships shall have a 6 months' term renewable for equal periods up to a limit of 5 years, without prejudice, in the case of the tenure, to the maximum period laid down for the tenure and its renewal.

The remuneration due during the period in which the functions are exercised is that foreseen for the functions or position held, as well as for the work carried out, maintaining the right to the respective pension, when this is higher, and in the amount corresponding to the difference between the former and the latter.

Under the General Social Security Scheme, there is no compulsory retirement age.

It should also be mentioned that for each additional month worked after the official retirement age, the employee benefits from a percentage increase in the calculation of the pension. The retirement pension paid to members of CGA who are at the normal or personal age for access to the old-age pension and have 15 years of service, is calculated under the general terms and is subsidised. The monthly bonus rate varies between 0.33% (15 to 24 years of service) and 1% (over 39 years of service) depending on career length. Pension rights prior to the application of any bonus cease to accrue after 40 years of contributions.

For calculating the pension bonus rates, only the months of effective performance of functions as from 1 January 2008 shall be taken into account. The amount of the subsidised pension under any circumstances cannot be greater than 90% of the subscriber's last monthly remuneration.

The worker can combine the old-age pension with income from self-employment or salaried work. The same does not apply when the pension is for disability.



6.

SENIOR CIVIL SERVICE

SEGUNDA  
VIAGEM DO  
CHETE DO IS  
TADO AS TER  
RAS ULTRAMA  
RINAS DO IMP  
RIO: CABO VERDE  
MOÇAMBIQUE  
ANGOLA  
XVII DE JUNHO  
XI DE SETEMBRO  
DE  
CMXXXIX



## 6. SENIOR CIVIL SERVICE

Senior civil service in Portugal covers two managers' groups. Those from central, local and regional autonomous government organisations, on the one hand, and State business sector administrators, on the other hand, to whom different statutes apply. Thus, the designation, responsibilities, powers, selection, evaluation, compensation, etc., are specific for each of these groups.

In this publication framework, only the managers of central, local and autonomous regional government organisations are addressed.

Managers are a group of staff not integrated into a specific career. Therefore, recruitment is made for a certain position not for a category and pay evolution is not possible within it. Moreover, managers perform their functions on a tenure basis and not on an appointment or contract one.

In addition, unlike in other EU member states no special organisation or central unit is in place to manage this staff group, except for senior level managers' recruitment and selection purposes.

### 6.1. GENERAL PRINCIPLES

The performance of management functions requires compliance with the law and respect for the civil service general ethical principles. Consequently, managers are at the exclusive service of public interest and shall observe, in the performance of their functions, the fundamental values and principles of administrative activity enshrined in the Constitution and in law. Namely those of legality, justice and impartiality, competence, accountability, proportionality, transparency and good faith, in order to ensure the respect and confidence of workers and society in the Public Administration.

As a rule, the performance of managerial duties is made on an exclusivity basis, thus being subject to the incompatibilities, inhibitions and impediments regime provided for in regulatory provisions of conflicts of interest resulting from the fulfilment of public duties.

Civil service higher-level public positions are subject to the wealth public oversight rules. These one require that holders of such positions submit to the Constitutional Court, within sixty days after starting functions, an income declaration, as well as their assets and corporate positions. The declaration includes real estates, national and foreign bank accounts, a description of their liabilities, enterprises shares, portfolio bonds and any other kind of participation in national and foreign companies (rights over assets), as well as information on positions held in private or public company's governing bodies.

An update of such declarations is compulsory when the office tenure expires, or a new appointment occurs. This update shall also take place whenever, during the fulfilment of functions, property increases higher than the amount of 50 guaranteed minimum monthly wages are observed.

The Public Prosecutor's Office at the Constitutional Court shall analyse all declarations when managers' tenure expires.

Failure to comply with these requirements or submission of false declarations shall entail the termination of the tenure, removal from office or judicial dismissal, as well as inhibition for a period of one to five years for the exercise of any office that requires the aforementioned declaration. Whomever makes a false declaration shall incur the penalties provided above and shall be punished for the crime of making false declarations, under the terms of the law.

Managers enjoy exemption from work schedule though observing the general duty of regular attendance, and compliance with the weekly work term: 7 hours per day and 35 hours per week.

## 6.2. MANAGERS STATUTE AND GENERAL CONDUCT PRINCIPLES

A special statute applies to managers whose principles are based on a merit-based and demanding culture, transversal to the entire Public Administration. Thus, the conduct of managers must be guided by criteria of quality, responsibility, effectiveness and efficiency, integrated into a management by objectives and oriented towards achieving results, as established in the annual and multi-annual objectives, defining the resources to be used and the programmes to be developed, systematically applying control mechanisms, and evaluating the results.

Managers' mission is to pursue the tasks assigned to the respective organisation, ensuring that it performs well by optimising resources and promoting services end users' satisfaction.

Furthermore, management staff shall lead, motivate, and encourage their staff in a joint effort to improve and ensure good services performance, thus reflecting a positive image amongst citizens and society in general.

Pursuant to the law, managers are to be held civil, criminal, disciplinary and financially accountable for the fulfilment of their duties. However, they are exempt from payment of court fees when they are personally prosecuted for the performance of their duties.

### Manager's statute scope

- Direct State administration organisations' managers (e.g. Directorate-Generals)
- Public institutes managers
- Local administration managers, by way of an adaptation act
- Autonomous Region of the Azores and Madeira administrations' managers, by way of a regional legislative adaptation act.

Managers' statute does not apply to:

- Management positions of support bodies and services to the President of the Republic, Parliament and Courts.
- Armed, security forces and intelligence services.
- Schools

### 6.3. POSITIONS

Individuals or collective boards with well-defined competencies manage civil service organisations.

Managers positions are ranked as senior and middle management, subdivided, the former into two levels, and the latter in as many levels as the organisation's internal structure so demands it, according to the hierarchical level, competencies and responsibilities assigned.

Figure 28 | Management staff positions

Senior management positions	1st Grade positions	Director-General
		Secretary-General
		Inspector-General
		President (Public Institute)
	2nd Grade positions	Deputy Director-General
		Deputy Secretary-General
		Deputy Inspector-General
		Vice-President (Public Institute)
Middle management positions	1st Grade positions	Head of Department
	2nd Grade positions	Head of Division
	3rd Grade or lower	Others e.g., Coordinator, Head of project

Senior top management positions are equivalent in independence and powers, there is no hierarchy applied to them. All 1<sup>st</sup> grade senior managers interact directly with the corresponding responsible Government member without any interference or subordination to any other top management positions whatsoever.

### 6.4. RECRUITMENT AND APPOINTMENT OF SENIOR MANAGERS

As a rule, senior level managers are recruited by means of an open competition procedure carried out by the Recruitment and Selection Commission for Public Administration (known as CReSAP), an independent entity that reports to the Parliament. The ministry responsible for Public Administration provide CReSAP's financial and administrative resources.

The senior managers' recruitment by open competition aims to achieve three major objectives, namely: to increase efficiency of public management, to strengthen the senior

civil service professionalization and the recruitment transparency (more competences; political impartiality; greater stability) and to remove senior civil service from the political struggle.

Figure 29 | Senior managers' general requirements

Position	General Requirements	
1st Grade senior managers	Applicants must be holders of a university degree, for at least 10 years, on the date of holding the open competition procedure.	Skills, aptitude, professional experience, and training suitable to the performance of the respective duties.
2nd Grade senior managers	Applicants must be holders of a university degree, for at least 8 years, on the date of holding the open competition procedure.	Applicants attached or not to the civil service are admitted to the competition.

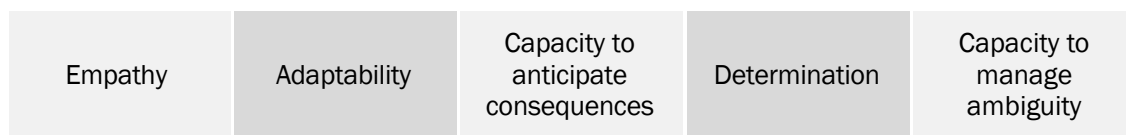
The procedure's initiative is incumbent upon the Government member with managerial or inspection and supervision powers over the public organisation in which the position to be filled is integrated, being responsible for identifying the position competencies, outlining the management mandate and the main related responsibilities and functions, as well as the respective mission charter.

Figure 30 | Open Competition Procedure

Opening	<b>Government request</b> – Stating the post characteristics and the mission charter
	<b>Selection board members</b> – CReSAP chairman (that has a casting vote); CReSAP Permanent member, a non-permanent member (Ministry) and, when applicable, an expert in the field of the vacant position (Ministry level)
	<b>Position profile definition and approval</b> – Approved or amended by responsible Government member within 20 days
	<b>Open competition notification publication</b> – Publicised in the Official Gazette, in the public employment pool for 10 days and posted on the Government's electronic platform, on the CReSAP website and in a National newspaper
	<b>Applications</b> – candidates register on CReSAP's electronic application platform and apply within 10 working days

Selection methods	<p><b>Curricular Assessment (CA)</b> – aims to assess the candidate declared skills suitability to the position’s requirements. It is carried out through the candidate’s curriculum vitae and self- assessment questionnaire<sup>6</sup> analysis that must be filled in by each one in the CReSAP’s electronic application platform.</p>
	<p><b>Management skills assessment (AI)</b> – aims to obtain, through an interpersonal relationship, information on professional behaviour directly related to the skills considered essential for the position. It includes:</p> <ul style="list-style-type: none"> <li>• A set of tests to identify the candidate’s profile of behavioural competencies, such as the Personal Profile Analysis (PPA) test;</li> <li>• Assessment interview allows for a structured and in-depth analysis of the criteria laid down in the position’s initial skills profile, supported by the description of behaviour occurring in real situations and experienced by the candidate.</li> </ul> <p>The selection methods application is phased and a minimum of 6 best scored candidates in the CA are summoned for the management skills assessment phase</p>
	<p><b>Assessment criteria</b> – selection shall be based on 12 criteria (Figure 32).</p>
	<p><b>Classification</b> – Once all the methods have been applied, a qualitative assessment of each candidate is made by granting a “suitable”; “suitable with limitations” or “not suitable” score</p>
Selection and assignment	<p><b>Final report</b> – Based on the scores granted, the selection board draws up a final report indicating, in alphabetical order, the 3 selected candidates (short-list) along with the grounds for the choice of each one of them and submit it to the responsible Government member for decision</p>
	<p><b>Top manager assignment</b> – Corresponding Government member assigns one of the proposed applicants to the position. In case of insufficient number of candidates or dropout, the procedure may be repeated and if the same situation occurs, the Government member may carry out the recruitment by choice, in accordance with the rules in force.</p>
	<p><b>Publication</b> – The procedure ends with the publication of the minister’s assignment decision, which includes the CV of the appointed person. Furthermore, CReSAP publishes on its website the short list as previously submitted to the minister.</p>

Figure 31 | Behavioural skills



<sup>6</sup> This questionnaire is composed by 12 performance criteria and each one has a set of descriptors. For each criterion, applicants choose the best descriptor that reflects their experience, competencies and professional aptitudes base on the respective CV and made the respective self-classification (0-10 point’s scale), bearing in mind the position they are applying for.

Figure 32 | Assessment criteria

12 Assessment criteria	Leadership	Collaboration	Motivation	Strategic orientation
	Output's orientation	Citizen orientation	Change and innovation	Social sensibility
	Professional experience	Academic training	Vocational training	Ability

## 6.5. SKILLS

A list of skills for senior and middle managers concerns three main fields: leadership and management, social skills, and personal skills.

However, in the case of senior managers six should be highlighted: results orientation; strategic view; innovation and change orientation; public service orientation; employees' development and motivation, and social sensitivity.

Figure 33 | Manager's skills

Leadership and management skills		Social skills	Personal skills
Planning and organization	Results orientation	Communication	Specialized knowledge and experience
Resource's optimization	Citizen and public service orientation	Interpersonal relationship	Tolerance to pressure and contrarities
Strategic view	Innovation and change orientation	Teamwork and cooperation	Negotiation and persuasion
Decision making	Institutional representation and collaboration	Development and motivation of employees	Responsibility and commitment to the service
Information analysis and critical sense	Safety orientation	Social sensitivity	

Senior management positions shall be filled by order of the competent government member, within a maximum of 45 days from the date of the assignment proposals reception, on a tenure basis for a 5-year period, renewable once for an equal period.

The assignment of senior management positions may not take place between the calling of elections to the Parliament or the dismissal of the Government and the parliamentary investiture of the new Government.

For the manager designation the agreement and signature of a *mission charter* is required. It is drawn up by the government member responsible for the organisation in which the position to be filled is integrated and constitutes a management commitment.

The mission charter is published together with the open competition notice, which defines the objectives to be achieved during the performance of duties and the respective timeframe. However, it may be revised when the general context changes or when specific circumstances so justifies it. When formalising the application, the candidate must also submit a statement accepting the Mission Charter.

The tenure term and the respective renewals shall not exceed 10 consecutive years and the manager shall not hold the same position in the same organisation before 5 years have been elapsed.

## 6.6. RECRUITMENT AND APPOINTMENT OF MIDDLE MANAGERS

Holders of middle management positions are also recruited through open competition procedure, carried out by each public organisation from among contracted or appointed employees fulfilling public functions, with technical skill and ability, who meet all the requirements demanded.

### General Requirements

- A university degree
- 6 or 4 years of professional experience in the case of 1st and 2nd grade middle managers respectively
- Skills, aptitude, and training suitable to the performance of the respective duties;
- Recruited from among public employees, contracted or appointed for an indefinite period of time.

The initiative of the procedure shall be incumbent upon the organisation's top manager in which the position to be filled is part of.

Figure 34 | Open Competition Procedure

<p>Opening</p>	<p><b>Publication</b> – The open competition procedure is publicized in the Official Gazette, in a national coverage newspaper and posted on the Public Employment Pool for 10 days, stating the position to be filled, the assignment requirements, the profile, the selection commission composition and the selection methods to be applied.</p> <p><b>Selection board composition:</b>                  1st grade senior manager of the corresponding public organisation (chairman);                  Manager of equal level or higher from a different public service;                  A person of recognized competence in the respective functional area assigned by a University or by a representative public association of corresponding profession.</p>
<p>Selection methods</p>	<p>The selection board determines which selection methods will be applied (e.g., CV assessment), including mandatory public interviews at the end of the procedure.</p>
<p>Selection and assignment</p>	<p>The selection board presents, after the selection methods application, an appointment proposal based on results achieved by each candidate.</p> <p>The organisation’s top manager shall appoint the middle manager on a tenure basis, for a three-year period, renewable for equal time spans.</p>

## 6.7. TRAINING

The exercise of managerial functions depends on specific vocational training on public management fields, differentiated, if necessary, according to the level, grade, competences and responsibilities of the management positions, which is ensured by the organisation responsible for vocational training in Public Administration (known as INA) as well as by higher education institutions.

The strategic area of initial and continuous training of managers aims to ensure the training programmes for managers in middle and senior management positions. This vocational training shall be attended during the first two years of fulfilment of functions or in the case of impossibility by reason not imputable to the manager in the shortest term, focusing on the following competency areas:

- Organization and administrative activity;
- Human capital management and leadership;
- Management of human, budget, material and technological resources;
- Information and knowledge;



- Quality, innovation and modernization;
- Internationalization and community affairs;
- Change management.

In addition to this specific professional training, managers' training can be updated through participation in conferences, seminars, symposiums and lectures.

Bearing in mind that all leadership should be based on values, the managers training includes a module on ethics. This module deals with issues such as ethics and conduct in public service; legal framework of reference; conflicts of interest, corruption, and fraud and risk prevention instruments.

To promote continuous learning, leadership skills development as well as to prepare future leaders for the public sector, a *Leadership Development Centre* was set up. This Centre is defined as a hub for learning, creating, and disseminating knowledge about leadership in a public context, with an innovative performance model and a portfolio of actions oriented to the leaders' needs.

In this context, programmes and courses have been created such as - Leadership Skills Development Program; Public Management Training Programme; Advanced Course in Public Management; Mentoring Program for Innovation and Leadership; Leadership Labs; Leadership Conferences.

The development of potential leaders is pursued through participation in specific training. To this end, the Advanced Training Programme for the preparation of future leaders (known as CAT) was established in 2019. This programme aims to prepare public employees for the future exercise of management or team leadership functions, providing the development of appropriate knowledge and skills, through qualified training in scientific, technical, and behavioural aspects, with special focus on leadership matters.

## 6.8. RESPONSIBILITIES

Senior and middle managers exercise their competencies within the organic unit to which they are assigned and conduct their work in accordance with principles laid down in the manager's statute. They also exercise all the specific competencies conferred by law, in the respective basic law and statutes, as well as those delegated to them and sub-delegated by the respective government member or hierarchical superior.

Senior managers are responsible for defining the organisation's internal structure and to create, alter or eliminate flexible organic units through official decision. Furthermore, it is also up to them to define the rules required for these organic units' operation, as well as their coordination and, when required, the way in which their common functions are shared. This organisational flexibility is important for adapting the internal structure to the organisation's needs.

Figure 35 | Senior and middle managers' main responsibilities

Responsibilities	Senior managers	<ul style="list-style-type: none"> <li>• Overall service management</li> <li>• Budgetary management</li> <li>• Human resources management</li> <li>• Facilities management</li> </ul>	Manager's statute
		<ul style="list-style-type: none"> <li>• Those assigned by the corresponding organic laws</li> </ul>	
		<ul style="list-style-type: none"> <li>• Those delegated by the supervising Government member</li> </ul>	
	Middle managers	<ul style="list-style-type: none"> <li>• Unit's activities management: objectives definition, outcomes and performance</li> <li>• Unit's HRM management with special focus on performance assessment</li> <li>• Unit's patrimonial and technological resources management</li> </ul>	Manager's statute
		<ul style="list-style-type: none"> <li>• Those delegated by the organisation's top manager</li> </ul>	

## 6.9. PERFORMANCE APPRAISAL

According to the Subsystem for Managers' Appraisal (SIADAP 2), overall appraisal is carried out by appraisal cycles in accordance with the duration of the tenure accompanied by annual mid-term monitoring results.

### SENIOR MANAGERS

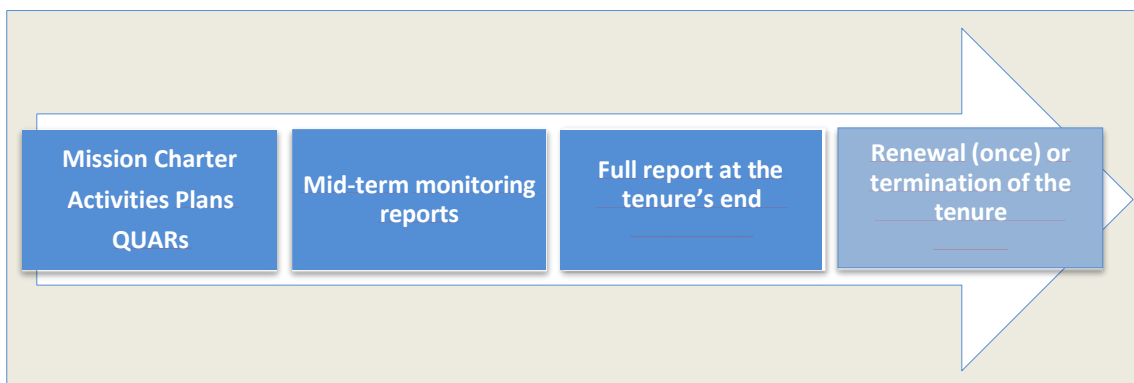
Senior managers' performance appraisal is based on:

- The Mission Charter, which contains the objectives to be achieved by the senior manager during the tenure;
- The organisation's evaluation and accountability framework (known as QUAR) containing the organisation's multiannual strategic objectives set by the competent government member, as well as the annual objectives and respective performance indicators and associated verification sources;
- The organisation's activities plan, which contains the detailed identification of the objectives to be achieved each year, as well as the existing human and material resources.

Figure 36 | Senior managers' appraisal

Mid-term monitoring	<p>Every year, until the 15th of April, the organisation's senior manager sends to the supervising government member:</p> <ul style="list-style-type: none"> <li>• Activities report including the organisation's self-assessment;</li> <li>• Summary report showing the mission charter commitments degree of accomplishment including the main options taken regarding HRM and qualification, financial resources management and the overall result of employees' performance assessment application.</li> </ul>
Final appraisal	<p>90 days prior to the end of the tenure (5 years) - the organisation's senior manager sends to the supervising Government member a detailed report on activities developed and results achieved.</p> <p>The organization's 1st grade senior manager assesses 2nd grade senior managers. The respective government member shall confirm this assessment.</p> <p><b>Appraisal parameters:</b></p> <ul style="list-style-type: none"> <li>• Degree of commitments accomplishment - as set in the mission charter focusing mainly on the effectiveness, efficiency and quality objectives.</li> <li>• Leadership competencies, strategic vision, external representation and management.</li> </ul>

Figure 37 | Senior managers' appraisal process



### MIDDLE MANAGERS

At the beginning of their limited executive tenure and in the scope of their legal competencies, middle managers negotiate with the respective evaluator the quantified and scheduled objectives to be attained during the performance of duties as well as the performance indicators applicable to the results assessment.

Middle managers' performance appraisal is based on the parameters results (achievement of objectives) and competences that have been negotiated with the respective line manager or senior manager.

For the objectives, a minimum of three shall be set and each will be appraised as "exceeded", corresponding to five points score, "achieved", corresponding to three points score or "not achieved", corresponding to a one-point score. The final score of the results parameter will be the arithmetic mean of the scorers achieved for each objective.

Considering the competences, a minimum of five shall be set from a list approved by order of the government member responsible for Public Administration. Each competence is appraised as "demonstrated at a high level", corresponding to a five points score, "demonstrated", corresponding to three points score or "unproven or non-existent", corresponding to a one-point score. The final score for the competency's parameter is the arithmetic mean of the scorers achieved in each competence.

Figure 38 | Middle managers' appraisal

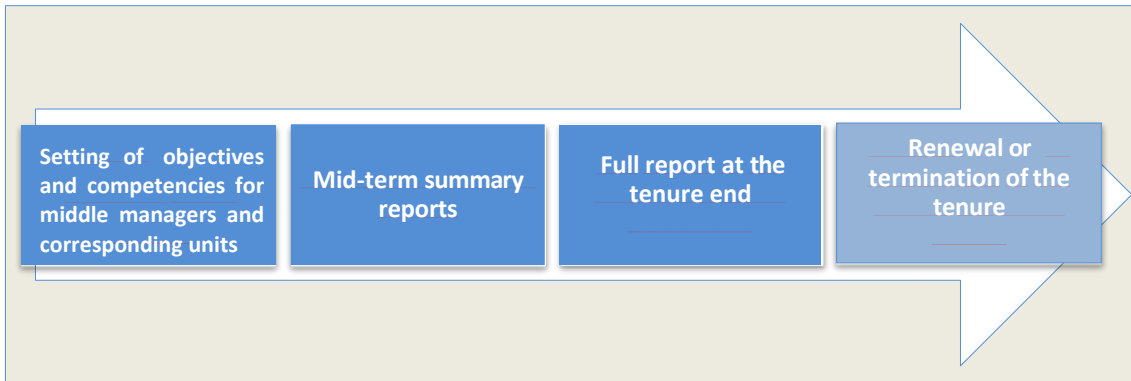
Mid-term monitoring	<p>Shall correspond to the calendar year and entails the fulfilment of management functions for a minimum period followed or interpolated of six months.</p> <p>Until the 15th of April of each year, middle managers present to their line manager and/or senior manager a summary report showing the results achieved in terms of adequacy to negotiated objectives.</p>
Final appraisal	<p>90 days prior to the end of the tenure (3 years), middle managers shall submit to their immediate superior a full and detailed report on activities developed and results achieved.</p> <p>Appraisal parameters:</p> <ul style="list-style-type: none"> <li>• Results accomplished as regards the objectives set for the respective organic unit;</li> <li>• Competencies showed, which integrate ability for leadership alongside with specialized and behavioural competencies suitable to the respective position.</li> </ul>

Middle managers' final rating corresponds to the weighted average of scorers attained in the results parameter (minimum weight of 75 %,) and the competences one (maximum weight of 25%). Final appraisal shall be expressed as follows:

- Relevant Performance - from 4 to 5 points
- Adequate performance - from 2 to 3,999
- Inadequate Performance - from 1 to 1,999

First grade middle managers are assessed by the senior manager to whom they are directly accountable, and second grade middle managers by the senior manager or 1st grade middle manager to whom they depend.

Figure 39 | Middle manager’s appraisal process



### 6.10. TENURE RENEWAL

Performance appraisal results determine the renewal or termination of senior and middle managers’ tenure. The decision on its renewal shall be notified in writing to the parties 60 days prior to its termination. In the case of middle managers mandate non-renewal, this notification will be accompanied by a decision to hold an open competition procedure.

In the face of this situation, the organisation functioning shall be ensured on a day-to-day management basis or provisionally on a replacement basis until a new holder is assigned, which may not exceed 90 days, unless a procedure for appointing a new manager is in progress.

Figure 40 | Termination of Managers Tenure

Reasons	Tenure term or non-renewal following performance appraisal.
	Taking office followed by the carrying out, under any title, of another position or function, except in cases where the mandate can be suspended, or the accumulation of functions is allowed.
	Organisation extinction or its restructuring.
	Breach of norms related to the exclusivity, incompatibilities, impediments, inhibitions, and accumulation regimes.
	Non-achievement of objectives laid down, in particular those set out in the mission charter (poor performance).
	Non-provision or poor provision of information, when deemed essential for compliance with the Government's overall policy.
	Inability to ensure compliance with superiorly set guidelines.
	Need for new orientation to the organisation management.
	Application of a disciplinary sanction following disciplinary procedure.
	Non-attendance due to an imputable cause or for non-successful attendance at compulsory vocational training.
	Non-application of employees’ performance appraisal procedure without reasonable ground.
Managers’ request.	

Managers are entitled to an indemnity where the termination of the limited executive tenure is caused by the extinction or restructuring of the organisation or by the need to redirect the services management and provided that the manager has held the post for at least 12 consecutive months.

### 6.11. MANAGERS' COMPENSATION

Managers' compensation is made of basic salary and representation expenses.

Figure 41 | Compensation scheme

Basic Salary	Fixed by a specific act that may determine basic salary levels differentiated according to the type of public organisation.
	2nd grade senior management positions and middle management positions basic salary is, as a rule, determined as a percentage of the standard value set for the Director-General position.
	Managers may opt for the basic compensation of their career and category of origin since it does not exceed the Prime Minister's basic compensation.
	3rd grade middle management positions or lower pay levels corresponding to basic salary are established in a specific organic or statutory legal text.
	It is paid in 14 monthly payments.
Representation Expenses	Management position holders are entitled to representation expenses to the amount set by a joint order of the Prime Minister and the Government member responsible for PA.
	Representation expenses are paid in 12 monthly payments.

Figure 42 | Standard Compensation (2023)

Positions		%	Basic Salary	Representation Expenses
Senior management	1st Grade	100	€ 3,854.55	€ 803.13
	2nd Grade	85	€ 3,276.37	€ 602.65
Middle management	1st Grade	80	€ 3,083.64	€ 321.25
	2nd Grade	70	€ 2,698.19	€ 201.07

### 6.12. GENDER BALANCED REPRESENTATION

As from 2019, a regime of balanced representation between men and women is in force for central government organisations, as well as governing bodies of public higher education institutions and public associations (e.g., professional associations). It also applies to managers in regional and local government.

This regime establishes as minimum threshold for balanced representation the proportion of 40% of persons of each gender in senior management positions.

Therefore, when recruiting CReSAP shall consider the objective of balanced representation between men and women in the composition of the candidates list for a position. However, it is exempted from such rules when the candidate’s list, selected according to their competences, abilities, experience, and legally required training, does not allow it.

On the other hand, it is up to government members to promote the appointment of management staff who contributes to this balanced representation when in their area of government this is not the case and where possible.

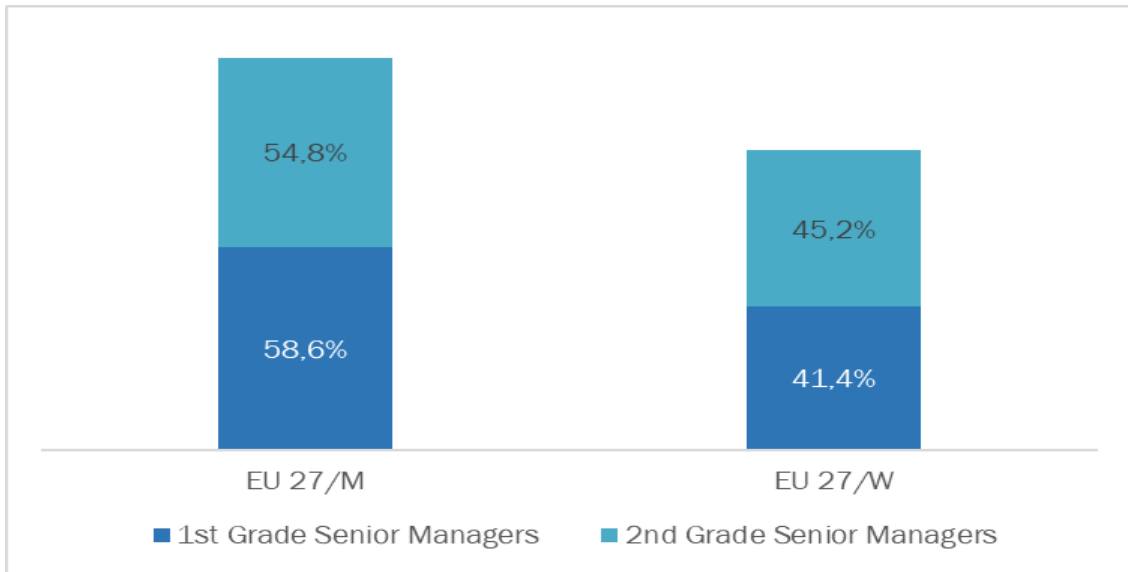
The statistical data concerning women’s representation in management positions at central government administration justify the adoption of this regime. The trend over time has been towards a higher representation at the lower management positions, while at senior positions women are far less represented.

Chart 12 | Management positions in General Government by gender over last 5 years in %



Source: DGAEP/DIOEP/SIEP, Fourth Quarter 2022

Chart 13 | Senior managers at EU 27 National Administrations (2022)



Source: EIGE Gender Statistics Database





ANNEX

## 7. ANNEX

## Single Pay Scale 2023

Pay Levels	Current monetary amount (€)	Pay Levels	Current monetary amount (€)	Pay Levels	Current monetary amount (€)
1	a)	41	€ 2,622.94	81	€ 4,748.38
2	a)	42	€ 2,675.40	82	€ 4,801.53
3	a)	43	€ 2,728.55	83	€ 4,854.69
4	a)	44	€ 2,781.70	84	€ 4,907.84
5	€ 761.58	45	€ 2,834.86	85	€ 4,960.99
6	€ 809.13	46	€ 2,888.01	86	€ 5,014.15
7	€ 861.23	47	€ 2,941.16	87	€ 5,067.30
8	€ 899.77	48	€ 2,994.31	88	€ 5,120.46
9	€ 955.37	49	€ 3,047.47	89	€ 5,173.61
10	€ 1,007.49	50	€ 3,100.62	90	€ 5,226.77
11	€ 1,059.59	51	€ 3,153.78	91	€ 5,279.91
12	€ 1,111.72	52	€ 3,206.92	92	€ 5,333.07
13	€ 1,163.82	53	€ 3,260.08	93	€ 5,386.22
14	€ 1,215.93	54	€ 3,313.24	94	€ 5,439.38
15	€ 1,268.04	55	€ 3,366.39	95	€ 5,492.53
16	€ 1,320.15	56	€ 3,419.54	96	€ 5,545.69
17	€ 1,372.27	57	€ 3,472.69	97	€ 5,598.83
18	€ 1,424.38	58	€ 3,525.85	98	€ 5,652.00
19	€ 1,476.49	59	€ 3,579.01	99	€ 5,705.15
20	€ 1,528.59	60	€ 3,632.16	100	€ 5,758.30
21	€ 1,580.71	61	€ 3,685.31	101	€ 5,811.45
22	€ 1,632.82	62	€ 3,738.45	102	€ 5,864.59
23	€ 1,684.93	63	€ 3,791.63	103	€ 5,917.76
24	€ 1,737.04	64	€ 3,844.77	104	€ 5,970.91
25	€ 1,789.15	65	€ 3,897.93	105	€ 6,024.07
26	€ 1,841.26	66	€ 3,951.07	106	€ 6,077.21
27	€ 1,893.38	67	€ 4,004.23	107	€ 6,130.37
28	€ 1,945.49	68	€ 4,057.39	108	€ 6,183.53
29	€ 1,997.60	69	€ 4,110.55	109	€ 6,236.69
30	€ 2,049.71	70	€ 4,163.69	110	€ 6,289.83
31	€ 2,101.82	71	€ 4,216.85	111	€ 6,342.98
32	€ 2,153.94	72	€ 4,270.00	112	€ 6,396.13
33	€ 2,206.05	73	€ 4,323.16	113	€ 6,449.30
34	€ 2,258.15	74	€ 4,376.31	114	€ 6,502.45
35	€ 2,310.27	75	€ 4,429.45	115	€ 6,555.60
36	€ 2,362.37	76	€ 4,482.61		
37	€ 2,414.50	77	€ 4,535.76		
38	€ 2,466.60	78	€ 4,588.93		
39	€ 2,518.72	79	€ 4,642.07		
40	€ 2,570.82	80	€ 4,695.23		

Notes: a) - Consumed by the Minimum Guaranteed Monthly Pay for 2023 = EUR 761.58

<http://www.dgaep.gov.pt/en/>