Financing adult learning database

Name of the instrument - Local language	Formação profissional - Formação contínua
Name of the instrument - English translation	Vocational training - Continuing training
Scheme ID	182
Country	Portugal
Reporting year	2020
Type of instrument	Training leave
Sub-type of instrument	Paid leave - only employer and employee are involved
Type of entry	Single instrument

Short description	Portuguese workers with an open-ended contract are entitled to a minimum of 40 hours of continuing training each year. Companies do need to provide 40 hours of certified training per worker in each civil year to at least 10% of the company's employees. In the case of workers with contracts for a specific period of time, the law is applied only when the contracts have more than 3 months and the number of foreseen training hours is aligned with the duration of the contract. The training can be of any type, but it has to be provided either by the employer, by a certified training entity, or by any training institution recognised by the State as a training provider under the National Qualification System. The employer covers the costs of workers' time spent in training and the costs of training provided at employers' initiatives. For this purpose, employers can benefit from existing public support measures or use their own funding. Workers usually cover the costs of training (fees, transport, etc.) attended at their own initiative. The State is responsible for settling the legislation related to the training leave, defining the minimum requirements to be accomplished by the companies (specified in the Labour Code Law n. 7/2009 and following amendments), as well as for monitoring the accomplishment of the legislation by companies.

Level of operation	National
Name of a part of the country	Not applicable

Name of the region (for regional instruments)	Not applicable
Name of the sector (for sectoral instruments)	Not applicable
Relevance	Key instrument
Legal basis	Código do Trabalho - Lei n.º 7/2009, de 12 de Fevereiro (Labour Code - Law n. 7/2009, February 12) and following amendments, including the most recent - Lei 93/2019, de 4 de Setembro (Law 55/2014, of September 4)
Objective(s) and target(s)	- Promote the development and adequacy of qualification of the worker, with a view to improving his/her employability and increase productivity and competitiveness from the company; - Promote professional qualification or retraining a worker at risk of unemployment
Year of implementation	2003
Year of latest amendment	2019
Operation/management	The State is responsible for settling the legislation related to the training leave, defining the minimum requirements to be accomplished by the companies. The State is also responsible for monitoring the accomplishment of the legislation by companies (the Authority for Working Conditions from the Ministry of Solidarity, Employment and Social Security is the organisation responsible for it) and for the certification of organizations promoting certified training. In the case of regular education (school education) the organisations need to be recognised by the Ministry of Education. The companies may provide 40 hours of certified training per worker in each civil year to at least 10% of the company's employees. To accomplish this, the companies can structure training to be promoted by internal and certified trainers or, contract a certified external provider. In both cases, the company is responsible for covering the costs of workers' time spent in training (using own financing). Concerning the other costs (e.g. fees for participation, materials and equipment) can be supported by own financing or external funding (from European Social Funds, for example). The training provided needs to be promoted by a certified organization by the Portuguese law (that can be the company itself) and needs to follow the rules of the National Qualification Framework to be considered.
Eligible group(s)	Applied to all employees of the private sector with open-ended contract. In case of workers with contract for a specific period of time, the law is applied only when the contracts have more than 3 months and the number of hours previewed is aligned with the duration of the contract. There is specific legislation applied to employees of public organisations. In the case of temporary workers (with fixed-term contract) the obligation of providing training relies on the temporary companies (that usually are human resources companies, specialised in temporary

	work, outsorcing and recruitment).
Group(s) with preferential treatment	No preferential treatment
Education and training eligible	Any type of education and training is eligible, as long as provided either by the employer or by a Training Entity Certified by the Directorate-General for Employment and Labour Relations (DGERT). It covers all kinds of formal and certified training and levels of qualification.
Source of financing and collection mechanism	The costs can be covered by the own financing of the employer, or the employer can request funding to provide the training. - Employer own financing: In this case, besides covering the costs of workers' time spent in training, the companies could cover the fees for participation (external providers), trainers' fees & materials/equipment (internal providers). - Funding to the employer to provide training: companies can benefit from the structural funds (European Social Funds, for example) to provide the training to their employees. Structural funds can cover the fees for participation (external providers), trainers' fees & materials/equipment (internal providers) and, in some cases, costs related to transport.
Financing formula and allocation mechanisms	The employer covers the costs of workers' time spent in training ("not worked time"). If the training is provided at the employers' initiative, the employer covers the costs of training. If workers attend training at their own intiative, they usually cover the training costs (fees, transport, etc.). Training leave has a minimum duration of 40 hours per year.
Eligible costs	In the case the training is provided by the employer, eligible costs include: Tuition fees/fees for participation (external providers); Supporting materials and equipment; trainers costs (for internal training). These costs can be supported by own financing (of the companies) or external funding (from European Social Funds, for example).
Volumes of funding	Not applicable
Beneficiaries/take up	2018 - 1 052 600; 2017 - 1 168 300; 2016 - 925 600
Organisation responsible for monitoring/evaluation	ACT - Autoridade para as Condiēões do Trabalho (Authority for Work Conditions)
Most relevant webpage - in English	http://www.portugalglobal.pt/EN/InvestInPortugal/laboursystem/Paginas/R...
Most relevant webpage - local language	http://www.pgdlisboa.pt/leis/lei_mostra_estrutura.php?tabela=leis&artig...
Recent changes	12-02-2019. The most relevant change within the focus of this study is related to the minimum of hours of training per year that increased from 35h (in 2009) to 40h (in 2019). The increase of the minimum of hours of training to 40h/per year and employee is related to the demand of the market in the continuous update and development of employees' competences.

	Recent changes in response to COVID-19 No changes
Sources	Assembleia da Repśblica
	Assembleia da Repśblica