Chapter 23
Trade unions in Portugal: Between Marginalization and revitalization

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This chapter scrutinizes trends and critical challenges of Portuguese trade unionism with an emphasis on the past two decades (see Table 23.1). It discusses changes in trade unions’ organizational and mobilization power, in their institutional power in collective bargaining and tripartite concertation, and in their relations with social movements (Lehndorff et al. 2017). This retrospective analysis also focuses on trade union identities, strategies and orientations (Hyman 2001) and how they have framed their priorities and responses. This analysis provides some elements for the debate on what the future of unions in Portugal may be, taking into account the ‘four possible futures’ for the next couple of decades suggested by Visser (2019): gradual marginalization; dualization of union representation and policies; replacement; and revitalization.

The analysis shows that the continued neoliberal reconfiguration of the labour market and collective bargaining institutions, and the lasting effects of austerity policies have eroded union power in Portugal (Campos Lima 2020; Teles et al. 2020) and that unions are struggling to find adequate answers to the challenges. This suggests a trend towards de facto marginalization and the risks of intensifying dualization within the labour market. On the other hand, there have been some important cases of unity in action that allowed unions to regain the initiative in collective bargaining, as well as some important efforts to integrate precarious workers into the regular workforce in the public administration and mobilize platform workers. These steps counteract marginalization and dualization and foreshadow possible revitalization. In addition, we argue
that unions retain a considerable capacity for mobilizing workers, as was evident during the anti-austerity protests organized by unions and new social movements linked to precarious workers. Cooperation with these movements holds great potential for the political struggle for a progressive labour agenda and for strengthening unions’ societal power.

### Table 23.1 Principal characteristics of trade unionism in Portugal

<table>
<thead>
<tr>
<th></th>
<th>1980</th>
<th>2000</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trade union membership</td>
<td>1,460,000</td>
<td>812,000</td>
<td>615,000</td>
</tr>
<tr>
<td>Women as a proportion of total membership</td>
<td>n.a.</td>
<td>41 %*</td>
<td>42 %**</td>
</tr>
<tr>
<td>Gross union density</td>
<td>60 %***</td>
<td>21 %****</td>
<td>15 %*****</td>
</tr>
<tr>
<td>Net union density</td>
<td>n.a.</td>
<td>n.a.</td>
<td>n.a.</td>
</tr>
<tr>
<td>Number of confederations</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Number of affiliated unions</td>
<td>234</td>
<td>173</td>
<td>143</td>
</tr>
<tr>
<td>UGTP: 200</td>
<td></td>
<td>CGTP: 107</td>
<td>CGTP: 79</td>
</tr>
<tr>
<td>UGT: 33</td>
<td></td>
<td>UGT: 58</td>
<td>UGT: 50</td>
</tr>
<tr>
<td>USI: 8</td>
<td></td>
<td></td>
<td>USI: 14</td>
</tr>
<tr>
<td>Number of independent unions</td>
<td>143</td>
<td>195</td>
<td>233</td>
</tr>
<tr>
<td>Collective bargaining coverage</td>
<td>n.a.</td>
<td>78.3 %</td>
<td>73.6 %*****</td>
</tr>
<tr>
<td>Principal level of collective bargaining</td>
<td>n.a.</td>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Days not worked due to industrial action per 1,000 workers</td>
<td>382******</td>
<td>41</td>
<td>56</td>
</tr>
</tbody>
</table>


Source: Appendix A1. Union membership for 2019 is based on the authors’ own research; for Collective bargaining coverage - Adjusted coverage OECD/AIAS (2021).

### Historical background and principal features of the industrial relations system

Present-day Portuguese industrial relations were initiated by the 25 April 1974 democratic revolution, which overthrew the longest lasting authoritarian corporatist regime in Europe (Schmitter 1999). Restoring free unions and building industrial relations institutions was
implemented alongside the unprecedented mobilization of workers and challenges to capitalist ownership and control leading to the nationalization of key sectors and companies (Barreto and Naumann 1998).

The Constitution of 1976 laid the foundations of the industrial relations regime. It included trade union freedom of organization; their exclusive prerogative of collective bargaining; extensive rights to strike and prohibition of lockout; consultation rights in relation to labour legislation, and economic and social policies; and rights of participation in the management of social security institutions. On the other hand, the Constitution recognized the Comissões de Trabalhadores (works councils), the direct company-based employee representative bodies that emerged during the revolution (Stoleroff 2016). Broadly considered, all these rights and prerogatives prevailed during the course of subsequent revisions of the Constitution. The 1976 Law on Unions (Lei Sindical) established the freedom of trade unions to decide their organizational forms, at all levels, including the confederal level, while the 1977 Law on Strikes (Lei da Greve) gave unions almost the exclusive prerogative of industrial action. Basically, the provisions set by these two laws were integrated in subsequent legislative reforms and prevail even today.

The trade union confederations were formally established in the end of the 1970s. During the revolutionary period 1974–1975, the previously semi-clandestine Intersindical functioned as a confederal structure and held its inaugural Congress I at the peak of the revolution, during the summer of 1975. Amid tensions within the trade union movement, Intersindical convened the so-called ‘Congress of All Trade Unions’ in January 1977 and constituted itself as the General Confederation of Portuguese Workers (CGTP-IN, Confederação Geral dos Trabalhadores Portugueses – Intersindical Nacional). This operation was meant to avert the organizational division of the trade union movement, but the contradictions between the advocates of class unionism, who had the majority in the CGTP, and social-liberal forces proved to be irreconcilable. Thus, in 1978 the General Union of Workers (UGT, União Geral de Trabalhadores) was created, challenging the hegemony of the CGTP. The creation of the UGT was supported by unions in the services sector (banking, insurance, administrative staff) and by ‘parallel unions’ created and expanded from 1976 onwards. UGT’s creation changed the balance of forces within the union movement, although CGTP retained stronger organizational power (Barreto 1991; Barreto and Naumann 1998).

The Collective Bargaining Act of 1979 (Lei dos Instrumentos de Regulamentação Coletiva) established the foundations of the collective
bargaining regime. These include: the favourability principle (favor laboratoris), most favourable treatment of workers; the rule that an agreement can be ended only by joint decision of the signatory parties and no party can withdraw unilaterally; and the extension of agreements by ministerial order. The Collective Bargaining Act did not establish any criterion of representativeness for unions or employers’ organizations to sign collective agreements or to request extension orders. Industry-level agreements have always covered the large majority of workers, which remains a characteristic of Portuguese industrial relations.

Industrial relations in Portugal have been marked by the strong role of the state, establishing substantive and procedural rules through detailed labour legislation. State intervention has remained central. Since 1984, tripartite concertation has played an important role in income and labour and social policies. CGTP’s and UGT’s strategies have diverged profoundly at the macro-concertation level, although with occasional convergence on important themes (Campos Lima and Naumann 2011; de Almeida et al. 2017).

After the turn of the century, increasing exposure to international shocks and integration in the euro zone accentuated the pressure to neoliberal policies (Baccaro and Howell 2017). The 2003 Labour Code, an initiative of the centre-right coalition comprising the Social Democratic Party (PSD, Partido Social Democrata) and the Democratic and Social Centre Party (CDS, Partido do Centro Democrático e Social) reversed the favourability principle and allowed unilateral withdrawal from collective agreements. Notwithstanding some gradual changes, these radical changes made to power relations between employers and unions were never reversed. The revision of the Labour Code in 2009, carried out by the Socialist Party (PS, Partido Socialista) government, introduced a mitigated version of the favourability principle for some topics, while concurrently facilitating unilateral withdrawal from collective agreements (Campos Lima 2019; Naumann 2014).

The 2008 international financial crisis and the following austerity/neoliberal programme (2011–2014) implemented by the centre-right coalition PSD/CDS under the shadow of the so-called Troika, prolonged and intensified the economic recession in the country and deregulated further the labour market and collective bargaining institutions. This combination weakened the unions significantly (Campos Lima 2019; Cruces et al. 2015; ILO 2018; Távora and González 2016).
In 2015, the unprecedented alliance of the left-wing parties began to turn the page on austerity. The alliance comprised the PS, the Left Bloc (BE, *Bloco de Esquerda*), the Communist Party (PCP, *Partido Comunista Português*) and the Greens (PEV, *Partido Ecologista ‘Os Verdes*) and allowed the PS to form a minority government (2015–2019). This opened up opportunities to implement pro-labour policies and to start to eliminate the Troika legacy. The limited scope of the left alliance and the complexity of the political exchange between left-wing parliamentary agreements and tripartite concertation, however, hindered the full use of this window of opportunity (Branco et al. 2019; Campos Lima 2020; Teles et al. 2020). The discontinuation of the left-wing alliance after the general elections in late 2019 (won by the PS) put further limitations on the implementation of progressive labour policies. These limitations have been amplified by the Covid-19 pandemic, which laid bare the cumulative impact of the Troika’s legacy and the high vulnerability of collective bargaining and trade unionism in Portugal.

**Structure of unions and union democracy**

CGTP and UGT are the only authentic cross-sector confederations and are recognized by the government and by employers as social partners at national level. ICTWSS estimates that CGTP’s affiliates have 400,000 members and that UGT’s affiliates organize 160,000 (2016). The disagreements in terms of ideology, strategy, organization and practice that originated the split of the Portuguese trade union movement into two confederations persist today.

During the late 1990s and the first decade of 2000s, CGTP opened up, to a certain extent, towards tripartite concertation, as well as towards convergence with UGT around specific topics (Campos Lima and Naumann 2011). Nonetheless, the steps taken did not result in the approximation between the two confederations towards strategic cooperation. A decade later a generational change at UGT improved the conditions for a better inter-confederal relationship. Meanwhile, however, CGTP had begun a reorientation towards its prior strict class struggle strategy and was less receptive to a rapprochement. Irrespective of this distance, occasional convergences have been possible around specific policies in tripartite concertation and industrial action, such as those that occurred during the Troika intervention.
The overall number of unions has stayed at a constantly high level, 376 in 2020 compared with 377 in 1980, but behind this continuity important structural changes have taken place.\(^1\) Three major factors can be identified in these developments.

First, in 1996, CGTP launched a profound restructuring process that resulted in numerous mergers of single unions and the creation of a grid of ‘vertical’ structures at industry level. This comprised national federations with regional member unions, and integrated national unions, as well as regional structures, uniões.\(^2\) This ongoing restructuring process with numerous mergers of unions and federations has been promoted and coordinated by the confederation. Unions in financial difficulties draft intervention plans for recovery jointly with the confederation. Besides the vertical federations in manufacturing and services, there are also some important occupational trade unions, such as the Teachers’ Union Federation (FENPROF, Federação Nacional dos Professores) and the National Union of Nurses (SEP, Sindicato dos Enfermeiros Portugueses). The restructuring process in CGTP has resulted in a drastic reduction in the number of unions, from 200 in 1996 to seventy-nine in 2020. CGTP’s affiliated unions have on average about 5,000 members each. During the same period, the number of federations was brought down from eighteen to ten. At present (2020), approximately two-thirds of CGTP affiliated unions and seven of its ten affiliated federations have an industrial domain, while about one-third of the unions and federations organize occupational groups, such as teachers and physicians, or have mixed domains, for instance commerce, services and administrative workers. CGTP’s process of restructuring and rationalization has reduced the total number of existing unions by one-third. The creation of new unions outside this confederation, however, has resulted in the continuity of a very high number of existing unions in Portugal.

Second, after its Congress I in 1979, the number of UGT-affiliated unions increased markedly from thirty-three to fifty-eight in 2000 and decreased during the following two decades to fifty. Half of UGT-affiliated unions organize specific occupational groups, one-third have a ‘vertical’ industrial structure and the rest have a mixed domain. UGT’s

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1. Data DGERT/MTSSS.
2. Data and other info about CGTP restructuring are drawn from the Reports on Activities between 1999 (VIII Congress) and 2020 (XIV Congress). See references at the end of the chapter.
structure is the result of a continuous effort to win or create new member unions, some of them of short duration. UGT has not intervened in the same way as CGTP in the structure of its affiliates. UGT’s structuring measures have basically taken the form of aggregating the existing organizations in regional structures similar to the ‘uniões’ existing at CGTP and in federations with varying domains.3

Third, a consequence of the fragmentation of the Portuguese trade union structure is the creation of numerous unions outside confederal structures. Three-quarters of the 121 new unions constituted between 1980 and 2020 did not join a confederation. Many of them organize specific occupational groups, such as nurses, social workers, members of civil protection and drivers. With few exceptions, such as the long-standing Union of Journalists (SJ, Sindicato dos Jornalistas) – which has a membership in the thousands – most of these 247 non-affiliated unions have an average of around 300 members and thus do not have quantitative weight in the respective domains, independently of being craft, professional or industry. The major driver for the continuous proliferation of unions, often extremely fragile or only existing on paper, is the increasing difficulty faced by existing trade unions in achieving positive results in their negotiations with employers and government. Union decision-making and communication as reflected in democracy, transparency and participation, and their general practices do not seem to be on a par with the challenge of responding to the widespread discontent among workers. Ideological reasons are certainly not the major factor for setting up new unions because the existing unions and confederations cover the whole spectrum of relevant ideologies in society.

The result of the diverging structural processes in the different segments of the trade union movement is a strongly fragmented general structure (376 unions with an average of 1,800 members), with extreme imbalances between a few larger organizations with tens of thousands of members and a large number of organizations with some tens or hundreds of members.

Relations between the two confederations and their respective member organizations differ. The CGTP has a strong coordinating and

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3 Data and other information about UGT’s structures drawn from the Reports of Activities since 2000 (VIII Congress) until 2017 (XIII Congress). See references at the end of the chapter.
steering role in its affiliates’ organizational work and in collective bargain-
ing, in contrast to UGT’s more restrained role in relation to its member organizations. CGTP and UGT are the exclusive trade union protagon-
ists in tripartite concertation, which is of major importance not only for national macro-negotiations, but also in relation to their affiliates’ access to information and consultation at industrial and occupational level. From this perspective access to the CPCS strengthens the power position of both confederations vis-à-vis their members.

The diversity of the numerous unions is mirrored by significant differences in the relations between unions and their members. One relevant manifestation of this variety is voter turnout at internal elections. In a sample of ballots at nineteen unions (twelve CGTP, four UGT, three non-affiliated), with a total of 244,000 members at the election date (2003–2008), total average turnout was 42.4 per cent, with variations between 21 and 76 per cent (IRR 2010). While these figures suggest, despite variations, a considerable interest on the part of members in trade union life, there are reasons to imagine that the general average of participation in internal union elections might be considerably lower than in this sample of relatively large organizations belonging to the small group of unions that publish their election results.

**Unionization**

Based on the figures provided by the OECD/AIAS ICTWSS database (OECD and AIAS 2021) and our own data (IRR 2010) it is estimated that the total number of trade union members decreased from approximately 1.5 million in 1980 to 800,000 in 2000, a reduction of 47 per cent, and to 670,000 in 2018, a further 16 per cent decline. The very high number of unionized workers in 1980 was the result of a set of exceptional factors. In this perspective, the huge loss of members between 1980 and 2000 can be interpreted partly as the result of the ending of the extraordinary political circumstances that favoured unionization and the deindustrialization, deregulation and privatization that began in the 1990s. It is estimated that the present total union membership is

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4 Under the dictatorship, membership of corporatist unions was mandatory. After the 1974 revolution the free unions ‘inherited’ their members. Another exceptional factor was the enthusiastic political mobilization in Portuguese society during the revolution, which was still noticeable in the following years.
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670,000 in 2018, 460,000 in the private sector and 210,000 in public administration.\(^5\) These absolute numbers correspond to an overall union density of 19 per cent, 16 per cent in the private sector and 31 per cent in public administration.

Since 2010, the administrative data of Relatório Único (RU) provided by the Ministry of Labour Solidarity and Social Security (MTSSS, Ministério do Trabalho, Solidariedade e Segurança Social), concerning all private and state-owned companies, includes information about trade union membership provided by employers. Union members who pay their fees without the involvement of their companies are not captured by this survey. Irrespective of the abovementioned limitations, the RU data on trade union membership provides valid information for accessing the general trends in the evolution of union density (Table 23.2). The key points are: unions lost a considerable proportion of their membership in seven consecutive years (2011–2017), with an upturn in the last year of the observed period (2018). The losses were highest in the first four years (2011–2014) when the euro-zone crisis, combined with the anti-union policies of the Troika and the Portuguese right-wing government, damaged the foundations of social and labour rights. The annual decreases summed up to a total of 21.7 per cent over the period 2011–2018,\(^6\) representing a huge loss in a short period of time.

| Table 23.2 Trade union density in the private sector, 2011–2018 |
|----------------------|-----|-----|-----|-----|-----|-----|-----|-----|
| Rate of change (%)   | 2011| 2012| 2013| 2014| 2015| 2016| 2017| 2018|
|                      | –7.3| –4.6| –3.1| –4.2| –1.3| –1.8| –4.1| 2.6 |

Source: Authors’ calculations based on Relatório Único (RU) and Quadros de Pessoal/Ministry of Labour, Solidarity and Social Security.

Despite the limitations of this source, which underestimates density rates and must for that reason be understood as providing minimum values, numbers regarding the change of density between 2010 and 2018 at industry level can be considered much closer to real developments.

\(^5\) Estimate of union membership in public administration based on official data (Balanços Sociais); sample of public institutions covering approximately 30 per cent of the public administration (2015).

\(^6\) The figure of 21.7 per cent is calculated on the basis of the union membership numbers provided by the RU and the annual number of employees provided by Quadros de Pessoal/Ministry of Labour, Solidarity and Social Security (MTSSS).
The most striking results of this exercise are the high losses in the three high-density industries, ‘financial and insurance activities’, ‘electricity, gas, steam and air-conditioning supply’, and ‘transportation and storage’, and the very low density in large industries such as ‘construction’ and ‘accommodation and food service activities’. The low average density in manufacturing is another important feature.

Based on the RU figures and our own estimates it is reasonable to assume that the largest absolute numbers of employed union members are in ‘manufacturing’ (~90,000), ‘transportation and storage’ (~70,000), ‘financial and insurance activities’ (~45,000), ‘administrative and support service activities’...
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(−55,000) and ‘human health activities and social support’ (−50,000). Approximately two-thirds of all union members in the private sector work in these five industries.

In conclusion, since 1980 Portuguese trade unions might have lost more than half of their membership. In the first period, the 1980s, this was because the exceptionally favourable political context of the revolution (1974–1975) was vanishing and in the 1990s because economic liberalization and privatization undermined union power and strongholds. In the new millennium, severe adversities such as the amendments to the Labour Code (2003) and the Troika intervention (2011–2014) promoted further membership losses.

In the debate about membership losses the official union discourse tends to focus on contextual factors that are beyond reach of trade union action or that unions can influence only indirectly and/or partially. The question remains, however, what can the unions do to reverse the negative trend in membership? How can unions improve their organization, communication with workers, ways of mobilization and their cooperation with other unions and with other forces in society in a way that allows them to return to a path of growing membership and influence?

In Portugal, the most prominent case of a focus of union action and internal (not external) discourse on the unions’ responsibility for strengthening their organization is the restructuring process launched by CGTP in 1996. CGTP’s comprehensive organization programme combines restructuring of the basic unions and federations; rationalization and increasing efficiency of operations in the field, including a reduction of the administrative workforce and putting finances in order; recruitment and training of cadres, shop stewards and workplace leaders; and systematic membership recruitment in one integrated approach to organized union work. In the course of its restructuring effort CGTP is running a permanent organizing campaign, with particular attention to women and young workers. During the first ten years this effort enjoyed considerable success and CGTP was able to obtain many new members, about 60 per cent of them women. There are strong indicators, however,

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8 CGTP Congress Activity Reports indicate that new members decreased from 223,000 (1999–2003) to 115,000 (2016–2019). The share of women among new members has remained at a constant 60 per cent in contrast to only 42 per cent of total membership
that after the initial period of gains and stabilization (1996 until 2005/2010) membership losses have been substantial. It would be of considerable interest to understand whether this recent trend is the result of fatigue within the organization after a long period of intense mobilization under adverse conditions or whether there are other reasons for the decreasing success of the confederation’s organizing effort.

**Union resources and expenditure**

Trade union income in Portugal is largely based on membership fees that represent in general 1 per cent of workers’ wages (basic rates). Each confederation regulates internally the fees to be paid by individual unions to the federations (by industry or occupation), to the regional structures (unioes) and to the confederation itself.

During the first decade of its restructuring, CGTP published the sum of its affiliates’ income from membership fees, which rose from 23 million euros (€) in 1995 to €39 million in 2006. The huge increase of €16 million resulted from the various elements of the restructuring process, membership recruitment and organizational improvement of affiliates, and from the entry of four teachers’ unions, whose membership fees totalled €9.4 million in 2002. After stopping publishing data about membership fees received by its affiliates, CGTP began to publish the value of the fees paid by member unions to the confederation. CGTP’s income from this source decreased from €2.5 million in 2007 to €2.0 million in 2019. Membership fees represent approximately 70 per cent of the confederation’s income.

in 1998. The share of young workers among new members decreased constantly from 34 per cent (1999–2003) to 14 per cent (2016–2019). CGTP’s organizing campaign includes a systematic effort to elect shop stewards (delegados sindicais) at workplace level. The newly elected shop stewards at CGTP unions (1999–2004: 14,934; 2016–2020: 12,745) revealed an increase in the share of women from 54 per cent to 65 per cent between the two periods. The share of youngsters among shop stewards reached 17 per cent (1999–2003), but then it fell constantly and finally dropped to 3 per cent (2016–2019). The share of women at the level of single union leaderships (2016–2019: 38 per cent) has lagged behind their enormous gains among members and shop stewards. The share of young workers at the leadership level has been in line with the trends at membership and shop steward level: a brief increase to 7 per cent (2004–2007) followed by a drop to very low shares (2016–2019: 3 per cent).

All figures are based on data regarding CGTP finances, published in its Activity Reports presented at the Congresses in 2004, 2008, 2012, 2016 and 2020, and on authors’ own calculations.
According to journalistic research UGT’s total income in 2012–2013 and 2016–2017 was close to €1.8 million. The share of its affiliates’ fees represented approximately 55 per cent of total income (€1.0 million) (Suspiro 2019).

Collective bargaining and unions at the workplace

The 1979 Collective Bargaining Law institutionalized three types of legally binding agreements without articulation: at the industry level or professional/occupational agreements between unions and employers’ associations (CCT, Contrato Coletivo de Trabalho); agreements between unions and a group of companies not represented by an employers’ association (ACT, Acordo Coletivo de Trabalho); and single employer agreements (AE, Acordo de Empresa). The lower-level ACT or AE agreements prevailed over industry-level agreements. This law did not provide for an effective resolution of conflicts over the implementation at company level of competing industrial agreements. Nevertheless, it gave the most representative union – among the workers potentially covered – the prerogative of deciding which globally more favourable agreement should apply in the company. At the same time, it stipulated that in the absence of an opinion from the union, the decision rested with the majority of workers. Moreover, respect for the favourability principle helped to resolve conflicts and ensure progressive labour standards.

The 2003 Labour Code introduced radical changes, eliminating the favourability principle and making it possible to terminate agreements at the unilateral request of one of the signatory parties. Moreover, it eliminated the prerogative of the most representative union to decide which agreement was to apply at company level in the case of competition. These rules also started to apply in the case of competition between extensions, a highly contentious issue in the case of ‘parallel agreements’, which brought CGTP and UGT into competition (Costa 1992; Leite and Almeida 1992; Moura 1984). Because unions could sign agreements independently of their representativeness, agreements between employers’ associations and minority unions could easily be extended, to the detriment of the most representative unions. The pace of renewal of agreements became a major issue in the context of the unions’ struggle to defend progressive achievements and of the employers’ pressure for far-reaching alterations of agreements concluded during the years following the revolution. Last but not least, the Labour Code allowed each
non-unionized worker to choose individually the agreement to apply, in the case of competing agreements at company level.

The 2009 Labour Code limited the after-effect period of terminated agreements and removed previous obstacles to unilateral termination. This paved the way for the cancellation of several industry-level agreements, initially affecting mainly CGTP unions in manufacturing and spreading later to services and targeting also UGT unions (Campos Lima 2019; Naumann 2014). On the other hand, it enabled workers to retain basic rights after the expiry of agreements, such as remuneration, category, working time duration and certain social protection schemes. It also partially reinstated the favourability principle, forbidding some specific norms of labour law to be derogated in pejus (to the detriment of the workers) by collective agreements. The 2009 Labour Code also enabled non-union workers representation structures to conclude collective agreements in companies with at least 500 workers, when authorized by the unions.

The austerity and neoliberal measures oriented towards so-called ‘internal devaluation’ required by the Memorandum of Understanding (MoU) with the Troika were implemented by the centre-right coalition PSD/CDS (2011–2014). This had a major impact, weakening union bargaining power. This facilitated dismissals, reduced unemployment protection, froze the minimum wage, and reconfigured collective bargaining institutions (Campos Lima 2019; Cruces et al. 2015; Távora and González 2016). The de facto suspension of extension ordinances and the legal restrictions on extension dependent on the representativeness of employer associations, in combination with the economic crisis, reduced the number of industrial agreements negotiated and a sharp fall in collective bargaining coverage (Schulten et al. 2015). Instead of the decentralization proclaimed by the MoU, the country experienced the temporary collapse of industry collective bargaining for three successive years. ‘A down-to-earth analysis demonstrates that the Memorandum was designed to weaken the Portuguese system of social dialogue at all levels, in particular collective bargaining at sector or branch level’ (Naumann 2017: 195).
From 2002 to 2018, the evolution of the distribution of workers covered by collective agreements at industry level (CCT, 92 per cent), encompassing groups of companies (ACT, 4 per cent), and at single company level (AE, 4 per cent), remained almost constant. Unions, in particular those affiliated to CGTP, however, have over the years engaged in other forms of company negotiation, *cadernos reivindicativos*, leading to ad hoc agreements, as a strategy to respond to industrial bargaining blockages or poor outcomes and also to respond to employers’ reluctance to sign legally binding company agreements. The works councils have also frequently been involved in the negotiation of this type of agreement (Barreto and Naumann 1998; Távora and González 2016).

The most obvious explanation for the low incidence of company bargaining negotiations is the structural lack of organization/representation of workers at the company level in all its forms, including union delegates, works councils and workers’ representatives for safety and health, despite the legislation protecting these forms of representation. The predominance of micro-enterprises, the precariousness of labour relations and the dynamics of externalization have certainly contributed to the persistence of the problem. On the other hand, it also reflects the unions’ lack of resources and their strategic visions and priorities in terms of organization and locus of action. This influences not only their ability to negotiate at the company level, but also their ability to control the implementation of industry-wide agreements (Stoleroff 2016).

Since 2015 the new left-wing political cycle has opened opportunities for improving union influence in collective bargaining, but it has also revealed deadlocks and emerging challenges (Figure 23.1). The partial reversal of austerity policies removed nominal wage cuts in the public sector and enabled a regular and significant increase in the statutory minimum wage (GEP/MTSSS 2019). This helped to generate a new climate, favouring a certain recovery of wage bargaining dynamics and coverage. Since 2017 this has been boosted by new rules favouring the extension of agreements and by the bipartite commitment to suspend for 18 months any unilateral requests for termination of agreements.
Among the most severe problems in collective bargaining are the multiple divisions between trade unions along the lines of confederal affiliation, political orientation, regional origin and/or professional groups. During the term of the PS government, supported by the left, unions in private security (2017) and industrial cleaning (2019) were able to overcome their disputes and form powerful union coalitions that achieved major successes in collective agreements. Both cases offer important lessons in terms of union bargaining strategies; their communication with workers in their industries; their mobilization of all available power resources, including contacts with international companies via UNI Europa; their relationships with each other; and their capacity to introduce innovative solutions into negotiations. Three trade union organizations were the major protagonists in these cases: the Service Workers’ Union (STAD, Sindicato dos Trabalhadores de Serviços de Portaria, Vigilância, Limpeza e Domésticas),

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Note: The coverage of valid agreements corresponds to the concept of adjusted coverage, as a proportion of all wage workers, excluding those in public administration. Source: Ministry of Labour, Solidarity and Social Security, DGERT and GEP/Quadros de Pessoal DGERT/MTSSS (2020).

The two sectors employ together approximately 8 per cent of all workers covered by collective agreements in the private sector.
Trade unions in Portugal

affiliated to CGTP; the Federation of Service Unions (FETESE, Federação dos Sindicatos da Industria e dos Serviços); and the Energy and Manufacturing Union (SINDEL, Sindicato Nacional da Industria e da Energia) (Naumann 2020).

The debate about the amendment of the Labour Code in 2019 made clear that the PS government and employers’ confederations were not willing to comply with the unions’ demands, supported by the left-wing parties BE, PCP and PEV, for full reinstatement of the favourability principle and for the reversal of provisions allowing the unilateral termination of agreements. Instead, the approved amendment (Law 39/2019 of 4 September) reinforced the mechanisms of arbitration and mediation in collective bargaining and expanded the scope of rights that workers retain when agreements expire, adding parental rights and rights to health and safety at work. On the other hand, this amendment introduced two potentially disruptive measures: the termination of collective agreements in the event of the extinction of one of the signatory organizations, increasing the opportunities for employers to withdraw from collective bargaining regulations; and the introduction of company referenda by employers’ initiative as a possible alternative to collective agreements. This last measure establishes that ‘working time accounts’ can be decided by collective bargaining or by ‘group agreements’, the latter based on employers’ direct consultation of workers through referendum, without the mediation (consultation or negotiation) of unions or representative structures of workers. Trade unions and workers’ representative structures, or, in their absence, labour inspectors, have a role only in overseeing these referenda (Campos Lima 2020).

After a promising first quarter, the positive dynamic of recovery in collective bargaining was interrupted in 2020 when the Covid-19 pandemic emerged. The number of workers covered by the wage updates agreed in 2020 fell by 46 per cent in relation to 2019, encompassing only about 394,277 workers, a number close to that observed in the worst years of the Troika. In response to this crisis, the government launched an exceptional measure (Law No. 11/2021 of 9 March) suspending the deadlines associated with the survival and expiry of collective agreements for a period of 24 months. This measure was welcomed by the unions, with CGTP demanding that unilateral termination of agreements to be definitively revoked, and heavily criticized by the employers’ confederations.
Industrial conflict

The Portuguese Constitution guarantees the right to strike, grants unions the prerogative to call for strikes and prohibits lockouts. Exceptionally, workers are entitled to call a strike at company level, provided unions are not represented. Limitations to strike action include the provision of minimum services in certain activities, a notice period of five days in general and of ten days in the case of activities responding to imperative social needs; and civil requisition in situations of national emergency in essential services of public interest (Campos Lima 2019).

Portugal has no tradition of strike funds. The possibility of extending the duration of strikes depends on the capacity of the workers involved to withstand the conflict. One-day strikes are common, although they can be prolonged depending on the sector of activity or the company and the issues at stake (Costa et al. 2015). Since the second half of the 1980s a downward trend in strikes has been observed in the private sector and in state-owned companies, measured by various indicators, such as the number of strikes, workers involved and working days lost (Figures 23.2 and 23.3).

This downward trend reflects several problems. Declining union density has undermined capacity to organize strikes. The processes of deindustrialization, privatization, restructuring and downsizing have eroded strongholds of union organization, strongly impacting strike action in manufacturing. In addition, the expansion of temporary work contracts has exposed workers to greater risks in the event of participation in strikes, including the non-renewal of their contracts. Moreover, competition in collective bargaining between unions has made the organization of sectoral strikes, with a focus on negotiations at the industry level, increasingly complex and less effective.

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11 These include: postal services and telecommunications; medical services and public health; power supply, mines and fuel; water supply; firefighting; public transport of cattle, public perishable foods and essential goods.
Figure 23.2  Workers participating in strikes and days not worked due to industrial action, 1986–2019

Note: Excluding public administration. Data for the years 2008 and 2009 was not published.
Source: GEE/METD| DGERT/MTSSS; Pordata.

Figure 23.3  Number of strikes, 1986–2019

Note: Excluding public administration. Data for the years 2008 and 2009 was not published.
Source: GEE/METD| DGERT/MTSSS; Pordata.
Within the broad downward trend, most of the upturns coincided with the participation of workers in general strikes, the majority of which involved struggles against the negative changes in labour legislation and, more recently, against austerity policies. This pattern started with the wave initiated by the 1988 general strike, the first called jointly by CGTP and UGT, and continued to the most recent wave initiated in 2010 by the general strike called by the two confederations against austerity policies (see Table 23.4).

<table>
<thead>
<tr>
<th>General strikes</th>
<th>Trade union confederations involved</th>
<th>Motive</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988</td>
<td>CGTP and UGT</td>
<td>Revision of labour law</td>
</tr>
<tr>
<td>2002</td>
<td>CGTP</td>
<td>Idem</td>
</tr>
<tr>
<td>2007</td>
<td>CGTP</td>
<td>Idem</td>
</tr>
<tr>
<td>2010</td>
<td>CGTP and UGT</td>
<td>Austerity package</td>
</tr>
<tr>
<td>2011</td>
<td>CGTP and UGT</td>
<td>Idem</td>
</tr>
<tr>
<td>2012, 22 March</td>
<td>CGTP</td>
<td>Revision of labour law</td>
</tr>
<tr>
<td>2012, 14 November</td>
<td>CGTP and 14 unions and 4 federations affiliated of UGT</td>
<td>Austerity package/joining ETUC European protest</td>
</tr>
<tr>
<td>2013, 27 June</td>
<td>CGTP and UGT</td>
<td>Austerity package</td>
</tr>
</tbody>
</table>

Source: Campos Lima and Martin Artiles (2014).

There is more job security in the public sector than in the private sector and unions are stronger in terms of density, structures and resources. Participation in strikes in the public sector has generally been much greater and more centralized than in the private sector (Costa et al. 2015).

Since 2010 austerity measures in the public sector have triggered a wave of strikes organized by public sector unions. Protests against such measures were one of the main reasons for the convergence between UGT and CGTP in three general strikes. In the past decade, worker mobilization has been more widespread in the public sector than in the private sector (Figure 23.4). The year 2012, when unions staged two general strikes against austerity and Labour Code amendments, is an exception, with equal participation of private and public sector workers. After strong strike activity during the Troika years (2010–2013) participation dropped sharply during the first years of recovery (2015–2016). In 2017 strike action peaked in public administration, but in general conflict settled at a low level.
During the first term – 2015–2019 – of the PS-minority government after the Troika years, a wave of strikes focusing on wage increases and career upgrades culminated in two public sector general strikes called by CGTP unions in 2017 and two called jointly by CGTP and UGT unions in 2018 and 2019 (Campos Lima 2020).

Since 2016, strikes at large private sector companies illustrate the intensification of social conflict and the emergence of new challenges (Costa et al. 2020; Fonseca 2019). CGTP- and UGT-affiliated unions and independent unions united in the strike at Portugal Telecom against the transfer of workers to the Altice Group, which had acquired the utility. A similar mobilization occurred at CTT postal services – privatized as a consequence of MoU conditionalities – against the reduction of 800 jobs and in pursuit of renationalization and compliance with the company agreement. Industrial action at the Volkswagen/Autoeuropa car assembly plant against plans to introduce mandatory Saturday working with three shifts, divided CGTP and UGT unions and the works council, while twice a majority of workers voted to continue the strike and rejected the ‘pre-agreement’ between the management and the works
council. Last but not least, at the end of 2018 the dockworkers at the port of Setúbal staged a one-month strike demanding a collective agreement and the integration of precarious workers, who constituted 90 per cent of the workers at the port, into the regular workforce. Organized by the dockworkers’ independent union the Loggers and Logistics Activity Union (SEAL, Sindicato dos Estivadores e da Actividade Logística) the strike paralysed the strategic port. Also, since 2016, CGTP unions and non-affiliated unions have organized various strikes of workers at the call centres of electricity and telecommunications companies, culminating, in the last quarter of 2019, with industry and national strikes demanding workers’ integration into the companies to which they provide services.

In contrast, newly formed trade unions, distancing themselves from the bargaining strategies of established unions, launched various strikes, breaking with the conventional strike patterns and raising new challenges (Costa 2019; Fonseca 2019). That was the case with nurses’ ‘surgical’ intermittent strikes, staged in 2018 and 2019, called by the Nurses Democratic Union of Portugal (SINDEPOR, Sindicato Democrático dos Enfermeiros de Portugal), affiliated to UGT, and by the independent Portuguese Nurses Union Association (ASPE, Associação Sindical Portuguesa dos Enfermeiros), two unions created in 2017. The same applies to the fuel-tanker drivers’ indefinite strikes staged in 2019 by the independent Hazardous Material Driver’s Union (SNMMP, Sindicato Nacional de Motoristas de Matérias Perigosas), created at the end of 2018. These conflicts encompassed specific categories of workers in positions of strategic power, ‘surgical nurses’ in the Public Health Service and ‘oil tanker drivers’ in the transport sector, whose highly disruptive strikes, in the first case, cancelled surgery in the operating theatres of public hospitals and, in the second case, interrupted the supply of fuel to stations, hospitals and airports. Last but not least, the ‘surgical’ strike was supported by strike funds based on crowdfunding, an unprecedented funding operation that raised serious doubts regarding the transparency and independence of the strike movement. In both cases the government enacted a civil requisition and other measures to end the strikes.

In the context of the Covid-19 pandemic, between 18 March and 2 May 2020, the ‘state of emergency’ suspended the constitutional right to strike ‘as it may compromise the functioning of critical infrastructures or health care units, as well as in economic sectors vital to the production and supply of essential goods and services to the population’ (Decree of the President of the Republic no. 14-A / 2020, Article 4). This
suspension did not continue throughout the long period of the state of emergency between November 2020 and April 2021. During the second and third quarters of 2020, strike notices in the public and private sectors decreased dramatically. When the economy reopened, strike notices reached higher levels than in the first quarter.

**Political relations**

The political orientations of CGTP and UGT are historically linked to the period of their formation and the transition to democracy. CGTP’s predecessor Intersindical was based on the broad anti-fascist alliance in the final years of the dictatorship between union leaders linked predominantly to the clandestine PCP and to Catholic progressive and socialist tendencies, some of which would join the PS or other left-wing parties. The coalition that constituted the CGTP in 1977 gathered the larger part of the old alliance, but the breakaway of an important part of unions and militants who were close to the PS and to the liberal-conservative PSD put an end to the organizational unity of the labour movement (Barreto and Naumann 1998). CGTP’s anti-capitalist orientation, articulating ‘society and class’, focused on organizational power and mobilization at all levels. UGT, on the other hand, followed a consensus-building approach, articulating ‘society and market’ and focusing on gaining institutional power at sectoral and macro-concertation level (Hyman 2001).

The creation of the CPCS in 1984 and the institutionalization of tripartite concertation in the following decade granted trade union confederations and employer confederations institutional power at the macro political level (Campos Lima and Naumann 2011). Paradoxically, this period coincided with trends towards ‘competitive corporatism’ (Rhodes 1998). The policies of liberalization and privatization implemented by the centre-right PSD governments between 1985 and 1995 shifted power relations in favour of employers and weakened unions’ organizational and mobilization power (Lehndorff et al. 2017).

Between 1986 and 1997, tripartite concertation, with a focus on wage moderation, constituted the reference for wage bargaining increases. CGTP and UGT diverged markedly on this issue, the former refusing to sign any agreement including wage moderation, and the latter emerging as a key protagonist of concession bargaining. In a later phase of concertation marked by simultaneous negotiations on specific issues, but not wage moderation, the two confederations converged to sign in 2006
the tripartite agreement increasing the statutory minimum wage for the period 2007–2011 at an annual rate of about 5.3 per cent. Previously, CGTP and UGT had agreed tripartite agreements on vocational training and health and safety at work (two in 1991 and two in 2001), which helped unions to push forward the collective bargaining agenda around these topics, although with uneven results in collective agreements. The agreements signed in 2001 contributed also to setting up tripartite institutions dealing with vocational training and active labour market policies.

The positions of CGTP and UGT differed substantially regarding the tripartite agreements with an impact on the revision of the labour legislation. The contentious and critical topics have been as follows: working time flexibilization in various forms, since the tripartite agreements in the 1990s; and employment protection, dismissals regime and legal framework for collective bargaining since the 2008 tripartite agreement until the present (Campos Lima 2020; Campos Lima and Naumann 2011). While UGT signed all the tripartite agreements on these issues, CGTP opposed them without exception. The content of the tripartite agreements on these topics influenced labour legislation and consequently also the employers’ and trade unions’ strategies in collective bargaining.

An important part of the legislative measures reconfiguring labour market and collective bargaining institutions in a neoliberal direction has been sanctioned by tripartite agreements, not subscribed to by the CGTP. The extreme case was the 2012 tripartite agreement under the shadow of the Troika, which reflected the centre-right PSD/CDS government’s strategy of intensifying the ‘governmentalization’ of tripartite concertation (Almeida et al. 2017). This anti-labour tripartite agreement legitimized not only the impositions of the MoU, but also other austerity and liberalization measures ‘beyond the Troika’ (Leite et al. 2014). UGT signed the agreement in the face of the government’s threat to increase working time in the private sector if they did not sign and the promise (not kept) that any future labour changes would be discussed in social concertation. CGTP opposition to the proposed measures was one of the central reasons for the two general strikes this confederation organized in 2012 (Campos Lima and Abrantes 2016).

Along the way, the intervention of the Constitutional Court, called for by left-wing opposition parties and demanded by CGTP and, in part, by UGT, halted or reversed some significant austerity and neoliberal measures by stopping cuts in Christmas and holiday bonuses, reversing various amendments to the Labour Code, prohibiting certain wage cuts
in the public sector, and overturning the government’s blockade of collective agreements signed in local administrations (Campos Lima and Abrantes 2016).

In 2015, the political context of tripartite concertation changed substantially when the left-wing parties gained the majority in the parliament. The PS needed the support of the left-wing parties and to this end signed separate parliamentary agreements with the Left Block, the Communist Party and the Greens. These agreements set out the following conditions for support: reversal of the exceptional measures under the Troika in the public sector, in particular nominal wage cuts; regular and significant minimum wage increases during the 2015–2019 term of office; and measures to combat precarious work. Subsequently, the government submitted the proposed measures to tripartite rounds, but also additional ones in line with employer confederations’ concerns, not agreed with left-wing parties.

During this mandate, the PS government and the social partners, with the exception of CGTP, signed two tripartite agreements covering a wide range of issues. The first, the Tripartite Commitment to a Medium-Term Consultation Agreement (CES 2017), defined the increase in the minimum wage and the priorities for a future social pact and included a bipartite agreement signed by employers and UGT that suspended for eighteen months any requests for the termination of collective agreements. CGTP opposed the agreement, arguing against the reduction of employers’ social security contributions in return for the minimum wage increase and demanding the definitive reversal of legislation allowing unilateral termination of agreements, as well as re-establishment of the favourability principle.

The second tripartite agreement, the Agreement to Combat Precariousness and Reduce the Segmentation of Labour and Promote Greater Dynamism in Collective Bargaining (CES 2018), laid down significant changes in the Labour Code, introduced a year later by Law 93/2019. This tripartite agreement included, in addition to the measures stemming from the left-wing parties, commitments to combat precarious work; some new measures reflecting employers’ expectations, such as extending the probationary period when hiring long-term unemployed and first-time workers; the facilitation of very short-term employment contracts; the expiry of collective agreements in the event of the termination of a signatory organization; and company referenda on working time accounts.
Societal power

Since the revolution, campaigning in the public sphere by workers and citizens beyond their own affiliates has been standard union practice, traditionally more pronounced within CGTP than in UGT. Over the years, these campaigns have covered a wide range of topics: the reduction of working time and work–life balance; labour and social rights; employment quality and job security; gender equality and youth rights of integration in the labour market; and the quality of public services and against the privatization and the liberalization of the economy. In the health care and education sectors the unions often articulated their labour specific demands with campaigns to improve the quality of response of public services. In some cases, these union initiatives included alliances or ad hoc partnerships with other types of organization (mostly NGOs), and more recently with new social movements.

Before the cycle of mobilization against austerity under the Troika, Portugal registered extremely low levels in the European Social Survey indicator of citizens ‘participation in demonstrations’, with around 3.4 per cent of the population participating (2006–2011). Irrespective of its limitations, this indicator shows that there was an increase in citizen mobilization in the period 2012–2015, in Portugal reaching 7 per cent on average and in Spain 25 per cent (compared with 17 per cent in the previous period). Both in Portugal and Spain the increase in mobilization was concurrent with the participation of mostly left-oriented people; curiously, the evolution of the proportion of protestors who were members of a trade union showed a much higher level in Portugal than in Spain (Campos Lima and Artiles 2018).

On 12 March 2011, the newly formed social movement Struggling Generation (Geração à Rasca) organized a mass demonstration against austerity and precarious work, mobilizing more than 300,000 people in all parts of Portugal. This extraordinary event, the largest of its kind since the 1974 ‘Revolution of the Carnations’ and organized without public support from political parties or trade unions, set the pace for the cycle of mobilization against austerity (Baumgarten 2013). This protest was succeeded by a demonstration jointly organized by the CGTP and by the movement Que se Lixe a Troika (Screw the Troika!) on 14 November 2012, the day of a general strike against austerity called by CGTP and eighteen UGT affiliates joining the European Trade Union Confederation’s (ETUC) European protest.
Table 23.5 Mass demonstrations against austerity called by unions and social movements, 2011–2013

<table>
<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Initiative of the call</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>12 March</td>
<td>Geração à Rasca (Desperate generation)</td>
</tr>
<tr>
<td></td>
<td>1 October</td>
<td>CGTP</td>
</tr>
<tr>
<td></td>
<td>15 October</td>
<td>M12M (Movement 12 March)</td>
</tr>
<tr>
<td></td>
<td>24 November</td>
<td>M15M (Movement 15 October)</td>
</tr>
<tr>
<td>2012</td>
<td>11 February</td>
<td>CGTP</td>
</tr>
<tr>
<td></td>
<td>15 September</td>
<td>Que se Lixe a Troika (Screw the Troika!)</td>
</tr>
<tr>
<td></td>
<td>29 September</td>
<td>CGTP</td>
</tr>
<tr>
<td></td>
<td>14 November</td>
<td>European protest – CGTP and Que se Lixe a Troika</td>
</tr>
<tr>
<td>2013</td>
<td>2 March</td>
<td>Que se Lixe a Troika with support of CGTP</td>
</tr>
<tr>
<td></td>
<td>19 October</td>
<td>CGTP and Que se Lixe a Troika</td>
</tr>
<tr>
<td></td>
<td>26 October</td>
<td>Que se Lixe a Troika</td>
</tr>
<tr>
<td></td>
<td>1 November</td>
<td>CGTP</td>
</tr>
</tbody>
</table>

Source: Campos Lima and Martin Artiles (2014).

Various studies highlight convergence and divergence, complementarities and competition between social movements and unions, scrutinizing the overlapping and distinctive agendas, the distinctive styles of organizing and networking, and strategic orientations (Campos Lima and Artiles 2011; Costa 2017; Estanque et al. 2013). Objectively, they both contributed to the visibility and prestige of a progressive agenda against neoliberalism and austerity that impacted public opinion and the left turn in the general elections in 2015.

Moreover, the active intervention of social movements against precariousness in the 2010–2014 cycle of mobilization was translated into forms of flexible organization that consolidated during the following left political cycle (2015–2019), pushing the agenda to combat precariousness. The Association for Combatting Precariousness—Inflexible Precarious, hereafter called ‘Inflexible Precarious’, is one of the best examples. They combined the characteristics of a protest movement with a strategy to influence institutional developments. Their active intervention helped to push further various measures to combat bogus self-employment and to improve the social and labour rights of temporary and self-employed workers. In these policy domains, in conjunction with the specific parliamentary agreements between the PS and the left leaning parties BE, PCP and PEV, the left cycle constituted an unprecedented political
opportunity to improve complementarity and convergent actions of unions and social movements and enlarge the scope of their intervention.

An example of the complementarity of the actions of unions and social movements, although without alliances, was their intervention in relation to the ‘Extraordinary Programme for the Regularization of Precarious Employment Contracts in the Public Administration’ (PREVPAP), a government initiative focused on regularizing the situation of workers without a ‘proper legal employment relationship’. Unions took part in this process in the context of Bipartite Evaluation Committees with competences for examining workers’ requests. They were engaged in defining evaluation criteria for workers’ integration and participated in the decisions for their integration into the respective services. The ‘Inflexible Precarious’ and the platform *Precários do Estado* (Precarious of the State), an alliance of action groups in the public sector from very diverse professional backgrounds, played an important role by monitoring and pushing the process under the motto ‘nobody left behind’. These movements cooperated with unions and works councils in the promotion of inclusive and effective solutions. Furthermore, CGTP and ‘Inflexible Precarious’ converged in their criticism against some measures to amend the Labour Code in 2019, focusing on precariousness (Campos Lima and Perista 2020). In addition, social movements of precarious workers often supported union actions or campaigns.

In connection with the pandemic crisis, trade unions strengthened the use of social media to inform, organize, mobilize and campaign. Unions and social movements participated in debates about topics of common interest, such as the widespread use of telework, compulsory for long periods during the pandemic crisis, and its implications; and about the responses to the vulnerability of workers in precarious or non-standard employment contracts, including electronic platform workers (Uber and Glovo, for example). Trade unions have been engaged in initiatives to organize platform workers, with considerable success in the area of call centres, but with serious difficulties in food delivery (Boavida et al. 2021).

**Trade union policies towards the European Union**

CGTP and UGT are both affiliates of the ETUC. UGT has been a member since the early days of its existence and a founding member of the International Trade Union Confederation (ITUC). Affiliates of
the confederations are themselves affiliates of the respective European Trade Union Federations (ETUFs) and its strategy and practice are in the mainstream of the ETUC and ITUC. CGTP joined the ETUC much later, in 1995, initially because of its scepticism in relation to European integration and its rejection of the class-conciliatory orientation of the dominant forces inside the ETUC, and later because the UGT did not agree with CGTP’s affiliation. In the early years of its entry to the ETUC, CGTP took ‘an abstentionist and critical stance towards the political documents’ of the ETUC (Costa 2006). This attitude has since developed into a more proactive and critical position with more developed arguments.

At its most recent Congress in 2020, CGTP’s leadership questioned in its Report on Activities the increasing impositions in the context of the Economic and Monetary Union, the Euro Area, the Budgetary Treaty, European Governance, European Semester, and EU Banking Union for their central role in the offensive against workers’ and people’s rights and against the sovereignty of Member States. In this context CGTP sought - as pointed in this confederation XIV Congress Activity Report (CGTP-IN 2020) - to make a contribution on the basis of its principles to the development of a firm and coherent perspective of intervention and struggle against policies of exploitation and impoverishment and for a sovereign and left-wing policy for Portugal and for a ‘Europe of Workers and Peoples’.

UGT has a basically positive view on the European Union and agrees with the central position of the ETUC. In its report to the XIII Congress (2017), the leadership highlights UGT’s intervention for a ‘fairer and more solidary model of economic and social development … namely with the ETUC and the ITUC, … for more balanced policies, for workers’ rights and for an improvement in working and living conditions, for the fight against poverty and inequality and strengthening for the reinforcement of social cohesion’ (UGT 2017: 11, XIII Congress Report). UGT considers that a more Social Europe and the improvement of the Social Model requires rebalancing EU policies, particularly within the framework of the European Semester.

Several UGT member unions immediately after their creation joined the respective ETUFs. The entry of CGTP’s affiliates to the ETUFs occurred later. Today, twenty-two Portuguese unions are represented on eight ETUFs, eleven of them affiliated to UGT, eight to CGTP and
three are non-affiliated. Most of these Portuguese affiliates are effectively representative in their domains. The National Federation of Trade Unions of Public and Social Service Workers (FNSTFPS, Federação Nacional dos Sindicatos dos Trabalhadores em Funções Públicas e Sociais) and the Federation of Transport and Communication Trade Unions (FECTRANS, Federação dos Sindicatos de Transportes e Comunicações) have close ties to the World Federation of Trade Unions (WFTU 2016).

The outcome of CGTP’s internal debate about its accession to the ITUC revealed the persistent political reservations of the dominant forces inside this confederation against affiliation at international level. CGTP had been invited to be part of the group of founding members of the new global confederation in 2006, but after some internal controversy CGTP decided not to affiliate to the ITUC and to maintain equidistant relations with both it and the WFTU.

At the level of European works councils, Costa and Araújo (2013) report that in 2004–2006, according to the European Works Councils Database, 201 Portuguese representatives had been elected/appointed in 163 EWCs in 163 multinational companies. In 2011, Costa and Costa (2017: 120–121) noted 112 companies in the metal and chemical industries and in financial services operating in Portugal that had Portuguese representatives on their EWCs. CGTP and UGT represent Portugal at the EESC, each with two members. Furthermore, both confederations participate in three Interregional Trade Union Councils (IRTUCs) with Portuguese and Spanish participation: namely, North of Portugal-Galiza, Northeast Portugal and León, and Alentejo-Estremadura and Algarve-Andulcia (CGTP 2012).

Conclusions

After the revolution of 1974–1975, trade unions were on the offensive and created powerful organizations and a framework of collective agreements with high regulatory capacity, supported by very favourable constitutional and legal provisions. This golden age of Portuguese trade unionism ended in the late 1980s. Since then, unions have been on the

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12 The following federations could be identified with CGTP- and/or UGT affiliates among their members: EFBWW/FETBB, IndustriAll, EPSU, ETF, ETUCE/CSEE, and UNI-EUROPA.
defensive. They have been losing members and power almost constantly; labour legislation has been modified to the workers’ and unions’ disadvantage; and collective bargaining has lost much of its regulatory capacity. As for trade union resistance to this negative long-term trend, two aspects stand out: CGTP’s broad organizational and political offensive in the late 1990s/early 2000s and UGT’s recent openness to better interconfederal relations. The most harmful attacks against workers’ rights and trade unions were carried out by right-wing governments (2001–2004 and 2011–2015).

At present, there are strong indicators to support Visser’s negative scenario of marginalization, with some elements of revitalization. The loss of power resources makes unions less important in shaping the labour market in a context of growing precariousness. Attempts by some governments to promote other actors than unions in labour relations have not succeeded, and the emergence of new social movements in defence of precarious workers has been a positive stimulus for trade unions and their standing in society. Therefore, we suppose that the risk of replacement is relatively low. Last but not least, the interaction between unions and social movements during the cycle of mobilizations (2010–2014) and the joint action of CGTP and UGT on different occasions, including general strikes, represent experiential capital that may help in revitalizing trade union strategies.

The deregulation of collective bargaining and of labour market institutions, and the persistent effects of internal devaluation have favoured the proliferation of low-wage jobs and precarious work, including bogus self-employment, intensifying the trend towards dualization. Against this trend, the trade unions have generally followed an inclusive approach, favouring comprehensive collective agreements and their extension to all workers, and participating in significant actions in an effort to integrate precarious workers in regular labour contracts.

Marginalization of unions, on the other hand, may occur even when they formally preserve their prerogatives and through processes of institutional conversion (Baccaro and Howell 2017). The institutional framework of tripartite concertation and social partners’ prerogatives did not change for decades, but the modus operandi did: wage moderation and legitimation of government policies in the first decade, real exchange in the exceptional periods of 1997–2001 and 2005–2009, pure political legitimation in the shadow of the Troika, and most recently, the use of tripartism in an attempt to postpone progressive legislative measures.
Marginalization might also take the form of maintaining the formalities of collective negotiations while they are in fact stripped of their regulatory capacity (employers reduce collective bargaining to very low wage increases and governments block wage bargaining in the public sector).

What can be done to avoid these negative scenarios and explore the potential of recent experiences to open the way to revitalization? The present political power relations (with a left-wing majority in parliament since 2015) create a favourable context for an offensive to promote workers’ and unions’ rights, but the unions have not been able to take full advantage of this situation. It is crucial that unions improve their capacity to make use of political possibilities to push their agenda and to prepare for highly probable attacks in the future. At the same time, it is important that unions continue their efforts in consolidating and extending their organizational capacities in terms of members, activists and effective structures.

Furthermore, in view of the greatly diminished power base of the trade union movement as a whole, cooperation between the confederations CGTP and UGT is clearly key to strengthening the unions’ position in collective bargaining and social concertation, improving their standing among workers and increasing their influence in politics and society. Renewal requires innovation, innovation implies risks, and unions will avoid risks in an overly hostile environment. More cooperative inter-union relations would reduce hostility and thus contribute to better conditions for rejuvenation and the search for innovative responses to the challenges of digitalization, instability of labour relations and other things. Better enmeshing with social movements would further improve mutual capacities to deal with the new challenges.

References

All links were checked on 1 July 2021.


GEP/MTSSS (2021), Relatório Único - Quadros de Pessoal, Gabinete de Estratégia e Planeamento/Ministério do Trabalho, Solidariedade e Segurança Social, unpublished.


**Abbreviations**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>Acordo coletivo de trabalho (Collective labour agreement)</td>
</tr>
<tr>
<td>AE</td>
<td>Acordos de Empresa (Single employer agreements)</td>
</tr>
<tr>
<td>ASPE</td>
<td>Associação Sindical Portuguesa dos Enfermeiros (Nurses Democratic Union of Portugal)</td>
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<tr>
<td>BE</td>
<td>Bloco de Esquerda (Left Bloc)</td>
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<tr>
<td>CCT</td>
<td>Contrato coletivo de trabalho (Collective labour contract)</td>
</tr>
<tr>
<td>CDS-PP</td>
<td>Centro Democrático e Social – Partido Popular (Democratic and Social Centre Party)</td>
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</tbody>
</table>
CGTP-IN: Confederação Geral dos Trabalhadores Portugueses – Intersindical Nacional (General Confederation of Portuguese Workers – Inter-Union National)

CIP: Confederação Empresarial de Portugal (Confederation of Portuguese Business)

CPCS: Comissão Permanente de Concertação Social (Standing Committee for Social Concertation)

CTT: Correios de Portugal (Post of Portugal)

DGAEP: Direção-Geral da Administração e do Emprego Público (Directorate-General for Administration and Public Employment)

DGERT: Direção-Geral do Emprego e das Relações de Trabalho (Directorate-General for Employment and Labour Relations)

EESC: European Economic and Social Committee

EFBWW: European Federation of Building and Woodworkers

EPSU: European Federation of Public Service Unions

ETF: European Transport Workers’ Federation

ETUC: European Trade Union Confederation

ETUCE: European Trade Union Committee for Education

ETUF: European Trade Union Federation

EWC: European Works Council

FECTRANS: Federação dos Sindicatos de Transportes e Comunicações (Federation of Transport and Communication Trade Unions)

FENPROF: Federação Nacional dos Professores (Teachers’ Union Federation)

FETESE: Federação dos Sindicatos da Indústria e dos Serviços (Federation of Manufacturing and Service Unions)

FNSTFPS: Federação Nacional dos Sindicatos dos Trabalhadores em Funções Públicas e Sociais (National Federation of Trade Unions of Public and Social Service Workers)

GEE: Gabinete de Estratégia e Estudos (Strategy and Research Office)

GEP: Gabinete de Estratégia e Planeamento (Strategy and Planning Office)
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Name</th>
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<tbody>
<tr>
<td>ICTWSS</td>
<td>Institutional Characteristics of Trade Unions, Wage Setting, State Intervention and Social Pacts (database)</td>
</tr>
<tr>
<td>IndustriAll</td>
<td>European Trade Union.</td>
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<tr>
<td>IRR</td>
<td>Instituto Ruben Rolo (Institute Ruben Rolo)</td>
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<td>IRTUC</td>
<td>Interregional Trade Union Councils</td>
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<td>ITUC</td>
<td>International Trade Union Confederation</td>
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<tr>
<td>M12M</td>
<td>Movimento 12 de Março (Movement 12 March)</td>
</tr>
<tr>
<td>M15M</td>
<td>Movimento 15 de Outubro (Movement 15 October)</td>
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<tr>
<td>METD</td>
<td>Ministério da Economia e da Transição Digital (Ministry of Economy and Digital Transition)</td>
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<tr>
<td>MoU</td>
<td>Memorandum of Understanding on Specific Economic Policy Conditionality</td>
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<tr>
<td>MTSSS</td>
<td>Ministério do Trabalho, Solidariedade e Segurança Social (Ministry of Labour, Solidarity and Social Security)</td>
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<td>PCP</td>
<td>Partido Comunista Português (Portuguese Communist Party)</td>
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<tr>
<td>PS</td>
<td>Partido Socialista (Socialist Party)</td>
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<tr>
<td>PEV</td>
<td>Partido Ecologista ‘Os Verdes’ (Greens Party)</td>
</tr>
<tr>
<td>Pordata</td>
<td>Pordata Base de Dados de Portugal Contemporâneo (Contemporary Portugal Database)</td>
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<td>PREVPAP</td>
<td>Programa de Regularização Extraordinária dos Vínculos Precários na Administração Pública (Extraordinary Programme for the Regularization of Precarious Employment Contracts in the Public Administration)</td>
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<tr>
<td>PSD</td>
<td>Partido Social Democrata (Social Democratic Party)</td>
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<tr>
<td>RU</td>
<td>Relatório Único (Single Report)</td>
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<tr>
<td>SEAL</td>
<td>Sindicato dos Estivadores e da Actividade Logística (Union of Dockworkers’ and Logistics Activity)</td>
</tr>
<tr>
<td>SEP</td>
<td>Sindicato dos Enfermeiros Portugueses (Union of Portuguese Nurses)</td>
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<tr>
<td>SINDEL</td>
<td>Sindicato Nacional da Industria e da Energia (National Manufacturing and Energy Union)</td>
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<tr>
<td>SINDEPOR</td>
<td>Sindicato Democrático dos Enfermeiros de Portugal (Democratic Union of the Nurses of Portugal)</td>
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<tr>
<td>SJ</td>
<td>Sindicato dos Jornalistas (Union of Journalists)</td>
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<tr>
<td>SNMMP</td>
<td>Sindicato Nacional de Motoristas de Matérias Perigosas (National Union of Hazardous Material Driver)</td>
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<tr>
<td>STAD</td>
<td>Sindicato dos Trabalhadores de Serviços de Portaria, Vigilância, Limpeza, Domésticas e Actividades Diversas (Trade Union of the Workers of Gatekeepers, Private Security, Cleaning, Housekeeping and Other Activities)</td>
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<tr>
<td>UGT</td>
<td>União Geral de Trabalhadores (General Union of Workers)</td>
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<td>UNI-Europa</td>
<td>Union Network International – Europa</td>
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<td>USI</td>
<td>União dos Sindicatos Independentes (Confederation of Independent Unions)</td>
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<tr>
<td>WFTU</td>
<td>World Federation of Trade Unions</td>
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