



Informing and Training To integrate better

Over the last few years, Portugal has been used as a “turntable” for migratory movements:

- * Migratory movements of Portuguese nationals to foreign countries still remain;
- * Thousands of immigrants increasingly arrive to Portugal.

This reality has contributed to keep an **economic and social development model based on low-wage**, low skill requirement and weak technological knowledge in Portugal.

Employers applaud this strategy of skilled labor mobility and free circulation, while pressing Portuguese nationals to emigrate, replacing them by immigrant manpower.

Immigrants, particularly in the early stages of their integration in Portugal, are often illegally subjected to discriminatory labor and social conditions.

If these workers are undocumented, their labor and social situation tends to worsen, thus if they’re detected, they risk being repatriated to their country of origin.

Immigrants **have labor and social rights**, whether they have documents or not, hence they carry out a gainful employment by a company

CGTP-IN advises that **all immigrants have rights**, regardless of whether they are documented or not, and their employers always do have the obligation to comply with them.

Being unionized is in first place, belonging to an organization of workers to workers, which aims to solidarily defend your rights, within principles of law-abiding, of Freedom, Equality and Social Justice for all.

Immigrant Worker

You do have labor and social rights
Once working, you have the right to documents!

Get informed
and unionize yourself



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Immigration

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Immigration
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What basic rights do Immigrants have?

Immigrants do have the same social and labor rights as Portuguese workers, namely:

- * To engage in a subordinate or self employed professional occupation;
- * To education and teaching;
- * To guidance, training, improvement and professional retraining;
- * On access to health;
- * On access to the Law and courts;
- * Equal treatment in social security matters, tax benefits, union membership, to diplomas, certificates and other professional qualifications recognition, as well as in access to public goods and services available to nationals.

How can third-country nationals obtain a residence permit?



All third-country nationals may obtain a residence permit; hence they fulfill the following requirements:

- * Presence in the national territory;
- * Holding a "visa" residence / to be in one of the situations that do not require a residence visa to obtain a residence permit.
- * Absence of any incident which, if known to the authorities before issuing visas, would have impeached to grant it;
- * Having means of subsistence;
- * Lack of conviction for criminal offenses punishable in Portugal with imprisonment for more than a year;
- * Not being included in the interdiction entrance period, following an exclusion measure;
- * Not being mentioned in Schengen's Information System either as in SEF's integrated information system for the purpose of refusing entry purposes;
- * Having a legal employment contract;
- * Being enrolled in the social security and paying the due contributions;
- * Being inscribed in the tax system and paying taxes, if applicable.

What's a residence permit?

- * The residence permit is a legal title that allows its holder, a third-country national to live in Portugal during a certain period of time or indefinitely.
- * With the current law, a legal resident is a third-country national entitled with a residence permit valid for a minimum of one year.



How can third-country nationals in an irregular situation solve their situation, with the new law?

Exceptionally, a residence permit may be granted to third-country nationals who:

- * Hold an employment contract or have a relationship confirmed by a union, an immigrants association with a seat on COCAI - Consultative Council for Immigration Affairs or the ACT - Authority for Working Conditions;
- * To be enrolled and have the situation settled before Social Security.

What is the role of trade unions in these processes?



- * To confirm the existence of a labor relationship, and if the employer refuses to attest it, by issuing a confirmatory declaration;
- * Collectively negotiating pay, labor and social protection terms;
- * Careers and employment terms negotiation, as well as intervention in workers individual or collective eventual dismissals;
- * Support in case of work accidents and occupational diseases;
- * Support in case of discrimination or harassment in the workplace;
- * Improvement of the general working conditions, social rights and citizenship;
- * Representation in court defending workers' rights, if they wish so;
- * Possibility of exemption from court fees by appealing to trade unions legal services.

It is illegal to discriminate against immigrants in their working conditions, health and safety at work, as well as in their social rights.

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