

| Country: Portugal ¹ - conditions applicable to posted drivers and remuneration | | |
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| Item (related provision in Directive 96/71/EC as amended by Directive (EU) 2018/957) | Content of the information to be provided | Information |
| APPLICABLE PROVISIONS | <ul style="list-style-type: none"> - national law, regulation or administrative provision <p>AND/OR</p> <ul style="list-style-type: none"> - collective agreements or arbitration awards declared universally applicable <p>AND/OR</p> <ul style="list-style-type: none"> - collective agreements that otherwise apply in accordance with Article 3(1) and (8) of Directive 96/71/EC as amended by Directive (EU) 2018/957 | <ul style="list-style-type: none"> - The portuguese government has not yet published any law. - Collective Agreement between ANTRAM, ANTP (employer's Associations) and FECTRANS, SNT, SIMM e SNMP (trade unions) published in BTE n.º 45, 8th December 2019. - Arbitration awards declared that the collective agreement referred above is universally applicable to all the employers and workers of the goods transport sector despite not being filiation in employer's Associations or trade unions: Portaria n.º 49/2020, 26 of February. |

¹ Source: ANTRAM, 24 February 2022

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| <p>SCOPE OF APPLICATION</p> | <ul style="list-style-type: none"> - types of transport activities covered - types of vehicles covered - enterprise size/type of employment covered (if relevant) - reference to posted drivers and definition of posting (if applicable) <p><i>Please also include procedure to calculate the time spent/hours worked by the posted driver to be covered by the national remuneration:</i></p> <ul style="list-style-type: none"> • <i>clarification of the paid working time of the posted driver: driving time but also other activities/loading/unloading, availability?</i> • <i>clarification of the applicable posting regime/exemption during daily/weekly rest of the driver.</i> | <ul style="list-style-type: none"> - The Portuguese Collective agreement is a national law applies to undertakings in road haulage sector regardless of the type of vehicles used as long as the vehicle belongs to haulage companies with community licence; - Employees of companies engaged in very type of transport with a community licence. |
| <p>REMUNERATION (Art 3(1)(c))</p> | <ul style="list-style-type: none"> - Minimum gross wage (incl. calculation method: per hour/per operation) - Minimum gross wage per category (occupational group) -- <p><i>Please also include the amount of the national minimum remunerations applicable for each driver category:</i></p> <ul style="list-style-type: none"> • <i>LDV (2.4-3.5 tonnes)</i> • <i>HDV</i> • <i>transport of passengers</i> • <i>any other criteria applicable to posted drivers, such as age, experience, type of transported goods- general goods/ADR/abnormal transport etc.</i> | <p><i>- Minimum gross wage:</i></p> <p>The Portuguese minimum wage is 705€</p> <p>However in the case of the drivers we must applied the values that are stipulated in our collective agreement.</p> <p>It depends:</p> <ul style="list-style-type: none"> - in the type of service: national, only between Portugal and Spain or international; - Gross weight of the vehicle; - The seniority of the driver; - If the driver transports danger goods; - If the driver does the load and unload of the goods when this operations are legally allowed to be done by the drivers. <p>In attachment it is possible to find 4 examples of the total Portuguese minimum remuneration of the drivers without taxations (tables 2 in attachment).</p> |

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| <p>FURTHER ELEMENTS OF REMUNERATION Art 3(1)(c) and 3(1) para 3))²</p> | <ul style="list-style-type: none"> - Overtime - Standby pay - Saturday/Sunday/public holidays work - Shift work [if applicable] - Hazardous work/bonuses for particular working conditions - Daily allowances specific to posting (in so far as they do not constitute reimbursement of costs related to transport to and from work/board and lodging) - Annual holidays allowance - 13th/14th month bonuses, incl. end of the year bonuses - Other (additional wage components, e.g. seniority allowance, meal vouchers, compensation for daily travel time, etc.) | <p>Depending on sector-specific relevant items:</p> <p><u>Overtime:</u> Article 61 of collective agreement – exemption from working hours (all driver receives): 48% (base salary + seniority + wage supplement regarding the type of vehicle and where the transport takes place (national, Iberian (Portugal and Spain) or international)</p> <p>Ex: International driver with 5 years seniority with a vehicle between 7,5 tonnes to 44 tonnes: 436,92€</p> <p><u>Evening and night work:</u></p> <ul style="list-style-type: none"> - The drivers receive per month 10% of the value of their base salary (ex: normally 77,50€). - It is considered evening/night work between 20h00 until 7h00; <p><u>Saturday/Sunday/public holidays work</u></p> <p>200% plus of a normal working day</p> <p>Example for International driver with 5 years seniority with a vehicle between 7,5 tonnes to 44 tonnes: (base Salary + seniority + wage supplement regarding the type of vehicle and where the transport takes place (national or international)/30]*2</p> <p>Total per day: 59,13€</p> <p><u>Hazardous work/bonus for particular working conditions:</u></p> |

² Mainly posting allowance, night hours, hours worked during holidays/Sundays:

- Clarification of other national elements of the minimum remuneration of the posted drivers (13th, 14th month salary, paid holidays): Should a haulier pay *to the driver performing international transport the 13th/14th month in EUR proportional to the working time in each MS*, if during 1 year, the respective driver worked in 20 EU countries? In order for an employee to benefit from the 13th, 14th month salary, paid holidays and other bonuses, he should have worked a minimum number of days, usually about a year. We consider that these elements of D96/71 should not be applicable to posted drivers.

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| | | <ul style="list-style-type: none"> - wage supplement regarding the type of vehicle and where the transport takes place (national, Portugal-spain or international) – see timetable 1 of the annexe. - Load and unload of goods when legally allowed: 2,5 € per day. - Load and unload dangerous goods (AETR): 125€ - Risk allowance: 4,70€ per working day <p>Annual holidays allowance:</p> <ul style="list-style-type: none"> - 1 month for the summer holidays - 1 month for Christmas holidays <p>13th/14th month: 14th months</p> <p>Other (additional wage components, e.g. seniority allowance, meal vouchers, compensation for daily travel time, etc.)</p> <ul style="list-style-type: none"> - Supplement for drivers of international transport: <ul style="list-style-type: none"> . If the drivers only goes to Spain: 115€ per month . If the drivers goes to other European country: 135€ - Seniority: after 3 years – 18,87€ Maximum until the drivers achieves 15 years of seniority: 94,35€ per month; - For working on Sundays and public Holidays aboard the drivers have a one day off work when they arrive to Portugal. |
| - | - Amount of minimum paid annual leave | - 22 days of annual leave |
| ALLOWANCES OR REIMBURSEMENT OF EXPENDITURE TO COVER TRAVEL, BOARD AND LODGING EXPENSES (Art 3(1)(i))ⁱ | <ul style="list-style-type: none"> - Travel allowance (incl. board and lodging) - Meal allowance - Extra information (incl. any deductions, reimbursement of expenditure) | <p>Which daily allowances; for foreign international drivers it depends in the host MS</p> <p>Examples:</p> <p>Spain 23€ per day</p> <p>Other European Country: 36,40€</p> |

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| FINES for not observing national posting rules/minimum remuneration | | The law has not been published yet. |
| LINK | -Link to the original text of the collective agreement and/or national law [available languages] | - <i>Hyperlink</i> (<i>indicate available language(s)</i>) |
| CONTACT POINTS | - Link to the contact points of trade unions/employer associations - Information on the contact points for liaison office/competent national bodies (such as Labour Inspectorate, Road Transport Authority) | - sede@antram.pt - ACT: www.act.gov.pt - IMT: www.imt-ip.pt |

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- ⁱ Allowances or reimbursement of expenditure to cover travel, board and lodging expenses - these expenses are reimbursed/covered by the transport companies but should the companies also observe the national rates of the host MS?