

INGLÊS
ENGLISH

Inclusive Labour Market

A HANDBOOK
FOR INTERCULTURAL
ORGANISATIONS



RPCI
COOPERATIVA

APOIOS



PATROCÍNIO





The **Portuguese Network of Intercultural Cities (RPCI)** was born in 2021. It belongs to an International Network of Cities created by the Council of Europe. Its goal is to support cities in reviewing their diversity and inclusion policies through an intercultural lens and developing comprehensive intercultural strategies to help them manage diversity positively and realise the diversity advantage.

The cities of Amadora, Loures and Oeiras, in particular, have cooperated more actively in RPCI's Inclusive Recruitment project and in creating this handbook. They were instrumental in answering questions about diversity and inclusion with regards to hiring migrant people.



What is inclusive recruitment?

- Diversity (gender, nationality, sexual orientation, others);
- Opportunity access equity according to professional experience, academic graduation and performance in all hierarchical levels.

Inclusive organizational benefits

+33%

McKinsey & Company in its report "Delivering Through Diversity", created in 2017, reveals that enterprises with more ethnical diversity are **33% more profitable**.

Other studies refer to the benefits of an inclusive corporate culture. Here are some examples:

- Less rotativity
- More teamwork
- Less conflicts (after initial adaptation phase)
- Increased performance and revenue
- Positive institutional image empowerment

Foreigners law in Portugal

- The new Foreigners Law (law 23/2007, created on 4th July in its current version) regulates the entrance, permanence, leave and distancing of foreigners from national territory.

What changed with the new law?

- Consular interview is no longer necessary in the hiring process for migrants
- Creation of a “Tech visa” destined to hiring highly qualified workforce
- Creation of “Expression of interest” procedure

What is “Expression of Interest”?

People who arrived in Portugal without a suitable visa for practicing paid activities may **regularize through Expression of Interest procedure**, since it is proved the Laboral condition. The Expression of Interest is a new procedure introduced by law 23/2007, in its articles 88, n.2 and 89 n.2, being regulated by Legislative Decree 02/2018.

Who may file “Expression of Interest”?

Any foreign person who arrived legally in Portugal, who is registered and in a regular situation at Social Security and has a proven labour relation.

Expression of Interest types in Portugal

PROFESSIONAL SUBORDINATE ACTIVITY PRACTICE

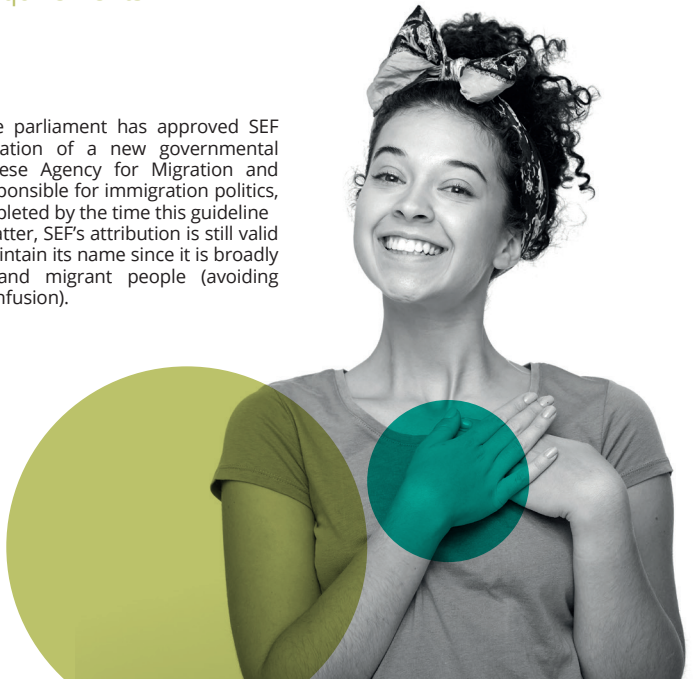
- Destined to whom receives a job or contract offer already in Portuguese lands.
- A job promise or a job contract must respect Portugal's labour legislation, including the payment of a monthly salary according to the minimum legal limit.
- The person who will file the Residence Permit for professional subordinate activity, by Expression of Interest, must pay attention to Foreign Law's article 88° n°2.



For more information, please access SEF's web page and check all the requirements



Although the Portuguese parliament has approved SEF extinguishment and creation of a new governmental agency, named Portuguese Agency for Migration and Asylum, which will be responsible for immigration politics, this process was not completed by the time this guideline was concluded. In this matter, SEF's attribution is still valid and we have opted to maintain its name since it is broadly known by companies and migrant people (avoiding unneeded doubts and confusion).



INDEPENDENT PROFESSIONAL ACTIVITY

- All people who **practice professional activity without a contract** (not associated to a company).
- Independent workforce must issue the so called “recibos verdes” in order to comply with Portuguese fiscal regulation. To do so, it is mandatory to open an activity at Finances portal.
- In this case, it is needed to pay attention to the requirements stated at Art. 89º n.2 about “residence permit for independent professional activity, without a need of a residence permit”



Find out more at SEF's webpage

Hiring migrant workforce in Portugal

WHAT ARE THE MIGRANT'S LABOUR RIGHTS?

The same as a native Portuguese worker. Equal labour rights are consecrated at Portuguese's Labour Code Art nº4 (Law n. 7/2009 created on February 12th in its current redaction).

DOES PORTUGUESE LEGISLATION PREDICT ANY SPECIFIC CONTRACTUAL LABOUR REQUEST WITH A FOREIGNER?

The contract established with a foreigner must be obligatorily written. All other requirements related to its content are stated in Labour Code's Art. 5th.

yes!

WHAT IS A CONTRACT PROMISE?

Predicted in Labour's Code art. 103, the contract promise must be written with identification, signatures, residence address of both parties, correct provided activity, salary and other requirements according to the competent legislation. With this promise the foreigner may also file the Expression of Interest.

Main doubts about hiring migrant people

MAY I HIRE A PERSON NOT ENROLLED AT SOCIAL SECURITY?

yes!

The Social Security Identification Number (**NISS**) is the number that allows a unique identification at Social Security, precise and at a national scale. However, it is not a requirement stated at Labour legislation to allow a labour contract to be signed.

WHAT SHOULD THE COMPANY DO IN CASE THE MIGRANT DOES NOT HAVE NISS?

If the organisation is willing to hire someone who is not already enrolled at Social Security, its own Human Resources department may file the procedure online easily by following these steps:

Segurança Social Direta (SSD), go to **“Perfil” > “Documentos de Prova” > “Enviar documento de Prova” > at “Assunto” select “NISS na Hora – Pedido de Entidade Empregadora”**

CAN I HIRE A PERSON WHO DOES NOT HAVE A RESIDENCE PERMIT?

yes!

As stated before, the new Foreigners Law allows regulating people who do not have a visa with authorization for practicing paid activity.

In this case the organisation must pay attention to two details:

1. Check if the person has already filed the “Expression of Interest”. If positive, proceed normally with the hiring process.
2. If the organisation is willing to offer the first job opportunity to a foreigner, it is needed to follow art. 88 n.2. In possession of the contract or the promise of contract, the migrant must file in the Expression of Interest procedure in order to be “in process of regulating” and avoid any law enforcement issues.

Bear in mind that...

- Migration brings positive results to the whole country, when it comes to economics, development and innovation.
- The Portuguese government recognizes the importance of the immigrant population and has been working hard to enhance its legislation and its related services.
- The Portuguese state has instituted fines to penalize companies who are seeking to hire irregular workers without paying the proper legal obligation.
 - Follow our recommendations to allow your company to be part of an inclusive group of companies and play a key role in helping Portugal recover its economy after COVID-19's pandemic.



How can you create a more inclusive work environment?

Building an inclusive work environment goes beyond the recruitment process.

Check out the following tips for each stage:

Recruitment and talent selection

1. Run an internal diagnosis to understand how inclusive your organisation is at the moment and what are the areas you need to work on (listen to the people you work with);
2. Invest in legal knowledge about the hiring of foreigners;
3. Define and develop a good Diversity and Inclusion strategy;
4. Run a good diagnosis about the vacancy requirements. Include the needs of the organisation and the desired skill-set for each team;
5. Develop an objective recruitment process that's based on the skills of each candidate;
6. Fulfilling the vacancy requirements is essential and so is the performance on the job;
7. Demanding a profile picture as well as "good-looks" is often unfair. Please avoid that!
8. Partner up with local bodies, associations and cooperatives that will help you establishing a bridge between foreigners and your organisation, harness people's potential, support your recruitment process and even provide training and awareness-raising activities to your teams;
9. Actively search for diverse profiles by using several recruitment sources and paying attention to the copy used in your job ad and location where you advertise;
10. Use a diverse set of tools, as indicated below.

Tools for an inclusive recruitment process

ARTIFICIAL INTELLIGENCE

Big data and algorithms can help organisations build a more impartial recruitment process. Although, it is possible that some of these tools have been programmed in a biased way, unintentionally (through the search of specific terminology, for example). Make sure that is not the case in your organisation!

RECRUITING BLINDLY (WITHOUT PROFILE PICTURE)

This tool intends to prioritize the technical and behavioural skills of the candidate, meaning: it lowers the bias in the curricular selection process. It's important to note that this tool only makes sense in the CV selection phase. When it comes to the interviewing process, make sure the recruitment team has been duly trained and are aware of their own biases, to make this as fair as possible. It is also possible, for certain types of jobs, to conduct practical interviews without prior access to CVs.

EVALUATING THE BEHAVIOURAL PROFILE

Evaluating the behavioural profile, is one of the most assertive tactics when it comes to recruitment as it allows the team responsible for selecting the candidates to choose the person that best fits the requirements stated in the job ad. The most common techniques used to evaluate behaviour profiles are: personality tests, group interviews and moral challenges. Ensure you make these techniques available and accessible to every candidate by considering matters such as language, religion, culture, etc.



Inclusion after hiring

When integrating employees into a new work environment, organisations should consider their difficulties and adaptation process as well as their interaction with the organisation. Here are a few things you can implement:

LANGUAGE COURSES

Partner up with language schools and/or hire language teachers to incentivise foreign colleagues to improve the communication with their colleagues, clients, suppliers and other third-party providers.

VALUE THE DIFFERENCES

Promote the interaction and the active exchange between colleagues. Here are a few ideas: monthly happy hours, thematic meals, internal communications where everyone can recommend songs, movies, different types of TV programs, outdoor activities, cultural and heritage sites, touristic things to do... Most of all, make it clear that you're passing along the message and the feeling that everyone is valued - encourage different points of view and give everyone a voice. **Try asking people how they would like to celebrate their origins!**

CAMPAIGNS TO FIGHT DISCRIMINATION

Unfortunately, there is still a lot of prejudice and discrimination in our society. Some are more evident, others are manifested through "funny comments and jokes". Organisations must pay attention to these behaviours - promote awareness-raising sessions and create "zero tolerance" policies about all forms of discrimination.

DEVELOP AND PROMOTE OBJECTIVE CRITERIA FOR CAREER PROGRESSION, BENEFITS AND BONUSES

Make sure you have well defined promotion and career plans that are based on experience, attendance record and work quality, so that everyone has access to those opportunities, regardless of their origin and background.



Some bonus tips:

HAVE A COMPLIANCE PROGRAM IN PLACE

Compliance is a tool commonly used by countries such as the United States of America. Its goal is to ensure the organisation acts in conformity with its own internal rules as well as with external regulations.

FOLLOW THE INCLUSION PROCESS

It is only possible to ensure a company is reaching its inclusion objectives if this is being tracked and monitored. That said, make sure you have evaluation metrics in place. Be reminded that beside the objective criteria, you'll also have the equally important subjective criteria – such as, the fact that a person is being less productive due to a personal issue or because they are not feeling integrated in the organisation. Make sure that people have everything they need to succeed in their roles. You can start by simply asking: **What do you need? How can we ensure your successful integration?**



Help! I'm looking for work.

1. Create a version of your CV for each of your areas of expertise and make your goal very clear;
2. Include only essential information when it comes to personal data and contacts: full name, e-mail address and phone number. No need to include a profile picture;
3. Describe your academic background, including each course's name, dates you attended and conclusion date;
4. Make a brief summary of your skills, qualification and experience;
5. Describe your professional experience – include only the work experiences that are relevant for what you are applying. The most recent ones must show first;
6. Indicate other courses and activities that relate to what you are applying for. Don't underestimate those experiences you acquired informally, such as volunteer work and hobbies, that help create a good picture of who you are as a person;

I've got an interview! Now what?

1. Keep your CV updated;
2. Prepare for the interview: research the company, study your CV so that you don't miss out on any detail they might ask you about;
3. Check where the interview will take place to avoid any delays;
4. When it comes to your physical appearance, there isn't a rule of thumb. However, it's important to check the company's dress code – some are more formal than others. Did you know that there are some organisations that lend you work clothes for free?
5. Make sure you don't show any particular preference for a company you worked for. Be impartial;
6. Be honest about yourself and your professional experiences, highlighting the situations that most closely match the work profile you are applying for.

Some of the questions you should expect during an interview:

- Tell me a bit more about yourself...
- What are your professional goals?
- What draws your attention the most about this job?
- What do you identify the most with about this company?
- What do you think is your main differentiation point or your competitive advantage?
- Tell me about your strengths and weaknesses...

A few tips on how to come across the best way possible:

- Look in the eyes of the person you are talking with;
- The person conducting the interview wants to get to know you;
- Show your interest in the position you're applying for, asking questions in the appropriate time;
- Don't lie about any skill you might be lacking – make yourself available to learn it.



CÂMARA MUNICIPAL DE LOURES

Praça da Liberdade, 2674-501 Loures
T: 211 150 100

DEPARTMENT OF HOUSING AND SOCIAL COHESION

Inclusion and Citizenship Division

T: 211 150 164 | E-mail: uic@cm-loures.pt

Migrant Support Office

T: 211 151 451 | 963 503 318 | 934 400 550

CÂMARA MUNICIPAL DE OEIRAS

PAÇO DE ARCOS CLAIM

Mon-Fri (except bank holidays), 10:00 to 17:00

Alto da Loba Community Center

Rua Instituto Conde de Agrolongo, 39
Alto da Loba, Paço de Arcos
T: 214 420 463
E-mail: jose.almeida@cm-oeiras.pt

CARNAXIDE CLAIM

Mon-Fri (except bank holidays), 10:00 to 17:00

Rua Professor Delfim Santos, 9, 2790 Carnaxide
T: 214 160 565
E-mail: maria.tavares@cm-oeiras.pt

CÂMARA MUNICIPAL DA AMADORA

SOCIAL INTERVENTION DIVISION

Mon-Fri, 09:00-12:30 and 14:00-17:30

By appointment only (book in person
or via phone/email)

Pcta. Carolina Simões S/N
2700-165 Amadora
T: +351 214 369 053
E-mail: accao.social@cm-amadora.pt

CLAIM AJPAS

AMADORA NORTE

Mon-Fri (except bank holidays), 09:00 to 19:00

Legal services and Health services:

Saturday, 10:00-13:00

Espaço Cidadania

Praça Gil Eanes nº2 A,
Casal da Mira - 2650-441 - Amadora
T: +351 214 925 168 / +351 966 682 747
E-mail: claim.amadoranorte@gmail.com

The
municipalities
are at your disposal.
If in doubt,
look for one of
the following
sectors.

PORTO SALVO CLAIM

Mon-Fri (except bank holidays), 10:00 to 17:00

Navegadores Community Center

Alameda Jorge Álvares, 4, Porto Salvo
T: 210 977 490
E-mail: maria.crauidao@cm-oeiras.pt

CLAIM MÓVEL

By appointment only

Rua Professor Delfim Santos, 9
2790 Carnaxide
T: 214 160 565
E-mail: ana.brito@cm-oeiras.pt

CLAIM ASSACM

AMADORA SUL

Mon-Fri (except bank holidays), 10:00 to 13:00

Legal matters and Psychological Support:

Mon-Fri (except bank holidays), 15:00 to 19:00

Cova da Moura service

Rua do Vale nº17, Cova da Moura
2610-232 - Amadora
T: +351 214 905 144
E-mail: claim.amadorasul@gmail.com

Buraca service

Rua 5 de outubro nº14 A
2610-040 - Amadora
T: +351 214 712 681
E-mail: claim.amadorasul@gmail.com

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Council of Europe, Directorate of Communication
(F-67075 Strasbourg Cedex ou publishing@coe.int)

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