



PORTUGAL

Legal Shots

by SRS LEGAL

● EMPLOYMENT AND SOCIAL SECURITY

Uniform case law

Reimbursement of redundancy compensation - Presumption of acceptance of dismissal

On June 21st 2024, Ruling no. 7/2024 of the Supreme Court of Justice was published, establishing case law to the effect that: "in order to rebut the presumption of acceptance of dismissal established in Article 366(4) of the Labour Code, the full amount of the compensation received by the employee must be returned until the start of the respective precautionary procedure or action to challenge the dismissal."

The definition of an interpretation that will have a guiding and persuasive effect for the lower courts and for the Supreme Court itself, is intended to avoid a different application of the rule and to guarantee the uniformity of jurisprudential decisions.

The Ruling can be consulted [here](#).

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