

Angola

NEW FRAMEWORK OF FINES FOR BREACH OF THE GENERAL LABOUR LAW

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Following the recent changes arising from the General Labour Law (Law No. 7/15, of 15 June 2015), Presidential Decree No. 154/16 was published on 5 August establishing a legal penalty framework applicable to breaches of the new General Labour Law. This new Decree repeals the Decree No. 11/03, of 11 March 2003. The following amendments are to be highlighted:

Statute of Limitations	The statute of limitations period has been extended from 2 to 5 years
Increase in the amounts of the fines	<p>Generally speaking, this new Decree increases the amounts of the fines applicable to labour breaches, notably on the following matters:</p> <ul style="list-style-type: none"> • Nullity and invalidity of the employment contracts • Noncompliance of formalities of employment contracts • Noncompliance with the prior notice on the termination of the employment contracts • Absence of mandatory internal policies • Failure to inform the labour authorities about the change of employer in case of change of company's owners or work center • Failure to comply with prior consultation of the employees' representative body when establishing the working hours schedule and when preparing the respective maps • Failure to comply with daily rest periods • Failure to comply with administrative duties related to overtime • Failure to comply with rules regarding rotational work schedule • Termination of employment contract based on grounds not stated in the General Labour Law • Failure to comply with procedures, prior notices and employees' rights within the individual dismissal for objective reasons or collective dismissal (redundancies) • Failure to pay indemnities and compensations due as a result of dismissal
New established regulations	<p>A new set of breaches subject to fines has been established, notably the following:</p> <ul style="list-style-type: none"> • Failure to fulfill the obligation to register and inform the labour inspection on the internal policies • Failure to comply with the obligation of maintaining the work conditions by the new employer in cases of change of the company's owners or work center • Failure to comply with regulations regarding student employees
Scope	All companies covered by the General Labour Law, subject to the labor inspection's supervision
Effective date	5 August 2016