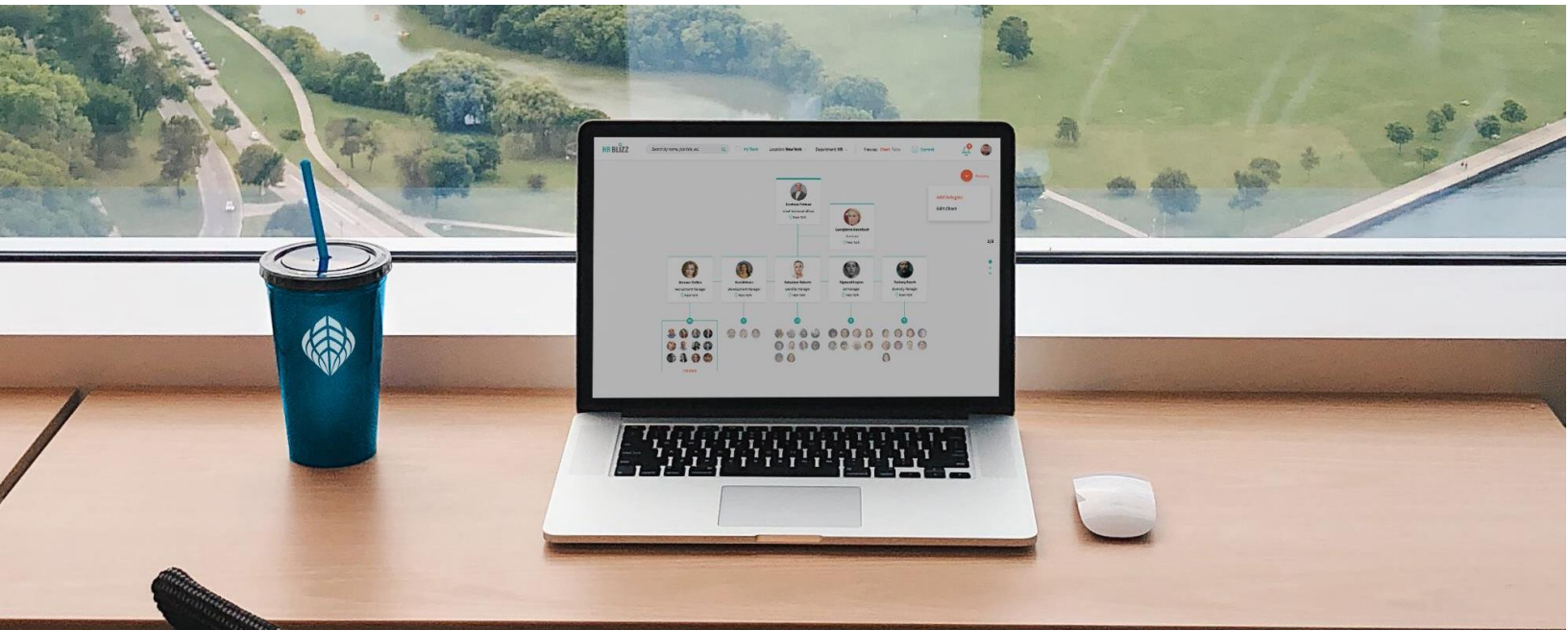




Simplifying Employment
Tasks Worldwide

Statutory Change Alert

Angola – New General Labor Law – 26 March 2024



ANGOLA



25 July 2024

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We help you achieve your global ambitions

Thank you for trusting Mercans to outsource your HR and Payroll functions. We propose HR consulting services, actionable solutions, and cost-effective global payroll processing tools to energize your human capital management in real-time and augment your performance. We are dedicated to becoming your business growth facilitator.



Global Payroll Solutions – Boost your HR brand and employee satisfaction

Rationalize your HR budgets, monitor your data, and optimize your global payroll tasks in real-time. Systematize processes and streamline HRM lifecycles with HR Blizz™, our unified SaaS platform, to ensure your employees are paid accurately and on time.



PEO/GEO Services – Easily hire, deploy and manage your workforce abroad

A reliable Professional Employer Organization (PEO), Mercans is your trusted employer of record to globally select, engage, and manage highly qualified personnel on your behalf, through integrated Global Employment Outsourcing (GEO).



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Mercans supports you in designing/deploying long-term HR strategies and processing full-cycle recruitment. Our ATS Suite Mesar™ and our hiring experts help to screen, select, attract the right candidates for your organization and populate your pipeline of prequalified talents.



BPO Services – Reclaim the focus on your core activities to expand your business

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160+ Countries	20 Years of Success	1K+ Payroll and HR Specialists
22k+ Clients Worldwide	97% Client Retention Rate	1.5X Annual Revenue Growth
95k+ Largest Single Country Payroll	25M+ Pay Slips per Annum	0 Security Breaches

Number one for outsourced payroll services, we are endorsed by international authorities.



Mercans has the highest industry quality and IT security certificate certificate





Angola – New General Labor Law – 26 March 2024

On 27 December 2023, Angola published notice 12/13 in the Diário da República introducing the New General Labor Law (NGLL), the law came into effect 26 March 2024. The NGLL replaces the 2015 General Labor Law (GLL). The NGLL introduces various changes affecting fixed terms contracts, leaves types, overtime pay, amongst other changes.

When Can Fixed Term Contracts Be Entered Into:

- The NGLL considers that the employment contract for an unlimited term is the default type of employment relationship.
- Unlike the former GLL, the NGLL sets out that employment contracts for a fixed term may be only entered into on exceptional terms and for the underlying reasons foreseen in the law under a closed standard of cases. Examples:
 - Substitution of a temporarily absent employee,
 - Temporary or exceptional increase in the company's normal activity resulting from growth of tasks, excess of orders, market ratio or seasonal reasons,
 - Execution of urgent necessary work or to organize measures to safeguard the facilities or equipment and other assets of the company in order to prevent risks both for the company and to its employees,
 - Launch of new activities of uncertain duration, start of work restructuring or expansion of the activities of an employer or work centre,
 - Employment of physically handicapped, elderly, first-time job applicants and unemployed for more than a year or elements of other social groups covered by legal measures of insertion or reinsertion into active life,
 - Learning and practical professional training.
- Employment contracts for a fixed term must be in writing and their underlying reasons must be expressly described in the contract.
- Failure to enter into an employment contract for a fixed term in writing is considered to be an infringement attributable to the employer and the contract deemed entered into for an unlimited term.



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- The same implication shall apply whenever the fixed term employment contract is entered into in writing but not foreseeing the underlying reasons for its limited duration.

Maximum Duration For Fixed Term Contracts:

- The maximum duration for a fixed term employment contract is changed from 5 and 10 years to:
 - 6 months, in case of seasonal or urgent work to safeguard the company's facilities and equipment,
 - 12 months, in case of temporary or exceptional increase in the company's normal activity and when temporary or occasional tasks are involved,
 - 36 months, in cases of substitution of a temporarily absent employee, physically handicapped, elderly, candidates for the first job, unemployed for over a year, individuals included in measures of insertion/reinsertion into active life, or execution of civil and public works. These contracts may be exceptionally extended up to 24 months through an authorization from the General Inspectorate of Labor at employer's request and with the employee's agreement,
 - 36 months for apprenticeships or professional training,
 - 60 months, in case of launching new activities of uncertain duration or in case of beginning of work, restructuring or expansion of activities,
 - No limit, in case of employment contracts entered into with retired employees.

Notice For Termination For Fixed Term Contracts:

- The expiry of fixed term employment contracts depends on a prior notice of 30 calendar days, and not the former deadline of 15 business days under the past GLL.
- If said prior notice is not complied with, employee is entitled to compensation for the notice period not given.
- The employment contract is considered renewed or converted into a contract for an unlimited term if the maximum duration has been reached.

Ongoing Fixed term Employment Contracts:

- Ongoing fixed term employment contracts entered into under the former GLL shall continue to be valid until the end of their initial or renewed end date.
- Any additional renewal of an ongoing contract shall be subject to the NGLL rules, notably on maximum duration, need for an underlying reason and notice period.



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Probation Period:

- Employment contracts for an unlimited term are subject to a default probation period of 60 days, which can be suppressed or reduced by written agreement between the parties.
- The parties may increase the duration of the probation period, in writing, up to 4 and 6 months in case of employees performing managerial functions.
- For fixed term employment contracts, the probation period depends on a written agreement and cannot exceed 15 or 30 days.

Overtime Compensation

- Each hour of overtime is remunerated with an increase of 50%, up to the limit of 30 hours per month. Overtime exceeding this limit is remunerated with an increase of 75%.
- The 75% premium also applies to overtime on a weekly rest day, in which is guaranteed a minimum premium of at least 3 hours of overtime compensation even if employee has performed overtime for a shorter period.
- Overtime record must be endorsed by the relevant employees within 72 hours as from the performance of the work.
- Non-compliance with the rules on overtime record makes employees entitled to receive remuneration corresponding to two hours of overtime work.

Night work, Implications and Special Pay rate

- For an employee to be deemed a night worker, the work schedule must include at least 3 hours within that time period between 8 p.m. and 6 a.m. the following day,
- Maximum normal working period of 8 hours per day,
- Additional pay of 25% of the base salary,
- The employer must ensure free and confidential medical examinations are carried out on night workers before they start work, but also on an annual basis, in order to assess their suitability for the job.

Shiftwork

- Whenever the company's operating hours exceed the daily working period,
- Shifts can be fixed or rotational:
 - They are rotational when they are subject to the variations in working hours that result from working on all shifts. Where there are 3 shifts, they are considered to be rotational.
- The daily working period must not exceed 8 hours with 30-minute rest and meal breaks.
- Working a rotational shift entitles the employee to an additional 20% of the base salary, which includes the additional for night work.



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Change to leave entitlements:

Causes of Absence	Description	Days of Absence - NGLL	Days of Absence - GLL
Death	Of the spouse or person proven to be living with the Employee in a non-marital partnership, parents, children and other household members.	8 days.	8 business days.
	Of the Employee's uncles, grandparents, parents-in-law, siblings, grandchildren, sons-in-law and daughters-in-law.	4 business days.	3 Business days
	of any person or uncles that are proven to live in communion table and housing to the worker	2 days	0
Accident, illness or assistance	If the absence from work is due to an accident or illness or to provide assistance to members of the Employee's household, namely a spouse, parents, grandparents, children	Spouse, grandparents, child over 10 years- 12 working days per year.	Assistance – 8 paid business days per year
		Children under 10 years- 24 working days per year.	Assistance – 8 paid business days per year
Birth	For the birth of their child.	1 day for the father.	1 day at the time of birth
Marriage	The Employee's wedding.	Not exceeding 10 calendar days.	Not exceeding 8 calendar days.
Legal or military obligations	Meeting legal obligations.	Maximum of 2 paid days per month (must not exceed 15 days per year)	Maximum of 2 paid days per month (must not exceed 8 days per year)

Employers must familiarise themselves with the New General Labor Law to ensure compliance.

Please contact your Mercans' services delivery team for any additional information regarding the implications of the above change.



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What Makes Mercans your HR and Payroll Partner of Choice?

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Say goodbye to third-party service providers, offshore call centers, fragmented data, and endless chains of sub-contracts.

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