

Legal changes – Employment & Labour

Catalogue of occupations in the mineral resources, oil and gas sector

In view of the need to standardise the occupations and positions held by employees in the organic structure of employers, the Catalogue of Occupations for the Mineral Resources, Oil and Gas Sector (“Catalogue”) came into force on 13 December 2024.

The document has four annexes: Catalogue of occupations in the mineral resources sub-sector; Catalogue of occupations in the oil and gas sub-sector; Table of equivalence with the occupation qualifier; Form for inclusion of new occupations.

Pursuant to this decree, companies in the mineral resources, oil and gas sector must immediately adopt the reference designations contained in Annexes I and II in all their interactions with companies in the same sector. However, the official in charge of the mineral resources, oil and gas sector has 120 days from the entry into force of this decree to submit the Sector specific Reference Occupation Classifier to the General Labour Inspectorate.

In addition, for occupations of a cross-cutting nature, the Angolan Occupation Classifier, approved by Joint Executive Decree 31/03 of 24 June 1997 - which contains the codes, names and descriptions of the tasks of each occupation in the various sectors of economic activity - will continue to be used for occupations of a general nature. In all cases of omission, the International Classification of Occupations (ISCO-08) must be used.

New legal framework for the professional activity of non-resident foreign employees

Presidential Decree 49/25, published on 18 February 2025 and in force since that date, regulates the professional activity of non-resident foreign employees, repealing Presidential Decree 43/17 of 6 March and Presidential Decree 79/17 of 24 April.

The main changes include:

- The decree explicitly provides for a mandatory link between the duration of the employment contract and the duration of the work visa;
- The declaration of honour must be notarised;
- The renewal of the contract is now limited to two times, without prejudice to the rules on fixed-term contracts laid down in the General Labour Law;
- Groups of companies are now able to transfer a non-resident foreign employee to a company in the same group, in accordance with the provisions of the General Labour Law.

Although this rule has been in place for several years, it reinforces the restriction on hiring non-resident foreigners up to a limit of 30% of the workforce.

Failure to comply with the provisions of this law constitutes an administrative offence regulated by a separate law, namely Presidential Decree 50/25 of 19 February.

New legal framework for temporary employment contracts, as well as for the assignment of temporary employees and their contractual relations

On 7 February, Presidential Decree 51/25 was published in the Official Gazette with a view to amending the current provisions on the principles governing the establishment, modification and termination of employment relationships under the legal framework for temporary employment contracts, as well as the activity of temporary employment agencies and the related contractual relationships. This new decree repeals Presidential Decree 31/17 of 22 February, which previously regulated the Legal Framework for the Temporary Assignment of Workers, and introduces changes to the rules governing temporary work. The decree entered into force on the day of its publication.

The main changes include:

- The licence to carry out the activity of temporary assignment of workers is applied for at the Ministry of Public Administration, Labour and Social Security (“MAPTSS”) and analysed by the National Institute for Employment and Vocational Training (“INEFOP”), with the final decision resting with MAPTSS.
- This licence is granted to companies that meets the legal requirements and is valid for 24 months, following an inspection by the General Labour Inspectorate.
- A minimum employment relationship of two months with the temporary employment agency is no longer required;
- Explicit reference is made to Articles 15, 16 and 17 of the General Labour Law regarding the causes, duration, renewal and conversion for the conclusion of temporary employment contracts;
- At the end of the term of the temporary employment contract, works have the right to choose to remain with the company that is most favourable to them, provided that they notify the companies involved within 15 days;

Finally, contracts signed under Presidential Decree 31/17 of 22 February will remain valid until their expiry date and renewals will have to comply with the new rules under this new decree and the General Labour Law.

The new rules provide for fines proportional to the company’s average monthly wage, ranging from 2 (two) to 25 (twenty-five) times the average monthly wage, depending on the seriousness of the offence and the degree of culpability.

New legal framework for administrative offences

With the aim of ensuring compliance with the current General Labour Law and Presidential Decree 152/24 of 17 July, which sets the national minimum wage, new rules have been established for the control and accountability of employers. The new rules provide for fines proportional to the company's average monthly wage, ranging from 2 (two) to 25 (twenty-five) times the average monthly wage, depending on the seriousness of the offence and the degree of culpability.

The General Labour Inspectorate is responsible for processing, investigating and deciding on the imposition of the fines.

This Presidential Decree repeals the previous rules on administrative offences, regulated by Presidential Decree 154/16 of 5 August, as well as all provisions that contradict the provisions of this Decree. It entered into force on 19 February 2025.

The National Table of Disabilities

The National Table of Disabilities has been approved, establishing uniform criteria for assessing occupational disabilities in accordance with the World Health Organization's International Classification of Diseases. The law adopts an anatomical-functional approach, which guarantees fairness in the assessment of medical sequelae and the determination of workers' occupational incapacity.

The table, which has been in force since 7 February 2025, covers various medical specialities with the aim of standardising the assessment of disabilities and providing clear and homogeneous criteria for determining the degree of incapacity. ■