

Labour Inspection Structure and organization

Name of the institution that manages work issues

The Ministry of Public Administration, Employment and Social Security (MAPESS) is the leading authority for labor issues.

Department(s) responsible for Labour Inspection

According to the internal regulations the General Inspectorate of Labour (IGT) responsible for labour inspection is structured in three departments, one responsible for Inspection, another for Studies and Planning and a Technical Department responsible for training and documentation. In practice the Department of Studies and Planning and Technical Department no longer exist and the Department of Health and Safety at Work has been created.

There are other bodies within and outside the MAPESS performing functions related to labour inspection, specifically Inspection Department of the National Social Security Institute (INSS) who verifies compliance with the obligations of membership and payment of social contributions. Usually joint inspections are carried out with labour inspectors. There are other inspection bodies in different sectors: oil, agriculture, fishing, mining, industry, transport, education, health and finance.

Law that covers organization and functional composition

General Labour Law No. 2/00 of 11 February 2000

Decree No. 31/94 of 5 August 1994

Law on Inspection and Labour Administration No. 2/92 of 17 January 1992

Internal regulations of the General Inspectorate of Labour, Decree No. 9/95 of 21 April 1995.

Scope of labour inspection

The General Labor Law applies to all workers and excludes from its scope of application public officials, family work, casual work, and activities of persons involved in commercial operations required to respond for the results of operations assuming their own risk (independent workers or self employed). The scope of action of IGT extends, to the whole country and all industries and undertakings.

The IGT ensures the implementation and enforcement of laws, regulations, collective agreements and employment contracts relating to working conditions, worker protection, occupational safety and health, industrial relations and social security.

Local divisions

The MAPESS is divided into eighteen Provincial Offices, one for each province, each with labour inspection services.

Programming and communication

There are no formal arrangements for collaboration amongst the different bodies with inspection responsibilities, although informal cooperation does exist. Joint visits are held with the Social Security inspectors and with inspectors from the different sectors.

Current reforms

The IGT is preparing a plan for institutional development, which would convert it to an institute with legal status and capacity and administrative and financial autonomy.

Human Resources and career development

Permanency of inspectors

Labour inspectors are civil servants and therefore stable in employment.

Selection process

Recruitment of labor inspectors is done through public examinations, an interview and evaluation of curriculum. Inspectors receive specific training before assuming their functions.

Background required and training

Most of the labour inspectors have at least secondary education. Annual meetings are held to identify training needs of provincial labour inspectors.

Visits and functions

Types of visits

There are three types of inspection visits: (i) those initiated at the initiative of a worker, employer or other agencies or judicial authorities, (ii) as a result of prior planning, and (iii) at the initiative of the inspector within other programs or activities. Although the law provides for visits without prior notice, in practice labour inspectors announce their visits. The duration of the visits depends on their complexity.

Role of preventive measures

The labour inspection has an educational and preventative role by providing workers and employers with information and technical advice. The law provides that the labour inspector will act in an educational way the first time they visit an enterprise and only enforce provisions after the second visit.

Registries and reporting of accidents/diseases at work

All companies are required to submit annual statements of their workforce to the Workers Registry (RENT), although labour inspectors do not have direct access to it and need to arrange appointments to access the information. The Fiscal Inspection Services and the INSS also have databases of enterprises but the IGT does not have direct access to them either. The IGT is working on creating a computerized system to collect company data and information on labour inspection visits.

There is an obligation to report occupational accidents and diseases, but not to the IGT.

Sanction and administrative processes

If the labour inspector identifies irregularities the employer receives a timeframe to correct them. Only if under a second visit the infractions persists, then the inspector will proceed with sanctions. Inspectors can draw up a report for the offenses witnessed. Employers are given a timeframe to correct the violation and make the fine effective. If the payment is not made within the timeframes, the case will be filed at the Labour Court. Labour inspectors may proceed to the closure of operations if they consider that the safety and health of workers could be at risk.

ILO Conventions ratified in the field of labour inspection

Angola has ratified Convention No. 81 in 1976.