



Tax and Legal Newsletter

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Labor irremovability in favor of workers from public and private sectors governed by Decree with the Status and Force of Organic Labor Law

Decree no. 5.070 was published in Extraordinary Official Gazette no. 6.868 dated December 27, 2024, providing for labor irremovability in favor of workers from the public and private sectors governed by the Decree with the Status and Force of Organic Labor Law.

Relevant aspects:

- Labor irremovability is established in favor of public and private sectors' workers for a two-year period as from January 1, 2025, and to December 31, 2026, inclusive.
- Workers protected by this Decree shall not be dismissed, their labor conditions shall not be diminished, and they shall not be transferred without a fair reason previously qualified by a Labor Inspector from the relevant jurisdiction, in conformity with the Decree with the Status and Force of Organic Labor Law.
- In the event that the worker will be dismissed, their conditions will be diminished without a fair reason, or they will be transferred without their consent, they can report the case within the thirty (30) continuous days with the Labor Inspector of the relevant jurisdiction, requesting reinstatement and payment of salary arrears, as well as other benefits discontinued, or the restitution of the legal situation infringed, in accordance with the related procedure set forth in the Law.

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- Workers exercising management positions and seasonal and temporary job workers are exempted from this Decree. The stability of public officers is governed by the protection standards contained in the Public Services Statute.

Effective date

The Decree is effective January 1, 2025.



Contact us



Alejandro Gómez R.

Tax & Legal Services Partner

Venezuela

Andean Region Marketplace

Deloitte Spanish Latin America

Phone: +58 (212) 2068732

E-mail: algomez@deloitte.com

Aníbal Veroes

Associate Attorney

Venezuela

Andean Region Marketplace

Deloitte Spanish Latin America

Phone: +58 (212) 2068783 Ext. 8783

E-mail: averoes@deloitte.com

Ariel Cantillo

Senior Associate Attorney

Venezuela

Andean Region Marketplace

Deloitte Spanish Latin America

Phone: +58 (212) 2068544 Ext. 8544

E-mail: acantillo@deloitte.com

Xavier Korody

Associate Attorney

Venezuela

Andean Region Marketplace

Deloitte Spanish Latin America

Phone: +58 (212) 2068890 Ext. 8890

E-mail: xkorody@deloitte.com



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