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**ABC**

BUSINESS CLIMATE IN  
BOGOTA - REGION

**#6**

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# Employment Contracts: Rights and Obligations

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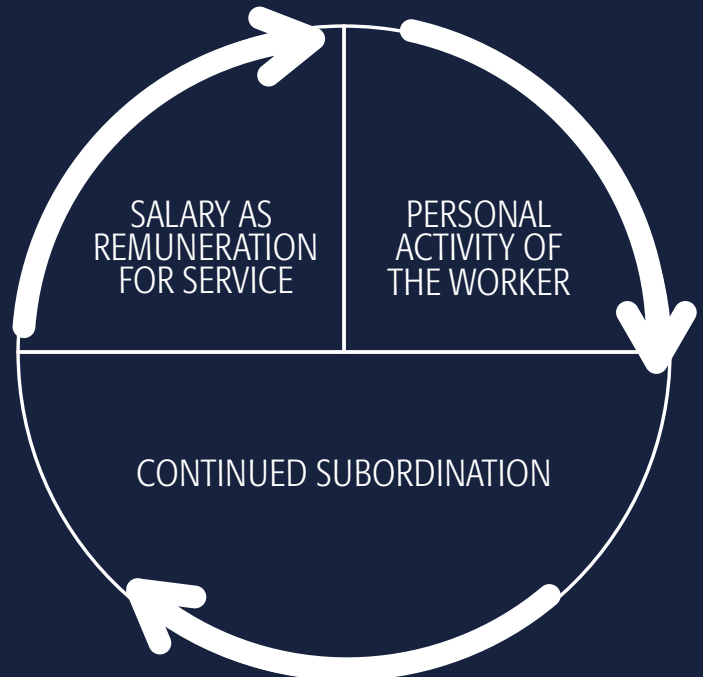
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Work is a right and a social obligation and enjoys, in all its forms, the special protection of the State. Every person has the right to work in decent and fair conditions.

Political Constitution of Colombia

# 1. ELEMENTS OF THE EMPLOYMENT CONTRACT

These **three elements** provided for in local legislation must coexist so that it is understood that there is an employment contract and it remains so regardless of the name given to these elements.



## 2. SOME EMPLOYER COSTS AND CHARGES:

Ordinary remuneration
Work bonus
Bonus salary
Regular bonuses
% On sales and commissions
Supplementary work
Salary

### LEGAL MONTHLY MINIMUM WAGE (LMMW)

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Minimum value of remuneration that all workers must receive when rendering services in a maximum legal working day.

**USD 335**  
LMMW 2024<sup>2</sup>  
**47** Hours per week<sup>1</sup>.

<sup>1</sup> As of July 15, 2024, of 46 hours per week.

<sup>2</sup> In accordance with Decree 2292 of December 29, 2023.

## ABC Business Climate in Bogota-Region # 6 - **Employment Contracts: rights and obligations**

### SUPPLEMENTARY WORK /OVERTIME

One that **exceeds the maximum legal working day.**

How is it calculated?

The schedule in which the overtime or supplementary work is performed is taken into account, since it implies the payment not only of the value of the overtime, but also of the value of the work, according to the schedule in which it is performed.

### DAY WORK

Work performed between **6:00 a.m. and 9:00 p.m.**

### NIGHT WORK

Work performed between **9:00 p.m. and 6:00 a.m.**

## OVERTIME PAY

### DAY

Over **25%** of the daily working hour plus **100%** of the hour in question.  
**100% + 25%**

### NIGHT

Over **75%** of the daily working hour plus **100%** of the hour in question.  
**100% + 75%**

**Note:** Night work must be remunerated with a surcharge of 35% over the value of day work, unless a special working day applies.



## 3. SOCIAL BENEFITS

- They do not constitute a salary.
- They are not direct remuneration for the provision of the service.
- They do not correspond to an indemnity.
- They are paid by the employer and correspond to an additional allowance in addition to the regular salary.

There are two types:

### COMMON

**For workers earning less than two minimum wages:**

Transportation assistance  
Shoes and clothing

**For all employees:**

Service bonuses  
Severance payments  
Severance interest

### SPECIALS

**Of a particular nature, they are not always assumed by employers. Among others, they are:**

Group life insurance  
Disability pensions  
Special premiums

## 4. WORK OUTSIDE THE OFFICE

### WORK AT HOME<sup>1</sup>

It is performed occasionally, in special cases.

#### **For workers earning up to 2 LMMW:**

The digital connectivity allowance is recognized in consideration for the transportation allowance.

#### **All employees.**

Affiliation to the Integral Social Security System is mandatory.

The maximum legal working day is the legal maximum; overtime, night work and Sunday work are taken into account in the monthly payment of remuneration, except for those who perform management work (in which case the maximum working day does not apply).

### TELEWORK<sup>2</sup>

Virtual work **mode**.

Intended to be permanent, but may be reversible at any time.

Requires an agreement with the worker.

#### **All employees:**

Affiliation to the Comprehensive Social Security System is mandatory.

The **maximum legal** working day is one day.

Employers must provide internet connection and energy costs.

### REMOTE WORK<sup>3</sup>

It is permanent and is intended to **there is no face-to-face attendance**.

The employer shall make available to the remote worker **the cost of energy, internet and/or telephony**, corresponding to the time of service.

No transportation allowance is provided.

Since this is an exclusively virtual job, the place of work from where the employee performs his/her work must be approved by the Labor Risks Insurance Company.

<sup>1</sup> Law 2088 of 2021 and Circular 0041 of 2020.

<sup>2</sup> Law 1221 of 2008 and Decree 884 of 2012.

<sup>3</sup> Law 2121 of 2021 and Decree 555 of 2022.



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