

## Nigeria

### Worker Classifications

Workers are either governed by the Labour Act or they are not. The Labour Act generally applies to unskilled workers, manual laborers, or those who perform clerical work. All other Workers are outside of the scope of the Labour Act.

### Fixed Term Contracts

Fixed-term contracts are permitted. There are no limits on the duration of such contracts. However, if the employer terminates the agreement before the end of the term, the Worker is due the salary that would have been earned for the remainder of the term.

### Probationary Periods

Probationary periods are permitted if agreed to in the employment contract. In practice, probationary periods are typically three months. During the probationary period, no notice is required to terminate the employment agreement.

### Holidays

Workers in Nigeria recognize 11 paid public holidays. Holidays are considered 'work-free' days.

### Vacation

Workers governed by the Labour Act are entitled to at least six days of paid annual leave after 12 continuous months of service, which must be taken in the year it is earned unless deferred by mutual agreement for not longer than 24 months. There is no statute mandating paid annual leave for Workers not governed by the Labour Act, but they generally receive 15 to 20 paid working days for each 12 months of service. Accrued but unused leave should be paid at termination.

### Sick Leave

Workers governed by the Labour Act are entitled to a maximum of 12 paid sick days if they provide a doctor's note. Workers who are not governed by the Labour Act conventionally receive nine to 12 weeks of sick leave in addition to one to two weeks of bereavement leave, as mutually agreed upon in the employment contract.

### Working Hours

Working hours are not statutorily mandated in Nigeria. However, a full-time workweek is considered 40 hours per week. Workers must receive a weekly rest day of not less than 24 hours for each six continuous days of work. Workers working more than six hours in a day are entitled to one or more suitably spaced breaks of not less than one hour in the aggregate.

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### Overtime

There are no statutory provisions on overtime, but it is understood that any hours worked beyond normal fixed working hours are considered overtime. Rules on overtime pay can be mutually agreed to between employer and employee. Particularly in employment contracts for a skilled, professional, or managerial employee, it is common to state that payment for overtime has already been factored into the salary.

### Mandatory Bonuses

Although not mandatory, it is customary for Workers to receive a thirteenth-month salary (“Tredicesima mensilit”) before Christmas in December and some also receive a fourteenth-month salary (“Quattordicesima Mensilit”).

### Termination

Termination for Workers not governed by the Labour Act is agreed upon by employment contract. Under the Labour Act, except in cases of serious misconduct, termination requires written advanced notice stating a reason for the termination and severance. The amount of notice required depends upon the length of service as outlined, below: 0 – 3 months of service: one day’s notice; 3 months – 2 years of service: one week’s notice; 2 – 5 years of service: two weeks’ notice; 5+ years of service: one month’s notice. Pay in lieu of notice is permitted. Severance pay is regulated by employment contract but is generally calculated in relation to length of service, age, and the final salary of the Worker.

### Resignation

Workers must observe the same notice periods as employers in resigning from employment. Notice may be waived by the employer.