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# FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

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25° Year No. 89 ADDIS ABABA 5th Semptember, 2019

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#### ስለ አሠሪና ሠራተኛ ጉዳይ የወጣ አዋጅ

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#### Content

Proclamation No.1156/2019

Labour Proclamation......Page 11691

Proclamation No. 1156/2019

#### LABOUR PROCLAMATION

WHERE AS, it is essential to ensure worker-employer relations are governed by basic principles of rights and obligations with a view to enabling workers and employers to secure durable industrial peace; sustainable productivity and competitiveness through cooperative engagement towards the all-round development of our country;

WHEREAS, it has been found necessary to lay down a working system that guarantees the rights of workers and employers to freely establish their respective associations and to engage, through their duly authorized representatives, in social dialogue and collective bargaining, as well as to draw up procedures for the expeditious settlement of labour disputes, which arise between them:

WHEREAS, there is a need to create favorable environment for investment achievement of national economic goals without scarifying fundamental workplace rights by laying down well considered labour administration; and determine the duties and responsibilities of governmental organs entrusted with the power to monitor labour conditions; occupational health and safety; and environmental protection together with bilateral and tripartite social dialogue mechanisms;

> シンムナ つルの ア・ツ・4、 育茂が Negarit G. P.O.Box 80001

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#### ₹. ትር3ሚ

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- 8/ "አሥሪ" ማለት አንድ ወይም ከአንድ በላይ የሆኑ ሰዎችን በዚህ አዋጅ አንቀጽ 6 OtemAbito onulit ore por ent ግለሰብ ወደም ድርጅት ነው።
- ጀ/ "ድርጅት" ማለት ለንግድ፣ ለኢንዱስትሪ፣ ለአርሻ፣ ለኮንስትራክሽን ወይም ለሌሳ ሕጋዊ 34ማ የተቋቋመ በአንድ አመራር የሚካሂድ ተቋም 'ነው።።

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political, economic and social policies of the Country;

WHEREAS, it has been found necessary to reformulate the existing labour law with a view to attaining the aforementioned objectives and in accordance with the and in conformity with the international conventions and other commitments to which Ethiopia is a party;

NOW, THEREFORE, in accordance with Article 55 (1) and (3) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

#### PART ONE GENERAL

#### 1. Short Title

This Proclamation may be cited as the "Labour Proclamation No.1156/2019".

#### 2. Definitions

In this Proclamation unless the context provides otherwise:

- 1/ "Employer" means a person or an undertaking who employs one or more natural persons in with Article 4 accordance Proclamation.
- 2/ "Undertaking" means any entity established under a united management for the purpose of carrying on any commercial, industrial, agricultural, construction or any other lawful activity.

Any branch carrying on the activities of an undertaking which is designated separately and which enjoys operational or organizational autonomy shall be deemed to be a separate undertaking.

3/"Worker" means a person who has an employment relationship with an employer in accordance with Article 4 this Proclamation.

- 6/ "07.7.0.6C" 08.90 ""Y.7.07-C" 707 እንደአማባው የውራተኛና ማኅበራዊ ጉዳይ "L'A.kC off" "L'AtC 'm::
- ለልጣን ተለም " የምልሰለ መስዲ በተምለ" ነ Phoof weath 7.89. 17773 87706.09 246.77 P. P. Omar 00370.2.9 XVA 70000
- %/ "የሥራ ደንብ" ማለት በዚህ አዋጅና በሌሎች አማባብ ባላቸው ሕጎች የተደነገገው X78-1-mile UT Pric 037-7: 9065-7-7,167: PRODON ANS. 67 8706. A6.9090 ሙጠብ መለኪያ በዲን፣ የደጎንነት ተቢቃንና የአደጋ መከላከሮን፣ የዲሲፕሊን ደንቦችንና አፈባወማቸውን እንዲሁም ስለሌሎች የሥራ 11-23-97 PM 2777 POOT 271 100::
- 3/ "የሥራ ሁኔታ" ማለት በአውሪና ውራተኞች መስከል ደለ ጠቅላላ ግንኙነት ሲሆን ይህም 87"6 0373: 2000717: 6.4877: 11.6 中華子 11.20 007.050+0十 7.16 የሚገባቸውን ከፍደዎች፣ መንሃትና ደኅንሃት፣ ምክንደት ጉዳት ለደረሰባቸው ውራተኞች የሚከራል ካግ፣ ውራተኞች ከሥራ የሚቀንሱበትን ሁኔታ። የቅሬታ አቀራረብ ሥርዓቶችንና የመሳሰሉትን ይጠቃልላል።
- #/ "haa""707 በኢትዮጵያ 6.26.19 6T111 11-0039 111 2,40160,84 አንተጽ ፵፯(ሺ) የተጠቀሰ ማንኛውም ክልል ሲሆን ለዚህ አዋጅ አሬዓፀም የአዲስ አበባና የድሬዳዋ ከተማ አስተዳደሮችን 8.61.906A ::
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- a 2.90 027 1/49106 006" 701 እንደድርጅተየሥራ ጠባይ በአሠሪው በተሰጠው Partias many annet Prob hander ፖሊሲዎችንየማውጣትና የማስራዐም ሥልጣን ያለው ወደም ሙራተኛን የመቅጠር: 08.90 የማበዋወር፣ የማንድ፣ የማስናበት

- 4/ "Ministry" or "Minister" means the Ministry or Minister of Labour and Social Affairs respectively.
- 5/ "Appropriate authority" means, a Regional state organ vested with the power of implementing labour laws.
  - 6/ "Work rules" means internal rules which govern. subject to the provisions of this Proclamation and other relevant laws, working hours, rest period, payment of wages and methods of measuring work done, maintenance of safety and prevention of accidents, disciplinary measures and their enforcement as well as other conditions of work.
- 7/ "Condition of work" means the entire field of labour relations between workers and employers including hours of work, wage, leave, payments due to dismissal, workers health and safety, compensation to victims of employment injury, dismissal because of redundancy, grievance procedure and any other similar matters.
- Bondo Cha apply and anythe 8/ "Regional state" means any State referred to in Article 47(1) of the Constitution of Federal Democratic Republic of Ethiopia, and includes the Addis Ababa and Dire Dawa city administrations. military.

on Williams

N.E.S

PERSONAL PROPERTY 9/"Social dialogue" means a process of information exchange, dialogue or negotiation of bilateral or tripartite nature between employer and employees or involving the Government on economic and social issues of mutual interests towards arriving at common many 1 understanding.

CREA PILLOT TOWN ACK

Stran Author The April 10/ "Managerial employee" means an employee who, by law or delegation of the employer, is vested with powers to lay down and execute management policies, and depending on the type of activities of the undertaking, with or without the aforementioned powers an employee who is vested with the power to

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- (8) "መሲባዊ ትንኮሳ" ማለት በንግግር። በምልክት ወደም በሌላ ማናቸውም አድራጎት አንዱ ሌላሙን ከፌታዱ ውጭ ለመሲባዊ ተማባር ፌታደኞ እንዲሆን ማባበል። መንፋፋት: ተፅፅኖ ማሳደር ነው።
- ፲፱/ "መሲባዊ ተቃት" ማለት ኃይል የተቀላቀለበት መሲባዊ ትንኮሳ መይም የዚሁ ድርጊት ሙከራ ነው።
- ፲፫/ "የማል ሥራና ሥራተኛ አገናኝ ኤጀንሲ" (ከዚህ በኋላ ኤጀንሲ አየተባለ የሚጠራ) ማለት በሀገር ሙስጥ የሥራ ስምሪት አገልማለቀት ለመስጠት የሚያስችል ሀጋዊ ፌቃድ ኖሮት በቀጥታም ሆን በተዘዋዋሪ መንገድ ከሥራተኛሙ ገንዘብ ሳይቀበል:-
  - ሀ) የሥራ ሙል ተዋዋይ መገን ባለመ**ሆን** በአገር ሙስዋ ሥራና ሥራተኛን የማገናኘት፣ ወይም
  - ለ) ከሥራተኛው ጋር የሥራ ውል ስምምነት በማድረግ ሥራተኛውን ለአገር ውስጥ ሥራ ለአገልግሎት ተመቃሚ ድርጅት የሚያቀርብና ሥራተኛውን የማስተዳደር ኃላፊነት ያለው ሰው ወይም ሁለቱን አገልግሎቶች አጣምሮ የሚሰዋ ሰው ነው።
- 18/ "ፌቃድ" ማለት በማል ሥራና ሥራተኛ አገናኝነት ሥራ ላይ ለመሰማራት የሚያስችል አማባብ ባለው ባለሥልጣን ለማል ሥራና ሥራተኛ አገናኝ ኤጀንሲ የሚሰጥ የምስክር ወረቀት።
- 78/ "006十岁子 Attion AFT ዘርን፣ ቀለምን ማለት ብሔርን። d.8.79773: 87A·En たインスタンガンメンカン・PANA ጉዳትን እና ひとか? duing . ロッタとつ 1.1 DAILANT 846-150-3 Punhirry ወደም እኩል እድል ሁኔታን የሚያስቀር መደም የሚያጠብ ማለት ነው።

- hire, transfer, suspend, layoff, dismiss or assign employees, and includes a legal service head who recommend measures to be taken by the employer regarding such managerial issues, using his independent judgment, in the interest of the employer.
- 11/ "Sexual harassment" means to persuade or convince another through utterances, signs or any other manner, to submit for sexual favor without his/her consent.
- 12/ "Sexual violence" means sexual harassment accompanied by force or an attempt thereof.
- 13/ "private employment agency" (herein after "Agency ") means any legally licensed person, to provide one or two of the following local Employment services without charging directly or indirectly any fee from the worker:
- a) Local employment exchange service without being a party to an employment relation; or
- b) Deploying of employees under its authority to the service of a service user enterprise, by entering into contract of employments with such employees; or combines both services.
- 14/ "License" means a certificate to be issued by a competent organ certifying that the entity is qualified to engage in private employment exchange service.
- or preference made on the basis of nation, race, color, sex, religion, political opinion, national extraction, social origin, HIV/AIDS status, disablement and others which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

- ፲፯፫ዮግል አገልግሎት ቅጥር፣ ማለት ለትርና፡
  በሚካሄድ ሥራ ላይ ይልተመሰረት ሥራ
  ሆኖ ለአሰሪውና ለቤተሰቡ ናጆታ የሚውል
  በቤት ውስፑ የሚሰፑ አገልግሎት ሲሆን
  አንደ ምግብ ዝግጅት፣ ጽዳት፣ ሞግቤትነት፣
  የተበቃ ሥራ፣ ሽ-ፌርነት፣ አትክልተኝነት
  አና የመሳሰሉትን ይጠቃልላል፡፡
- ፲፯/ "የንግድ መልክተኛ ወይም ወኪል" ማለት በንግድ ህጉ ያለውን ትርጉም የሚደብ ይሆናል።
- ፲፰/ "ሰው" ማለት ማንኛውም የተራጥሮ ሰው ወይም በህግ የሰውነት መብት የተሰጠው አካል ነው።
- ፲፱/ ማንኛውም በወንድ ፆታ የተገለጸው የሴትንም ፆታ ይጨምራል።

### f. <u>የሕጉ ተ</u>ፌጻሚነት ወሰን

- ሽ/ የዚህ አንቀጽ ንውስ አንቀጽ (፪) እንደተጠበቀ ሆኖ ይህ አዋጅ በአውሪና ውራተኛ መክከል በሚደረግ በቅተር ላይ በተመሠረት የሥራ ግንኙነት እና በምልመሳ ሂደት ላይ ተፊጻሚ ይሆናል።
- ፪/ ይህ አዋጅ ከዚህ በታች በተዘረዘፉት በቅጥር ሳይ በተመሠረቱ የሥራ ግንኙነቶች ሳይ ተልጸጣ አይሆንም:-
  - ሀ) ለአስተዳደግ ሲባል፣ ለሕክምና ወይም ከሕመም ለመዳን ወይም እንደገና ለመቋቋም ሲሆን፡
  - ለ) የሙያ መልመጃ ትምሀርትን ሳይጨምር ለመማር ወይም ለመሠልጠን ሲሆን፡
  - או שורידה לשור משנ מניאי
  - መ) የማል አገልማለቀት ቅጥር ሲሆን።
- መ) በልዩ ሕግ የሚተዳደሩ እንደ መር ኃይል ባልደረቦች፣ የፖሊስ ኃይል ባልደረቦች፣ የመንግሥት አስተዳደር ሥራተኞች፣ የፍርድ ቤት ዳኞች፣ ዐቃቢያነ ሕግ እና ሊሎችንም የሚመለከት ሲሆን፣
- ረ) እንደተዋዋይ ወገን ዋጋ እየተከፈለው በራሱ የንግድ ሥራ ወይም በራሱ የሙያ ኃላፊነት የሚወራ ሥራ የሚያከናውን ሲሆን።

ADDRESS OF MOST A CO.

E/ የዚህ አንቀጽ 30-ስ አንቀጽ (፩) ቢኖርም:-

- 16/ "emplyment of private service" means an employment of a non profite careening, cleaning guardianship, gardening, driving and other related services for the employer and his family consumption.
- 17/ "commercial traveler and Representatives" shall have the meaning prescribed under commercial code.
- 18/ "Person" means any natural or juridical person.
  - 19/ Provisions of this Proclamation set out in the masculine gender shall also apply to the feminine gender.

#### 3. Scope of Application

- 1/ Without prejudice to Sub-Article (2) of this Article, this Proclamation shall be applicable to employment relations based on a contract of employment that exist between a worker and an employer including recruitment process.
- 2/ This Proclamation shall not, however, be applicable to the following employment relations:
  - a) contracts for the purpose of upbringing, treatment, care or rehabilitation;
  - b) contracts for the purpose of educating or training other than apprentice;
  - c) where the employee is a managerial employee;
  - d) contracts of personal service;
  - e) contracts relating to persons such as members of the Armed Force, members of the Police Force, employees of state administration, judges of courts of law, prosecutors and others whose employment relationship is governed by special laws;
  - f) Contracts relating to a person who performs an act, for consideration, at his own business or professional responsibility.
- 3/ Notwithstanding the provision of Sub-Article(1) of this Article:

- በ) / ራቸውን በኢትዮጵያ ግባት ውስጥ የሚያከናውኑ የውጭ ዲፕሎማቲክ ሚስዮኖች ወይም ዓለም አቀፍ ድርጅቶች ከኢትዮጵያዊያን ጋር በሚመሰርቱት የሥራ ንንኙነቶች ላይ አዋጁ ተፈጻሚ እንዳይሆን በሚኒስትሮች ምክር ቤት ደንብ ወይም ኢትዮጵያ በምትፌራረማቸው ዓለም አቀፍ ነምምንቶች ሊወሰን ይችላል።
- ለ) የሃደማኖት ወይም የበት አድራትት ድርጅቶች በሚመውርቱት የሥራ ግንኙነቶች ላይ አዋጁ ተልጸሚ እንዳይሆን የሚኒስትሮች ምክር ቤት በደንብ ሊመስን ይችላል።
- ሐ) ስለግል አገልግሎት ቅጥር የሥራ ሁኔታ የሚኒስትሮችምክር ቤት ደንብ ያወጣል።

# ከፍል ሁለት በቅጥር ላይ የተመሠረት የሥራ ግንኙነት ምዕራፍ አንድ የሥራ ውል ዘርፍ አንድ

#### 9. የሥራ ውል ይዘት

- ሽ/ ጣንኛውም ግለሰብ ደመወገ እየተከፈለው በአመራው መሪንት በቀጥታም ሆነ በተዘዋዋሪ መንገድ ለተወሰነ ወይም ላልተወሰነ ጊዜ ወይም የተወሰነ ሥራ ለአመሪው ለመሥራት ቢስማማ በሁለተ፡ መከከል የሥራ ውል ይመመረታል።
- ጀ/ ማናቸውም የሥራ ውል ተዋዋይ ወገኖች በውሉ መሠረት የሚኖራቸውን መብትና ግዴታ በማደሰራጥር አኳጳን በሚያውቁበት ሁኔታና በግልጽ መደረግ ይኖርበታል።
- ፤/ ማንኛውም የሥራ ውል የሥራውን ዓይነትና በታ፣ ለሥራ የሚከልለውን ደመወዝ መጠን፣ የስሊቱን ዘዴ፣ የአክፋልሉን ሁኔታና ጊዜ እና ውሉ ወንቶ የሚቆይበትን ጊዜ መደዝ ይኖርበታል።
- ፩) የሥራ ውል በሕግ በኅብረት ስምምነት
  ወይም በሥራ ደንብ ለሥራተኛው
  ከተሰሙት ተቅሞች ይነሰ ተቅም የሚሰተ
  መሆን የለበትም።

- a) unless the Council of Ministers by regulation decides, or an international agreement to which Ethiopia is a signatory provides otherwise, employment relations between Ethiopian nationals and foreign diplomatic missions or international organizations operating with in the territory of Ethiopia shall be governed by this Proclamation;
- b) the Council of Ministers may, by Regulation, determine the inapplicability of this Proclamation to employment relations established by religious or charitable organizations;
- the Council of Ministers shall issue Regulation governing conditions of work applicable to personal services

# PART TWO EMPLOYMENT RELATIONS CHAPTER ONE CONTRACT OF EMPLOYMENT SECTION ONE

# FORMATION OF CONTRACT OF EMPLOYMENT

#### 4. Element of a Contract of Employment

- 1/ A contract of employment shall be deemed formed where a natural person agrees directly or indirectly to perform work for and under the authority of an employer for a definite or indefinite period or piece of work in consideration for wage;
- 2/ A contract of employment shall be stipulated clearly and in such manner that the parties are left with no uncertainty as to their respective right and obligation under the terms thereof;
- 3/ A contract of employment shall specify the type of employment and place of work, the rate of wages, method of calculation thereof, manner and interval of payment and duration of the contract;
- 4/ A contract of employment shall not be concluded for the performance of unlawful or immoral acts;
- 5/ The contract of employment shall not laydown less favorable conditions forth employee than those provided for by law, collective agreement or work rules.

#### G. G.C.90

በተለየ አኳኋን ካልተደንገን በቀር 门市可 የሥራ ሙል የተለየ ይርም አያስልልንሙም።

# %. በጽሑፍ ስለተደረገ የሥራ ውA

አማባብ ባለው ሕግ የተመለከተው እንደተጠበቀ PT 18:45: 87.267 8/16 0.A:

- 8/ የአውሪውን ስምና አድራሽ።
- E/ PW6-1-50-3 AP: A.S. 71: 15695 PAGE 4CE ATC TA:
- i በዚህ አዋጅ አንታጽ anin (.). የተደረገሙን የተዋዋዮችን ስምምንት።እና

5/ የ-ተዋዋዮቹን ፊ.C.ማ መደግ አለበት::

#### 3. በጽሑፍ ስላልተደረገ የሥራ ውል

- 6) 8 PG OA 18 drs. 801267 her የቃሉ ውል በተደረገ በነኛ ቀናት ውስጥ OILD APE OX348 % CHICHET? 11.8.1.9.7. P.PH PR.d.S. አመሪው ሪ.ርም ለመራተኛው ይሰጠዋል::
- E) W6-15m (111.1) h348 30-0 h348 (6) P. tm + nm - PR dr 9: on Thon በደረሰው በነሪ ቀናት ውስጥ በሙሉም 11 116.6 16.1. Down 10010.00 NAWCONS NWG-1-30- onthe PIRCT የሥራ ውል እንደሆነ ይቆጠራል።

# ፰. የሁኔታዎች አለመሟላት

በአንቀጽ % ወደም % የተጠቀሱት ሁኔታዎች አለመሟላት ሥራተኛው በዚህ አዋጅ መሥሬት የሚያገኝቸውን መብቶች አያሳጣውም።

# ዘርፍ ሁለት

# የሥራ ውል የሚቆደበት ጊዜ

# . 14 ተወሰነ ጊዜ የሚደረግ የሥራ ውል

በዚህ አዋጅ በአንቀጽ ፤ ከተመለከቱት በስተቀር ማንኛውም የሥራ ውል ላልተወሰነ 7.16 እንደተደረገ ይቆጠራል።

#### 5. Form

Unless otherwise provided by law, a contract of employment shall not be subject to any special form.

#### 6. Contract of Employment made in Writing

Subject to the provisions of the relevant law, a written contract of employment shall specify the following:

- 1/The name and address of the employer;
- 2/ The name, age, addresses and work card number, if any, of the worker;
- 3/ the agreement of the contracting parties made in accordance with Article 4 (3) of this Proclamation; and
- 4/ The signature of the contracting parties.

#### 7. Contract of Employment not made in Writing

- 1/ Where a contract of employment is not made in writing, the employer shall, with in 15 days from the conclusion of the contract, give the worker a written and signed letter containing the elements specified under Article 6 of this Proclamation.
- 2/ if the letter referred to in sub-article (1) of this Article is not wholly or partly objected by the worker within 15 days from the date of receipt, it shall be deemed a contract of employment concluded between the worker and the employer.

# 8. Failure to Comply Condition

Failure to comply with the requirements of the provisions of Article 6 or 7 of this Proclamation shall not deprive the worker of his right sunder this Proclamation.

# SECTION TWO

# DURATION OF CONTRACT OF EMPLOYMENT

# 9. Contract of Employment for an Indefinite Period

Any contract of employment shall be deemed to have been concluded for an indefinite period except for those provided for under Article10 here under.

#### ፤ <u>ለተወሰን ጊዜ ወይም ለተወሰን ሥራ የሚደረግ</u> የሥራ ውል

- 8/ ከዚህ በታች በተዘረዘፍት ሁኔታዎች የሥራ ውል ለተወሰኑ ጊዜ ወይም ለተወሰኑ ሥራ ሊደረግ ይችላል።
  - ሀ) ሥራ-ተኛው የተቀጠረበት የተወሰነ ሥራ-አስከሚያልቅበት ጊዜ ድረስ።
  - ለ) በፌታድ፦ በሕመም ወይም በሌላ ማናቸውም ምክንደት ለንዜው ቀራ የሆነ ውሬተኛን ለመተነትት።
  - d) የአግራ ብባት በሚደጋቀምበት ጊዜ አግራን ለሚታለል።
  - (77) በሕይመት ላይ አደጋ ወይም በንብረት ላይ ጉዳት እንዳይደርስ ለመከላከል አጣዳል ሥራዎችን ለመሥራት። በድርጅቱ ሥራ። ዕቃ። ሕንፃ ወይም ፋብሪካ ላይ የደረሰውን ጉድለትና ብልሽት ለማደስ።
  - መ) አልፍ: አልፍ: የሚሰራ 25% ማለትም 25% ም የአንድ አውሪ ቋማ 25% ሆኖ እየተቋረጠ 25% መ በሚኖርበት ጊዜ ብቻ የሚውራ 25% ለመንታራት፣
  - ረ) የወቅት ሥራ ለመሥራት ማለትም የአንድ አሥራ ቋሚ ሥራ ሆኖ በየዓመቱ ለተወሰነ ጊዜ ብቻ በተለመደመ ጊዜ እየተደጋገመ የሚሰራ ሥራ ለመሥራት።
  - ሰ) አንዳንድ ጊዜ የሚሰራ ሥራ ማለትም ለአንድ አሥሪ ቋሚ ሥራ ያልሆነ በሚያስፌልግበት ጊዜ ብቻ የሚሰራ ሥራ ለመሥራት፣
- ሽ) ሳልተወሰን ጊዜ የሥራ ሙል በተደረገበት የሥራ መደብ ሳይ ሥራተኛ በድንገት ለዘለቄታው በመለየቱ ለጊዜው ሥራ ለማሰራት፡
  - ቀ) በድርጅት መዋቅር ተናት እና በተናተ፡ አሬዳጸም መካከል ባለው ጊዜ የሚልጠርን ከፍት የሥራ መደብ ለማሟላት ለጊዜው የሚልጸም ቅተር።
- ፪/ በዚህ አንቀጽ በንዑስ አንቀጽ (፩) (ሽ) እና (ቀ) መሠረት ለተወሰን ጊዜ የሚደረግ የሥራ ውል ከ፵፫ የሥራ ቀናት ላልበለጠ ጊዜና ለአንድ ጊዜ ብቻ መሆን አለበት።

#### 10. Contract of Employment for Definite Period or Piecework

- 1/ A contract of employment may be concluded for a definite period or for piece work in the case of:
- a) The performance of specified piece work for which the employee is employed;
  - b) the replacement of a worker who is temporarily absent due to leave or sickness or other causes;
  - c) The performance of work in the event of abnormal pressure of work;
  - d) The performance of urgent work to prevent damage or disaster to life or property, to repair defects or breakdowns in works, materials, buildings or plants of an undertaking;
  - e) An irregular work which relates to permanent part of the work of an employer but performed on irregular intervals;
    - Seasonal works which relate to the permanent part of the works of an employer but performed only for a specified period of the year but which are regularly repeated in the course of the years;
    - g) An occasional work which does not form part of the permanent activity of the employer but which is done intermittently;
    - h) The temporary placement of a worker who has suddenly and permanently vacated from a post having a contract of an indefinite period;
  - i) The temporary placement of a worker to fill a vacant position in the period between the preparation of an organizational structure and its implementation.
  - 2/ A contract of employment under Sub-Article (1) (h) or (i) of this Article shall not exceed 45 working days and shall be done only once.

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- ሽ/እንድ ሰሙ በሥራ ሙሉ መሠረት ሊመደብበት ለታቀደሙ በታ ተስማሚ መሆኑን ለመመዘን ለሙክራ ጊዜ መቅጠር ይቻላል።
- እንደገና በአሠራው ቢቀጠር ለሙከራ ጊዜ ሊቀጠር አይችልም።
  - ፤/ የሙከራ ጊዜ እንዲኖር ተዋዋይ ወገኖች ሲስማሙ ውሉ በጽሑፍ መደረግ አለበት፡፡ የሙከራ ጊዜውም ሠራተኛው ሥራ ከጀመረበት ቀን አንስቶ ከድ የሥራ ቀናት ሊበልተ አይችልም፡፡
  - 0/በሕግ በንብረት ስምምነት ወይም በሥራ ደንብ በሌላ አኳኋን ካልተደነገገ በስተቀር በሙክራ ላይ ያለ ሙራተኛ የሙክራ ጊዜሙን የጨረስ ሌላ ሙራተኛ ያለው ሙብትና ግዴታ ይኖረዋል።
- %/ በሙከራ ላይ ያለ ሥራተኛ ያለማስጠንተቂያ ሥራውን ሲለቅ ይችላል።
  - 3/ የሙከራ ጊዜ ካለቀ በኋላ ሥራተኛው ሥራውን ከቀጠለ ለሙከራ ከተቀጠረበት ጊዜ ጀምሮ በሙሉ ለታቀደው ጊዜ ወይም ሥራ እንደተቀጠረ ይቆጠራል።

# <u>ዘርፍ ሦስት</u> የተዋዋይ ወገኖች ግዴታዎች

# ፲፱. የአሠሪ ግዴታዎች

ማንኛውም አሥሪ፡ በሥራ ውሉ ከተመለከቱት ልዩ ግዲታዎች በተጨማሪ የሚከተሉት ግዲታዎች አለብት:-

- ñ/ ሀ) ለሠራተኛው በሥራ ውሉ መሠረት ሥራ የመስጠት፡ እና
  - ለ) በሥራ ውሉ በሌላ አኳዳን ካልተመለከተ በስተቀር ለሥራ የሚያስፌልገውን መሣሪያና ፕሬ ዕቃ ለሥራተኛው የማቅረብ።

#### 11. Probation Period

- 1/ A worker may be employed for a probation period for the purpose of testing his suitability to a job position in which he is anticipated to hold.
  - 2/ A worker re-employed by the same employer for the same job shall not be subject to probation.
  - 3/ When the parties agree to have a probation period, the agreement shall be made in writing; in such a case, the probation period shall not exceed 60 working days beginning from the first date of employment.
  - 4/ Unless the law or work rules or collective agreement provides otherwise, the probationary worker shall have the same right and obligation that a worker who has completed his probation period possesses.
- 5/ If the worker, during his probation, proves to be unfit for the post, the employer can terminate the contract of employment without notice and without being obliged for severance payment or compensation.
  - 6/ A worker on probation may terminate his contract of employment without notice as well.
- 7/ If a worker continues to work after the expiry of the probation period, a contract of employment for the intended period or type of work shall be deemed to have been concluded from the beginning of the probation period.

# SECTION THREE

# OBLIGATIONS OF THE PARTIES

# 12. Obligations of an Employer

An employer shall in addition to special stipulations in the contract of employment have the following obligations:

- 1/ a) to provide work to the worker in accordance with the contract of employment; and
  - b) unless otherwise stipulated in the contract of employment, to provide the worker with implements and materials necessary for the performance of the work;

- ዘ/ ለመራተኛው ደመመዙንና ሌሎች ክፍደዎችን በዚህ አዋጅ ወደም በንብረት ስምምነት መሠረት የመክፊል፣
- የ/መራተኛው ከደመወዙ የተወሰን መቶኛ እየተተነሰ ለመራተኛ ማኅበር መዋጮ ገቢ እንዲደረግለት በጽሁፍ ሲያመለክት ይህንን መጠን በየወቅቱ ተቀናሽ በማድረግ ወደ መራተኛ ማኅበሩ የባንክ ሂላብ በየወቅቱ ነቢ ማድረግ፣
- §/ ለመራተኛው የሚገባውን ሰብአዊ ክብር የመጠበት፣
- ጀብኒሥራው ጋር በተያያዘ የውራተኛውን ደኅንነትና መንነት ለመጠበትና ከአደጋ ለመከላከል የሚያስፌልጉትን አርምጃዎች ሁሉ የመውሰድና እካዚህንም አርምጃዎች በሚመለከት አግባብ ያላቸው ባለሥልጣኖች የሚሰጡትን ደረጃና መመሪያዎች የመከተል።
- %/የመራተኛው መንንት እንዲመረመር በሕግ ወይም አግባብ ባለው አካል ግዲታ በሚጣልበት ጊዜ ለምርመራው የሚያስራልገውን ወጪ የመቻል።
- 3/ በዚህ አዋጅ አንተጽ ች የተመለከቱትን አግባብነት ያላቸውን ዝርዝሮች፣ የተመሰደ የጣምንት ዕረፍት፣ የሕዝብ በዓልና ፊ.ቃድ፣ ከኤችአይ.ቪ/ከኤድስ በስተቀር የመራተኛውን የመንነት ሁኔታ፣ በሥራ ላይ የሚደርስ ጉዳት እና ሌሎችም በሚኒስቴፍ ወይም አግባብ ባለው ባለስልጣን እንዲያዙ የተመሰኑ ጉዳዮችን የሚያሳይ መዝገብ የመያዝ፣
- \$/የሥራ ውል በሚቋረተበት ወይም ሥራተኛው በሚጠይቅበት ማናቸውም ጊዜ ሥራተኛው ሲሰራ የነበረውን የሥራ ዓይነት፡ የአገልማሎት ዘመኑንና ሲከፈለው የነበረውን ደመወዝ የሚያሳይ የምስክር ወረቀት ለሥራተኛው ያለክፍያ የመስጠት፡
- በ/ የዚህ አዋጅ ድንጋጌዎችን፣ የኅብረት ስምምነትን፣ የሥራ ደንብንና በሕግ መሠረት የሚተላለፉ መመሪያዎችንና ትዕዛነችን የማክበር።
- ፤/ በዚህ አዋጅ በመዝንብ እንዲያዙ የተወሰኑትንና ሌሎች በሕግ ማኒስቴሩ የተሰጠውን ተማበርና ሥልጣን ለመወጣት አስፊላን, የሆኑ መረጃዎችን በመዝንብ

- 2/To pay the worker wages and other benefits in accordance with this Proclamation or the collective agreement;
- 3/ To deduct union dues from the worker's regular wage, where the worker requests in writing of such deduction, and transfer the cash into the trade union's bank account;
- 4/ To respect the worker's human dignity;
- 5/ To take all the necessary occupational safety and health measures and to abide by the standards and directives to be given by the appropriate authorities in respect of these measures;
- 6/ To cover the cost of medical examination of the worker whenever such medical examination is required by law or the appropriate authority;
- 7/ To keep a register containing the relevant particulars specified in Article 6 hereof, weekly rest days, public holidays and utilized leave of the worker, health conditions of the employee except for HIV/ AIDS, and employment injury record and other particulars required by the Ministry or appropriate authority;
- 8/ Up on termination of a contract of employment or whenever the worker so requests, to provide the worker, free of charge, with a certificate stating the type of work he performed, the length of service and the wage she was earning;
- 9/ To observe the provisions of this Proclamation, collective agreement, work rules, directives and orders issued in accordance with law;
- 10/ To record and keep in formation as required by this Proclamation, and any other information necessary for the appropriate organ to carry out its powers and duties,

የመደዝና ሚኒስቴሩ በሚልልገው ዓይነት ተገቢ በሆነ ጊዜ ውስጥ የማቅረብ፣

- የሥራ ሁኔታ እና በታ የሚመለከተ። መረጃዎችን የማስመስገብ፣ስና
- ፲፪/በሥራ ሳይ ያሉ የአስተዳደር ደንቦችን ሥራተኞች እንዲያሙቁት አስፈላጊ ግንዛቤ የመፍጠር።

#### TF. የሥራተኞች ግዴታዎች

ማንኛውም ውራተኛ ከዚህ በታች የተመለከቱት ግዴታዎች አለበት:-

- 6/ በሥራ ሙሉ ላይ የተመለከተውን ሥራ ራሱ የመሥራት:
  - ያ) በሥራ ሙሉና በሥራ ደንበ መሠረት በአሥሪው የሚሰጠውን ትእዛዝ የመፈፀም፣
- ፤/ ለሥራው የተሰጡትን መግሪያዎችና ዕቃዎች ሁሉ በተንቃቁ የመጠበቅ።
  - ይለሥራ ብቁ በሆነ የአአምሮና የአካል ሁኔታ በሥራ ላይ የመገኘት፡
  - ሽ/ በራሱ ሕይወትና መንነት ላይ አደጋን ሳያስክትል በሥራው ቦታ በሕይወትና በንብረት ላይ አደጋ ሲደርስ ወይም አስን, ሁኔታ ሲፈጠር ተገቢውን ዕርዳታ የመስጠት፡
  - 3/ ራሱንም ሆነ የሥራ ባልደረቦቹን አደጋ ሳይ የሚተል ወይም የድርጅቱን ተቅም የሚነካ ሁኔታ ሲያጋዋመው ወዲያሙት ለአሥሪው የማስታወቅ፡
  - 7/ የዚህ አዋጅ ድንጋጌዎችን፣ የጎብሬት ስምምነትን፣ የሥራ ደንብንና በሕግ መሠረት የሚተላለፉ መመሪያዎችንና ትዕዛቶችን የማክበር።

#### ፲፬. የተከለከለ ድር<u>ጊት</u>

- ወይም በስራ መሪ ከተፈፀሙ የአሠሪ ህገወተ ተግባራት ተደርገው ይቆጠራሉ:-
  - ሀ) ሥራተኛው መብቱን እንዳያስከብር በማንኛውም አኳኋን ማደናቀና ወይም መብቱን በማስከበሩ በሥራተኛው ላይ እርምጃ መውሰድ፡

- and submit same within a reasonable time when requested by the competent authority;
  - 11/ Under take registration of information on workplace location and work related data as per the form prepared by the Ministry; and
- 12/ Whenever an enterprise has a work rules it should arrange awareness raising program for the concerned workers.

#### 13. Obligations of Workers

Every worker shall have the following obligations:

- 7.6.1/ To personally perform the work specified in 3.3.6 his contract of employment;
- 2/ To follow instructions given by the employer based on the terms of the contract and work rules:
- 3/ To handle with due care all equipment and tools entrusted to him for work;
  - 4/ To report for duty always in fit mental and physical conditions;
- 5/ To give all proper aid when an accident occurs or an imminent danger threatens life or property in a workplace without endangering his safety and health;
- 6/ To inform immediately the employer any act which endangers himself or co-workers or which prejudice the interests of the Undertaking;
- 7/ To comply with the provisions of this Proclamation, collective agreement, work rules and directives issued in accordance with the law.

#### 14. Prohibited Acts

- 1/ It shall be unlawful for an employer where any of the following acts are committed by the employer or a managerial employee to:
  - a) Restrain the worker in any manner from exercising his rights or take any retaliatory action against him because he exercises his right;

- ለ) በሴት ሥራተኞች ላይ
  - ሐ) የዚህን አዋጅ ድን.ኃጌዎች በሚቃረን አኳጓን የሥራ ውልን ማቋረጥ፣

ምክንደት የክፍደ ልዩነት ማድሪግ፡

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- መ) ሥራተኛን የሥራተኛ ማኅበር አባል አንዲሆን ወደም እንዳይሆን፣ ከሆንም በኋላ አባልንቱን እንዲያቋርጥ ወደም አንዳያቋርጥ፣ ከአንድ ማኅበር ወጥቶ የሌላ ማኅበር አባል አንዲሆን ወይም አንዳይሆን፣ በማኅበር ምርጫ ወቅት ለአንድ ተወዳዳሪ ድምጽን እንዲሰጥ ወይም እንዳይስጥ በኃይልም ሆነ በሌላ በማናቸውም መንገድ ተፅፅኖ ማሳደር፣
- ም) ምራብኛን በሕይመቱ ላይ አደጋ ሲያደርሰበት በሚችል አኳጓን እንዲሰራ ማስገደድ፣
- 4) በብሔር፣ በፆታ፣ በሃይማኖት፣ በፖለቲካ አመለካከት፣ በኤች አይ ቪ /ኤድስ፣ በአካል ጉዳት እና በሌላም ሁኔታ በሠራተኞች መካከል አድልም መፈጸም፣
- ሰ) ለንብረት ድርድር አስፈላጊ የሆነ መረጃ ባለማቅረብ የድርድር ጊዜ እንዲራዝም ማድረግ ወይም ሌሎች ክቅን ልቦና ሙድ የሆኑ ተግባራትን መልፀም፣
- ሽ) በሥራ በታ መሊባዊ ትንክሳ መደም ዋቃት መሪርም።
- ቀ) በሥራ በታ አካላዊ ተቃት መል.0901
- (I) ሥራተኛን በኃይል አስንድዶ ማንኛውንም ሥራ እንዲሠራ ወይም ማዲታን እንዲያሟላ ማድረግ።
- ጀ) የማኒክተሉትን መሬወም ለማንኛውም መራተኛ የተክለክለ ድርጊት ነው:-
  - ሀ) ሕይወትና ንብረትን አደ.ን ላይ የሚዋል ድርጊት ሆነ ብሎ በሥራ ቦታ መሪጸም፣
  - ስ) አመሪው በማልጽ ሳይራቅድ ከመራ በታ ንብረት መሙስድ።
  - ለ) በሀሰተኛ ሰነድ መገልገል መደም ለመገልገል መሞክር።
  - መ) በሥራ ቢታ በሆን የተከለከሉ አደንዛዥ ዕዎችን ወደም የአልኮል መጠጠችን መተጠው ውደም ተጠቅሞ ለሥራ ብቁ

- Discriminate against female workers, in matters of remuneration, on the ground of their sex orientation;
- Terminate a contract of employment contrary to the provisions of this Proclamation;
- d) Coerce or in any manner compel any worker to join or not to join a trade union; or to continue or cease membership of a trade union; or to require a worker to quit membership from one union and require him to join another union; or to require him to cast his vote to a certain candidate or not to a candidate in elections for trade union offices:
  - e) Compel any worker to execute any task which is hazardous to his life;
  - f) Discriminate between workers on the basis of Nation, sex, religion, political outlook, HIV/AIDS disablement or disablement or any other grounds;
  - Unduly delay a collective bargaining by withholding relevant information for the negotiation or perform any other act contrary to good faith;
- h) Commit sexual harassment or sexual assault at workplace;
  - i) Physically abuse anyone in a work place;
  - j) Coerce a worker in any manner to work or discharge an obligation.

# 2/ It shall be unlawful for a worker to:

- a) Intentionally commit in the workplace any act which endangers life or property;
- Take away property from the work place without the express authorization of the employer;
- c) Making use of falsified document or an attempt thereof;
- d) To use drugs prohibited by law or use alcoholic beverges and have impared physical and mental status at the work place;

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  - ፈ) ስለደኅንነት ተበታና ስለአደ*ጋ መ*ከላከል የወሙ የሥራ ደንቦችን አለማክበርና 106.47. PUT-7-7 Ph. 2 mhalis エスクセクチ Acomonde. 4.929 hhampy:
    - ሰ) በኅብረት ስምምነት ከተፈቀደሙ 110.01 09.90 huson 19.6.49 11116 ሰዓት ስብሰባ ማካሂድ።
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# ፲፪. የሥራ ሙል ስለሚሻሻልበት ሁኔታ

በዚህ አዋጅ ያልተወሰኑ የሥራ ሁኔታዎች ሲሻሻሉ የሚችሉት:-

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በዚህ አዋጅ አንቀጽ ፲፫ የተደነገገው እንደተጠበቀ ሆኖ አንድ ድርጅት ከሊላው ጋር ሲቀላቀል። ሲከፋልል ወይም የአንድ ድርጅት ባለቤትነት መብት ወደ ሌላ ሲተላለፍ የሥራ ውሉን የማሻሻል ውጤት 18.9° 60.90::

- e) Except for HIV/AIDS test, refuse to submit himself for medical examination when required by law or by the employer for good cause;
- f) Refuse to observe safety and accident prevention rules and to take the necessary safety precautions;
- g) Conduct meeting during working hours in disregard to the time assigned by the collective agreement or without obtaining the permission of the employer;
  - h) Commit sexual harassment or sexual violence at workplace;
- i) Physically abuse anyone in a work place.

#### SECTION FOUR

#### MODIFICATION OF CONTRACT **EMPLOYMENT**

#### 15. Conditions of Modification

conditions of a contract of employment which are not determined by this Proclamation may be modified by:

I/Collective agreement;

- 2/ Work rules issued in accordance with this Proclamation; or
- 3/ Written agreement of the parties. time a posterior tra

#### 16. Amalgamation, Division or Transfer of Ownership

without prejudice to Article 15 of this Proclamation, amalgamation, division or transfer of owner ship of an under taking shall not have the effect of modifying a contract of employment.

#### በርፍ አምስት

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#### SECTION FIVE

#### TEMPORARY SUSPENSION OF RIGHTS AND OBLIGATIONS ARISING FROM CONTRACT OF EMPLOYMENT

#### 17. General

- 1/ Rights and obligations arising from a contract of employment may be temporarily suspended in the manner provided for by this Section.
  - 2/ Temporary suspension of rights and obligations arising from a contract of employment shall not imply termination or interruption of the contract; provided, however, that the contract of employment shall interrupt the obligation of:
    - a) The worker to perform the work:
    - b) The employer to pay wages, other benefits and allowances unless otherwise provided for by this Proclamation or by a collective agreement.

#### 18. Grounds for Suspension

the following shall be valid grounds for the suspension in accordance with Article 17of this proclamation:

- 1/ leave without pay granted by the employer upon request by the worker:
- 2/ leave of absence for the purpose of holding office in trade unions or other social services;
- 3/detention for a period not exceeding 30 days; provided, however, that the employer is notified within 10 days or is supposed to know of the detention;
- 4/ national call:
- 5/ full or partial suspension, due to force majeure, of the activities of the employer for a period of not less than 10 consecutive days;
- 6/ financial problems, not attributable to the fault of the employer, that requires the suspension of the activities of the employer for not less than 10 consecutive days.

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በአንቀጽ ፲፰ (፩) ወደም (፮) በተመለከተው ምክንደት ከሥራ ውል የሚመንጨ መብትና ግዱታዎች ለማገድ አሠሪው ለአገዳው ምክንደት የሆነው ሁኔታ ባጋመመው በ፫ የሥራ ቀናት ውስጥ ለሚኒስቴሩ ወደም አግባብ ላለው ባለስልጣን በጽሑፍ ማስታወቅ አለበት።

# ኛ. <u>በሚኒስቴሩ ወይም አማባብ ባለው ባለስልጣን</u> <u>የሚሰጥ ውሣኔ</u>

- 8/ 09.20.65 0.9.90 አማባብ PAm-9000013 በአንቀጽ Ti P-tmthm-18 de 9: 70 2 0 4 P NRGOM-04.0.1 የሥራ ቀናት ውስታ ለእንዳው ምክንደት ስለመኖሩ ይመስናል። ሆኖም ማኒስቴሩ ወይም አማባብ ያለው ባለስልጣን በሃስት የሥራ ቀናት ውስጥ ውሳኔውን ካላሳወቀ አማዱን እንደፌቀደ ይቆጠራል።
- ጀ/ሚኒስቴሩ ወይም አግባብ ያለው ባለስልጣን ለአገዳው በቂ ምክንያት የሌለ መሆኑን ከወሰነ ሥራውን እንዲጀመርና ታግዶ ለነበረበትም ጊዜ ክፍያ እንዲደረግ ያዛል፡
- ፫/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) ወይም (፪) መሠረት በሚኒስቴሩ ወይም አግባብ ባለው ባለስልጣን በተሰጠ ውግኔ ቅር የተሰኘ ወገን ሙግኔው በተሰጠ በአምስት የሥራ ቀናት ውስጥ ሥልጣን ላለው የሥራ ክርክር ሰሚ ፍርድ ቤት ይግባኝ ማቅረብ ይችላል።

# ሸδ. <u>ለእገጻ ምክንያት መኖሩን የማረጋገ</u>ጥ ወይም የማጽደቅ ውጤት

- 6/ ሚኒስቴት ወይም አማባብ ያለው ባለስልጣን ለእገዳ ምክንያት መኖሩን ሲያረጋማጥ ወይም ሲያጸድቅ የእገዳውን ጊዜ ይወስናል፡፡ ሆኖም የተባለው የእገዳ ጊዜ ከ፲ ቀናት መብለጥ የለበትም፡፡
  - ጀ/ አሥሪው በዚህ አንቀጽ ንዑስ አንቀጽ (፩) በተመለከተው የጊዜ ገደብ ሥራውን እንደገና ለመቀጠል የማይችል መሆኑን ሚኒስቴሩ ወይም አግባብ ያለው ባለስልጣን ካመነ ሥራተኛው የቅተር ውሉ ተቋርጠ በአንቀጽ ፴፱ እና ፵፱ የተመለከቱትን ተቅሞች የማግኘት መብት አለው።

#### 19. Duty to Inform

in order to suspend rights and obligations arising from contract of employment are suspended in accordance with Article 18 (5) or (6) above the employer shall inform the Ministry or the competent authority in writing with in three working days of the occurrence of the ground for suspension.

# 20. Decisions of the Ministry or the Appropriate Authority

- I/ the Ministry or the Appropriate authority shall determine the existence of a good cause for suspension with in three working days upon receipt of the written notice pursuant to Article 19 above. Where the Ministry or the appropriate authority does not notify its decision within three days, the organization shall be deemed allowed to suspend.
  - 2/ where the Ministry or the appropriate authority finds that there is no good cause for suspension it shall order the resumption of the work and payment for the days on which workers were suspended
  - 3/ the party who is aggrieved by the decision in accordance with Sub-Articles (1) or (2) of this Article may, within five working days, appeal to the competent labour court.

# 21. Effect of Confirmation or Authorization of Suspension

- 1/ where the Ministry or the appropriate authority confirms or proves the existence of good causes for suspension, it shall fix the duration of the suspension; provided, however, that duration of the suspension shall not exceed 90 days.
- 2/ where the competent authority or the appropriate authority is convinced that the employer cannot resume its activities with in the period set under Sub-Article (1) of this Article, the contract of employment shall be put to an end and worker shall be entitled to the benefits specified under Articles 39 and 44 of this Proclamation.

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# ምዕራፍ ሁለት የሥራ ግንኙነት ስለማቋረጥ

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# የሥራ ውልን በሕግ ወይም በስምምነት መሥረት ስለማቋረጥ

# ኛ !! በሕግ በተደነገገው መሠረት የሥራ ው**ልን** ስለማቋረተ

SING OA THU OF OF OFTENANTE ምክንያቶች ይቋረጣል።

- 8/ A-1-001 1-6 8-1-867 81-6 0-A Am A. P. tantam M.C. A. PAT:
- 1/ 106.15 a. 0.4.1:
- 11/ 106.450 h79.0 900 29 anipat amas and
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# 22. Effects of Expiry of the Period of Suspension

the worker shall report for work on the working day following the date of expiry of suspension; and the employer shall reinstate the worker, who so reports for work, in a relevant position to his profession without adversely affecting his job position and wage.

# CHAPTER TWO TERMINATION OF EMPLOYMET RELATIONS

- 23. General
- I/a contract of employment shall only be terminated upon initiation by the employer or worker and in accordance with the provisions of the law or a collective agreement or by the agreement of the parties.
- 2/ the amalgamation, division or transfer of ownership of an undertaking shall not have the effect of terminating a contract of employment.

#### SECTION ONE

### TERMINATION OF CONTRACT OF EMPLOYMENT BY THE OPERATIONS OF THE LAW OR BY AGREEMENT

#### 24 Termination of contract of Employment by the Operations of the Law

a contract of employment shall terminate on the following grounds:

- 1/ on the completion of the work where the contract of employment is for a specified work:
- 2/ up on the death of the worker;
- 3/ up on the retirement of the worker in accordance with the relevant law:
- 4/ when the undertaking ceases operation permanently due to bankruptcy or for any other cause:
- 5/ when the worker is unable to work due to partial or total permanent in capacity.

# 88. የሥራ ው**ልን በስምምነት ስለማ**ቋረተ

- ስ) ተዋዋይ ወገኖች የሥራ ውላቸውን በስምምነት ማቋረዋ ይችላሉ። ሆኖም ሥራተኛው በሕግ የተሰጠሙን መብቱን ለመተው የሚደደርገው ስምምነት የሕግ ውጤት አይኖረውም።
  - ጀንኖሥራ ሙል በስምምንት መቋረጥ የሚጸናሙና በሥራተኛሙም ላይ አስገዳጅ የሚሆነሙ የተደረገሙ ስምምንት በጽሐና ሲሆን ነው።

#### ዘርፍ ሁለት

<u>የሥራ ውልን በተዋዋይ ወገኖች አነሳሽነት</u> ስለማቋረተ

#### <u>ንዑስ ዘርፍ አንድ</u>

በአውሪ አንሳሽንት የሚደረግ የሥራ ውል ማቋረተ

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- ሽ/የሥራ ውል ከሥራተኛው ጠባይ ወይም የሥራተኛው የመሥራት ችሎታን ከሚመለከቱ ግልጽ ሁኔታዎች ወይም ከድርጅቱ ድርጅታዊ አቋም ወይም የሥራ እንቅስቃሴ ጋር ግንኙነት ባላቸው ምክንያቶች ብቻ ሊቋረጥ ይችላል።
- ጀ/የሚክተሉት የሥራ ሙልን ለማቋረጥ ተገበ. ምክንያቶች ሆነው ሊቆጠሩ አይችሉም:-
- ሀ) ሥራተኛው በሥራተኞች ማኅበር አባል መሆኑ ወይም በማኅበሩ ሕጋዊ ተግባሮች ተካፋይ መሆኑ።
  - ለ) ሥራተኛው የሥራተኞች ተጠሪ ሆኖ ለመሥራት መይለጉ ወይም መሥራቱ።
  - ሰ) ሥራተኛው በአሥሪው ላይ ቅሬታ ማቅረቡ ወይም በፍርድ ቤት በቀረበ ክስ ወይም በሌላ ሰው ክስ ተካፋይ መሆኑ፣
  - መ) የሥራተኛው ብሔር፣ ፆታ፣ ሐይማኖት፣ የፖለቲካ አመለካከት፣ የ.ንብቻ ሁኔታ፣ ዘር፣ ቀለም፣ የቤተሰብ ኃላፊነት፣ የዘር ሐረግ፣ እርግዝና፣ አካል ጉዳተኝነት፣ ወይም ማኅበራዊ አቋም፣፣

#### 25. Termination of Contract of Employment by Agreement

- I/ the parties may terminate their contract of employment by agreement; provided, however, that waiver by the worker of any of his right under the law shall have no legal effect.
- 2/ termination of employment by agreement shall be effective and binding on the worker only where it is made in writing.

#### SECTION TWO

TERMINATION OF CONTRACT OF EMPLOYMENT UPON THE INITIATION OF THE PARTIES

#### SUB-SECTION ONE

#### TERMINATION OF CONTRACT OF EMPLOYEMENT BY THE EMPLOYER

#### 26 General

- I/A contract of employment may only be terminated where there are grounds attributed to the worker's conduct or with objective circumstances a rising from his ability to do his work or the organizational or operational requirements of the undertaking.
  - 2/ The following shall not be deemed to constitute legitimate grounds for the termination of a contract of employment:
    - a) Member ship of the worker in a trade union or his participation in its lawful activities;
    - b) Seeking or holding office as workers' representative;
    - Submission of grievance by the worker against the employer or his participation in judicial or other proceedings;
  - d) The worker's Nation, Sex, Religion, Political outlook, Marital status, Race, Color, Family responsibility, Pregnancy! Disablement or Social status.

#### 8%. ያለማስጠንቀቂያ የሥራ ውል ስለማቋረ<u>ተ</u>

- ሽ/ በንብረት ስምምንት በሌላ አኳጃን ካልተመሰን በስተቀር የአማራ ሙልን ይለማስጠንቀቂድ ማቋረቱ የሚቻለሙ በሚከተሉት ምክንደቶች ብቻ ነው:-
  - ህ) ሥራተኛው የሥራ ሰዓት ለማክበር የማደችልባቸው ሁኔታዎች ተብለው በኅብረት ስምምነት በሥራ ደንብ ወደም በሥራ ውሉ ከተዘረዘሩት ምክንደቶች ውጭ የጽህና ማስጠንተቂያ እየተሰጠው በስድስት ወር ውስጥ በጠቅላላው ለስምንት ጊዜ የስራ ሰዓት አለማክበር።
  - ለ) በዚህ አዋጅ ከተመለከቱ አረፍቶች አና ልዩ ልዩ ፌታዶች ውቁ የጽሁፍ ማስጠንቀቂያ አየተሰጠው በስድስት ወር ውስጥ ለአምስት ቀናት ከስራ መቅረት።
  - 11) 112" 6-10- 18. 8"7; 1-10 1-79C; 116.09":
  - መ) የራሱን ወይም የሌላ ሰሙ ብልጸግናን በመሻት በማንኛውም የአመሪው ንብረት ወይም ገንዘብ አለአግባብ መጠቀም።
  - መ) መራተኛው ሥራውን ለመሥራት ችሎታ አያለው የሥራ ውጤቱ ባለማቋረጥ በንብረት ስምምነት ወይም በሥራ ዴንቡ ወይም በሁሉቱ ወንኖች መግባባት ከተወሰነው የምርት ዋራትና መጠን በታች ሲሆን።
  - ረ) እንደተፋቱ ከብደት በሥራው በታ አምባንሮ ወይም ጠብ አጫሪነት ተጠያቂ መሆን።
  - ሰ) በወንጀል ጥፋተኛ ሆኖ መገኘትና በጥፋቱም ምክንደት ለያዘው ሥራ ብቱ ሆኖ አለመገኘት።
  - ሽ) በአሥሪው ንብረት ወይም ከድርጅቱ ሥራ ጋር በተጥታ ግንኙነት ባለው ማናቸውም ንብረት ላይ ሆነ ብሎ ወይም በከባድ ችልተኝነት ጉዳት ማድረስ።
  - ቀ) በአንቀጽ ፲፱ (፪) የተመለከቱትን ሕገመዋ ድርጊቶች መፈፀም።

# 27. Termination of Contract of Employment without Prior Notice

- 1/ Unless otherwise determined by a collective agreement, a contract of employment shall be terminated without prior notice only on the following grounds:
  - a) Unless the reason for being late is justified by the collective agreement, work rule or contract of employment, being late for duty eight times in six months period while being warned in writing of such a problem;
- b) Absence from duty for a total five days in six months period while being warned in writing of such a problem; and where the absence cannot be classified in any of the leaves provided under the Proclamation;
  - c) Deceitful or fraudulent conduct in carrying out his duties;
  - d) Misappropriation of the property or fund of the employer with intent to procure for himself or to a third person unlawful enrichment;
  - e) Performance result of a worker, despite his potential, is persistently below the qualities and quantities stipulated in the collective agreement or determined by the agreement of the parties;
  - f) Being responsible for brawls or quarrels at work, having regard to the gravity of the case;
  - g) Conviction for an offence where such conviction renders him incompatible for the post which he holds;
    - h) Being responsible for causing damage intentionally or through gross negligence to any property of the employer or to another property which is directly connected with the work of the Undertaking;
    - Commission of any of the prohibited acts under Article 14 (2) of this Proclamation;

- በ) በሥራተኛው ላይ ክስላሳ ቀናት ለሚበልተ ጊዜ የአሥራት ፍርድ ተወስኖበት ከሥራ ሲቀር፣
- ተ) ያለማስጠንቀቂያ የሥራ ሙል ለማቋረዋ ያስችላሉ ተብለሙ በንብረት ስምምነት የተወሰኑ ሌሎች ፕፋቶችን መሪፀም፣፣
- ያ/እንድ አመሪ በዚህ አንቀጽ መሰረት የሥራ ውል በሚያቋርተበት ጊዜ የሥራ ውሴ የሚያቋረተበትን ምክንያትና ቀን በመተቀስ ለሠራትኛው በጽሐፍ መግለፅ አለበት።
- የሥራ ውሉን ለማቋረጥ ያለው መብት ውሉ የሚቋረጥበት ምክንያት መኖሩን ካወቀ ከሰላሳ የሥራ ቀናት በኋላ በድርጋ ይታገዳል።
- 9/በዚህ አንቀጽ መሰረት የሠራተኛው የሥራ ሙል አንዲቋረጥ ከመደረጉ በፊት ሠራተኛውን ከሥራ አማዶ ማቆየት ስለሚቻልበት ሁኔታ በኅብረት ስምምነት ሊመሰን ይችላል። ሆኖም የዕገዳው ጊዜ ከሰላሳ የሥራ ቀናት መብለጥ የለበትም።

# ፩፰. <u>በማስጠንቀቂያ የሥራ ው</u>ል ስለማቋረ<u>ተ</u>

- 8/የሥራተኛው የሥራ ችሎታ ማጣት ወይም ሁኔታን በሚመለከት የሚከተሉት ምክንያቶች ማስጠንቀቂያ በመስጠት የሥራ ሙል ለማቋረዋ በቂ ይሆናሉ:-
  - ህ) ሥራተኛው የተመደበበትን ሥራ ለማከናወን ችሎታው ቀንሶ ሲገኝ ወይም የሥራ ችሎታውን ለማሻሻል አሥሪው ያዘጋጀለትን የስልጠና ዕድል ባለመቀበሉ ምክንያት ሲሰራ የቆየውን ሥራ ለመቀጠል የሥራ ችሎታ የሌለው ሆኖ ሲገኝ ወይም ስልጠና ከተሰጠው በኋላ አስፈላጊውን አዲስ የሥራ ችሎታ ለመቅሰም የማይችል ሲሆን።
  - ለ) ሥራተኛው በጤንነት መታወክ ወይም በአካል ጉዳት ምክንያት በሥራ ውለ የተጣለበትን ግዴታ ለመሬጸም ለዘለቁታው የማይችል ሆኖ ሲገኝ፣

- j) Absence from work due to a court sentence passed against the worker for more than thrity days;
- k) Commission of other violations stipulated in a collective agreement as grounds for terminating contract of employment without notice.
- 2/ Where an employer terminates a contract of employment in accordance with this Article, he shall give written statement specifying the reasons for and the date of termination.
- 3/ The right of an employer to terminate contract of employment in accordance with this Article, shall lapse after thrity working days from the date the employer knew the existence of a ground for the termination.
  - 4/ The grounds for suspension of a worker from duty before terminating the contract of employment of the worker in accordance with this Article may be determined by collective agreement; provided, however, that the duration of such suspension shall not exceed 30 working days.

#### 28. Termination of contract of Employment with Prior Notice

- 1/ The following grounds relating to the loss of capacity of, and situations affecting, the worker shall constitute good cause for terminating a contract of employment with prior notice:
  - a) The worker's manifest loss of capacity to perform the work to which he has been assigned; and his lack of skill to continue his work as a result of his refusal or inability to make use of an opportunity of training arranged by the employer to upgrade his skill or after having been trained, his inability to acquire the necessary skill;
  - b) The worker is, for reasons of health or disability, permanently unable to carry out his obligation under the contract of employment;

- በ) በሥራተኛው ላይ ከሰላሳ ቀናት ለሚበልጥ ጊዜ የአሥራት ፍርድ ተወስኖበት ከሥራ ሲቀር።
- ተ) ያለማስጠንተቲያ የሥራ ሙል ለማቋረጥ ያስችላሉ ተብለሙ በንብረት ስምምነት የተመሰኑ ሌሎች ጥፋቶችን መልፀም።
- ጀአንድ አመሪ በዚህ አንተጽ መሰረት የሥራ ሙል በሚያቋርጥበት ጊዜ የሥራ ሙሉ የሚያቋረጥበትን ምክንያትና ቀን በመጥቀስ ለሠራተኛው በጽሑፍ መግለፅ አለበት።
- ፤/ አንድ አሥሪ በዚህ አንቀጽ መሰረት የሥራ ሙሉን ለማቋረጥ ያለው መብት ሙሉ የሚቋረጥበት ምክንያት መኖሩን ካውቀ ከሰላሳ የሥራ ቀናት በኋላ በይርጋ ይታግዳል።
- ፬/በዚህ አንቀጽ መሰረት የሠራተኛው የሥራ ውል እንዲቋረጥ ከመደረጉ በፊት ሠራተኛውን ከሥራ አግዶ ማቆየት ስለሚቻልበት ሁኔታ በንብረት ስምምነት ሊወሰን ይችላል። ሆኖም የዕገዳው ጊዜ ከሰላሳ የሥራ ቀናት መብለጥ የለበትም።

# 83. <u>በማስጠንቀቂያ የሥራ ውል ስለማቋረተ</u>

- እ/የሠራተኛው የሥራ ችሎታ ማጣት ወይም ሁኔታን በሚመለከት የሚከተሉት ምክንያቶች ማስጠንቀቂያ በመስጠት የሥራ ውል ለማቋረዋ በቂ ይሆናሉ:-
  - ህ) ሥራትኛው የተመደበበትን ሥራ ለማከናወን ችሎታው ቀንለ ሲገኝ ወይም የሥራ ችሎታውን ለማሻሻል አሥሪው ያዘጋጀለትን የስልጠና ዕድል ባለሙቀበሉ ምክንያት ሲሰራ የቆየውን ሥራ ለሙቀጠል የሥራ ችሎታ የሌለው ሆኖ ሲገኝ ወይም ስልጠና ከተሰጠው በኋላ አስፈላጊውን አዲስ የሥራ ችሎታ ለሙቅስም የማይችል ሲሆን።
    - ለ) ሥራተኛው በጤንነት መታወክ ወይም በአካል ጉዳት ምክንያት በሥራ ውሴ የተጣለበትን ግዴታ ለመፌጸም ለዘለቁታው የማይችል ሆኖ ሲገኝ፣

- j) Absence from work due to a court sentence passed against the worker for more than thrity days;
- k) Commission of other violations stipulated in a collective agreement as grounds for terminating contract of employment without notice.
- 2/ Where an employer terminates a contract of employment in accordance with this Article, he shall give written statement specifying the reasons for and the date of termination.
- 3/ The right of an employer to terminate contract of employment in accordance with this Article, shall lapse after thrity working days from the date the employer knew the existence of a ground for the termination.
  - 4/ The grounds for suspension of a worker from duty before terminating the contract of employment of the worker in accordance with this Article may be determined by collective agreement; provided, however, that the duration of such suspension shall not exceed 30 working days.

# 28. Termination of contract of Employment with Prior Notice

- 1/ The following grounds relating to the loss of capacity of, and situations affecting, the worker shall constitute good cause for terminating a contract of employment with prior notice:
  - a) The worker's manifest loss of capacity to perform the work to which he has been assigned; and his lack of skill to continue his work as a result of his refusal or inability to make use of an opportunity of training arranged by the employer to upgrade his skill or after having been trained, his inability to acquire the necessary skill;
  - b) The worker is, for reasons of health or disability, permanently unable to carry out his obligation under the contract of employment;

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- 0.4mC(h) CCE1: መደሌ4 0.1. ሥራተኛው ወደአዲሱ ቦታ ተዛውሮ ለመሥራት ልቃደኛ ሳይሆን ሲቀር:
- an) 106-150 99110 916 ang.11 በበቂ ምክንያት ሲሰረዝና ሥራተኛውን መደሌላ ሥራ ማዛወር የማይቻል UT 0.73:
- E/ በዚህ አንቀጽ 35-ስ አንቀጽ 8.1.00 Aleta 735 a.g. 806 7.00) ማጣት በኅብረት ስምምነት በሌላ አኳዳን ካልተመሰን በስተቀር በየወቅቱ በሚደረግ 8 1.6. 48.386 July well and July አለበት።
- E/PRCEERS RCESTR 入史が የሥራ እንቅስቃሴ በሚመለከት የሚከተሉት ምክንደቶች የሥራ ውልን በማስጠንቂቂያ ለማቋረተ በቂ ይሆናሉ:-
  - リ) ゆん・トデデー ドナイグタ・リギー かんタデ ロナナナナラ Ohla. Ago Don.A. 11% ለዘለቁ: ታሙ የሚያስቆም የሥራ ሙል መቋረተ የሚያስከትል ሁኔታ ሲከሰት።
  - ለ) አንተጽ ፲፰ (፩) እና (፮) እንደተጠበቀ US XWCO- UM PONC J. For PCAT Organifa. カフムツハッチデ +6.47.77 contro 907387 850 64: የሥራ እንቅስቃሴ በመቀገነቀሁ ወደም ትርፍ እየቀነሰ በመሃዳ የሥራ ውል ማቋረጥ አስፌላን, ሆኖ ሲገኝ፣
- d) 『たてぎます ゆてかのかき ለማሳደማ 112973 Phwac A CODA COT ወይም በአዲስ ቴክኖሎጂ ለመጠቀም ሲባል የሚደረግ የሥራ ሙል መቋረጥ የሚያስከትል መግኔ።
- 6/ የስራ መደበ· መሠረዝ በአንቀጽ ጽ፱ (8) መመረት የመራተኞችን ቅነሳ የሚያስከትል ሆኖ ሲገኝ የሥራ ውሉ የሚያረሰው 08348 80 (F) cow27 205A::

# ኛ፱. የሥራተኞች ቅንሳ

8/ በዚህ አዋጅ "የሥራተኞች ቅንሳ" ማለት በአንቀጽ ፳፰ (፫) በተጠቀሱት 9º179947 ቁጥራቸው ከድርጅቱ ሥራተኞች ቢያንስ

c) The worker's unwillingness to move to a locality where the undertaking relocates:

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- d) The post of the worker is cancelled for good cause and the worker cannot be transferred to another job position.
- 2/ Any loss of capacity of work referred to in Sub-Article (1) (a) of this Article shall, unless otherwise provided by a collective agreement, be verified by a periodical job performance evaluation.
- 3/ The following grounds attributable to the organizational or operational requirements of an undertaking shall constitute good causes for the termination of a contract of employment with prior notice:
  - a) Any event which entails direct and permanent cessation of the worker's activities in part or in whole resulting in the necessity of a terminating a contract of employment;
  - b) Without prejudice to the provisions of Article 18 (5) and (6) demand fall for the products or services of the employer resulting in the reduction of the volume of the work or profit of the undertaking and thereby requiring termination of a contract of employment;
- c) A decision to alter work methods or introduce new technology with a view to raise productivity resulting in termination of a contract of employment.
- 4/ Where the cancellation of a job position affects a workforce in accordance with Article 29 (1) of this Proclamation, the termination shall in compliance with the be undertaken requirements laid down in accordace with Article 29 (3).

#### 29. Reduction of Workforce

1/ In this Proclamation "reduction of workforce" means termination of workforce of an undertaking for any of the reasons provided for by Article 28 (3) of this Proclamation affecting a number of

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- የ) በእንቀጽ ጽጵ (የ) መመረት የመራትኞች ትንሳ ሲደረግ አመሪው ከመራትኞች ማንበር መደም ተመካይ ጋር በመመከከር የፖራ ችሎታ ያላቸውና ከፍተኛ የምርት መጨት የሚያሳዩ መራተኞች በሥራቸው ሳይ እንዲቆዩ ቅድሚያ ይሰጣቸዋል። ተመሳሳይ የሥራ ችሎታ ያላቸውና ተመሳሳይ የምርት ሙጨት የሚያመርት መራተኞች ሲኖሩ ቅንሳው በመጀመሪያ ደረጃ የሚመለከታቸው መራተኞች በሚከተለው ቅደም ተከተል መመረት ይሆናሉ:-

  - ለ) አንስተኛ ቁጥር ያላቸው ጥገኞች ያሏቸው ሥራተኞች፣
  - ለ) በዚህ ንዑስ አንተጽ ከፌደል ተራ (መ) እስከ (ሰ) ከተዘረዘሩት የሠራተኛ ከፍሎች ውጭ የሆኑ ሠራተኞች ትንሳው በመጀመሪያ ደረጃ የሚመለከታቸው ይሆናል፤
  - 00) ANA 78+7 PP4 W6+771
  - ው) በድርጅቱ ሳሉ በሥራ ምክንያት ጉዳት የደረሰባቸው ሥራ-ተኞች፣
  - 6) 8m6+77 +m6971
  - ስ) ነፍስጡር ሥራ-ተኞች ወይም ከወለዱ እስከ ፬ ወር ድረስ የሆናቸው ሴት ሥራ-ተኞች።

workers representing at least ten percent of the number of workers employed or, in the case where the number of workers employed in an undertaking is between twenty and fifty, termination of at least five employees over a continuous period of not less than ten days.

- 2/ The expression "number of workers" referred to in Sub-Article (1) of this Article means the average number of the workers employed by an employer concerned within the twelve months preceding the date when the employer took measures of reduction of workers.
- 3/ Whenever a reduction of workforce takes place in accordance with Article 28 (3) of this Proclamation, the employer shall conduct consultation with a Trade Union or workers' representatives in order to retain workers having skills and higher rate of productivity in their posts. In case of comparable skill and rate of productivity, the workers to be affected first by the reduction shall be in the following order:
  - a) Those having the shortest length of service in the Undertaking;
  - b) Those having fewer dependents;
  - c) The redduction shall affected first workers except those that are listed under (d) up to (e) of this Sub-Article;
  - d) Those employees with disability;
  - e) Those who sustained employment injury in the Undertaking;
  - f) Workers' representatives; and
  - g) Expectant mothers and mothers within four months post-natal.

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- W/ OHAD 1348 30-0 7348 (6) "የኮንስትራክሽን 10% "7A7- 378: መንገድ፣ የባቡር ሐዲድ፣ የባሕር ወደብ፣ Part 72 11: CARE: Parter thas 1.190 Pengap. mlo Con polit PanAmp: P"704.4.7: POPRAS Perman's 1.63 8.00.9"6A::

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#### በሥራተኛው እንባሽንት የሚደረግ የሥራ ውል MRGT.

#### ፴፩. በማስጠንቀቂያ የሥራ ውል ስለማቋረ<u>ተ</u>

UNTER OUR THE MALLET and Pontice 7.16 መን የጨረሰ ማንኛውም ሥራተኛ ለአ**ሥ**ሪው በቅድማያያሥላሳ ቀናት ቅድሚያ ማስጠንቀቂያ (1000amit (17957:0090 90h387 8206 001.3 79927 B.T.1A:

# ፴፪. ያለማስጠንቀቂያ የሥራ ውልን ስለማ**ቋረ**ጥ

8/ የሚከተሉት የሥራ ውልን ያለ ማስጠንቀቂያ ለማቋረጥ በቂ ምክንያቶች ይሆናሉ:-

- 1) husa- 02.90 81116 an con-811615 m3 ሰብአዊ hacs ሞራል የሚነት ወይም በወንጀል ሕጉ መመረት የሚያስቀጣ ሌላ አድራጎት 96,800 (1+ 1720):
- 1) W6-ተኛው በአውሪው ወደም በሥራ መራው ወሲባዊ ትንክሳ ወደም ተቃት የተልጸመበት እንደሆነ።
- h) ለሠራተኛው ደጎንነት ወይም መንነት የሚያሰጋና ሊደርስ የተቃረበ አደጋ 0094.7 hw60-አያወቀ ወደም አደጋውን ለመከላከል የሚያስፌልጉ እርምጃዎችን እንዲወስድ ኃላፊነት

#### 30. Exceptions

- 1/ The procedure laid down in this Proclamation. shall not apply to the reduction of workers due to normal decrease in the volume of a construction work as a result of its successive completion unless the reduction affects workers employed for parts of the work before the work for which they are employed is completed.
- 2/ For the purpose of Sub-Article (1) of this Article, "construction work" includes the construction, renovation, upgrading, maintenance and repair of a buildings, roads, rail-way lines, dams and bridges, installation of machinery and similar works.

#### SUB-SECTION TWO

#### TERMINATION OF CONTRACT OF EMPLOYEMENT BY THE WORKER

#### 31. Termination of Contract of Employment with Prior Notice

Without prejudice to Article 32 of this Proclamation, any worker who has completed his probation period may, by giving thirty days prior notice to the employer, terminate his contract of employment.

#### 32. Termination of Contract of Employment without prior notice

- 1/ The following shall be good causes to terminate a contract of employment without prior notice:
  - a) Where the employer has committed any act contrary to human dignity and morals or other acts punishable under the Criminal Law against the worker;
  - b) Where the workers has been a victim of sexual harassment or sexual violence by the employer or a managerial employee;
  - c) In the case of imminent danger threatening the worker's safety or health, where the employer, having been made aware of such danger, failed to act within the time limit in accordance with the early warning given by the competent authority or appropriate

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- መ) በዚህ አዋጅ በንብረት ስምምነት ወይም በሥራ ደንብ ወይም አማባብ ባላቸው ሌሎች ሕጎች በተወሰነው መሠረት አሠረው ለሠራተኛው መፅ.ጸም ያለበትን ግዴታዎች በመደጋገም ያልፊጸመ እንደሆነ።
- ጀ/በዚህ አንቀጽ በንዑስ አንቀጽ (፩) በተጠቀሱት ምክንያቶች የሥራ ሙሉን የሚያቋርጥ ሥራተኛ ሙሉ የሚቋረጥበትን ምክንያትና ቀን በጽሑፍ ለአሥሪሙ ማስታወቅ አለበት።

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# ምዕራፍ ሦስት

የሥራ ውል መቋረተን የሚመለከቱ የወል ድንጋጌዎች

ዘርፍ አንድ

የሥራ ውል ከመቋረጡ በፊት ስለሚሰ<u>ተ</u> ማስጠንቀቂያ

# ፴፬. ማስጠንቀቂያ የመስጠት ሥነ ሥርዓት

ሽ/በዚህ አዋጅ መሠረት በማንኛውም ወንን የሚሰጥ ማስጠንቀቂያ በጽሑፍ መሆን አለበት። ማስጠንቀቂያውም ውሉ የሚቋረጥበትን ምክንያት እና ቀን መግለጽ አለበት።

ጀ/በአመሪው ወይም በወኪሉ የሚሰጥ ማስጠንቀቂያ ለመራተኛው በእጁ መሰጠት አለበት። መራተኛውን ማግኘት የማይቻል ከሆነ ወይም ማስጠንቀቂያውን ለመቀበል ፌታዴኛ ካልሆነ ግን ማስጠንቀቂያው መራተኛው በሚገኝበት የሥራ ቦታ ለጀ ተከታታይ ቀናት ግልጽ በሆነ የማስታወቂያ ስሌዳ ላይ መለጠና ይኖርበታል። trade union or the worker himself to avert the danger;

- d) Where the employer has repeatedly failed to fulfill his basic obligations towards the worker as prescribed under this Proclamation, collective agreement, work rules or other relevant laws.
- 2/ Where a worker terminates his contract of employment for reasons referred to under sub-article (1) of this Article, he shall inform the employer in writing the reasons for termination and the date on which the termination is to take effect.

#### 33. Period of Limitation

A worker's right to terminate his contract of employment in accordance with Article 32 (1) of this Proclamation shall expire after fifteen working days from the date on which the act occurred or ceased to exist.

# CHAPTER THREE

COMMON PROVISIONS WITH RESPECT TO TERMINATION OF CONTRACT OF EMPLOYMENT SECTION ONE

# NOTICE TO TERMINATE A CONTRACT OF EMPLOYMENT

#### 34. Procedure for Giving Notice

- 1/ Notice of termination required under the provisions of this Proclamation shall be in writing. The notice shall specify the reasons for the termination of the contract and the date on which the termination shall take effect.
- 2/ Notice of termination by the employer shall be delivered to the worker in person. Where it is not possible to find the worker or he refuses to receive the notice, it shall be affixed on the notice board in the work place of the worker for 10 consecutive days.

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መ) በዚህ አዋጅ በተብረት ስምምነት መደም በሥራ ደንብ መደም አማባብ ባላቸው ሌሎች ሕንች በተመሰነው T. Samon hur Gar VING-1-3.00 un 6.890 የለበትን 78.3.97 (1002,779° !A 6.800 17217::

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#### ምዕራፍ ሦስት

8 PG OA መቋረተን የሚመለከቱ የወል 27,27,27

#### ዘርፍ አንድ

የሥራ ውል ከመቋረጡ በፊት ስለሚሰተ ማስጠንቀቂያ

# ፴፬. <u>ማስጠንቀቂያ የመስጠት ሥነ ሥርዓት</u>

ሽ/ በዚህ አዋጅ መሠረት በማንኛውም ወገን የሚሰጥ ማስጠንቀቂያ በጽሑፍ only? ስለበት። ማስጠንተቂያውም m·A. የማቋረጥበትን ምክንደት እና 43 መግለጽ አለበት።

ያ/በአሠሪው ወይም በወኪሉ የሚሰተ ማስጠንቀቂያ **人かん小ぞの** 02% ሥራተኛውን ማማኘት የማይቻል ከሆነ ወይም ማስጠንቀቂያውን ለመቀበል ፊ.ታደኛ ካልሆነ ግን ማስጠንተቂያው ውራተኛው በሚገኝበት የሥራ በታ ለ፤ ተከታታይ ቀናት ግልጽ በሆን የማስታወቂያ ሰሌዳ andmi: 18. P.TCAJ-A::

trade union or the worker himself to avert the danger;

- Action Tobal Course Married Marriage d) Where the employer has repeatedly failed to fulfill his basic obligations towards the worker prescribed under this as Proclamation, collective agreement, work rules or other relevant laws.
- 2/ Where a worker terminates his contract of employment for reasons referred to under sub-article (1) of this Article, he shall inform the employer in writing the reasons for termination and the date on which the termination is to take effect.

#### 33. Period of Limitation

A worker's right to terminate his contract of employment in accordance with Article 32 (1) of this Proclamation shall expire after fifteen working days from the date on which the act occurred or ceased to exist.

#### CHAPTER THREE

COMMON PROVISIONS WITH RESPECT TO TERMINATION OF CONTRACT OF EMPLOYMENT SECTION ONE

# NOTICE TO TERMINATE A CONTRACT OF EMPLOYMENT

# 34. Procedure for Giving Notice

- 1/ Notice of termination required under the provisions of this Proclamation shall be in writing. The notice shall specify the reasons for the termination of the contract and the date on which the termination shall take effect.
- 2/ Notice of termination by the employer shall be delivered to the worker in person. Where it is not possible to find the worker or he refuses to receive the notice, it shall be affixed on the notice board in the work place of the worker for 10 consecutive days.

- የ/በሥራ-ተኛው የሚሰዋ ማስጠንተቄያ ለአሥራው ወይም ለአሥራው ወኪል መስጠት ወይም ለድርጅቱ መዝገብ ቤት ገቢ መደረግ አለበት።
- Ø/በዚህ አዋጅ አንተጽ ፲፮ መመረት የሥራ ውሴ በታንደበት ጊዜ በአመሪሙ ለመራተኛ የሚሰጥ ማስጠንቀቂያ ሙድቅ ይሆናል።

#### ፴፩. የማስጠንቀቂያ ጊዜ

- ሽ/ በአመሪው የሚሰጠው የማስጠንተቂያ ጊዜ እንደሚከተለው ይሆናል።
  - ሀ) የሙከራ ጊዜሙን የጨረሰና እስከ አንድ ዓመት ደንለንለ ሥራተኛን በሚመለከት ሬንድ አንድ ወር።
- ለ) ከአንድ ዓመት በላይ እስከ ሀብኝ ዓመት ደንለንለ ውራተኛን በሚመለከት ሪንድ ሁለት ወር።
  - ሐ) ከዘጠኝ ዓመት በላይ ደንሰንለ መሬ-ተኛን በሚመለከት ሪንድ ሦስት ወር።
  - መ) የመብራ ጊዜውን ጨርሶ በቅነሳ ምክንያት የሥራ ውሉ የሚቋረጥበት መራተኛን በሚመለከት ረገድ ሁለት ወር።
  - ጀ/ በዚህ አንቀጽ በንዑስ አንቀጽ (፩) የተመለከተው ቢኖርም ለተወሰን ጊዜ ወይም ሥራ የተደረገ የሥራ ውልን በሚመለከት የማስጠንቀቂያ ጊዜው ተዋዋይ ወገኖች በውሴ ላይ በተስማሙት መሠረት ይሆናል።
- ፤/በዚህ አዋጅ የተወሰነው የማስጠንቀቂያ ጊዜ የሚቆጠረው ማስጠንቀቂያው ከተሰጠበት ቀን ቀዋሎ ካለው የሥራ ቀን ጀምሮ ይሆናል።
- ö/ ከሥራ ውል የሚመነሪቱ የተዋዋዮች ወገኖች መብቶችና ግዲታዎች በማስጠንቀቂያው ጊዜ እንደጸኑ ይቆያሉ።

- 3/ Notice of termination by the worker shall be handed over to the employer or its representative or delivered to its registry office.
- 4/ Notice of termination issued to a worker by an employer during the time in which the contract of employment is suspended as per Article 17 of this Proclamation shall be null and void.

#### 35. Period of Notice

- 1/ The period of notice given by the employer shall be as follows:
  - a) One month, in the case of a worker who has completed his probation and has a period of service not exceeding one year;
- b) Two months, in the case of a worker who has a period of service above one year and not exceeding nine years:
  - c) Three months, in the case of a worker who has a period of service of more than nine years;
- d) Two months, in the case of a worker who has completed his probation and whose contract of employment is to be terminated due to reduction of work force.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article, the period of notice for a contract of employment for a definite period or piece work shall be as agreed upon by the parties to the contract.
  - 3/ The period of notice fixed in this Proclamation shall run from the first working day following the date on which notice is dully given.
- 4/ The obligations of the parties arising from the contract of employment shall remain intact during the period of notice.

#### ዘርፍ ሁለት

# የሥራ ውል ሲቋረጥ ደመወዝና ከደመወዝ ጋር የተያያዙ ከፍያዎችን ስለመክፌል

#### 17. Pooh & 9 7.16

የሥራ ውል ሲደረተ የሥራተኛው ደመመዝና ከውለ መቋረዋ ጋር የተያያዙ ከፍያዎች ሁለ 0000-7-8106 457 m-0.T 00116.A AAGFores Phr. Par 7.11. 1.6-1190 Portion were on the con P-1-Chffa-3 ንብረት በማስረክብ ወደም P"7.6.1707.7 ማናቸውም ሂማብ በማወራሪድ ሪንድ በራሱ ተፋት ያዘገየ እንደሆነ ነው።

# <u>፴፯. hchc ስላስነሳ ክፍደ</u>

ሥራተኛው የጠየቀው ክፍያ አስመልክቶ አለመግባባት የተፈጠረ እንደሆነ አሥሪው በአንቀጽ ፴፮ ላይ በተሰጠው የጊዜ ገደብ ውስጥ ለሥራተኛው ያመነውን ያህል መክፊል ይኖርበታል፡፡

#### ፴፰. <u>ክፍያን ማዘማየት</u> ስለሚያስከትለው ቅጣት

ከአሥሪው ቁጥር ውጭ በሆነ ምክንያት ካልሆነ በስተቀር በአንቀጽ ፴፮ በተጠቀሰው የጊዜ ገደብ ውስጥ አሥሪው ለሥራተኛው መክራል የሚገባውን መጠን ያልክፌለ እንደሆነ ክፍያው ለበገየበት ጊዜ አሥሪው ለሥራተኛው እስከ ሶስት ወር የሚደርስ ደመወዙን እንዲክፍል ጉዳዩን ለማየት ሥልጣን ያለው የሥራ ክርክር ችሎት ሊወስን ይችላል።

# <u>ዘርፍ ሦስት</u> ስለሥራ ስንብት ክፍያና ስለ ካግ

# <u>፴፱. ጠቅሳሳ</u>

- እ/ የሙስራ ጊዜውን የጨረስ እና አግባብነት ባለው የሙሪታ ህግ መሠረት የሙረታ አበል ለመቀበል ብቁ ካልሆነና:-
  - ሀ) ድርጅቱ በመክስሩ ወይም በሌላ ምክንያት ለዘለቁታው በመዘጋቱ የሥራ ውሉ ሲቋረዋ፣
- ለ) በሕግ ከተደነገገው ምክንያት ውጭ በአሠሪው አነሳሽነት የሥራ ውሉ ሲቋረጥ፡

#### SECTION TWO

# PAYMENT OF WAGES AND OTHER PAYMENTS ON TERMINATION OF CONTRACT OF EMPLOYMENT

#### 36. Period of Payment

Where a contract of employment is terminated, wages and other payments connected with the termination due to the worker shall be paid within seven working days from the date of termination; provided, however, that the time of payment may be extended where the worker delays, because of his own fault, to return property or any sum of money which he received from or is due to the employer.

#### 37. Amount in Dispute

In the event of a dispute as to the amount claimed by the worker, the employer shall pay the worker the admitted amount within the time limit specified under Article 36 of this Proclamation.

#### 38. Effects of Delay

Where an employer fails to pay the sum due to the worker within the time limit specified under Article 36 of this Proclamation, the labour division of a competent court may order a penalty payment of up to three months' the worker's wage except where the delay is due to causes beyond the control of the employer.

# SECTION THREE

# SEVERANCE PAY AND COMPENSATION

#### 39. General

- 1/ A worker who has completed his probation period and who is not eligible for pension shall have the right to receive severance pay from the employer where:
  - a) His contract of employment is terminated because of permanent cessation of operation of the Undertaking due to bankruptcy or for any other cause;
  - b) His contract of employment is terminated
     by the initiation of the employer in violation of the law;

d) በዚህ አዋጅ በተመለከቱት ሁኔታዎች univer wearen hort atin:

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- w) Xwoo awatro Ar. ሰብአዊ (D.P.90 20751 11-115-35 TEA. 807 8040 HOTEA AT omerat 85.6.44 Om 6.8 m. 8-1-49 106-1-50. የሥራ ውሉን ደቋረጠ እንደሆነ።
- 6) hm/6m Am/6-45m 25377 መደም መንሃት የሚያስጋ አደጋ አንዳይደርስ ማስጠንቀቂይ ተሰዎችት አርምጃ ባለመመብዱ የተነሳ ሙራ-ተኛው የስራ ሙሉን ሲያቆርጥ።
  - ሰ) መነብ ወደም በላቂ የአካል ጉዳት Hangelo median pol Ampolit አለመቻለ በሕክምና ተረንግመ የሥራ መነሱ ሲደረጥ:
  - 6) 0. 230 \A2007 \ 3007 (\A00600 1138) Pric hanger Tet amore ወደም በምት የሥራ ውሉ ሲደረዋ 08.7° 01.6.0 18. 807.80.48. hreams oc Preen Ahream 80.A 78.9. 48.5001 1.60.3 074 6. P.S. 0.07:
    - ቀ) በኤችአደሽ/በኤድስ Dango ምክንደት 060 A10011 8116 ያቋረጠ እንደሆነ።

harlo see and and has 00-01-7 700 :::

- 8/ አንድ መራተኛ የሥራ ስንብት ክፍድ ከማማኝቱ በፊት ቢሞት የሥራ ስንብት ክፍያው በአንቀጽ ፩፻፲ (፪) ለተመለከተ፡ት 777 F P.116.1A ::
- ተገኞች የሚከራለው 17/10元年 8116 ስንብት ክፍያ በዚህ አዋጅ 02348 691 077,116.0m Phy 1114.6.A UNIVER PM. 6.89" P. USA ::

- c) He is reduced as per the conditions prescribed under this Proclamation;
- d) Where the worker resigned due to sexual harassment or sexual violence by the employer or managerial employee; or where such act was committed by a coworker and the incident was reported to the employer but the latter failed to take appropriate measure in due time;
- e) He has terminated his contract of employment because of the employer's maltreatment affecting his dignity or morale or constituting a criminal offence under the Criminal Code:
- f) He has resigned due to failure of the employer to take measures despite being informed of a threat to his safety or
- g) His contract of employment is terminated because of his partial or total disability as certified by medical board;
- h) Where he has given service to the employer for a minimum of five years' service and his contract of employment is terminated because of sickness or death or his contract of employment is terminated on his own initiative provided that he has no contractual obligation relating to training to render service to the employer;
  - i) His contract of employment is terminated on his own initiative because of HIV/AIDS.
- 2/ Where a worker dies before receiving severance pay, it shall be paid to his dependents' referred to in Article 110(2) of this Proclamation.
- 3/ The allocation of severance pay to dependents of the deceased shall be effected in the same manner as in Article 110 of this Proclamation.

# 9. <u>የሥራ ስንብት ክፍያ መጠን</u> በአንቀጽ ወ፱ የተጠቀሰው የሥራ ስንብት ክፍያ መጠን እንደሚከተለው ይሆናል።

- ለመጀመሪያው የአንድ ዓመት አገልግሎት የሠራተኛው የመጨረሻ ግምንት አማካይ የተን ደመመዙ በ፴ ተባዝቶ ይክሪለዋል። ከአንድ ዓመት በታች ያገለገለ ሠራተኛ ግን አንደአገልግሎት ጊዜው አየተተመነ ተመጣጣኝ ከፍድ ያገኛል።
- ያ/ከአንድ ዓመት በላይ ደግለግለ ሥራተኛ በዚህ አንተጽ ንዑስ አንተጽ (ል) በተጠተሰው ክፍደ ላይ ለኢደንዳንዱ ተጨማሪ የአገልግለግት ዓመት ከላይ የተጠተሰው ክፍደ አንድ ሦስተኛ አየታክለ ይክፌለዋል፡፡ ሆኖም ጠቅላላው ክፍደ ከሥራተኛው የ፲፱ ወራት ይመመዝ መብለጥ የለበትም፡፡
- ፫/ በአንተጽ ሸ፬ (፬) እና በአንቀጽ ሸ፱ መሠረት የሥራ ሙል ሲቋረጥ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) እና (፪) ከተመለከተው በተጨማሪ የሠራተኛው የመጨረሻ ማምንት አማካይ የቀን ደመመዝ በጅ ተባዝቶ ይከፈለዋል።

# ፵፩. ያለማስጠንቀቂያ ሥራ ለሚለቅ ሥራተኛ ስለሚስተ ካሣ

- ፩/በአንተጽ ፴፪ (፩) መሠረት የሥራ ውሉን
  የሚያቋርጥ ሥራተኛ በአንቀጽ ፵
  ከተመለከተው የሥራ ስንብት ክፍያ
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#### 40. Amount of Severance Pay

- 1/ The severance pay referred to in Article 39 of this Proclamation shall:
- 2/ Be thirty times the average daily wages of the last week of service for the first year of service; and for the service of less than one year, be calculated in proportion to the period of service.
- 3/ In the case of a worker who has served for more than a year, payment shall be increased by one-third of the amount referred to in Sub-Article (1) of this Article for every additional year of service; provided, however, that the total amount shall not exceed twelve months' wage of the worker.
- 4/ Where a contract of employment is terminated in accordance with Article 24(4) and 29 of this Proclamation, the worker shall be paid, in addition to payments under Sub-Article (1) and (2) of this Article, an amount equal to the worker's average daily wage of the last week of service multiplied by 60.

#### 41. Compensation for Termination of Contract of Employment without Notice

- A worker who terminates his contract of employment in accordance with Article 32(1) of this Proclamation shall be entitled, in addition to the severance pay referred to in Article 40 of this Proclamation, to a payment of compensation which shall be thirty times his daily wages of the last week of service. This provision shall apply to a worker covered by the relevant pension law.
- 2) However, where the termination is based on Article 32 (1) (b) the worker shall, in addition to severance pay, be entitled to compensation of his daily wage multiplied by ninety. This provision shall also apply to a worker covered by the relevant pension law.

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#### SECTION FOUR

#### CONSEQUENCES OF UNLAWFUL TERMINATION OF CONTRACT OF EMPLOYMENT

#### 42. General

Where an employer or a worker fails to comply with the requirements laid down in this Proclamation or other relevant law regarding termination of a contract of employment, the termination shall be un lawful.

# 43. Reinstatement or Compensation of a Worker in the Case of unlawful termination

- 1/ Where a contract of employment is terminated because of those grounds mentioned under Article 26 (2) of this Proclamation, the employer shall be obliged to reinstate the worker; provided, however, that the worker shall be compensated if he wishes to guit his employment.
  - 2/ Without prejudice to Sub-Article (1) of this Article, where a contract of employment is terminated contrary to the provisions of Articles 24, 25, 27, 28 and 29 of this Proclamation, the labour dispute settlement tribunal may order the reinstatement of the worker or the payment of compensation.
  - 3/ Notwithstanding Sub-Article (2) of this Article, the labour tribunal may affirm the termination of the worker upon payment of compensation even if the worker requests for re-instatement where the tribunal is of the view that the maintenance of the particular worker and employer relations. by its nature or due to the controversy of the parties concerned, is likely to give rise to serious difficulties. Similarly, where a worker who, after obtaining judgment of reinstatement declines to be re-instated, the tribunal may order the termination of the worker upon payment of compensation for the inconvenience he sustained having regard to? the nature of the work and other circumstances of the case.

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- 4/ The compensation to be paid under Sub-Article (1), (2) or (3) of this Article to a worker who is not reinstated shall, in addition to the severance pay referred to in Article 40 of this Proclamation, be:
  - a) In the case of a contract of employment for an indefinite period, 180 times the average daily wages and a sum equal to his wage for the appropriate notice period in Article 44 of this accordance with Proclamation:
- b) In the case of a contract of employment for a definite period or for piecework, a sum equal to the wages which he would have obtained if the contract of employment has continued up to its date of expiry or completion of the work: provided, however, that such compensation shall not exceed 180 times his average daily wage. The provisions of sub-article (4) of this Article shall also be applicable to a worker covered by the relevant pension law.
- 5/ Where the First Instance Court orders the reinstatement of the worker in accordance with Sub-Article (1) or (2) of this Article, the court shall order back-pay of wage for a period not exceeding 6 months. Where the decision of reinstatement is confirmed by the appellate Court, it shall order back pay of wage for a period not exceeding one year.

#### 44. E-ceptions

Notwithstanding the provisions of Article 43. non-compliance by the employer with the notice requirements specified under Article 35 shall only result in the payment by the employer, wages in lieu of the notice period.

### 45. Liability of the Worker to Pay Compensation

I/A worker who terminates his contract of employment in disregard of the provisions of Article 31 or 35(2) of this Proclamation shall be liable to pay compensation to the employer

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2/ However, the compensation payable by the worker in accordance with Sub-Article (1) of this Article shall not exceed 30 days' wages of the worker and be payable from the remaining payment due to the worker.

# CHAPTER FOUR SPECIAL CONTRACTS SECTION ONE HOME WORK CONTRACT

#### 46. Formation of Contract

- 1/ There shall be a home work contract when a natural person habitually performs work. for an employer, in his own home or any other place freely chosen by him in return for wages without any direct supervision or direction by the employer.
- 2/ In agreement for the sale of raw materials or tools by an employer to a home worker and there sale of the products to the employer or any other similar arrangements made between the employer and the home worker shall be deemed a home work contract.
- 3/ The contract concluded between a home worker and an employer shall be deemed to be made for a definite period or piece-work.
- 4/ The Minister may, in consultation with the concerned organs, prescribed by directive the provisions of this proclamation that shall apply to home workers and manner of their application.

#### 47. Keeping of Records

An employer who employs a worker on the basis of a home work contract shall keep a register containing the following and other relevant particulars:

- 1/ Full name, age, marital status and address of the worker:
- 2/ The address where the work is to be carried out;
- 3/ The type, price, quality and quantity of material supplied by the employer to the worker;

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- 4/ The type of work, quality and quantity ordered;
- 5/ The time and place of delivery of the product or material;
  - 6/ Amount and manner of payment.

# SECTION TWO CONTRACT OF APPRENTICESHIP

#### 48. Formation of Contract

- 1/ There shall be a contract of apprenticeship where an employer agrees to give a person complete and systematic training in a given occupation related to the function of his under taking in accordance with the skills of the trade and the person in return agrees to obey the instruction given to carry out the training and works related there to.
- 2/ The contract of apprenticeship shall be concluded with the person whose age is not less than fifteen years.
  - 3/ The contract of apprenticeship and its modifications shall be valid only where it is made in writing and approved by the Ministry or the appropriate organ.

# 49. Contents of the Contract

A contract of apprenticeship shall specify at least the following:

- 1/ The nature and duration of the training of apprenticeship;
- 2/ The stipend to be paid during the training;
- 3/ The conditions of work.

# 50. Obligations of the Parties

- 1/ The apprentice shall diligently follow the training and endeavor to complete it successfully.
  - 2/ The employer shall not assign the apprentice on an occupation which is not related and does not contribute to his training.

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- - ሀ) ለመ-ድ መልመጀመ ትምክርት የተመሸነው ጊዜ ሲያልቅ።
  - ለ) በማንኛውም ተዋዋደ መንን ማስጠንቀቴድ በመስጠት።
  - ሐ) ለማጁ \_ያለማስጠንተቴያ መለን ሲያደርጥ።
- ጀ/አመሪው በዚህ አንተጽ ንዑስ አንተጽ (፩) (ለ) መውረት ማስጠንተቲያ በመስጠት የሙያ መልመጃ ውሉን ሊያደርፕ የሚችለው:-
  - U) የሙያ መልመጃ ትምክርቱን ለመቀጠል በማደስችል የሥራ ለሙጥ ወደም በሌላ ከድርጅቱ ቁጥጥር ሙጭ በሆነ ምክንደት አመሪሙ ማዲታሙን መሪያም ደልቻለ እንደሆነ።
  - ለ) ለማጅ የድርጅቱን የዲሲፕሊን ደንቦች ከጣለ፣ መደም
  - ሐ)ለማጁ ትምህርቱን ለዘለቂታው ለመቀጠል ወደም በተወሰነው ጊዜ ውስጥ ተከታትሎ ለማጠናቀት ያልቻለ እንደሆነ ነው።
- ፤/ ለማጁ በዚህ አንተጽ ንሁስ አንተጽ (፩)(ለ) መሥረት ማስጠንተቲያ በመስጠት የሙያ መልመጃ ውስን ሊያቋርተ የሚችለው:-
  - ሀ) አመሪው በውለ ወደም በዚህ አዋጅ የተጠቀሰውን ግዴታ ያላከበረ። ወደም
  - ለ) ከመንንተ፡ ወደም ከቤተሰቡ ጋር የተደደዘ ወደም ሌላ ተመሳሳይ በቂ ምክንደት ደለው እንደሆነ ነው፡፡
  - ፬/ ለማጁ በዚህ አንቀጽ ንዑስ አንቀጽ(፩)(ሑ) ሙሥረት ያለማስጠንቀቂያ የሙያ ሙልመጃ ሙሉን ሊያቋርጥ የሚችለሙ;-
    - ሀ) ግዲታውን መፈፀም በጨንነቱ ላይ ከፍተኛ ጉዳት የሚያስከትል መሆኑን በተገቢው የሕክምና ምሥክር ወረቀት ያረጋገጠ፣ ወይም

#### 51. Termination of a Contract

- 1/ A contract of apprenticeship shall terminate on the following grounds:
  - a) At the expiry of the period fixed for the apprenticeship;
  - b) Up on giving notice by either of the contracting parties;
  - c) When the apprentice terminates the contract without notice.
- 2/ The employer may terminate the contract of apprenticeship by giving notice in accordance with Sub-Article (1) (b) of this Article, where:
  - a) He is no longer able to discharge his obligation on account of change of work or other cause beyond his control; or
  - The apprentice violates the disciplinary rule of the undertaking; or
  - c) The apprentice is permanently incapable of continuing his training or completing his training within the specified time limit.
- 3/ The apprentice may terminate the contract of apprenticeship by giving notice of termination in accordance with Sub-Article (1) (b) of this Article, where:
  - a) The employer fails to observe his obligations under the contract or this Proclamation; or
  - b) The apprentice has good cause relating to his health or family or other similar grounds.
- 4/ The apprentice may terminate the contract of apprenticeship without giving notice in accordance with Sub-Article (1) (c) of this Article, where:
  - a) He proves, by appropriate medical certificate, that he cannot discharge his obligations without seriously endangering his health; or

# ለ) አሥሪው በግዛ ፌቃዱ የውሉን ይዘት የለወጠ እንደሆነ ነው።

፩/ (በዚህ አዋጅ ስለ ሥራ ስንብት ክፍድ፣ ስለካማና ወደ ሥራ ስለመመለስ የተመለከቱት ድንጋጌዎች በሥራ መልመጃ ውል ላይ ተሬፃሚነት አይኖራቸውም።

#### <u>ሃጀ. የምስክር ወረቀት</u>

የሙያ መልመጃ ውል ሲያበቃ አሠሪው ለማጁ የሥለጠነበትን ሙያ፣ ትምህርቱ የፌጀሙን ጊዜና የመሳሰሉት ነዋቦችን የያዘ የምሥክር ወረቀት ለለማጁ ይሰጣል።

# <u>ከፍል ሦስት</u> <u>ደመወዝ</u> <u>ምዕራፍ አንድ</u> የደመወዝ አወሳሰንና ይበት

#### 9E. m244

ሽ/ "ደመመዝ" ማለት አንድ ሥራትኛ በሥራ ውስ መሥረት ለሚያከናውነው ሥራ የሚከራለው መደበኛ ከፍያ ነው።

ጀ/ለዚህ አዋጅ አራ.ዓፀም የሚከተሉት ከፍደዎች እንደደመመዝ አይቆጠሩም:-

- ሀ) የትርፍ ሰዓት ሥራ ክፍድ፣
- ለ) የውስ፣ አበል፣ የበረሃ አበል፣ የመን3ግና አበል፣ የዝውውር ወጪና ሥራተኛው በሚጓጓዝበት ወይም የመኖሪያ ቢታውን በሚለውጥበት ወቅት የሚከራለው ተመሳሳይ አበል።
- d) ከአውሪው የሚሰተ ጉርሻ (በነስ)፣
- an) hay 13:
- ሙ) ለተጨማሪ የሥራ ውጤት የሚከራለ ሌሎች የማትጊያ ከፍያዎች፣
- ረ) ከደንበኞች የሚሰበሰብ የአገልግሎት ከፍያ።

# <u>ሃ፬. ሥራ ላልተሰራበት ጊዜ ክፍያ ስለሚደረግበት</u> ሁኔታ

ሽ/ በዚህ አዋጅ ወይም አማባብ ባለው ሕግ በተለየ አኳጃን ካልተወሰን በስተቀር ደመወዝ የሚከፊለው ለተሠራ ሥራ ብቻ ይሆናል።

# b)The employer unilaterally changes the terms of the contract.

5/ The provisions of this Proclamation regarding severance pay compensation and reinstatement shall not be applicable to contracts of apprenticeship.

#### 52. Certificate

The employer shall, up on the termination of the contract of apprenticeship, give the apprentice a certificate which specifies the occupation he has been trained in, the duration of the training and other similar particulars.

# PART THREE WAGES CHAPTER ONE DETERMINATION OF WAGES

#### 53. General

- 1/ "Wages" means the regular payment to which a worker is entitled in return for the performance of the work that he performs under a contract of employment.
- 2/ For the purposes of this Proclamation, the following payments shall not be considered as wages:
  - a) Over-time pay;
  - Amount received by way of per-diems, hardship allowances, transport allowance, relocation expenses, and similar allowance payable to the worker on the occasion of travel or change of his residence;
  - c) Bonus;
  - d) Commission;
  - e) Other incentives paid for additional work results;
  - f) Service charge received from customers.

#### 54. Conditions of Payments for Idle Time

1/ Unless otherwise provided for in this Proclamation or the relevant law, wages shall be paid only for work performed. ጀ/ የዚህ አንቀጽ ንዑስ አንቀጽ (፩) ድንጋጌ ቢኖርም ሥራተኛው ለመሥራት ዝግጁ ሆኖ ሳለ ለሥራው የሚያስራልገው መግሪያና ተሬ ዕቃ ሳይቀርብለት በመቅረት ወይም የሥራተኛው ጉድለት ባልሆነ ምክንያት ሳይሥራ ቢውል ደመወዙን የማግኘት መብት ይኖረዋል።

# ምዕራፍ ሁለት የአክፋፊል ዘዴና የክፍያ አፊፃፀም

#### 98. m444

- ፩/ ደመመዝ በተሬ ገንዘብ ይክራላል። ሆኖም አመሪውና መራተኛው ከተስማሙ በዓይነት ሊክራል ይችላል። በዓይነት የሚደረገው ክፍያ በአካባቢው ከሚገኘው የገበደ ዋጋ በምንም አኳዳን በልጠ መገኘትና በተሬ ገንዘብ ከሚክራለው ደመመዝ ፴ በመቶ መብለተ የለበትም።
- ጀ/ የሃገሪብ፡ የኢክኖሚ አድባት፡ የሥራ ገበደ ሁኔታ፡ እና የመሳሰሉትን አደስጠና ዝቅተኛ ደመወዝ የሚወስን የመንግሥት፡ የአሠሪና ሠራተኛ ተወካዮች እንዲሁም ሌሎች ባለድርሻ አካላት የሚሳተፉበት የደመወዝ ቦርድ ስለሚቋቋምበትና ተግባርና ኃላፊነቱ፡ ስለሚወሰንበት ሁኔታ፡ በሚኒስትሮች ምክር ቤት ደንብ ይደነገጋል፡፡

# 9%. Phrs ha.909

- እ/የተለየ ስምምነት ካልተደረገ በስተቀር ደመወዝ በሥራ ቀንና በሥራው ቦታ ይከፈላል።
- e/ ano አንቀጽ 30.0 አንቀጽ  $(\S)$ Jow Cit 199.8 የሚደረግበት 43 በሳምንት እረፍት ወይም በሕዝብ በዓል ቀን የዋለ እንደሆነ የመከሪያው 43 አስቀድሞ JAm-816 43 18. 8.0-1A ::

# 93. <u>ለሠራተኛው ለራ</u>ሱ ስለመክፈል

በሕግ ወይም በጎብረት ስምምነት ወይም በሥራ ደንብ በሌላ አኳኋን ካልተወሰን በስተቀር ደመወዝ የሚከፈለው በቀጥታ ለሠራተኛው ወይም ሥራተኛው ለወከለው ሰው ብቻ ነው። 2/ Not with standing Sub-Article (1) of this Article, a worker shall be entitled to payment of his wage if, while being ready to work, he is unable to work due to an interruption in the supply of tools or raw materials or due to other causes not attributable to him.

#### **CHAPTER TWO**

#### MODE AND EXECUTION OF PAYMENT

#### 55. General

- 1/ Wages shall be paid in cash, provided, however, that where the employer and workers agree, it may be paid in kind. Wages paid in kind may not exceed the market value in the area of the payment in kind and in no case may exceed 30% of the wages paid in cash.
- 2/ A Regulation of the Council of Ministers shall determine the powers and responsibilities of a Wage Board which shall comprise representatives of the Government. employees and trade unions together with other stakeholders that will periodically revise minimum wages based on studies which take into account the country's economic development, labour market and other considerations.

#### 56. Execution of Payments

- 1/ Unless agreed otherwise, wages shall be paid on working days and at the place of work.
- 2/ In case where the day of payment mentioned in Sub-Article (1) of this Article falls on weekly rest day or a public holiday, the day of payment shall fall on the preceding working day.

#### 57. Payment in Person

Unless otherwise provided by law or collective agreement or work rules, wages shall be paid directly to the worker or to a person authorized by him.

# ሃያ . ከፍያ የሚደረግበት ጊዜ

የደመመዝ ክፍያ የሚራውምበት ጊዜ በሕግ፡ በትብረት ስምምነት፡ በሥራ ደንብ ወይም በሥራ ውል በተወሰነው መሠረት ይሆናል፡፡

#### 90. የደመወዝ ቅነሳ

- ሽ/በሕግ፡ በንበረት ስምምነት ወይም በሥራ ደንብ በተመሰነው ወይም በፍርድ ቤት ትዕዛዝ መሠረት ክልሆነ ወይም ሠራተኛው በጽሑፍ ክልተስማማ በስተቀር አሠሪው ክሠራተኛው ደመወዝ ሊቀንስ ወይም በዕዳ ሊደዝ ወይም ሊደቻችል አደችልም::
- ያ/ ሥራተኛው በጽሁፍ ስምምንቱን ካልገለጸ በቀር በአንድ ጊዜ ከሥራተኛው ደመመገ ሳይ በአጠቃሳይ ሲቆረዋ የሚችለው የገንዘብ መጠን በምንም አኳዳን ከወር ደመመዙ አንድ ሦስተኛ መብለዋ የለበትም።

#### \$. የክፍያ መገነገብ ስለመያዝ

- 6/ አውሪው የውራተኛውን ጠቅላላ ደመወዝና 807.0407.3 1.00% 118.: 1.613.096 119: 007:3: 207350-39° 1450 8-1-176. 38.77 THE ANG ክፍደውንና ሊሎች አስራላጊ መረጃዎችን 13811-9° 81-08 71787 114-1-867 Ontoc Publism's dem portor የክፍያ መገነገብ መደዝ አለበት::
- ጀ/ሠራተኛው አሠሪውን ሲጠይቅ የክፍደ መዝገቡን እንዲያይ የመፍቀድና ስለዝርዝሩም የማስረዳት ግዱታ አለበት።
- ፤/ ሥራተኛው በክፍያ መገገቡ ላይ የተመለከተውን የተጣራ ክፍያ ሳይቃወም መቀበለ የሚገባውን ደመወገ በክፊል እንደተወ አያስቆጥረውም።

#### 58. Time of Payment

Wages shall be paid at such intervals as a provided for by law or collective agreement or work rule or contract of employment.

#### 59. Deduction from Wages

- 1/ The employer shall not deduct from, attach or set off the wages of the worker except where it is provided otherwise by law or collective agreement or work rules or in accordance with a court order or a written agreement of the worker concerned.
- 2/ Unless the worker expresses his consent in writing, the amount that may be deducted at any one time, from the worker's wage shall in no case exceed one-third of his monthly wage.

#### 60. Keeping Record of Payment

- 1/ The employer shall keep a register of payment specifying the gross pay and method of calculation of the wage, other remunerations, the amount and type of deduction, the net pay and other relevant particulars on which the signature of the worker is a fixed unless there is a special arrangement.
  - 2/ The employer shall have the obligation to make the register accessible and to explain the entries thereof, to the worker upon the latter's request.
  - 3/ The fact that a worker has received without protest the amount indicated on the register shall not constitute waiver of his right to any part of his wages that was due.

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#### 20. መደበኛ የሥራ ሰዓቶችን አማካይ መሠረት በማድረግ ስለማደሳደል

ሥራው በሚከናወንበት ሁኔታ የተነሳ መደበኛ የሥራ ሰዓቶችን በኢያንዳንዱ ማምንት እኩል ማደሳደል በማይቻልበት ጊዜ የሥራ ሰዓት ከአንድ ማምንት ለበለጠ ጊዜ አማካዩን መሠረት በማድረግ ማደላደል ይቻላል።ሆኖም በአራት ማምንት ወደም ከዚያ ባነስ ጊዜ ውስጥ መራተኞቹ የመሩባቸው ሰዓቶች ሲታሰቡ አማካዩ የሥራ ሰዓት በቀን ከጅ ሰዓት ወይም በጣምንት ከማጀ ሰዓት መብለዋ የለበትም።

#### PART FOUR

# HOURS OF WORK, WEEKLY REST AND PUBLIC HOLIDAYS

CHAPTER ONE

HOURS OF WORK

SECTION ONE

NORMAL HOURS OF WORK

#### 61. Maximum Daily or weekly Hours of Work

- 1/ In this proclamation, "normal hours of work" means the time during which a worker actually performs work or avails himself for work in accordance with law, collective agreement or work rules.
  - 2/ Normal hours of work shall not exceed 8 hours a day or 48 hours a week.

#### 62. Reduction of Normal Hours of Work

- 1/ The Ministry may issue Directive reducing normal hours of work for economic sectors. industries or occupations where there are special conditions of work.
- 2/ Reductions of normal hours of work under this Proclamation shall not entail reduction in the wages of a worker.

#### 63. Arrangement of Weekly Hours of Work

Hours of work shall spread equally over the working days of a week, provided, however, where the nature of the work so requires, hours of work in any one of the working days may be shortened and the difference be distributed over the remaining days of the week without extending the daily limits of eight hours by more than two hours.

#### 64. Averaging of Normal Hours of Work

Where the circumstances in which the work has to be carried out are such that normal hours of work cannot be distributed evenly over the individual week, normal hours of work may be calculated as an average over a period longer than one week, provided, however that the average number of hours over a period shall not exceed eight hours per day or fortyeight hours per wee

# <u>ያ</u>ል. ተፈፃሚነቱ ስለማይመለከታቸው ሰዎች

በሥራ ውል ወይም በንብረት ስምምነት በሌላ አኳዳን ካልተወሰነ በስተቀር በዚህ አዋጅ ስለሥራ ሰዓት የተመለከቱት ድንጋጌዎች በንግድ መልዕክተኞችና በንግድ ወኪሎች ላይ ተፈፃሚነት አይኖራቸውም።

## <u>ዘርፍ ሁለት</u> ስለትርፍ ሰዓት ሥራ

#### 名差. <u>mや11</u>

- ሽ/በዚህ አዋጅ ድንጋጌዎች መሠረት ከተወሰነው መደበኛ የሥራ ሰዓት በላይ የሚሠራ ሥራ የትርፍ ሰዓት ሥራ እንደሆነ ይቆጠራል።
- #/ በአንተጽ 36፣ 3E እና 39 በተመሰነው መሠረት የሚሠራ ሥራ የትርፍ ሰዓት ሥራ እንደሆነ አይቆጠርም፣፣
- ፤/ የትርፍ ሰዓት ሥራ የሚሰራው በአንቀጽ ፞፠ በተመለከቱት ሁኔታዎች እና አሥሪው በሚሰጠው ግልፅ ትዕዛዝ መሰረት ብቻ ይሆናል።
- ፬/ በዚህ አንቀጽ ንዑስ አንቀጽ (፫) መሠረት የተሰጠው ትዕዛዝ እና አደንዳንዱ ሠራተኛ የሠራው የትርፍ ሰዓት በአሠሪው በትክክል መመዝገብ አለበት።

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- ሽ/ማንኛውም ሥራተኛ የትርፍ ሰዓት ሥራ እንዲሥራ አይገዴድም። ሆኖም አሥሪው ሌላ አማራጭ መንገድ ሲኖረው አይችልም ተብሎ ሲገመት፣ አና∷
  - ሀ) አደጋ ሲደርስ ወይም የሚደርስ መሆኑ ሲያሲጋ፤
  - ለ) ከአቅም በላይ የሆነ ሁኔታ ሲያጋጥም፣
- ሐ) በአስቸኳይ መሰራት ያለበት ሥራ ሲያጋጥም፣
  - ነሥራ የቀሩ ውራተኞችን ለመተነት፣

አመሪው የትርፍ ሰዓት ሥራ ለማሠራት ይችላል።

#### 65. Exclusion

Unless otherwise provided in a collective agreement or employment contract, the provisions of this Proclamation governing working hours shall not be applicable to commercial travelers or commercial representatives.

# SECTION TWO OVERTIME WORK

#### 66. General

- Work done in excess of the normal daily hours of work fixed in accordance with the provisions of this Proclamation shall be deemed to be overtime.
- 2/ Work done within the limits referred to in Articles 61, 63 and 64 of this Proclamation shall not be deemed to be overtime.
- 3/ Overtime shall be worked only in cases expressly provided for under Article 67 and on the express instructions of the employer.
- 4/ The instructions given under Sub-Article (3) of this Article and the actual overtime worked by each worker shall be recorded by the employer.

#### 67. Circumstances in which Overtime Work is Permissible

- 1/ A worker may not be compelled to work overtime, however, overtime may be worked whenever the employer cannot be expected to resort to other measures and only where there is:
  - a) Accident, actual or eminent;
  - b) Force-majeure;
  - c) Urgent work;
  - d)Substitution of absent workers assigned on work that runs continuously without interruption.

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#### ጃጃ. <u>የትር</u>ፍ ሰዓት ሥራ አክፋልል

- ሽ/ የትርፍ ሰዓት ሥራ የሚሰራ ሥራተኛ ከመደበኛ ደመመዙ በተጨማሪ ቢያንስ ተተሎ በተመለከተው አኳጃን ይክፊለዋል:-
  - U) ከንጋተ፡ ፲፪ ሰዓት እስከ ምሽተ፡ ፬ ሰዓት ለሚሥራ የትርፍ ሰዓት ሥራ ለመደበኛ ሥራ በሰዓት የሚከራለው ደመመዝ በ፩ ተኩል ተባዝቶ፡
  - ለ) ከምሽቱ ፬ ሰዓት እስከ ንጋቱ ፲፪ ሰዓት ለሚሥራ የትርፍ ሰዓት ሥራ ለመደበኛ ሥራው በሰዓት የሚከፌለው ደመወዝ በአንድ ሦስት አራተኛ (በአንድ ነተብ ሰባ አምስት) ተባዝቶ፣
  - ሐ) በሳምንት የዕረፍት ቀን የሚሠራ የትርፍ ሰዓት ሥራ ለመደበኛው ሥራው በሰዓት የሚከፌለው ደመወገ በ፱ ተባገቶ፣
  - መ) በሕዝብ በዓላት ቀን ለሚሥራ የትርፍ ሰዓት ሥራ ለመደበኛ ሥራው በሰዓት የሚክፈለው ደመወዝ በሁለት ተኩል(በአንድ **ነጥብ** አምስት) ተባዝቶ፣
- ፱/ የትርፍ ሰዓት ክፍያ ለደመወገ መክፌያ በተወሰነው ቀን ከደመወገ ጋር ተደምሮ ይክፈላል።

# <u>ምዕራፍ ሁለት</u> የግምንት የዕረፍት ጊዜ

#### 答员. <u>而争44</u>

- ፩/ ማንኛውም ሥራተኛ በ፯ ቀናት ጊዜ ውስጥ ያልተቆራረጠ ከ፳፬ ሰዓት የማያንስ የሣምንት ዕረፍት ያገኛል።
- ፪/የሣምንት ዕረፍት ጊዜ በኅብረት ስምምነት ወይም በሥራ ደንብ በሌላ አኳኋን ካልተወሰን በስተቀር በተቻለ መጠን:-
  - ሀ) አሁድ ቀን ይውላል፤

2/ Notwithstanding the provisions of Sub-Article (1) of this Article, overtime work shall not exceed four hours in a day and twelve hours in a week.

#### 68. Overtime Payment

- 1/ In addition to his normal wage, a worker who works over-time shall be entitled at least on the following rate of payments:
  - a) In the case of work done between 6:00

     a.m. in the morning and 10:00 p.m. in the
     evening, at the rate of 1.5 multiplied by
     the ordinary hourly rate;
  - b) In the case of night time work between 10 p.m. in the evening and 6 a.m. in the morning, at the rate of 1.75 (one and three fourth) multiplied by the ordinary hourly rate;
  - c) In the case of work done on weekly rest day, at the rate of 2 multiplied by the ordinary hourly rate;
  - d) In the case of work done on a public holiday, at the rate of 2.5 multiplied by the ordinary hourly rate.
- 2/ Payment for over-time work shall be effected on the day fixed for payment of wage and together with wage.

# CHAPTER TWO WEEKLY REST

#### 69. General

- 1/ A worker shall be entitled to a weekly rest period covering not less than twenty-four non-interrupted hours in the course of each period of seven days.
- 2/ Unless otherwise determined by a collective agreement or work rule, the weekly rest day shall, whenever possible:
  - a) Fall on a Sunday;

- E/ የሳምንት የዕረፍነት ጊዜ ከንጋቱ ፲፪ ሰዓት እስከሚቀዋለው ንጋት ፲፪ ሰዓት ደለውን ጊዜ እንዲጨምር ተደርጎ ይታብባል።
- ii/በዚህ አንቀጽ ንዑስ አንቀጽ (i) የተደነገሙ ቢኖርም በስራሙ ባህሪ ምክንደት ሥራተኛው የሳምንት ዕረፍቱን ለመጠቀም የማይችል እንደሆነ አሥሪሙ ለሥራተኛው በወር ውስጥ ለ፬ ቀናት ዕረፍት እንዲያገኝ ማድረግ አለበት።

#### G. AF የማምንት ዕረፍት ቀን

- ሽ/ እንድ ድርጅት በሚያከናውነው አግራ ወይም በሚሰጠው አገልማሎት ጠባይ ምክንያት የማምንት ዕረፍትን አሁድ ቀን እንዲውል ለማድረግ ካልቻለ በምትኩ ሌላ ቀን የማምንት ዕረፍት ቀን ሲሆን ይችላል።
- ጀ/ በዚህ አንተጽ 300 አንተጽ (፩) የተመለከተው ተፊዳሚ የሚሆነው ከዚህ በታች ለተመለከቱትና ተመሳሳይ ለሆኑ ሥራዎች ይሆናል:-
- ሀ) ለጠቅሳሳው ሕዝብ ኑሮ አስፌሳጊ የሆኑ ሥራዎች ወይም ለጤንነት፣ ለመዝናኛ ወይም ለባህሳዊ ጉዳይ የሚክናወኑ ሥራዎች፡
  - ለ) በዚህ አዋጅ አንቀጽ ለጀመን (ጀ) የተመለከተት ለሕዝብ አስራላን, የሆኑ አንልማሎቶች፡
  - ሐ) በሥራው ባሕርይ ወይም በቴክኒክ ምክንያት ቢቋረዋ ወይም ለሌላ ጊዜ ቢተላለፍ ችግር ወይም ጉዳት የሚያስከትል ስራ።

# ፸፩. <u>በሣምንት የዕረፍት ጊዜ ሊከናወን የሚችል</u> ሥራ

- 8/ ከዚህ በታች በተመለከቱት ምክንያቶች የድርጅቱን መደበኛ ተማባር የሚያደናቅፉ ሁኔታዎችን ለማስወገድ አስፈላጊ ሆኖ ሲገኝ ብቻ ሥራተኛው በማናቸውም የሳምንት የዕረፍት ጊዜው እንዲሥራ ለማድረግ ይቻላል:-
  - ሀ) አደጋ ሲደርስ ወይም የሚደርስ መሆኑ ሲያሰጋ።

- b) Be granted simultaneously to all of the workers of the undertaking.
- 3/ The weekly rest period shall be calculated as to include the period from 6 a.m. to the next 6 a.m.
- 4/ Notwithstanding the provisions of Sub-Article(1) of this Article, where the nature of his task did not enable the worker to make use of his weekly rest day, the employer shall grant 4 working days of rest in a month.

#### 70. Special Weekly Rest Day

- 1/ Where the nature of the work or the service provided by the employer is such that the weekly rest cannot fall on Sunday, another day may be made a weekly rest instead.
- 2 The provisions of Sub-Article (1) of this Article shall be applicable to the following and other similar activities:
  - a) Work that has to supply the necessities of life to meet the health, recreational or cultural requirements of the general public;
- b) Essential public services as stipulated under Article 137(2) of this Proclamation.
  - c) Work which, because of its nature or for technical reasons, if interrupted or postponed could cause difficulties or damages.

#### 71. Works Done on Weekly Rest Days

- 1/ A worker may be required to work on any weekly rest day only where it is necessary to avoid serious interference with the ordinary working of the under taking in the case of:
- a) Accident, actual or threatened;

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- d) በአስቸኳድ የሚሰራ ሥራ ሲደጋዋም:
- 書業(音)(d) P-P-amAlt-P-an-夏/ ロスラナギ 9006.4 11°G" (111,1) A3Rd mile (179037 Allemanthem tisam. የአሪፍት ጊዜ እንዲሠራ ከተደረገ በሌላ 2.0mPA :: 7.11. 20911117 AGG:T サイア いんけるか としのかんのう デナリ የአረፍት ጊዜ ሳይወሰድ የሥራ ውሴ በ.ቋረተ በመራው ሰዓት መጠን የማክከሻ 1311-0 P.bz.APA ::

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りはリグるるな ようつつがそ ロラクよ かみあかしぞ子 ወደም የንግድ ውኪሎች ላይ ተልጸሚነት \P.5"\Zm-9"::

#### ምዕራፍ ሦስት የሕዝብ በዓላት

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#### देहे. तिकान तिष्ठके ምክንደት ስላለመቀነሱ

- 8/ Ooc Longil Portis Am 106 15 Ohill 1347 1000 poli gong Ft hemail አይቀንስበትም::
  - E/ (111.1) 7348 030·0 7348  $(\hat{\alpha})$ h-t-andh-t-am.63h 110.1 14433 ደመመገ የሚከራለው ውራተኛ የሕዝብ 13A 43 hs. 1 126 o.A 08.90 በኅብረት ስምምነት መመረት ይወሰናል::

#### ሮቼ. በሕዝብ በዓላት ቀን ለሚሠራ ሥራ portion has

8/ W6ተኛው በሕዝብ በዓል ቀን ከW6 በሰዓት የሚደንኘው ክፍደ በሁለት 216 1-9214 003A 43 AMGOT ለኢደንዳንዱ ሰዓት ይክራለዋል።

- b) Force majeure;
- c) Urgent work to be done.
- 2/ Without prejudice to the provisions of Article 68 (1)(c) of this Proclamation, a worker who, by virtue of the provisions of this Chapter, works on a weekly rest day, shall be entitled to a compensatory rest period. However, he shall be compensated in the form of cash if his contract of employment is terminated before he utilized the compensatory rest period.

#### 72. Application

The provision soft of this chapter shall not apply to commercial travelers or commercial representatives.

# CHAPTER THREE PUBLIC HOLIDAYS

#### 73. General

Public holidays observed under the relevant law shall be paid Public Holidays.

### 74. Non-Reduction of Wages for Public Holidays

- 1/ A worker who is paid on a monthly basis shall incur no reduction of his wages on account of having not worked on a Public Holiday.
  - 2/ The payment of wages on a Public Holiday to a worker other than workers mentioned under Sub-Article (1) of this Article shall be determined by his contract of employment or collective agreement.

### 75. Payment for Working on Public Holidays

1) A worker shall be paid his hourly wages multiplied by two for each hour of work on a public holiday.

፱/ አንድ የሕዝብ በዓል ክሌላ የሕዝብ
በዓል .ጋር ቢደረብ ወይም በሕግ
በተወሰን የዕረፍት ቀን ላይ ቢሙል
በዚህ ቀን የሥራ ሥራተኛ ክፍድ
የሚደረግለት በአንዱ የሕዝብ በዓል
ብቻ ይሆናል።

ከፍል አምስት ስለ ፌቃድ ምዕራፍ አንድ የዓመት ፌቃድ

## 6%. <u>m444</u>

- ሽ/ አንድ ሥራተኛ የዓመት ፌቃድ ለማግኘት ያለውን መብት በማናቸውም ሁኔታ ለመተው የሚያደርገው ስምምነት ውድቅ ይሆናል።
- ዘ/ በዚህ አዋጅ በሌላ አኳኋን ካልተፊትደ በስተቀር በዓመት ፊ.ቃድ ፊንታ ግንዘብ መክሬል የተከለከለ ነው።

# 6%. 9007 6.95 com3

- ሽ/ አንድ መራተኛ በዚህ አንቀጽ መመረት ሳይክፋልል የሚሰጥ የዓመት ፊቃድ ከክፍያ ጋር ያገኛል። የፌቃዱ ጊዜ በምንም ሁኔታ ከዚህ በታች ከተመለከተው ማንስ የለበትም:-
  - ሀ) ለመጀመሪያ የአንድ ዓመት አንልግሎት አስራ ስድስት (፲፮) የሥራ ቀናት፡
  - ለ) ለአመሪው ከአንድ ዓመት በላይ ለተበረከተ አገልግሎት ለአያንዳንዱ ሁለት የአገልግሎት ዓመታት አንድ የሥራ ቀን አየተጨመረ ይሰጣል።
- ጀ/ በዓመት ፊታድ ላይ የሚገኝ ውራተኛ የሚከራለው ደመወዝ ሥራ ላይ ቢሆን ኖሮ ሊከራለው ከሚገባው ጋር እኩል ይሆናል።
- ፫/ ለዓመት ፌቃድ ብቁ የሚያደርገውን የአገልግሎት ጊዜ ለመወሰን ሲባል በድርጅቱ ለጽኧ ቀናት የሥራ ሥራተኛ ለሽ ወር እንደሰራ ይቆጠራል።
- ፬/ በዚህ አዋጅ መሠረት የሥራ ውሉ የተቋረጠ ሥራተኛ ያልወሰደው የዓመት ፊቃድ ታስቦ በኅንዘብ ይክፊለዋል።

 Where a public holiday coincides with another public holiday or falls on a rest day designated by law, a worker shall be entitled to only one public holiday payment for working on such a day.

# PART FIVE LEAVE CHAPTER ONE ANNUAL LEAVE

#### 76. General

- 1/ An agreement by a worker to waive in any manner his right to annual leave shall be null and void.
- 2/ Unless otherwise provided in this Proclamation, it is prohibited to pay wages in lieu of the annual leave.

# 77. Amount of Annual Leave

- 1/ A worker pursuant to this Article shall be entitled to uninterrupted annual leave with pay. Such leave shall in no case be less than:
  - a) Sixteen (16) working days for the first year of service;
  - b) Sixteen (16) working days plus one working day for every additional two years' service.
  - 2/ The wage a worker receives during his annual leave shall be equal to what he would have received if he had continued to work.
  - 3/ For purpose of determining the qualifying period of service required for the entitlement of an annual leave, 26 days of service in an undertaking shall be deemed to be equivalent to one month of employment.
  - 4/ A worker whose contract of employment is terminated pursuant to this Proclamation shall be entitled to his pay for the leave he has not taken.

ኛ/ አንድ መራተኛ ያገለገለበት ጊዜ ከሽ ዓመት በቃች ከሆነ በአገልግሎት ዘመት ልክ ተመጣጣኝ የሆነ ዕረፍት በዚያው በአገለገለበት ዓመት ይሰመዋል።

#### **፸፰. ስለፌቃድ አሰጣተ**

- ሽ/ እንድ መሪተኛ ከ፩ ዓመት የአገልግሎት ጊዜ በኋላ የመጀመሪያውን የዓመት ፌታድ ከዚያም በኋላ በኢያንዳንዱ ዓመት ተከታታይ የዓመት ፌታድ ይገኛል።
- ጀ/ እንድ አመሪ በሚያመጣው የዓመት ፌታድ መስጫ ፕሮግራም መሠረት በኢያንዳንዱ ዓመት የሚያገኘውን የዓመት ፌታድ አሠራተኛው ይሰጠዋል።
- !/ አመሪው በዚህ አንቀጽ ንዑስ አንቀጽ(!) የተጠቀሰሙን የፌቃድ መስጫ ፕሮግራም የሚደመጣው:-
- - ለ) አሥሪው ሥራውን በተለመደው ሁኔታ እንዲሥራ ማድረግ አስፌላጊ መሆኑን በተቻለ መጠን በማገናዘብ ይሆናል።

#### ሮ ፡፡ የዓመት ፌቃድ ስለመከፋፌልና ስለማስተላለፍ

- ሻ/በአንተጽ ሮች (፩) የተደነገሙ ቢኖርም ሥራተኛው የዓመት ፌቃድ ተከፋፍሎ አንዲሰጠው ሲጠይቅና አሥሪውም ሲስማማ ለሁለት ተክፍሎ ሊሰጠው ይችላል።
  - ጀ/የዓመት ፊ.ቃድ ሥራተኛው ሲጠደቅና አሥሪውም ሲስማማ ሊተላለፍ ይችላል።
  - E/ አመሪው የሥራ ሁኔታ ሲያስገድደው የሥራተኛውን የፌቃድ ጊዜ ሲያስተላልፍ ይችላል።
  - ፟/ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) እና (፫)

    መሠረት የተላለልው የዓመት ል.ቃድ
    ከሚተዋለው ፪ ዓመት በላይ ሊራዘም
    አይችልም።
    - ሽ/እንድ ሥራተኛ በዓመት ልቃድ አያለ ቢታመምና በሀክምና ተቋም አንዲተኛ ለተደረገበት ጊዜ ብቻ የዓመት ልቃዱ ተቋርጠ በዚህ አዋጅ በአንቀጽ ፹፭ እና ፹፮ መሠረት የሀመም ልቃድ ይሰጠዋል።

5/ Where the length of service of a worker is below one year, the worker shall be entitled to an annual leave proportional to the length of his service.

#### 78. Granting of Leave

- 1/ A worker shall be granted his first annual leave after one year of service and his next and sub sequent annual leave in the course of each calendar year.
- 2/ An employer shall grant a worker his leave in accordance with a leave schedule in the course of the calendar year in which it becomes due.
- 3/ The leave schedule referred to in Sub-Article (2) of this Article shall be drowned up by the employer with due regard as far as possible to:
  - a) the interest of the worker; and
  - b) the need for maintaining the normal operation of the undertaking.

#### 79. Dividing and Postponing Annual Leave

- 1/ Notwithstanding the provisions of Article 77(1) of this Proclamation, if a worker requests and the employer agrees, his leave may be granted in two parts.
- 2/ Annual leave may be postponed when the worker requests and the employer agrees.
- 3/ An employer may, for reasons dictated by operational requirements of the undertaking, postpone the leave of a worker.
- 4/ Any leave postponed in accordance with Sub-Articles (2) and (3) of this Article shall not be postponed for more than two years.
- 5/ Where a worker on annual leave falls sick and required medical treatment as inpatient, his annual leave shall be suspended and his sick leave pursuant to Articles 85 and 86 of this Proclamation shall commence.

# ቸ. በፌቃድ ላይ ያለ **ሠራተኛን** ስለመጥራት

- ፩/ በፌቃድ ሳይ ያለ ውራተኛን መዋራት የሚቻለው ቀደም ብሎ ሊታወቅ በማይችል ምክንያት ውራተኛው በሥራ ሳይ መገኘት ያለበት ሆኖ ሲገኝ ነው።
- ጀ/ሠራተኛው ከሬ.ቃድ ሲጠራ በንዛው ያጠፋው ጊዜ ሳይቆጠር የቀረው የዓመት ፊ.ቃድ በተንዘብ ተተምኖ ይከራለዋል።
- ቸ/ ሥራተኛው ከፌቃዱ በመጠራቱ ምክንያት የደረሰበትን የመንያነገና የውሎ አበል ውሞ በአሥሪው ይሸፊናል።

## ምዕራፍ ሁለት ልዩ ልቃድ

### ቸል. <u>ለቤተሰብ ጉዳይ የሚሰ</u>ተ ፈቃድ

6/ 106-1-4m:-

- ሀ) ሕ.ንዋ. ንብቻ ሲልጸም፣ መደም
- ለ) የትዳር 3ደኛ፣ ወላጅ፣ ተወላጅ፣ ወንድም፣ አሁት ወይም አንት፣ አክስት የሆነ የሥጋ ወይም የጋብቻ ዘመድ ሲሞትበት፣ ከክፍደ ጋር ለ፫ የሥራ ቀናት ፌቃድ ይሰመዋል።
- ደ/ የሠራተኛው የትዳር 3ደኛ ስትወልድ ደመወዝ የሚክፌልበት ሶስት ተክታታይ ቀናት ፊቃድ ከክፍደ ጋር ይሰጠዋል።
- ፤/ ሠራተኛው ልዩና አሳሳቢ ሁኔታ ሲያጋዋመው እስከ ፭ ተከታታይ ቀናት ያለክፍያ ፌቃድ የማግኘት መብት አለው። ሆኖም በዚህ ሬገድ የሚሰጠው ፌቃድ በበጀት ዓመቱ ከሁለት ጊዜ ሲበልጥ አይችልም።

### TE. ለማኅበር ሥራ የሚሰጥ ፌቃድ

የሠራተኞች ማኅበር መሪዎች የሥራ ክርክር ለማቅረብ፣ የኅብረት ስምምነት ለመደራደር፣ በማኅበር ስብሰባ ለመገኘት፣ በሴሚናሮችና በሥልጠና ለመክፌል እንዲችሉ ከክፍይ ጋር ፌቃድ ይሰጣቸዋል፡፡ ፌቃዱም የሚሰጥበት ሁኔታ በኅብረት ስምምነት ሊመሰን ይችላል፡፡

#### 80. Recalling of Worker on Leave

- 1/A worker on annual leave may be recalled only where unforeseen circumstances required his presence at his job duties.
- 2/ A worker who is recalled from leave shall be entitled to a payment covering the remainder of his leave excluding the time lost for the trip.
- 3/ The employer shall cover the transport expenses and per-diem incurred by the worker as a direct consequence of his being recalled.

# CHPTER TWO SPECIAL LEAVES

#### 81. Leave for family events

- 1/ A worker shall been titled to leave with pay for three working days where;
  - a) He concludes marriage; or
  - b) His spouse, descendants, ascendants, brother, sister, uncle, aunt relative whether by consanguinity or affinity dies entitled 3 working days leave with pay.
  - 2/ A male employee shall be entitled to three consecutive days paternity leave with full pay
  - 3/ A worker shall be entitled to leave without pay for up to five consecutive days in the case of exceptional and serious events. However, such leave may be granted only twice in a budget year.

#### 82. Union Leave

Trade union leaders shall been entitled to leave with pay for the purpose of presenting cases in labour disputes, negotiating collective agreements, attending union meetings, participating in seminars or training courses. The manner of granting such leave may be determined by collective agreement.

# ቸር ልዩ ተግባሮችን ለማከናወን ለሥራተኛ የሚሰጥ ፌቃድ

- ሽ/ አንድ መራተኛ የሥራ ክርክር ለማሰማት ወይም የአሠሪና መራተኛ ጉዳይ ሕጎችን ለማስፌጸም ሥልጣን ባላቸው አካሎች በንድ ጉዳዩን ሲደቀርብ ለዚሁ ዓሳማ ለመፋው ጊዜ ብቻ ከክፍይ ጋር ፌታድ ይሰመዋል።
- ጀ/አንድ መራተኛ የመምረዋ መብተን ለማስጠበት ወይም ክፍርድ ቤትና ክሌሎች ሥልጣን ከተሰጣቸው የፍትህ አካላት ፊት ክምስክርነት ጋር ቤተደደዘ ላጠፋው ጊዜ ብቻ ከክፍደ ጋር ፊታድ ይሰጠዋል።
- ፫/ ትምክርት ወይም ፖለጠና ለሚከታተል መራተኛ የትምክርት ፊታድና የተንዘብ ድጋፍ የሚሰቀበት ሁኔታ። የድጋፉ ዓይነትና መጠን በተብረት ስምምነት ወይም በፖራራ ዳንብ ይመስናል።

#### ቸያ. ስለማስታወቅ

በዚህ ምዕራፍ በተመለከቱት ድንጋንዎች መሠረት ፌታድ ለመውሰድ የሚፈልግ ማንኛውም ሠራተኛ ፌታድ ለመውሰድ መፈለጉን በቅድሚያ ለአሠሪው ማስታወቅእና አሠሪው ሲጠይቅም ማስረጃውን ማቅረብ አለበት።

#### <u>ምዕራፍ ሦስት</u> የሕመም ፌቃድ

#### ቸኛ. የሕመም ል.ቃድ

- ሽ/አንድ ሥራተኛ የሙከራ ጊዜ**ሙን** ከጨረስ በኋላ በሥራ ላይ በሚደርስ ጉዳት ሳይሆን በሌላ ሕመም ምክንደት ሥራ መሥራት ካልቻለ በዚህ <mark>አንቀጽ</mark> መሠረት የሕመም ፊቃድ ደባኛል።
- ጀ/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተመለከተው ፌቃድ ሕመሙ ከደረሰበት የመጀመሪያ ቀን አንስቶ ባለው የ፲፱ ወር ጊዜ ውስጥ በተከታታይ ወይም በተለያዩ ጊዜያት ቢወስድም በማንኛውም ሁኔታ ከኝ ወር አይበልጥም።
- E/ ጣንኛውም ሥራተኛ በሕመም ምክንያት ከሥራ ሲቀር አሥሪው ስለሁኔታው ሲያውቅ የሚችል ወይም ሥራተኛው ለማስታወቅ የማይችል ካልሆነ በስተቀር ከሥራ በቀረ እጅግ ቢዘንይ በማግስቱ ለአሥሪው ማሳወቅ ይኖርበታል።

#### 83. Leave for special purpose

- 1/ A worker who appears at hearings before bodies competent to hear labour disputes or to enforce labour laws shall be granted leave with pay only for the time utilized for the said purpose.
- 2/ A worker shall be granted leave with pay for the purpose of exercising his voting rights or discharging his obligation as a witness before judicial or quasi-judicial organs.
- 3/ The manner in which educational or training leave is to be granted and the form and extent of the financial assistance to be provided may be determined in a collective agreement or work rules.

#### 84. Notification

A worker wishing to take leave in accordance with the provisions of this Chapter shall notify the employer in advance and present the necessary supporting evidence whenever the employer requests him.

# CHAPTER THREE SICK LEAVE

#### 85. Duration of Leave

- 1/ Where a worker, after having completed his probation, is rendered incapable of working due to sickness other than employment injury, he shall be entitled to a sick leave.
- 2/ The leave referred to in Sub-Article (1) of this Article shall, in no case, be more than six months counted consecutively or separately in the course of any twelve months' period starting from the first day of his sickness.
- 3/ Where a worker absents himself from work due to sickness, he shall, except where the employer is in a position to be aware of the sickness or it is impractical, notify the employer on the day following his absence.

Ø/ በንብረት ስምምነት ወይም በሥራ ደንብ በሌላ አኳኋን የሚመስንበት አግባብ አንደተጠበቀ ሆኖ ማንኛውም ሥራተኛ የሕመም ፌቃድ የሚደባኘው በመንግሥት ከታወቀ የሕክምና ድርጅት ተቀባደነት ይለው የሕክምና አረፍት የምስክር ወረቀት ሲደቀርብ ብቻ ነው።

#### TA. hahre

በአንቀጽ ፲፫፭ የተጠቀሰሙ የሕመም ል.ቃድ ቀተለ በተመለከተው ሁኔታ ይሰጣል:-

- hee oc
- #/ A " ! + P A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A A T | 1 A T

ľ/ ለሚቀጥሉት ፫ ወራት ያለክፍያ። <u>ክፍል ስድስት</u> የሴቶችና የወጣት ሠራተኞች የሥራ ሁኔታ

# <u>ምዕራፍ አንድ</u> የሴት *ው*ራተኞች የሥራ ሁኔታ

#### 宜3. 而中44

- ሽ/ ሴቶች በፆታቸው ምክንደት በማንኛውም ሁኔታ ልዩነት አይደረማባቸውም።
- ጀ/ የዚህ አንቀጽ ንኡስ አንቀጽ (፩) አጠቃላይ ድንጋጌ አንደተጠበቀ ሆኖ ሴት ሥራተኛ በቅተር፣ በደረጃ ዕድገት ወይም በሌላ ማናቸውም የተቅማ ተቅም ውድድር ከወንድ ጋር አኩል የሆነች አንደሆነ ቅድሚያ ይሰጣታል።
- E/ ለሴቶች ከባድ ወይም ለጤናቸው ጎጂ ናቸው ተብለው ሚኒስቴሩ በሚዘረዝራቸው ሥራዎች ላይ ሴቶችን ማሥራት የተክለከለ ነው።
- ፬/ንፍሰሙር የሆነች ሥራተኛን ከምሽቱ ፬ ሰዓት እስከ ንጋቱ ፲፪ ሰዓት ባለው ጊዜ እንዲሁም የትርፍ ሰዓት ማሰራት የተከለከለ ነው።

4/ Without prejudice to stipulations in collective agreement or work rules, a worker shall be entitled to sick leave up on presenting a valid medical certificate issued by a duly recognized medical facility.

#### 86. Payment

The period of sick leave provided for in Article 85 shall be granted to a worker in the following manner:

- 1/ For the first one month, with payment of 100% of his wages;
- 2/ For the next two months, with payment of 50% of his wage;
- 3/ For the next three months, without pay.

# WORKING CONDITIONS OF WOMEN AND YOUNG WORKERS

#### CHAPTER ONE

#### WORKING CONDITIONS OF WOMEN

#### 87. General

- 1/ Women shall not be discriminated against in all respects on the basis of their sex.
  - 2/ Without prejudice to the generality of Sub-Article (1) of this Article, priority shall be given to women if they get equal result with men when competing for employment, promotion or any other benefit.
  - 3/ It is prohibited to assign women on works that may be listed by the Ministry to be particularly dangerous to women or hazardous to their health.
- 4/ No pregnant woman shall be assigned to night work between 10 p.m. and 6 a.m. or be assigned on overtime work.
  - 5/ She shall be transferred to another place of work if her job is hazardous to her health or to the fetus as ascertained by a physician.

- ኝ/ ማንኛውም አመሪ መራተኛዋ ነፍሰውር በሆነችበት ጊዜና ከመለደችበት ቀን ጀምሮ በ፬ ወር ጊዜ ውስቱ ከሥራ ሊደስናብት አደችልም።
- 3/የዚህ አንተጽ ንውስ አንተጽ (%) በ.ኖርም ከአርግዝናና ከመውለድ ጋር ባልተደደዘ በአንተጽ ጽኧ(ለ-ተ) እና ጽ፱(፫) በተመለከቱ ምክንደቶች የሥራ ውል ሊድሪዋ ይችላል።

#### **፹፷. የወሊድ ፊ.ቃድ**

- 8/ ነፍሰሙር የሆነች መራተኛ ከአርግዝናዋ
  ጋር የተደደዘ ምርመራ ለማድሪግ አመሪሙ ከደመመዝ ጋር ፌታድ ደሰጣታል፣ ሆኖም መራተኛዋ ከምርመራ በኋላ የሐኪም ማስረጃ ማቅረብ አለባት።
  - ጀ/ንፍስሙር የሆነች መራተኛ ከመመለዱ በፊት ሐኪም እንድታርፍ ከነዘ አመሪው ከክፍድ ጋር አረፍት ይሰጣታል።
- E/ ነፍሰሙር የሆነት መራተኛ አመልዳለው ብላ ከተመተችበት ቀን በፊት የፅ ተከታታይ ቀናት የቅድመ-ወሊድ ፊታድ፣ እንዲሁም ስትመልድ ከወለደችበት ቀን ጀምሮ ለን ተከታታይ ቀናት የድሀረ-ወሊድ ፊቃድ ከክፍይ ጋር ይሰጣታል።
- 6/ ሥራተኛዋ ከመውለዱ በፊት የወሰደችው የፅ) የሥራ ቀናት የቅድመ፣ ወሊድ ፌቃድ ሲያልት ክልወለደች እስከምትወልድበት ቀን ድረስ በዚህ አንቀጽ ንዑስ አንቀጽ (፪) መሠረት አረፍት ልታተኝ ትችላለች፡፡ የፅ) የሥራ ቀናት የቅድመ-ወሊድ ፌቃዱ ሳያልቅ ከወለደች ኝ የሥራ ቀናት የድህረ-ወሊድ ፌቃዱ ይጀምራል፡፡

- 6/ An employer shall not terminate the contract of employment of women during her pregnancy and until four months after her confinement.
- 7/ Notwithstanding the provisions of Sub-Article (6) of this Article, contract of employment may be terminated for reasons stipulated under Article 27 (b-k) and Article 29 (3) but not related pregnancy and delivery.

#### 88. Maternity Leave

- 1/ An employer shall grant leave to a pregnant worker with pay, for medical examination connected with her pregnancy, provided, however, that she may be required to present a medical certificate of her examination.
- 2/ A pregnant worker shall, upon the recommendation of a physician, be entitled to a leave with pay.
- 3/ A pregnant worker shall be granted a period of 30 consecutive days of leave with pay of pre-natal leave and a period of 90 consecutive days of leave post- natal.
- 4/ Where a pregnant worker does not deliver within the 30 working days of her pre-natal leave, she is entitled to an additional leave until her confinement in accordance with Sub-Article (2) of this Article. However, if birth takes place before the expiry of the pre-natal leave, the 90 working days of post-natal leave shall commence.
- 5/ on any pregnant worker certified her giving up preganancy by physician shall not be implemented Article 86 provision of leave with out pay.

# <u>ምዕራፍ ሁለት</u> የወጣት ሥራተኞች የሥራ ሁኔታ

#### 预算. <u>两种44</u>

- እ/ብዚህ አዋጅ "መጣት ውሪ-ተኛ" ማለት ዕድሜው ፲፭ ዓመት የሞላውና ፲፰ ዓመት ያልበለጠው ማለሰብ ነው።።
- ያ/አድሚያቸው ከ፲፭ ዓመት በታች የሆኑትን መቅጠር ክልክል ነው።
- የ/ ከ/ግራሙ ጠባይ ወይም /ግራሙ ከሚከናወንበት ሁኔታ ሕይወታቸውን ወይም ጤንነታቸውን ለአደጋ በሚያጋልጥ /ግራ ላይ ወጣት ሥራተኞችን ማሠራት ክልክል ነው።
- %/ ማኢስቴፍ ለወጣት መሪተኞች የተከለከሉ። ሥራዎችን ዝርዝር ሲያወጣ ይችላል። ዝርዝሩም በተለደም ከዚህ በታች የተመለከተነትን ይጨምራል:-
  - ሀ) መንገዶኞችንና ዕቃዎችን በየብስ፣ በባቡር፣ በአየርና በአገር ውስጥ ውሃዎች የማንኝነገ ሥራ፣ በወደቦችና በመጋዝኖች የሚሠራ የክባድ ዕቃ ማንሳት፣ መንተት ወይም መግፋት ወይም ከዚህ ጋር የተደደበ የጉልበት ሥራ፣
  - ለ) ከኤሌክትሪክ ፡ኃይል ማመንጫ ጣቢያዎች። የኤሌክትሪክ ፡ኃይል ማስተላለፊያ መስመሮችና የማከፋፊያ ጣቢያዎች ፡ኃር ግንኙነት ያለው ሥራ።
  - ሐ) ከመሬት በታች በሚካሄዱ የማዕድን ሥራዎች፣ የድንጋይ ካባዎችና የመሳሰሉትን ሥራዎች፣
  - መ) በቆሻሻያ ማስተላለፊያ ቦዮችና የዋሻ ተፋሮ ሥራዎች።
- ች/ በዚህ አንቀጽ ንውስ አንቀጽ (፬) የተደነገገው ክልክላ ኃላፊነት የተሰጠው አካል ባጸደቀውና በሚቆጣጠረው የማሠልጠኝ ተቋም ውስጥ በመሥልጠን ላይ ያሉ ወጣቶች የሚሰሩትን ሥራ አይመለክትም።

### 7. PMG 197 Ah

የመጣት መራተኞች መደበኛ የሥራ ሰዓት በቀን ከፄ ሰዓት መብለዋ የለበትም።

#### CHAPTER TWO

#### WORKING CONDITIONS OF YOUNG WORKERS

#### 89. General

- 1/ For the purpose of this Proclamation, "young worker" means a natural person who has attained the age of 15 but is below the age of 18 years.
- 2/ It is prohibited to employ a person less than 15 years of age.
- 3/ It is prohibited to assign young workers on work, which on account of its nature or due to the condition in which it is carried out endangers their lives or health.
- 4/ The Ministry may prescribe the list of activities prohibited for young workers which shall include in particular:
  - a) Work in the transport of passengers and goods by road, railway, air and internal water ways, dock sides and ware houses involving heavy weight lifting, pulling or pushing or any other related type of labour;
  - b) Work connected with electric power generation plants, transformers or transmission lines;
  - Underground work such as mines and quarries;
  - d) Work in sewers and tunnel excavation.
- 5/ The provision of Sub-Article (4) of this Article shall not apply to work performed by young workers in fulfillment of course requirements in vocational schools that are approved and inspected by the Competent Authority.

# 90. Limits of Hours of Work

Normal hours of work for young workers shall not exceeds seven hours a day.

# <u>ሽል. የሌሊትና</u> የትርፍ ሥራ ሰዓት

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- δ/ከምሽተ፡ ፬ ሰዓት እስከ 3.54፡ ፲፱ ሰዓት 1107.06 MG. 18.
- 8/ 07-05: 037 106 AP.
- E/ 1149"37 POZET #3: 089"
- 9/ 0and 0347 43 9067 haha 'm:::

#### ክፍል ሰባት

#### የሙያ ደኅንነት፣ ጨንነትና የሥራ አካባቢ

#### ምዕራፍ አንድ

#### Pophahe ACPEPT

#### ፲፱. የአሠሪ ግዴታዎች

ማንኛውም አመሪ የመራተኞችን ደኅንነትና መንንት በሚገባ ለመጠበት የሚያስልልንትን አርምጃዎች ይወስዳል። በተለይም:-

- δ/ በዚህ አዋጅ ስለሙያ ደጎንነትና መንነት የተደነገጉትን ሁኔታዎች ደሟላል።
- e/ ሥራተኞች የሚሰሩት ሥራ ሊያስክትልባቸው ስለሚችለው አደጋ እንዲሁም በጨንነት ላይ የሚደርስ ጉዳትን ለማስወገድ ስለሚያስልልንው ጥንቃቄ ተገቢውን እርምጃ ይወስዳል። የአደጋ 1-11048 146-1-59 P. cont. OA: Poo. P ደኅንነትና ጤንነት ኮሚቴ ያቋቁማል።
- PAWGITT PARO online onyes ልብስና ሌሎች ቁሳቁሶችን ያቀርባል። ስለአጠቃቀሙም መመሪያ ይሰጣል::
- 0/ በሥራ ምክንያት የሚመጡ በሽታዎችንና አደጋዎችን ይመበግባል፣ ለሥራ ሁኔታዎች መቆጣጠሪያ አገልግሎት ያስታው ቃል።
- 6/138,160 mge. አዲስ ስማ.ቀጠሩ መራተኞች በራሱ ወጪ የጤና ምርመራ እንዲካሂድሳቸው፣ りわえつぎ 16 18. 807.14. W6+7.79 እንደአስፈላጊንተ የጤና ምርመራ እንዲደረግላቸው ያደርጋል። ሆናም ኢትዮጵያ ያወደቀችው የዓለም አቀፍ ስምምነት ካላስገደደ በስተቀር የኢት.አይ.ቪ/ ኤድስ ምርመራን አይጨምርም::
- \$/ የድርጅቱ የሥራ ቦታና ግቢ በሠራተኞች ደኅንነትና መንነት ላይ አደጋ የማያስከትል משני אל בנשים ביו לאינים

#### 91. Night and Overtime Work

It is prohibited to assign young workers on:

- 1/ Night work between 10 p.m. and 6 a.m.;
- 2/ Over time work;
- 3/ Work done on weekly rest days; or
  - 4/ Work done on Public Holidays.

#### PART SEVEN

### OCCUPATIONAL SAFETY AND HEALTH AND WORKING ENVIRONMENT

#### CHAPTER ONE

#### PREVENTIVE MEASURES

#### 92. Obligations of an Employer

An employer shall take the necessary measure to safe guard adequately the health and safety of workers; it shall in particular:

- 1/ Comply with the occupational health and safety requirements provided for in this Proclamation.
- 2/ Take appropriate steps to ensure that workers are properly instructed and notified concerning the hazards of their respective occupations; and assign safety officer; and establish an occupational health and safety committee.
- 3/ Provide workers with protective equipment, clothing and other materials and instruct them of their use.
- 4/ Register employment accidents occupational diseases and report same to the labour inspection service.
  - 5/ Arrange, according to the nature of the work, at his own expense for the medical examination of newly employed workers and for those workers engaged in hazardous work, as may be necessary with the exception of HIV/AIDS Unless and otherwise the country has obligation of international treaty to do so.
  - 6/ Ensure that the work place and premises of the undertaking do not pose threats to the health and safety of workers.

- \$/በድርጅቱ ልዩ ልዩ የሥራ ሂደት በሚገኙ ፊዚካላዊ፣ ኬሚካላዊ፣ ባዮሎጂካዊ፣ ኤርትኖሚካዊና ሥነ ልቦናዊ ምንጮችና ምክንያቶች ሳቢያ በሥራተኞች ደጎንነትና ጤንነት ላይ ጉዳት እንዳይደርስ ተገቢሙን ጥንቃቄ ያደርጋል።
- \$/ አማባብ ያለው አካል በዚህ አዋጅ መሥረት የሚሰጠውን ትዕዛዝ ይሬጽማል፡፡

#### 

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- እ/ የሥራተኞችን ደኅንነትና መንነት ለመጠበቅ የሚወጡትን የሥራ ደንቦች በማዘጋጀት ይተባበራል። በሥራ ላይ ያውላል።
- ጀ/ በድርጅቱ ወደም በድርጅቱ መግሪያዎች ላይ የሠራተኞቹን ደጎንነትና ጤንነት የሚጎዳ ጉድለት ሲያገኝ፣ የሚደርሰውንም ማንኛውም አደጋ ወዲያውኑ ለአሠሪው ይሳውቃል፣
- ፤/አደ.ኃ ሲያደርስ ይችላል ብሎ ለማመን ምክንያት ያለውንና በራሱ ሲያስወግደው ያልቻለውን ማንኛውንም ሁኔታ እንዲሁም በሥራ ሂደት ወይም ከሥራ ጋር ግንኙነት ባለው ሁኔታ በጨንነት ላይ የደረሰን አደጋ ወይም ጉዳት ለአሥሪው ያሳውቃል።
- ፱/ የራሱን ወደም የሌሎች ደኅንነትና መንነት ለመጠበቅ የተሰጡትን የአደጋ መከላከደዎች፣ የደኅንነት መጠበቂደ መግሪደዎችና ሌሎች መግሪደዎችን በትክክል ጥቅም ላይ ያውላል።

### ፲፬. <u>የተከለከሉ ድርጊቶች</u>

975009 いんけぞう

- ሽ/ለራሱ ወይም ለሌሎች ደጎንነት ሲባል የተቀመጡን የደጎንነት መጠበቂያ ዕቃዎች ወይም ሌሎች መሣሪያዎችን መነካካት፣ ማንሳት፣ ያለ በታቸው ማስቀመጥ፣ማበላሽት ወይም ማጥፋት፣ ወይም
- ጀ/ በሥራ ላይ የሚደርስ አደጋን ለመቀነስ ሲባል የሚሰራበትን ማንኛውንም ዘዴ ወይም አሥራር ማስናክል። የለበትም።

- 7/ Take appropriate precautions to ensure that all the processes of work in the undertaking shall not be a source or cause of physical, chemical, biological, ergonomic and psychological hazards to the health and safety of the workers.
- 8/ implement the instructions given by the Competent Authority in accordance with this Proclamation;

#### 93. Obligations of Worker

Any worker shall:

- 1/ Co-operate in the formulation of work rules to safeguard the workers' health and safety, and implement same;
- 2/ Inform forthwith to the employer any defect related to the appliances used and incidents of injury to health and safety of workers that he is aware of in the undertaking;
- 3/ Report to the employer any situation which he may have reason to believe could present a hazard and which he cannot prevent on his own, and any incident of injury to health which arises in the course of or in connection with work;
- 4/ Make proper use of all safety devices and other appliances furnished for the protection of his health and safety or for the protection of the health and safety of others;
  - 5/ Observe all health and safety instructions issued by the employer or by the Competent Authority.

#### 94. Prohibited Acts

Now worker shall:

- 1/ Interfere with, remove, displace, damage or destroy any safety devices or other appliances furnished for his protection or the protection of others; or
  - 2/ Obstruct any method or process adopted with a view to minimizing occupational hazard.

#### <u>ምዕራፍ ሁለት</u> በሥራ ምክንያት ስለሚመጡ ጉዳቶች

### ዘርፍ አንድ

ስለኃላፊነት

#### 18. mp44

- ሽ/ በዚህ አዋጅ "በሥራ ላይ የሚደርስ ጉዳት" ማለት በሥራ ላይ የሚደርስ አዴጋ ወይም በሥራ ምክንያት የሚመጣ በሽታ ነው።
- ጀ/ አማባብ ባለው የሙሪታ ሕግ የተመለከተው እንደተጠበቀ ሆኖ አንድ ሥራተኛ ሥራውን በማከናወን ላይ ሳለ ወይም ከሥራው ጋር ግንኙነት ባለው ሁኔታ ጉዳት ሲደርሰበት የዚህ ምዕራና ድንጋጌዎች ተፈፃሚ ይሆናሉ።

#### 1%. በተፋት ላይ ያልተመሠረተ ኃላፊነት

- ሽ/አሥሪው ጥፋት ባይኖርብትም ሥራተኛው በሥራ ላይ ሳለ ለሚደርስበት ጉዳት ኃላፊ ነው። ይህም ኃላፊነት የሚወሰነው በዚህ ምዕራፍ ድንጋጌዎች መሠረት ይሆናል።
- ጀ/ጉዳት የደረሰበት ሥራተኛ ሆነ ብሎ በራሱ ሳይ ሳደረሰው ማንኛውም ጉዳት አሥሪው ኃሳፊነት አይኖርበትም፡፡ በተለይም በሚከተሉት ድርጊቶች ምክንያት የሚመጣ ጉዳት ሥራተኛው በራሱ ሳይ ሆነ ብሎ እንዳደረሰው ጉዳት ሆኖ ይቆጠራል:-
  - ሀ) በአሠራው አስቀድሞ በግል የተሰጡትን የደጎንነት መጠበቂያ መመሪያዎች መጣስ ወይም የአደጋ መከሳከያ ደንበችን መተላለና። ወይም
  - ለ) አካሉን ወይም አዕምሮውን በሚገባ ለመቆጣጠር በማይችልበት ሁኔታ በመጠዋ ወይም በአደንዛኘና ዕዕ ሰክሮ በሥራ ላይ መገኘት::
- ፫/የዚህ አንቀጽ ንዑስ አንቀጽ (፩) ድን,ጋጌዎች ማንኛውም ሥራተኛ በአሥሪው ጥፋት የተነሳየሥራ ላይ ጉዳት ሲደርስበት አግባብ ባለው ሕግ መሠረት ካግ የመጠየቅ መብቱን አይነኩበትም።

#### 12. በሥራ ላይ የሚደርስ አደ*ጋ*

በዚህ አዋጅ "በሥራ ላይ የደረሰ አደጋ" ማለት ማንኛውም ሥራተኛ ሥራውን በማከናወን ላይ ሳለ ወይም ከሥራው ጋር ግንኙነት ባለው ሁኔታ ከራሱ ውጭ በሆነ ምክንያት ወይም

# CHAPTER TWO OCCUPATIONAL INJURIES SECTION ONE LIABILITY

#### 95. General

- 1/ For the purpose of this Proclamation, "occupational injury" means an employment accident or occupational disease.
  - 2/ Subject to the provisions of the relevant pension law, the provisions of this Chapter shall apply where an employment injury is sustained by a worker during or in connection with the performance of his work.

#### 96. Liability Irrespective of Fault

- 1/ The employer shall be liable, irrespective of fault, for employment injuries sustained by his worker and such liability shall be determined in accordance with, the provisions of this Chapter.
- 2/ The employer shall not be liable for any injury intentionally caused by the worker upon himself. In particular, any injury resulting from the following acts shall be deemed to be intentionally caused by the worker:
  - a) Non-observance of express safety instructions given by the employer or the provisions of accident prevention rules; or
  - b) Reporting to work in a state of intoxication caused by taking alcoholic beverage or drug that prevents him from properly regulating his body or understanding.
  - 3/ The provisions of Sub-Article (1) of this Article shall not affect the right of a worker to claim damages in accordance with the relevant law where an occupational injury is a result of fault on the part of the employer.

#### 97. Occupational Accident

For the purpose of this Proclamation "occupational accident" means any organic injury or functional disorder sustained by a worker as a result of any cause extraneous to the ሥራውን ለማከናወን ባደረገው ጥረት ምክንያት በአካሉ ወይም በአካሉ ማንኛውም ክፍል ተፈጥሮአዊ እንቅስታሴ ላይ በድንባት የደረሰበት ጉዳት ሲሆን የሚከተሉትን ይጨምራል:

- ሽ/መራተኛው ከሥራ ቦታው ወደም ከመደበኛ የሥራ ሰዓት ውጭም ቢሆን የአመራውን ትዕዛዝ ሥራ ላይ ደውል በነበረበት ጊዜ የደረሰበት ጉዳት።
- e/ መራተኛው ከ2"ራው ጋር በተደደበ ግዲታ የተነሳ ከ2"ራው በፊት ወደም በኋላ ወደም 2"ራው ለጊዜው ተቋርው በነበረበት ጊዜ በ2"ራው ቦታ ወደም በድርጅቱ ግቢ ውስጥ አደለ የደረሰበት ማንኛውም ጉዳት።
- ፤/ መራተኛው ወደ 256 በታው ወደም ከ26 በታው ወደ ድርጅቱ ለመራተኞች አገልግሎት እንዲሰጥ በመደበው የመንንንና አገልግሎት ወደም ድርጅቱ ለዚሁ ተግባር በተከራየውና በግልፅ በመደበው የመንንንና አገልግሎት በመንዝ ላይ በነበረበት ጊዜ የደረሰበት ማንኛውም ጉዳት።
- 5/ ሥራተኛው ሥራውን በማክናወን ላይ ባለበት ጊዜ በአሥሪው ወይም በሃስተኛ ወንን ድርጊት ምክንደት የደረሰበት ጉዳት።

#### ንጃ. በሥራ ምክንያት ስለሚመጣ በሽታ

- 8/ብዚህ አዋጅ" በሥራ ምክንደት የሚመጣ በሽታ" ማለት:-
  - U) 106.45 m. 1197.106 m. 8 106 38.77:
- ለ) ሥራተኛው ከሚያከናውነው ሥራ አካባቢ የተነሳ በሽታው ከተከሰተበት ዕለት አስቀድሞ በነበረው የተወሰነ ጊዜ ውስጥ በፌዜካል፣ኬሚካልወይም ባዮሎጂካልነገሮች አማካኝነት በሥራተኛ ላይ የሚደርስ የመና መታወክ ነው።
- ጀ/ ሥራቸው በሽታውን ማዋፋት ብቻ ለሆነ ባለሙያዎች ካልሆነ በስተቀር በሥራ ምክንያት የሚመጣ በሽታ ሥራ በሚከናወንበት አካባቢ የሚገሙቱና የሚይዙ ነዋሪ ተላላፊ በሽታዎችን እይጨምርም።
- ፤/ ሚኒስቴሩ አማባብ ካለው አካል ጋር በመመካከር በሥራ ምክንያት የሚመጡ በሽታዎችን ዝርዝር የያዘ ሥንጠረሻና በመመሪያ ያመጣል። ሥንጠረገና እጅግ ቢዘንድ በየአምስት ዓመብ፡ ይሻሻላል።

injured worker or any effort he makes during or in connection with the performance of his work sand includes:

- 1/ Any injury sustained by a worker while carrying out his employer's order, even away from the work place or outside his normal hours of work;
- 2/ Any injury sustained by a worker before or after his work or during any interruption of work provided that he is present in the workplace or the premises of the undertaking by reason of his duties;
- 3/ Any injury sustained by a worker while he is travelling to or from a place of work in a transport service provided by the under taking which is available for the common use of its workers or in a vehicle hired and expressly destined by the under taking for the same purpose;
- 4/ Any injury sustained by a worker as a result of an action of the employer or a third party during the performance of his work.

#### 98. Occupational Disease

- 1/ For the purpose of this Proclamation an "occupational disease" means any disorder:
  - a) The type of work performed by the worker; or
  - b) pathological condition whether caused by physical, chemical or biological agents which arise as consequence of the surroundings in which the worker is obliged to work during a certain period prior to the date when the diseases become evident.
- 2/ Occupational disease shall not include endemic or epidemic diseases which are prevalent and being contracted in the area where the work is done, except in the case of workers exclusively engaged in combating such diseases by reason of their occupation.
- 3/ The Ministry shall, in consultation with the concerned authority, issue directives which contain schedules listing diseases to be of occupational origin. The said schedule chall be revised at least every five years.

- 5/ አማባብ ባለው መንመረሻር የተመለከተው በሽታ በዚያው ውንጠረሻር ውስጥ በበሽታው አንዓር ከተመለከቱት ሥራዎች መካከል 775 Fa-39 106 8.06 8706 06+57 የደሀ እንደሆነ በሽታው በሥራ ምክንደት Person Acousts Ot TACE Purch ::
- ጅ/የዚህ አንተጽ ንውስ አንተጽ (ĝ) ቢኖርም m·OT w3mc3r 200-0  $0 \Lambda m$ 9913 87 PATOMANT OND ONE 207 and (17) ang 7:3: 238,0.90 በመንጠረገና ውስጥ የተዘረዘፍት በሽታዎች PANAT. ON396-For herandistale በተለዩ ሁኔታዎች የሚከለቱ መሆናቸውን ለማሪ ጋገገጥ ማስረጃ ማቅረብ ይቻላል።
- %/ ተቃራኒ ማስረጃ ካልቀረበ በስተቀር በተወሰነ 027.3 andh 84.00% 81116 01-2229 80221 072 X32 W6153 የደዘው እንደሆነና ይህም መራተኛ እንደዚህ ባለው የሥራ መስከ ተሰማርቶ የነበረ ከሆነና በሽታው መኖሩ በሐኪም ማስረጃ ሲረጋገዋ 073 01.6. 991384 332000 8.4m6-A11
- 1/ 11/6 991397 (10y and (10) 787. 11708 የደረሰበት ቀን በሽታው የታወቀበት ማለትም ሥራተኛው የመሥራት 607. 7. 10 J. or 7 8011 J. 600 600 680. 1-00C9°C Ochh go 0,8,90 0719.00 69.0407 Pangan68 0094. wg. w 6-1-50 000 100 97787. የምተብት ዕለት እንደሆነ ይቆጠራል።
- \$/ በሥራ ምክንያት በሚመጣ በሽታ ተይዞ የዳን ሥራተኛ አማባብ ባለው ሥንጠረሻና A-t-oohh-t-a-8106 በበሽታው አንፃር 1-0080 00 po 6-7. 18. 38.47 በመቀጠለ በዚያው በሽታ እንደገና ቢያዝ አዲስ በሽታ እንደያዘው ይቆጠራል።

# ዘርፍ ሁለት

# የአካል ጉዳት መጠን ደረጃዎች

### 10. mp44

- 8/ "የአካል 7.87 ማለት 800 pobit デーハッナ 0 8,90 9917-3 መቀነስን 1116 በሚያስከትል 0.69. 18. የሚደርስ ጉዳት ነው።
- 8/11/11/6 PAHA 7.8.7 የደረሰ. የማከተሉት ውጤቶች ይኖሩታል:-

- 4/ The occurrence of any of the diseases listed in the relevant schedule to any worker having been engaged in anyone of the corresponding types of work specified therein, shall by itself, constitute sufficient proof of the occupational nature of the disease.
- 5/ Notwithstanding Sub-Article (4) of this Article, any proof shall be admitted to establish the occupational origin of a disease not listed in the relevant schedule and of when they manifest listed diseases themselves under conditions different from those establishing a presumption of their occupational nature.
- 6/ In the absence of proof to the contrary, any disease which occurs frequently only to persons employed in certain occupations shall be presumed to be of an occupational origin where the worker suffering from such a disease was engaged in such occupation and the existence of the disease is ascertained by a medical practitioner.
- 7/ The date on which an occupational disease became evident, which is, the first date on which the worker became incapacitated or the date of the first medical diagnosis of the disease or the date of the injured worker's death, shall be considered as the date on which an occupational disease contracted.
- 8/ Where a worker after being cured from an occupational disease listed in the relevant schedule, re-contracts the disease as a result of his being engaged in anyone of the corresponding work specified in the said list, it shall be presumed that he has contracted afresh occupational disease. IN THE

#### Opt-1-00 SECTION TWO DEGREE OF DISABLEMENT

#### 99. General

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- 1/ "Occupational disablement" means any employment injury as a consequence of which there is a decrease or loss of capacity to work.
- 2/ Disablement shall have the following effects:

- U) 7.16.89 PAHA 7.8.7:
- 1) 114: h&A PAHA 7-87:
- ሐ) ዘላቂ ሙለ የአካል ጉዳት። እና መ) ምት::

#### ልጀ. <u>ጊዜያዊ የአካል ጉዳት</u>

ን,ዜያዊ የአካል ጉዳት ሥራተኛው ሥራውን ለተመሰን ጊዜ በሙሉ ወይም በክፊል ለማክናወን እንዳይችል የሚያደርገው የአካል ጉዳት ነው።

# ልቸል. ዘላቂ ክፌል ወይም ሙሉ የአካል ጉዳት

- ሽ/ "ዘላቂ ክራል የአካል ጉዳት" ማለት ጉዳት የደረሰበት ሥራተኛን የመሥራት ችሎታ የሚቀንስ የማይድን በሥራ ላይ የሚደርስ ጉዳት ነው።
- ጀ/ "በላቂ ሙሉ የአካል ጉዳት" ማለት ጉዳት የደረሰበት ሥራተኛን ማናቸውንም ደመወገ የሚያስገኝ ሥራ ለመሥራት የሚከለክለው የማይድን በሥራ ላይ የሚደርስ ጉዳት ነው።
- ፤/ ከባድ የአካል ወይም የመልክ መበላሽትን ያስኩተለ ጉዳት የመሥራት ችሎታ ማጣት ባያስክትልም ለጉዳት ካሣ አከፋልልና ሊሎች ተቅሞች አሰጣተ ሲባል እንደዘላቂ ክፊል የአካል ጉዳት ይቆጠራል።

## ፅጀጀ. <u>ስለአካል ጉዳት መጠን አወሳሰን</u>

- ሽ/የዘላቂ ሙስ ወይም ከፊል የአካል ጉዳት መጠን ደረጃ ሚኒስትሩ በመመሪያ በሚያወጣው የአካል ጉዳት መወሰኛ ሥንጠረሻር መሥረት ይወሰናል።
- ያ/ በዚህ አንቀጽ ንዑስ አንቀጽ (ል) በተመለከተው ሥንጠረሻና መሥረት የአካል ጉዳት መጠን የሚወሰነው ሥልጣን ባለው የሕክምና ቦርድ ይሆናል። ቦርዱም በተቻለ መጠን በሥራተኛው ላይ ጉዳት ከደረሰበት ቀን ጀምሮ በ፲፰ ወራት ውስተ የጉዳቱን መጠን መወሰን ይኖርበታል።
- ፤/ የሠራተኛው ሁኔታ የተባባስ ወይም የተሻሻለ ወይም ትክክል ያልሆነ ምርመራ ተደርጎለት የሆነ እንደሆነ:-
  - ሀ) አማባብ ባለው አካል አነሳሽነት። ወይም

- a) Temporary disablement;
- b) Permanent partial disablement;
- c) permanent total disablement; and
- d) Death.

#### 100. Temporary Disablement

Temporary disablement results from the reduction, for a limited period of time, of the worker's capacity for work partially or totally.

#### 101. Permanent Partial or Total Disablement

- 1/ "Permanent partial disablement" means incurable employment injury decreasing the injured worker's capacity.
- 2/ "Permanent total disablement" means incurable employment injury which prevents the injured worker from engaging in any kind of gainful work.
  - 3/ Injuries which, although not resulting in incapacity for work, cause serious mutilation or disfigurement of the injured person shall, for the purpose of compensation and other benefits, be considered as permanent partial disablement.

#### 102. Assessment of Disablement

- 1/ The degree of permanent total or partial disablement shall be fixed in accordance with the assessment table of disablement prescribed by directives issued by the Ministry.
- 2/ The degree of disablement shall be assessed by a medical board in accordance with the assessment table provided for in Sub Article (1) of this Article. The Board shall, as far as it is possible, determine the extent of the degree of disablement within twelve months from the date of injury.
- 3/ Assessment of disablement may be reviewed in accordance with Sub- Articles (1) and (2) of this Article where the worker's condition deteriorates or improves or is wrongly diagnosed:
- a) On the initiation of the relevant authority; or

- 11.6.1.4 17.88 goy andhito. a.m.e.d (III.1) hun6 a P.90 አንተጽ ንዑስ አንተጽ (፩) እና (፪) 73879 AtomAlito anulit 1. J. P. P. T. 1A ::
- 27279 5/8848 287 mm3 2.68 m-m.1. 8.1.77 m 11.03-60 7.11. 12.1-5 m 0.73 809.6.45 U'S" እንደነገሩ ሁኔታ ከፍያ የማግኘት andle ACOTTAT ORT Ahaha Partis. Am. 19: 9 1-003 Aux. on CAT. ወደም ሊቀነስበት ይችላል።
- 7.8.7 E/ 02"6 18. 8"7 8CO የደረሰበት ሥራተኛ እንደነና በሥራ 7.9.7 88700J POY. S.C.A እንደሆነ የአካል ጉዳት መጠኑ ደረጃ わゆる・トデー おもり かんき とうりん እንደገና ይመሰናል::

## ምዕራፍ ሦስት በሥራ ላይ ለሚደርሱ ጉዳቶች ስለሚሰሙ ከፍያዎች በርፍ አንድ ጠቅሳሳ

#### ልጀር. ስለክፍያዎችና የመክፌል ኃላፊነት

ሰማደርሱ ንዳቶች 11116 1.8. 119: 4 207 6.8000 (111.1) 2064 £3.22.27 Allondation and A. Bush:

#### 880. AR 98.5

- 6/9350.90 hus 877.11-1-1-7 8006.890 78.3. hAllit:-
  - U) 7-47 126117 106-17 900 20069 Thirt och of all of the sandand:
  - ለ)ንዳት የደረሰበትን ውራተኛ ተስማማ በሆነ የመን3ንና ዘዴ በአቅራቢያው ወደሚገኘው የሕክምና ጣቢያ የማድረስ።
  - d) 11/16 18. Por ana 7.8.7 መድረሱን አማባብ ሳለው AHA የማስታውት::
- g/ በዚህ አዋጅ አንቀጽ ል፻፲ (ል) (A) የተመለከተውን የቀብር ሥነ /"C37 (Dela on 116.A Phin 6m. 72.3. P.USA ::

- b) Up on the request of the concerned worker or employer the issue may be revised pursuant to Sub-Articles (1) and (2) of this Article.
- 4/ Where the result of the review so warrants, the rights of the worker to a disablement benefit shall be recognized or withdrawn or that the rate payable shall be increased or reduced, as the case may be.
- 5/ Where a worker who has suffered an employment injury sustains additional employment injury, his disablement shall be reassessed in light of his new circumstances.

#### CHAPTER THREE BENEFITS IN THE CASE OF EMPLOYMENT INJURIES SECTION ONE

### 103. Payment and Responibility to Pay

Injury benefits shall be paid in accordance with the provisions of this Chapter.

GENERAL

#### 104. Special Obligation

- 1/ An employer shall have to discharge the following obligations:
  - a) To provide the injured with first aid in time;
- b)To take the injured by an appropriate means of transport to the nearest medical facility;
  - c) To notify the occurrence of occupational injury to the relevant organ.
  - 2/ The employer shall have the obligation to cover the funeral expenses specified under Article 110 (1) (b) of this Proclamation.

#### <u>ዘርፍ ሁለት</u> ስለ ሕክምና አገልግሎት

#### 

በሥራ ላይ የሚመጣ ጉዳት ለደረሰበት ሥራ-ተኛ ለሚከተሉት የሕክምና አገልግሎቶች የሚያስፌልገውን ወጪ አሥሪው ይክፍላል:-

- 8/ የጠቅሳሳና የልዩ ሕክምና እንዲሁም የቀዶ ሕክምና መጪዎች።
- E/ PUNTAS PORTA DOLPA:
- E/ የማንኛውም አስራላን, ሰው ሰራሽ ምትክ ወይም ተጨማሪ አካሎችና የአጥንት ጥንና ወጪዎች።

#### <u>ል፻፯. የሕክምና አገ</u>ልማሎት የሚቋረተበት ጊዜ

ሥራተኛው ለደረሰበት ጉዳት የሚደረግለት የሕክምና አገልግሎት የሚደረጠው የሕክምና ቦርድ በሚሰጠው ውሳኔ መሠረት ይሆናል።

### <u>ዘርፍ ሦስት</u> ልዩ ልዩ የተሬ ገንዘብ ክፍያዎች

#### ል፻፯. ጠቅሳሳ

- 8/ ማንኛውም በሥራ ላይ የሚመጣ ጉዳት የደረሰበት ሥራተኛ:-
  - ሀ)ጊዜያዊ የአካል ጉዳት አስከሚወገድበት ጊዜ ድረስ በየጊዜው የሚደረማ ክፍያ፣
  - ለ) ዘላቂ የአካል ጉዳት የደረሰበት እንደሆነ የጉዳት ሙረታ ወይም ዳረሳት ወይም ካግ፣
  - ሐ) የሞተ እንደሆነ ለተገኞች የጡሬታ አበል ወይም ዳረጎት ወይም ካሣ የማግኘት መብት ይኖረዋል።

# ፪/በየጊዜው የሚደረግ ክፍያ የጠየቀ ወይም በመቀበል ላይ ያለ ማናቸውም ሥራተኛ:-

- U) ለሕክምና ምርመራ ለመቅረብ አምቢተኛ ከሆነ፣ ቸል ያለ እንደሆነ ወይም በማናቸውም ሁኔታ ሆነ ብሎ ምርመራውን ያደናቀፊ ወይም ያለበቂ ምክንያት ያጓተተ እንደሆነ፣
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# SECTION TWO MEDICAL SERVICES

#### 105. Types of medical services

Where a worker sustains employment injury, the employer shall cover the following medical service expenses:

- 1/ General and specialized medical and surgical care:
- 2/ Hospital and pharmaceutical care;
- 3/ Any necessary prosthetic or orthopedic appliances.

#### 106. Duration of medical services

Medical services Provide for injury shall be withdrawn in accordance with the decision of a Medical Board

# SECTION THREE VARIOUS KINDS OF CASH BENEFITS

#### 107. General

- 1/ A work who has sustained employment injury shall been titled to:
  - a) Periodical payment while he is temporarily disabled;
  - b) Disablement pension or gratuity or compensation where he sustains permanent disablement;
  - Dependents' pension or gratuity or compensation to his dependent where he dies.
  - 2/ Periodical payment may be withheld where a worker who has claimed or is receiving same:
    - Refuses or ignores to submit himself to medical examination or in any way intentionally obstructs or unnecessarily delays such examination;
    - b) be haves in a manner calculated to delay his recovery; or

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3/ As soon as the circumstances that occasioned the suspension ceases, the periodical payment shall recommence; provided, however, that there shall be no entitlement to back pay for the period of suspension.

#### 108. Periodical Payment

- 1/ The employer shall pay the periodical payment referred to in Article 107 (1) (a) of this Proclamation for a period not exceeding one year.
- 2/ The periodical payments referred to in Sub-Article (1) of this Article shall be at the rate of full wage of the worker's previous average yearly wages during the first three months following the date of injury, not less than 75% of the worker previous average yearly wages during the next three months and not less than 50% of his previous average yearly wages for the remaining six months.

- 3/ Periodical payments shall cease whichever of the following takes place first:
  - a) When the worker is medically certified to be no longer disabled;
- b) On the day the worker becomes entitled to disablement pension or gratuity;
- c) Twelve months from the date the worker ceased to work.

## 109. Disablement Payments

1/ Unless otherwise provided Collective Agreement, disablement benefits payable to workers of an undertaking Covered this Proclamation shall be in accordance

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- 6/ 11/10 Cm P"7,116. Am-00m39";-
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with the applicable pension scheme or insurance scheme.

Where the undertaking doesn't arrange an insurance scheme, the relevant pension scheme shall be applied.

- 2/ Notwithstanding the provisions of Sub-Article (1) of this Article, the disablement benefit covered by an insurance scheme shall in no case be less than the amount prescribed under Sub-Article (4) of this Article.
  - 3/ An employer shall pay a lump sum of disablement benefit to workers who are not covered by pension law.
- 4/ The amount of the disablement benefit to be paid by the employer shall be:
- a) where the injury sustained by the worker is permanent disablement, a sum equal to five times his annual wages;
- b) where the injury sustained by the worker is below permanent total disablement a sum proportionate to th degree of disablement shall be calculated on the basis of the compensation provided for by Sub-Article 4 (a).
  - 5/ Where an apprentive sustaine disablement his disablement benefit shall be calculated by reference to the wages which he would probably have been receiving as a qualified worker after the completion of his apprenticeship.

#### 110. Dependents' Benefits

- 1/ Where a worker or an apprentice dies as a result of an employment injury, the following benefits shall be payable to dependes:
  - a) Dependents' compensation in accordance with the provisions of Sub-Articles (2) and (3) of this Article; and
  - b) Unless the amount stipulated by the provisions of a collective agreement or work rules is higher, payment for funeral expenses shall be in no case less than

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- 2/ The following shall be considered a dependents:
  - a) The widow or widower;
  - b) Children of the deceased who are under 18 years old; and
  - c) Any parent who was being supported by the deceased.
- 3) The amount of the dependents' benefit for workers not covered by the pension scheme, shall be a sum equal to five times the annual salary of the deceased and shall be paid by the employer in lump sum in accordance with the following proportion:
  - a) 50% for the widow or widower;
  - b) 10% each for the deceased's children who are below the age of 18 years old;
  - c) 10% each for the deceased's parents who were being supported by him.
- 4' If the total of dependents' benefit calculated in accordance with Sub-Article (3) of this Article is in excess of 100% of the total amount to be apportioned, the amount of compensation for each dependent shall, without affecting the share of the widow or widower, be proportionately reduced to 100%. If the total amount of dependents' compensation is less than 100% of the total amount to be apportioned, the amount compensation of each dependent shall be proportionately increased to make it 100%.

#### 111. Burden of Proof

The benefits referred to in Article 110 of this Proclamation shall not be payable where the worker dies after twelve months from the date of the injury unless it is proved that the injury was the main cause of his death.

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# <u>ክፍል ስምንት</u> <u>የኅብረት ማንኙነት</u> <u>ምዕራፍ አንድ</u> የሥራተኛና የአሥሪዎች ማኅበር

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- ለ) "የአሠሪዎች ማኅበር" ማለት አሠሪዎች በአንድነት ሆነው የሚያቋቁሙት ማኅበር ነው።
- ሐ) "ፌዴሬሽን" ማለት ከአንድ በላይ የሆኑ የአሠሪዎች ወይም የሠራትኞች ማኅበራት የሚያቋቁሙት ማኅበር ነው፣
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#### 112. Benefits not Taxable

- 1/ The benefits payable in accordance with the provisions of this Section shall be exempted from income tax.
- 2/ The benefits payable under the provisions of this Section shall not be assigned, attached or deducted by way of set off.

# PART EIGHT COLLECTIVE RELATIONS CHAPTER ONE

# TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS

#### 113. The Right to Form associations

- Workers and employers shall have the right to establish and organize Trade Unions or employers' associations, respectively, and actively participate there in:
- 2/ In this Proclamation:
  - a) "Trade Union" means an association formed by workers;
  - b) "Employers Association" means an association established by employers;
- c) "Federation" means an organization established by more than one trade unions or employers' associations;
- d) "Confederation" means an organization established by more than one trade union federations or employer's federations.

#### 114. Formation of Associations

1/ A trade union may be established in an under taking where the number of workers is ten or more; provided, however, that the number of members of the union shall not be less than ten.

- ጀ/ ቁጥራቸው ከ፲ በታች የሆኑ ሥራተኞች በሚገኙባቸው በተመሳሳይ ዘርፍ በተሰማሩ የተለያዩ ድርጅቶች ሙስጥ የሚሰሩ ሥራተኞች በአንድነት ሆነው መቅላላ ማኅበር ሊያቋቁሙ ይችላሉ። ሆናም ቁጥራቸው ከ፲ ማነስ የለበትም።
- ተ/ የሥራተኞች ማኅበር በአንድ ላይ በመሆን የሥራተኞች ማኅበራት ፌዴሬሽን፡ የሥራተኛ ማኅበራት ፌዴሬሽኖች በአንድ ላይ በመሆን የሥራተኞች ማኅበራት ኮንፌዴሬሽን ሲመሰርቱ ይችላሉ፡፡
- 9/የአሥሪዎች ማኅበር በአንድ ላይ በመሆን የአሥሪዎች ማኅበራት ፌዴሬሽን፣የአሥሪዎች ማኅበራት ፌዴሬሽኖች በአንድ ላይ በመሆን የአሥሪዎች ማኅበራት ኮንፌዴሬሽን ሊመሰርቱ ይችላሉ፣፣
- ሽ/ማናቸውም የአውሪም ሆነ የውራተኞች ማኅበር ከተቋቋሙት የአውሪዎች ወይም የውራተኞች ማኅበር ፌዴሬሽን አባል ሳይሆን የኮንፌዴሬሽን አባል ሲሆን አይችልም።
- %/ ማናቸውም በፌዴሬሽን ወይም በኮንፌዴሬሽን የተደራጁ የአሠሪዎች ወይም የሠራተኞች ማኅበራት የዓለም አተፍ የአሠሪዎች ወይም የሠራተኞች ማኅበራት አባል መሆን ይችላሉ።
- 3/በአንድ የሥራ በታ በአንድ ወቅት
  ማንኛውም ሥራተኛ ከአንድ የሥራተኛ
  ማኅበር በላይ አባል ሲሆን አይችልም።
  ይህ ድንጋጌ ሳይከበር ቀርቶ ሥራተኛው
  ከአንድ በላይ ማኅበር ውስጥ አባል ከሆነ
  በመጨረሻ አባል የሆነበት ወንቶ
  የቀድሞው ውድቅ ይሆናል። በሁሉም
  ማኅበራት አባልንቱ የተመሰረተው
  በአንድ ወቅት ከሆነ ከሁሉም ማኅበራት
  አባልንቱ ውድቅ ይሆናል።
- \$/ በዚህ አንቀጽ ንዑስ አንቀጽ (@) የተመለከተው ቢኖርም ማንኛውም አሥሪ ከተቋቋመ የአሥሪዎች ማኅበራት ፌዴሬሽን አባል ለመሆን ይችላል::

- 2/ workers who work in different undertakings but in similar activities which have less than ten workers may form a general trade union, provided, however, that the number of the members of the union shall not be less than ten.
- 3/ Trade unions may jointly form Trade Union federation and federations may jointly form Trade Union confederations as well.
- 4/ Employers' associations may jointly form employers' federation and employer's federations may jointly form employers' confederation as well.
- 5/ No trade union or employers' association may form a confederation without forming Trade Union or Emplyers' Federations.
- 6/ Any Federation or Confederation of trade unions or employers' associations may join international organizations of trade unions or employers.
- 7/ No worker may belong to more than one trade union at any given time for the same employment. Where this provision is not observed, the latest member ship shall prevail; and where the formalities of membership were simultaneous, all of them shall be without effect.
- 8/ Notwithstanding Sub-Article (4) of this Article, any employer may join an established employers' Federation.

### 8418. 197106+ 199C

ማናቸውም ማኅበር የሚከተሉትን ተግባራት PhGmGA:-

- 8/ OILU APE P-FORAlph-1-3 PMG 11-7.1-97.5 17907 006.07 አንዲሁም የአባሎችን መብትና ተትም ማስጠበቅ በተለደም በንብረት ድርድር agge age hence all hampita-ሲጠይደቸው ወይም a.oha.To. were Anche Anna ASCSC ባለመ አካል ዘንድ መቅረብ፣ ሆኖም:-
  - ሀ) በአንድ ድርጅት ውስም ከአንድ በላይ የሥራተኛ ማኅበራት ካለ ከአመሪ ጋር የሕብረት C.C.C.C ማድረግና ከመንግሥት ኃላፊዎች oc womanc gon The grac hm+110 12-1-2 9 100% ሲደመር አንድ እና ከዚህ በላይ የሆነውን አባላት የደዘው ነው።
  - ለ) የአብዛኛው **ውራተ**ኛ አባልንትያለው ማኅበር በሚኒስቴሩ ወይም አማባብ ባለው ባለስልጣን አውቅና መሰጠት ስለበት:
  - d) ከተመሰን ጊዜ በኋላ የአብዛኛው ሥራብኝ አባልነት የነበረው ማኅበር አባልንተ፡ ከወሬደ በምትኩ ሌላ Ph(1) 50-3 W6+5 አባልንት ያገኘው ማኅበር አውትና ደገኛል።
- 2307: man 68979 E/ 277: መግለጫዎች በአባሎች እንዲታወቁ። እንዲከበሩና በተገቢው ሁኔታ በሥራ ሳይ እንዲውስ ማድረግ።
- 1/ hw697-39 w6-1973 909,000 Ahl: ሕንትና ደንቦችን ማመንጨት ሲዘጋጁና ሲሻሻለ ሃሣብ ማቅረብ።
- 9/ በማኅበራት መተዳደሪያ ደንበች ላይ 1.00% 1.796.7 የሚወሰኑትን U-A. 006.090::

# ስያ፣፣ <u>የ</u>ፌዴሬሽኖችና <mark>ኮንፌዴሬሽኖች ተግባር</mark>

16.2.67979 1176.2.6797 268 6816 ማኅበራት በአንቀጽ 1.1.26% h-t-oonth-to- Atal 76:-

አንድንትና 77116-7-7 6/PhgA የመረዳዳት መንፌስ የማጠናከር።

#### 115. Function of Associations

Associations shall have the following functions:

- 1/ to observe the conditions of work and fulfill the obligations set forth in this Proclamation; protect the rights and interests of their members, in particular, represent members in collective bargaining and labour disputes before the competent organ when so requested or authorized by their members; provided, however, that:
  - a) where there exist more than one Trade Unions at a given undertaking, the trade union which will be the exclusive bargaining agent undertake consultation with authorities. is the one which secures 50% plus and more than one membership of all employees of the undertaking;
  - b) the organization which secured the majority membership of the workers shall be recognized by the Ministry or the appropriate Authority;
  - c) if an organization subsequently failed to secure the majority membership of workers, the other organization that secure majority shall be recognized instead.
- 2/ to ensure that laws, regulations, directives and declarations are known to and be complied with and implemented members:
- 3/ to initiate laws and regulations pertaining to labour relations and to participate actively during their formulation and amendments;
- 4/ to discharge other tasks provided for in the bylaws of their respective organizations.

# 116. Function of Federations and Confederations

In addition to those matters mentioned under Article115 of this Proclamation, federations and confederations shall have the following functions:

1/ To strengthen the unity and spirit of cooperation among their member unions;

- ጀ/ በሙያ ወይም በኢንዱስትሪ ዘርፍ የሥራ ሁኔታዎችን ለማሻሻልና ለመወሰን በሚደረጉ ተረቶች የመስተና።
- E/ አባሎቻቸው በአገሪቱ ኢኮኖሚ ማንባታ ተሳትፏቸውን እንዲደጠናክሩ የማበረታታት፣
- 6/ በማናቸውም ስብሰባዎች ላይ አባለማቸውን የመወከል፣ እና

ሃላፊንት አለባቸው።።

#### SETT. PARAMA RCZA

ለማናቸውም የአውሪ ወይም ውራተኛ ማኅበር ከቅን ልቦና ተቃራኒ በሆነ ማንኛውም ውንገድ የኅብረት ድርድር ጊዜ እንዲራዝም ማድረግ ሀገወዋ ድርጊት ነው።

#### 6813. የማኅበር መተዳደሪያ ደንብ

የአመሪዎችም ሆነ የመራተኞች ማኅበራት የየራሳቸውን መተዳደሪያ ደንብ ያወጣሉ። የመተዳደሪያ ደንቡም ከሌሎች ጉዳዮች በተጨማሪ:-

፩/ የማኅበሩ ስም። ፪/የማኅበሩ ዋና መሥሪያ ቤት አድራሻ።

F/ 899904. 349:

8/ ማኅበሩ የተመሰረተበት ቀን።

E/ 87716 3C7:

7/ 807704 and 97 anan15 97:

3/ ስለማኅበር አባላት መዋው።

ጀ/ስለማኅበር ንብሬትና ገንበብ አይደገነ

ij/ ስለማኅበር ስብሰባዎችና ምርጫ አልጸጸም፣

፤/ ስለ ሥነ ሥርዓት አርምጃዎች።

፲៩/ ማኅበር ስለሚፌርስበት ሁኔታ።

፲፱/ማኅበር በሚፈርስበት ጊዜ ስለንብረት አወሳሰን ጉዳይ የያዘ መሆን። ይኖርበታል።

- 2/ To participate in the determination or improvement of the conditions of work at the trade or sectorial level;
- 3/ To encourage members to enhance their participation in the development of the country's economy;
- 4/ To represent their members in any forums; and
- 5/ To discharge other tasks as assigned to them in their bylaws.

#### 117. Prohibited Act

It shall be unlawful to an employers' or workers' organization to unduly delay collective bargaining contrary to good faith.

#### 118. By Law of Association

Trade Unions and employers' assciations shall freely formulate their own by laws. The constitutions may include, among other things, the following:

- 1 /Name of the Association;
- 2/ Address of the Head Office of the association;
- 3/ Objective of the association:
- 4/ Date of establishment of the association:
- 5/ Emblem of the association:
- 6/ Requirements for assumption of leadership positions of the association;
- 7/ Union due so fits members:
- 8/ Financial and property administration of the association;
- 9/ Meeting and election procedures of the association;
- 10/ Disciplinary procedures;
  - 11/ The conditions for dissolution the association; and
  - 12/ Status of the property in case of the dissolution of the association.

#### 8月1日. Pがりいるみ デココロ

- እ/ ማናቸውም ማኅበር በዚህ አዋጅ መሥረት በሚኒስቴሩ ወይም አግባብ ባለው ባለስልጣን ይመዘገባል፡፡
- ጀ/ ማናቸውም ማኅበር እንደተቋቋሙ ከዚህ በታች ለምዝገባ የተመለከቱትን ለሚኒስቴሩ ወይም አማባብ ሳለው ባለስልጣን ደቀርባል:-
  - U) የማኅበሩን የመተዳደሪያ ደንብ።
  - ለ) የማኅበሩን አባሎችና መሪዎች ስም፣ አድራሻና ፊርማ የደዘ ሰንድ፣
  - ሐ) ማኅበሩ ጠቅላላ ማኅበር ከሆነ አባላቶቹ የሚገኙባቸውን ድርጅቶች ስም የደሀ ሰንድ፣
  - መ) ማኅበሩ ፌዴሬሽን ወይም ከንፌዴሬሽን ከሆነ የአባል. ማኅበሮችን ስምና አድራሻ፣ የመሪዎች ስም፣ አድራሻና ፊርማ የያዘ ሰንድ፣
- መ) የማኅበሩ ስምና አርማ።
- 17/17/2014 m 8.90 **አማባብ** PAm-ባለስልጣን manhirm. 1-70 በቀረበለት በ፲ሬ የስራ ቀናት ውስጥ 的名字等 unCgoC いのクインデーツ ሲያፈጋግጥ የምስክር ወረቀት ይሰጣል ፡፡ 7.11. መ-ሰጥ COAA.3 32.1001170 ትላስታውቀ 777014. ይቆጠራል፡ የምንነገባ ምስክር ወረቀት ይሰጣል ::
- ፬/ በዚህ አንቀጽ መሠረት ያልተመዘገበ ማናቸውም ማኅበር በዚህ አዋጅ የተመለከቱትን ተግባሮች ሊያከናውን አይችልም።
- ፩/የሠራተኛ ማኅበር ለመጀመሪያ ጊዜ ለምዝገባ ሲቀርብ ከቱምብር ቀረዋ ክፍያ ነፃ ነው።
- ፤/በዚህ አዋጅ መሠረት በሚኒስቴት ወይም አግባብ ባለው ባለስልጣን የተመዘገቡ የአሠሪዎችና የሠራተኞች ማኅበራት የሕግ ሰውነት፣ እንዲሁም የሚከተሉትን ስራዎች ለማከናወን የሕግ ችሎታ ይኖራቸዋል:-

#### 119. Registration of associations

- 1/ Every association shall be registered by the Ministry or the appropriate authority in accordance with this Proclamation.
- 2/ Every organization shall, upon application for registration, submit to the Ministry or the appropriate Authority the following documents:
  - a) by laws of the association;
  - b) Document containing the names, address and signatures of its mebmers and leadership;
  - In the case of a general union, the names of undertakings where members are working;
  - d) Where the association is a federation or a confederation, the names, address and signatures of their leaderships and the member trade unions or employers' associations;
  - e) Name and emblem of the association.
  - 3/ The Ministry or the appropriate authority shall, after examining the documents and ascertaining that they are duly completed, issue a certificate of registration within fifteen working days of receiving the application. Where the Ministry or the appropriate organ does not notify its decision within the prescribed period, the association shall be deemed registered. In such cases, a certificate of registration shall be issued to the Association.
  - 4/ An organization which is not registered in accordance with the provisions of this Article may not perform functions set forth in this Proclamation.
  - 5/ The first registration of a trade union shall be exempt from stamp duty.
  - 6/ A trade union or employers association registered by the Ministry or competent authority in accordance with this Proclamation shall have legal personality and have the capacity to undertake, in particular, the following:

- U) m.A Pangga:
- Δ) Γασμόδη Γασμόδι
- ለ) የንብረት ባለቤት የመሆን፣ በንብረት የመጠቀምና የማስተላለፍ፣
- መ) በየት-ኛውም ደረጃ አባላትን የመወከል።
- (#) ዓሳማቸውን ከግብ ለማድፈስ የሚያስችላቸውን ሕጋዊ ተግባሮች የማከናወን።

#### ልጀቼ. ምዝገባ ስለመከልከል

ማኢስትሩ ወይም አማባብ ይለው ባለስልጣን ከሚከተሉት ባንዱ ምክንደት የማኅበሩን ምዝባ ሊከለክል ይችላል:-

- ሽ/ ማኅበሩ በዚህ አዋጅና በአዋጁ መሠረት በሚወጡ ደንቦችና መመሪያዎች መሰረት ለምዝገባ ሊደሟላ የሚገባውን ጉዳዮች ሳደሟላ ሲቀር።
- #/ የማኅበሩ ዓላማዎችና የመተደደሪያ ደንቦች ሕገወዋ ሆነው ሲገኝ፣
- ፫) ማኅበሩ የሚመዘገብበት ስም ቀደም ሲል ከተቋቋሙ ሌላ ማኅበር ስም ጋር አንድ ዓይነት ሆኖ ሲገኝ ወይም የተቀራረበ ሆኖ አባሉንም ሆነ ጠቅላሳውን ሕዝብ በማናቸውም አኳኋን ሊያሳስት የሚችል ሲሆን፣ ወይም
- 0) 97114.3 190000 hermanet 00697 anitha 13% a 2.90 ከአንድ በላይ የሆኑት nece በተለያዩ ማኅበራዊ መብቶቻቸው ላይ ንደብ የተጣለባቸው ከሆነ እና ማ<u>ንበሩ</u> እንዚህን +an6.64.7. 00.007 ለመተካት ፌታደኛ ሆኖ 84.179 **λ**ንደሆነ።

#### ልጀሯል. ምዝገባ ስለመሰረዝ

- ፩/ሚኒስትሩ ወይም አማባብ ያለው ባለስልጣን ከሚከተሉት በአንዱ ምክንያት የማጎበሩ የመመዝገቢያ ምሥክር ወረቀት እንዲሠረዝ ሥልጣን ያለውን የሥራ ክርክር ፍርድ ቤት መጠየቅ ይችላል:-
  - ሀ) የምዝገባ ምስክር ወሬቀብ፡ በማጭበርብር፡ በስሁተብ፦ ወደም በማሳሳት የተገኘ እንደሆነ፡

- a) To enter into contract;
- b) To sue and be sued;
- c) To own, use and transfer property;
- d) To represent members at any level; and
- e) To undertake any lawful act necessary for the attainment of its objectives.

#### 120. Refusal to Register

The Ministry or the appropriate Authority may refuse to register an association due to any one of the following grounds:

- I/ Where the association does not fulfill the requirements laid down in this Proclamation, Regulation sand Directives issued in accordance with this Proclamation;
- 2/ Where the objectives and the by law of the association are illegal;
- 3/ Where the name of the association is similar with another organization established prior to it or so closely similar as to confuse its members and the general public in any manner; or
- 4/ Where one or more of its elected leaders have been restricted from certain civil rights by court and the association is not willing to replace them.

#### 121. Cancellation of Registration

- 1/ The Ministry or the appropriate Authority may file before the competent court to cancel the certificate of registration of an association, on anyone of the following grounds:
  - a) Where the certificate of registration was obtained by fraud or mistake or deceit;

- ለ)ከማኅበሩ ዓላማዎች እንዳ ወደም የማኅበሩ የመተዳደሪያ ደንብ በዚህ አዋጅ መሥረት ሕገመተ ሆኖ የተገኘ እንደሆነና A711.0390 man ሁኔታዎች ለማረም ወደም ለመለመፕ ማኅበሩ ፌታደኛ ያልሆነ እንደሆነ። an e. 90
- ሐ) ማኅበሩ በዚህ አዋጅ በተከለከሉ ወደም 1131070-5 hon-1-82620 23-11 mor AU'r 34797 08.90 ተማባራት ውሉ እንደሆነ እንዚህንም 156747 Amilan 19699 ለማስወገድ ፌታደኛ ሆኖ ካልተገኝ።
- #/ ማኅበሩ በሚፈርስበት ጊዜ ከማኅበሩ ተደቁ ሲቀርብለት ሚኒስቴና ወደም አማባብንት ያለው ባለስልጣን ተነበ. 10000 1007 1. 800 00 378 8000 14. 0.29 A.P.C. 27 P. T. 16:10

#### 8፻፳፪. ማኅበር ለማስረዝ ስለሚስተ ማስጠንቀቂያ

- 6/ ማ.ኒስቴሩ ወደም አማባብ ያለው ባለስልጣን በዚህ አዋጅ አንቀጽ δጀጽδ(δ) መመረት ማኅበር እንዲሰረብ ከመጠየት በፊት ማኅበሩን ለመሰረዝ የሚያበቁ ምክንያቶችን በዝርዝር በመግለጸ፣ እነዚህን ምክንደቶች ለመታወም ዕድል ያለው መሆኑን በማስታወቅ 7-88 Anymodistor manc 86 oc ቅድማንያ ማስጠንተቂያ መስጠት አለበት። "ኢኒስቴሩ ወይም አማባብ ያለው ባለስልጣን hernanset. 6786 (6) ምክንያቶች ውጭ በማስጠንቀቂያው ውስጥ መጥተስ አይችልም።
- ጀ/ በዚህ አንቀጽ 30-ስ አንቀጽ (0) የተጠቀሰው ጊዜ ካለፊና በዚህ 7.11 ውስጥ ማኅበሩ በማስጠንቀቂያው ላይ ተቃውሞውን ካላቀረበ ወደም ያቀረበው የሌለመ-ምክንደት ተቀባደንት ወደም አማባብ 77.7.0.64 herri ያለው ባለስልጣን ማኅበሩ እንዲሰረብ MAM'S PAOS PMG hehe sex 1: APT. 9 49mm 1.1
  - カラヤボ (男) 30.0 አንቀጽ 1.7 (111.1) የተጠቀሰው እንደተጠበቀ ሆና ማኒስቴሩ ባለስልጣን Pha-አማባብ m P.90 APPING OLA-1: משוראו שחוזפל. ሊሆን የሚችሉ በዚህ አዋጅ አንቀጽ

- b) Where any of the objectives or the by law of the association is found to be illegal under this Proclamation and the association is not willing to strike out the illegal provisions or conditions; or
- c) Where the association is found to have engaged in activities which are prohibited under this Proclamation or performed acts which are contrary to its objectives and constitution; and it is not willing to cease or correct or eliminate them.
- 2/ The Ministry or the Appropriate Authority may, upon request by an association, ensure that the association is dissolved in such manner as it thinks appropriate.

#### 122. Notice to Cancel Registration of association

- 1/ The Ministry or the appropriate Authority shall, before filing for the cancellation of the registration of an association in accordance with Article 121 (1) of this Proclamation, give to the concerned association one month prior notice specifying the grounds for the cancellation in order to provide it an opportunity to contend. The Ministry or the appropriate authority my not rely on any ground other than those enumerated in Article 121 (1) of this Proclamation.
- 2/ Where the period of notice provided for in sub-article (1) of this Article has expired and the association does not oppose the notice or the reply is unacceptable by the Ministry or competent authority, it may file to the competent court for the cancellation of registration.
- 3/ Without prejudice to Sub-Article (2) of this Article, the Ministry or the appropriate authority may meantime suspend the association from engaging in acts prohibited by this Proclamation or contrary

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#### **፩፻**፳፫. ይማባኝ ስለማቅረብ

"7.7.0-1:5an P.90 779-0 (Am-ባለስልጣን የማኅበሩን ምዝገባ ከክለክለ ማኅበሩ ይኸው ውግኔ በጽሁፍ በደረሰው በ፲፭ የሥራ ቀናት ውስጥ ይማባኝን ሥልጣን ሳለው ፍርድ ቤት ሊያተርብ 27-1A: 2707-9 002-1-207 7.16 ማኒስቴና ወይም አግባብ ድለው ባለስልጣን 0565 04: 9000 200 2000 77 050 P.OmPA:

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# 9064 111 የኅብረት ስምምነት ዘርፍ አንድ ጠቅሳሳ

#### δ፻፳፩. ትርጉም

- 8/ "የኅብሬት ስምምንት" "ማለት በአንድ ወደም ከአንድ በሚበልጡ የውራተኞች ማኅበራት ወኪሎች እና በአንድ ወደም ከአንድ በሚበልሙ አመሪዎች ወደም "77067 Phw. what. ወይም አሥሪዎችን በሚወክሉ ተመሪዎች white hard 1.57.97 807869 118 de 9: 84 6. 6. 1999997 100::
  - E/ "PTOCT SCSC" "707 000% ሁኔታዎች ወይም የጎብረት ስምምነትን ለመፌራሪም፣ ለማደስና ለማሻሻል 0x102975 OWE TYTE TOOK ore and other only PM 227 1941 AD-0-T 10-::

objectives and by law as provided for under sub-article I(c) of Article 121 of this Proclamation.

# 123. Appeal

Where the Ministry or the appropriate authority refuses registration of the association, the organization may appeal to the Competent Court within 15 working days from the date of receipt of the decision in writing. The Ministry or the Appropriate Authority shall be given the opportunity to defend its decision before the Court.

#### 124. Consequence of Cancellation of Registration or Dissolution on Regust of Association

An association shall be deemed dissolved as of the date of cancellation of its registration by the decision of a court or dissolution by the Ministry or the appropriate authority up on request by the Association.

# CHAPETER TWO COLLECTIVE AGREEMENT SECTION ONE GENERAL

#### 125. Definition

- 1/ "Collective Agreement" means agreement on conditions of work concluded in writing between representatives of one or more trade unions and one or more employers representatives or agents of employers associations.
- 2/ "Collective bargaining" means a negotiation process between employers and workers organizations or their representatives concerning conditions of work in order to reach at collective agreement or the renewal or modifications there of.

#### ስጀሽች. ስለ መደራደር

ል/ ማንኛውም የውራተኞች ማኅበር በዚህ አዋጅ አንቀጽ ልጀጽቹ በተመለከቱት ጉዳዮች ላይ ከአንድ አውሪ ወይም ከብዙ አውሪዎች ወይም ከአውሪዎች ማኅበር ጋር የኅብረት ስምምነት መደራደር ይችላሉ።

ጀ/ ማንኛውም አውሪ ወደም የአውሪዎች ማኅበር በማኅበር ከተደራጁ መራተኞች ጋር የኅብረት ስምምነት መደራደር ይችላል።

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- 6/ በጎብረት ድርድር መትት በመራተኛው ጠኑል ለመሃጋገር የሚችሉት:-
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- ስ) ሥራተኞቹ የጠቅላላ ሥራተኞች ማኅበር አባል ከሆኑ በማኅበሩ የመተዳደሪያ ደንብ መሠረት ስምምንቱን ለመደራደርና ለመራራሪም ሥልጣን የተሰጣቸው የጠቅላላ ሥራተኞች ማኅበር መሪዎች ናቸው።
- ጀ/በጎብረት ድርድር ወቅት በአሥሪ በኩል መወከል የሚችሉት ጉዳዩ በሚመለከተው አሥሪ ወይም አሥሪዎች ወይም የአሥሪዎች ማኅበር ውክልና የተሰጣቸው ሰዎች ናቸው።

### <u>ልጀ</u>ቖ፟፟፟፟፟፟፟፟ አማካሪዎች

በኅብረት ስምምንት ድርድር ተካፋይ የሚሆኑ ወገኖች በድርድሩ ላይ የባለሙያ አስተያየት የሚሰጡ ወይም በአማካሪ ደረጃ የሚያገለግሉ ሰዎችን ይዘው ሊቀርቡ ይችላሉ።

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ማናቸውም የሥራ ማንኙነቶችንና የሥራ ሁኔታዎችን የሚመለከቱ ጉዳዮች እንዲሁም አሥሪዎችና ማኅበሮቻቸው ከሥራተኞች ማኅበራት ጋር የሚኖራቸው ማንኙነት በኅብረት ስምምነት ሊወሰን ይችላል።

#### 126. Bargaining

- 1/ Any trade union shall have the right to bargain with one or more employers or their association in matters provided for in Article 129 of this Proclamation.
- 2/ Any Employer or employers associations shall have the right to bargain with their workers organized in a Trade Union.

#### 127. Representation

- 1/ The following shall have the right to represent workers in collective bargaining:
  - a) Where there is a Trade Union, the leaders of the trade union or members who are authorized in accordance to the by law of the union to negotiate and sign collective agreement;
  - b) Where there is a General Trade Union, the leaders of the general trade union who are authorized in accordance with the by law of the union to negotiate and sign collective agreement.
- 2/ Persons delegated by the concerned employer or employers or employers' association shall have the right to represent them in collective bargaining.

#### 128. Advisors

Any party to a collective bargaining may be assisted by advisors who provide expert advice during the negotiation process.

# 129. Subject Matter of a Collective Agreement

Matters concerning employment relations and conditions of work as well as relations of employers and their associations with trade unions may be determined by a collective agreement.

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  - 7/የማኅበራዊ ምክክር ስለሚካሄድበት 0.23:
  - ስለሚቋቋምበት 9.8.8 等) 1995年 U-1-1:1:

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- 8/ የኅብረት ድርድር ለማድረግ የልለገ ወገን ሲላውን ወገን በጽሑፍ ሊጠይቅ RTAA :: ATACT ECEC ONT የሚሆነውንም ረቂት አዘጋጅቶ P.000 A ::
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  - 8/ የጎብረት ድርድሩ ተካፋይ የሆነ ወንን 143 APS POREGEC 720 አለበት::

#### 130. Contents of the Collective Agreement

Without prejudice to the generality of Article 129 of this Proclamation, the following may, among other things, be determined by collective agreement:

- 1/ Matters specified by the provisions of this Proclamation or other laws to be regulated by collective agreement;
- 2/ the conditions for maintenance occupational safety and health and the manner of improving social services;
- 3/ workers' participation, particularly, matters pertaining to promotion, wages, transfer, reduction and discipline;
- 4/ conditions of work, on work rules and grievance procedures;
- 5/ apportionment of working hours and interval break times;
  - 6/ parties covered by the collective agreement and its duration of validity;
- 7/ On the establishment and working system of bipartite social dialogue.
- 8/ On the establishment of daycare.

#### 131. Procedure for Collective Bargaining

- 1/ A party desiring to initiate a collective bargaining may request the other party in writing. It shall also prepare and submit draft proposal necessary for the negotiation.
- 2/ The requested party shall within 10 working days of receiving the request, appear for collective bargaining.
- 3/ The parties shall before commencing collective bargaining draw up the rules of procedure for bargaining.
- 4/ Each party shall have the duty to bargain in good faith.

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- 5/ Issues on which the parties could not reach agreement by negotiations in good faith may be submitted to the competent Labour Tribunal.
- 6/ Parties to a collective agreement shall commence renegotiation, at least three months before its period of expiry, to amend or replace it. However if the renegotiation is not finalized within three months subsequent to the date of its expiry, the provisions of the collective agreement pertaining to wages and other benefits, unless their validity is extended by a written agreement of the negotiating parties, shall cease to be operative.

# 132. Registration of Collective Agreement

- 1/ Upon signing a collective agreement, the parties shall send sufficient copies of same to the Ministry or the appropriate authority for registration.
- 2/ Unless there exists a valid reason to deny registration, the Ministry or the appropriate Authority shall register the collective agreement within 15 working days from the date of receipt of copies thereof.

# 133. Accession of Cllective Agreement

A collective agreement which has already been signed and registered by third parties may be acceded to by other negotiating parties.

# SECTION TWO CONDITIONS OF VALIDITY OF COLLECTIVE AGREEMENT

# 134. Duration of Validity of Collective Agreement

1/ Any provision of a collective agreement which provides for conditions of work and benefits which are less favorable than those provided for under this Proclamation or other laws shall have no effect.

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- 2/ Unless otherwise provided there in, a collective agreement shall produce legal effect as of the date of signing by the parties.
- 3/ Unless expressly stipulated otherwise in a collective agreements, no party may challenge the collective agreement within three years from the date of its validity: provided, however; that:
  - a) Up on the occurrence of a major economic change, a challenge to the collective agreement may initiated to the Ministry or the appropriate authority by either party before the expiry of the fixed time:
  - b) The Ministry or the appropriate authority shall, up on receipt of a challenge to a collective agreement in accordance with Sub Article 3(a) of this Article, assign a conciliator with a view to enabling the parties settle the issue by agreement. If the parties fail to settle the issue amicably. Article 144 of this Proclamation shall apply;
  - c) the parties may at any time change or modify their collective agreement; provided. however, that without prejudice to the special conditions set forth in paragraphs (a) and (b) of this Sub-Article, a party may not be obliged to bargain a collective agreement to change or modify it before its date of validity expires.

#### SECTION THREE SCOPE OF APPLICATION OF A COLLECTIVE AGREEMENT

#### 135. Scope of Application

1/ The provisions of a Collective Agreement shall be applicable to all parties covered by it.

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### STOR. AF UZJ

- ፩/የጎብረት ስምምነት ተዋዋይ ወገን የሆነ የሠራተኞች ማኅበር በሚፈርስበት ጊዜ የጎብረት ስምምነቱ ተፈፃሚነት በአሠሪውና በሠራተኞች መክከል ይቀዋላል።
- ጀ/ሁለት ወይም ከሁለት በላይ ድርጅቶች በሚዋሃዳብት ጊዜ ጉዳዩ በሚመለከታቸው ወገኖች በሌላ አኳኋን ካልተወሰን በስተቀር:-
  - ሀ) የፌረሱት ድርጅቶች አያንዳንዳቸውን የሚመለከት የጎብረት ስምምነት ሲኖራቸው ከመፍረሱ በፌት ቁጥና ከሌላው ድርጅት የበለጠ ሠራተኞች የነበረው ድርጅት የጎብረት ስምምነት በተዋሃደው ድርጅት ሳይም በራሱ አንዴተደረገ ተቆጥሮ ተፌዳሚነት ይኖረዋል።
  - ለ) ከፌረሱ ድርጅቶች አንደኛውን ብቻ የሚመለከት የኅብረት ስምምነት ሲኖር ይኸው የኅብረት ስምምነት በተዋሃደው ድርጅት ላይ ተልጻሚነት ይኖረዋል።
  - ሐ) የተዋሃዱት CCEAT. ゆんナゲチ dir.C Ah-A IPS" 57C 93 እያንዳንዳቸውን የሚመለከቱ የጎብረት ስምምንቶች ሲኖሩ ለተዋሃደው ድርጅት ሥራተኞች በአጠቃላይ የተሻለ ተቅም Payamo-87-06-7 ስምምንት በተዋሃደው ድርጅት እንደተደረገ ተቆጥሮ ተልጸሚነት ይኖረዋል።
  - ፫/አንድ ድርጅት በሌላ ሲጠቀለል ወይም ድርጅቱ ሲከፋልል በዚህ አንቀጽ ንዑስ አንቀጽ (፪) የተመለከተው አስፈላጊ ለውፕ አየተደረገበት ተፈጻሚነት ይኖረዋል።

2/ Where the collective agreement is more favorable to the workers in similar matters than those provided for by law, the provision of the collective agreement shall prevail. However, where the law is more favorable to the workers than the collective agreement, the law shall be given effect.

#### 136. Exception

- 1/ Where a Trade Union which is a party to a collective agreement is dissolved, the collective agreement shall remain valid between the employer and the workers.
  - 2/ In the case of amalgamation of two or more undertakings, unless provided otherwise by the parties:
  - a) Where each of the undertakings had the irrespective collective agreement, the collective agreement concluded by the undertaking which had more workers shall be applicable to the amalgamated undertaking;
  - b) Where each of the undertakings had their respective collective agreement and the numbers of their workers were equal, the collective agreement which, in general, is more favorable to the workers shall be applicable to the amalgamated undertaking;
  - c) Where only one of the undertakings had a collective agreement, it shall be applicable to the amalgamated under taking.
- 3/ Where an undertaking is acquired by another or is divided, the provisions of sub-article (2) of this Article shall, as the case may be, be applicable.

# ስፍል ዘጠኝ ስለሥራ ክርክር ምዕራፍ አንድ መቅሳሳ

#### δ፻፴፯. ትርጓሚ

AUD APE:

- ፩/ "ማስማማት" ማለት የሥራ ክርክር ያለባቸው ወገኖች በአንድነት በመረጡት ሰሙ ወይም ሰዎች ወይም በተከራካሪ ወገኖች ጠይቂነት በሚኒስቴሩ ወይም አማባብ ባለው አካል በሚመደብ አስማሚ አማካኝነት ተከራካሪ ወገኖች በፌቃዳቸው በራሳቸው ጥረት ስምምነት ሳይ ለመድረስ በማይችሉበት ጉዳይ ላይ ባለጉዳዮችን አቀራርቦ የጉዳዩን ፍጻሜ ለማስኘንት የሚደረግ ጥረት ነው።
- ጀ/ "እጅግ አስራላጊ የሕዝብ አገልግሎት ድርጅቶች" ማለት ለሕዝብ የማደቋርጥ አገልግሎት የሚሰጡ ድርጅቶች ሲሆኑ አክዚህም የሚከተሉት ናቸው:-
  - ሀ) የአየር መንገድ አገልግሎት።
  - ስ) የኤሊክትሪክ መብራትና ኃይል አገልማሎት የሚሰጡ ድርጅቶች፣
  - ሐ) የውሃ አገልግሎት የሚሰጡ እና የከተማ ጸዳት የሚጠበቁ ድርጅቶች፣
  - መ) የከተማ ቀላል ባቡር ትራንስፖርት አገልማለ።ት፡
  - ው) ሆስፒታሎች፣ ክሊኒኮች፣ የመድሃኒት ማክፋፊያ ድርጅቶች እና የመድኃኒት መሸጫ ቤቶች፣
  - ሬ) የእሳት አደ*ጋ አገ*ልማሎት፣ እና
  - ሰ) የ-ቴሌኮሙ-ኒኬሽን አገልማለ።ት።
- 119116 hchc" 701 A77: የኅብረት ስምምንትን፣ የሥራ ደንብን፣ a 2.90 816 መ-ል3 4. Salan በማድረግ እንዲሁም በኅብረት ስምምነት &C&C 面中市 0 8,90 ከኅብረት ስምምንት ,76 P+ P. PH 7.88.7.3 በሚመለከት በሥራተኛና አሠሪ ወደም のゆるナダチ 77005 Ohwega. onthe Porto hehe to:::

# PART NINE LABOUR DISPUTE CHAPTER ONE

#### GENERAL

#### 137. Definitions

In this Proclamation:

- 1/ "Conciliation" means the activity conducted by a person or persons appointed by the parties or appointed by the competent authority at the request of the parties for the purpose of bringing the parties together and seeking an amicable resolution of a labour dispute which their own efforts alone could not resolve;
- 2/ "Essential public service undertakings" means those services which shall be rendered without interruption to the general public and are the following undertakings:
  - a) air transport services;
  - b) electric power supply;
  - c) water supply and city cleaning and sanitation services;
  - d) urban light rail transport service
  - e) Hospitals, Clinics, dispensaries and pharmacies;
  - f) fire brigade services; and
  - g) telecommunication services;
- 3/ "Labour dispute" means any dispute between a worker and an employer of trade union and employers' association in respect of the application of law, collective agreement, work rules, employment contract and also any disagreement arising during collective bargaining or in connection with collective agreement.

- ፅ/ "ሥራ መዝጋት" ማለት የአሥሪና ሥራተኛን ክርክር በሚመለከት ጉዳይ ሥራተኞች እንድ ዓይነት የሥራ ሁኔታን እንዲቀበለ ለማስገደድ ወይም ሥራተኞችን በማድ ለማግባባት፣ ጥትምን ወይም የሚፌለገውን ውጤት ለማግኘት በአሥሪ በኩል የሥራ ቦታን በመዝጋት የሚፌጸም የኢንዱስትሪ አርምጃ ነው።

# <u>ምዕራፍ ሁለት</u> ስለሥራ ክርክር ችሎቶች

# ል፻፴፰. ስለሥራ ክርክር ችሎት መቋቋም

- ስ/በፌደራልና በክልል ፍርድ ቤቶች ደረጃ የስራ ክርክርን የሚዳኙ ችሎቶች ይደራጃሉ።

# ስጀብ፱, የመጀመሪያ ደረጃ ፍርድ ቤት የሥራ ከርክር ችሎት

- ስ/ የፌደራልና የክልል የመጀመሪያ ደረጃ ፍርድ ቤት የሥራ ክርክር ችሎት የሚከተሉትንና ሌሎች ተመሳሳይ የግል የሥራ ክርክር ጉዳዮችን ተቀብሎ የማየትና የመወሰን ሥልጣን ይኖረዋል:-
  - ሀ) ከሥራ ማስወጣትን ጨምሮ ሌሎች የዲስፕሊን አርምጃዎችን የሚመለከቱ ከሶች፣
  - ስ) የሥራ ውል መቋረጥ የሚመለከተ። ክሶች፣

- 4/ "Lock-out" means an industrial measure applied by employer through the closing of the place of work with a view to persuading workers to accept certain labour conditions in connection with a labour dispute or to influence the outcome of the dispute;
- 5/ "Strike" means the slow-down of work by any number of workers in reducing their normal out-put on their normal rate of work or the temporary cessation of work by any number of workers acting in concert in order to persuade their employer to accept certain labour conditions in connection with a labour dispute or to influence the outcome of the dispute.

# CHAPTER TWO LABOUR COURTS

#### 138. Establishment of Labour Divisions

- 1/ Labour divisions shall be established Coutrs, at Federal and Regional level.
- 2/ The Ministry or the appropriate authority shall submit proposals for the decision of the appropriate authority on the number of labour divisions to be established in accordance with Sub-Article (1) of this Article.

# 139. Labour Division First Instance Court

- 1/ The labour division of a Federal and Regional First Instance Court shall have jurisdiction to settle and determine the following and other similar individual labour disputes;
  - a) disciplinary measures including dismissal;
  - b) claims related to the termination of employment contracts;

- ሐ) የሥራ ሰዓትን፣ የተከፋይ ሂጣብን፣ ፌቃድንና ዕረፍትን የሚመለከተ። ከሶች፣
- መ) የአገልግሎትና የስንብት ማስረጃ ውርተፊኬት መስጠትን የሚመለከቱ ከሶች።
- ው) የጉዳት ካግን፣ የደረጃ አድገት፣ ዝውውር፣ ስልጠናና የመሳሳሉትን የሚመለከቱ ክስች፣
- ረ) በዚህ አዋጅ በሌላ አኳጳን ካልተመለከተ በስተቀር በዚህ አዋጅ መሠረት የሚቀርብ ማናቸውም የተፋትና ደንብ መተላለፍ ክሶች።
- የመጀመሪያ ደረጃ ፍርድ ቤት የሥራ ከርክር ችሎት ጉዳይ በቀረበለት በ3 ቀናት ውስተ ውግኔ መስጠት አለበት።
- E/ የመጀመሪያ ደረጃ ፍርድ ቤት የሥራ ክርክር ችሎት በሰጠው ውግኔ ቅር የተሰኝ ወገን ውግኔው በተሰጠው በ፴ ቀናት ውስጥ ይግባችን እንደ አግባበ-የፌደራል ወይም የክልል የመጀመሪያ ደረጃ ፍርድ ቤት ይግባኝ ለሚሰማው ክፍተኛ ፍርድ ቤት የሥራ ክርክር ችሎት ማቅረብ ይችላል።
- ፩፻፵ የይግባኝ ሰሚ ፍርድ ቤት የሥራ ክርክር ችሎት
  ፩/ ከፌደራል ወይም ከክልል የመጀመሪያ
  ደረጃ ፍርድ ቤት ይግባኝ የሚሰማ
  የፌደራል ወይም የክልል ይግባኝ ፍርድ
  ቤት የሥራ ክርክር ችሎት
  የሚከተሉትን ጉዳዮች ተቀብሎ የማየትና
  - U) በአንቀጽ ሽጀመጀ መሥረት እንደአግባቡ በፌደራል ወይም በክልል የመጀመሪያ ደረጃ ፍርድ ቤት የሥራ ክርክር ችሎት በታሰጡ ውግኔዎች ላይ የሚቀርብለትን ይግባኝ፣
  - ለ) አንድን ጉዳይ ለማየት ያለውን ሥልጣን በመቃወም የሚቀርብ ይግባኝ፣
  - ሐ) በዚህ አዋጅ በአንቀጽ ፩፻፳፫ የማኅበርን ምዝገባ በመከልከል ሚኒስቴሩ ወይም አግባብ ያለው ባለስልጣን የሚሰጠውን ውሣኔ በመቃወም የሚቀርብ ይግባኝ፣

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- c) claims related to hours of work, remuneration, leaves and rest day;
- d) claims related to the issuance of certificate of service and clearance
- e) claims pertaining to employment injury, transfer, promotion, training and other similar issues;
- Unless otherwise provided in this Proclamation, suits pertaining to violations provisions of this Proclamation.
- 2/ The labour division of a Regional First Instance Court shall render its decisions within 60 days from the date on which the suit is filed.
- 3/ The party who is aggrieved with the decision of the first instance court may, within 30 days from the date on which the decision was delivered, lodge an appeal to the labour division of the Federal or Regional appellate court.

# 140. The Labour Division of Appellate Court

- 1/ The labour division of Appellate the Frist Instance Court shall have jurisdiction to hear and decide on the following matters:
  - a) appeals submitted from the labour division of the first instance courts in accordance with Article 139 of this Proclamation;
  - b) objections on question of jurisdiction;
- c) appeals submitted against the refusal of the registration of an organization by the Ministry or Appropriate Authority in accordance with Article 123 of this Proclamation;

- መ) በዚህ አዋጅ በአንቀጽ ፩፻፹(፩) መሠረት የሥራ ሁኔታ ተቆጣጣሪ የሰጠውን ትዕዛዝ በመቃመም የሚቀርብ ደግባኝ፣
- ሙ) በዚህ አዋጅ በአንተጽ ጽ(፫) መመረት ሚኒስቴሩ ወይም አማባብ ያለው ባለስልጣን የሰጠውን ውግኔ በመቃወም የሚቀርብ ይማባኝ።
- ረ) በዚህ አዋጅ በአንቀጽ ፩፻፳፪(፪) መመረት በሚኒስቴሩ ወይም አማባብ ባለው ባለስልጣን የሚተርበውን የማኅበር ስረዛ ተያቁ።
- ስ) በዚህ አዋጅ በአንተጽ እጀ፵፫ መመረት በአመሪና መራተኛ መሳኝ ፀርድ በተሰጠው መግኔ የሕግ ንድብ ላይ የሚቀርብ ይማባኝ።
- ጀ/ በዚህ አንቀጽ ንውስ አንቀጽ (፩) መሥረት በድግባኝ የሚሰጠው ውሣኔ የመጨረሻ ይሆናል።
- E/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) ለተመለከቱት ጉዳዮች የፌዴራል እና የክልል ይግባኝ ሰሚ ፍርድ ቤት የሥራ ክርክር ችሎት ጉዳዩ በቀረበበት በጅ ቀናት ውስጥ ውግኔ መስጠት አለበት።

## ምዕራፍ ሦስት

የሥራ ክርክር በአማራጭ የግጭት መፍቻ ዘዴዎች ስለሚታይበት ሁኔታ

# 8898. የማኅበራዊ ምክክር ስርዓት

አሥሪና ሥራ-ተኞች እንዲሁም ማኅበሮቻቸው በመካከላቸው የሚፈጠሩ አለመግባባቶችን ለመከላከልና ለመፍታት የማኅበራዊ ምክክር አሰራሮችን ተግባራዊ ሊያዳርት ይችላሉ።

# እጀ፵፪. <u>አስማሚ ስለመመደብ</u>

- 6/በአንቀጽ 6፻፵፫ በተመለከቱት ጉዳዮች ላይ በሚነሳ ክርክር ከተከራካሪ ወገኖች በአንደኛው አቤ-ቱታ ሲቀርብ ሚኒስቴሩ ወይም አግባብ ይለው ባለስልጣን ጉዳዩን በማስማማት ለመጨረስ አስማማ ይመድባል።
- ፪/ ሚኒስቴሩ ወይም አማባብ ያለው ባለስልጣን የሚመድበው አስማሚ በፌደራል፣ በክልል እና እንደአስፊላጊንቱ በወረዳ ደረጃ ሊሆን ይችላል።

- appeals submitted by an employer who is affected by the order of labour inspector in accordance with Article 180(1) of this Proclamation;
- e) appeals submitted against the decision of the Minister or Appropriate authority in accordance with Article 20 (3) Article of this Proclamation;
- Request submitted by Minister or Appropriate authority for the cancellation of the registration of an organization in accordance with Article 122 (2) of this Proclamation.
- g) Apples against the decision of the board on question of law in accordance with Article
   155 of this proclamation
- 2/ The decision of the appellate court on appeal submitted under Sub-Article (1) of this Article shall be final.
- 3/ The labour division of the Federal or Regional Appellate Court shall render its decision within 60 days from the date of the appeal lodged in accordance to Sub-Article (1) of this Article.

#### CHAPTER THREE

# ALTERNATIVE DISPUTE SETTLEMENT MECHANISM PERTAINING TO LABOUR ISSUES

#### 141. Social Dialogue

Employers and workers or their respective associations may introduce social dialogue in order to prevent and resolve labour disputes amicably.

#### 142. Assigning of Conciliator

- 1/ When a dispute in respect of matters specified under Article 143 is brought to the attention of the Ministry or the appropriate Authority by either of the parties to the dispute it shall assign a conciliator with a view to amicable settlement of the case.
- 2/ The Ministry or the Appropriate Authority may assign conciliators at the Federal, Regional and, when necessary, at the Woreda levels.

## ል፻፵፫. የአስማሚ ተማባርና ኃላፊነት

- እ/ በሚኒስቴሩ ወይም አማባብ ያለው ባለስልጣን የሚመደበው አስማሚ ከዚህ በታች የተመለከቴትንና ሌሎች ተመሣጣይ የመል የሥራ ክርክር ጉዳዮች በማየትና ተከራካሪ ወገኖችን በማስማጣት ፍጻሚ እንዲያገኙ ይጥራል:-
  - ሀ) በሥራ ደንብ ወይም በጎብረት ስምምነት ያልተወሰኑ የደመወዝና ሊሎች ተቅሞች አመሳሰን።
  - ለ) አዲስ የሥራ ሁኔታዎችን ስለመመሥራት።
  - ሐ) የንብረት ስምምነት ስለመፌራሪም፣ ስለማሻሻል፣ ወንቶ ስለሚቆይብት ጊዜና ስለሚፌርስበት ሁኔታ፣
  - መ) በዚህ አዋጅ፣ የኅብረት ስምምነት ወደም የሥራ ደንብ ድንጋጌዎች በሚመለከት ስለሚነሳ የትርጉም ክርክር፣
  - ው) ስለውራተኛ አቀጣጠርና ደረጃ አድባት አሰጣተ ሥርዓት፣
  - ለጠድሳይ ሥራተኞችንና የድርጅቱን ሕልሙና የሚነኩ ጉዳዮች፣
  - ሰ) ዕደግት። ገነውውርና ሥልጠናን አስመልክቶ አሠሪው በሚያወጣቸው የአሪዳጸም ስርዓቶች ላይ የሚቀርቡ ክሶች።
  - ሽ) ስለሥራተኞች ቅንሳ ስርዓት ።
- ጀ/አስማሚው ማናቸውንም ተገቢ መስለው የሚታዩትን ዘዴዎች ሥራ ላይ በማዋል ጉዳዩ ፍፃሜ የሚያገኝበትን መንገድ ይሻል።
- ቮ/አስማሚው ለቀረበለት ጉዳይ በ፴ ቀናት ውስጥ መፍትሔ ለማስገኘት ካልቻለ አስተያየቱን በማከል ለሚኒስቴሩ ወይም አማባብ ላለው ባለስልጣን ሪፖርት ያቀርባል።የሪፖርቱን ግልባቀዩ ለተከራካሪ ወገኖች ይሰጣል። ከተከራካሪ ወገኖች አንዱ በዚህ አንቀጽ ንዑስ አንቀጽ (፩)(ሀ) ከተመለከተው በስተቀር ጉዳዩን ለአሠሪና ሠራተኛ ጉዳይ ወሳኝ ቦርድ ሊያቀርብ ይችላል። ሆኖም በዚሁ ንዑስ አንቀጽ (፩)(ሀ) የተመለከተው ክርክር

# 143. Duty and Responsibility of Conciliator

- 1/ A conciliator appointed by the Ministry or the Appropriate Authority shall endeavor to bring about a negotiated settlement on the following and other similar collective labour disputes:
  - a) issues of wages and other benefits which are not determined by work rules or collective agreements;
  - b) establishment of new conditions of work;
  - c) the conclusion, amendment, duration and invalidation of collective agreements;
  - d) the interpretation of any provisions of this Proclamation, collective agreements or work rules;
  - e) procedure of employment and promotion of workers;
  - f) issues affecting workers in general and the very existence of the Undertaking;
    - g) suits related to procedures issued by the employer regarding promotion, transfer and training;
    - h) Issues pertaining to reduction of workers.
    - 2/ A conciliator shall endeavor to bring about an amicable settlement by all means as he considers appropriate.
    - 3/ When a conciliator fails to settle a labour dispute within 30 days, he shall report same to the competent authority together with his opinion, and shall serve copies of the report to the parties involved. Any one of the parties may submit the matter, other than those indicated under Sub-Article (1) (a) of this Article to a Labour Relations Board. However, where the dispute under Sub-Article (1) (a) of this Article is related to those undertakings stipulated under

(111.1) APE: 13.12° 8¥972(g) 8·中川2川4十3 紫色茶半子 Por analit ከሆን ከተከራካሪ ወገኖች እንዱ ጉዳዩን ለጊዜያዊ የአውሪና ውራተኛ ጉዳይ ወሳኝ PCS ASTON STANII

# ፩፻፵፬. ስለማልማል ዳኝነት እና ስለማስማማት

6/ OILD አዋጅ በአንቀጽ Promother 0.509 Pro- hehe ተካፋይ የሆኑ ወገኖች ጉዳደቸውን 647 m 000 600 7 87474 87 መደም አስማሚ ለመጨረስ ከተስማሙ 799-0 JAm. 49 domit'il ማንኛውንም ሦስተኛ መገን ለመምረዋ K.P.hAha.go ::

g/ thene ore i mu 174X 30.0 h3.48 (8) anust (landan-it አስማማ h 991777 ngogorit as America haffa ወደም በግልግል ዳኛው ውግኔ ቅር የተሰኝ ወገን ጉዳዩን እንደአማባብንቱ ለቦርድ ወይም አማባብ ሳለሙ ፍርድ 0.4 7420 870A ::

# ምዕራፍ አራት የአሠሪና ሠራተኛ ጉዳይ ወሳኝ ቦርድ

# δ፻፵፩. ስለቦርዱ መቋቋም

8/02 63838. had 238206.47.54 አንድ ወይም ከአንድ በላይ የአመሪና መራተኛ ጉዳይ ወሳኝ ቦርድ (h)11.0 (134 श्रेण) (C.C.) አየ-ተ-ባለ የሚጠራ) ሲቋቋም ይችላል። 16.26A 003701 PC POZINES 11-1-09 በአዲስ አበባ እና 2.639 PA 777 807.77 አስ-Իዳደር hchc. SCEFF7 POA 8116 OC 2. 1. Pay 885 Pay on day. በሚኒስትሩ ይቋቋማሉ።

> ጀ/በኢያንዳንዱ ክልል በዚህ አዋጅ አንቀጽ ሸጀ፴፫ (፪) በተመለከቱት ድርጅቶች በዚህ አዋጅ አንቀፅ ሽያዎቹ (ሽ)(ሀ) ላይ ስመመሰን የሚነሳ ጉዳደን ለማየትና 82448 7.16,89 PAm-10003 013 OCK 14649 7.88. 7,16,99. OCK 1-1100 (h)(0) 034 የሚጠራ) ሊቋቋም ይችላል። ሆኖም

Article 137(2) of this Proclamation, one of the parties may submit the case to an Adhoc Labour Relations Board.

#### 144. Conciliation and Arbitration

- 1/ Notwithstanding the provisions of Article 142 of this Proclamation, parties to a dispute may agree to submit their case to arbitrators or conciliators, of their own choice for settlement in accordance with the appropriate law.
- 2/ If the parties fail to reach an agreement on the case submitted to conciliation under sub-article (1) of this Article or the party aggrieved by the decision of the arbitration may take the case to the Board or to the appropriate Court, as the case may be.

# CHAPTER FOUR THE LABOUR RELATIONS BOARD

#### 145. Establishment of the Board

- 1/ One or more Permanent Labour Relations Board (hereinafter referred to as "Permanent Board") may be established in each Regional State, as may be necessary. However, the ministry shall established Permanent Labour Relations Board to entertain cases involving undertakings owned by the Federal Government which are situated in Addis Ababa and Dire Dawa city administration.
- 2/ Adhoc Labour Relations Board (hereinafter referred to as "ad hoc board") may be established to hear and decide disputes that may arise on matters specified in Article 143 (1) (a) and in undertakings referred to in Article 137(2) of this Proclamation. Similarly, the Ministry shall estabilished Adhoc Board when ever necessary to entertain cases involving undertakings

**巴史史門**為 11

እንደአስፈላጊንቱ በአዲስ አበባ እና ድሬዳዋ ከተማ አስተዳድር የሚገኙና በፌደራል መንግስት ሥር የሚተዳደሩ ድርጅቶችን ጉዳይ የሚያስተናግድና የሚመስን ጊዜያዊ ቦርድ በሚኒስትሩ

- የ/ የሚቋቋመው አደንዳንዱ ቋሚ ወይም ጊዜያዊ ቦርድ በሚኒስትሩ ወይም አማባብ ባለው ባለስልማን ሥር ይሆናል።

#### ል፻፵%. ስለቋሚ ወይም ጊዜያዊ ቦርድ አባሎች

- ሽ/ቦርዱ በሚኒስትሩ ወይም አማባብ ባለው ባለስልጣን የሚሰየሙ አንድ ስብሳቢ፣ ስለአውሪና ውራተኛ ጉዳይ ብታትና ልምድ ይላቸው ውለት ባለሙያዎች፣ ከአውሪ ማኅበራት የሚወከሉ ውለት አባላት፣ ከውራተኞች ማኅበራት የሚወከሉ ውለት አባላት እና ከአውሪዎችና ከውራተኞች ማኅበራት የሚወከሉ አንድ አንድ ተተኪ አባላት ይኖሩታል።
- ጀ/የአመሪ ተወካዮች የሚመረጡት የአመሪን ድምዕ በብዛት ከሚወክል የአመሪዎች ማኅበር ሲሆን፣የመራተኞች ተወካዮች የሚመረጡት የመራተኞች ድምዕ በብዛት ከሚወክል የመራተኞች ማኅበር ይሆናል።
- ፤/ ማኢስቴት ወይም አማባብ ያለው ባለስልጣን ለቦርዱ አንድ ወሐፊ አንዲሁም ሥራውን በሚገባ ለማስፌጸም የሚያስፌልጉትን ሌሎች ሥራትኞች ይመድባል።
- 5/ የቦርዱ አባሎችና ተተኪ አባላት በክፌል ጊዜ ያለ ደመወዝ ያገለማሳሉ። ሆኖም ሚኒስቴና ወይም አማባብ ያለው ባለስልጣን በቦርድ ስብስባ ለሚገኙበት ጊዜ አንድ ወታ የሆነ አበል ሊወስንሳቸው ይችላል።

owned by the Federal Government situated in Addis Ababa and Dire Dawa city administration.

- 3/ Every Permanent or Ad hoc Board shall be established under the Ministry or Appropriate Authority.
- 4/ Notwithstanding to Sub-Article (3) of this Article as per sub article (1) and (2) of this article Ad Hoc and permanent boards assigned to hear and decide disputes in respect of matters involving undertakings owned by the Federal Government located in Addis Ababa and Dire Dawa city administration shall be established and be accountable to the Ministry.

#### 146. Composition of Permanent or Ad Hoc Board

- 1/ A Permanent or Adhoc Board appointed by the Ministry or Appropariate Authority shall comprises of a chair person, two members who have the knowledge and skill on labour matters, four members out of which two represent trade unions and two represent employers' associations, and two alternate members one from each association.
- 2/ Employers Representatives shall be nominated from the most representative of Employers' Associations and workers representatives shall be appointed from the most representative of Trade Unions.
- 3/ The Ministry or the Appropriate Authority shall assign a secretary and such other necessary staff to the Board.
- 4/ Members and alternate members of a board shall serve on part time basis without remuneration; provided, however, that the Ministry or the appropriate Authority shall fix standard fees for attendances at meetings of the board.

- 6/80C8 490°79 1-1-1 AGA ... 8774 70-7 How? 14.0.1. 30m.j. Panealy 1: 1820 Cantemes Do Con አባላቱንና ተተኪ አባላቱን ፫ ቦታ በመከፋፊል ለአንድ፣ ለሁለትና ለሃስት Sand PAJATATA Han'S TAR. to. ይመረጣሉ። ይህም በመሆኑ በሚቀዋለው 3007 PA7A 7A-7 Oh 23838. በመናቸው የሚያበታው አባላትና ተተከ አባላት ቁጥር ከጠቅላላው አባላት አንድ ሃስተኛ አደበል ምም ::
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# ልጀማጁ ስለቋማ, ወይም ጊዜያዊ ቦርድ ስብሰባ 101 10 C37

- 8/ ሰ·በሳቢመ በሌል 7.16 tangay: 0-000. PT X38,0%. 0.000.00 የመረሰሙ አንድ ሊሳ የቦርድ አባል PPCS OAAR SUSA :: HAAAR. የተመረጠ አባል ክሌለ በቦርዱ ውስፕ የበለጠ የአገልግሎት ቅድሚያ ያለው AGA 04140, UT 8.116A ::
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- 5/ Members and alternate members of the board shall be appointed for a term of three years; provided, however, that in making the initial appointments, the terms of one, two and three years, respectively, shall be specified so that in each subsequent year the terms of not more than one-third of the members and alternate members then serving shall expire in anyone calendar year.
- 6/ The Ministry or the Appropriate Authority shall dismiss a member in case of neglect of duty or malpractice in office; and shall arrange for the appointment of a substitute for the remaining term.

# 147. Meeting Procedures of Permanent or Ad Hoc Boards

- 1/ In the absence of the Chairperson another member of the Board designated by him as acting Chairperson, shall preside over the meetings of the Board. Where no such member is designated, the member of the Board who is senior in terms of his service shall act as a Chairperson.
- 2/ In the absence of a member at any meeting of the Board, the Chairperson may designate an alternate member to replace the absentee at meeting. Alternate member designated shall be deemed a member for the meeting for which he is designated.
- 3/ Four members of the Board shall constitute a quorum at any meeting; provided, however, that a minimum of one member representing the workers side and another member representing the employers' side shall be present.
- 4/ Decision of the board shall be taken by a majority vote of the members present. In case of a tie, the Chairperson shall have a casting

- ሽ/ በአያንዳንዱ የቦርዱ ሙግኔ ሳይ በስብሰባው ሳይ የተገኙ አባሎች ሁለ እንዲፈርሙበት ያስፈልጋል።
- %/ የማናቸውም ስብሰባ ቃለንብኤ በቦርዳ ከወደቀ በኋላ በቦርዱ ወሐፊ ተመዝግቦ የዚያው ስብሰባ ሕጋዊ መንድ ይሆናል።

#### ፩፻፵፰. ስለቋሚ ወይም ጊዜያዊ ቦርዱ ሥልጣን

- ሽ/ ቋሚ ቦርዱ የሚከተለው ሥልጣን ይኖሪዋል:-
  - ሀ)በአንቀጽ ፩፻፵፫ (፩)(ሀ) ከተመለከተመ በስተቀር ሌሎች የመል ሥራ ክርክሮች የማየት፣ ተከራካሪዎችን የማስታረቅ፣ ትዕዛዝና መግኔ የመስጠት፣
  - ለ) በአንቀጽ ፩፻፵፫ (፩) (ሀ) ከተመለከተው በስተቀር በአንቀጽ ፩፻፵፫ (፫) መመረት ስምምነት ባልተደረሰባቸው ጉዳዮች ከተከራካሪ ወገኖች በአንዱ የሚቀርብ የወል ሥራ ክርክርን የማየት።
- ሐ) በአንቀጽ ልሂደል የተደነገጉትን የተከለከሉ ድርጊቶች በሚመለከት የሚቀርብ ክስ የማየት።
  - መ) ተማባሩን በሚያከናውንበት ጊዜ አስራላጊ የሆኑ መንዶችንና መረጃዎችን ከማናቸውም ጉዳዩ ከሚመለከተው ሰው ወይም ድርጅት የመጠየት፡
  - ሥ) ተከራካሪ ወገኖችና ምሥክሮች እንዲቀርቡ ወይም የምስክርነት ቃላቸውን እንዲሰጡ የማድረግ።
  - ረ) የመሀሳ ስርዓቶችን ለማስፈጸም ወይም በቦርዱ ፊት የሚቀርቡን ሰዎች የማረጋገጫ ቃል የመቀበልና የሰጡትን የመሐሳ ወይም የማረጋገጫ ቃል የመመርመር።
  - ሰ) በማናቸውም የሥራ ቦታ ወይም ድርጅት በሥራ ጊዜ በመግባት አስፈላጊ የሆኑ መረጃዎችን የመሰብሰብና ምስክሮችን የመስማት ወይም ሥነዶች እንዲቀርቡ የማድረግ ወይም በድርጅቱ ውስጥ በማናቸውም ሰው ይዞታ ስር የሚገኙ ሊሎች ዕቃዎችን የመመልክት::

- 5/ Each decision of the Board shall be signed by all members present.
- 6/ Minutes of meetings after approval by the Board shall be certified by the secretary and shall thereafter constitute the official record of the said meetings.

#### 148. Powers of Permanent or Ad Hoc Board

- 1/ A Permanent Board shall have the following powers:
- a) to entertain collective labour disputes except those in sub-article (1) (a) of Article 143; conciliate the parties; issue orders and render decisions;
- b) to entertain and decide cases submitted to it by one of the disputing parties after the parties fail to reach an agreement in accordance with sub- article(3) of Article 143 of this Proclamation except on matters specified in sub-article (1) (a) Article 143 of this Proclamation;
- to hear cases on prohibited actions referred to in Article 161 of this Proclamation;
- d) to require any person or organization to submit information and documents required by it for the carrying out of its duties;
- e) to require parties and witnesses to appear at its hearings;
- f) to administer oaths or take affirmations of persons appearing before it and examine any such persons after such an oath or affirmation;
- g) to enter the premises of any working place or undertaking during working hours in order to obtain relevant information, hear witnesses or to require the submission of documents or other articles for inspection from any person in the premises.

- ቻ/ አስቸኳይ ሁኔታ በሚልጠናበት ጊዜ ክልሆን በስተቀር በዚህ አንቀጽ ንዑስ አንቀጽ (፩)(ሰ) መመረት ወደ ሥራ በታ ለመግባት በቅድሚይ ለድርጅቱ ወይም ጉዳዩ ለሚመለከተው ሰው በቂ ግንሰጠንቀቂያ መስጠት ያስልልጋል።
  - 6/06% የሚሰጣቸው ትዕመችና ውጣኔዎች እንደማናቸውም የፍትሐብሔር ፍርድ ቤት ትዕመችና ውጣኔዎች ይቆመራል።

#### δχθῦ. ስለ ሥነ ሥርዓት ደንቦች

ቋማ ወይም ጊዜያዊ ቦርዱ ሥራውን የሚመራበት የሥነ ሥርዓትና የመረጃ አቀራራብ ደንቦችን ያመጣል። ይህ በሌልበት ሁኔታ በፍትሐ ብሄር ሥነ ሥርዓት ህግ መሠረት ይመራል።

#### 884. ጉዳይ ስለመስማት

- ሽ/ቋማ, ወይም ጊዜያዊ ቦርዱ ውግኔ ከመስጠቱ በፊት ተከራካሪ ወገኖችን መርቶ ከርክራቸውን እንዲያቀርቡና እንዲሰሙ ዕድል ይሰጣቸዋል። ጉዳዩ ስለሚሰማበት ቀን፣ ሰዓትና ሥፍራ ከአሥር የሥራ ቀናት ከማያንስ ጊዜ አስቀድሞ ለተከራካሪ ወገኖች የጽሑፍ
- 8/ ከተከራካሪ ወገኖች አንዱ ወደም ተገቢው ፕሪ የተደረገለት ማናቸውም ሰው በተባለው 2.883 በታና ሰዓት ካልቀረበ ቦርዳ P.7-1A 11 17990 ATTA anha9.1:3 ባለጉዳዩ ሲቀርብ ያልቻለው በራሱ ተፋት 117公 OC.S. hAcoust's 40.60 ルハナギ DEA mond. \38.4C4 አለበት።
- ፫/በዚህ አንቀጽ ንዑስ አንቀጽ (፪) መሠረት ቦርዱ የሚሰጣቸው ውግኔዎች ላይ ብቻ ይግባኝ መጠየቅ አይቻልም።
- ፬/ ቦርዱ በቂ በሆነ ምክንያት ጉዳዩን በዝግ ችሎት እንዲታይ ካልወሰነ በስተቀር ቦርዱ ማናቸውንም ጉዳይ በግልጽ ያስችላል።

- 2/ An Ad hoc Board shall have the power to entertain labour disputes on matters specified in sub-article 1 (a) of Article 143 of this Proclamation, to conciliate the parties and to give orders and decisions.
- 3/ Except in cases of urgency the person in charge of the premises or the undertaking shall be given reasonable advance notice before any entry in accordance with sub-article 1(g) of this Article.
- 4/ Orders and decisions handed down by a permanent or Ad hoc Board shall be considered as any civil case decisions.

#### 149. Rules of Procedure

A Permanent or an Ad hoc board may adopt its own rules of evidence and procedure. In the absence of own procedure, the provisions of the Civil Procedure Code shall apply.

#### 150. Hearings of cases

- 1/ Before disposing the case, a Permanent or An adhoc Board shall summon the parties concerned and provide them the opportunity to be heard. At least ten working days advance notice shall be given to the parties and the summons shall specify the date, time and place of the hearing.
- 2/ If any of the parties or any other person properly summoned fails to appear at the time and place, the Board may proceed with the hearing. If the failure to appear was not attributable to the person concerned, the Board shall grant that person another opportunity to appear before it.
  - 3/ No appeal may be lodged solely against the Board's ruling in accordance with sub-article (2) of this Article.
  - 4/ All deliberations of the Board shall be public unless the Board, for good cause, decides otherwise.

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- 7706-71 2/800/01-7 1.00 77116-7-5 0297 077300 9-1-8674Fm መሪዎቻቸው ወይም በሕግ ጠበቆቻቸው አማካኝነት ሊቀርቡ ይችላሉ። ቦርዳ-በአንዱ ወንን በኩል ቀርበው በዋና Philest contained on Not ATC ACOMA'S P.TAA ::

#### ልጀዋል. ጉዳዩ የሚታይበት ሁኔታ

- ሽ/ ቋሚ ወደም ጊዜያዊ ቦርዱ የተረበልትን 87"6. hehe 009"9"57. Acous. 20 P-1-7- Am-3 11-A-ማድረግ አለበት:: All.11-9" 34"7 አስሪ. 17. con () ለተ 9.3.90-3 99540-9° 9970999 118. 1.m+9 8.7-10:
- g/ አስራላን, ሆኖ በሚገኝበት ጊዜ ቦርዳ-(14m). Ory andh Jifm. 0777 T TAP 49 48,003 ተከራካሪዎቹ የሚገኙበትን ሕብረተሰብ 中中少 9340. መስተ ለማስነባትና 13868 103711 VII'1130 ባለልተኛ አማካሪ ሆኖ ጣልቃ እንዲገባ ለማድሪግ ይችላል::
- 11/ 207 m P.90 P7.11.P9 OCS. ማንኛውንም ውግኔ በሚሰጥበት ጊዜ ሌሎች ፍርድ ቤቶች የሚመሩበትን የሕግ መሠረታዊ ደንቦችን በቀዋታ APAPTA PAGOAT HENC OTAR 8-1-00W4-11173 PS 7-88. አይቶ ሲወስን ይችላል።

### ልጀያደ. ስለ ውግኔ አሰጣተ

- 8/ ቋማ, ወይም ጊዜያዊ ቦርዱ ጉዳዩ በተረበለት በወ ቀናት ውስተ ውግኔ ይሰጣል።
- ፱/ የቋማ ወደም ጊዜያዊ ቦርዱ ውሣኔዎች 11-11-OX drf 1º10-(1-1-0°700-7 አባሎች ይፌረማሉ። እንዲሁም የተለዩ አስተያየቶችም 110. Ox des: 1º70-የተለየውን አስተያየት በሰጠው አካል 8.6.6.7A .::

- 5/ A Permanent or an Ad hoc board shall not be bound by the rules of evidence and procedure applicable to Courts of law and may apply any method as it thinks fit.
- 6/ Trade Unions, employers' Associations and other parties summoned to appear at a hearing may be represented by their duly authorized representatives or legal counsel. The Board may limit the number of such representatives who may actively participate in a hearing on behalf of any party.

#### 151. Consideration of Matters

- I/ The permanent or the Ad Hoc Board shall exert all possible effort to settle the disputes before it amicably, and to this end it shall employ and make use of all conciliatory means as it deems appropriate.
- 2/ The Board appropriate may. consider not only the circumstances, interests of the parties before it but also the interest of the community of which they belong and may in such circumstances call up on the Government to intervene as an impartial advisor.
- 3/ In arriving at decision, the Permanent or Ad Hoc Board shall take into account the main merit of the case, and need not follow strictly the principles of substantive law followed by Civil Courts.

#### 152. Decisions

- 1/ A Permanent or An ad hoc Board shall give render a decision within 30 days from the date when the claim is filed.
- 2/ Decisions of a Permanent or an Ad hoc Board shall be made in writing and signed by the Board members who concur therein. Dissenting opinions, if any, shall also be made in writing and signed by the dissenting member.

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- ሀ) ለመ-ሣኔ የተረበለትን ምብጥ መደም hchc:
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- ሐ) ቦርዳ- አንድ ምነብ ላይ እንዲደርስ 204:1-3 9:60 57C 7.35 20011197 m.3 7.88-7:
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- 6/ POCK 0-72 7A 905 m-92m-በተሰጠ በጅ ቀናት ውስጥ ለተከራካሪ መንኖች መስጠት አለበት::

# δጀጀር. ስለው ማኔዎች ተራ<u>ዓሚ</u>ነት

δ/የዚህ አዋጅ አንቀጽ δጀዋሯ ድን.ጋጊ እንደተጠበቀ ሆኖ የኢያንዳንዱ ቋሚ ወይም ጊዜያዊ ቦርድ ውሣኔ በደግባኝ አካል ካልታንደ በስተቀር 0280-7 169777 8569A::

g/ ቋማ. ወደም ጊዜያዊ ቦርዳ የሚሰጣቸው のツンタディル いとうタデラ goyan Aht OUT THE OF ONAh TO house 106-15 milia 232 pe 0-A שיין המשום לוא חווט שושלא מינה ላይ ሊውስ የሚገባቸው የሥራ ቅጥና ደንብና ሁኔታዎችና የስራ ውሉ በውሣኔው መመረት መስተካከል ይኖርባቸዋል።

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ቦርዱ Ohche ሂደት ያሊጋንጣቸው ፍሬ ነገሮች ሁሉ የመጨረሻና ክርክር የማይነሳባቸው ይሆናለ።

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- 3/ In every decision of a Board the decision shall contain the following:
  - a) The issue or dispute identified for decision;
  - b) The relevant testimony and evidence recorded together with their sources in the course of the proceedings;
  - c) The findings of the Board and the evaluation of the evidence which led the Board to make such findings;
- d) The disposition of each issue or dispute;
- e) The action to be taken on the basis of such decision.
- 4/ A copy of the decision of the Board shall be served to the parties concerned within five days from the date of the decision.

#### 153. Effects of Decisions

- 1) Without prejudice to Article 155 of this Proclamation, any decision of a Permanent or an Ad hoc Board shall have an immediate effect.
- 2) Where the decision of a Permanent or an Ad hoc Board relates to working conditions, it shall be considered as the terms of the of employment between the contract employer and the worker, to whom it applies, and the contract shall be adjusted accordingly.

# 154. Finality of Board's Findings of Fact

All findings of facts made by a Board shall be final and conclusive.

#### 155. Appeal

1/ In any labour dispute an appeal may be taken to the High Court by an aggrieved party on questions of law, within 30 days after the decision has been served to the parties.

- ችሎት ይማባኝ ሊጠይቅ ይችላል። ይማባኙም የሚጠየቀው የቦርዱ ውግኔ ለተከራካሪ ወንኖች ከተሰጠ ጊዜ ጀምሮ በፅ) ቀናት ውስጥ መሆን አለበት።
- #/ ከፍተኛ ፍርድ ቤቱ የቦርዱን ሙግኔ መርምሮ የማጽናት፣ የመሻር ወይም የማሻሻል ሥልጣን ይኖረዋል።
- !/ ከፍተኛ ፍርድ ቤቱ የቀረበለትን ይግባኝ ጉዳዩ በቀረበ በ፴ ቀናት ውስተ ውግኔ መስጠት አለበት።

# ስለሚፈጸሙ ወንጀለት

- ሽ/ቦርዱማናቸውንም ጉዳይ በሚመሪምርበት። በሚሰማበት ወይም በሚያካሂድበት ጊዜ በማናቸውም አኳጃን ሥራውን እንዳይክናውን በማሰናክል ውክት የፌመረ ማናቸውም ሰው እስከ ፯ ወር ሊደርስ በሚችል አሥራት ወይም እስከ ብር ሸሽ, ሊደርስ በሚችል የግንዘብ መቀጫ ይቀጣል።
- ጀ/ በዚህ አንቀጽ በንዑስ አንቀጽ (፩) የተመለከተው ድርጊት የተፈጸመው በግልጽ ካልሆነ ወይም ከችሎት ውጭ የሆነ እንደሆነ አድራጎቱ ከባድ የወንጀል ጠባይ የማያሳይ ከሆነ እስከ ብር ፭ጀ ሊደርስ በሚችል የገንዘብ መቀጫ ያስቀጣል።
- E/ NOTEA do 7-አንቀጸ 0010 197717 የተጠቀሰሙን CCS. የሚያካሂደው የጉዳይ መስማት ተማባር የፍርድ ቤት ነክነት ያለው ቦርዱም PECE 0.7 MAMB እንዳለው ተቆተሮ በቦርዱ ላይ ወንጀል የሬጸመ ማናቸውም ሰው በተጠቀሰው አንቀጽ የተመለከተው ቅጣት ይወሰንበታል።
- ፬/ ቦርዱ በዚህ አንቀጽ የተዘረዘሩትን ወንጀሎች በፌጸመ በማንኛውም ሰው ላይ ቅጣት ሊወስን ይችላል።

# 8893. <u>ዓመታዊ ሪፖርት</u>

ቋማ. ወይም ጊዜያዊ ቦርዱ የሥራ ከንውኑን የሚያሳይ ዓመታዊ ሪፖርት ለሚኒስትሩ ወይም አማባብ ላለው ባለስልጣን የማቅረብ ኃላፊነት አለበት።

- 2/ The High Court shall have the power to affirm, reverse or modify the decision of the Board.
- 3/ The High Court shall render its decision within 30 days from the date on which the appeal is submitted to it.

# 156. Offences against Permanent or Ad Hoc Board

- 1/ Whosever in the course of a board inquiry, proceeding or hearing in any manner disturbs deliberations shall be punishable with simple imprisonment not exceeding six months or with fine not exceeding Birr 1000.
- 2/ Where the offence described in sub-article (1) of this Article is not committed openly or out of court session, the punishment, except in more serious cases, shall be a fine not exceeding Birr 500.
- 3/ Proceedings of the Board shall be considered quasi-judicial proceedings and the Board a competent judicial tribunal for the purpose of Article 449 of the Criminal Code, and violations thereof shall be punishable as provided there under.
- 4/ The Board may punish any person who committed any offence described in this Article.

#### 157. Annual Report

A Permanent or an A dhoc board shall have the responsibility to submit to the Minister of competent authority annual report of its activities.

ቀን በፊት ይሰጣል።

# ልጀመል. የተከለከሉ ድርጊቶች

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# ምዕራፍ ስድስት ስለክፍይ

# ል፻፷፪. <u>ከክፍያ ነፃ ስለመሆን</u>

፩/በአንቀጽ ፩፻፵፪ እና ፩፻፵፰ መሠረት በማንኛውም ሥራተኛ ወይም የሥራተኞች ማኅበር ወይም አሥሪ ወይም የአሥሪዎች ማኅበር ለአስማሚና ለአሥሪና ሥራተኛ ወሳኝ ቦርድ የሚቀርቡ የሥራ ክርክሮችን ከክፍደ ነፃ ናቸው። 2/ The notice specified in sub-article (1) of this Article shall be served 10 days in advance of taking action.

# 161. Prohibited Acts

1/ Without prejudice to the provision of of Article 160 (1) of this Proclamation, a strike or lock-out shall be unlawful if initiated after a dispute has been referred to a Board or to a Court and 30 days have not elapsed before any order or decision is given by the Board or the prescribed period has elapsed before the Court has given decision.

2/ It shall be unlawful to resist or unduly delay the execution of an order or a decision of a Board or Court disposing, in whole or in part, a labour dispute or to take or continue to strike or to lock-out in protest to such order or decision of the board or court; provided, however, that the strike or lockout shall not be unlawful if initiated in order to ensure compliance with such order or decision.

3/ It is prohibited to conduct strike or lock-out accompanied by violence, threats of physical force or with any act which is illegal.

# CHAPTER SIX FEES

# 162. Exemption from Fees

1/ No service fees shall be levied in respect of cases submitted to conciliation and to a Labour Relations Board by any worker or Trade Union, employer or Employers' associations in accordance with Articles 142 and 148 of this Proclamation.

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ጀ/ ማንኛውም ሥራተኛ ወይም የሥራተኞች ማኅበር ለፍርድ ቤት የሚያቀርበው የሥራ ክርክር ጉዳይ ከዳኝነት ክፍያ ነፃ ነው።

# <u>ክፍል አሥር</u> የድርኃ ጊዜና የዕዳ ተያቁ ቅድሚያ

#### ምዕራፍ አንድ

# <u>የመብት ተያቄ ስለሚቀርብበት የጊዜ ገደብ</u> ፩፻፷፫. የይ<u>ር</u>ኃ ጊዜ

- 6/ በቅጥር ላይ ከተመሰረት ግንኙነት የመነጨ ጣንኛውም ክስ የጊዜ ገደቡ በዚህ አዋጅ ወይም አግባብ ባለው ሊላ ሕግ በሌላ አኳኋን ካልተወሰን በስተቀር የመብቱን ጥያቄ ለማቅረብ ከሚቻልበት ቀን ጀምሮ እስከ ፩ ዓመት ድረስ ከልቀረበ በይር ጋ ይታገዳል።
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- ፤/ ሥራተኛው የሚያቀርበው የደመወገ። የትርፍ ሰዓትና የሌሎች ክፍያዎች ጥያቄ መጠየቅ ከሚገባው ጊዜ ጀምሮ እስከ ½ ወር ባለው ጊዜ ውስጥ ክልቀረበ በይርጋ ይታገጻል።
- ፬/ የሥራ ውል በመቋረጡ ምክንያት በሥራተኛውም ሆነ በአሥሪው የሚቀርብ ማንኛውም የክፍያ ጥያቄ የሥራ ውሉ በተቋረጠ በኧ ወር ጊዜ ውስጥ ካልቀረበ በይርጋ ይታገጻል፡፡
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#### ፩፻፷፬. <u>የድር</u>ጋ ጊዜ አቆጣጠር

- ሽ/ በዚህ አዋጅ በተለየ አኳጳን ካልተገለጸ በስተቀር የይርጋ ጊዜ መቆጠር የሚጀምረው በመብቱ ለመጠቀም ከሚቻልበት ቀን ቀጥሎ ካለው ቀን ጀምሮ ነው።
- ጀ/ የይር ጋ ጊዜሙ የመጨረሻው ቀን በሥራ ቀን ላይ ያልዋለ እንደሆነ በሚቀተለው የሥራ ቀን ይሆናል።

2/ No court fees shall be levied in respect of labour cases submitted to courts by any worker or trade union.

# PART TEN PERIOD OF LIMITATION AND PRIORITY OF CLAIMS

# CHAPTER ONE PERIOD OF LIMITATION

#### 163. Period of Limitation

- 1/ Unless a specific time limit is provided in this Proclamation or other relevant laws, an action arising from an employment relationship shall be barred after one year from the date on which the right becomes exercisable.
- 2/ Any claim by a worker to be reinstated shall be barred after three months from the date of termination of the contract of employment.
- 3/ Claim by a worker for payment of wage, over time or any other payment shall be barred after six months from the date it becomes due.
- 4/ Any claim by a worker or employer for any payment arising from termination of employment contract shall be barred unless an action is brought within six months from the date of termination of the contract of employment.
- 5/ The relevant law shall be applicable to the period of limitation which is not covered under this Proclamation.

# 164. Calculation of Period of Limitation

- 1/ Unless otherwise specifically provided for in this Proclamation, the period of limitation shall begin to run from the date following the date when the right may be exercised.
- 2/ Whenever the last date of a period of limitation falls on a non- working, it shall expire on the following working day.

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#### ል፻፷፮. የይርጋ መብትን ስለመተው

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# 165. Interruption of a Period of Limitation

A Period of limitation shall be interrupted by:

- I/ Any action taken before an authority responsible for the determination of labour disputes until a final decision is given:
- 2/ Any action taken before the competent authority responsible for the enforcement and implementation of this Proclamation until a final decision is given in writing:
- 3/ The written admission of the other party as to the validity of claim'; provided, however, that a period of limitation interrupted on such ground may not be interrupted for more than three times in the aggregate.

#### 166. Waiver of Limitation

Any party may waive his right to raise a period of limitation as a defense; provided, however, that a waiver of such right made before the date of expiry of the period of limitation shall have no effect.

# 167. Discretion of the Competent Authority

- 1/ The organ responsible for the determination of labour disputes may accept an action after the expiry of a period of limitation if it ascertains that the delay is due to force majeure; provided, however, that such ground shall not be acceptable unless the action is brought within ten days from the date the force majeure ceases to exist.
- 2/ Without affecting the generality of the provisions of sub-article (1) of this Article, the following shall be considered as force majeure for disregarding a period of limitation:
- a) Illness of the worker;
- b) Transfer of the worker to a place out of his residence in fulfillment of job tasks;
- c) Call of the worker for national service.

### ምዕራፍ ሁለት

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## ፅ፻፷፱. የፅዳ አክፋፊል ሥነ-ሥርዓት

- እ/ማንኛውም ድርጅት በሚፈርስበት ጊዜ ፍርድ አስልዳሚዎች ወይም ፍርድ እንዲያስልጽሙ በሕግ ወይም በፍርድ ቤት ሥልጣን የተሰጣቸው አካሎች በአንቀጽ እሂደድ የተመለከቱትን የዕዳ ቀይቁዎች አግባብ ባለው ባለሥልጣን ሙግኔ ከተሰጣቸው ቀን ጀምሮ በ፴ ቀን ውስዋ እንዲክልሱ የማድረግ ግዲታ አለባቸው።
- ፪/ በዚህ አንተጽ ንውስ አንተጽ (፩) በተጠቀሰው የጊዜ ገደብ ውስጥ በገንዘብ ማጣት ምክንደት ዕዳዎች ሊክራለ ደልቻለ እንደሆነ ገንዘብ አንደተገን ወዲያውን ይክራለሉ።

## ስደሮ <u>በራሳቸው ቤት የሚሰሩ ሥራተኞች</u> ያመረቷቸውን ዕቃዎች በዕዳ ለመያዝ ስሳሳቸው መብት

በራሳቸው ቤት የሚሥሩ ሥራተኞች ድርጅቱ በሚልርስበት ወይም በሚዘጋበት ጊዜ ከአሥሪው ከሚልልጉት ዕዳ ጋር ተመጣጣኝ የሆነ በአጃቸው የሚገኙ ያመረቷቸውን ዕታዎች በዕዳ ሊይዙ ይችላሉ። ይህ አርምጃ በአንቀጽ ፩፻፷፮ የተመለከተውን መብት ለማስጠበቅ እንደተደረገ ሆኖ ይቆጠራል።

# <u>ክፍል አሥራ አንድ</u> የአሠሪና ሠራተኛ ጉዳይ አዋጅ አፌጻጸም ምዕራፍ አንድ የአሠሪና ሠራተኛ አስተዳደር

## ፅጀፍል የሚኒስትሩ ሥልጣን

ሽ/ሚኒስትሩ ለዚህ አዋጅ አልዓፀም ሲባል ከዚህ በታች በተዘረዘሩት እና በሌሎች አሠሪና ሠራተኛን በሚመለከቱ ጉዳዮች ላይ አስፈላጊውን መመሪያ ሲያወጣ ይችላል፦

- ለ) ስለሥራ ሁኔታ ደረጃዎች።
- ሐ) የሥራ አደጋዎችን ለይቶ ስለመመደብ።

#### **CHAPTER TWO**

#### PRIORITY OF CLAIMS

#### 168. Priority over other Debts

Any claim by a worker emanating from employment relations shall have priority over other payments or debts.

#### 169. Procedure of Payment of Claims

- In the event that the under taking is liquidated, execution officers or other persons authorized by law or the Court to execute such liquidations hall have the duty to pay the claims referred to in Article 168 of this Proclamation with in thirty days following the decision of the competent authority.
- 2/ Where the claims are not satisfied within the time limit set forth in sub-article (1) of this Article due to lack of asset, they shall be paid as soon as the necessary resource are available.

#### 170. Lien of Home Workers

Where an under taking is liquidated or ceases to operate, home workers may exercise alien on goods in their possession that they have produced for the under taking and such lien shall be of equal value with their claims. Such measure shall be deemed an action taken to enforce the right provided for in Article168 of this Proclamation.

# PART ELEVEN Enforcement of Labour law CHAPTER ONE Labour Administration

#### 171. Powers of the Ministry

- 1/ The Ministry may issue directives necessary for the implementation of this Proclamation, in particular, with respect to:
- a) Occupational safety, health and theprotection of working environment;
- b) Standards for working conditions;
- c) Determination of hazardous jobs;

- መ) የሥራ ፌቃድ ስለሚያስልል ጋቸው የውጭ አገር ዜጎች እና በአጠቃላይ የሥራ ፌቃድ ስለሚስጥበት ሁኔታ፣
- ረ) አማባብ ካላቸው አካላት ጋር በመመካከር በቤት ስለሚውራ ውል አንዲሁም የሙያ መልመጃ ስለሚስተባቸው ሙያዎችና ሥራዎች አንዲሁም ተያያዥ ጉዳዮች።
- ሰ) ስለሥራ ፌሳጊዎችና ስለክፍት ሥራ ቦታዎች አመዘጋገብ ሥነ ሥርዓት፣
- ሽ) የመራተኞች ቅነሳ ስለሚልጸምበት ሥነ ሥርዓት።
- ቀ) በሥራ ላይ ለሚደርሱ ጉዳቶች የሚሰጡ ክፍያዎችን ለመሽራን ኢንሹራንስ መግባት ያለባቸውን ድርጅቶች ስለመወሰን።
- በ) ቋሚ የሆነ የአማካሪ ቦርድ ስለሚቋቋምበት እና ተግባሩና ኃላፊንቱ ስለሚወሰንበት ሁኔታ።
- ተ) የማል ሥራና ሥራተኞች አገናኝ ኤጀንሲ በሀገር ውስጥ የስራ ሥምሪት አገልማሎት ስለሚሳተፍበት ሁኔታ።
- ቸ) የማል የሥራ ሁኔታ ቁጥጥር አገልግሎት አቅራቢዎች የብቃት ማረጋገጫ የምስክር ወረቀት ለማግኘት ሊያሟሉ ስለሚገባቸው መስልርቶች፣
- ጎ) የሙያ ደህንነትና ጤንነት ኮሚቴ ስለሚቋቋምበት ሁኔታ።

ጀ/ማኒቴትሩ የተቀናጀ የአሠሪና ሠራተኛ 7-8.8. አስተዳደር PC37 (1999.99) Phw69 14615 7.8.8. ሕጎችንና ፖሊሲዎችን ለማዘጋጀት፣ ለማስተባበር፣ ለመስታተልና ለማስፌጸም የሥራ ሥምሪት አገልግሎት፣ የሥራ ሁኔታዎች መቆጣጠሪያ አገልግሎት እና የመንግሥት፣ የአሠሪዎች 971067.5 8W6197 77106-7 tone it ghit gov por horic ቦርድ ያቋቁማል።

- d) In consultation with the concerned organs, the type of works 'which are particularly hazardous or dangerous to the health and to the reproductive systems of women workers;
  - e) Types of works which require work permits for foreigners and, in general, the manner of giving work permits; conditions on which private employment agencies are to operate locally;
  - f) In consultation with other relevant organs, determine conditions of homework contracts, and the types of occupations in which apprenticeship need to be offered and other issues related thereto;
  - g) Procedures for registration of vacancies and job-seekers;
  - h) Procedure for the reduction of work force;
  - i) Determine undertakings required to arrange insurance coverage for the payment of employment injury benefits;
  - j) Procedures on the establishment of Permanent Advisory Board and the duties and responsibilities thereto;
  - k) Conditions for Private Employment Agency to participate in local Employment service;
  - Procedures on the requirements for the certification of private labour inspection service providers;
- m) Procedures on the establishment of Occupational Safety and Health Committee in undertakings;
- 2) The Ministry shall put in place an integrated labour administration system to initiate labour laws and policies, to coordinate, follow up and enforce their implementation, and to enhance employment service and a labour inspection service and establish a Permanent Advisory Board which consists of members representing Government, Employers' Associations and Trade Unions to advice the same.

i) አማባብ ያለው ባለስልጣን 87.007.5 106-19 77777 816 1964 1964 አገልማለ።ትና 11.6 0.7.1.9.7 and march አባል ማለቀት 76.909° Leng Phe Prano Portrait "93067.5 Phw1.94 8102-1-5 ማኅበራት ተወካዮች ይካተት ቋሚ የሆነ አማካሪ ቦርድ ደቋቁማል።

## ዘርፍ አንድ የሥራ ሥምሪት አገልግሎት

#### δጀሮጀ. ስለሥራ ስምሪት አገልግሎት

8106. 11.901.1. አንልግለተት Portetair Large 6-A:

- San 1.6.7. 8/ mg:Fm-m 7-0-1-5 ፍላጎት ያለሙ ማለሰብ የሥራ ዕድል 138 873 ancst:
- #/ pmc27 00610 1.00909 106.15 X38.879 9771:
- i'/ የመማድ አንር ዜጎች በኢትዮጵያ m-09 1-49.20 (97.05.073 0-2.3) የcom03:
- 6/ hoyonah dira on pole atts CCEAT OC OUNTING PARAMS ንሮ ግራ ሞች እንዲቀየሱ የማንዝ።
- 8/ 0206 AS. AA-1-196-0-9 0206 ስጥነት ስለሚገኘው የሰው 38.A ምናት የማድሪግ:
- Who worth to any of att oc በመተባበር በሀገር ደረጃ የሙያ ስልጠና ስለሚሻሻልበት ሁኔታ ተናት 2995299 ለተጠቃሚዎች የማስራጨት። በአጠቃላይ 07-hhA mgo 67. 2.443 8116 11.6 18. 8079A:

# ፅጀፍር. ሥራና **ሥራተኛን ስለማ**ንናኘት

かんら いんトデラ のつらう ナヤッカトハナラ P.42.906-A:-

ከአመሪዎች 6.17,97.75 61 116 የሚገለጹ ክፍት የሥራ በታዎችን Canama17-11:

3) The appropriate Authority shall establish a Permanent Advisory Board consisting of members representing government, Employers' associations and Trade Unions that will advise it after studying and examining the implementation of labour laws and policies and the administration of employment services and labour inspection services.

## SECTION ONE EMPLOYMENT SERVICE

#### 172. General

Employment services shall include the following:

- 1/ Assisting persons who are capable and willing to work to obtain employment;
- 2/ Assisting employers in the recruitment of suitable workers for their job positions:
- 3/ Determining the manner in which foreign national are to be employed in Ethiopia;
  - 4/ Cooperating with the concerned offices and organizations, in the preparation of training programmers';
  - 5/ Conducting studies pertaining to the labour market;
  - 6/ In collaboration with the concerned offices. conducting studies relating to the manner of improving vocational training at the country level and disseminating same to beneficiaries and implementing the employment policy properly.

#### 173. Employment Exchange

Employment exchange shall include the following:

1/ Registration of job-seekers and vacancies; and

Canall:

በሳይ የሆነ ሥራ ፊላን, አስፊላን,ሙን መረጃ ሲያቀርብ አማባብ ባለሙ አካል የመመገነገብ።

# ስጀሮ፬. <u>የግል ሥራና ሥራተኛ አገናኝ ኤጀንሲ</u> በሀገር ውስተ ሥራ ሥምሪት አገልግሎት አሰጣተ ስለሚሳተፉበት ሁኔታ

በሀገሪቱ የተሟላ የሥራ ሥምሪት አባልግሎት እንዲስፋፋ ለማድሪግ የግል ሥራና ሥራተኛ አገናኝ ኤጀንሲ መንግስት በሚያመጣው መመሪያ መሥረት በዘርፉ ሊላተፍ ይችላል።

# ልጀሮች. <u>የግል ሥራና ሥራተኛ አገናኝ ኤጀንሲ</u> ፌቃድ ስለማስፈለጉ

- ሽ/በዚህ አዋጅ መሠረት በሀገር ውስጥ የግል ሥራና ሥራተኛ አገናኝ ኤጀንሲ ሆኖ ለመሥራት የሚፈልግ ማንኛውም ሰው አግባብ ካለው ባለስልጣን ፌቃድ ማግኘት አለበት።
- ሃ/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩)

  መሠረት አግባብንት ይለው

  ባለስልጣን ፌቃድ ለመስጠት፣ ለማደስ

  ወይም ለሙተካት የሚያስፈልገው
  የአገልግሎት ክፍያ በሚኒስትሮች ምክር
  ቤት በሚወጣ ደንብ ይወሰናል።

# ፩፻፸፯. <u>የውጭ አገር ዜጎች ስለሚቀጠሩበት ሁኔታ</u>

- ስ/ ማንኛውም የውጭ አገር ዜጋ በኢትዮጵያ ውስጥ በማኛቸውም የሥራ መስክ ተቀጥሮ ለመሥራት የሚችለው ከሚኒስቴሩ የተሰጠውን የሥራ ፌቃድ ሲደዝ ብቻ ነው።
- ጀ/የሥራ ሬ.ቃድ የሚሰጠው በአንድ የሥራ መስክ ለማገልገል እስክ ሦስት ዓመት ሲሆን በየዓመት: ይ.ታ.ደባል፡፡ **ሆናም** ሚኒስቴፍ የሦስት ዓመትን የጊዜ ገደብ እንደእስፌባጊንት ሊያሻሽለው ይችላል፡፡

- 2/ Selecting from among the registered job-seekers and sending those who meet the requirements to compete for the positions notified by employers.
  - 3/ Any job secker who has attained the age of 15 years may up on presenting the necessary documents be registered by the organ delegated by the pertinent authority.

# 174. Conditions for the Private Employment Agencies to participate in Provision of Local Employment Service

With the view to promote a comprehensive national employment service, private Employment Agencies can participate in the sector as per the Directive that will be issued by the Government.

# 175. Licensing of Private Employment Agencies

- I/ Any person who desires to engage in private employment agency pursuant to this Proclamation shall acquire license from the Competent Authority.
  - 2/ The appropriate Authority shall levy service charge prescribed by the regulation to be issued by the Council of Ministers for purposes of issuance, renewal or replacement of licenses.

# 176. Employment of Foreign Nationals

1/any foreigner may only be employed in any type of work in Ethiopia where he possesses a work permit given to him by the Ministry.

2/a work permit shall be given for an employment in a specific type of work for three years and shall be renewed every year; provided, however, that the Ministry may vary the three years limit as required.

- ፤/ የሙቴ አገር ዜጋው ለሥራው አስልላጊ አለመሆኑ በሚኒስቴሩ ሲረጋገጥ የሥራ ፊቃዱ ሊሰረዝ ይችላል።
- §/ ሚኒስቴሩ የስራ ፌቃድ ለመስጠት፣ ለማደስ ወይም ለመተካት በሀን መሰረት የአገልግሎት ዋጋ ሊያስክፍል ይችላል።

# ዘርፍ ሁለት የሥራ ሁኔታ መቆጣጠሪያ አገልግሎት

#### ልጀር፯. ስለሥራ ሁኔታ መቆጣጠሪያ አገልግሎት

የሥራ ሁኔታ መቆጣጠሪያ አንልግሎት የሚከተሉትን ይጨምራል:-

- ሽ/ በዚህ አዋጅና በአዋጁ መሠረት የሚመጡ ዴንቦችና መመሪያዎች፣ ሌሎች አሠሪና ሠራተኛን በሚመለከቱ ሕጎች፣ የተመዘገቡ የጎብረት ስምምንቶች፣ በአሠሪና ሠራተኛ ክርክር ጉዳዮች ስልጣን ባላቸው አካላት የተሰጡ ውጣኔዎችና ትእዛዞች ሥራ ላይ መዋላቸውን የማረጋገጥ፣
- ተ/የሙያ በሽታን ዝርዝርና የአካል ጉዳት መጠን ሥንጠረሻና የማዘጋጀት፣
- ፬/ አደገኛ የሆኑትን ሥራዎች ወይም ድርጅቶች ለይቶ የመመደብ፣
- ኛ/ ስለሥራ ሁኔታዎች ተናት የማድረግና ስታትስቲክስ የመያዝ፣
- አ/ የሥራ ላይ አደጋን ለመከላከል ለሥራተኞች የሚሰጥ የትምሀርት ፕሮግራም የማዘጋጀት።
- %/አዲስ ድርጅቶች ሲገነው፣ የነበሩት ሲስፋፉ፣ ሲታደሱ ወይም መግሪያዎች ሲተክሉ በሥራተኞች ጤንነትና ደኅንነት ላይ ጉዳት የማያደርሱ መሆናቸውን የመቆጣጠርና የማረጋገጥ፣

- 3/ Where the Ministry ascertains that the foreigner is not required for the work, the work permit may be cancelled.
- 4/ The Ministry may, in accordance with the law, charge service fees for the issuance, renewal or replacement of work permit.

# SECTION TWO LABOUR INSPECTION SERVICE

#### 177. LABOUR INSPECTION SERVICE

Labour inspection service shall include the following activities:

- 1/ Ensuring the implementation of the provisions of this Proclamation, Regulations and directives issued in accordance with this Proclamation, other laws relating to labour relations, registered collective agreement, and the decisions and orders given by the authorities responsible to determine labour disputes;
- 2/ conducting studies and research, supervision, educating, and developing labour standards to ensure the enforcement of the provisions of this Proclamation and other laws regarding working conditions, occupational safety, health and working environment;
- 3/ preparation of list of occupational diseases and schedules of degrees of disablement;
- 4/ classifying dangerous occupations and undertakings;
- 5/ conducting studies and compiling statistical data relating to working conditions;
- 6/ preparing training programs to workers in order to prevent employment injuries;
- 7/ monitoring the construction of new undertaking, the expansion and renovation of existing undertakings and the erection of machineries to ensure the safety and health of workers;

- www.j. 024% አዋጅና 至/ (111,1) 23079 aman6997 Pay.om የሚደነገጉትን ለማስራጸም አስተዳደራዊ ACTE Commacs:
- #/ የዚህን አዋጅ ድንጋጌዎች እንዲሁም Pro Uspa onsmale 1-794.3 አንልማለማት ሕጋዊ 7.807 a. Phso. 3 9.2000 ምክንደት የሰጠው ውጥን ቅጣትን የሚያስከትል ሆኖ ሲገኝ አርምጃውን 02"6 hehe off khat oggo OFCE OF ATALAS 170.007 ACT'S Commas:
- 7/1174 የሥራ ሁኔታ ቁጥር የስራ በታዎች ቴክኒካል ፍተሻ፣ የምክርና የስልጠና አገልማለት ላይ ለሚሰማሩ የብቃት ማረጋገጫ የምስክር ወረቀት 06403 08790 Sambanits. Theorie of Conson C::

# ልጀሮ፰. የሥራ ሁኔታ ተቆጣጣሪዎች ሥልጣንና +99C

- 8/8/16-0-23. ansamas 270.70-7.3 በማመለከት ክትትልና ቁጥር የሚያደርጉ 8 16 033 + 4900697 1072076 ባለስልጣን 0,2,90 አማባብ namgangan::
- 世/ 8/14 いとか 十年ののとの子 十つのとそのう ለማስፌጸም በሚኒስትሩ ወይም አማባብ ባለው ባለስልጣን የሚሰጣቸውን ማኅተም ያለበት የመታወቂያ ወረቀት ይይዛሉ ።
- ሁኔታ ተቆጣጣሪዎች ለዚህ 17826 አንቀጽ 8762 አዋጅ በማናቸውም የሥራ ለዓት በቅድሚያ ሳ የሳው ቀ PTTC. 9569 17.816.49910 816 1.1.97. 439 Py 97:) 1009977.5 oggiogo poconti mille orgo ተያቁ ለማካሂድ ስልጣን ያላቸው ሲሆን በተለይም በእንዚህ ብቻ ሳይወሰት:-
  - ሀ) ማናቸውንም ማለሰብ በግል ወይም ምስክሮች ባለብት ለመጠየት፣
  - ስ) ጽሑፎችን፣ መገነባችንና ሌሎች ሰንዶችን ለመቆጣጣር፣ ለመንልበተ ወደም ከነዚህ ጽሑፍች ለመቅዳት፣

8/ taking administrative measures view to implementing this Proclamation and regulations and directives issued in accordance with this Proclamation;

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- 9/ taking appropriate measures to request the authorities responsible for determining labour disputes and the courts to enforce the provisions of this Proclamation and sanctions imposed by a labour inspection service in the course of its lawful activities.
- 10/issuance of certificate of competence to private inspection service which desire to engage in workplace technical inspection, consultancy and training on the subject; and monitor their performance;

# 178. Power and Duty of Labour Inspectors

- 1/ The Minister or the appropriate Authority shall assign labour inspectors who are authorized to carry out responsibilities of follow-up and supervision of the inspection service.
- 2/ In administering their responsibilities, labour inspector shall have an identity card issued by the Ministry or the appropriate Authority bearing an official seal.
- 3/ A labour inspector shall have the power to enter into, during any working hours without prior notice, any work place which he may think necessary to inspect in order to examine, test or enquire to ascertain observation of the provisions of Article 177 of this Proclamation and, this shall:
  - a) Interrogate any person alone or in the presence of witnesses;
  - b) check, copy or extract any paper, file of other documents;

- ሐ) ሥራተኞች ተቀጥረው በሚሰሩበት ስፍራ የሚገኝ ማናቸውንም ነገር በመጠኑ መስደው በሥራተኞች ላይ ጉዳት የማያደርስ መሆን አለመሆኑን ለመመርመር።
- መ) መራተኞች ተቀተረው በሚሰሩበት ቦታ ሊለጠት የሚገባቸው ማስታወቂያዎች መለጠፋቸውን ለማረጋንም፡
- መ) የመራተኞችን መንንትና ደህንነት ለማረጋንዋ ማናቸውንም መራተኛ ፍቶግራፍ ማንሳት፣ ህንፃ፣ ክፍል፣ መኪና፣ የፋብሪካ መሳሪያ ዕቃ ለመለካት፣ በስዕል ለመቅረጽ፣ ወይም ለመሞክር ማንኛውም ስንድ ለመቅዳት ስልጣን አለው።

# ስጀሮቹ. <u>በሥራ ሁኔታ ተቆጣጣሪዎች የሚወሰዱ</u> አርዎጃዎች

- ሽ/ የሥራ ሁኔታ ተቆጣጣሪ በማናቸውም ድርጅት አጥር ግቢ ውስጥ በፋብሪካው። በመሳሪያዎቹ ወይም በዕታዎቹ ወይም የድርጅቱ ሥራ በሚካሄድበት አሰራር ምክንያት ለሥራተኞቹ ጨንነትና ደኅንነት አስጊ ሆኖ ሲገኝ ሁኔታውን ለማሻሻል አሥሪው በተወሰን ጊዜ ውስጥ አስፈላጊውን የእርምት እርምጃ እንዲወስድ ማዘዝ ይችላል።
- ጀ/በዚህ አንቀጽ ንዑስ አንቀጽ (፫)
  መሰረት አሥሪው ትዕዛዙን ከተቀበለ
  በኋላ በተወሰን ጊዜ ውስጥ
  አስፌላጊውን እርምጃ ሳይወስድ
  ቢቀር የስራ ሁኔታ ተቆጣጣሪው:-
  - U) ለሥራተኞቹ መንነትና ደኅንነት የሚያሲጋው ሁኔታ ይወገድ ዘንድ አስፊላጊውን ለውጥ በተወሰነ ጊዜ ውስጥ እንዲፊውም፣

- c) take any sample of any matter in a workplace and to test it to ensure that it does not cause injury to workers;
- d) ensure that the relevant notices are affixed at the appropriate place of work;
- e) take picture of any worker, and measure, draw or test buildings, rooms, cars, factories, machineries or goods and copy and registered documents in order to ensure the safety and health of workers.
- 4/ Where a sample is taken in accordance with Sub-Article 3(c) of this Article, the employer shall be informed in advance and the manager or his representative shall have the right to be present at that occasion.

#### 179. Measures to be taken by Labour Inspection

- 1/ Where a labour inspector finds that the premises, plant, machinery, equipment or material or the working methods of any undertaking constitute a threat to the health, safety or welfare of its workers, he shall instruct the employer to take the necessary corrective measure within a given period of time.
- 2/ Where the employer fails to take such steps within the given period after receiving instructions in accordance with sub-article (1) of this Article, the labour inspector shall issue an order requiring the employer:
  - a) that alteration in existing conditions which may be necessary to prevent the threat to the health, safety or well-being of the workers be completed within a stated period of time;

- 0.7775 A) いたための 日かんすず年 ደንንንት ላይ ወዲያውን ጉዳት 18.20-3 0.03 PMLERCA ለመከሳከል ማናቸውንም አስራላን አርምጃ ጊዜ ሳይወስድ አንዲፊፅም ለአሥሪው ትዕዛዝ መስጠት ይችላል ።
- 11 8 me 0-23 1-4 more 0-612h TCM6 1107 675 a.g.proma-2.55. PERSON መዲየሙት አስፌላጊው ሙሳኔ እንዲስተበት እና በመ-ባኔው መሰረት ተጠው ትዕዛዝ እንዲተላለፍ ለሚኒስቴሩ ወይም አማባብ 40m 9000m3 400 C+C9A:

#### ስሃብ. ስለ ይማባኝ

- 8/ hm/6m (1874x 8xe) (8) NG (8) በማሰጠው ትልባዝ የልተስማማ እንደሆነ መለለ የኮልሰ ቁሳው ተናት ውስጥ ስልጣን ሳለው eas hehe are seen at eras ለማለት ይችላል። ሆኖም በመራተኞቹ መንሃትና ደንንሃት ላይ ወዲደውን አደጋ የሚያደደርሰሙን ሁኔታ ለመከላከል 118748 6860 (E) (A) annot PAGE U.S.D. ASAMAZOR PAMOR 1.6471 8.793 Adh.J.g. 2:30 11006.090 hg.J-72.90::
- E/ (III.1) 7348. 30-0 7348. (8) መሰረት በተረበው ደግባኝ ላይ ስልጣን PAO ANA PAMO OA Perous. Ch 285A: 1460 2793 12024 97.16 7211 106. 0-920 1-6.907 P.PSA ::

# ልጀቸል. የሥራ ሁኔታ ተቆጣጣሪዎችን ተማባርና ኃላፊነት ስለመወሰን

- 6/8/6-0-23- + 49/10/27- 06-70-3 ያለአድልዎና ትክክለኛ በሆነ መንገድ ማከናወን አለባቸው። ከአመሪዎችም ሆነ ከውራተኞች የሚቀርቡሳቸውንና ተገቢ መስለው የታዩዋቸውን ምክሮችና ሀሳቦች ተቀብለው መመዘን ይኖርባቸዋል።
  - E) ማንኛውም የሥራ ሁኔታ ተቆጣጣሪ ብዚህ አዋጅ መሰረት Punganac. 179943 1.6.8.90 977m-3 ማንኛውንም የፋብሪካ: የንግድ ወይም የሌሎች የስራ ክፍሎች ምስጠ.ር

- b) that any measure which may be necessary to prevent imminent danger to the safety or health of the workers be taken immediately.
- THE SPRANE SES 3/ Where the labour inspector is in doubt about the technical or legal danger of any particular case, he shall report same to the Minister or appropriate authority requesting that pertinent decision is given and orders issued accordingly.

#### Appeal 180.

- I/ Where an employer is aggrieved by an order given in accordance with Article 179 (1) and (2) of this Proclamation, it may appeal to the Competent Court with in five working days; provided, however, that there shall be no stay of execution of the order given by the labour inspector to avert an imminent danger pursuant to Article 179 (2) (b) of this Proclamation until decision is given on the appeal.
- 2/ Decision of the Court on the appeal lodged in accordance with Sub- Article (1) of this Article shall be final. Where an employer does not appeal within the time limit, the decision shall be executed.

# 181. Restriction on the Functions and responsibility of Labour Inspectors

- 1/ Labour inspectors shall perform their duties diligently and impartially. They shall take into account any reasonable suggestions given to them by employers and workers.
  - 2/ No labour inspector shall, at any time, whether during or after he left his employment, reveal any secrets of manufacturing, commercial OF working processes to third parties which

በዚህ ስራ ላይ ሳለ ወይም ከተሰናበተ በኋላ ለማንም ሰው መግለጽ የለበትም።

- F/7750-9 816 023 18996 7.5.4.7. m P.90 ስለአንድ 70.4:4. 23.27.27 00-1-106: የደረሰው እንደሆነ አበብ:ታው ከየት 7.88 her on Alita 3322.00° mage 0.7 207.7.0.1:C 900093 346. 2001 PAm. Om-10700 001-4C 1111 አደናርብትም:: በተለደም PAPTC. 7.4137 87.8670 11.6. **みつみつかか** ስለተረበ መሆኑን ለአመረውም Aph A. 00700 (All-1-9"::
- 0/ የሥራ ሁኔታ ተቆጣጣሪ የመቆጣጠር ተማባሩን ለመራፀም በአንድ ድርጅት የስራ ቦታ ሲገኝ የድርጅቱ ስራ አሪዓፀምን የሚያስተንጉል ካልሆነ በስተቀር በድርጅቱ ውስተ መገኘቱን ለአውሪው ማስታወቅ አለበት።
- %/ የ/ሥራ ሁኔታ ተቆጣጣሪዎች በስራ ክርክርና በጎብረት ድርድር ውስጥ በአስማሚነት ሆነ በሽምማልና መልክ በምንም አይነት ጣልቃ መግባት አይችሉም።

# ልያቸ<u>ጀ</u>. የተከለከሉ ድርጊቶች

የሚከተሉትን ድርጊቶች መሬዐም የሥራ ሁኔታ ተቆጣጣሪው ሥራውን እንዳደሰራ እንደመከልክልያ ስቆተራል:-

- ስ/ የሥራ ሁኔታ ተቆጣጣሪው ወደስራ ቦታ እንዳደገባ ወደም በግቢው ውስጥ እንዳይቆይ መከልክል፡
- ወደም መዝግብ እንዳይመሪምር መከልክል።

may come to his attention in the course of his duties under this Proclamation.

- 3/ No labour inspector shall reveal to any person other than the concerned official the sources of any complaint brought to his attention concerning a defect or breach of legal provision and, in particular, he shall not make any indications to any employer or his representative that his inspection visit was made in response to a complaint filed with the labour inspection service.
- 4/ A labour inspector shall, in all cases, notify the employer of his visit to the premises of the undertaking unless he considers such notification may be prejudicial to the execution of his duties.
  - 5/ No labour inspector shall inspect any undertaking of which he is an owner or in which he has an interest.
  - 6/ A labour inspector shall refrain from engaging or acting as a conciliator or an arbitrator in a labour dispute or collective bargaining.

# 182. Prohibited Acts

The following acts shall be deemed to constitute obstruction of a labour inspector in the performance of his duties:

- 1/ Preventing a labour inspect or from entering a work place or from staying in the premises;
- 2/ Refusing to let a labour inspector examine records or documents relevant for his tasks;

- 1/ የሥራ አደጋና ስለሁኔታው የሚገልው መረጃዎችን ከሥራ ሁኔታ ተቆጣጣሪው መደበት፣
- ፱/ በሌሎች ሁኔታዎች የሥራ ሁኔታ ተቆጣጣሪሙን ስራ ጣዘግየትና እንቅሴት መፍጠር።

## ፩፻፹፫. የማል የሥራ ሁኔታ ቁተተር አገልማሎት

- 6/ "775 mg" na AR an PS 4717.11A O'ZmP.4: 06.27 80% 9:4-9 0.1.97 dill'in 9:4-91 PyonCG የስልመና አባልማለቀት ላይ ለመሰማራት m P.90 **5794** 100 107.20-1:4· 1.6.4.2.6.0 ባለስልጣን homAnt. 8-0.3-7- "76,276% PODE mZ.4-7. ይሰጣል ።
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- ፤/በዚህ አንቀጽ ንአ-ስ አንቀጽ (፩) መሰረት የብቃት ማረጋንጫ የምስክር ወረቀት ለማግኘት የሚከራለው የአገልግሎት ክፍደ መጠንና ሌሎች ተደደኘር ጉዳዮች የሚኒስትሮች ምክር ቤት በሚያወጣው ዴንብ ይወሰናሉ።

# ክፍል አስራ ሁለት

# ስለአስተዳደራዊ እርምጃ እና ልዩ ልዩ ድንጋንዎች

# <u>ምዕራፍ አንድ</u> አስተዳደራዊ እርምጃዎች

# δ፻፹፬. <u>ጠቅላ</u>ሳ

በወንጀል የሚወሰዱ አርምጃዎች እንዴተጠበቁ ሆነው በዚህ አዋጅ ከአንቀጽ ጃጀ፹፭ እስከ ፩፻፹፯ የተመለከቱት አስተዳደራዊ አርምጃዎች ተፊጻሚ ይሆናሉ።

# δ፻፹፩. <u>በአሠሪ ላይ ስለሚወሰዱ አርምጃ</u>ዎች

8/ 9350.90 hw6:-

ሀ) በዚህ አዋጅ ከተመሰነው ሰዓት በላይ ሥራተኛው አብልመ እንዲሰራ በማድረግ ወይም በማንኛውም አኳጳን የስራ ሰዓት ድንፕጌን የጣሰ።

- 3/ concealing data relating to employment injury and the circumstance in which they occur;
- 4/ Any other conducts that delays or interferes with the exercise of the functions of a labour inspector.

# 183. Private Inspection Service

- I/Any person may conduct technical inspection, consultancy or training provided that it has been certified by the Ministry or the appropriate Authority to engage in occupations that demand special skill and technical qualifications.
- 2/ The Certificate of Competence indicated under sub-article (1) of this Article shall be issued by the Ministry or the appropriate Authority.
- 3/ The service charge to be levied in order to issue the certificate pursuant to sub-article (1) of this Article and other related issues shall be prescribed by Regulations of the Council of Ministers.

#### PART TWELVE

#### Administrative Measures and Miscellaneous Provisions

# CHAPTER ONE Administrative Measures

## 184. General

Without prejudice to the criminal liability; the administrative measures laid down from Article 185 up to 187 shall be applicable.

# 185. Measures Against Employer

I/ An employer who:

 a) Causes workers to work beyond the maximum working hours set forth in this Proclamation or contravenes in any manner the provision relating to working hours;

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  - A) OH, O 74.6. 7348 6417, 8-1-27770-3 8-1-106.
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ጀ) የአመሪ ድርጅት ኢኮኖሚ የአደረጃጀት ሁኔታ እንዲሁም የማኅበሩ አጠቃሳይ ሁኔታ እና የተፋት አፈጻጸም ደረጃ ግምት ውስጥ በማስገባት።

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# 186. Common Measures

- FRESHIP PERFO DEWAR 1/ Any employer, employers' Association, a representative of an employer, a Trade Union or trade union leader who:
- a) violates regulations and directives issued in accordance with this Proclamation pertaining to the safety of workers and commit an act which expose the life and health of a worker to a serious danger or does not accord special protection to women workers or young workers as provided for in this Proclamation:
  - b) violates Article 117 of this Proclamation:
  - c) contravenes the provisions of Article 161 of this Proclamation;
- d) fails to comply with an order given by a labour inspector in accordance with this Proclamation or the provisions of other laws
- e) intentionally submits inaccurate information or declarations to pertinent organs; Shall be fined Birr 5,000 up to Birr 20,000; where the violation is for the first time, and a fine of Birr 20,000 up to Birr 40,000, if the violation is for second time, and a fine of up to Birr 70,000 if it is committed for the third time. Whereas if the act is committed more than three times may result closure of the under taking.
- 2/ taking in to account the economic and organizational standing of the undertaking or the trade union's general set up and the manner the violation was committed, any employer, trade union, trade union leader of a representative of an employer who violates the provisions Article 131 (2) or (4) of this Proclamation shall be fined up to Birr 5,000 up to Birr 20,000, where the violation is for the first time, and a fine of Birr 20,000 up

የመጀመሪያ ጊዜ ተፋት ሲሆን ከብር ሯሽ, አስከ ብር ሯሽ,፡ ተፋቱ ለሁለተኛ ጊዜ የተፈጸመ ሲሆን ከብር ሯሽ, አስከ ብር ማሽ,፡ ተፋቱ ከሁለት ጊዜ በላይ የተፈጸመ ሲሆን አስከ ብር ሮሽ, በሚደርስ መቀጮ ይተጣል:፡

# <u>ኞጀቹኝ. በኡጀንሲ ላይ ስለሚወሰዱ እርምጃዎች</u>

- ሽ/ማንኛውም ሰው በዚህ አዋጅና አዋጁን ·bbb Am Omen-23-0 λC mandepy annet LAY Army በኢትዮጵያ ውስተ ሥራና መራተኛን 2757 738117 わみずの子 Semil. 9450 haac: Bemil. nAllAn \mathcal{H} 0.00 886. /0832: 004 6. AC/and par P. paga:
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# ለጀተኛ ክስ የማቅረብ ስልጣን

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# *ምዕራፍ ሁለት* ልዩ ልዩ ድን*ጋጌዎ*ች

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በዚህ አዋጅ የተጠቀሰው ማንኛውም ተፋት ከተፈፀመበት ቀን ጀምሮ ሽ ዓመት ክለፈው ክስ ማቅረብ አይቻልም። to Birr 40,000 if the violation is for second time, and a fine of Birr up to Birr 70,000 where the violation committed more than twice.

# 187. Measures Against Private Employment Agency

- 1/ Any person who, without having obtained a license in accordance with this proclamation, or regulation, or directives issued pursuant to this proclamation and engages in providing employment exchange service in Ethiopia, shall be punishable with imprisonment for a term of not less than five years and not exceeding ten years and with a fine of Birr 100,000(hundred thousand Birr)
- 2) Any private employment agency which engages, while its license is suspended, in any employment exchange activity, shall be punishable with impressments for a term of not less than three years and not exceeding five years and with a fine of birr 75,000 (seventy five thousand Birr).
- 3/ Any persona who commits an offense other than those stated under sub article (1) and (2) of this Article, by violating provision regulations or directives issued pursuant to this proclamation be punishable with imprisonment of up to two years or with a fine of up to Birr75,000 (Birr seventy five thousand).

# 188. The Power to Institute Cases

Labour Inspectors shall have the power to file suits against violations committed the provisions of this Proclamation and regulations and directives issued here under to the courts having jurisdiction to try them.

# CHAPTER TWO MISCELLANEOUS PROVISIONS

# 189. Period of Limitation

No proceedings of any kind referred to in this Proclamation shall be instituted where one year has elapsed from the date on which the fault was committed.

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- #/በአዋጅ ቁጥር ተያሮች/፲፱፻፵ (አንደ ተሻሻለ) መሰረት የተደረጉ የንብረት ስምምንቶች በዚህ አዋጅ መሰረት አንደተደረጉ ተቆጥረው አዋጁ ተፊዳሚ ይሆንባቸዋል።
- ይ/ በአዋጅ ቁጥር ፫፻፸፯/፲፱፻፺፮ (አንደ ተሻሻለ) መሰረት የተቋቋሙ የአሠሪም ሆን የሠራተኛ ማኅበራት በዚህ አዋጅ መሰረት አንደተቋቋሙ ተቆጥረው አዋጁ ተፊጻሚ ይሆንባቸዋል።
- - ራ/ በማናቸውም አካላት በመታዩት ላይ ያሉ የሥራ ክርክሮች ይህ አዋጅ ከመፅናቱ በፊት በነበረው ህግ መሰረት በተጀመሩበት ሥርዓት ፍዓሚ ይገኛሉ።

# ሸጀነል. ስለ አካል ጉዳት መጠን አወሳሰን

በአንቀጽ ፩፻፪ (፩) የተመለከተው የአካል ጉዳት መጠን ሠንጠረሻና እስኪመጣ ድረስ የሀክምና ቦርድ ቀድሞ በሚሰራበት አኳዳን ይቀተላል።

# ሸጀባጀ. <u>የተሻሩ ሕንች</u>

ሽ/የአሥሪና ሥራተኛ ጉዳይ አዋጆች ቁጥር ፫ሂሮሄ/፲፱ሂሂሄ፣ ፫ሂሮሄ/፲፱ሂሂሄ፣ ፫ሂሂ፱/፲፱ሂሂሄ እና የሥራና ሥራተኛ ማኅናኘት አባልግሎት አዋጅ ቁጥር ሂሂ፴ሂ/ሂሺሽ ተሽረዋል።

# 190. Transitory Provisions

Notwithstanding the provisions of Article 192 of this Proclamation:

- I/ Regulation and directives issued pursuant to Proclamation No.377/2003 (as amended) shall remain enforce, in so far as they are not inconsistent with this Proclamation.
- 2/ Collective Agreements concluded pursuant to Proclamation No. 377/2003 (as amended) shall be deemed to have been concluded in accordance with this Proclamation and be governed by the provisions of this Proclamation.
- 3/ Trade Unions and employers association established in accordance with Proclamation No. 377/2003 (as amended) shall be deemed to have been established in accordance with this Proclamation.
- 4/ labour advisory board and labour tribunal board established in accordance with Proclamation No. 377/2003 (as amended) shall be deemed to have been established in accordance with this Proclamation.
  - 5/ Labour disputes pending before any labour tribunal to settle labour dispute prior to the coming into force of this Proclamation shall be disposed in accordance with the previous Proclamation.

# 191. Determination of degree of disablement

Until such time the schedule determining the degree of disablement is issued pursuant to Article 102(1) of this Proclamation, the Medical Board shall continue its regular assessment of disability.

# 192. Repeal laws

1/ The Labour Proclamation No. 377/2003; Proclamation No. 466/2005, Proclamation No.494/2006 and proclamation 632/2009 are hereby repealed. #) ይህን አዋጅ የሚታሪኑ ሕንች፣ ደንበች፣

መመሪያዎችና መሣኔዎች ይህን

አዋጅ በሚመለከቱ ጉዳዮች ላይ
ተፊያሚ አይሆኑም።

### ፲፱፻፭፫. <u>አዋጁ የሚጸናበት ጊዜ</u>

ያብ አዋጅ በ5,26ት ጋዜጣ ታትሞ ከመጣበት ተን ጀምሮ የጸና ይሆናል። ትን ነዛላል 30 ቀን ይወጠቃ ታ

አዲስ አበባ ንሐሴ ፴ ቀን ፪ሺ፲፩ ዓ.ም ሳህለ ወርቅ ዘውዴ

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፑብሊክ ፕሬዚዳንት 2/ No laws and practices shall, in so far as they are inconsistent with this Proclamation, have force or effect in respect of matters provided for in this Proclamation.

#### 193. Effective Date

This Proclamation shall enter in to force on the date of its publication in the Federal Negarit Gazette.

Done at Addis Ababa this 5th day of Semptember ,2019

SAHILEWORK ZEWUDIE

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA