



ITEGEKO RIGENA IBIGENERWA ABAKOZI N’IMIRYANGO YABO (“HFWA”): Uburenganzira bwo guhemberwa ikiruhuko

Kwishyurirwa: Abakoresha bafite byibuza abakozi 16 basabwa ibiruhuko byishyurwe nk’uko bigenwa na HFWA

- Abakozi bahabwa isaha 1 y’ikiruhuko gihemberwa ku masaha 30 bakoze (“ikiruhuko cyiyongeye”), kugeza ku masaha 48 ku mwaka.
- Kugeza ku masaha agera kuri 80 y’ikiruhuko cy’inyongera arakurikizwa iyo habaye ikibazo cy’ubuzima gisaba ubuvuzi bwihutirwa (PHE), kugeza ku cyumweru cya 4 PHE irangiye.
- Amasaha ahoraho n’umushahara ni byo bigenwa igipimo cy’amafaranga y’insimburakiruhuko yiyongereye, muri icyo gihe kandi ibyo ugenerwa birakomeza.
- Amasaha agera kuri 48 y’iminsi y’ikiruhuko yiyongereye utakoresheje abarirwa kandi agakoresheya mu mwaka utaha.
- Ku bisobanuro by’ibintu byihariye (amasaha adasanzwe, kutishyurwa ku isaha, n’ibindi.), reba Itegeko rigenga umushahara 3.5, 7 CCR 1103-7.

Abakozi bashobora gukoresha ikiruhuko cyabo cyiyongeye ku mpamvu z’umutekano cyangwa ibyo bakeneye bijyanwe n’ubuzima:

- (1) uburwayi bwo mu mutwe cyangwa ku mubiri, gukomereka cyangwa uburwayi bw’umubiri butuma umuntu adakora, harimo kwisuzumisha cyangwa ubuvuzi bugamije kwirinda;
- (2) Ihohotera rikorerwa mu rugo, ihohotera rishingiye ku gitsina, cyangwa guhoza ku nkenke ugamije kugirira nabi, kwimuka, amategeko, cyangwa ibindi bikenerwa muri serivisi,
- (3) kuba afite umuntu wo mu muryango ufite uburwayi bwavuzwe mu cyiciro cya (1) cyangwa (2); *cyangwa*
- (4) in Burwayi busaba ubuvuzi bwihuze (PHE), umukozi wa leta afunga ahakorerwa akazi, cyangwa ishuri cyangwa ahatangirwa ubuvuzi bw’umwana w’umukozi.

Iyo habaye uburwayi busaba ubuvuzi bwihuse (PHE), abakozi bashobora gukoresha ikiruhuko cy’inyongera (PHE) mu gihe bakeneye ibi bikurikira:

- (1) kwishyira mu kato cyangwa gukurwa mu kazi kubera guhura n’urwaye, ibimenyetso, cyangwa gusuzuma uburwayi bwandura muri PHE;
- (2) kwisuzumisha, kwivuza, cyangwa kwitabwaho (harimo n’ubuvuzi bugamije gukumira indwara) kuri ubwo burwayi;
- (3) kudashobora gukora kubera uburwayi bushobora kongera ibyago by’ubwo burwayi; cyangwa
- (4) kwita ku mwana cyangwa undi muryango mu cyiciro (1)-(3), cyangwa ishuri cyangwa kwita ku mwana bikaba bidahari kubera PHE.

Muri PHE, abakozi barakomeza bakabona amasaha agera kuri 48 y’ikiruhuko cyiyongeye kandi ashobora gukoresha ikiruhuko cy’inyongera mbere y’ikiruhuko cyiyongereye.

Politiki igenga umukoresha (Itangazo; inyandiko; Ikoreshwa rikomeza; Ubuzima bwite; n’amakuru y’ikiruhuko gihemberwa)

- **Itangazo ryanditse n’amatangazo yanditse.** Abakoresha bagomba (1) gutanga itangazo ku bakozi bashya bitarenze igihe cyo gutanga izindi nyandiko/politiki zo kumenyereza umukozi; no (2) kugaragaza amatangazo yamamaza yanditse, hamwe no guha abakozi amatangazo ajyanye n’igihe, mu mpera z’umwaka.
- **Kumenyeshya ikiruhuko “kitezwe”.** Abakoresha bashobora guhitamo “ uburyo bwumvikana” mu nyandiko bugaragaza uko abakozi bazajya bamenyeshya “ikiruhuko” biteze, ariko ntibashobora kwangira abakozi babo ikiruhuko gihemberwa kubera kutubahiriza iyi politiki.
- **Umukoresha ashobora gusaba inyandiko zigaragaza ko ikiruhuko cyaturutse ku mpamvu zmvikana ariko bigakorwa gusa ari uko ikiruhuko cyafashwe mu minsi ine ikurikirana** (ni ukuvuga. iminsi umukozi ari kuba yarakoze, atari iminsi yo ku ngengabihe).
- **Inyandiko si ngombwa kugira ngo ufate ikiruhuko gihemberwa**, ariko gishobora gusabwa igihe cyose umukozi ashobora kugitanga nyuma yo kugaruka ku kazi cyangwa kurangiza akazi (ikibangutse). **Nta nyandiko isabwa ku kiruhuko cy’Uburwayi busaba kuvurwa byihuse (PHE).**
- **Kwandika ikiruhuko cy’abakozi (cyangwa ikibazo cy’ubuzima) cy’ufitanye isano n’umukozi**, umukozi agomba gutanga: (1) Inyandiko ituruka muri serivisi z’imibereho myiza y’abaturage cyangwa z’ubuzima *mu gihe* izo serivisi zatanze kandi iyi nyandiko ikaba yaboneka kandi nta yandi mafaranga yishyurwe; *cyangwa* (2) inyandiko bwite y’umukozi.
- **Kwandika ko umukozi (cyangwa ugize umuryango w’umukozi) bakeneye uruhushya rujyanye n’ihohotera rikorerwa mu rugo, ihohotera rishingiye ku gitsina, cyangwa ubugizi bwa nabi**, umukoresha ashobora gutanga: icyemezo cyangwa inyandiko (1) yavuzwe hejuru (urugero. gitangwa n’utanga serivisi z’amategeko cyangwa zo gucumbikira) cyangwa (2) hejuru, cyangwa inyandiko yemewe n’amategeko (urugero., icyemezo kimubuza cyangwa raporo ya polisi).

• **Iyo umukoresha abonye ko ibyemezo umukozi yataze bituzuye**, umukoresha agomba: (A) kumenyeshya umukozi mu gihe cy’iminsi irindwi amaze kwakira ibyemezo cyangwa umukozi agarutse ku kazi cyngwa ahavuye (ikibangutse), no (B) guha umukozi byibuze iminsi 7 yo kuzuzwa ibituzuye.

• **Ikoreshwa rigenda ryiyongera.** Bitewe na politiki y’umukoresha, abakozi bakoresha ikiruhuko mu buryo bw’amasaha cyangwa mu minota 6 igenda yiyongera.

• **Ubuzima bwite bw’umukozi.** Abakoresha ntibashobora gusaba abakozi kugaragaza “ibisobanuro” by’umukozi (cyangwa umuryango we) amakuru ya HFWA arebana n’ubuzima cyangwa umutekano; bene aya makuru afatwa nk’amakuru y’ibanga y’ubuvuzi.

• **Amakuru atangwa igihe asabwe.** Abakoresha bagomba gutanga inyandiko igaragaza mafaranga y’ikiruhuko gihemberwa bakozi bafite (1) ahari yagenewe gukoresheya, na (2) yarangiye gukoresheya mu uwo mwaka uhererwamo ibyo ugenerwa, harimo n’ikindi kiruhuko ugenerwa na PHE. Amakuru ashobora gusabwa rimwe ku kwezi cyangwa iyo bibaye ngombwa ko gukenera ikiruhuko kigenwa na HFWA .

Kwihorera cyangwa kwivanga mu burenganzira bugenwa na HFWA

- **Ikiruhuko gihemberwa ntigifata nko “gusiba”** gushobora gutuma umuntu yirukwana cyangwa ikindi gikorwa kigira ingaruka mbi.
- **Umukozi ntashobora gusabwa gushaka “umukozi umusimbura” cyangwa gushaka umusigariraho mu gihe yafashe ikiruhuko.**
- **Umukoresha ntashobora kwirukana, gukanga, kwihorera, cyangwa kwivanga mu ikoreshwa ry’ikiruhuko ry’umukozi:** (1) wasabye cyangwa wafashe ikiruhuko kigenwa na HFWA ; (2) watanze amakuru cyangwa agafasha undi muntu ukoresha uburenganzira ahabwa na HFWA; (3) watanze ikirego cya HFWA ; cyangwa (4) ukorana/agafasha mu iperereza ry’icyaha cyo kutubahiriza HFWA.

• **Iyo umukozi atanze ikirego, ubusabe cyangwa ikindi gikorwa cyose cyerekeye HFWA nta buriganya ariko kikaba atari cyo**, si ngombwa ko umukoresha abyemera cyangwa ngo abimwemerere, ariko ntashobora *kwihimura* ku mukozi biturutse kuri ibyo. Abakozi bashobora guhura n’ingaruka zo gukoresha nabi ikiruhuko.

**ITEGEKO RIRENGERA ABATANGA AMAKURU KU BYAHA BISHYIRA MU KAGA UBUZIMA
RUSANGE BW’ABANTU (“PHEW”):**

Uburenganzira bw’abakozi bwo kugaragaza Impungenge ku buzima ahakorerwa akazi no gukoresha ibikoresho byo kwirinda

Kwishyurirwa: Abakoresha bose n’abakozi, kongeraho bmawe mu bayakotaro bigenga

• PHEW ntireba gusa “abakoresha” n’abakozi,” ahubwo “abayobozi” bose (umukoresha cyangwa ubucuruzi bufite byibuze abanyakotaro 5 bigenga) n’ “abakozi” (abakozi cyangwa abanyekotaro bo mu rwego rw’ “umuyobozi”).

Uburenganzira bw’umukozi bwo kwanga kutubahiriza amategeko agenga ubuzima/umutekano ku kazi igihe habaye ibibazo bishyira ubuzima rusange mu kaga:

- Ntibyemewe kwihorera, cyangwa kwivanga, mu bikorwa bikurikira mu gihe, kandi bifitanye isano, n’ikibazo gishyira ubuzima rusange mu kaga:
 - (1) **kugaragaza impungenge zmvikana**, harimo mu buryo butanditse, ku muyobozi, abandi bakozi, leta, cyangwa rubanda, ibijyanye no kutubahiriza ku kazi amategeko ya leta agenga ubuzima n’umutekano, cyangwa ibyago bikomeye by’ubuzima n’umutekano ku kazi;
 - (2) **Kwanga cyangwa gutanga ubuhumya, gufasha, cyangwa kwitabira** iperereza cyangwa urubza ku kwihorera, cyangwa kwivanga, mu myitwarire yarondowe hejuru .
- Umuyobozi si ngombwa ko ashakira igisubizo impungenge y’umukozi ifitanye isano na PHEW, ariko ntashobora kwirukana cyangwa ngo akore ikindi *gikorwa* kirwanya umukozi ku bw’iyo mpamvu, apfa kuba izo mpungenge zarumvikanaga kandi zaratanze nta buriganya.

Uburenganzira bw’abakozi bwo gukoresha ibikoresho byabo byo kubarinda (“PPE”):

• Umukozi agombwa kwemererwa kwambara **ku bushake ibikoresho bye bimurinda (PPE)** (agapfukamunwa, faceguard, uturindantoki, n’ibindi.) iyo PPE (1) **birinda cyane** kurusha ibikoresho byatanze ku kazi, (2) cyangwa ikigo cy’ubuzima cya leta kikaba gisaba ko babikoresha (leta, cyangwa imbere mu gihugu), na (3) ntibituma umukozi **adashobora gukora.**

UBURENGANZIRA BWO GUTANGA IKIREGO (Muri HFWA na PHEW)

• Ibyaha bishobora gushyikirizwa ishami nk’ibirego cyangwa inama zatanze n’abantu bativuze amazina, cyangwa se bigatangwa nko mu rukiko nyuma yo kugerageza ubundi buryo bukanga.

Iri tangazo ritanga incamake y’amategeko abiri ya Colorado agenga ubuzima rusange akoresheya ku kazi, SB 20-205 (ikiruhuko gihemberwa) na HB 20-1415 (kurengera abatanga amakuru ku byaha n’ibikoresho bwite birinda umuntu). Ntabwo rivuga ku yandi mategeko agenga ubuzima cyangwa umutekano, amabwiriza, n’ibyemezo, harimo n’Itegeko ry’igihugu rigenga umutekano ku kazi n’ubuzima (OSHA), yo mu Ishami rya Colorado ryishinzwe Ubuzima rusange n’ibidukikije (CDPHE), cyangwa yo mu bigo by’imbere mu gihungu bishinzwe ubuzima. Vugisha ibyo bigo biguhe aya makuru y’ubuzima n’umutekano.

Iri tangazo rigomba kumanikwa aho abakozi bashobora kuribona byoroshye, gushyirwa mu gatabo k’abakozi gasanzweho cyangwa, guhabwa abakorera iyakure, ryanditse mu rundi rurimi rutari icyongereza nk’uko biri ngombwa, kandi rigomba gusimbuzwa buri mwaka.

**Kugira ngo ubone verisiyo zuzuye z’aya mategeko, impapuro zikubiyeho amakuru mpamo arambuye, cyangwa ibibazo, amakuru, cyangwa ibirego kuri aya cyangwa ndi mategeko y’umurimo, bimenyeshye:
Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.**