

Icyapa kigaragaza uburenganzira bwerekeye ubuzima rusange bw'ahakorerwa akazi muri Colorado: **IKIRUHUKE CYISHYURWA, GUTANGA AMAKURU KU BYAHA, KU BIKORWA CYANGWA IMYITWARIRE BINYURANYIJE N'AMATEGEKO, n'IBIKORESHO BYO KWIRINDA**

Byavuguruwe tariki ya 1 Kamena 2022: bishobora kuvugururwa buri mwaka; kugeza-ku-itariki icyapa kibonekeraho kuri buri hagati y'ukwezi ukaze muUkuboza

ITEGEKO RIHARANIRA UBUZIMA BWIZA MU MIRYANGO n'AHAKORERWA AKAZI (“HFWA”):

Uburenganzira bw'ikiruhuko cyishyurwa

Ubwishingizi: Abakoresha bese bo muri Colorado, uko bangana kose, bagomba gutanga ikiruhuko cyishyurwa

- Abakozi bese bahabwa isaha 1 y'ikiruhuko cyishyurwa mu masaha 30 y'akazi (“ikiruhuko umukozi yemerewe”), kugeza ku masaha 48 mu mwaka.
- Kugeza ku masaha 80 y'inyongera ku kiruhuko akoreshwa mu butabazi bwihuse ku buzima rusange (PHE), kugeza ku byumweru 4 ubutabazi bwihuse ku buzima rusange burangiye. *
- Abakozi basabwa guhembwa umushahara wabo usanzwe mu gihe cy'ibiruhuko, kandi umukoresha agomba gukomeza kubaha ibyo bagenerwa.
- Kugeza ku masaha 48 y'ikiruhuko umukozi yemerewe kitakoreshejwe kikaba cyakoreshwa mu mwaka ukurikiyeho.
- Ku bisobanuro birambuye ku bibazo byihariye (amasaha adasanzwe, umushahara utari uw'isaha n'ibindi), reba Amategeko agenga Umushahara 3.5, 7 CCR 1103-7.

Abakozi bashobora gukoresha ikiruhuko umukozi yemerewe ku mu gihe haba hari ibyo bakeneve mu rwego rw'umutekano cyangwa ubuzima :

- uburwayi bwo mu mutwe cyangwa ku mubiri, gukomereka cyangwa kuba ubuzima butameze neza ku buryo atakora akazi, harimo gusuzumwa indwara cyangwa kuvurwa hirindwa indwara;
- ihohoterwa rikorerwa mu ngo, ihohoterwa rishingiye ku gitsina cyangwa guhoza ku nkeke bigize icyaha mpanabyaha biganisha ku bibazo by'ubuzima, kwimuka, ibihanwa n'amategeko cyangwa izindi serivisi zikenewe;
- kwita k'ugize umuryango ufite ikibazo cyasobanuwe mu cyiciro cya (1) cyangwa icya (2); *cyangwa*
- muri PHE, umukozi wa leta wafunze aho akorerwa akazi cyangwa ishuri cyangwa irerero ry'abana b'abakozi.

Mu gihe cy'ubutabazi bwihuse ku buzima rusange (PHE), abakozi bashobora gukoresha ikiruhuko cy'inyongera cya PHE ku bikeneve bikurikira *:

- kwigunga cyangwa guhezwa ku kazi kubera kwandura, ibimenyetso cyangwa kugaragaraho indwara zandura muri PHE;
 - gushaka icyo umuntu arwaye, ubuvuzi, cyangwa kwitabwaho (harimo ubuvuzi bwo kwirinda indwara) nk'uburwayi;
 - kutabasha gukora bitewe n'ubuzima bushobora kongera kwandura cyangwa kugira ibyago byo guhura n'indwara cyangwa
 - kwita ku mwana cyangwa undi muryango mu byiciro bya (1) - (3) cyangwa ishuri cyangwa kwita kubana bidashobotse kubera PHE.
- Mu gihe cya PHE, abakozi baba bagifite amasaha agera kuri 48 y'ikiruhuko cyemewe kandi bashobora gukoresha ikiruhuko cy'inyongera mbere y'ikiruhuko kigenda cyiyongera.

Ingamba z'umukoresha (Itangazo; Inyandiko; Gukoresha kwisumbuye; Ubuzima bwite n'Amakuru abitse yerekeye ibiruhuko byishyurwa)

- Amatangazo yanditse n'ibyapa.** Abakoresha bagomba (1) kumenyesha abakozi bashya bitarenze igihe cyo kuzuzwa izindi nyandiko/amabwiriza yo kubinjiza mu kazi; no (2) kwerekana ibyapa byavuguruwe no gutanga amatangazo avuguruye bigashyikirizwa abakozi bari mu kazi mu mpera z'umwaka.
- Imenyeshya ry'ikiruhuko "giteganijwe".** Abakoresha bashobora gukoresha "inzira zifatika" mu nyandiko zerekana uburyo abakozi bagomba gutanga integuza niba bakeneve ikiruhuko "giteganijwe", ariko ntibashobora kwanga ikiruhuko cyishyurwa kubera ko baba batubahirije ayo mabwiriza.
- Umukoresha ashobora gusaba ibyangombwa kugira ngo yerekane ko ikiruhuko umukozi yemerewe ku bw'impamvu zujuje ibisabwa gusa mu gihe ikiruhuko cyabaye mu minsi ine n'indi minsi y'akazi ikurikiranye (ni ukuvuga iminsi umukozi yaba yarakoze, atari iminsi isanzwe).**
- Inyandiko ntisabwa mu gufata ikiruhuko umukozi yemerewe,** ariko ishobora gusabwa mu gihe umukozi agarutse ku kazi cyangwa yitandukanyije n'akazi (icyakorwa vuba cyose). Nta nyandiko ishobora gukenerwa ku kiruhuko cya PHE.
- Kugira ngo wandike ikiruhuko cy'umukozi (cyangwa ibikenewe by'ubuzima bw'ugize umuryango w'umukozi) ,** umukozi ashobora gutanga: (1) inyandiko yatanze n'umukozi mu by'ubuzima cyangwa serivisi zita ku buzima iyo serivisi yakiriye kandi inyandiko ishobora gutangwa mu gihe gikwiye kandi nta kindi cyongeweho; *bitabaye ibyo* (2) inyandiko y'umukozi bwite.
- Kugira ngo umuntu yandike ko umukozi (cyangwa umwe mu bagize umuryango w'umukozi) yasabye ikiruhuko bitewe n'ihohoterwa rikorerwa mu ngo, ihohoterwa rishingiye ku gitsina cyangwa guhozwa ku nkeke bigize icyaha mpanabyaha,** umukozi ashobora gutanga: inyandiko cyangwa inyandiko yiyandikiye munsu (1) yavuzwe haruguru (*urugero nk'* iturutse k'utanga serivisi z'amategeko cyangwa z'icumbi) cyangwa (2) hejuru, cyangwa inyandiko y'amategeko (*urugero,* itegeko ribuzwa umuntu gukora ibikorwa runaka cyangwa raporo ya polisi).

- Niba umukoresha asanze mu buryo bushyize mu gaciro ibyangombwa by'umukozi bituzuye,** umukoresha agomba: (A) kumenyesha umukozi mu gihe cy'iminsi irindwi uhereye igihe yakiriye ibyangombwa cyangwa umukozi agarutse ku kazi cyangwa yasezeze (icyakorwa vuba), ndetse no (B) guha umukozi byibura iminsi irindwi yo kubuzuzura.
- Imikoreshereze irenzeho.** Bitewe n'ibwiriza ry'umukoresha, abakozi bashobora gukoresha ikiruhuko haba mu masaha cyangwa iminota itandatu byiyongereyeho.
- Ubuzima bwite bw'abakozi.** Abakoresha ntibashobora gusaba abakozi gutanga "amakuru arambuye" yerekeye ubuzima bw'umukozi (cyangwa ugize umuryango we) ku bijyanye n'ubuzima cyangwa umutekano; amakuru nk'aya agomba gufatwa nk'ibanga ry'ubuvuzi.
- Inyandiko zigomba kubikwa no gutangwa mu gihe bisabwe.** Abakoresha bagomba gutanga ibyangombwa byerekana umubare w'igihe cy'ibiruhuko cyishyurwa kiri kubarirwa abakozi (1) bafite icyo bakoresha ndetse (2) n'ibimaze kugikoresha muri uwo mwaka bakigenewe harimo n'ikiruhuko cy'inyongera cya PHE. Ibisobanuro bishobora gusabwa rimwe mu kwezi cyangwa mu gihe hagaragaye ko hakenewe ikiruhuko cya HFWA.

Kubangamira cyangwa kwivanga mu burenganzira bwa HFWA

- Ikiruhuko cyishyurwa ntigishobora kubarwa nko "gusiba"** bishobora kuvamo kwirukana cyangwa ubundi bwoko bw'ibihano bitandukanye.
- Umukozi ntashobora gusabwa gushaka "umusimbura" cyangwa ubwishingizi bw'akazi mu gihe yafashe ikiruhuko cyishyurwa.**
- Umukoresha ntashobora kwirukana, gutera ubwoba, cyangwa kubangamira cyangwa kwivanga mu ikoresha** ry'ikiruhuko n'umukozi: (1) usaba cyangwa ufata ikiruhuko cya HFWA; (2) kumenyesha cyangwa gufasha undi muntu gukoresha uburenganzira bwa HFWA; (3) gutanga ikirego cya HFWA; cyangwa (4) gufatanyaga/gufasha mu iperereza ku ibangamirwa rya HFWA.
- Niba ikibazo cy'umukozi gifite ishingiro, cyubahirije ibiteganywa na HFWA, ubusabe cyangwa ikindi gikorwa kitari** cyo, umukoresha ntagomba kubyemera cyangwa kubitanga, ariko ntashobora *kubangamira* umukozi ku bw'ibyo. Abakozi *bashobora* guhura n'ingaruka zo gukoresha nabi ikiruhuko.

KUGARAGAZA UKO UKO UBUZIMA/UMUTEKANO BIMEZE NO GUTANGA AMAKURU KU BYAHA, KU BIKORWA CYANGWA IMYITWARIRE BINYURANYIJE N'AMATEGEKO BIMEZE (“PHEW”):

Uburenganzira bw'abakozi bwo kwerekana impungenge zijyanye n'ubuzima/umutekano by'ahakorerwa akazi no gukoresha ibikoresha by'ubwirinzi

Kwishingira: Abakoresha bese n'abakozi, wongeyeve bamwe mu bafite amasezerano vigenga

- PHEW ntabwo ikubiyemo "abakoresha" n'abakozi" gusa, ahubwo" ikubiyemo **abayobozi**" bese (umukoresha cyangwa ikigo cy'ubucuruzi gifite byibuzaba abo bagiranye amasezerano bigenga bagera kuri 5) n' **abakozi**" (abakozi cyangwa abo bagiranye amasezerano bigenga bakorera "umuyobozi").

Uburenganzira bw'abakozi bwo kuvuguruza kwica amabwiriza v'ubuzima/umutekano byo ku kazi :

- Ntibyemewe n'amategeko **kubangamira cyangwa kwivanga mu bikorwa bikurikira:**
 - kugaragaza impungenge zifatika,** harimo uburyo bwa gicuti, umuyobozi, abandi bakozi, guverinoma cyangwa rubanda, ku bijyanye no kurenga ku mabwiriza agenga ahakorerwa akazi ku mabwiriza ya leta agenga ubuzima n'umutekano, cyangwa kubangamira bikomeye ubuzima n'umutekano bw'ahakorerwa.
 - kuvuguruza cyangwa gutanga ubuhamya, gufasha, cyangwa kugira uruhare** mu iperereza cyangwa gukomeza ibijyanye no kubangamira cyangwa kwivanga, mu imyitwarire yavuzwe haruguru.
- Umuyobozi ntagomba gukemura impungenge z'umukozi kijyanye na PHEW, ariko ntigishobora kwirukanisha cyangwa *gufata* ikindi cyemezo kibangamiye umukozi kugira ngo agaragaze impungenge, mu gihe impungenge zaba zifite ishingiro kandi mu bwumvikane.

Uburenganzira bw'abakozi bwo gukoresha ibikoresha byabo bwite byo kubarinda (“PPE”) :

- Umukozi agomba kwemererwa **kwambara ku bushake PPE zabo bwite** (agapfukamunwa, agapfukamura, uturindantoki n'ibindi) niba PPE (1) zitanga **ubwirinzi** burenze ibikoresha bitangwa ahakorerwa akazi, (2) **biragirwaho inaman'ikigo** cya leta gishinzwe ubuzima (intara, leta cyangwa mu karere), ndetse (3) ntabwo bituma umukozi **adashobora gukora akazi.**

UBURENGANZIRA BWO KUREGA (hakurikijwe HFWA na PHEW)

- Menyekanisha ababirenzeho ku cyicaro nk'ibibazo cyangwa uburyo butazwi cyangwa utange ikirego mu rukiko nyuma yo kumara gushaka ibisubizo bibanziriza urubanza.

Iki cyapa cyerekana mu ncamake amategeko y'ubuzima rusange bw'akazi muri Colorado: SB 20-205 (ikiruhuko cyishyurwa) , HB 20-1415 & SB 22-097 (kugaragaza ibitagenda neza mu by'ubuzima n'umutekano). Ntabwo bireba ibijyanye n'amategeko, amabwiriza n'amateka bigenga ubuzima harimo Itegeko ry'igihugu rigenga umutekano n'ubuzima mu kazi (OSHA), avuye mu Ishami rya Colorado rishinzwe ubuzima rusange n'ibidukikije (CDPHE), cyangwa mu bigo n'ubuzima. Menyesha ibyo bigo ayo makuru y'ubuzima n'umutekano.

Iki cyapa kigomba kwerekana aho byoroshye kugera ku bakozi, bigasangizwa abakozi bakorera ku ikoranabuhanga, bitangwa mu zindi ndimi nk'uko bikeneve, kandi bigasimbuzwa icyiciro icyo ari cyo cyose kuvugururwa buri mwaka.

Iki cyapa ni incamake kandi ntigishobora gushingirwaho nk'amakuru yuzuye y'umurimo. Ku mategeko yose, impapuro zifatika, inyandiko zahinduwe mu ndimi, ibibazo cyangwa ibirego,

cyangwa ku miterere y'ubutabazi bwihuse mu buzima rusange (* byihutirwa byujuje ibisabwa bikomeza gukurikizwa guhera muri kamena 2022), hamagara:

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