

ITEKA RY’UBUZIMA BW’IMIRYANGO & AHAKORERWA AKAZI (“HFWA”): Uburenganzira ku Kiruhuko Cyishyurwa Abo bireba: Abakoresha bese bo muri Colorado, uko baba bangana kose bagomba gutanga ikiruhuko cyishyurwa

- Abakozi bagenerwa isaha 1 y’ikiruhuko cyishyurwa buri masaha 30 bakoze akazi (ikiruhuko cyikusanya), bikagera ku masaha 48 ku mwaka.
- Amasaha agera kuri 80 y’inyongera ku kiruhuko agenwa igihe habaye ikiza cy’ubuzima gitunguranye (PHE), kugeza ku byumweru 4 nyuma yuko kirangiye.*
- Amasaha n’ubwishyu bisanzwe bigena ubwishyu buzatangwa mu minsi y’ikiruhuko yikusanya
- Amasaha agera kuri 48 y’ikiruhuko cyikusanyije adakoreshejwe ashobora kuzakoreshwa mu mwaka ukurikira
- Ibirambuye ku ngingo zihariye (amasaha adasanzwe, abatishyurwa kw’isaha, etc.), reba Iteka ryo Kurinda Imishahara Itegeko rya 3.5, 7 CCR 1103-7.

Abakozi bashobora gukoresha ikiruhuko cyikusanyije kubw’impamvu z’ubwirinzi cyangwa z’ubuzima:

- (1) Uburwayi bwo mu mutwe cyangwa bw’umubiri, gukomereka, cyangwa ubundi buvuzi;
- (2) Ihohoterwa ryo murugo, gufata kungufu, cyangwa irindi hohoterwa ryagira ingaruka zerekeye ubuzima, kwimuka, ubucamanza, cyangwa izindi serivisi;
- (3) Ufite umunyamuryango ufite ibibazo byavuzwe haruguru (1) cyangwa (2); cyangwa
- (4) Mugihe habaye ikiza cy’ubuzima gitunguranye, ubuyobozi bwa leta bwafunze aho akazi gakorerwa, cyangwa ishuri ry’aho umwana w’umukozi yiga.

Mugihe habaye ikiza cy’ubuzima gitunguranye (PHE). abakozi bashobora gukoresha amasaha y’ikiruhuko y’inyongera kubera impamvu zikurikira*:

- (1) Kwishira mu kato kubera yahuye n’ubwandu, yagaragaje ibimenyetso cyangwa hasanzwe arwaye indwara yaje nk’ikiza gitunguranye cy’ubuzima;
- (2) Kwifuza iyo ndwara yaje nk’ikiza gitunguranye cy’ubuzima;
- (3) Kudashobora akazi kubera kutamererwa neza mu mubiri byakongerwa amahirwe yo kwandura iyo ndwara yaje nk’ikiza gitunguranye cy’ubuzima;
- (4) Kwita ku mwana cyangwa undi munyamuryango uri mu cyiciro cya (1)-(3), cyangwa uwo ishuri ry’umwana rifunze kubera PHE.

Igihe cya PHE, abakozi nubundi bemererwa amasaha ageze kuri 48 y’ikiruhuko cyikusanya kandi bakaba banakoresha ikiruhuko cy’inyongera mbere yuko bakoresha ikiruhuko cyikusanya.

Amabwiriza y’Umukoresha (Itangazo; Kubika Inyandiko; Gufata Ikiruhuko mu Bice; Ibanga; n’Inyandiko z’Ikiruhuko Cyishyurwa)

- **Amatangazo yanditse.** Abakoresha bagomba (1) guha itangazo abakozi bashya hamwe n’izindi nyandiko zo gutangira akazi; kandi (2) bakamanika amatangazo agezweho, kandi bakanayaha abakozi babo bese ku mpera y’umwaka.
- **Intenguza “y’agateganyo” yo gufata iminsi y’ikiruhuko cy’akazi.** Abakoresha bashobora gutanga “amabwiriza yumvikana” mu nyandiko agenga uko abakozi batanga intenguza igihe bateganywa gufata iminsi y’ikiruhuko cy’akazi, gusa ntiyakangira umukozi ikiruhuko cyishyurwa nubwo ataba yakurikije ayo mabwiriza.
- **Umukoresha ashobora gusaba igihamba cyuko ikiruhuko cyakoreshejwe ku mpamvu zikwiye gusa igihe ikiruhuko cyafashwe mu minsi ine cyangwa irenga ikurukiranye y’akazi** (i.e iminsi umukozi yagombaga gukora akazi, Atari iminsi ubariye kuri kalindari).
- **Nta nyandiko zisabwa kugirango hasabwe ikuruhuko cyishyurwa**, gusa zishobora gusabwa igihe umukozi agarutse mu kazi. **Nta nyandiko isabwa mugihe ari ikiruhuko kubera ikiza cy’ubuzima gitunguranye (PHE).**
- **Kwerekana ko ikiruhuko cyakoreshejwe kuber impamvu z’ubuzima bw’umukozi** (cyangwa kubera umunyamuryango we) hakerekanwa ibi: (1) inyandiko zo kwa muganga cyangwa ubuyobozi rusange igihe serivisi zakiriwe kandi iyo nyandiko bakayiharwa nta kiguzi cy’inyongera; cyangwa (2) inyandiko bwite y’umukozi.
- **Kwerekana ko ikiruhuko cyakoreshejwe n’umukozi** (cyangwa kubera umunyamuryango we) yahuye n’ihohoterwa ryo murugo, gufatwa kungufu, cyangwa irindi hohoterwa, umukozi ashobora kwerekana: inyandiko irimo (1) inyandiko y’ubucamanza cyangwa ahacumbitse cyangwa (2) inyandiko y’ubuyobozi (e.g. inyandiko ibuzi, raporo ya polisi).
- **Mugihe umukoresha asanze inyandiko y’umukozi idahwitse**, umukoresha agomba: (A) kumenyesha umukozi mugihe cy’iminsi irindwi cyo kwakira izo nyandiko cyangwa igihe umukozi agarukiye ku mirimo cyangwa ayihagaritse, kandi (B) agaha umukozi nibura iminsi irindwi yo gutanga ubusobanuro bwimbitse.

- **Gufata Ikiruhuko mu bice:** Hagendewe ku mabwiriza y’umukoresha, abakozi bashobora gukoresha ikiruhuko cyabo mu gihe cy’amasaha cyangwa mu duce tw’iminota itandatu
- **Ibanga ry’Umukozi.** Abakoresha ntibemerewe gusaba umukozi kubaha amakuru “bwite” ku buzima n’ubwirinzi bw’umukozi (cyangwa umunyamuryango we) yerekeye HFWA; ayo makuru agomba kuba ibanga nkuko amakuru yo kwa muganga abikwa.
- **Inyandiko zigomba gutangwa igihe zisabwe.** Abakoresha bagomba gutanga inyandiko zigaragaza iminsi y’ikiruhuko cyishyurwa abakozi (1) bemerewe gukoresha, hamwe (2) n’iyo bamaze gukoresha muri uwo mwaka, harimo n’ikiruhuko cy’inyongera cya PHE. Ano makuru ashobora gusabwa rimwe mu kwezi cyangwa ikindi gihe amakuru ajanyane n’ikiruhuko cya HFWA akenewe.

Kwihimura no Kubangamira Uburenganzira bwa HFWA

- **Ikiruhuko cyishyurwa ntigishobora kubarwa nko “gusiba akazi”** bishobora gutuma umukozi yirukanwa cyangwa agahabwa ibindi bihano byo gusiba.
- **Umukozi ntagomba gusabwa gushaka “umusimbura”** cyangwa umukorerwa akazi mugihe yafashe ikiruhuko cyishyurwa.
- **Umukoresha ntiyakwirukana, ngo ahohotere, cyangwa ngo yihimure, cyangwa abangamire ikoresha ry’ikiruhuko cyishyurwa** ku mukozi: (1) wasabye cyangwa wafashe ikiruhuko cya HFWA; (2) wamenyesheje cyangwa wafashije undi muntu mu gukoresha uburenganzira bwa HFWA; (3) watanze ikirego cyijanyane na HFWA; cyangwa (4) wafashije mw’iperereza ry’akarengane kerekeye HFWA.
- **Mugihe umukozi atanze ikirego, ubusabe cyangwa ikindi gikorwa cya HFWA bigasangwa ari ikosa**, umukoresha ntabwo agomba kubyemera, gusa ntagomba kurwanya umukozi. Umukozi ubwe azahura n’ingaruka zo gukoresha nabi ikiruhuko.

ITEGEKO RYEREKEYE GUTANGA AMAKURU MUGIHE CY’IKIZA CY’UBUZIMA GITUNGURANYE (“PHEW”): Uburenganzira bw’Abakozi mu Kuvuga Imbogamizi z’Ubuzima mu Kazi & Gukoresha Ibikoresho by’Ubwirinzi

Abo bireba: Abakoresha n’Abakozi Bose, hiyongeyeho n’Ibigo Bitanga Abakozi Bigenga

- PHEW ntireba gusa “abakoresha” n’ ”abakozi” ahubwo ireba “**abayobozi**” bese (umukoresha cyangwa ikigo gifite abakozi bigenga nibura 5) hamwe naba “**kanyamubizi**” (abakozi basanzwe cyangwa abakozi bigenga).

Uburenganzira bw’Abakozi mu Kurwanya Akarengane Kerekeye Ubuzima/ Ubwirinzi mu Kazi Mugihe cy’Ikiza cy’Ubuzima Gitunguranye*:

- Itegeko ribuzi kwihimura, cyangwa kubangamira ibi bikorwa mugihe cy’ikiza cy’ubuzima gitunguranye:
 - (1) **Kuvuga impungenge rusange**, muburyo busanzwe ku muyobozi, abandi bakozi, leta, cyangwa rubanda, zerekeye kurenga ku mabwiriza y’ubuzima n’ubwirinzi yashizweho na leta, cyangwa indi mbogamizi y’ubuzima iri ahakorerwa akazi;
 - (2) **Kurwanya, gutanga ubuhamya, cyangwa gufasha** mw’iperereza ryerekeye kwihimura cyangwa kubangamirwa byabaye mubihe byagaragajwe haruguru.
- Umuyobozi ntabwo agomba kubaza umukozi ku mbogamizi za PHEW yagaragaje, kandi ntabwo agomba kwirukana cyangwa ngo agire ikindi akorerwa umukozi kubw’izo mpamvu. Igihe cyose imbogamizi yatangajwe biciye mu mucyo

Uburenganzira bw’Abakozi mu Gukoresha Ibikoresha By’ubwirinzi byabo Bwite (“PPE”):

- Umukozi agomba kwemererwa kuba yakambara ku bushake bwe ibikoresho bye bwite bya PPE (agapfukamunwa, ikirinda isura, uturindantoki, etc.) mugihe ibikoresho bya PPE (1) bitanga ubwirinzi bwisumbuye ku bikoresha bitangwa ku kazi, (2) bishishikazwa n’ikigo cya leta cy’ubuzima, kandi (3) bitabangamira umukozi mu gukora akazi.

UBURENGANZIRA BWO KWINUBA (hombi muri HFWA & PHEW)

- Ohereza ibitagenda neza kw’Ishami ryacu muburyo bw’ibirego cyangwa ibimenyetso by’ibanga, cyangwa utange ikirego mu rukiko igihe ubundi buryo bw’ubwunzi bwanze

Iri tangazo ni impine ry’amategeko abiri agenga ubuzima bwo mu kazi muri Colorado, SB 20-205 (ikiruhuko cyishyurwa) & HB 20-1415 (gutanga amakuru & ibikoresho by’ubwirinzi). Ntabwo rigaragaza andi mategeko y’ubuzima cyangwa y’ubwirinzi harimo n’iteka rikuru ry’Ubwirinzi n’Ubuzima mu kazi (OSHA), rya Colorado Department of Public Health and Environment (CDPHE), cyangwa andi mabwiriza y’ibigo by’ubuzima byo mugace. Vugisha ibyo bigo ku yandi makuru y’ubuzima n’ubwirinzi. **Iri tangazo rigomba kumanikwa ahantu horoshye kubona ku bakozi bese, rikoherezwa abakorera murugo, mundimi bumva, kandi rigasimburwa buri mwaka uko rivuguruwe. Iri tangazo ni impine kandi ntiryakoreshwa nk’isoko yuzuye y’amategeko agenga umurimo. Ku bijanyane n’amategeko yose, imibare fatizo, guhindura indimi, ibibazo, cyangwa ibitagenda neza, cyangwa ibyerekeye ikiza cy’ubuzima gitunguranye (*ikiza cyemejwe kizakomeza gukurikizwa guhera Mutarama 2022) twandikire:**

ISHAMI RY’AMABWIRIZA Y’UMURIMO N’IBARURISHAMIBARE , ColoradoLaborLaw.gov , cdle labor standards @ state.co.us, 303 - 318 - 8441 / 888 - 390 - 7936