

Rwanda

Ministerial Order determining Essential Services that Should not be Interrupted during the Strike or Lock-Out

Ministerial Order 4 of 2020

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Ministerial Order determining Essential Services that Should not be Interrupted during the Strike or Lock-Out
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Commenced on 19 March 2020

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The Minister of Public Service and Labour;

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 121, 122 and 176;

Pursuant to Law n° 66/2018 of 30/08/2018 regulating labour in Rwanda, especially in Article 110;

Having reviewed Ministerial Order n° 04 of 13/07/2010 determining essential services that should not stop and the terms and conditions of exercising the right to strike in these services;

After consideration and approval by the Cabinet, in its meeting of 28/01/2020;

ORDERS:

Article One – Purpose of this Order

This Order determines essential services that must not be interrupted during the strike or lock-out and modalities of exercising the right to strike or lock-out.

Article 2 – Essential services related to the right to life, health and communication

Strike or lock-out must not interrupt or stop the following services:

- 1° medical services;
- 2° water distribution;
- 3° electricity distribution;
- 4° business services and activities related to the purchase of basic food stuffs;
- 5° services and activities related to the collection and transport of waste;
- 6° transmission and telecommunication services like radio and television, internet and other means of communication and distribution of information for public interest.

Article 3 – Essential services related to freedom of movement of people, rescue and education

Strike or lock-out must not interrupt or stop the following services related to freedom of movement of people, rescue and education:

- 1° transportation;

- 2° supply, distribution and selling of fuel or any other petroleum product used by vehicles, ships and airplanes;
- 3° activities carried out at airports and those connected to air traffic control;
- 4° emergency services and relief activities carried out by humanitarian organisations or associations involved in humanitarian activities;
- 5° services and activities related to fire extinguishing;
- 6° education services.

Article 4 – Essential services for which strike or lock-out is prohibited

Security services cannot strike or be locked out.

Article 5 – Notification of the decision to exercise the right to strike or lock-out

Subject to provisions of Articles 2, 3 and 4 of this Order, employees or employers who are organising a strike or a lock-out must inform relevant authorities in the area of exercising the strike or lock-out before its commencement.

Employees or employers who organise strike or lock-out must indicate essential services that must not stop, give a programme and schedule of conducting the strike or lock-out.

Article 6 – Organs notified of the decision to exercise the right to strike or lock-out

Employees or employers who organise a strike or lock-out in one district must notify in writing the Mayor of the District and provide a copy to the Governor of the concerned Province, the Minister in charge of local government, the Minister in charge of labour and to the Minister in charge of internal security.

Where the strike or lock-out is to be carried out in more than one district, the notification is addressed to the Governor of the concerned Province and provide a copy to the Minister in charge of local government, the Minister in charge of internal security and to the Minister in charge of labour.

Where the strike or lock-out is to be exercised in the City of Kigali, the notification is addressed to the Mayor of the City of Kigali and a copy is provided to the Minister in charge of local government, the Minister in charge of internal security and the Minister in charge of labour.

Where the strike or lock-out is to be exercised at national level, the notification is addressed to the Minister in charge of local government and a copy is provided to the Minister in charge of internal security and the Minister in charge of labour.

The authority notified of the exercise of a strike or lock-out takes the decision thereof and responds within seventy-two (72) hours after receipt of the notification.

The authority notified of the exercise of a strike or lock-out may determine other services, not provided for by this Order, that are not interrupted by the notified strike or lock-out, for public interest.

Article 7 – End of strike or lock-out

A strike or lock-out comes to an end with the period specified in the notification.

Article 8 – Prohibited time to exercise a strike or lock-out

Employees or employers are prohibited from exercising a strike or a lock-out within ten (10) days preceding or following elections in the country, in a state of siege or in a state of emergency.

Article 9 – Repealing provision

Ministerial Order n° 04 of 13/07/2010 determining essential services that should not stop and the terms and conditions of exercising the right to strike in these services and all prior provisions contrary to this Order are repealed.

Article 10 – Commencement

This Order comes into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.