

Ethiopia's Equal Employment Opportunities

Description

By DMLF Team

The right to non-discrimination on employment can be sourced from the FDRE Constitution Proclamation No 1/1995. Article 25 of the Constitution provides the right to equality for all persons. All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. The law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, colour, sex, language, religion, political or other opinion, property, birth or other status.

The Labour Proclamation No 1156/2019 incorporates non-discrimination provisions on employment. Article 2(15) of the Labour Proclamation No 1156/2019 defines "Discrimination" as any distinction, exclusion 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.

The Labour law as a general rule made discrimination an unlawful activity when committed by the employer or a managerial employee. Article 14 of the Labour Proclamation provide that it shall be unlawful for an employer or a managerial employee to discriminate against female workers, in matters of remuneration, on the ground of their sex orientation or discriminate between workers on the basis of Nation, sex, religion, political outlook, HIV/AIDS disablement or disablement or any other grounds.

The consequences on discrimination can be found in the payment of severance pay as well as compensation for victims of discrimination. As a rule, an employer's action to terminate based on worker's Nation, Sex, Religion, Political outlook, Marital status, Race, Color, Family responsibility, Pregnancy? Disablement or Social status is deemed to be an unlawful ground of termination.

Termination of employment due to discrimination is an unlawful activity and in violation of the law. As a result, 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 his contract of employment is terminated by the initiation of the employer in violation of the law.

In addition to severance pay, where a contract of employment is terminated because of those grounds of discrimination, the employer shall be obliged to reinstate the worker; provided, however, that the worker shall be compensated if he wishes to quit his employment up to six months salary.

To sum up, Ethiopia has made discrimination in employment by an employer or managerial employee based on nation, race, color, sex, religion, political opinion, national extraction, social origin, HIV/AIDS status, disablement and others unlawful. The victim employee shall be compensated. Severance pay and reinstatement or compensation could be ordered.

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Date Created

April 9, 2023

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