

AMILEX CHAMBERS



LABOUR LAW

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UNDERSTANDING YOUR RIGHTS AT WORK: WHAT EVERY EMPLOYEE IN RWANDA SHOULD KNOW

PROTECT YOURSELF: THE LAW GIVES YOU RIGHTS YOUR BOSS CAN'T TAKE AWAY.

Commented [A1]: I think the best way here is to say: "You're protected" because it is the law that protects an employee, not an employee protecting himself



True to Amilex's commitment, we aim at raising awareness, and some people seem not to know their rights when it comes to their jobs. When it comes to employment, some people don't know what the law actually says about their protection. As they cannot defend what they do not know, unfairness happens to them more easily. Just recently, I was talking to a friend who had been sacked from her job. Her boss made her sign papers stating that she was the one who no longer wanted to work there, yet in reality, he was the one dismissing her. I asked her, "Don't you know that if they want to terminate your contract, they must notify you at least 15 or 30 days before, depending on your length of service? And if they fail to do so, they must pay compensation?" Unfortunately, she had already signed the forms as if she had resigned voluntarily.

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Cases like hers, and many others we see at Amilex, show how employees often lose their rights simply because they don't know them. That justifies the break down herein of key labour law provisions every employee should be aware of. I'm writing this to help every worker understand the protections they have under Rwandan labour law, especially concerning contracts, probation, suspension, termination, and benefits.

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All employees should know that probation period cannot exceed three months, although it may be extended once for valid and written reasons for an additional three months. At the end of probation, if performance is satisfactory, confirmation must be issued in writing, while termination during probation requires no notice or terminal benefits.

Employment contracts can only be modified by mutual consent, and if a company changes legal status, all existing contracts automatically continue under the new employer. No employer can transfer an employee to another company without the employee's consent, and any move to a lower position or salary requires the employee's agreement.

Contracts may be suspended for reasons such as strikes, disciplinary measures, temporary imprisonment, administrative investigations, economic difficulties, or force majeure. During suspension, the obligations of each party must follow the law or mutual agreement.

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For occupational accidents or work-related diseases, employees are entitled to compensation through social security, and if the employer failed to register them, the employer **remains responsible to pay** all benefits directly. No one can be dismissed because of an occupational accident unless a certified doctor confirms they are unfit to return, and even then, the employer must try to find a suitable position.

Administrative investigations cannot result in more than 30 days of suspension without pay, and all withheld salary must be returned if the employee is found innocent.

In cases of economic or technical suspension, the limit is 90 days within one year, after which the employee must either be reinstated or paid full terminal benefits. If restructuring leads to dismissals, the employer must involve employee representatives and notify the labour inspector, selecting employees for dismissal based on performance, qualifications, experience, and dependents. Any employee dismissed for economic or technical reasons has a right to reinstatement without competition if the employer reopens the same position within six months.

Notice periods are extremely important. Employees **who served** under one year must receive at least 15 days' notice **while those who served** over one year must receive at least 30 days. Notice must be in writing, stating clear reasons, and cannot be issued when the employee is suspended or on leave.



During notice **period**, **an** employee may take one day per week to look for a new job. If termination occurs without proper notice, the responsible party must pay compensation. Gross misconduct allows dismissal without notice, but the employer must notify the employee within 48 hours, specifying the legally recognized misconduct.

At Amilex Chambers, we assist employees and employers in resolving labour disputes and understanding their legal obligations. If you have questions or need help with a labour-related issue, you can always reach out to us. For more details, refer to the Rwanda Labour Law of 2018.

Damages for unlawful termination range from three to six months of salary, and up to nine months for employees with more than ten years of service. Termination due to economic reasons, technological change, or sickness after one year of service entitles the employee to terminal benefits ranging from two to seven months' average salary. These must be paid within seven working days. Retirement benefits follow the same formula, and in case of death, employers must provide funeral expenses and death allowances. Upon leaving a job, every employee has a right to a certificate of rendered services, and refusal to issue it attracts a penalty of one month's salary.

Employees must also know that apprenticeship and internship contracts exist to help young people gain professional skills, and they are governed by specific ministerial orders. Understanding all these rights can prevent manipulation, wrongful termination, and exploitation.

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