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EUROPEAN UNION FOR ARMENIA

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DECENT  
WORK  
NOW

**Working Environment  
Safe, healthy, and more  
Leaflet for employers  
and employees**





Part 1 of Article 23 of the Universal Declaration of Human Rights:

***Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.***

The right to work is a fundamental human right, which is closely related to other fundamental human rights and establishes preconditions for the exercise of those rights. The right to work is a set of interconnected rights, such as:

- the right to free choice of employment,
- the right to equal pay for equal work without any discrimination,
- the right to rest and leisure,
- the right to paid leave,
- ***the right to a decent work environment,***
- other rights.

The right to safe and healthy, non-discriminatory, fair and favorable working environment (work conditions) based on respect for universal human rights, as well as the right to participate in its definition and improvement play an important role among the mentioned rights. Unlawful restrictions on exercise of this right can generate obstacles to effective implementation of all the other rights of employees, since exercise of other labor rights is only possible in case of ensuring a decent working environment.

The obligation to ensure a decent working environment is first of all imposed on the employer in the frame of both national law regulations, as well as international obligations undertaken by the state. **The State, in its turn, oversees employers' implementation of their obligation to ensure a**

**decent working environment** and applies appropriate liability measures, if necessary. For example, Article 96<sup>1</sup> of the RA Code of Administrative Offences envisages an administrative liability in the form of a fine for an employer for breach of technical regulations setting requirements of safe and healthy work performance or technical safety rules.

The state's obligation to ensure a decent working environment is enshrined in provisions of the following international legal documents:

1. Universal Declaration of Human Rights,
2. Revised European Social Charter,
3. International Covenant on Political and Civil Rights,
4. International Covenant on Economic, Social and Cultural Rights,
5. Charter on Fundamental Rights of the European Union,
6. Geneva Convention on Discrimination in the Field of Work and Employment,
7. ILO<sup>1</sup> conventions,

while national law enshrines the obligation to ensure a decent working environment in the following legal acts:

8. the RA Constitution,
9. the RA Labor Code,
10. the RA Law on "Ensuring equal rights and opportunities for men and women",
11. the RA Law on the Rights of Persons with Disabilities,
12. the RA Government's Decree N 1089-N of 15 July 2004 and Decree N 1007-N of 29 June 2006,
13. other legal acts.

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<sup>1</sup> The International Labour Organization (ILO) is a United Nations agency dealing with labor issues.

## **Safe and healthy working environment**

*Every person has the right to work in conditions safe for their life and health, while the employer has an obligation to provide working conditions safe for employees' life and health in line with standards enshrined by law. This obligation must be of a regular nature, whereby employers must take effective measures to prevent and minimize health and safety risks at the workplace.*

### **Article 82 of the RA Constitution**

**Every worker shall, in accordance with law, have the right to healthy, safe and decent working conditions, to limitation of maximum working hours, to daily and weekly rest, as well as to annual paid leave.**

Part 1 of Article 245 of the RA Labor Code

***The workplace and the environment of each employee shall be safe, comfortable and harmless for health; it shall be equipped in compliance with the requirements of the regulatory legal acts on assurance of safety and healthcare of the employees. Provision of accessibility of workplace (reasonable accommodations) for persons with disabilities is safeguarded by law.***

Part 1, clause 3 of the Revised European Social Charter:

***All workers have the right to safe and healthy working conditions.***

Article 3 of the Revised European Social Charter:

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organizations:

1. to formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment. The primary aim of this policy shall be to improve occupational safety and health and to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, particularly by minimizing the causes of hazards inherent in the working environment;
2. to issue safety and health regulations;
3. to provide for the enforcement of such regulations by measures of supervision;
4. to promote the progressive development of occupational health services for all workers with essentially preventive and advisory functions.

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## ***Who to apply when your labor rights have been violated?***

**Health and labor**

**Inspection body:**

**Hotline: 81-07**

**Electronic application link:**

**[www.employeeprotect.am/am/repor](http://www.employeeprotect.am/am/repor)**

**Helsinki Citizens'**

**Assembly-Vanadzor**

**Free legal consultation: 077 342268**

**Electronic application link:**

**[www.facebook.com/DecentWorkNow](http://www.facebook.com/DecentWorkNow)**

**[www.arhmiutyun.am/contact](http://www.arhmiutyun.am/contact)**

**Human rights defender**

**Hotline: 116**

**Regional offices**

**[www.ombuds.am/am/site/ApplyTeamAdress](http://www.ombuds.am/am/site/ApplyTeamAdress)**

**Ministry of Labor and**

**Social affairs**

**Hotline: 114**

**Electronic application link**

**[www.e-request.am/hy](http://www.e-request.am/hy)**

