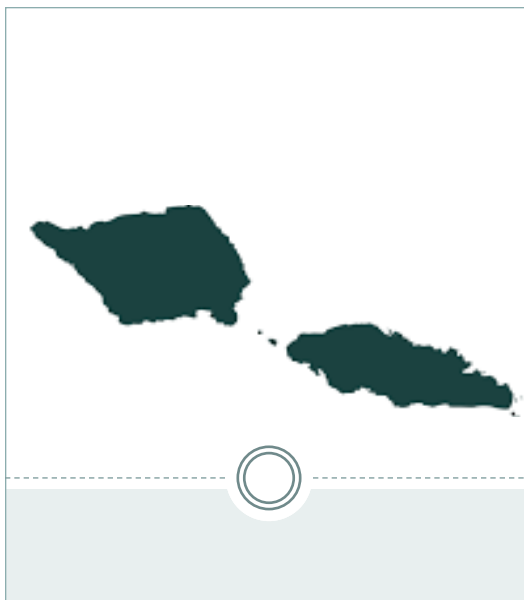


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**Samoa National Tripartite Forum**



**Ministry of Commerce, Industry and Labour**  
Matagaluega o Pisinisi, Alamanuia ma Leipa



**PRINCIPLES OF  
EMPLOYMENT &  
FUNDAMENTAL  
RIGHTS OF AN  
EMPLOYEE**

**TAIALA O FAIGA  
FAAVAE O GALUEGA  
MA AIA TATAU O  
TAGATA  
FAIGALUEGA**

**THE LABOUR AND  
EMPLOYMENT  
RELATIONS ACT  
2013**

**TULAFONO O  
SOOTAGA VA LELEI  
O LEIPA MA  
GALUEGA 2013**



## EMPLOYEES HAVE THE FOLLOWING RIGHTS:

- Paid Wages at the rate not less than the minimum wage of \$2.30 an hour.
- Double the rate of pay for working on Sunday under stipulated conditions of ordinary and shift workers.
- Double the rate of pay for working on a Public Holiday under stipulated conditions of ordinary and shift workers.
- 10 Days Annual Leave upon completion of 12 consecutive months of Service.
- 10 Days Sick Leave upon completion of 12 consecutive months of Service.
- Six weeks optional maternity leave upon completion of 12 consecutive months of Service.
- Five days paternity leave upon completion of 12 consecutive months of Service.
- A break time during the day for a meal.
- Overtime payment for hours exceeding forty hours of work during a week or eight hours a day for an ordinary worker.
- Work for more than 6 hours but not to exceed 12 hours a day/shift for a shift worker.
- Final Pay upon termination or resignation for employees who have completed a period of service for more than three (3) months.
- Not to be employed under a forced labour.

## E I AI AIA TATAU A TAGATA FAIGALUEGA E AGAVAAI AI I VAEGA NEI:

- Totogi mo auunaga i le totogi e le lalo ifo ma le \$2.30 i le itula.
- Faaluaina o le totogi o le itula pe a faigaluega i Aso Sa i lalo o tuutuuga o galuega fai sifi ma galuega e le fai sifi.
- Faaluaina o le totogi o le itula pe a faigaluega i Aso Malolo Faale-Malo i lalo o tuutuuga ma aiaiga o tagata faigaluega fai sifi ma le galue le fai sifi.
- 10 Aso Livi faa-le-tausaga pe afai ua atoa le 12 masina o faigaluega mo le e onaina le galuega.
- 10 Aso Ma'i faa-le-tausaga pe afai ua atoa le 12 masina o faigaluega mo le e onaina le galuega.
- 6 vaiaso malolo mo Tina Failele i aiaiga ma tuutuuga pe afai ua atoa le 12 masina faalausoso'o o faigaluega mo le e onaina le galuega.
- 5 Aso Malolo mo tama o pepe pe afai ua atoa le 12 masina faalausoso'o o faigaluega mo le e onaina le galuega
- Taimi malolo mo le tagata faigaluega i l le aso mo se taumafataga.
- Totogi o ovataimi mo galuega faasili e ese mai itula faatapulaaina e galue ai l le Vaiaso.
- Ia le lalo ifo ole 6 itula poo le sili atu o le 12 itula e faigaluega ai se tagata faigaluega fai sifi.
- Agavaa l aso malolo faaletausaga faatasi ai ma le totogi faatatauina ile umi ole galue pe a maea se vaiataimi ole auunaga e sili atu l lo le tolu (3) masina.
- E lē tatau i se tagata ona ia poloaia pe faaososoina po o le faaogāina o tulaga fai faamalosī o galuega.

## EMPLOYEES RIGHTS CONTINUE...

- Not being directly or indirectly discriminated by an employer under the following grounds:
  - ◆ Ethnicity
  - ◆ Race
  - ◆ Colour
  - ◆ Sex
  - ◆ Gender
  - ◆ Religion
  - ◆ Political Opinion
  - ◆ National Extraction
  - ◆ Sexual Orientation
  - ◆ Social Origin
  - ◆ Marital Status
  - ◆ Pregnancy
  - ◆ Family responsibilities
  - ◆ Real or perceived HIV status and disability.
- Bargain Collectively in an agreement relating to the following:
  - i. The wages, terms and conditions of employment
  - ii. Relations between the parties
  - iii. Other matters of mutual interest.
- Freedom of Association to establish organisations without any distinction for the promotion and protection of their economic and social interests, and to join any such organisation of their choice.

## AIA TATAU FA'AAUUAU...

- E le tatau ise pule ose fale faigaluega ona faailoga tagata, i se faiga tuusao pe leai foi, i se tagata faigaluega po o se tagata o lo o talosaga mo se galuega i so o se faiga faavae tau galuega, taualumaga po o aga masani i luga o le tasi (1) po o le sili atu o mafuaaga e teuteuina ai se finauga, e aofia ai:
  - i. Tu ma aganuu
  - ii. Ituaiga tagata
  - iii. Lanu
  - iv. Ituaiga
  - v. Kanera
  - vi. Tapuaiga
  - vii. Manatu Faaupufai
  - viii. Oototoga faale atunuu
  - ix. Tulaga faamasani ile va ole alii male tamaitai
  - x. Tupuaga tau le olaga lautele
  - xi. Tulaga tau faaipopoga
  - xii. Maitaga
  - xiii. Matafaioi faale aiga
  - xiv. Tulaga moni pe leai foi o le aafia i le faamai oti (HIV) ma le lē malosī atoatoa o le tino.
- Maliega soofaatasi e faasino i se tasi o tulaga ua taua i lalo, o se maliega lea e faia i le va o se iuni tau fefaatauaiga e tasi (1) pe sili atu ma se toatasi (1) pe sili atu o tagata e ona galuega:
  - (a) o totogi, tuutuuga ma aiaiga o galuega;
  - (b) sootaga i le va o vaega auai;
  - (c) o isi mataupu o aia soofaatasi.
- Saolotoga e tuufaatasi ai tagata faigaluega ma tagata e ona galuega ona faavae faalapopotoga e aunoa ma so o se tulaga e ese mai ai mo le uunaia ma le puipuga o a latou aia tau le tamaoaiga ma le va o tagata, ma ia auai atu i so o sea faalapopotoga o a latou filifiliga.