



Kigali, on 05<sup>th</sup> October 2021  
N°1697/19.23

**Chief Executive Officer of RwandAir**  
**KIGALI**

**Re: Additional List of Gross Misconduct**

Dear Chief Executive Officer,

Reference is made to your letter with reference WB/CEO/06/21/081 of 08/06/2021 requesting for approval of additional list of gross misconduct;

Pursuant to the law n° 66/2018 of 30/08/2018 regulating labour in Rwanda, especially in its article 3 point (7<sup>0</sup>) which defines a gross misconduct as “a misconduct committed by an employee, based on the severity of the action, omission, conduct, its circumstances or consequences as a result of which the employer can no longer continue to employ him or her”;

Further reference is made to the Ministerial Order n° 002/19.20 of 17/03/2020 establishing the list of gross misconduct, especially in its article 3 which states that an employer may determine a list of other acts or behaviour considered as gross misconduct to be added to the list of gross misconduct specified in the Ministerial Order;

Following the consultations between MIFOTRA and RwandAir Staff on the review of proposed additional list of gross misconduct;

I am pleased to send to you, herewith attached, the approved additional list of gross misconduct for integration in your internal rules before its implementation and the list of acts that were not approved as gross misconduct.

Please accept, Dear Chief Executive Officer, the assurances of my usual good consideration and esteem.

**RWANYINDO KAYIRANGWA Fanfan**  
**Minister of Public Service and Labour**



MINISTRY OF PUBLIC SERVICE AND LABOUR

**I. APPROVED ADDITIONAL LIST OF GROSS MISCONDUCT IN RWANDAIR**

1. Absence from work for a period from 5 calendar days;
2. Absence from work or reporting late for duty causing a flight to delay more than 30 minutes;
3. Convicted for criminal acts at or outside of RwandaAir;
4. Behaving in any a shaming manner that causes a negative image to RwandaAir to the public;
5. Being caught in the public eye in a sexually/ romantic actions with a fellow employee, a client, Company Partners during the course of duty;
6. Any act or omission at work, which causes financial loss or revenue or any other injury to RwandaAir;
7. Any act of negligence which in result cause damages or injury to an aircraft or ground equipment, passenger or any staff;
8. Taking advantage of one's position as a technician or IT engineer to destroy, amend or alter existing software, hardware or any other information or asset that belongs to the Company;
9. Deliberately impersonating another computer user;
10. Deliberately damaging or deleting RwandaAir business files on computer;
11. Obtaining without authorization the access codes and/ or passwords of another computer user;
12. Aiding an illegal passenger or luggage;
13. Unauthorized possession of weapons, materials of explosive nature, company property/any other Airline's property or symbols;
14. Abuse of staff travel privileges;
15. Breach of company copy right in any form;
16. Using one's position for personal advantage;
17. Inciting a person to make an act related to corruption;
18. Omission at work, which exposes people to danger.

## **II. LISTS OF ACTS NOT APPROVED AS GROSS MISCONDUCT IN RWANDAIR**

### **a) Acts already considered as Gross misconduct in the Ministerial Order**

1. Embezzlement;
2. Theft and petty pilfering;
3. Being guilty of fraud or corruption;
4. Being in a drunk or intoxicated state at RwandAir grounds during and after working hours;
5. Giving or receiving, or attempting to give or receive a bribe;
6. Falsifying documents deliberately;
7. Fighting or making obstruction or attacking a fellow employee or any other person at the workplace;
8. Damaging an asset of the company deliberately;
9. Incapacity with work due to alcohol or being under the influence of illegal drugs;
10. Disclosing professional confidentialities and work secrets;
11. Demanding openly or implicitly, to receive indirectly or directly gifts or any other illegal profit for oneself or others or to accept it as a promise in order to render a service within his or her function, or mandate.

### **b) Acts not considered as Gross misconduct due to their nature**

1. Showing a deliberate attitude/behaviour of disobedience or any other offensive act;
2. Refusal to carry out duties in relation with the individual job description;
3. Deliberately neglecting the accurate achievement of some job requirements;
4. Deliberately ignoring financial regulations or guidelines issued by the RwandAir or the Ministry of Finance;
5. Failure to obtain a valid airport security ID and essential license or licenses required by terms of Rwanda Civil Aviation regulations or any other international authorities.