



NOBOA, PEÑA & TORRES
ABOGADOS ECUADOR

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“REFORM OF MINISTERIAL AGREEMENT NO. 00398, THROUGH WHICH PROVISIONS RELATED TO THE TERMINATION OF EMPLOYMENT RELATIONSHIPS FOR WORKERS LIVING WITH HIV WERE ESTABLISHED”

Dear Clients and Friends:

On November 15, 2024, the Ministry of Labor published the Ministerial Agreement No. MDT-2024-198, through which the *"Reform of Ministerial Agreement No. 00398, through which provisions related to the termination of employment relationships for workers living with HIV were established"* came into force. This agreement states the following:

In labor relations, the following are prohibited:

- Requesting an HIV/AIDS test as a requirement to obtain or retain employment.
- Requiring the worker to disclose their HIV/AIDS status at any time during the employment relationship, except in cases of temporary disability due to this condition.
- Violating the confidentiality and privacy of the worker.

Additionally, employers have the obligation to implement comprehensive training programs for their employees and human resources to raise awareness regarding the importance of respecting diversity and eradicating all forms of discrimination in the workplace, ensuring the protection of people living with HIV/AIDS.

We hope that this information, which does not entail advice because it is of a general nature, will be of use to you. If you have any specific concerns, we will be happy to answer them.

NOBOA, PEÑA & TORRES ABOGADOS

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